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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
SECOND SESSION.

SENATE.

WEDNESDAY, *June 5, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, as we come together this morning to open another session of the Senate our hearts are saddened with the news of the passing of one of the eminent statesmen of this great country. We think of his career, in which Thou didst lead him on. Through all the tract of the years he wore the white flower of a stainless life. He presided with dignity and with justice in this place. He gave his life to the highest interests of his country.

We pray that as Thou dost call us day by day to face the solemn responsibilities of life, in view of the passing of so many, our hearts may be chastened and refined that we may have a regard for the final issue.

We pray now Thy blessing, O God, upon our land and country. Still raise up men able to lead us onward along the lines of the higher ideals of our fathers and give us the final victory. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, June 3, 1918, when, on request of Mr. SMOOT and by unanimous consent, the further reading was dispensed with and the Journal was approved.

DEATH OF HON. CHARLES WARREN FAIRBANKS.

Mr. WATSON. Mr. President, as one of the representatives from Indiana in this body, it becomes my painful duty to announce to the Senate the death at his home in Indianapolis last evening of the Hon. Charles Warren Fairbanks, for eight years a Member of this body and for four years its presiding officer. In accordance with the precedents I shall introduce a resolution providing that the Senate adjourn as a mark of respect for the character and the services of this eminent statesman.

Senator Fairbanks was a well-rounded and symmetrical man. He had that indefinable trait that we call poise. He was well balanced. He was a student by inclination. The very bent of his genius early led him into the law and then into politics, a path that has been so frequently trod by many men who have become conspicuous in the history of the Republic.

Mr. President, Senator Fairbanks became a Member of this body on the 4th of March, 1897, and until his elevation to the Vice Presidency he served his State and his country with peculiar fidelity and with signal ability.

In debate he was argumentative but never abusive, for he conducted all of his battles on the high plane of principle. Members heard him gladly, for they knew that he had investigated every phase of the question under discussion and that he would give to them the results of his honest thought. All men believed him to be sincere. His very bearing forbade the thought of subterfuge. He was an indefatigable worker, and therefore he came full armed to the discussion of every problem he chose to debate.

As presiding officer of the Senate, those who were Members of this body during his incumbency will attest the statement that he presided with fairness and impartiality; that he was ever courteous and urbane; and that he never sought to take any partisan advantage of his position. His conduct at all times was marked by a dignity rarely seen, and his very presence impressed all those who met him with the nobility of his character.

Senator Fairbanks was the most eminent citizen of my State in private life, and his death will be universally mourned by the people of that Commonwealth, who everywhere respected and admired him for his worth as a man, his work as a citizen, and his services as a statesman.

He was known to all of them as a man of spotless reputation and unblemished character, and he was held in this esteem by men of all parties, notwithstanding his leadership in many bitter campaigns.

They all regarded him as their friend, just as all knew him to possess those qualities they could trust. They never doubted him in either private or public life, for they knew the solid granite of his character. His fame will go down to a far day among them as one who bore well the burdens of life, who was a loving father, who was a respected citizen, who won the admiration of all with whom he came in contact because of those enduring traits of character that made the man.

Mr. President, inasmuch as he is not a Member of this body extended remarks would not be in order, and therefore I content myself by offering the following resolutions:

The VICE PRESIDENT. The Secretary will read the resolutions submitted by the Senator from Indiana.

The Secretary read the resolutions (S. Res. 257), as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. Charles Warren Fairbanks, a former Member of this body from the State of Indiana, later Vice President of the United States and President of the Senate.

Resolved, That as a mark of respect to the memory of the illustrious dead the Senate do now adjourn.

Mr. MARTIN. Mr. President, I think sorrow and sadness was brought to every Member of this body when it was announced last night that Vice President Fairbanks had passed away. I believe I hazard nothing in saying the Senate has never had a presiding officer who discharged the duties of his position with more ability, fidelity, and fairness than they were discharged by Vice President Fairbanks. He not only commanded the confidence and esteem but the affectionate regard of every Senator who served in this body with him, and I may say of every Senator, and, indeed, of all who ever knew him before or after his service in this body.

I am very sure, Mr. President, there is not a Member of the Senate who would be willing to proceed with the business of the Senate until we paid by an adjournment the highest tribute it is in our power at this time to pay to Vice President Fairbanks.

The resolutions were unanimously agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 6, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 5, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, though our faith in human nature has been strained to well-nigh the breaking through the barbarous methods of warfare introduced by the Germans and their allies, with a view of terrorizing the world and destroying human rights, help us to realize that it is through a false and vicious education, systematically followed up for more than a half century in their homes, their schools, and from their pulpits, which is opposed to the gospel message, the thunderings of Sinai, the prophets and seers of old, and is therefore unnatural, inhuman, expressed in the indignation of all civilized peoples.

Help us, therefore, to stand fast to our convictions, and, though faith may long be delayed, it will vindicate itself in the wisdom, power, and goodness of God, who lives and reigns in the hearts of all true men, in Jesus Christ the expressed image of the Father.

O Love, O Life, our faith and sight
Thy presence maketh one;
As through transfigured clouds of white
We trace the noonday sun.

So, to our mortal eyes subdued,
Flesh-veiled, but not concealed,
We know in Thee the fatherhood
And heart of God revealed.

Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. LANGLEY and Mr. RANDALL rose.

The SPEAKER. The gentleman from California is recognized.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for three minutes, but before that the Chair will recognize the gentleman from Kentucky.

Mr. LANGLEY. Mr. Speaker, our colleague, Gen. HOLLINGSWORTH, of Ohio, who is delayed at his home, delivered a patriotic address on Memorial Day, which I think is a very remarkable one, and I ask unanimous consent to insert it in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD by inserting a patriotic speech made by Gen. HOLLINGSWORTH, of Ohio, on Memorial Day. Is there objection?

There was no objection.

The gentleman from California [Mr. RANDALL] is recognized for three minutes.

LEAVE TO ADDRESS THE HOUSE.

Mr. STAFFORD. Mr. Speaker, was consent granted to the gentleman?

The SPEAKER. The Chair is rather inclined to think it was, but I will put the question over again. Is there objection?

Mr. MOORE of Pennsylvania. I rather think that consent was not granted. I reserve the right to object, with the view of finding out what subject the gentleman intends to speak about. He has a bottle in his hand. What he intends to do with it I do not know.

Mr. RANDALL. I intend to speak concerning an item that appeared in the Washington Times of last night about finding beer bottles in the House Office Building.

Mr. MOORE of Pennsylvania. Does the gentleman think that is a peculiar circumstance?

Mr. RANDALL. That is what I propose to elucidate.

Mr. MOORE of Pennsylvania. I wish to ask the gentleman if he intends to propose any action, because if the article to which he refers is unfair in reflecting upon the great body of the Representatives of the people, to continue that sort of discussion may not be wise.

Mr. RANDALL. I will say to the gentleman from Pennsylvania that I propose to show by evidence on this bottle that the finding of this bottle in the House Office Building is simply a "plant" made by some one. I will prove it by the statement on the bottle.

Mr. MOORE of Pennsylvania. The gentleman is in this position, that if he suspects a plant in the House Office Building, which might apply as well to any other branch of the Capitol, it would be possible for certain designing men, having photographers along, to place a barrel of empty whisky bottles before the door of the gentleman from California, who is a confirmed prohibitionist, and it might affect the gentleman's chances for reelection in California.

Mr. RANDALL. I think, Mr. Speaker, that the whole thing is disgraceful and disgusting and is not entitled to attention. The only reason I ask for these few minutes in which to say something about it is because the Washington Times has been making it appear, or attempting to make it appear, that I am cooperating with that paper in trying to discover empty whisky bottles and beer bottles in the House Office Building.

Mr. MOORE of Pennsylvania. There is no objection to the gentleman proceeding; but I will say this, that the gentleman is just as likely to be made a victim of a plant of whisky and beer bottles put before his door as anybody else in the House.

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, reserving the right to object, does the gentleman think he needs any defense in the House of Representatives as to what the Washington Times says?

Mr. ALEXANDER. Mr. Speaker, I would like to ask the gentleman from Texas a question.

The SPEAKER. I wish everybody would speak loud enough to be heard.

Mr. ALEXANDER. I would like to ask the gentleman from Texas if he is indifferent to the conditions to which the Times has called attention?

Mr. GARNER. I am, so far as I am individually concerned, entirely indifferent to it, because I do not think it is any business of the Times or of anybody else as to what gentlemen do when they do not violate the law.

Mr. DYER. Mr. Speaker, I ask for the regular order.

The SPEAKER. The regular order is, Is there objection to the gentleman from California proceeding for three minutes?

Mr. CANNON. Mr. Speaker, I would like to ask a question. Does the gentleman from California feel that he is under a ban and has to clear his motive?

The SPEAKER. Is there objection?

Mr. GALLIVAN. Mr. Speaker, reserving the right to object——

The SPEAKER. No; the regular order has been demanded. The regular order is, Is there objection?

Mr. GALLIVAN. Go ahead. [Laughter.]

The SPEAKER. The Chair hears none.

Mr. RANDALL. Mr. Speaker, in the late edition of the brewers' journal of last night, otherwise known as the Washington Times [laughter], this item appears:

A Times reporter discovers 38 empty whisky bottles in a box in the House Office Building—Congressman RANDALL and a Times reporter find 26 empty beer bottles in a storeroom on the fifth floor of the building.

Mr. Speaker, the Times reporter came to my office yesterday morning and said he had heard of some more bottles in the House Office Building, and wanted to know if I would go up and help him discover them. I said, "No; I am not interested." He continued to talk for a while, and then went over to my telephone and called up some one and got information as to where these bottles were, and said, "I have just found out where they are. If you want to see them, will you go up?" I said, "All right." We went up to the attic and he looked along the hall for a while—more in the air than anywhere else—and then finally said, "Here they are," and stepped behind a pile of mail sacks, where there was a box of beer bottles tied up with a string, and covered so that they could not be discovered unless he had known where they were. He pulled out the box, which was a paper carton, and opened it, untied the fresh string that was around it, and pulled out 26 beer bottles. This is one of the bottles [exhibiting].

Mr. DYER. What brand is it? [Laughter.]

Mr. RANDALL. In that attic when anything lies up there a few months it is covered with dust. This box, with the string around it, was freshly placed there. I examined the bottles carefully, and I found on the labels, which is the Faust brand of beer, the notorious brand of St. Louis, "Alcohol, 4½ per cent."

Now, Mr. Speaker, the President of the United States issued an order on December 8, 1917, reducing the alcoholic content of beer to 2¾ per cent, and a bottle in the House Office Building, in a box freshly placed there containing bottles labeled "Alcohol, 4½ per cent," evidently was bought of some junk shop and placed there very recently in order to bolster up this cheap slander which the Washington Times is conducting against the House of Representatives. [Applause.]

ALIEN SLACKERS.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to proceed for four minutes.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for four minutes. Is there objection?

There was no objection.

Mr. ROGERS. Mr. Speaker, under the call of the President 1,000,000 of our young men are to-day registering for military service. It is an appropriate moment perhaps to call attention to the Nation's progress, or rather utter lack of progress, in solving the alien-slacker problem. In spite of the extreme gravity and importance of the question not one thing has been done. We have been in a state of coma, which has apparently been growing more and more acute and hopeless as the months have passed.

Let me review very briefly the chronology:

1. The draft law was signed by the President May 18, 1917.

2. Ten million men between 21 and 31 registered June 5. As I pointed out in a rather extended speech delivered in this House on July 13, over one-eighth of the number, about a million and a quarter in all, were aliens and exempt from the draft. In some States the percentage of alien registrants to total registrants was 35 or 40 per cent. Yet the quotas of these States were based on total population, although one-third or more of that population was exempted outright. The unfair and unjust drain upon the citizen population of these communities was manifest. The spectacle of the young alien stepping into the job of the drafted American was not an agreeable one. But running still deeper was the conviction of our people that the alien who had come to our shores, obtaining our protection and enjoying our freedom and prosperity, must not escape without the slightest obligation to defend the United States in its struggle for existence.

3. The House Committee on Foreign Affairs on August 1 unanimously reported out a resolution which I had introduced and which had the express sanction of the President and the Secretary of State. This resolution called upon the Secretary of

State to enter into treaties for the inclusion in our draft of the subjects of foreign countries residing in this country.

4. On August 1 the Senate unanimously passed a practically identical resolution.

5. On September 12 the Senate passed the drastic Chamberlain bill, providing for the draft of all aliens except enemy aliens and aliens protected by treaty. This resolution, upon the personal request of the Secretary of State, was killed later in September by the House Committee on Military Affairs and has never been resurrected.

6. On February 27, after repeated postponements requested by the Secretary of State, the House passed the Burnett bill, providing deportation for the aliens who did not submit to the draft. This bill apparently is as dead as the Chamberlain bill, no action having been taken by the Senate.

7. Presumably pursuant to the action of Congress of last August the Secretary of State on February 27 finally submitted to the Senate drafts of treaties with Great Britain and Canada for the mutual drafting of the subjects of each country residing in the other. On March 22, two and one-half months ago, the Secretary withdrew the treaties. They have not been resubmitted.

Here the story stops. Fourteen months after the declaration of war and 13 months after the enactment of the draft law nothing has been done in spite of the warranted and insistent demand of the whole country for speedy action. Millions of our men are going forth to the war, yet no alien need accompany them to defend their common country.

"How long?" Is there no end to the delay? Can it be that we can not agree with those allies by whose side we are fighting for our lives? Surely the cordial feelings between us must make possible an immediate meeting of minds. Surely each nation will gladly yield in matters of detail. Surely the nations must not in this regard appear as bargainers, each seeking its utmost advantage. The common cause is far too great to be belittled by any such attitude. Let us get together in this as in all else.

CHARLES WARREN FAIRBANKS.

Mr. DIXON. Mr. Speaker, we have all heard with the deepest sorrow of the death last night of Hon. Charles Warren Fairbanks at his home in Indianapolis, Ind.

For many years Mr. Fairbanks has been prominently identified with public affairs, not only of the State but of the Nation. Twice elected to represent the State of Indiana in the Senate of the United States, resigning from that position when elected as Vice President of the United States, he has filled every position with honor and credit, not only to himself but to his country. Indiana will ever hold in loving remembrance the high character and the unblemished record of Charles Warren Fairbanks.

My colleague, Mr. WOOD, has been more intimately associated with Mr. Fairbanks than any other member of the Indiana delegation, and I ask unanimous consent that he may be given 10 minutes in which to address the House.

The SPEAKER. The gentleman from Indiana asks unanimous consent that his colleague, Mr. WOOD of Indiana, may be permitted to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. WOOD of Indiana. Mr. Speaker and Members of the House, I wish to thank my colleague, Mr. DIXON, for making this request and the House for granting it.

Announcement is made this morning through the public press of the death of Charles Warren Fairbanks, of Indiana. While Mr. Fairbanks was never a Member of this body, he served for eight years as a Member of the Senate, and was Vice President of the United States for four years. I therefore think it but fitting that the deliberations of this body should be paused for a moment out of respect to the memory of this eminent citizen.

Time forbids an elaboration upon his virtues or an extended detail of his public service to State and Nation.

His life and his achievements furnish a most striking example of the possibilities that may be attained by every American youth who has innate ability, integrity of purpose, indomitable courage, and abundant energy. From a log cabin in the woods of Ohio, where he was born, within the span of 66 years, he marched from obscurity through the gates of fame; and he blazed the path himself, unaided by parental fortune or official influence. God blessed him with a giant stature and a splendid brain. These implements were sufficient for his success. As a farmer boy, newspaper reporter, lawyer, and statesman, he performed well his part, and he never sought advancement until he was sure of his course and his ability to hold advanced position.

The great ambition of Senator Fairbanks as a boy was to be a successful lawyer, and all the things else that he did were preparatory stepping stones to this end. After being admitted to the bar in Ohio he removed to Indianapolis, Ind., in 1874, to make that rapidly growing commercial city his future home. He was a stranger in a strange city, but he had chosen a fertile field in which to employ his talents. There were giants in the practice of law in Indianapolis then, many of whom had national reputation as lawyers. Among them were Benjamin Harrison, Thomas A. Hendricks, Joseph E. McDonald, Walter Q. Gresham, Abe Hendricks, John W. Butler, Jonathan Gordon, Tom Brown, George W. Julian, and a score of others. Among this imposing coterie of lawyers Mr. Fairbanks began the practice in a modest way, and rapidly advanced until within a very few years he was a peer with the eminent practitioners that I have just named.

While primarily engrossed in the practice of law, Mr. Fairbanks found time to take part in the political affairs of Indiana, and from 1888, when he acted as manager of the forces supporting Walter Q. Gresham for President of the United States as against Benjamin Harrison, down to his death there was never a campaign in Indiana in which Mr. Fairbanks did not take an active part. He was the unanimous choice of his party for the United States Senate in 1897 and again in 1903. He served in that body continuously for eight years, and was then elected Vice President of the United States for four years. He was in the Senate during all the time that McKinley was President. He was President McKinley's fast and devoted friend, and this friendship was reciprocated. Had it not been for the untimely death of the President, in all probability Mr. Fairbanks would have succeeded him. Senator Mark Hanna, who was closer to President McKinley than any other living man, said soon after the death of the President that the greatest personal loss sustained by any man in the death of McKinley was sustained by Charles W. Fairbanks, of Indiana, and that in his opinion Fairbanks would have been his logical successor.

Mr. Fairbanks was a Republican of the old school, and he never deviated from the cardinal principles of the party. Others wandered away for a time and returned, but he remained steadfast throughout. In 1892, when the whole country seemed to be going wild on the subject of free silver, Mr. Fairbanks, as chairman of the Indiana Republican State convention, declared that "the Republican Party stands for a sound and honest dollar and must ever stand for a stable currency." In 1896 he wrote a plank into the Republican platform of Indiana declaring in favor of the gold standard, and, through mighty opposition, had it adopted by the convention. It took great courage then to do this thing, but Fairbanks was a man of courage whenever and wherever principle was involved. He was the temporary chairman of the Republican national convention in 1896, and his speech delivered on that occasion was the keynote for the ensuing campaign. In it he was bold to declare for sound money and a protective tariff, and in his adherence to these two fundamental principles of the Republican Party he never wavered.

After Senator Fairbanks retired from public life he did not go into seclusion, as many others have done, and he never lost interest in matters that pertain to the welfare either of the State or Nation. He was ever ready to respond to any service assigned him, no matter what it was, and he always dignified that service. He was a member of the commission for the State of Indiana to the Panama Exposition held at San Francisco. He took as much interest in the duties devolving upon him in that capacity as he did in every other official duty, and the speech that he made at the dedication of the Indiana Building on the exposition grounds was one of the greatest public utterances he ever made.

He was kind and affable always; ever a courteous gentleman. As a Member of the United States Senate he won the respect of all his associates. As Vice President of the United States and presiding officer of the Senate he made a reputation for fairness seldom equaled and never excelled by any of his predecessors.

When this war broke out Mr. Fairbanks immediately tendered his services to the State and to the Nation, and there was not a day, until stricken by his last illness, but what he did something for his country. He was on a speaking tour in behalf of the second liberty loan when his physical breakdown came, from which he never rallied.

His was a well-rounded life, but he died too soon. There was still much for him to do. There was still much that he would like to have done for the country he so truly loved. [Applause.]

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments bill of

the following title, in which the concurrence of the House of Representatives was requested:

H. R. 9959. An act to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912.

CALENDAR WEDNESDAY.

The SPEAKER. This is Calendar Wednesday. The Clerk will call the roster of committees.

The Clerk called the Committee on Interstate and Foreign Commerce.

SAFETY OF EMPLOYEES AND TRAVELERS UPON RAILROADS.

Mr. SIMS. Mr. Speaker, I call up House bill 10297.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the bill, as follows:

A bill (H. R. 10297) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union for its consideration, with the gentleman from Maryland [Mr. LINTHICUM] in the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10297, with Mr. LINTHICUM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10297, which the Clerk will report.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, be, and is hereby, amended as follows:

In the thirteenth line of section 3 strike out the word "four" and insert the word "five," and in the fourteenth line of section 3 strike out the word "three" and insert the word "four."

In the fourteenth line of section 4 strike out the words "one thousand eight hundred" and insert the words "three thousand."

With a committee amendment, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the act entitled 'An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto,' approved February 7, 1911, as amended, be, and is hereby, amended as follows:

"'Amend section 3 so as to provide that the salary of the chief inspector shall be $5,000 per year; the salary of each assistant inspector shall be $4,000 per year.

"'Amend section 4 so as to provide that the salary of each district inspector shall be $3,000 per year.'

"SEC. 2. Nothing herein contained shall be construed as amending, altering, or repealing any of the other provisions of said sections."

Mr. SIMS. Mr. Chairman, two years ago a bill similar to this, in fact identical in almost every respect, was introduced, favorably reported by the Committee on Interstate and Foreign Commerce, and passed the House, but failed to receive consideration in the Senate.

The object of this bill is to increase the salary of the chief inspector of the Boiler-Inspection Service from $4,000 to $5,000 a year, and the salaries of the two assistants from $3,000 to $4,000, and to make the salaries of the district inspectors $3,000.

The boiler-inspection law was passed in 1911 or 1912. It was passed simply as a boiler-inspection law, with no duties other than those pertaining to boilers, and the salaries fixed at that time were fixed with reference to the service being limited to boiler inspection only. After that Congress amended the law and included the inspection of engines and tenders, which doubled the work and responsibilities of the inspectors, without increasing the compensation therefor. These inspectors have performed a valuable service along the line of securing greater safety to the traveling public and to the trainmen themselves. I wish to read a few statements made in behalf of the bill as a part of my remarks. This service is under the Interstate Commerce Commission, and Commissioner Charles C. McChord, the member of the commission under whom these men serve, was before the committee. I will read only a part of his statement as follows:

I think these salaries ought to be increased. I think the bill is fair and just, and I think the amount fixed there—$5,000 for the chief inspector, and $4,000 for the other two assistants, and $3,000 for the other inspectors—is fair and right. I do not believe we can hold our men unless we do that, although they have been loyal and stuck to us when they have had offers, a good many of them, elsewhere. They are all thoroughly competent, and they have had experience. I think they are worthy of the money that this bill provides, and I am very anxious to see them get it, because I know their value and I know that they are worth it.

Mr. W. S. Stone, grand chief of the Brotherhood of Locomotive Engineers, made the following statement:

I simply want to say this, and I will only take two or three minutes, that the Brotherhood of Locomotive Engineers, as you know, is the father of the boiler-inspection law. With the help of our good friends we finally got it, and we had a selfish motive in it. We were not only trying to save the lives of the traveling public but of our men, and we are vitally interested in having good inspection; and this bill meets with our hearty approval because we know we are not going to be able to keep these men unless we can pay them a living wage. We all know what the cost of living is at the present time as compared with a year or two ago, and they feel it just as much as any other people.

I approach this subject from the selfish standpoint of the executive officer of a great organization. For example, last month we paid insurance for 102 engineers. Twenty-two of those engineers were killed on duty; 43 died from pneumonia, undoubtedly due to exposure and to leaky engines and the severe weather. So we hope that you gentlemen can see your way clear to report out this bill as it is drafted and give it your indorsement, because it is absolutely necessary to keep these men. These railroads must be kept running. We must surround these railroads and the men who operate them, as well as the traveling public, with every safeguard possible. The Director General of the Railroads has just said to the executive officers of these organizations that we can not win this war unless we can keep these railroads running to their limit; and in order to do that we want the best inspection possible.

I will not read from others, as the statements are all along the same line. When this bill was passed the inspectors of the Interstate Commerce Commission of like rank and grade were paid only $1,800. This was six years ago. The district inspectors, of whom there are 50, have to pass a rigid special examination to test their qualifications. They are not simply inspectors, but they are inspectors in chief, because they have all the inspectors of the railroads under them. Their work has been doubled, and their responsibility doubled, without any increase whatever in compensation. Two years ago, when the bill was reported and passed, the committee put the salaries of the district inspectors at $2,400. This was an increase of $600 a year. We believe that $3,000 is more in harmony with the service performed by these men, with the salaries of the assistant chief at $4,000, and of the chief inspector at $5,000. The cost of maintaining an ordinary family has certainly increased very materially over what it was at that time. Therefore I think $3,000, or $250 a month for the district inspectors, who must travel all the time, and who have all the railroad inspectors, both as to boilers and engines, under their supervision and care, is not too great an increase, although I admit that the percentage of increase is large.

Mr. WALSH. Will the gentleman yield for a question?

Mr. SIMS. Yes.

Mr. WALSH. I want to say that this increase of the salaries of the district inspectors is one of the few salary increases which I favor; but I want to ask the gentleman if his statement is correct that there are only 50 inspectors for all the locomotives in the United States?

Mr. SIMS. Only 50 district inspectors in service under the Interstate Commerce Commission in the enforcement of this safety-appliance law.

Mr. WALSH. For the entire United States?

Mr. SIMS. There is the chief inspector, Mr. McManamy, 2 assistant inspectors, and 50 district inspectors; that is all.

Mr. WALSH. That is for the entire country?

Mr. SIMS. For the whole United States.

Mr. WALSH. It seems to me there ought to be more than that number.

Mr. SIMS. Probably there ought to be; but that shows the tremendous service they are performing.

Mr. FOSTER. There are other inspectors besides the district inspectors?

Mr. SIMS. No other Federal inspectors under the Interstate Commerce Commission. The railroads have their own inspectors, but these are the official inspectors of the United States Government, and the reduction in the number of accidents has been wonderful since they began their work.

Mr. FOSTER. These 50 district inspectors are the ones who travel and see that the law is enforced? That is it, is it?

Mr. SIMS. Yes.

Mr. FOSTER. So that there are no others that do inspecting, except what is done by the railroad companies themselves.

Mr. SIMS. That is all; but these 50 inspectors do inspecting work personally.

Mr. RAYBURN. There are other inspectors in each district.

Mr. SIMS. No other Federal inspectors.

Mr. FOSTER. And these 50 inspectors do inspect all railroad boilers?

Mr. SIMS. And engines.

Mr. FOSTER. They travel around to see that it is done?

Mr. SIMS. They travel in their districts all the time. They do both inspecting and supervision.

Mr. MOORE of Pennsylvania. Mr. Chairman, is it possible the Government would lose the services of any of these men if these salaries were not increased?

Mr. SIMS. They have already lost some of them. That is the trouble. Mr. McManamy has used his influence to retain them in the service when they are offered very greatly increased compensation to go elsewhere, and they have remained patriotically in the service. Mr. McManamy now has under his charge 78,000 locomotives.

Mr. MOORE of Pennsylvania. Is the gentleman familiar with the salaries paid to the employees of the Interstate Commerce Commission who value the railroads?

Mr. SIMS. No; I am not well enough informed to answer questions about that matter.

Mr. MOORE of Pennsylvania. Is the work done by these district inspectors of a nature that aids in the saving of human life?

Mr. SIMS. It is a life-saving service.

Mr. MOORE of Pennsylvania. The work done in the valuation of the railroads is more of a clerical character, and I wanted to know if the gentleman could make any comparison of their compensation with that of the compensation paid to these practical workers who are mechanical experts.

Mr. SIMS. I could not, for I have not looked that up; but I am just about to yield to the gentleman from Illinois [Mr. STERLING], who wrote the report on a similar bill two years ago, and the report has been largely followed by the committee at this time. I now propose to yield to the gentleman from Illinois [Mr. STERLING], who can, perhaps, answer questions in detail better than I can.

Mr. MOORE of Pennsylvania. I hope he will; and before the gentleman closes I want to say that the work done by these inspectors is of very great importance, whereas it is a question whether the valuation of railroads is of any value whatever.

Mr. FOSTER. Before the gentleman yields the floor, will he answer one question. In addition to the salary of $1,800 do these district inspectors get any per diem?

Mr. SIMS. They get an expense allowance. Perhaps the gentleman from Wisconsin would like to use some of his time.

Mr. ESCH. I have also promised to yield to the gentleman from Illinois. Mr. Chairman, the original act relating to the inspection of locomotive boilers was passed in 1911. That act created a chief inspector, two assistants, and 50 district inspectors. Their duties were confined to locomotive boilers and nothing else.

In 1915, March 4, Congress passed an act extending the work of these inspectors to all parts of the locomotive, including airbrakes, couplings, grab irons, handholds, headlights, and all other parts of the locomotive. When that act was passed it required that these inspectors appointed under the original act should take another civil-service examination to ascertain whether they would be fitted to fulfill the added duties created by the act of 1915, so that they would be capable of investigating the whole locomotive and determining whether it had any defects. This act of 1915 greatly increased the duties and responsibilities of these inspectors.

But the act of 1915 gave no increase of pay, and so it remained at $1,800, the original amount fixed. I need scarcely dwell on the excellent results following the enactment of the act of 1911, but a few figures are significant.

In 1912, the first year after the enactment of the law, the injured were 1,005 and killed 91. In 1913, the second year after the passage of the act, the injured had been reduced to 911 and the killed to 36. In 1914 the injured had been reduced to 614 and the killed to 23. In 1915 the injured had been reduced to 467, while the killed amounted to only 13. No other department of the Government, having reference to the safety of human life, can make a showing as remarkable as that of this department investigating locomotives. Their duties being increased by the act of 1915 will have a tendency to further reduce the number of injured and the number of killed on locomotives.

In reference to these duties the act of 1915 extending the duties to the whole locomotive has compelled the inspectors to a further preparation for a more intensive study of all parts of the locomotive. They must have a knowledge of optical and electrical equipment, because most locomotives on trunk lines have electric headlights; they must have a thorough knowledge of airbrakes and airbrake equipment, a knowledge of mechanical devices, for as you know these are being added to the locomotives almost month by month. So they have an enlarged field of operation with increase of responsibility, but with no increase of pay since the original act was passed.

In relation to expense they are allowed a per diem of $4. I have gone through the testimony and picked out at random reports of inspectors, not selected with reference to any particular place, but all over the United States. They were asked to report on hotel expenses, home expenses, disparity of pay, and other items.

Here is the report of an inspector from Nashville, Tenn. He says:

Duties: On account of local conditions, I have to work 10 to 18 hours a day.

Hotel expenses: Nearly all hotels have the American plan in Tennessee, and while one could live some years ago on $3 to $4 per day, one has now to pay $5 per day, with reduced quantity and quality of food.

Disparity of pay: Roundhouse foremen receive from $165 to $190 per month.

Here is another from the inspector at Jersey City, N. J.:

Household expenses: Household expenses have increased 50 per cent, and I have been compelled to draw upon my savings.

Hotel expenses: Practically all hotels in my district have advanced rates from $1.50 to $2.50 and $2.50 to $3; meals in proportion.

Clothing: Wearing apparel has increased in cost 75 per cent.

Here is still another from an inspector located in Chicago:

Disparity of pay: Foremen boiler makers receive from $175 to $225 per month; general boiler inspectors, $175 to $225 per month (with expense account); master mechanics, $225 to $275 per month (with expense account); superintendents of motive power, $5,000 to $7,000 per year. Our salaries are $157.50 per month (with per diem).

Household expenses: Food, clothing, and rents have so increased that nothing can be saved for a rainy day.

These are the employees of the railroad companies and these are the salaries which these railroad companies are paying these men, and yet they are largely in excess of the pay given to these inspectors. I could cite many other illustrations. Here is another one from Chicago. He says:

Duties: Have increased since February, 1911, when we were required to inspect only locomotive boilers, while at present we have to inspect the entire locomotive and tender and to perform duties relative to maintenance and operation. The work takes the inspectors away from home 30 to 60 days at a time. Inspectors are obliged to jump here and there, investigate accidents, work on priority orders, and assist in railway operation, which causes added expense for laundry, hotel rooms, and other necessary charges.

Household expenses: Are as high as those on the road.

Hotel expenses: Two or three times higher than five years ago and steadily mounting—hotel rooms costing $1 to $1.25 are now $2.25 to $3; meals have increased from 50 cents to $1 and $1.50. Every other expense is correspondingly high.

Disparity of pay: The pay of an inspector is scarcely half that paid railway employees engaged in similar work.

So that judged from this testimony that comes from these inspectors in the field, we conclude that they must be away from their homes for the greater portion of each month; that their per diem allowance of $4 is not sufficient; that some of them have to draw upon their savings in order that they may continue Government service. Some of them have been induced to leave the Government service because of larger pay offered them by private industries, and in these times when mechanics are so needed in shipyards and other industries it is difficult to resist the temptation of leaving the Government service and securing this higher pay. We must therefore give them a reasonable wage for the responsibilities they have to perform.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Yes.

Mr. STAFFORD. Can the gentleman inform the committee as to the number of resignations of these district inspectors during the past six months?

Mr. ESCH. At the time the testimony was given, about two months ago, the chief inspector, Mr. McManamy, stated that three had resigned and that several had written with reference to a possible change of their employment. I can not give the gentleman any further detail than that.

Mr. STAFFORD. Can the gentleman inform the committee what pay those three received in the new positions which they undertook?

Mr. ESCH. I understood one of them had an offer of $350 a month. His pay then was $157.50. Another I think had an offer that was very much in excess of the pay that he got from the Government.

Mr. STAFFORD. Those three instances, I suppose, were instances of men of superior ability who could fill more responsible positions than that of a district inspector.

Mr. ESCH. Oh, these district inspectors are high-class men. They have stood two civil-service tests since 1911.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Yes.

Mr. BARKLEY. I might suggest also that the testimony shows that if it had not been for the importunities of the chief inspector himself others would have resigned.

Mr. ESCH. Yes.

Mr. COX. Does the gentleman think if this bill goes through fixing the salaries as proposed that that will stop their resigning and going into private employment where the private employer proposes to pay an increased salary?

Mr. ESCH. We are assured that it will have that effect. I have reason to believe that these men who have a great pride in their work because of the results they have accomplished will be willing to stand by their Government. It is a remarkable service. The accomplishments are unparalleled. The men

take a pride in their work, but when one of these Government inspectors has to draw upon his private savings in order to remain with the Government I am not one who can blame him if he seeks another job.

Mr. STAFFORD. Will the gentleman state how many inspectors have been obliged to draw on their private savings in order to retain their positions?

Mr. ESCH. I have not gone through the reports of the inspectors, but I have noted three of them make that specific statement. I do not know how many others there may be.

Mr. STAFFORD. To what extent have they been obliged to draw upon their private savings?

Mr. ESCH. Oh, I could not tell the gentleman that.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. ESCH. Yes.

Mr. ROBBINS. I would like to ask the gentleman a question. As I understand it, this increases the salary of the chief inspector from $4,000 to $5,000?

Mr. ESCH. Yes.

Mr. ROBBINS. And the assistants from $3,000 to $4,000?

Mr. ESCH. Yes.

Mr. ROBBINS. And the 50 assistants from $1,800 to $3,000?

Mr. ESCH. Yes.

Mr. ROBBINS. The allowance per diem will be the same?

Mr. ESCH. Yes.

Mr. ROBBINS. There is no increase in that?

Mr. ESCH. Not at all.

Mr ROBBINS. Has this proposed increase been suggested to the Director General of Railways, since he has taken over the railways of the United States?

Mr. ESCH. I do not know that that comes within his jurisdiction.

Mr. SIMS. He has no power to act.

Mr. ROBBINS. These inspectors make their reports to the Interstate Commerce Commission.

Mr. ESCH. Yes.

Mr. ROBBINS. And will continue, of course, to report to that commission.

Mr. ESCH. Yes. The bill does not change their status in that respect.

Mr. ROBBINS. There is no doubt that these assistant inspectors ought to be paid more, because they are a skilled class of men. This does not increase the number?

Mr. ESCH. Not at all.

Mr. SNOOK. In connection with the question that the gentleman from Pennsylvania has asked, I suggest that it was brought out in the hearings that the Director General and the Interstate Commerce Commission also used these men very largely at the time the railroads were being taken over, or just before, in respect to the state of the freight congestion.

Mr. ESCH. Yes; I thank the gentleman for suggesting that. I wish to say that these inspectors have been required to do a multitude of duties that are not directly concerned with locomotive inspection.

In January and February, during the congestion owing to the strenuous winter weather, Commissioner McChord, upon the suggestion of the Director General, had every one of these 50 inspectors go to the main terminals and centers of congestion and there report the actual circumstances from day to day and those reports were received and were very instrumental in suggesting to the Director General remedial orders, and these men did this in addition to their duties as inspectors of locomotives, and they spent nights and days in that task. I might say as to increases for these inspectors, while on the face of the bill it appears to be an increase of $1,800 to $3,000, making an increase of $1,200, it must be remembered that this horizontal increase to Government employees now pending in the Senate or in conference amounts to $120, and these men getting $1,800 would be entitled to that increase. If they get $3,000 as granted by this bill, they will not participate in that increase, so that really the increase they are getting by this legislation is not $1,200 a year but $1,080, and the total amount of increase therefore because of this bill is only $54,000. I reserve the remainder of my time.

Mr. SIMS. I yield five minutes to the gentleman from Illinois [Mr. STERLING].

Mr. STERLING of Illinois. Mr. Chairman, I desire to speak briefly concerning the provisions of this bill. I had the honor of serving during the last Congress on the Committee on Interstate and Foreign Commerce. At that time a similar bill was before the committee, was reported to the House, and passed. The bill never passed the Senate and it is now again before the House for consideration. I took the trouble at that time to investigate the question of increasing the salaries of boiler inspectors. Under the law as it was originally passed their salary was fixed at $1,800 a year. I was thoroughly satisfied that it was wholly inadequate for the service these men rendered and for the standard of talent required in the work which they were expected to do. The bill as it passed the House at that time provided an increase for the district inspectors from $1,800 to $2,400 a year. I thought then that $2,400 a year was less than the salary ought to be and that the bill should have provided for higher pay. Since then conditions have so changed that it makes it clearly justifiable in allowing these men $3,000 a year. We all know that in the last year the tendency has been to increase wages everywhere, to increase pay everywhere, due to the high cost of living and to the extraordinary expenses that people are put to who are traveling about, and that of itself is a very potent reason why this increase should be made. Then there is another reason. The gentleman from Wisconsin [Mr. ESCH] stated that after the original law was passed the duties of these men had been largely increased. Originally they were required to inspect only the boilers of locomotives. Under the amendment to the law which was passed three or four years later their duties were extended to the entire locomotive and the tender in addition to the inspection of the boiler, and they were required to take an additional civil-service examination to determine their qualifications for these additional duties, and that was the condition two years ago when the bill passed the House at $2,400 a year.

Since that time additional duties have been imposed on these men that justifies more salary. Under the Director General of Railroads the chief inspector has been put in charge of the entire locomotive power of the railroads of the country. He has made it the duty of the chief inspector through the district inspectors to see that the locomotive power of the country is kept in the best possible condition. When engines and boilers are defective they are sent to the repair shop and the inspectors are given jurisdiction and control over repairs. It is their duty to see to it that they are repaired with the greatest possible speed and again returned to active duty on the road. This increases their duties very greatly under the ruling of the Director of Railroads. I think in the first four years of the operation of this law these district inspectors inspected on an average of nearly 100,000 boilers every year. It ran from seventy-five to ninety-five thousand boilers every year that these men were required to inspect. On their order a defective boiler and a defective engine must now be returned to the shop, and they have ordered during that time nearly 15,000 boilers and locomotives returned to the repair shop where they found them not in proper condition for actual work of the road. When we come to consider the result, when we come to consider the fact that this work has accomplished in a great measure the purpose for which it was intended, we must agree that it was a very wise piece of legislation that Congress enacted when it passed this locomotive-boiler inspection law. Let me call attention to these figures. In 1912, the first year after the boiler-inspection law was passed, there were 91 persons killed during that year from defective boilers. From accidents arising from defective boilers during that year there were 1,005 persons injured.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STERLING of Illinois. May I have five minutes more?

Mr. SIMS. I yield the gentleman five minutes more.

Mr. STERLING of Illinois. Three years later, after the law had been in operation from 1912 to 1915, and before the duties of these men had been extended to the entire locomotive and the tender, during the time when they were simply required to inspect the boilers alone, in 1915 there were only 13 persons killed from accidents arising from defective boilers, and instead of 1,005 persons injured from the same cause there were only 467 persons injured that year. This result can be traced as a direct result of this legislation. Every year from the time this law first went into effect down to the present time the accidents and injuries have gradually decreased from year to year just as the law became effective and just as the duties of these men operated upon the locomotives and the boilers in operation on the railroads of the country. I submit to the Members of the House that the proof is now clear that Congress has exercised great wisdom in the passage of four pieces of legislation intended to save human life and conserve human limbs on railroads. The first was the safety-appliance law, that applied to automatic couplers, to the brake system on railroads, to the grab irons, the handholds on cars. Another was the ash-pan act.

Another was this law providing for the inspection of boilers and locomotives, and the fourth law was the employers' liability act, which made the railroads responsible for seeing to it that they employed in these dangerous occupations on railroads only men qualified and competent to do the work. And it is a most interesting study to read the report of the Interstate Commerce Commission on the gradual decrease of deaths, injuries, and accidents on railroads from the time these laws went into operation

to the present time. Under these laws conditions have so improved and will continue to improve so that the men working on railroads and the general public traveling on the railroads will be practically immune from danger due to accidents arising from defective machinery on trains and locomotives. I submit to the House that it is very important that the Interstate Commerce Commission be allowed latitude to select the very best men in the country, men best qualified to serve in this capacity, men competent and able to understand the duties they are to perform, so that the purpose and intent of the law be fully accomplished.

As has been stated, the railroad companies have been bidding higher for these men than the Government has been paying them. Two of them have already resigned to take higher pay with the railroad companies of the country. There has been a constant pressure from other sources to draw these men out of this employment into other employments, where they can command, and where, no doubt, they deserve and are entitled to better pay. If the railroad companies of the country can afford to pay these men better wages than $1,800 a year, the Government of the United States can afford to do so, and it is of importance to the proper administration of the law that able and experienced men be retained in this service.

Mr. ESCH. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, at the outset I wish to say that I recognize the futility of accomplishing anything in this House that seeks to curtail expenditures in the increase of salaries of officials which has the indorsement of the Brotherhood of Locomotive Engineers. And yet I feel it incumbent upon me to bring to the attention of the committee this exceptional piece of legislation, which if we would use it as a warrant to increase the salaries of all Government employees according to the changed standard of living, would involve this Government to the amount of hundreds of millions of dollars. And yet this committee comes here and adopts this peculiar method of increasing the salaries of men from $1,800 to $3,000 at one swoop, increasing the salaries $1,200 of men who are to-day receiving with their expense account and per diem of $4 every day in the year, some of which is pure salary, an average, I may say, of $2,600. The per diem that is allowed these men is paid them for every day in the year. As in other branches of the service they are paid that $4 per day whether they are in the field or not. It is established that that per diem for one-half of the year is pure salary. So I am within bounds when I say that one-half of the per diem for each day in the year, or $1,460, is salary. Now, these men to that extent are receiving $2,530.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. COOPER of Ohio. Do you believe that at this time one of these inspectors can travel the number of miles that he does and live on $2 a day, paying his hotel expenses and paying for his meals?

Mr. STAFFORD. The testimony before the Committee on Appropriations is, and the testimony before the committee, of which the gentleman is a member, shows, they can live on $4 a day. Now, if they can live on $4 a day, which they are receiving, and only one-half of the days of the year they are in the field, therefore the remaining half of the days of the year is pure salary, or $770.

Mr. COOPER of Ohio. I would ask the gentleman if he says that these men are only half of their time in the field?

Mr. STAFFORD. Yes.

Mr. COOPER of Ohio. On what do you base that statement?

Mr. STAFFORD. Why, the statement here and in reading the hearings. Does the gentleman mean they are in the field 365 days in the year?

Mr. COOPER of Ohio. No; but they are in the field more than half of their time.

Mr. STAFFORD. How much of the time are all of the inspectors in the field? Is there any testimony that the gentleman has that will deny the statement I have made that they are in the field on the average only half of the time?

Mr. COOPER of Ohio. I do not think the gentleman is correct in that.

Mr. STAFFORD. The gentleman does not think. He has no proof to deny my statement.

Mr. COX. The gentleman has investigated these matters very carefully, I am sure. Is this $4 per diem paid to these inspectors when they are in their home cities?

Mr. STAFFORD. Yes; paid every day in the year. It amounts to a total of $1,460.

Mr. COX. If that is true, and I take it the gentleman has looked it up——

Mr. STAFFORD. I have the assurance of my colleague, the gentleman from Wisconsin [Mr. ESCH], that that is the rule.

Mr. COX. If that is true, I would like some member of this committee that has reported this bill to rise here and tell the Committee of the Whole why they are paying these men $4 a day when they are staying at their homes.

Mr. STAFFORD. That is the practice in other departments of the Government. Take, for instance, the Children's Bureau, connected with the Department of Labor, every employee of the Children's Bureau, in addition to their salary of $1,800 or $2,000, receives an allowance of $4 per day for every day in the year even when stationed at one place for every day in the year. That is one of the abuses of the service. I would not underrate the value of these inspectors. It was my honor to serve in a past Congress under that great legislator, who was chairman of this committee, the Hon. JAMES R. MANN. It was he who brought this bill to the House, and it had my cordial support, providing for the inspection of boilers. The increase is asked for the additional duties required of them under the act of 1915, merely requiring under that act that they give some attention to some parts of the appurtenances of the locomotive and tender. The real reason for this inspection service, as was pointed out when we drafted this bill, was in determining the character of the boilers, whether they were fit to carry passenger trains and also fit for freight service. That was the main service. Now, as usual, when a raid is being made for salary increases, some little additional services with added responsibilities are cited as reasons for increasing these men to the extraordinary extent of $1,200.

Now, what does the testimony show as to the salaries that are being paid by private employers for like work? I use the testimoney cited by my distinguished colleague [Mr. ESCH], who has given this subject as much and perhaps more attention than any other Member of this House. He cited in support of this inordinate increase of salaries of men from $1,800 to $3,000, that general boiler inspectors—and certainly these men do not hold any higher grade than general boiler inspectors—were receiving $175 to $225 per month, and their expenses when traveling. Now, what does that show? Take the maximum figure, $225 per month, and that is but $2,700 a year. But they merely get their actual expense account, and we know that in private employment men have to itemize that, and they do not get any "velvet" out of the per diem allowance. But here we intend to give not only $3,000, but we intend to give them $3,730.

The rôle of a person who tries to keep down salaries is not a pleasant one. It is an ungracious duty. But this committee has a record for bringing in bills for increasing salaries. I remember it recommended the increase of the salary of the secretary of the Interstate Commerce Commission from $5,000 to $7,500. It was my privilege to oppose that amendment, and the House voted that to remain at $5,000.

But here, gentlemen, to raise the salary of these inspectors at one fell swoop $1,200, to raise them $1,000 more than is being paid for the same character of work in private employement, is, I think, going away beyond what the conditions demand.

These inspectors are Government employees. The position that the Committee on Appropriations has taken—and I think it should be followed by the Congress—is that as to the higher-priced employees there should be no increases during the war; that every Government employee must recognize that we are at war, that he must contribute his part toward bearing the burden of the Government. I, for one, do not want an employee of the Government to work for less than his services to the Government are worth. But these men are given a tenure for life, and that is a great asset, unquestionably, under Government employment. We know why men in the departments are holding on to their positions when they can get more in private employment. It is because they have the security of position.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I would like to have five minutes more.

Mr. ESCH. Mr. Chairman, I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman from Wisconsin is recognized for five minutes more.

Mr. STAFFORD. These men, having the security of their positions and upon the recommendation of the executive heads, request an increase. If you will study the recommendations of the department heads in the Book of Estimates you will find that they invariably recommend increases of its higher-paid officials, but the Committee on Appropriations has declined to follow their recommendations in this war period. We realize that if we once adopt that policy it will result in the expenditure of millions and millions of dollars, and we could not afford in these times to adopt that policy.

This bill went through the last Congress with the salaries of these division inspectors placed at $2,400. The proponents

point to the high cost of living. True, the cost of living has even gone up since that bill was passed. But that is no reason for fixing salaries permanently on abnormal conditions of the present. When you analyze this bill you can not justify the extraordinary increase of these men's salaries from $1,800 to $3,000. The hearings do not justify it. The established policy of Congress does not justify it. I favor some reasonable increase to these men if they are not receiving a proper salary, but I do not believe we are justified in granting them at one fell swoop, as I said before, an increase of $1,200.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ROBBINS. How does that increase, that you say amounts to $3,750—that is, the increased salary and per diem—compare with the increase allowed by the wage board to other employees in their recent report?

Mr. STAFFORD. I must confess that I have not had time to examine the report of the wage board. I assume that that wage report was founded on the scale of wages being paid in private employment. I have taken the hearings and have read extracts to gentlemen, which I repeat again from the testimony on this bill, showing that general boiler inspectors receive from $175 to $225 per month with expense accounts, and that makes a salary of $2,700 a year. But these men are going to receive $3,700, when you take into consideration the fact that one-half of the per diem is pure salary. That is what you are doing here. Can you justify it in these strained conditions that prevail in the finances of the country? I do not think you can.

But I did not rise for the purpose of disparaging the great work these men were doing. As I said before, this bill had my support when it was reported from the Committee on Interstate and Foreign Commerce in the Sixty-first Congress. But we should not run wild just because it has the indorsement of the Brotherhood of Locomotive Engineers or because it has the recommendation of one of the members of the Interstate Commerce Commission.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back two minutes.

Mr. ESCH. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. COOPER].

The CHAIRMAN. The gentleman from Ohio is recognized for five minutes.

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the House, a few years ago Congress passed what is known as the safety-appliance law, to promote the safety of employees and the traveling public on our railroads. Now, we all know the great benefits that the American people and the employees of the railroads have derived from the passage of that law. It was necessary to have some inspectors to enforce the safety-appliance law, and we have before us for consideration at this time a bill increasing the salaries of the locomotive-boiler inspectors.

The locomotive-boiler inspectors not only inspect the locomotive boilers, but they have charge of the inspection of the entire locomotive. There are many things about a locomotive which are dangerous to the traveling public and to the railroad employees besides the boilers. These inspectors see to it that the air brakes and the apparatus that furnishes the air on the locomotive are all in good working order. They see to it that the piston packing is in good shape. During the cold weather if the locomotives have a leak in a piston packing the steam escapes in such a way that it obstructs the vision of the locomotive engineer and makes it impossible for him to see the signals. That makes it dangerous not only to the traveling public but to the employees themselves.

I speak from my own personal experience as to what these inspectors have done. Before this law was passed and these inspectors were placed in these positions the railroad engineer had no option in the matter. If the roundhouse foreman told him to take a certain engine out, whether it was in good condition or not, he had to take that locomotive out on the road, to the detriment not only of himself, but to the danger of the traveling public.

These inspectors are all very high-class men. They are men of mechanical minds, men who have been trained all their lives around the locomotive shops in repair work and in rebuilding locomotives, and I believe that they ought to be granted an increase of salary, because they are men of high caliber.

I was a little surprised to hear my friend from Wisconsin [Mr. STAFFORD] say that he was given to understand that these men put in about half of their time at home and thereby saved this $4 per diem which they received for traveling expenses. The fact is that we have only 50 locomotive-boiler inspectors throughout the entire United States, and at this time we have about 73,000 locomotives; or, in other words, each one of these locomotive-boiler inspectors will have from 1,200 to 1,500 locomotives to inspect. Now, it seems to me that when an inspector has from 1,200 to 1,500 locomotives to inspect he can not put in very much time at home. It may be, around a large industrial center like the city of Chicago or Pittsburgh or New York, where they have a good many locomotives in there all the time, that these inspectors at these special points may have the privilege of being at home quite often. But how about the inspectors who travel all over the United States? I believe I speak correctly when I say that for some of the States they have not more than one inspector. That inspector has to travel all over the State. He has to ride night and day. He has to jump from this place to that and catch these locomotives on the road and give them their inspection.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. COOPER of Ohio. Yes.

Mr. STAFFORD. Does the gentleman mean to convey the impression to the House that these locomotive inspectors make the inspection of the locomotive while it is in operation?

Mr. COOPER of Ohio. Absolutely so.

Mr. STAFFORD. If the gentleman will permit me, I wish to say that the testimony before the Interstate and Foreign Commerce Committee, when this inspection measure was originally proposed, back in 1910, was to the effect that the only way you could inspect a locomotive boiler was to get inside and determine whether is would stand the water test. Of course, I can understand that as far as the appurtenances of the boiler are concerned, like the water gauges and stopcocks and the like, they could be inspected while the locomotive was in use, but to determine whether the boiler is fit for use they have to apply the water test to it when it is not in motion.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. COOPER] has expired.

Mr. ESCH. I yield to the gentleman five minutes more.

Mr. COOPER of Ohio. The gentleman from Wisconsin is not informed at all in regard to the duties of these locomotive boiler inspectors. These Government inspectors do not crawl into the boiler at all. That physical inspection is done by the engine-house foreman, and after he makes this inspection it is sworn to in an affidavit. It is the duty of these United States district inspectors to see to it that these regular inspections of the boiler are made every 2 weeks or every 30 days. It is the duty of the inspector to travel on the road and catch the locomotive out on the road. How is he going to tell whether a piston packing is blowing or not if the locomotive is not working? He can not tell whether a piston packing is blowing if the locomotive is standing still, because when it is standing still it is not using any steam. How can he tell whether the gauge cocks are in good working order or not unless he catches the locomotive out on the road when it is working? How can he tell whether the water glass is in good condition or not, and whether the water is working freely up and down in the glass unless he inspects the engine out on the road? I speak from my own personal experience regarding their work. I have had them come to locomotives which I have been driving time and again, and stop me right in the yard or on the road and examine the locomotive from one end to the other. The position of these inspectors is very responsible, and I say they ought to be granted an increase in salary, because they are high-class men. The traveling public of the United States depend upon these locomotive inspectors to a great extent for the safety of their lives and their well-being when they are traveling over our railroads. I can state personally that it has been a godsend and a blessing to the American railway employees to have these men inspect their locomotives. I trust that the House will pass this bill. I believe it is fair and just, and I believe these men ought to be granted this increase which they are asking for. [Applause.]

Mr. SIMS. I yield five minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr Chairman and gentlemen of the committee, I quite agree with the gentleman from Wisconsin [Mr. STAFFORD], that it is not a pleasant task to undertake the duty of holding down the constant increases of salaries in this House. I assure every gentleman present that it is not a pleasant duty upon my part. I would rather make an individual in this world feel better, if only for a moment, and have him say something kind about me, than to make him feel badly and say something ill of me. I know that the easiest way out of these things, as far as a Member is concerned, is simply to swallow everything—hook, line, and bait—no matter what is put up to us, never criticise it, never raise any question about it, but vote for it, and in that way we will get along best back home.

Mr. Chairman, this bill is a little evidence, to my mind, of what the Congress of the United States has got to come to. This eternal expenditure of money has got to stop somewhere. I

know if a man raises that question on the floor of the House he is met instantly by the argument that we are the richest Nation upon the earth; that we should not even pause a moment to criticize expenditures in any way whatever, but that we should let these things go, whatever they may be. I am not sure but that the system we have in the formation of committees has brought upon this House the expenditure of hundreds of millions of dollars a year, and I am sure that we have got to go to a budget system in Congress. I doubt very much whether we will ever be able to do it until both parties incorporate that as a plank in their platforms and elect Members of Congress who will vote for a budget when they come here. If you raise the question of a budget on the floor of the House, immediately you strike some chairman of a committee reporting appropriations, and immediately you begin to strike Members of the House who are opposed to a budget system because they do not want to lose their positions on an important appropriating committee of which they have been members for many years. My idea is that we have got to come not only to a budget system, so far as appropriations are concerned, but to a budget system of raising revenue and make the appropriations by the same identical committee. It is no use to say we can not do it; that our form of government will not submit to it, because it will, and we can do it if we resolutely set our heads to accomplish that end.

Now, a word about this bill. These men are good men. There is no question about that. But I earnestly ask you if you do not feel that this increase of salaries is too much? The assistant secretaries of the various departments of the Government get only $5,000 a year. In all sincerity, do you not believe that if this chief inspector had an increase of $500 a year, making him a total of $4,500 per year, that would be enough for him; and do you not think that when you increase the salaries of these assistant inspectors from $3,000 to $4,000 a year that is too much of an increase? And to increase the salaries of all these 50 inspectors from $1,800 a year to $3,000 a year, in my opinion, is an increase which is out of all proportion.

Now, what is the argument used here by the gentlemen bringing this bill on the floor of the House to justify these increases. They say that a few inspectors are quitting their line of work and going into a similar line in private life. Are we to be compelled to pay a salary so that no man will quit a Government position and return to private life; and if so, where is the line going to be drawn? To turn the situation around, thousands upon thousands of men are leaving private life and going into public life to-day. It merely means a shifting or changing of positions.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ESCH. I yield the gentleman two minutes more.

Mr. COX. I undertake to say that this very minute there are not less than 1,000 applications now at the Interstate Commerce Commission for these $1,800 positions. Three years ago a man wanted to stand a civil-service examination for one of these positions, and I went down to look the matter up. If I recollect correctly, there were upward of 1,100 applicants ahead of him. I dare say that you will find approximately that number there to-day—1,100 men qualified to stand a civil-service examination, willing and anxious to get these jobs at $1,800 a year. But two have resigned, and in order to keep the force intact we must raise the salaries to $3,000 a year!

Now, take the $4 per diem; that is too much. We ought not to pay these inspectors or any other inspectors, I care not in what department they may work, $4 a day when they are at home, eat at their own table, and sleeping in their own beds. How do you account for it? Is it right?

Mr. ESCH. Will the gentleman yield?

Mr. COX. Yes.

Mr. ESCH. The gentleman has been a member of the Committee on the Post Office and Post Roads a long while.

Mr. COX. Yes.

Mr. ESCH. How is it with post-office inspectors?

Mr. COX. They get $3 a day.

Mr. ESCH. For every day in the year and while absent?

Mr. COX. Two thousand or twenty-two hundred are allowed every day in the year.

Mr. STAFFORD. If the gentleman will yield, I believe the gentleman is in error. That was the condition until an amendment was placed in the bill reported in the Fifty-sixth Congress. When that abuse was called to the attention of the committee, back in 1904, it was remedied so that they would be only entitled to a per diem when away from the designated place.

Mr. COX. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. SIMS. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. DEWALT].

Mr. DEWALT. Mr. Chairman, of course we all admire and oftentimes applaud those who are generally known as the watchdogs of the Treasury, but very frequently their bark is more potent than their bite; and what is also essentially true, they oftentimes bite the wrong individual, at the wrong time, and in the wrong place. [Laughter.]

As illustrative of this fact, this bill in itself is an exemplification. The gentleman from Ohio [Mr. COOPER], who rose from the engine cab to become a Congressman, very fully explained the nature and class of duties that these men as district inspectors are obliged to perform. I would not for one moment attempt to enlarge on that subject. But let me give to this House some knowledge of these subjects which I myself had in my earlier days, when I, too, served on the railroad.

The railroad inspector of engines and boilers and mechanical parts of the engines—in other words, the man who has charge of the motive power of a train—has in his keeping the life and safety of every individual on that train—of the conductor and brakeman, the engineer and fireman, and as well as every man who pays fare on the train—and, therefore, initially it is true that the safety of the entire traveling public as well as the safety of the employees of the railroad company is dependent in a large measure on the efficiency of this inspection. This inspection is what we call district inspection by 50 employees of the Government. It is their duty to see that the inspection is performed by the railroad inspectors. In other words, the engine in the roundhouse is taken out by the man who is called the jockey or hostler. The jockey gets the engine and takes it to the place where the engineer gets possession of it. Prior to the initiation of this system the jockey took the engine which the foreman gave him, gave it to the engineer, and the engineer was obliged to run it whether it was faulty or perfect at the time he took it. The consequence was his safety and life was imperiled, and the safety and life of every individual on the train.

The Government took hold of the matter and said, "We will appoint our inspectors to see whether the inspection is performed," and now no engine can be taken out of the roundhouse unless it is subject to Government inspection once in 30 days.

Now, talking about the salaries my friend has spoken of, there is not a railroad conductor running on a through line that is not receiving at least $150 a month. He is paid by the trip. There is not an engineer in a cab to-day, running either on a freight train or a through passenger train, that is not receiving at least $200 a month on the trip route. The Government has proposed within a few short hours, or a few short days, that the salaries or compensation of these men, to wit, the engineers, conductors, firemen, and brakemen, shall be increased 25 per cent. What does that mean? If a conductor gets $150 a month, or $1,800 a year, and under Government regulations he gets 25 per cent more, he will get $2,250. An engineer getting $200 a month and an increase of 25 per cent will get $600 in addition, or $3,000 a year. A conductor gets $2,250, and yet these men do not have one iota of the responsibility of the man who is inspector of the motive power that moves the train.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DEWALT. Just one minute to answer the question.

Mr. SIMS. Mr. Chairman, I yield two minutes more to the gentleman.

Mr. STAFFORD. Mr. Chairman, I wish to inquire upon what authority the gentleman states that locomotive engineers on an average are paid $200 a month?

Mr. DEWALT. They receive more than that on an average. They are paid by the trip.

Mr. STAFFORD. I am told upon reliable authority by the gentleman to whom the gentleman from Pennsylvania paid a compliment that the gentleman from Pennsylvania is away wrong in his figures.

Mr. DEWALT. There is not a locomotive engineer to-day on a through train, or even on a freight train, that is not paid by the trip, and their average is more than $4 to $5 a day, and I know whereof I speak.

Mr. STAFFORD. Four dollars to five dollars a day would not be $200 a month.

Mr. DEWALT. No; but they are paid by the trip, and they make more than that by overtime very frequently. One word more and I have concluded. If, then, the trackmen, the conductors, and the engineers who have charge of the motive power which is handed over to them after inspection should be given this raise, I ask why, in the name of common sense, should not these men who are experts and who know the construction of an

engine and who are skilled in this particular line of duty be given a commensurate rate, and that, it seems to me, is the end of the argument.

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Alabama [Mr. DENT].

Mr. DENT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a statement from Gen. E. H. Crowder, Provost Marshal General, as to what has been accomplished by the draft law up to date.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

Mr. COX. Mr. Chairman, reserving the right to object, and I shall not object, does that in any way relate to the "work or fight" order?

Mr. DENT. No.

Mr. COX. I was in hopes that it would cover that.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SIMS. Mr. Chairman, the next bill which I expect to call up is the lighthouse bill, and I have been exceedingly anxious to get through the discussion on this bill so as to consider that bill, for it is a very important measure. I have yielded to the gentlemen who understand the provisions of this bill in detail, so that they could answer such questions better than I could. I have nothing to say in reply to the perennial criticism always heard when an attempt is made to do dollar and cent justice to worthy Government employees to the effect that what is attempted in that direction is extravagant and wasteful expenditures. This is a life-saving service. These men do a most unwelcome duty. They have to inspect and give orders, doing that which is necessary for some one to do in the interest of public safety, and in my opinion the dollars to be spent in giving fair compensation should not be considered for a moment. They are in a way performing a military service at this time.

They are saving human life, they are making the travel of 100,000,000 people safer than it otherwise would be. They are saving to the property owners themselves millions of dollars by not permitting the railroads to use inefficient and dangerous equipment, but every time we raise the question here as between dollars and human life, between profits and human safety, someone is ready to fight it and make complaints about it being a costly expenditure. I think I personally know something about the expense of living at this time. A great proportion of these men have to live in towns and cities where necessary expenses are very high. They are justly entitled to this meager increase in this bill. They accepted this service patriotically and uncomplainingly at the beginning in order to install the service. They have shown their mettle, they have shown what they are worth, and when it is demonstrated that human life has been saved, that accidents have been reduced 50 per cent or more, we should not be deterred with arguments in regard to the little amount of money involved, in increasing the compensation of 53 men who in a way have charge of the life and the safety of every passenger and every employee upon the trains on all the railroads in the United States, and who are protecting the property of the owners of the railroads, which according to their own statements amounts to $20,000,000,000 in value. Mr. Chairman, I ask for the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Committee amendments: Strike out all after the enacting clause and insert:

"That the act entitled 'An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto,' approved February 17, 1911, as amended, be, and is hereby, amended as follows:

"'Amend section 3 so as to provide that the salary of the chief inspector shall be $5,000 per year; the salary of each assistant inspector shall be $4,000 per year.

"'Amend section 4 so as to provide that the salary of each district inspector shall be $3,000 per year.'

"SEC. 2. Nothing herein contained shall be construed as amending, altering, or repealing any of the other provisions of said sections."

Mr. COX. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 2, line 19, after the period, insert the following:

"*Provided*, That no per diem shall be allowed an inspector except when in the field away from his home."

Mr. COX. Mr. Chairman, it strikes me that amendment ought to be incorporated in this bill. I can not understand, for the life of me, and I never will understand, why a man who is drawing a salary, or who will draw a salary if it becomes a law, of $3,000 should be paid $4 per day when he is staying at home, eating at his own table, sleeping in his own bed, occupying his own house. There is a reason, of course, why you should pay an inspector traveling around away from home, because he is at some extra expense over what he would be if he were at home. I undertake to say that this $4 per diem is more than will be necessary to pay any of these inspectors, and, as the gentleman from Wisconsin [Mr. STAFFORD] well stated a while ago, there will be at least 25 per cent, or even 50 per cent, of the per diem actually saved as salary at the end of each year by the inspector because he will not use it.

There are hundreds—yes, there are thousands—of cities in the United States to-day where the inspector or any other man, for that matter, can go and get a room, board, and lodging for $3 per day. There are hundreds of places in the United States to-day where an inspector or any other man can go and get a room and lodging for $2.50 a day. I recall, and I repeat on the floor of this House, that when Mr. WEEKS, of Massachusetts was chairman of the Committee on the Post Office and Post Roads, down to that time the post-office inspectors had been paid $4 per diem. It was at the request of the Post Office Committee that the Post Office Department took that question up with its inspectors. It put the inspectors on an actual expense basis for a period of three months. That proved that inspectors could live on $3 per day instead of $4. And that showed another thing, that by reducing the per diem from $4 to $3 per diem upon 2,200 inspectors it saved the Government upward of $60,000 per year. Now, gentlemen, why pay a man a per diem when he is at home, especially when you propose to increase the salary of that man from $1,800 to $3,000 per year, when you are giving an increase of salary of 75 per cent? Is it fair to the Treasury that you deliberately take out of the Treasury of the United States money and pay him while he is sitting around home and at his own fireside? But my friend from Tennessee [Mr. SIMS] says that when there is a question coming up here of saving human life that he is not going to pay any attention to any man who cries or talks about economy. There is a time coming when every Member of this House will pay attention to economy, and that time is not very far distant.

Mr. ESCH. Will the gentleman yield for a question?

Mr. COX. Yes.

Mr. ESCH. Is there any department of the Government where a per diem is paid, outside of the Post Office Department, where the per diem is not throughout the year?

Mr. COX. I do not know.

Mr. ESCH. The gentleman is a member of the Committee on Appropriations, and it comes within the purview of that committee.

Mr. COX. I have been a member of that committee only for the last three months.

Mr. ESCH. I should not think there would be any reason to make any discrimination against the inspectors if all the other branches of the Government allow——

Mr. COX. I will say to the gentleman that if there be any other per diem inspectors in any other branch of the Government they ought not to be paid a per diem while they are at home.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. May I have two minutes more?

The CHAIRMAN. The gentleman asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. And if they are being paid a per diem while at home it is wrong, and two wrongs never make a right. If that is wrong, this is wrong, and if this is wrong it ought to be cut out. I do not take kindly to the argument at all that perchance because some other department is doing the same thing that another department should be given the same right. The fundamental question is, Is the other department right, is the other department on a sound basis, is the other department only paying actual travel or living expenses? If so, then that is all this department ought to have. If the other departments are paying more than the expenses, it is no right, it is no foundation, it is no reason why these men should have it. Now, I know this only saves a few dollars, not much, but it is a little. The principle is worth more than the money saved by it, and besides does any Member want to take the position that a man, unless he is paid an exorbitant salary and paid $4 per diem when he is at home, that that man will not look after the business of the traveling public as carefully as one receiving that increase of salary? Do you want to put it on that ground? Do you want to put it on that theory, you men who advocate this proposition?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SIMS. Mr. Chairman, I want to make a statement which perhaps will relieve the situation somewhat. Mr. McManamy

has been just called up and asked about this per diem, and it is only paid when the inspector is actually on duty traveling and away from home.

Mr. COX. Then ought not the committee to accept my amendment?

Mr. SIMS. Why does the gentleman want it? You do not need it.

Mr. COX. What is the objection to it?

Mr. SIMS. It looks in the direction of a dollar, and I am opposed to it.

Mr. COX. Is the gentleman opposed to saving a dollar?

Mr. SIMS. It does not save a dollar, because they do not get it.

Mr. COX. It absolutely saves dollars in that it prevents an inspector from being paid any expenses except in the field.

Mr. SIMS. They only get paid for traveling, and their vouchers have to be approved.

Mr. COX. Then what objection can there be to the amendment?

Mr. SIMS. It is absolutely useless. It has served the gentleman to make a good speech, but there is no use in the amendment, because they only get it when they are on actual duty away from home.

Mr. MADDEN. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, I do not believe that the amendment of the gentleman from Indiana ought to prevail because there is no necessity for it. In the first place I am quite certain these men only get paid their per diem allowance when on the road.

Mr. SIMS. That is right.

Mr. MADDEN. But it is quite true they are on the road nearly all the time. Now, the men employed in this service must be first-class mechanics. They have got to understand the mechanism of all locomotives, boilers, and everything connected with them, and all its strong parts and weak parts, everything connected with it in order that they may be able to determine upon inspection exactly whether it is safe or not. The boiler inspector is obliged to go into the fire box. He is obliged to find out whether the crown sheet of the boiler is in perfect order or not; he is obliged to find out whether the boiler is supplied with a soft plug so that if the water should run low the boiler will not blow up; he is obliged to find out whether the crown sheet is in such shape as it ought to be, whether the flues are in such shape as will justify their continuance in the boiler; what pressure the boiler should carry with safety; what weak spots should be strengthened by repairs; where the boiler needs patching; whether patching should be permitted or whether a new boiler should be supplied.

He must know exactly what to do and when and where to do it. He is on the road for the purpose of finding out, and I presume to say that he will not be home one day a week.

These district boiler inspectors are men who have to go from place to place to ascertain the condition of the boilers that are running on the railroads in order that they may be able to furnish information to the railroad companies which will enable them to supply such repairs as will make the boiler safe. Every well-regulated business institution has its boilers inspected regularly, whether there is any law requiring the inspection of boilers by expert boiler inspectors or not, and the business concern that has the care of its men who are operating these boilers at heart will have the insurance companies that carry the insurance on the boilers make periodical investigation and inspection of the boilers, and that will furnish them information that will enable them to know where the weak spots in the boilers are. This is no sinecure of a job. I happen to know, and have visited the boilers with the inspectors at all hours of the night and have gone into the boilers with them. I know the work they have to do. And the compensation they receive for the work performed, no matter how large that compensation is, is not excessive. And to say that they should go out and travel over the road and go into the roundhouses throughout their district and not be paid for their cost of living while they are away is not right. And I am quite sure they are never paid except when they are away on duty.

And so far as the compensation itself is concerned, although it seems like a large increase over what they are now getting, it is not more than adequate. And the chief inspector certainly ought to be a man qualified to earn $5,000 a year in his calling, and he ought to get it, and would get it if he was engaged in private employment.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. COOPER of Ohio. I would like to say that the chief inspector has had more duties placed upon him since the Government took over the railroads. He has charge of the locomotives of the United States.

Mr. MADDEN. Whether he has or not, he had an onerous job as it was, and one that required technical skill. He must be educated in his calling or he could not have performed the functions of the employment. And a man who is required to have technical education and is charged with the responsibility that the chief inspector has imposed upon him ought to be adequately recompensed for the work he does. And I hope that not only the compensation provided for in the bill will be allowed, but that the allowance for expenses of the district inspectors will be allowed without change.

Mr. DECKER. Mr. Chairman, I do not desire to take up the time of the House with any argument on this proposition, which is a plain, straightforward business proposition; and I sympathize with the patriotic motives of the gentleman from Indiana [Mr. Cox] to save as far as possible any wrongful encroachment upon the Treasury of the United States. I think that should be done in all bills, and I do not think the laboring men of the country will object to anything like that. But I do believe that the committee that originally framed the bill—not this amendment, but the original law—and Congress, when it enacted the law, have better provided for the safety of the Treasury in this regard than is provided by the amendment of the gentleman from Indiana. And, if you will permit me, I would like to read what the law is now:

> Each inspector shall receive a salary of $1,800 per year and his traveling expenses while engaged in the performance of his duty. He shall receive in addition thereto an allowance for office rent, stationery, and clerical assistance, to be fixed by the Interstate Commerce Commission, but not to exceed in the case of any district inspector $600 per year.

I believe that that covers the points in the case. A man under that could not, while he was sleeping at home in his own bed, get any per diem. In fact, the bill does not provide any per diem. It is a question of getting his traveling expenses while he is actually in the performance of his duty. And I think the law is pretty well framed as it is.

And there is another thing that you should keep in mind, namely, that this $600 is the limit for expenses, and for my part, while I believe in economy, I also believe in efficiency, and there are some places where it is almost impossible for these inspectors in large cities to maintain an office on the amount which we provide here as a limit.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. DECKER. Yes.

Mr. COOPER of Ohio. I believe it is a fact that these inspectors have to fill out an itemized statement of every dollar of expense they incur while traveling.

Mr. DECKER. I believe, gentlemen of the committee, that it would be well to vote down the amendment. The committee of this House that had the framing of the original bill and also the amendment has tried to keep in mind the welfare of the Treasury and also the safety of the people of the United States. I think it is pretty well written as it is; and much better, I think, than the extemporaneous amendment of the gentleman from Indiana [Mr. Cox].

The CHAIRMAN. The question is on the amendment of the gentleman from Indiana [Mr. Cox].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. COX. Division, Mr. Chairman.

The committee divided; and there were—ayes 5, noes 21.

So the amendment was rejected.

Mr. COX. Mr. Chairman, I offer the following amendment:

> On page 2, line 19, strike out the figures "$3,000" and insert "$2,500."

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Amendment offered by Mr. Cox: Page 2, line 19, strike out "$3,000" and insert "$2,500."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. COX. Division, Mr. Chairman.

The committee divided; and there were—ayes 6, noes 23.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. SIMS. Mr. Chairman, I move that the committee rise and report the bill as amended to the House, with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LINTHICUM, Chairman of the Committee of the Whole House on the state of the Union, reported that that

committee, having had under consideration the bill (H. R. 10297) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. SIMS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SIMS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

POST OFFICE APPROPRIATION BILL.

Mr. MOON rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. MOON. To present the conference report on the Post Office appropriation bill, for printing under the rule.

Mr. MADDEN. Mr. Speaker, will the chairman of the Committee on the Post Office and Post Roads state whether he intends to call the report up for consideration to-morrow?

Mr. MOON. I hope so. I do not know whether we shall be able to do so or not, but I will be glad to do so if I can.

Mr. WALSH. Mr. Speaker, may I ask the gentleman if it is a complete agreement?

Mr. MOON. No, sir; it is not a complete agreement.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER. Ordered printed under the rule.

Following are the conference report and accompanying statement:

CONFERENCE REPORT (NO. 627).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 26, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 8, 11, 13, 14, 15, 16, 17, 18, 20, 25, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 55, 56, 61, 62, 64, and 65, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: On page 2 of the bill, in line 12, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: On page 3 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: On page 5 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: On page 10 of the bill, in line 23, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: On page 11 of the bill, in line 14, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: On page 11 of the bill, in line 17, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: On page 13 of the bill, in line 23 of the matter inserted by said amendment, strike out "$200,000" and insert in lieu thereof "$300,000"; and in line 25 strike out the word "the" where it first appears and insert in lieu thereof the word "this"; and in the same line strike out "contemplated by the appropriation title," so that the amendment as amended will read as follows: "*Provided*, That not to exceed $300,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: On page 14 of the bill, in line 13, strike out the word "the" where it first appears and insert in lieu thereof the word "this," and in the same line strike out the words "contemplated by the appropriation title," to that the amendment as amended will read as follows: "*Provided*, That not to exceed $100,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: On page 18 of the bill, in line 1 of the amendment proposed by the Senate, after the word "Winnepesaukee," insert the following: "from the post office at Laconia"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 19 of the bill, in line 22, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: On page 22 of the bill, in line 25 of the matter proposed by the Senate, after the word "compensation," insert the word "thus"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$370,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "*Provided further*, That on and after July 1, 1918, rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof based on actual mileage: *Provided further*, That the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length

may be fixed at not exceeding $2,160 per annum"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows:

"SEC. 2. That during the fiscal year ending June 30, 1919, the annual salaries fixed by law for assistant postmasters at first and second class post offices and supervisory officials, whose compensation is $2,200 and less per annum, shall be increased $200, and those whose compensation is in excess of $2,200 shall be increased 5 per cent; that clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That on July 1, 1918, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades and the salaries they receive thereunder to the new grades, 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1 at $1,100, grade 2 at $1,200, grade 3 at $1,300, grade 4 at $1,400, grade 5 at $1,500, grade 6 at $1,600, grade 7 at $1,700, grade 8 at $1,800, grade 9 at $1,900, grade 10 at $2,000.

"The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

"Class A, $1,100 to $1,400; class B, $1,100 to $1,500; and class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That on July 1, 1918, railway postal clerks shall pass automatically from the grades they are in and the salaries they receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act: *Provided*, That the classifications and increases of salaries provided for in this section shall not be continued beyond the fiscal year ending June 30, 1919: *Provided further*, That the salary of clerks, carriers and railway postal clerks shall be increased during the fiscal year 1919, not more than $200: *Provided further*, That the classifications herein provided for shall not become effective until July 1, 1918: *Provided further*, That the salaries of such other employees fixed by law or paid from lump-sum appropriations provided for in this act who receive $800 per annum or less shall be increased 15 per cent per annum. Rural carriers assigned to horse-drawn vehicle routes now receiving a compensation of $1,200 or less per annum, exclusive of mileage allowance for miles on routes over 24 miles in length, shall receive, in addition thereto, 20 per cent of the amount of such compensation. Such increases shall not apply to the special assistant to the Attorney General appropriated for in this act and to postmasters at offices of the first, second and third classes: *Provided further*, That postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent of the cancellations of the first $80 or less per quarter: *Provided further*, That, if the compensation does not exceed $50 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That hereafter substitute, temporary, or auxiliary clerks and letter carriers at first and second class post offices shall be paid at the rate of 40 cents an hour: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated."

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: On page 32 of the bill, in lines 8 and 9, strike out the words "assistant postmasters and other supervisory employees"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 32 of the bill, in line 16, strike out the words "April sixth" and insert in lieu thereof "June thirtieth"; and in line 18 strike out the words "which bids were received" and insert in lieu thereof "contracts entered into"; and in line 19 strike out the words "to the declaration of the present war" and insert in lieu thereof "June thirtieth, nineteen hundred and seventeen"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: On page 34 of the bill, in line 2, in lieu of the sum proposed insert "$300,000"; and in line 6, after the word "date," insert a period and strike out the remainder of the section; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: On page 34 of the bill, in line 16, after the word "Department," insert "but suitable for the use of the Postal Service"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: On page 35 of the bill, in line 5, after the word "positions," insert a period and strike out the remainder of the section; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 36 of the bill, in line 21, in lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 23, relating to the purchase of the pneumatic mail-tube systems: The conferees have been unable to agree.

JOHN A. MOON,
THOS. M. BELL,
A. B. ROUSE,
MARTIN B. MADDEN,
HALVOR STEENERSON,
Managers on the part of the House.

J. H. BANKHEAD,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, as follows:

On amendments 1, 4, 6, 7, 9, 10, and 27: These amendments relate to items of compensation for a stated number of employees at stipulated salaries, plus temporary increases for the next fiscal year, provided in amendment 52, and the language inserted is for the purpose of making plain the legislative intent which made it necessary to increase the amounts to be appropriated therefor.

On amendments 2, 3, 5, 11, 12, 16, 17, 18, 30, 37, 46, and 51: These amendments also relate to the temporary increases for the next fiscal year for postal employees whose compensation is appropriated for in lump-sum allowances. The increases inserted by the Senate amendments are necessary to provide for the temporary increases proposed.

On amendment 8: Amendment 8 amends present law to enable postal employees entitled to compensatory time for Sunday or holiday service, if they so elect, to accept pay for overtime in lieu of compensatory time. It is deemed that such legislation is wise and in the interest of good service, since many employees entitled to compensatory service within the week following prefer to work rather than take the time off.

On amendments 13 and 15: Amendments 13 and 15 make permanent law an identical amendment which has been repeated

in each appropriation bill for a number of years. These amendments will make unnecessary the repetition of the same language in future appropriation bills.

On amendment 14: Increasing the appropriation by $300,000 is made necessary by the increased cost for rent, light, and fuel in first, second, and third class post offices.

On amendment 19: The amendment agreed to does not increase the appropriation, but makes available $300,000 for the fiscal year ending June 30, 1918.

On amendment 20: This amendment is merely clerical.

On amendment 21: Amendment 21 makes immediately available for the present fiscal year $100,000 for mail messenger service.

On amendment 22: This amendment relates to postage on drop letters in the city of New York, from which the Senate conferees receded.

On amendment 24: Amendment 24 relates to the mail service on Lake Winnepesaukee, N. H. A similar item has been carried in a number of previous bills, which fixed the salary of the carrier because of the peculiar conditions attending the service.

On amendment 25: Amendment 25 is a change in language made necessary by the preceding amendment.

On amendment 28: The word "regular" is inserted so as to enable the department to employ temporary railway postal clerks during certain emergencies, and is inserted to make clearer the legislative intent.

On amendment 29: The increased amount is necessary because of additional demands upon the service provided for in this item.

On amendments 31 and 32: Amendment 31 is necessary because of an increase of $10,000 in the appropriation provided for in amendment 32, made necessary upon the statement of the Postmaster General that the unusual conditions require the additional amounts and is in the interest of good service.

On amendment 33: This amendment requires the Interstate Commerce Commission to fix and determine fair and reasonable rates of compensation for the transportation of mail by urban and interurban electric railway common carriers, the same as is now the case with steam railways, and provides that after the rates are so fixed, pursuant to due notice and hearing, as is usually provided, it shall be unlawful for such carriers to refuse to perform the service at the rates so prescribed.

On amendment 34: Amendment 34 increases the appropriation for censorship of foreign mails made necessary because of the increased labor involved, and makes immediately available $200,000 for that purpose.

On amendment 35: This amendment is intended to prevent duplication in the censorship of mails from the military forces connected with the American expeditionary force.

On amendment 36: Amendment 36 increases the appropriation for the manufacture of stamped envelopes and newspaper wrappers due to the increased demands upon the department.

On amendments 38, 39, 40, 41, and 42: These amendments relate to the supply of sundry material for the Postal Service throughout the country, and the increases provided are necessary because of the rapid growth of the service and the unusual demands for material and supplies.

On amendment 43: Amendment 43 makes available additional appropriations necessary for material and supplies, and for $100,000 to be used by the Postmaster General for the installation and experiments with mail-distributing machines, particularly one that has been in operation in the Chicago post office and which is strongly commended by post-office officials in that city and by inspectors who have carefully investigated its possibilities and the economy of labor and expense.

On amendment 44: Amendment 44 changes the word "chairs" to "chains," to correct a clerical error.

On amendment 45: This amendment materially increasing the appropriation provided by the House is necessary to enable the department to purchase raw material and better equip the shops in the city of Washington for the manufacture of mail bags, mail containers, etc. Recent bids disclosed that the cost for this material in the open market has increased approximately 100 per cent. The Post Office Department believes that with additional funds they could manufacture them on their own account with economy to the Government.

On amendments 47 and 48: Amendments 47 and 48 modify a provision heretofore carried in each appropriation bill and provides that no part of the fund for inland transportation by star routes shall be expended for star-route service which is already served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured, and makes the provision permanent law.

On amendments 49 and 50: These amendments relate to the compensation for rural delivery carriers. In substance, they include provisions contained in H. R. 9414, which has heretofore passed the House, and provide that rural carriers on horse-drawn vehicle routes shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, the same as is now provided for routes in excess of 30 miles in length. On triweekly routes $12 per mile per annum for each mile in excess of 24 miles is allowed the carrier. The present law respecting the compensation for motor-route carriers, who furnish their own automobiles, on routes not less than 50 miles in length is amended to increase their compensation from a maximum of $1,800 to a maximum of $2,160. The amendment by the Senate that a carrier may use such character of vehicle on horse-drawn routes as may be approved by the local postmaster is stricken out.

On amendment 52: Amendment 52 relates to temporary increases during the fiscal year for employees of the Postal Service, and, in substance, contains similar provisions to those contained in House bill 9414 recently passed by the House, except that the salaries of assistant postmasters and clerks and carriers in first and second class post offices, railway postal clerks from grade 1 to grade 10, inclusive, and supervisory officials, shall be increased not more than $200 during the next fiscal year. Supervisory officials receiving in excess of $2,200 receive an increase of 5 per cent. All other employees of the Postal Service whose compensation does not exceed $800 per annum increased 20 per cent; those who receive from $800 to $1,500 per annum are increased 15 per cent. The salaries of rural carriers not in excess of $1,200 are increased 20 per cent. No increases are provided for postmasters at first, second, and third class offices, but postmasters of the fourth class are allowed an additional increase of 100 per cent on cancellations up to $80 per quarter instead of $50 as at present, except that those whose compensation does not exceed $50 per quarter are increased 20 per cent. Provision is made, however, that such temporary increases shall not have the effect of advancing the office to third class. The provision relating to advance in grades of clerks and carriers and railway postal clerks is included, but limited to the fiscal year ending June 30, 1919. Provision is also made that substitute, temporary, and auxiliary clerks and carriers shall be paid at the rate of 40 cents per hour instead of 35 cents and 40 cents as at present, making the rate uniform.

On amendment 53: Amendment 53 extends to watchmen, messengers, and laborers in first and second class post offices and to railway postal clerks assigned to terminal railway post offices and transfer clerks the privileges of the 8 in 10 hour law, and also extends to railway postal clerks assigned to terminal railway post offices and transfer offices the privileges of compensatory time as now provided for clerks and carriers who work under the same conditions. The provision in the amendment extending compensatory time to assistant postmasters and supervisory employees is stricken out.

On amendment 54: Amendment 54 lodges with the Postmaster General the authority to investigate conditions arising from contracts on star route, screen wagon, and other vehicle service, and contracts for envelopes, blanks, and blank books and the Official Postal Guide entered into prior to June 30, 1917, with a view to determining whether or not any adjustment should be made in the contracts due to the increased cost for materials or services because of the war and whether the facts disclose the necessity to adjust the same for materials or services to be furnished after the approval of this act. With the consent of the contractor and his bondsmen the Postmaster General may cancel such contracts.

On amendment 55: Amendment 55 makes effective to certain employees in the Post Office Department the 5 and 10 per cent increase provided in the present appropriation bill which by reason of construction is denied them and is identical with a similar provision which has heretofore passed the House.

On amendment 56: Amendment 56 permits the Postmaster General to accept liberty bonds in lieu of corporate or personal surety for contractors, officers, and employees in the Postal Service and is identical with a similar provision which has heretofore passed the House.

On amendment 57: Amendment 57 relates to the same subject matter contained in H. R. 9414, which has heretofore passed the House, and permits experimentation by the Postmaster General in the operation of motor-vehicle truck routes in the vicinity of such cities as he may select. The sum of $300,000 is made available out of unexpended appropriations for the Postal Service for the purpose of such experimentation, and direction is given that results shall be reported to Congress.

On amendment 58: Amendment 58 is almost identical with a similar provision in H. R. 9414, which has heretofore passed the House, and permits the Secretary of War to turn over to the Postmaster General without charge such aeroplanes and auto-

mobiles, or parts thereof, as are unsuitable for the War Department but suitable for the Postal Service.

On amendment 59: Amendment 59 authorizes employees and substitute employees of the Postal Service who enter the military or naval service to be restored after their honorable discharge from such service to the positions which they formerly occupied in the Postal Service at the salary to which they would have been promoted provided they are physically and mentally qualified. The provision in the Senate amendment which permitted members of the immediate family of such employee, or others connected with the expeditionary forces in Europe, to mail certain packages is stricken out.

On amendment 60: Amendment 60 proposed by the Senate is stricken out.

On amendment 61: Amendment 61 permits the Postmaster General to adjust claims of postmasters for loss by fire, burglary, or other cause, of war-savings stamps and thrift stamps, etc., which under the law they are required to keep on hand.

On amendment 62: Amendment 62 repeals existing law authorizing the payment of $5 to postmasters for each recruit secured and accepted in the Army, Navy, or Marine service.

On amendments 63 and 64: Amendments 63 and 64 are the same as sections 9 and 10 of H. R. 9414, which has heretofore passed the House, increasing the amount any one person may deposit in a postal savings bank from $1,000 with interest and $1,000 without interest as provided under present law to $2,500 with interest. The provision as passed the House was for $3,000 with interest.

Amendment 64 permits the purchase of postal savings stamps in denominations of 10 cents to be affixed to a card and when it amounts to $1 may be deposited as a postal savings account or redeemed in cash.

On amendment 65: Amendment 65 is a clerical one made necessary by the addition of certain sections to the bill.

On amendment 23: Amendment 23 relates to the purchase of the pneumatic-tube mail service. The conferees have been unable to agree respecting the provisions of this amendment.

JOHN A. MOON,
THOS. M. BELL,
A. B. ROUSE,
MARTIN B. MADDEN,
HALVOR STEENERSON,
Managers on the part of the House.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MOON. Yes.

Mr. MOORE of Pennsylvania. Merely for the information of the Members interested, is the pneumatic-tube service purchase agreed to by the conferees or disagreed to?

Mr. MOON. No, sir; it is not agreed to; and I hope, in the interest of justice, it never can be. [Laughter.]

Mr. MOORE of Pennsylvania. The point is to have the announcement made, so that the Members who differ with the gentleman might be here.

AIDS TO NAVIGATION IN LIGHTHOUSE SERVICE.

Mr. SIMS. Mr. Speaker, I call up House bill 11284.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 11284) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

The SPEAKER. The House resolves itself into the Committee of the Whole House on the state of the Union for the consideration of this bill, with the gentleman from Indiana [Mr. COX] in the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11284, with Mr. COX in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11284, which the Clerk will report.

The Clerk read the title of the bill.

Mr. SIMS. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. SIMS. Mr. Chairman, I yield to the gentleman from Michigan [Mr. DOREMUS], who reported the bill and has charge of it.

Mr. DOREMUS. Mr. Chairman, the pending bill is very similar to previous lighthouse bills that have passed the House. It differs from former legislation only in one or two particulars, and perhaps I ought to refer briefly to those changes.

I desire to call attention first to section 6 of the bill, commonly known as the retirement provision. Section 6 provides—

That hereafter all officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices or shops, who shall have reached the age of 65 years, after having been 30 years in the active service of the Government, may at their option be retired from further performance of duty; and all such officers and employees who shall have reached the age of 70 years shall be compulsorily retired from further performance of duty: *Provided*, That the annual compensation of persons so retired shall be a sum equal to one-fortieth of the average annual pay received for the last five years of service for each year of active service in the Lighthouse Service or in a department or branch of the Government having a retirement system, not to exceed in any case thirty-fortieths of such average annual pay received: *Provided further*, That such retirement pay shall not include any amount on account of subsistence or other allowance.

Gentlemen of the committee will recall that in the Sixty-third Congress the Revenue-Cutter Service and the Life-Saving Service were consolidated under the name of the Coast Guard. At that time men in the Revenue-Cutter Service were already enjoying the advantages of a retirement law, and by the act consolidating the two branches of the service the benefits of the retirement provision were extended to the men in the Life-Saving Service. By section 6 of this bill we attempt to place the men in the Lighthouse Service on an equality with the men in the Coast Guard.

This bill provides in substance for retirement of employees at the ages specified in section 6 at 75 per cent of their former salary. That works out in this way: A man who has received a salary of $800 for the past five years will get thirty-fortieths of the salary upon retirement, or $600. If he is now receiving a salary of $600 per annum, he will upon retirement receive thirty-fortieths of that sum, or $450.

Now as to the number of men who will be affected by this retirement provision——

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. DOREMUS. Certainly.

Mr. LONDON. On page 4, line 21, I find the expression "one-fortieth of the average pay."

Mr. DOREMUS. For each year of service.

Mr. LONDON. I did not understand the meaning of that.

Mr. DOREMUS. If he served 30 years he will get thirty-fortieths of his former pay. There are at present in the Lighthouse Service 133 men who would be affected by the retirement provision.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. DOREMUS. I will be glad to.

Mr. MADDEN. Is there a maximum period of service required before he can be retired?

Mr. DOREMUS. Yes.

Mr. MADDEN. What is the maximum, and what is the minimum?

Mr. DOREMUS. If the employee has reached the age of 65 years and has seen 30 years of continuous service he may be retired at his option. If he has reached the age of 70 years he will be compelled to retire.

Mr. MADDEN. I know; but how many years of service must he have before he can be retired on age?

Mr. DOREMUS. If he reaches the age of 70 there is no provision as to length of service. If he reaches the age of 65 he must have had 30 years of service in order to be retired.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. DOREMUS. Yes.

Mr. HICKS. I take it from reading this bill that there is no provision for retirement except for the age limit. In other words, there is no provision similar to the Coast Guard provision, by which a retiring board may retire a man for physical disabilities. He must reach a certain age before he can get the benefit of this retirement act?

Mr. DOREMUS. That is correct.

Mr. HICKS. Did the committee consider the idea of having in this bill a provision similar to the provision in the Coast Guard law providing for retirement for disability?

Mr. DOREMUS. My recollection is that that matter was not discussed by the committee or recommended by the department.

Mr. HICKS. I see that the retirement age is 65. In the Army it is 64 and 62. Just why was the differential made between the two services?

Mr. DOREMUS. We retained the years specified in section 6 on the recommendation of the Secretary of Commerce and of the Commissioner of Lighthouses, who, of course, are familiar with the men in the service, who know their ages and are better qualified than we are to pass upon the question of when the retirement provision should go into effect.

Mr. LONDON. Coming back to the expression "one-fortieth," on page 4, line 21, I was misled by the language of that section, and upon rereading it I find it is extremely difficult to get at the real meaning of that proviso, which reads:

Provided, That the annual compensation of persons so retired shall be a sum equal to one-fortieth of the average annual pay received for the last five years of service for each year of active service in the Lighthouse Service or in a department or branch of the Government having a retirement system, not to exceed in any case thirty-fortieths of such average annual pay received.

What we really want to say is that the annual compensation shall be equal to the multiple of one-fortieth by the number of years of active service.

Mr. DOREMUS. If I understand the gentleman correctly, we have reached the same result. I think the gentleman will understand the matter when we put it in this way: For over 50 years the average annual salary of the lighthouse keepers has been $600 per year. Now we will assume that one of these keepers has reached the age of 65 years and has seen 30 years of service. He is retired, and he gets thirty-fortieths of his previous pay. One-fortieth would be $15, and thirty-fortieths would be $450.

Mr. LONDON. I understand the computation, but I speak of the language "for each year of active service," in line 23, page 4, which is so far removed from the expression "the annual compensation of persons so retired shall be" that it is almost impossible to understand the meaning of the entire section.

Mr. DOREMUS. It works out very plainly. All you have to do is to get one-fortieth of the average salary for the last five years and multiply that by the years of service.

Mr. LONDON. What we mean is that the annual compensation will be a sum equal to one-fortieth of the average annual pay received for the last five years multiplied by the number of years of service.

Mr. DOREMUS. It means the same thing. Mr. Chairman, there are 50 men in the Lighthouse Service to-day who are 70 years old or more and who have seen 30 years or more of service. There are 27 who are 70 years old or more and have seen less than 30 years of service. There are 26 who are over 65 years of age and less than 70, with 30 years of service or more. There are 30 who are over 65 years of age and less than 70 years of age, with less than 30 years of service. That makes 133 men who will be affected by this proposed legislation if it becomes a law. Assuming that the average annual salary of these men is $800 per annum, it is estimated that this provision will cost the Government approximately $106,000 per year.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. DOREMUS. I shall be very glad to yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Why was not the language in the Coast Guard retirement bill followed in this case? The allowance there on retirement is three-fourths of the annual pay, is it not?

Mr. DOREMUS. That is 75 per cent, and this works out identically the same with reference to the men who are retired after 30 years of service.

Mr. MOORE of Pennsylvania. This way of stating it is a little more involved, and I was wondering why you did not come at it directly.

Mr. DOREMUS. Under this bill it is possible that a man who has reached the age of 70 years and who has not seen 30 years of service will not get 75 per cent of his former pay.

Now, I desire to refer briefly to the reasons which actuated the committee in making this recommendation. We found that the work in which these men are engaged is in many instances of a very hazardous and dangerous character. We found that in 1917 there were 160 cases of the saving of life and property by these lighthouse keepers. Two hundred and thirteen employees were injured, and 12 lost their lives in this work.

We found ample precedents not only in our own laws but in the laws of Great Britain, France, Holland, Germany, New Zealand, Belgium, and Sweden for this legislation.

Mr. RUCKER. Will the gentleman yield?

Mr. DOREMUS. I shall be very glad to yield to the gentleman from Missouri.

Mr. RUCKER. If this bill passes, it retires these lighthouse keepers on the pay fixed in the law?

Mr. DOREMUS. Yes.

Mr. RUCKER. If this class of Government employees are retired on pay, is there any reason why all Government employees should not be retired on pay? Before the gentleman answers that question let me state that personally I am opposed to both propositions. I am opposed to retiring these lighthouse employees and all other Government employees on pay. They seek the employment. Let them stand the consequences.

Mr. DOREMUS. If my friend from Missouri will read section 6, he will find in it no precedent for extending retirement with pay to all men in the Government service, because he will find it expressly excludes those who have been continuously employed in district offices or shops. It applies only to those who by reason of their employment are obliged to risk the hazards attendant upon the saving of life and property. The committee could see no material distinction between the character of service performed by these men and the service performed by men in the life-saving service and in the Revenue-Cutter Service.

Section 7 of the bill increases the salaries of the superintendents of lighthouses from $2,400 to $3,000 per annum. The Secretary of Commerce recommended that these salaries be placed at $3,600. The committee, however, believed that $3,000 would be fair and equitable as to these men. This would apply to all the superintendents except the one in New York City, whose salary is now fixed by law at $3,600 per annum.

Section 8 makes the average pay of the lighthouse keepers $700 per annum. When I state to the committee that the average annual salary of these men for over half a century has been $600 a year, and that during all that time there has been no change whatever, I think I have stated a sufficient argument in favor of this small increase in their salaries.

Mr. ESCH. Will the gentleman yield?

Mr. DOREMUS. I shall be very glad to yield to the gentleman from Wisconsin.

Mr. ESCH. The actual average was only $559 per year.

Mr. DOREMUS. I am glad to be corrected. My colleague on the committee states that, as a matter of fact, the average annual pay has been only $559.

Mr. GREEN of Iowa. How long has that been the salary?

Mr. DOREMUS. For 51 years, without any change.

Mr. MERRITT. Will the gentleman yield?

Mr. DOREMUS. I will.

Mr. MERRITT. Is the salary in addition to the living expenses?

Mr. DOREMUS. I neglected to say that there is a provision in the bill, section 3, which increases the amount allowed for rations per day from 30 cents to 45 cents. Forty-five cents is the amount now allowed in the Coast Guard. We propose to make it the same in the Lighthouse Service.

Mr. MERRITT. If a man has a family, he does not get any per diem for the members of that family?

Mr. DOREMUS. No; that is all he gets.

Mr. ESCH. Mr. Chairman, I wish to call attention to two or three paragraphs of the bill which were not brought to the attention of the House by the gentleman from Michigan. Under the paragraph entitled "general service," on page 1 of the bill, we provide for an appropriation of $700,000 for the construction, purchasing, and equipping of lighthouse tenders and light vessels to replace vessels worn out in the service in several districts. There are three vessels in the Lighthouse Service that are so old that it no longer pays the Government to repair them, and, in fact, their further employment by the Government in the Lighthouse Service is not justified. For instance, if this provision remains in, appropriating money for the construction of new light vessels, it will enable us to supplant the *John Rogers*, an old wooden side-wheeled vessel that was constructed as far back as 1883. It would permit us to replace the *Holly*, a wooden vessel and a side wheeler, built in 1881. It would also permit us to replace the *Jessamine*, a vessel 35 years old. I think that no argument is needed to convince the House of the necessity of making this appropriation for these replacements. The building program for the Lighthouse Service ought to be two vessels a year. There are now 119 vessels in the establishment, 58 tenders and 68 light vessels. Due to depreciation and hard service two of these vessels on an average ought to be scrapped a year. So unless we make the appropriation to restore these taken out of the service the service will be rendered ineffective.

Mr. WALSH. Will the gentleman yield?

Mr. ESCH. I will.

Mr. WALSH. What type of vessel can be built for $200,000; will it be the modern tender that the department is building or will it be a wooden craft?

Mr. ESCH. There will be no wooden craft; they will be modern steel vessels after the type that has been established by the Lighthouse Service itself. After years of experience they have developed their own type of vessel.

Mr. WALSH. The gentleman is aware that there is a great demand for steel and a great increase in the cost of shipbuilding. I would like to ask if the committee took these facts into consideration in fixing the sum at $200,000.

Mr. ESCH. If the gentleman will notice in the bill we are considering, the $200,000 is eliminated.

Mr. WALSH. I was following the gentleman's remarks from the report and I had not noticed that.

Mr. ESCH. We have changed the bill and made an omnibus provision of $760,000 for vessels needed in the Lighthouse Service. It may be, owing to the increased cost of both material and labor, that three vessels can not be built out of the total appropriation, but those in charge will do the best they can.

Mr. WALSH. That is allowing an increase of a little over $50,000 to each vessel.

Mr. ESCH. Yes.

Mr. WALSH. Does the gentleman think that that is sufficient?

Mr. ESCH. I greatly doubt it. I remember that the Coast Guard Service had an appropriation three years ago of some $300,000 for a revenue cutter. It was not built at the time, and I understand that before they got it constructed it cost $700,000.

Mr. MONTAGUE. Will the gentleman permit me to interrupt him?

Mr. ESCH. Yes.

Mr. MONTAGUE. In relation to the inquiry propounded by the gentleman from Massachusetts, I will state that the Secretary of Commerce suggested that the estimated cost was obtained from the War Industrial Board, that being the most practical estimate that could be applied to this measure.

Mr. WALSH. But, of course, these estimates were in December, 1917, and the gentleman is aware of the great increase of cost since then.

Mr. MONTAGUE. Yes; but I was only endeavoring to suggest to the gentleman from Massachusetts that we endeavored to get the best evidence obtainable to determine the cost of the vessels.

Mr. WALSH. I am sure the committee has not acted without accurate information.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. ESCH. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman state to what extent these old vessels are sent outside?

Mr. ESCH. They are confined practically to the harbors in the wintertime on account of floating ice.

Mr. MOORE of Pennsylvania. There are three vessels which the committee desire to renew—the *Gardenia*, the *John Rogers*, and the *Mistletoe*. The *Jessamine* is an old vessel, and I know something about her; but I wanted to know if any of these old vessels are sent outside into the open sea. There is a good deal of open-sea work done.

Mr. ESCH. I doubt it; I think the *John Rogers* does some work up around Long Island Sound.

Mr. MOORE of Pennsylvania. Such vessels ought not to be sent out.

Mr. ESCH. No; it would endanger the life of the officers and crew.

Mr. MOORE of Pennsylvania. Anyone who follows the progress of the Lighthouse Service knows that we are using some extremely old vessels that ought to be replaced by modern vessels, not only for efficiency of service but for the safety of the lives of the officers and men on board. My recollection is that there was an appropriation of $200,000 in a previous bill. Did that become a law?

Mr. ESCH. That was the act of August 28, 1916. It is a law.

Mr. MOORE of Pennsylvania. That was for vessels on the Pacific coast.

Mr. ESCH. There were two provided for, as I recollect, one on the Atlantic and one on the Pacific.

Mr. MOORE of Pennsylvania. A lighthouse tender was lost out there.

Mr. ESCH. There was one lost off the New England coast early this winter. She was a lightship, and no trace of her has been found. Vessel and crew both are lost, so we have to constantly supply new vessels, because of obsolescence and because of loss by hazards of the sea.

Mr. MOORE of Pennsylvania. My recollection is that in the bill we provided for certain tenders on the Pacific coast, and that that was held up here for some time and did not get through. Does the gentleman recall that?

Mr. ESCH. The Committee on Interstate and Foreign Commerce reported out the bill, which became the act of August 28, 1916, making provisions for these two vessels, but it was some time before the Committee on Appropriations made the necessary appropriations to carry that out.

Mr. MOORE of Pennsylvania. Does the Commissioner of Lighthouses suggest this $760,000 will be sufficient, so far as new construction is concerned, to bring the service up to date?

Mr. ESCH. He believes it may not be sufficient, in view of the high prices, to build three vessels to supplant the three that I have mentioned.

Mr. MOORE of Pennsylvania. He probably could not build three vessels for that price now.

Mr. ESCH. No; but they want to do as much as they can and meet the emergency as soon as possible.

Mr. MOORE of Pennsylvania. And the committee thinks this is the best it can do.

Mr. ESCH. This is the best we can do. Another item that may be called to the attention of the House is contained in section 2, on page 3, with reference to allowing the Government to pay for subsistence and the traveling expenses of teachers to the isolated dwelling houses of the lighthouse keepers in certain places. The State of Maine is now doing something in this direction, the State paying the expense of the schoolteachers, but not the traveling expenses and the subsistence. We thought it would be wise to have that appropriation made, and if made it will entail possible not more than $4,000 per annum.

Mr. DOREMUS. Mr. Chairman, I suggest to my colleague that the State of Maine also pays the cost of the textbooks.

Mr. ESCH. The State of Maine does that. In England, in the British Isles generally, they have a very generous provision so that the children of the lighthouse keepers are educated at the expense of the State. The gentleman from Michigan [Mr. DOREMUS] has taken up quite fully the retirement provision, and I concur in every argument that he has presented in support of that proposition. I wish to supplement what he has said in support of section 7, providing for an increase in the pay of the superintendents of lighthouses. We have changed the designation of these officials. They are now called lighthouse inspectors. In this bill we wish to designate them as superintendents of lighthouses, which is the old designation which obtained the early half of the last century. We increased their pay from $2,400 to $3,000. This is a very modest increase, when we consider the capacity and ability and responsibility of these officials. On an average they have 1,000 miles of seacoast under their jurisdiction. They have about 280 men under their charge. They have Government property of a value of about $3,000,000. The annual disbursements are something like $300,000, and they have on an average seven vessels under their charge. Men who have such great responsibilities, who have so many men under them and so many millions of dollars of property under their control, ought certainly to be paid a wage higher than the captains of the vessels under their jurisdiction. Yet, as the situation is to-day with a pay of $2,400, there are officials in the various lighthouse districts, captains of vessels, and so forth, who get more pay than the district superintendents. Under these conditions we feel that the increase of only $600 to these deserving officials is entirely justified.

These men must be experienced in navigation, they must be practical navigators, they must have a knowledge of engineering, and practically every one of the lighthouse inspectors have had some education along engineering lines, and they have come up from other mechanical or engineering or scientific departments of the Government. Some of them have come to the Lighthouse Service from the Coast and Geodetic Survey. They must be capable of superintending the construction of a lighthouse in their district or any other engineering work of that kind. They must have a broad knowledge and large experience, and for these reasons we feel justified in asking for this very modest increase.

Mr. ROBBINS. What increase does the bill carry over the present?

Mr. ESCH. The gentleman from Michigan [Mr. DOREMUS] stated that the increase due to section 6, which is the retirement provision, is $106,000.

Mr. DOREMUS. Estimated at $106,000.

Mr. ROBBINS. What is the increase in pay in addition to that?

Mr. ESCH. The increase of these superintendents of lighthouses would amount to $7,800.

Mr. ROBBINS. And that is all the increase in the bill?

Mr. ESCH. There is an increase in the lighthouse keepers' pay from a maximum of $600, where it is now, to $700, as contained in the bill.

Mr. ROBBINS. And there are how many of those?

Mr. ESCH. There are about 1,800 lighthouses in the United States and its Territories.

I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I have listened with great interest to the remarks of the gentleman from Wisconsin [Mr. ESCH] explaining so clearly the provisions of this bill. I agree that some of the increases of this measure are justified, but I

do not agree as to the increases of the salaries of these inspectors. In the report their qualifications are given, but they omit to mention what I think is also an important qualification for inspector of lighthouses, and that is that he shall be to some extent a competent and astute politician. Now they are paid $2,400 a year except in the New York district, and he is paid, I understand, $3,000.

Mr. RUCKER. Will the gentleman yield?

Mr. WALSH. I will.

Mr. RUCKER. In view of the remark the gentleman has just made, I want to ask for information, if he has ever been an inspector of a lighthouse?

Mr. WALSH. No; I have never been inspector of a lighthouse, never having applied for that position, but if I had I have some doubt whether I could have qualified in this latter respect, especially during the past six years. Now, Mr. Chairman, this bill carries a small increase for the lighthouse keepers in this service from $600 to $700, and I think a small increase in the ration allowance. They are the men who have the responsibility; they are the men who do the work and who are required to be on the spot; and they are the men who feel more keenly the increased demands upon them to raise a family or to live properly in these times of extravagant prices for the ordinary necessities of life. We give them a paltry increase, I think, of $100 or thereabouts, a year, and I say it is hardly a sufficient increase for these men who do this work, who have to be on the job during the lonely hours of the night to see that the lights are kept burning and the danger signals sounded, many of them located in positions where the ordinary man would not accept employment or appointment to that position for three times, yes, five times the salary, and yet we come in here and increase them but $100 a year, while to these inspectors, who have a roving commission and whose traveling expenses are paid, at least within their districts, who can live in comfort, if not in luxury, but who can live upon their salary, we grant them an increase of $600 a year by this bill. I submit they are in that class of Government employees who ought not to take advantage of this war situation and ask and expect this Congress to increase their compensation at this time. I say, Mr. Chairman, it is a shame upon the Federal service that these higher-paid officials, getting $2,400 to $2,500 a year and $3,000 a year, should at this time, in the midst of this great war, when we are laying heavy burdens upon the taxpayers of this country, expect us to increase their salaries.

Mr. DOREMUS. Will the gentleman yield for a question?

Mr. WALSH. I do.

Mr. DOREMUS. I understand the superintendent of the lighthouse district in the gentleman's district lives in Boston.

Mr. WALSH. Yes, sir; in or near Boston; just outside of Boston, I think.

Mr. DOREMUS. Would the gentleman expect him to live on less than $3,000 a year in these times?

Mr. WALSH. Well, we have got hundreds of Federal employees living in Boston, and if he can not live on $2,400 why do not we increase all Federal employees to $3,000?

Mr. DOREMUS. Does the gentleman know that practically everyone in the public service to-day is having a hard time to make both ends meet?

Mr. WALSH. Certainly; from Federal judges down; but some can economize more easily than others.

Mr. DOREMUS. And is it not a fact thousands are leaving the Government service on that account?

Mr. WALSH. Thousands are leaving certain branches of the Government service and going into other branches of the Government service, or indirectly in the Government service, because private establishments engaged on Government work are paying higher wages; but I submit it is no reason why the Government should embark upon a wholesale program of increasing Government salaries while we are in this war, particularly as to the higher paid officials. I have said several times before that it is time that we evince some spirit of economy in making these appropriations for compensation and salaries.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Will the gentleman yield me five minutes additional?

Mr. ESCH. Another five minutes.

Mr. WALSH. On the contrary, in many bills that come before the House carrying appropriations for Federal employees constantly we are met with the plea that we should increase the compensation of men getting twenty-four hundred dollars and more per annum. Mr. Chairman, I fear before this struggle is over that many of us who have yielded in many instances to these pleas and arguments will regret that we did not go slower when acting on their demands and requests but had attempted to conserve the resources of the Federal Treasury.

Mr. FOSTER. The legislative and executive bill carried an increase of $120 up to $2,000——

Mr. WALSH. Yes, sir.

Mr. FOSTER. And now it is proposed here to increase, as the gentleman says, these men $500 or $600——

Mr. WALSH. Six hundred dollars for the inspectors.

Mr. FOSTER. And the poor lighthouse keeper gets $600 and it increases him $120?

Mr. WALSH. A hundred and twenty dollars or thereabouts. Talk about responsibility! The responsibility is not greater now than it was before; but I think the responsibility of the light keeper who is charged with the light, or the man upon the light vessel miles out at sea, during these past few days has increased greatly, and I should think——

Mr. ESCH. Will the gentleman yield?

Mr. WALSH. I will.

Mr. ESCH. As to the increase of duties of these officials, I wish to state that 1,200 employees of the Lighthouse Service are now called into the military service and are serving under the Army or the Navy.

Mr. WALSH. Yes; because the Lighthouse Service is part of the Coast Guard, which under the law during war times is turned over to the jurisdiction of the Navy Department.

Mr. ESCH. The gentleman is mistaken; the Lighthouse Service is not part of the new Coast Guard, but it is the Life-Saving Service.

Mr. WALSH. I am in error as to that; the Lighthouse Service is not in the Coast Guard; but if men in the Lighthouse Service are being called to military or naval service what sort of a substitute are you going to get in their place at this rate of pay? What sort of efficiency, what degree of responsibility, can you expect when you hold out to a man a salary of $700 to become practically a hermit in a lighthouse?

Mr. FOSTER. Living on that little salary, would he not be glad to be called into the service?

Mr. WALSH. I should imagine perhaps he might, at least you would have hard work to attract him from other service to take a position like that. But the service must be maintained, and especially during these war times.

Now, Mr. Chairman, if the committee had, in considering this bill, decided to increase these $600 employees to $900—yes, or to $1,000—I submit that it would have been justifiable under the facts and under existing conditions, but when we give them the small increase, and then as to the inspectors—who apparently dislike the title of "inspector," which has been borne by them for years, and who now prefer to be known as "superintendents of lighthouses"—we increase the salary by $600. That is not in keeping with the treatment accorded to employees in other branches of the service, nor is it in keeping with the precedents heretofore set by this Congress in dealing with compensation of Federal officials. And I trust the committee will not seriously object to an amendment increasing the salaries of the light keepers. The section of the country from which I come, as well as the sections from which the gentleman from Wisconsin [Mr. ESCH] and the gentleman from Michigan [Mr. DOREMUS] come, have many of these employees, either upon light vessels or in lighthouses. We recognize that it would be impossible for the great water commerce of this country to be conducted safely or profitably unless we have an efficient Lighthouse Service. And I trust that the House will be willing to increase these lower-paid officials and, if necessary, sacrifice the increase granted to the inspectors.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ESCH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, the sea with its vast expanse, and mighty distances stretching to the far corners of the earth, appeals to the imagination and envelops commerce with the cloak of romance. I congratulate the committee for bringing forward a measure so meritorious as this Lighthouse bill, and I hope they will soon bring into Congress the Coast Guard bill, another measure deserving of favorable consideration.

The Long Island district which I have the honor to represent has a coast line exceeded by only a few districts in the United States. Everything which pertains to the sea and which affects the men whose calling takes them upon the waters is of vital interest to many of the people whose commission I bear. Having always been interested personally in our splendid Live-Saving, Revenue-Cutter, and Lighthouse Service, with the indulgence of the House I desire to say a few words in reference to the Coast Guard bill soon to be considered, which includes the provisions of a bill introduced by myself some time ago.

Encircling my district like a chain of sentry posts on the frontiers of the deep, are 28 life-saving stations of the Coast Guard and 20 lighthouses and 2 lightships; the one, beacons to warn mariners of the dangers of the coast and aid them in the navigation of our seas and bays; the other, the great agent of mercy alleviating the sufferings and perhaps saving the lives of shipwrecked voyagers. Both are for the protection of life and property; both mitigate the perils of the sea; both are essential to the mighty commerce whose rapid increase heralds the reestablishment of our Nation as one of the great maritime powers of the world and which again, as in days gone by, will ply the seven seas under the American flag.

The Coast Guard is a union of the Revenue-Cutter Service and the Life-Saving Service, created by act of Congress approved January 28, 1915.

At the second session of the First Congress, in response to the need felt for a coast patrol to enforce the customs laws, as well as for an armed force for the protection of the seacoast—there being no navy at that time—there was established in 1790 the Revenue-Cutter Service. With the growth of the Nation, in order to properly care for the constantly increasing requirements of our maritime interests, additional duties were successively added to the service, until at the time of the passage of the Coast Guard act this service had become a most important branch of our establishment, specializing in practically all governmental maritime activities.

The Life-Saving Service does not owe its origin to a single legislative act, but is the result of gradual growth, formed by a series of enactments dating back to 1848. Until 1871 the work of this service was desultory, and while the work of rescuing life and property from shipwreck was carried forward, the results were not satisfactory. In 1871 a well organized life-saving system was inaugurated, which was administered in conjunction with the Revenue-Cutter Service until 1878 when Congress established the Life-Saving Service as a separate unit. With the enlargement of both branches of the service their respective fields of action overlapped to some extent and supplemented each other in the work of conservation of life and property. To bring about closer cooperation and increased efficiency, Congress, by act of January 28, 1915, united the two services in one organization known as the United States Coast Guard. Under the provisions of this act the Coast Guard "shall constitute a part of the military forces of the United States and shall operate under the Treasury Department in time of peace and operate as a part of the Navy in time of war, or when the President shall so direct."

While it is difficult to enumerate all the duties performed by this important service, for it is essentially an emergency service, the following are the principal activities of the Coast Guard:

1. Rendering assistance to vessels in distress and saving life and property.
2. Destruction or removal of wrecks, derelicts, and other floating dangers to navigation.
3. Extending medical aid to American vessels engaged in deep-sea fisheries.
4. Protection of the customs revenue.
5. Operating as a part of the Navy in time of war or when the President shall direct.
6. Enforcement of law and regulations governing anchorage of vessels in navigable waters.
7. Enforcement of law relating to quarantine and neutrality.
8. Suppression of mutinies on merchant vessels.
9. Enforcement of navigation and other laws governing merchant vessels and motor boats.
10. Enforcement of law to provide for safety of life on navigable waters during regattas and marine parades.
11. Protection of game and the seal and other fisheries in Alaska, etc.
12. Enforcement of sponge-fishing law.
13. International ice patrol of the Grand Banks.

It seems to be generally accepted that the Coast Guard should be called upon by all the great departments of the Government for special work of a maritime character for which no other vessels are especially maintained.

During all periods of the year and at such times as least to interfere with the emergent duties of a civil nature, a rigid system of military discipline and training is maintained to fit the personnel for the duty of operating as a part of the Navy at any time, as the law requires. This function of the Coast Guard has always been of value, since in all wars to which the United States has been a party, the Government has had at hand an auxiliary force, properly disciplined and trained, ready to become a part of the regular naval forces as occasion required. This attribute is now the paramount function of the Coast Guard, as all its facilities are now being employed in the prosecution of the existing war.

Upon the declaration of war on April 6, 1917, the Coast Guard with all its personnel and equipment came under the jurisdiction of the Navy Department, and the record made in the last 14 months is most commendable. The service was at once placed upon a war basis, additional men enlisted to fill vacancies, vessels equipped, stations brought up to the highest degree of efficiency, and the lines of coastal communication extended. To perfect the patrol system, there were constructed 750 miles of overhead telephone wires and 300 miles of submarine cables. By these additions and improvements immediate communication may be had between any point on the Atlantic coast and Washington. The present personnel consists of 229 commissioned officers and 5,000 warrant officers and enlisted men. There are 273 stations equipped with life-saving apparatus on the coasts and on the shores of the Great Lakes. The service has 21 seagoing cutters, with 5 more authorized, and about 25 smaller vessels. In a general way there are two kinds of units in the Coast Guard—ships and stations; the ships corresponding to the units of the former Revenue-Cutter Service and the stations corresponding to the units of the former Life-Saving Service. The personnel consists of commissioned officers, warrant officers, petty officers, and the enlisted men. The commissioned officers are captains and lieutenants who are line officers, engineer officers of corresponding rank, superintendents who were transferred from the Life-Saving Service, and constructors. The warrant officers are master's mates, boatswains, keepers, gunners, carpenters, and machinists. The petty officers include masters at arms, No. 1 surfmen, electricians, yeomen, wheelmen, quartermasters, oilers, coxswains, baymen, and so forth. Then come the enlisted men who are not petty officers, seamen, surfmen, firemen, cooks, and so forth. Enlisted men with the rating of surfmen, petty officers with the rating of No. 1 surfmen, and warrant officers of the grade of keeper are usually assigned to Coast Guard stations for life-saving duties.

In connection with the Coast Guard Academy, at New London, Conn., there has been established a recruiting and training station where recruits are enlisted and given a three months' course of intensive training, both on shore and at sea. Last September, six of the Coast Guard cutters were thoroughly outfitted and equipped with larger guns than those used in peace times, and these vessels are now operating in the submarine zone under the command of Admiral Sims. Five naval training stations and two naval aviation stations are under the charge of Coast Guard officers. In addition, two officers of this service, under the provisions of the espionage act have been made captains of the port and given authority over all merchant vessels entering and leaving the harbors of New York and Norfolk. The Coast Guard is also enforcing the regulations in reference to the loading of high explosives in the port of New York, and every ammunition ship is now anchored and her cargo taken on board under the immediate direction and supervision of a commissioned Coast Guard officer assisted by armed guards to insure rigid compliance with the regulations. The waterways between Lakes Superior and Huron through which most of the iron ore consigned for war purposes is transported is under the patrol and protection of the Coast Guard.

In every way in which service can be rendered in the prosecution of the war, this branch of our fighting force is performing its duty, fully and effectively. Let me pay my respects to the captain commandant of the service, Capt. Ellsworth P. Bertholf, an officer of wide experience and sound executive judgment, and to all the officers who are doing such splendid work in maintaining the service on a high plane of efficiency. I want to pay a tribute to the enlisted men who face the dangers of war and the perils of the sea with courage and determination. Their loyalty and patriotism have never been questioned, their valor and heroism never doubted, and they merit the highest praise for their unflinching response to duty, for their self-sacrificing devotion to their hazardous calling, and for their bravery in times of disaster, which endows their perilous vocation with the noblest attributes of humanity—the saving of lives and the ministering to those in distress.

Mr. DOREMUS. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I ask unanimous consent to speak out of order. I understand the discussion is to be confined to the bill, but I want to speak on a matter separate from that.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LONDON. Mr. Chairman, I intend to present to the House a very interesting communication which I received in this morning's mail. A group known as the Czecho-Slovak Workingmen's Council, writing from Cedar Rapids, Iowa, tell

me that the governor of the State of Iowa has issued an order that no language other than English shall be used in public; that no language other than English shall be used in communications on the telephone or in places of public worship.

In a most remarkable document, a parallel to which can not be found except in the Middle Ages, he says that while freedom of speech is guaranteed by the Federal Constitution and the State constitution, it is not a guaranty of the right to use a language other than the official language of the country. And since English is the official language of the State and of the United States no other language shall be used. Then he proceeds to say in his proclamation:

Each person is guaranteed freedom to worship God according to the dictates of his own conscience, but this guaranty does not protect him in the use of a foreign language when he can as well express his thought in English, nor entitle the person who can not speak or understand the English language to employ a foreign language, when to do so tends, in time of national peril, to create discord among neighbors and citizens or to disturb the peace and quiet of the community.

Later on he says, and I will incorporate the entire proclamation in my remarks:

Therefore the following rules shall obtain in Iowa during the war:
First. English should and must be the only medium of instruction in public, private, denominational, or other similar schools.
Second. Conversation in public places, on trains, and over the telephones should be in the English language.
Third. All public addresses should be in the English language.
Fourth. Let those who can not speak or understand the English language conduct their religious worship in their homes.

Now, it is evident that some public officials suffer from that peculiar form of insanity which comes about with war. To prohibit a man from using the language which he knows, and the only language in which he can express his thoughts, is to seal his lips and deprive him of the right to speak. To prevent a person from worshipping God in any language except the official language would be to destroy a fundamental right, an elementary right, which lies at the very basis of this Republic.

Where do these men get their authority? Where do they get their law? Where, in all history, has any free country issued a similar ukase?

The protest to me is sent by a group of Czecho-Slovaks, or Bohemians. We know that the Bohemians have sent a regiment from this country to the front in France. They are the noblest and bravest fighters that the allies have. They are fighting not only for the United States but they are intensely interested in the problems confronting the small nationalities of Austria-Hungary. To them the war is a holy war, a war of emancipation for their own people. They left the security of the United States, those who were not of draft age, in order to get to the western front to fight the fight of nations. These men are prohibited by the silly order of an unthinking official from using the only language in which they can appeal to one another.

Mr. BLACK. Will the gentleman yield for a minute?

Mr. LONDON. Yes.

Mr. BLACK. Has the gentleman verified the correctness of that report? I am surprised to hear that any governor of a State would issue a proclamation prohibiting the speaking of anything but the English tongue. I can not believe a report of that kind is even accurate.

Mr. LONDON. I am glad the gentleman has that opinion. I have seen it in the public print, and the letter to which I have referred incloses a clipping from one of the newspapers in Iowa, which attempts to defend the governor, and gives his proclamation in full.

Mr. BANKHEAD. Is that supposed to be signed by the governor of the State?

Mr. LONDON. It is signed by the governor, W. L. Harding, at Des Moines, Iowa, and bears the date the 23d day of May, 1918. I assume that the newspapers have not given it sufficient publicity, because probably most of them were ashamed of the very thought that such a thing was possible, of the very idea that such a thing is possible in the United States.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. STAFFORD. If the governor of a State has seen fit to go beyond all power recognized under the American Constitution or American institutions, he has not any authority to enforce such extreme proposals as he attempts to do.

Mr. LONDON. I know he has not; but the unfortunate part of it is that he occupies the position of an executive officer of the State; he has the police power and the militia of the State at his disposal. In other words, he has the physical force, supposed to be used by the State for the welfare of the State only; he has that physical power to back up his opinion.

Mr. STAFFORD. But the police force of the State is limited to the enforcement of the law, and the governor is governor only within the bounds of the law, and if he has issued an extra-jurisdictional decree he has no authority to put it into force, and if he attempts it the courts are there to protect the rights and privileges of the citizen.

Mr. LONDON. I entirely agree with the gentleman's construction of the law.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. BARKLEY. Has the gentleman any information as to whether the governor issued this proclamation in pursuance of or in accordance with the authority of the legislature?

Mr. LONDON. No. The legislature has not acted in the matter. It is the individual act of the governor, the executive of the State.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MONTAGUE. Has the gentleman any information, waiving the statement in reference to the order, as to what was the occasion of the order?

Mr. LONDON. As far as the press would indicate, there was a movement among certain people in the State of Iowa—and I understand there is a movement among certain people in other States—to prohibit the use of any language other than English, out of a patriotic desire to see one language used in this time of crisis. But the mistake that these well-intentioned men make is that you can not appeal to people except in a language they do understand, that the only way of Americanizing one who is born in a foreign country is to teach him in his own language the value of American institutions. You can not reach him by a language that he does not understand. It is too elementary to require discussion. In other words, a man must in his own mother tongue learn to love and respect everything that is valuable in American institutions. You can not adopt, in the interest of uniformity of language, the foolish policy that has been destructive of public order in Austria-Hungary. There is a fundamental difference between assimilation in the United States and assimilation in other countries where it is the result of physical coercion. In Austria-Hungary the Hungarians have been trying for years to suppress the various Slav languages. In the German portion of Austria-Hungary they have been trying to suppress every language outside of German, with the result that they have aroused a profound sense of national pride in all of the smaller nationalities. There is nothing that will so stimulate the love of one's own distinctive language as persecution. Where you will accomplish things with love, you will produce the very opposite effect by coercion and oppression. There are well-meaning men who would like to see everyone speak the same language, but it can not be accomplished by mere edict. It must be the result of a process of education, of bringing up people to learn to love the institutions of the country. It can not be done by duress.

I hope that Congress will at an early opportunity express itself on the action of the governor.

Gentlemen, I thank you for your attention.

I give here the full text of the proclamation:

To the people of Iowa:

Whereas our country is engaged in war with foreign powers; and
Whereas controversy has arisen in parts of this State concerning the use of foreign languages:
Therefore, for the purpose of ending such controversy and to bring about peace, quiet, and harmony among our people, attention is directed to the following, and all are requested to govern themselves accordingly:
The official language of the United States and the State of Iowa is the English language. Freedom of speech is guaranteed by Federal and State Constitutions, but this is not a guaranty of the right to use a language other than the language of this country—the English language. Both Federal and State Constitutions also provide that "no laws shall be made respecting an establishment of religion or prohibiting the free exercise thereof." Each person is guaranteed freedom to worship God according to the dictates of his own conscience; but this guaranty does not protect him in the use of a foreign language when he can as well express his thought in English, nor entitle the person who can not speak or understand the English language to employ a foreign language, when to do so tends, in time of national peril, to create discord among neighbors and citizens, or to disturb the peace and quiet of the community.
Every person should appreciate and observe his duty to refrain from all acts or conversation which may excite suspicion or produce strife among the people, but in his relation to the public should so demean himself that every word and act will manifest his loyalty to his country and his solemn purpose to aid in achieving victory for our Army and Navy and the permanent peace of the world.
If there must be disagreement, let adjustment be made by those in official authority rather than by the participants in the disagreement. Voluntary or self-constituted committees or associations undertaking the settlement of such disputes, instead of promoting peace and harmony, are a menace to society and a fruitful cause of violence. The great aim and object of all should be unity of purpose and a solidarity of all the people under the flag of victory. This much we owe to ourselves, to posterity, to our country, and to the world.
Therefore, the following rules should obtain in Iowa during the war:
First. English should and must be the only medium of instruction in public, private, denominational, or other similar schools.
Second. Conversation in public places, on trains, and over the telephone should be in the English language.
Third. All public addresses should be in the English language.
Fourth. Let those who can not speak or understand the English language conduct their religious worship in their homes.

This course carried out in the spirit of patriotism, though inconvenient to some, will not interfere with their guaranteed constitutional rights and will result in peace and tranquillity at home and greatly strengthen the country in battle. The blessings of the United States are so great that any inconvenience or sacrifice should willingly be made for their perpetuity.

Therefore, by virtue of authority in me vested, I, W. L. Harding, governor of the State of Iowa, commend the spirit of tolerance and urge that henceforward the within outlined rules be adhered to by all, that petty differences be avoided and forgotten, and that, united as one people with one purpose and one language, we fight shoulder to shoulder for the good of mankind.

In testimony whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Iowa.

Done at Des Moines this 23d day of May, 1918.

By the governor:

W. L. HARDING.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DOREMUS. Mr. Chairman, may we have the bill read now for amendment?

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

GENERAL SERVICE.

Constructing or purchasing and equipping lighthouse tenders and light vessels, to replace vessels worn out in service, in the third, fifth, and eighth lighthouse districts, or for use in the Lighthouse Service generally, $760,000.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 2, after the numerals "$760,000," insert the following new paragraph:

"SECOND LIGHTHOUSE DISTRICT.

"The sum of $15,000 appropriated in an act making appropriations to supply urgent deficiencies for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, approved March 28, 1918, for the installation of an electrically operated block signal on the East Breakwater, Nantucket Harbor, Mass., is hereby made available for an electrically operated fog bell at said point."

Mr. STAFFORD. Mr. Chairman, I do not wish to waive the privilege of amending the first paragraph, but by unanimous consent I would like to have the present amendment considered without waiving that privilege, in order to make some inquiries as to the first paragraph.

Mr. WALSH. If the gentleman will prefer, I will withhold it.

Mr. STAFFORD. Mr. Chairman, I move, then, to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I believe that I am correct in the assumption that this is the first time any committee of Congress has deputed to an executive officer the privilege of determining the number of vessels and the limit of cost of vessels within a stated total authorization, as is accomplished in the paragraph beginning on line 10 of page 1.

Heretofore, as I have understood the practice of the Committee on Interstate and Foreign Commerce and of other committees, they have placed a limit of cost on the amount that may be expended by the executive officer. But here this committee for the first time vests in the discretion of the executive officer the determination of the number of vessels that may be purchased without any limit of cost other than the total gross authorization. The phraseology, as the committee will notice, is "constructing or purchasing and equipping lighthouse tenders and light vessels."

If I am not mistaken, in the Book of Estimates the Department of Commerce specified the number of vessels that might be available for each respective district, namely, the third, the fifth, and the eighth districts, and the amount that could be utilized for each. I question the advisability of Congress leaving it to an executive head to determine the character of vessel, leaving it to his full discretion to have merely one vessel within the maximum amount of $750,000, if he so wishes.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman submit to a question?

Mr. STAFFORD. I will be very glad to.

Mr. PARKER of New Jersey. Is the gentleman not conscious of the fact that the cost of vessels has gone up so much that the estimates made on each of these vessels would not perhaps get one of them?

Mr. STAFFORD. If that is the fact, then the Congress should determine it and not leave it to the executive head to determine the construction of a vessel beyond all bounds which it is intended to provide for.

Mr. PARKER of New Jersey. It is not intended to change the construction of the vessels in any particular. We leave the construction plans exactly the same.

Mr. STAFFORD. There is nothing here to show that you leave the construction plans the same. In the Book of Estimates there was a certain limit of appropriation.

Mr. PARKER of New Jersey. This limits it.

Mr. STAFFORD. Where is the limit?

Mr. PARKER of New Jersey. The limit is on the vessels—so much.

Mr. STAFFORD. There is a provision made for three vessels?

Mr. PARKER of New Jersey. Yes.

Mr. STAFFORD. And yet he is privileged to use all this amount for one vessel?

Mr. PARKER of New Jersey. No; it will not be done in that way.

Mr. STAFFORD. The gentleman makes an assumption that is not based on the facts. The hearings show and the report shows that it is the purpose to leave with the executive officers the privilege of using all this money for one vessel if they see fit.

Mr. PARKER of New Jersey. Not if they see fit, but if they find it necessary.

Mr. STAFFORD. What is the difference between fitness, propriety, and necessity? I question whether that should be the policy of Congress, especially at this time. I would place some limit of cost on these vessels and not leave it to the executive officer to determine the maximum price of the vessel without any limit of cost. Under this practice what restriction is there upon the executive officer as to the furnishings of the vessel? It has been and is the purpose to place a limit of cost upon these vessels.

Mr. PARKER of New Jersey. We are very anxious——

Mr. STAFFORD. I will yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. We are very anxious to get all the vessels we can, and the most useful, under the simplest and cheapest plan, but we have got to get vessels of some kind, and the estimates were made some time ago. If you made an estimate for boots some years ago, you would not get any boots now for the amount you estimated then.

Mr. STAFFORD. The excuse that the gentleman advances might be advanced for every character of construction that is authorized by the Government.

Mr. MADDEN. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. I will be very glad to yield to the gentleman from Illinois.

Mr. MADDEN. Would it not be very much better and cost less to require the Secretary of Commerce to make a new estimate than to charge him with the responsibility of spending the money without limit?

Mr. STAFFORD. The gentleman is precisely correct from a business man's standpoint and the governmental standpoint. It is always the policy of the Government to place a limit of cost on these respective vessels. But here the committee places no limit of cost. If it is found that the limit of cost is not sufficient he can come to the respective committees and have the limit of cost increased, but I protest against this policy of granting freedom without limit at all to the executive officers to spend the entire amount for one vessel. I really believe it is open to severe criticism from a governmental standpoint.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is under the impression that the entire paragraph should be read.

Mr. MADDEN. This is an appropriation bill, is it not, and is being considered by paragraphs instead of by sections?

Mr. DOREMUS. It is not an appropriation bill. It is a bill authorizing appropriations.

The CHAIRMAN. The Chair thinks it should be read by sections. If the gentleman will wait a moment, the Chair will have the entire section read.

Mr. DOREMUS. The Chair is absolutely correct.

The Clerk completed the reading of section 1.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. RUCKER having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on June 4, 1918, approved and signed bill of the following title:

H. R. 12280. An act making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses and for other purposes.

AIDS TO NAVIGATION IN LIGHTHOUSE SERVICE.

The committee resumed its session.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Of course if we need lightships or lighthouse tenders,

me that the governor of the State of Iowa has issued an order that no language other than English shall be used in public; that no language other than English shall be used in communications on the telephone or in places of public worship.

In a most remarkable document, a parallel to which can not be found except in the Middle Ages, he says that while freedom of speech is guaranteed by the Federal Constitution and the State constitution, it is not a guaranty of the right to use a language other than the official language of the country. And since English is the official language of the State and of the United States no other language shall be used. Then he proceeds to say in his proclamation:

Each person is guaranteed freedom to worship God according to the dictates of his own conscience, but this guaranty does not protect him in the use of a foreign language when he can as well express his thought in English, nor entitle the person who can not speak or understand the English language to employ a foreign language, when to do so tends, in time of national peril, to create discord among neighbors and citizens or to disturb the peace and quiet of the community.

Later on he says, and I will incorporate the entire proclamation in my remarks:

Therefore the following rules shall obtain in Iowa during the war:
First. English should and must be the only medium of instruction in public, private, denominational, or other similar schools.
Second. Conversation in public places, on trains, and over the telephones should be in the English language.
Third. All public addresses should be in the English language.
Fourth. Let those who can not speak or understand the English language conduct their religious worship in their homes.

Now, it is evident that some public officials suffer from that peculiar form of insanity which comes about with war. To prohibit a man from using the language which he knows, and the only language in which he can express his thoughts, is to seal his lips and deprive him of the right to speak. To prevent a person from worshipping God in any language except the official language would be to destroy a fundamental right, an elementary right, which lies at the very basis of this Republic.

Where do these men get their authority? Where do they get their law? Where, in all history, has any free country issued a similar ukase?

The protest to me is sent by a group of Czecho-Slovaks, or Bohemians. We know that the Bohemians have sent a regiment from this country to the front in France. They are the noblest and bravest fighters that the allies have. They are fighting not only for the United States but they are intensely interested in the problems confronting the small nationalities of Austria-Hungary. To them the war is a holy war, a war of emancipation for their own people. They left the security of the United States, those who were not of draft age, in order to get to the western front to fight the fight of nations. These men are prohibited by the silly order of an unthinking official from using the only language in which they can appeal to one another.

Mr. BLACK. Will the gentleman yield for a minute?

Mr. LONDON. Yes.

Mr. BLACK. Has the gentleman verified the correctness of that report? I am surprised to hear that any governor of a State would issue a proclamation prohibiting the speaking of anything but the English tongue. I can not believe a report of that kind is even accurate.

Mr. LONDON. I am glad the gentleman has that opinion. I have seen it in the public print, and the letter to which I have referred incloses a clipping from one of the newspapers in Iowa, which attempts to defend the governor, and gives his proclamation in full.

Mr. BANKHEAD. Is that supposed to be signed by the governor of the State?

Mr. LONDON. It is signed by the governor, W. L. Harding, at Des Moines, Iowa, and bears the date the 23d day of May, 1918. I assume that the newspapers have not given it sufficient publicity, because probably most of them were ashamed of the very thought that such a thing was possible, of the very idea that such a thing is possible in the United States.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. STAFFORD. If the governor of a State has seen fit to go beyond all power recognized under the American Constitution or American institutions, he has not any authority to enforce such extreme proposals as he attempts to do.

Mr. LONDON. I know he has not; but the unfortunate part of it is that he occupies the position of an executive officer of the State; he has the police power and the militia of the State at his disposal. In other words, he has the physical force, supposed to be used by the State for the welfare of the State only; he has that physical power to back up his opinion.

Mr. STAFFORD. But the police force of the State is limited to the enforcement of the law, and the governor is governor only within the bounds of the law, and if he has issued an extra-jurisdictional decree he has no authority to put it into force, and if he attempts it the courts are there to protect the rights and privileges of the citizen.

Mr. LONDON. I entirely agree with the gentleman's construction of the law.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. BARKLEY. Has the gentleman any information as to whether the governor issued this proclamation in pursuance of or in accordance with the authority of the legislature?

Mr. LONDON. No. The legislature has not acted in the matter. It is the individual act of the governor, the executive of the State.

Mr. MONTAGUE. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. MONTAGUE. Has the gentleman any information, waiving the statement in reference to the order, as to what was the occasion of the order?

Mr. LONDON. As far as the press would indicate, there was a movement among certain people in the State of Iowa—and I understand there is a movement among certain people in other States—to prohibit the use of any language other than English, out of a patriotic desire to see one language used in this time of crisis. But the mistake that these well-intentioned men make is that you can not appeal to people except in a language they do understand, that the only way of Americanizing one who is born in a foreign country is to teach him in his own language the value of American institutions. You can not reach him by a language that he does not understand. It is too elementary to require discussion. In other words, a man must in his own mother tongue learn to love and respect everything that is valuable in American institutions. You can not adopt, in the interest of uniformity of language, the foolish policy that has been destructive of public order in Austria-Hungary. There is a fundamental difference between assimilation in the United States and assimilation in other countries where it is the result of physical coercion. In Austria-Hungary the Hungarians have been trying for years to suppress the various Slav languages. In the German portion of Austria-Hungary they have been trying to suppress every language outside of German, with the result that they have aroused a profound sense of national pride in all of the smaller nationalities. There is nothing that will so stimulate the love of one's own distinctive language as persecution. Where you will accomplish things with love, you will produce the very opposite effect by coercion and oppression. There are well-meaning men who would like to see everyone speak the same language, but it can not be accomplished by mere edict. It must be the result of a process of education, of bringing up people to learn to love the institutions of the country. It can not be done by duress.

I hope that Congress will at an early opportunity express itself on the action of the governor.

Gentlemen, I thank you for your attention.

I give here the full text of the proclamation:

To the people of Iowa:

Whereas our country is engaged in war with foreign powers; and
Whereas controversy has arisen in parts of this State concerning the use of foreign languages:
Therefore, for the purpose of ending such controversy and to bring about peace, quiet, and harmony among our people, attention is directed to the following, and all are requested to govern themselves accordingly:
The official language of the United States and the State of Iowa is the English language. Freedom of speech is guaranteed by Federal and State Constitutions, but this is not a guaranty of the right to use a language other than the language of this country—the English language. Both Federal and State Constitutions also provide that "no laws shall be made respecting an establishment of religion or prohibiting the free exercise thereof." Each person is guaranteed freedom to worship God according to the dictates of his own conscience; but this guaranty does not protect him in the use of a foreign language when he can as well express his thought in English, nor entitle the person who can not speak or understand the English language to employ a foreign language, when to do so tends, in time of national peril, to create discord among neighbors and citizens, or to disturb the peace and quiet of the community.
Every person should appreciate and observe his duty to refrain from all acts or conversation which may excite suspicion or produce strife among the people, but in his relation to the public should so demean himself that every word and act will manifest his loyalty to his country and his solemn purpose to aid in achieving victory for our Army and Navy and the permanent peace of the world.
If there must be disagreement, let adjustment be made by those in official authority rather than by the participants in the disagreement. Voluntary or self-constituted committees or associations undertaking the settlement of such disputes, instead of promoting peace and harmony, are a menace to society and a fruitful cause of violence. The great aim and object of all should be unity of purpose and a solidarity of all the people under the flag of victory. This much we owe to ourselves, to posterity, to our country, and to the world.
Therefore, the following rules should obtain in Iowa during the war:
First. English should and must be the only medium of instruction in public, private, denominational, or other similar schools.
Second. Conversation in public places, on trains, and over the telephone should be in the English language.
Third. All public addresses should be in the English language.
Fourth. Let those who can not speak or understand the English language conduct their religious worship in their homes.

This course carried out in the spirit of patriotism, though inconvenient to some, will not interfere with their guaranteed constitutional rights and will result in peace and tranquillity at home and greatly strengthen the country in battle. The blessings of the United States are so great that any inconvenience or sacrifice should willingly be made for their perpetuity.

Therefore, by virtue of authority in me vested, I, W. L. Harding, governor of the State of Iowa, commend the spirit of tolerance and urge that henceforward the within outlined rules be adhered to by all, that petty differences be avoided and forgotten, and that, united as one people with one purpose and one language, we fight shoulder to shoulder for the good of mankind.

In testimony whereof, I have hereunto set my hand and caused to be affixed the great seal of the State of Iowa.

Done at Des Moines this 23d day of May, 1918.

By the governor:

W. L. HARDING.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DOREMUS. Mr. Chairman, may we have the bill read now for amendment?

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

GENERAL SERVICE.

Constructing or purchasing and equipping lighthouse tenders and light vessels, to replace vessels worn out in service, in the third, fifth, and eighth lighthouse districts, or for use in the Lighthouse Service generally, $760,000.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 2, line 2, after the numerals "$760,000," insert the following new paragraph:

"SECOND LIGHTHOUSE DISTRICT.

"The sum of $15,000 appropriated in an act making appropriations to supply urgent deficiencies for the fiscal year ending June 30, 1918, and prior fiscal years, on account of war expenses, and for other purposes, approved March 28, 1918, for the installation of an electrically operated block signal on the East Breakwater, Nantucket Harbor, Mass., is hereby made available for an electrically operated fog bell at said point."

Mr. STAFFORD. Mr. Chairman, I do not wish to waive the privilege of amending the first paragraph, but by unanimous consent I would like to have the present amendment considered without waiving that privilege, in order to make some inquiries as to the first paragraph.

Mr. WALSH. If the gentleman will prefer, I will withhold it.

Mr. STAFFORD. Mr. Chairman, I move, then, to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I believe that I am correct in the assumption that this is the first time any committee of Congress has deputed to an executive officer the privilege of determining the number of vessels and the limit of cost of vessels within a stated total authorization, as is accomplished in the paragraph beginning on line 10 of page 1.

Heretofore, as I have understood the practice of the Committee on Interstate and Foreign Commerce and of other committees, they have placed a limit of cost on the amount that may be expended by the executive officer. But here this committee for the first time vests in the discretion of the executive officer the determination of the number of vessels that may be purchased without any limit of cost other than the total gross authorization. The phraseology, as the committee will notice, is "constructing or purchasing and equipping lighthouse tenders and light vessels."

If I am not mistaken, in the Book of Estimates the Department of Commerce specified the number of vessels that might be available for each respective district, namely, the third, the fifth, and the eighth districts, and the amount that could be utilized for each. I question the advisability of Congress leaving it to an executive head to determine the character of vessel, leaving it to his full discretion to have merely one vessel within the maximum amount of $750,000, if he so wishes.

Mr. PARKER of New Jersey. Mr. Chairman, will the gentleman submit to a question?

Mr. STAFFORD. I will be very glad to.

Mr. PARKER of New Jersey. Is the gentleman not conscious of the fact that the cost of vessels has gone up so much that the estimates made on each of these vessels would not perhaps get one of them?

Mr. STAFFORD. If that is the fact, then the Congress should determine it and not leave it to the executive head to detremine the construction of a vessel beyond all bounds which it is intended to provide for.

Mr. PARKER of New Jersey. It is not intended to change the construction of the vessels in any particular. We leave the construction plans exactly the same.

Mr. STAFFORD. There is nothing here to show that you leave the construction plans the same. In the Book of Estimates there was a certain limit of appropriation.

Mr. PARKER of New Jersey. This limits it.

Mr. STAFFORD. Where is the limit?

Mr. PARKER of New Jersey. The limit is on the vessels—so much.

Mr. STAFFORD. There is a provision made for three vessels?

Mr. PARKER of New Jersey. Yes.

Mr. STAFFORD. And yet he is privileged to use all this amount for one vessel?

Mr. PARKER of New Jersey. No; it will not be done in that way.

Mr. STAFFORD. The gentleman makes an assumption that is not based on the facts. The hearings show and the report shows that it is the purpose to leave with the executive officers the privilege of using all this money for one vessel if they see fit.

Mr. PARKER of New Jersey. Not if they see fit, but if they find it necessary.

Mr. STAFFORD. What is the difference between fitness, propriety, and necessity? I question whether that should be the policy of Congress, especially at this time. I would place some limit of cost on these vessels and not leave it to the executive officer to determine the maximum price of the vessel without any limit of cost. Under this practice what restriction is there upon the executive officer as to the furnishings of the vessel? It has been and is the purpose to place a limit of cost upon these vessels.

Mr. PARKER of New Jersey. We are very anxious——

Mr. STAFFORD. I will yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. We are very anxious to get all the vessels we can, and the most useful, under the simplest and cheapest plan, but we have got to get vessels of some kind, and the estimates were made some time ago. If you made an estimate for boots some years ago, you would not get any boots now for the amount you estimated then.

Mr. STAFFORD. The excuse that the gentleman advances might be advanced for every character of construction that is authorized by the Government.

Mr. MADDEN. Will the gentleman from Wisconsin yield?

Mr. STAFFORD. I will be very glad to yield to the gentleman from Illinois.

Mr. MADDEN. Would it not be very much better and cost less to require the Secretary of Commerce to make a new estimate than to charge him with the responsibility of spending the money without limit?

Mr. STAFFORD. The gentleman is precisely correct from a business man's standpoint and the governmental standpoint. It is always the policy of the Government to place a limit of cost on these respective vessels. But here the committee places no limit of cost. If it is found that the limit of cost is not sufficient he can come to the respective committees and have the limit of cost increased, but I protest against this policy of granting freedom without limit at all to the executive officers to spend the entire amount for one vessel. I really believe it is open to severe criticism from a governmental standpoint.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair is under the impression that the entire paragraph should be read.

Mr. MADDEN. This is an appropriation bill, is it not, and is being considered by paragraphs instead of by sections?

Mr. DOREMUS. It is not an appropriation bill. It is a bill authorizing appropriations.

The CHAIRMAN. The Chair thinks it should be read by sections. If the gentleman will wait a moment, the Chair will have the entire section read.

Mr. DOREMUS. The Chair is absolutely correct.

The Clerk completed the reading of section 1.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. RUCKER having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on June 4, 1918, approved and signed bill of the following title:

H. R. 12280. An act making appropriations to supply additional urgent deficiencies in appropriations for the fiscal year ending June 30, 1918, on account of war expenses and for other purposes.

AIDS TO NAVIGATION IN LIGHTHOUSE SERVICE.

The committee resumed its session.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. Of course if we need lightships or lighthouse tenders,

we should have them, and the proper provision should be made to secure them, but the language in the paragraph which authorizes the Secretary of Commerce to replace vessels that are worn out in the service in the third, fifth, and eighth lighthouse districts, or for the use of lighthouses generally, does not specify what the Secretary of Commerce is authorized to do specifically. It authorizes the appropriation of $760,000, and he can spend that $760,000 or any one ship or vessel.

Mr. GARNER. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GARNER. Is this an authorization or an appropriation?

Mr. MADDEN. It is an authorization.

Mr. GARNER. Of course the appropriation probably would take care of that situation.

Mr. MADDEN. I do not think it would, because I think this authorization would make it mandatory upon the Committee on Appropriations to appropriate the entire amount for a single vessel if the Secretary of Commerce wanted that to be done.

Mr. WALSH. If he spent $760,000 for a single vessel he would not be replacing vessels worn out in the third, fifth, and eighth lighthouse districts.

Mr. MADDEN. No; he would not.

Mr. WALSH. He is supposed to build three vessels. If he builds only one he is not doing what is provided in the authorization.

Mr. STAFFORD. He could use one vessel for that purpose.

Mr. DUPRÉ. The gentleman, I presume, has read the report wherein the Secretary himself indicates how it is proposed to use this sum, and where the amount is divided in the report, $200,000 for one, $200,000 for another, and $160,000 for a third. The Secretary himself having made that report, is it fair to presume that he would try to spend it all on one vessel?

Mr. MADDEN. It is fair to presume that the responsibility of authorizing this work to be done is upon us, and I see no reason why we should evade the responsibility that we have by transferring it to the Secretary of Commerce or to anybody else. If the Secretary of Commerce says that he wants to expend $200,000 here, $200,000 there, and $160,000 somewhere else, and we agree that he should be permitted to do it, why not say so in the bill?

Why do we want to give him blanket authority to do something that we afterwards will know nothing about? There can be no question but that under the language of this paragraph he would have the power to expend $760,000 on a single vessel and transfer that vessel from one district to another if he thought proper, and thereby come within the spirit of the law if he did not comply with the letter of the law.

I am not saying that he will do that. I assume that he will exercise proper discretion in the expenditure of the money placed at his disposal, but why should we evade the responsibility that we have and leave him the latitude that this law, if enacted, will give to him? Why should not we say what the law is to be, what the expenditures are for, and where the vessels are to be used?

I am not criticizing the wisdom or integrity of the Secretary of Commerce. I am not criticizing his judgment, but I am unalterably opposed to the relinquishment of the responsibility we have imposed on us and the transfer of that responsibility to some one else. I want in every case where it is possible and proper for the Congress to specifically set forth what it intends the money it appropriates shall be expended for. Why should not we do that? Is there any reason why we should say that our knowledge is so meager that we must transfer the power to somebody else to do what he pleases regardless of the limits of cost? It is true that the Secretary of Commerce will be obliged to come to the Appropriations Committee and get the money under this authorization, but even then he need not furnish more than one vessel for the total amount of the money here authorized.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONTAGUE. Mr. Chairman, the committee is not attempting to evade responsibility, it is endeavoring to comply with a responsibility. The evasion suggested by the gentleman from Illinois grows out of an inability to fulfill a responsibility and that inability grows in turn out of the industrial and economic conditions of the country resulting from this world conflict. I am almost tempted to tell an anecdote to illustrate this inability.

I once knew a mayor of a town who was perturbed that the fire bells on the preceding night did not give the sound of alarm of a disastrous fire. So he gravely moved the council of the town that the fire bells be tested every half hour preceding any fire that might thereafter occur. [Laughter.]

Mr. MADDEN. That would not be a bad scheme in this instance. I suggest that the committee ought to test their own wisdom by the introduction of the amount suggested by the Secretary of Commerce that will be required for each district.

Mr. MONTAGUE. I am sorry the gentleman from Illinois does not appreciate the moral of my anecdote. I know that the gentleman is very able about business questions as well as other questions; but to be sober——

Mr. MADDEN. This has no connection with the bottles found in the House Office Building?

Mr. MONTAGUE. No; I am speaking of the "feast of reason and the flow of soul" and not of bottles. There is no way now to estimate in advance, even approximately, what each vessel will cost. It was manifest to the committee that the purpose of the Secretary is to build the number of ships covered by these districts. Whether he can do it or not we do not know. When the committee came to the question of apportioning a sum for each vessel it was confronted with impossibility, illustrated by my anecdote, and therefore the committee said it would not undertake to do an administrative act that under present conditions it could not meet. It therefore decided to perform the legislative function and leave the Secretary of Commerce to perform the executive or administrative duty.

He has no motive, no purpose, to escape his duty or to make the cost one bit larger than is actually necessary. The Government needs these vessels; it has to have them. I would suggest, with all deference to my friend from Illinois, that there is no trouble about the precedent; the Committee on Appropriations will take care of the division or apportionment of the total sum. The cost when the committee wrote the bill might not be the cost to-day, to-morrow, or the week after, it would be a mere question of approximation, and in my own judgment these administrative details under existing abnormal conditions Congress ought not to bother with.

Mr. STAFFORD. Will the gentleman yield?

Mr. MONTAGUE. I will.

Mr. STAFFORD. Will the gentleman elaborate and explain how the Committee on Appropriations can take care of the matter as suggested by him?

Mr. MONTAGUE. I think the Appropriations Committee can say so much for one vessel and so much for another if it thinks it wise to do so.

Mr. STAFFORD. Is it not within the power of the executive heads under this authorization to construct one lighthouse tender to cost $760,000 without any action or approval by the Committee on Appropriations?

Mr. MONTAGUE. I do not think so; I think the Committee on Appropriations must give the money.

Mr. STAFFORD. May I say that this is an authorization for an executive head to enter into a contract and the Committee on Appropriations will have to vote the necessary money to carry it out.

Mr. DUPRÉ. Does it not take four or five years to get the committee to act after Congress has passed the authorization?

Mr. MONTAGUE. I suspect the gentleman from Louisiana [Mr. DUPRÉ] is entirely correct. As a practical matter, if but one vessel can be got for $750,000, would it not be better to get that one than to get none at all? I do not, of course, think that sum will be required; but if the abnormal conditions of the country are such that we can not secure a vessel for a smaller price, it may be wiser to get that one than none at all, for conditions may go from bad to worse and we must protect our water-borne commerce. [Applause.]

Mr. WALSH. Mr. Chairman, the amendment which I have offered does not appropriate any money. The appropriation has heretofore been made and the department finds that they can not install the character of fog signal, namely, a whistle, for that sum of money. Rather than ask or an increase in the appropriation, I desire to make that sum available for the installation of a fog bell, and that is at the suggestion of the Lighthouse Department.

Mr. DOREMUS. Mr. Chairman, I would state that the amendment is satisfactory to the committee. I have talked with several of the members.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, would the committee have any objection to an amendment inserting a limit of cost upon the authorization which the department might utilize in the construction of these vessels?

Mr. DOREMUS. We have very serious objection, Mr. Chairman.

Mr. STAFFORD. I thought perhaps you might put the amount at $500,000, so as to give ample leeway to the department.

Mr. DOREMUS. If the gentleman will yield for a moment, the committee gave this matter very serious consideration. The committee feel that they have applied to this particular item the only business method that can be applied under the circumstances and get results. There is little to add to what the gentleman from Virginia [Mr. MONTAGUE] has already said. The experience of the Coast Guard in the construction of vessels ought to be a guide to the committee in considering this provision. I think it was in 1914 or 1915 that an authorization of $350,000 was made for the construction of a vessel. Before the department could prepare the plans and get the bids the cost of materials and construction had so increased that the amount appropriated or authorized was entirely inadequate. They came back to Congress and got a second authorization, and before they could prepare plans and specifications the cost of materials and construction had so advanced that the second authorization was inadequate. They came back to Congress the third time, and the result is that to-day they are paying something over $600,000 for vessels that could originally have been purchased under the discretion provided here for $350,000. The committee did not reach this conclusion hastily. They gave mature deliberation to it, and, I repeat, we have endeavored to apply the only business method that can be applied and get the vessels in a time like this.

Mr. STAFFORD. Mr. Chairman, I might agree with the logic of the position of the gentleman if I would accept as a premise that it was absolutely necessary, regardless of cost, to have these vessels; but having served on the Interstate and Foreign Commerce Committee, I recognize that there are times, and these are such times, when the present vessels may be continued in the service without invading the welfare of the service, and then it might not be good business policy, with the increasing cost of manufacturing and production, to have them substituted with new vessels.

It is that policy which I criticize in this blanket form of authorization. If the committee were acquainted with the facts, I do not believe that the existing vessels, even though they are worn in some particulars, should be substituted, but they could be continued in service for another 5 or 10 years, and that the existing high prices, with demands for boilers, engines, hulls in our naval and merchant-marine service, do not justify us in paying 5 or 10 prices for a temporary expedient that could be postponed for 5 or 10 years. I consider it would be good business policy to postpone the effectiveness of this authorization.

Mr. WINSLOW. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. WINSLOW. The gentleman from Wisconsin has suggested that the committee did not know their business when they made this provision. To the effect that if they had known what they were about they would not have done what they have done.

Mr. STAFFORD. I made no charge against the illustrious committee and certainly not against the distinguished gentleman from Massachusetts [Mr. WINSLOW], who is an illustrious member of this illustrious committee.

Mr. WINSLOW. Even so, would the gentleman be kind enough to correct my impression as to what he did say? [Laughter.]

Mr. STAFFORD. I would rather not burden the House to that extent.

Mr. WINSLOW. I shall come to the point I had in mind, and that is to ask the gentleman on what superior information he bases his statement in reference to the needs of the department.

Mr. STAFFORD. I stated that there are many times——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I stated that there are many times when the heads of departments come before committees, such as the Bureau of Navigation here, requesting authorization for new vessels in place of worn vessels, which could be continued in the service; but if conditions were ordinary, it would be better to have them substituted forthwith by new vessels, but under present conditions it would be far better to postpone the authorization of a lump sum for three vessels which could be utilized for one vessel until conditions become normal, so that the Congress would have some determination, and the committee should exercise that judgment in determining whether they want to have the full authorization which was intended for three vessels to be utilized for only one.

Here we grant, as suggested by the gentleman from Michigan and corroborated by the position of the distinguished and honorable gentleman from Massachusetts, that the conditions demand that we should allow the department to spend all of this money for one vessel, if necessary. I question whether the hearings, which I have read, justify that position, and I will yield to the distinguished and honorable gentleman from Massachusetts and the distinguished and honorable gentleman from Michigan to justify the position that it is necessary to use all of this money for one vessel.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 2. That hereafter the appropriation, "General expenses, Lighthouse Service," shall be available, under regulations prescribed by the Secretary of Commerce, for the payment of traveling and subsistence expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word for the purpose of asking unanimous consent to insert in the RECORD a letter to the secretary of the Board of Trade of the city of New Orleans, which I think is a complete answer to the argument of the gentleman from Wisconsin that there is no necessity for authorizing light vessels at this time, even though the cost is heavy.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

Mr. STAFFORD. I would like to have the letter read for information, because if it is inserted in the RECORD perhaps it will never be noticed.

The CHAIRMAN. The Clerk will read the letter.

The Clerk read as follows:

NEW ORLEANS, *March 1, 1918.*

Mr. HERRING,
Secretary Board of Trade, New Orleans, La.

MY DEAR MR. HERRING: We are receiving complaints from various masters regarding the entrance to South Pass, there being no lightship there any more; nothing but a small buoy, with a tinkling bell on it, which in hazy weather can not be seen or heard at any distance.

We have recently had the steamer *Willaston* go ashore east of South Pass, and it is rather surprising, in the opinion of several masters, that more vessels have not been ashore at this entrance because of there being no lightship or any guide of any kind sufficiently far out to warn masters that the land is being approached.

The lighthouse is a considerable distance up the pass, and in hazy weather, when that becomes visible, the vessel is practically on top of the land already. Therefore, as a beacon, the lighthouse can not be considered of much use, except in clear weather.

Will you be kind enough to take this matter up in the proper channel and see if something could not be done to have the lightship replaced which, we understand, used to be stationed at the South Pass?

Yours, very truly,

ELDER DEMPSTER LINE AGENCY,
M. & R. WARRINER (INC.), *Agents,*
R. A. WARRINER, *President.*

The Clerk read as follows:

SEC. 3. That hereafter every lighthouse keeper and assistant lighthouse keeper in the Lighthouse Service of the United States shall be entitled to receive one ration per day, or, in the discretion of the Commissioner of Lighthouses, commutation therefor at the rate of 45 cents per ration.

Mr. STAFFORD. Mr. Chairman, I desire to inquire whether section 2 has been read. I wish to make some inquiry about that as to whether this changes existing law.

Mr. DOREMUS. Section 3?

Mr. STAFFORD. No; section 2. I would like to inquire of the chairman of the committee——

Mr. DOREMUS. The gentleman from Wisconsin has already explained that, I believe, to the committee.

Mr. STAFFORD. I was probably temporarily absent from the Chamber, so I will not impose upon the committee by asking further than to inquire that I assume this is new legislation. I remember in one of the prior bills there was some estimate of the department to provide the expense money for the transportation of children of lighthouse keepers. Was that ever adopted into law?

Mr. ESCH. No; this does not go to that. This merely provides for transportation and subsistence for the teachers to the pupils, the children of lighthouse keepers. There are certain isolated places where the children of lighthouse keepers have no school facilities, and it was thought that the Government would be justified in making this small expenditure, which would not amount to more than $4,000 in all, in order to relieve that condition. Some of the States, particularly Maine, already provide the teachers and the textbooks, and I think some other States have done something in that direction. This is to apply throughout the United States.

Mr. MONTAGUE. If the gentleman will excuse me, will the gentleman please advise his colleague from Wisconsin as to what he previously said about the action of Great Britain in similar cases?

Mr. ESCH. They carry the whole cost of the education of children of lighthouse keepers. It is thought to be in the interest of the service and would help these lighthouse keepers who are far removed from centers of population and who suffer enough from isolation to secure for their families the benefits of an ordinary school education.

The Clerk read as follows:

SEC. 6. That hereafter all officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices or shops, who shall have reached the age of 65 years, after having been 30 years in the active service of the Government, may at their option be retired from further performance of duty; and all such officers and employees who shall have reached the age of 70 years shall be compulsorily retired from further performance of duty: *Provided*, That the annual compensation of persons so retired shall be a sum equal to one-fortieth of the average annual pay received for the last five years of service for each year of active service in the Lighthouse Service or in a department or branch of the Government having a retirement system, not to exceed in any case thirty-fortieths of such average annual pay received: *Provided further*, That such retirement pay shall not include any amount on account of subsistence or other allowance.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Perhaps this provision was explained at length under general debate, but I only desire to make one general inquiry, and that is as to whether this retirement feature is along the line adopted as to the Coast Guard Service?

Mr. PARKER of New Jersey. Practically the same, I will say to the gentleman from Wisconsin, but rather better, because it makes it dependent upon the average salary for the last five years. You can not promote a man simply for the purpose of retirement.

Mr. HICKS. If the gentleman will permit, I would like to say in reference to his inquiry as to the Coast Guard that they have three provisions for retirement, or at least three classes. One is compulsory on reaching the age of 64, one optional with the department after 30 years' service, and the other is for physical disability, granted by a retiring board.

Mr. STAFFORD. I think this is not as liberal as the Coast Guard.

Mr. HICKS. It is not.

Mr. STAFFORD. I think it safeguards the Government more in that particular by not providing for any retirement at all until the individual has reached the age of 65 years.

Mr. PARKER of New Jersey. A lighthouse keeper does not have to go out in boats as the Coast Guard does.

Mr. STAFFORD. It is a recognition of the civil retirement principle which the Government employees have been so strenuously seeking for some years past.

Mr. PARKER of New Jersey. This is the best provision I ever saw. It does not allow them to promote a man to a thousand-dollar salary from $700 in order to give him $750 retired pay, but it is based upon the average salary for the last five years.

Mr. HICKS. If the gentleman will permit, he understands the Coast Guard provision is three-quarters of the annual base pay on retirement, and not a provision for graduation, as in this bill.

Mr. STAFFORD. I well remember the effort which was made that succeeded ultimately in having the Coast Guard retirement provision passed. This, of course, is very much more conservative and safeguards the interests of the Treasury far better and so necessary in these times.

Mr. WALSH. Mr. Chairman, just a word. The gentleman from New York has pointed out there is this difference between the retirement feature of the Coast Guard, in that there is no retirement here for disability, and he has clearly shown that. I do not imagine that it is important to amend this section at the present time, but my hope is that if this becomes a law we will have an opportunity to see how it works, and possibly, if it is found advisable in the future, a disability retirement may be considered by the very able committee which has brought out this very humane provision.

The CHAIRMAN. The Clerk will read.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. I want to ask the committee if they do not think this would be a good provision to put into this section as an amendment: "*Provided*, That this section shall not take effect until after the present war"? With this increase of pensions, this increase of expenses we are going to in this bill and in other bills, it seems to me we ought to look where we are going and have some regard for the purposes for which the money is being collected by bond sales and sales of war stamps and in all sorts of ways. Now, here is a service that has gone on all these years without a retirement pension law. This is engrafting on the public service a new character of pensions. This character of employees never were pensioned before. Why would it not be the proper thing, in the interest of economy, in the interest of spending the public money that is collected for the purposes of the war for strictly war purposes, that we defer the payment of this class of pensions until the war is over?

Mr. DOREMUS. If the gentleman is directing his question to me, I will say that in my opinion there never has been a time in American history that we can better afford to do justice than we can now. The gentleman correctly states that we have gone along for years and years without this. We are merely doing now what we should have done years ago. And as far as the question of expenses is concerned, there are only 133 men in the service to-day who would be affected by this provision, and the estimated cost is only a trifle over $100,000 a year.

Mr. FESS. Mr. Chairman, I rise in opposition to the pro forma amendment so as to ask a question. Would the gentleman state, if he knows, how many classes of public servants we have made beneficiaries of any retirement bill?

Mr. DOREMUS. There are those in the Army and Navy, as the gentleman from Ohio knows; the Public Health Service has a modified form of retirement, and the Coast Guard, which includes the Revenue-Cutter Service and the Life-Saving Service, and which were consolidated, as the gentleman will remember, in the Sixty-third Congress.

Mr. MONTAGUE. Will my colleague from Michigan permit me?

Mr. DOREMUS. I will.

Mr. MONTAGUE. The retirement provisions contained in the Coast Guard are distinctly of a military and naval character. The provisions are not civil; they are military or naval, and upon this aspect or consideration is the so-called pension and retirement features of the Coast Guard bottomed. It is not a civil pension at all.

Mr. FESS. Are we attempting to extend this sort of legislation to civil employees as well as to military and naval employees?

Mr. DOREMUS. I would hardly so construe it, I will say to my friend from Ohio. The reason which actuated the committee in incorporating section 6 into this bill was the peculiar character of the duties that these men are called upon to perform. We want to put them upon an equality with the men in the Life-Saving Service, and the gentleman will notice in section 6 an express reservation against men who are in offices in charge. And, as I stated some time ago, they were called upon during the year 1917 one hundred and sixty times to save life and property. Twelve of them were killed in the performance of their duty and approximately 200—I do not recall the exact figures—were injured. That is the basis on which we ask for this legislation.

Mr. FESS. Mr. Chairman, I am in sympathy with this section, and with this tendency in legislation, and I wish it were so that we could in due time carry this same sort of legislation to cover our governmental employees, not only for the sake of the employees but especially for the sake of efficiency in the service of the Government.

Mr. DOREMUS. I want to say to my friend from Ohio that I heartily agree with him, and at the risk of making a prophecy I want to say that in my humble judgment the time will come when every department of the Government will be provided with some sort of a retirement system.

Mr. FESS. I am glad to hear the gentleman say that.

Mr. DOREMUS. But I do not think this is any precedent for that.

Mr. BLACK. Would the gentleman from Ohio favor a civil retirement bill that would not be framed on the contributory plan?

Mr. FESS. No. I will say frankly that I would not favor any bill that does not take into consideration reasonable frugality on the part of those who were to be benefited and also the basis of contribution.

Mr. BLACK. The suggestion I have as to this particular provision is that these men are civilian employees, and we are starting a precedent here for providing a retirement law that is not framed upon the principle of contribution from the employee.

Mr. FESS. I have no doubt but that would be quoted when we come to considering the other character of legislation. However, this particular service appeals to me so much, those lonely people in the service of the lighthouses, that I would be very glad to support even this, though it is not on that basis. But, as I now see it, I would not support any retirement plan that is not based upon reasonable frugality and contribution.

Mr. HICKS. Will the gentleman yield?

Mr. FESS. Yes.

Mr. HICKS. Just a moment, if my Ohio friend will permit, in order that I may interrogate the gentleman from Michigan [Mr. DOREMUS]. He made a statement, I think, a moment ago, that the men in the Lighthouse Service were to be regarded on a par with the Coast Guard. The gentleman, of course, knows that in the Coast Guard the physical requirements are very strict and severe, owing to the retirement for physical disability, whereas

in the Lighthouse Service it is not so difficult for a man to enter that service where this feature does not pertain. Of course, in the branch of the service on board lightships the requirements are more stringent.

Mr. DOREMUS. I think the gentleman is correct. But I had reference to the retirement compensation that men were to receive.

Mr. HICKS. The physical requirements are different in the two services, I think.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I move to strike out the last two words, with a view of making a brief observation in reference to this retirement system, and that is that in my opinion there is just as good reason for the Lighthouse Service being a part of the Coast Guard as there is for the Life-Saving Service. And having that in view, earlier in the session I introduced a measure to consolidate or merge the Lighthouse Service with the Coast Guard Service as an incident to creating an executive department of marine and fisheries. That measure, I believe, has been referred to the Committee on the Merchant Marine and Fisheries, and I have been assured by the chairman of that committee that a hearing will be had upon that a little later, when the pressure of war matters is relieved.

Now, the Lighthouse Service, as everyone can see, is part of the coast service of the United States or the navigable-water service. The lighthouses and the light vessels are guarding the coasts and the navigable waters of the country, just as the Life-Saving Service is watching the shores and shoals to prevent wrecks and to rescue those in distress, and I think there is good ground for the contention that this great service, consisting of the lighthouses, the storm signals, beacons, buoys, fog warnings, light ships, and their tenders, ought to be constituted a part of the Coast Guard Service of the country.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield for a statement?

Mr. WALSH. Yes.

Mr. JOHNSON of Washington. That would be especially true as to the entire coast line of the Pacific, from San Diego to Cape Nome, where many of the lighthouses are far distant from settlements, and where the lighthouse tenders actually perform the service of life savers, particularly when the Coast Guard stations and steamers are not within a great many miles.

Mr. WALSH. That is true, and, of course, it would be equally true in some of the inland rivers where they have lights, as well as the Lakes. While disasters of serious consequence may not occur there often, still those light keepers and employees act in the nature of life savers.

Mr. JOHNSON of Washington. They are always ready to do that.

Mr. WALSH. Yes. I trust, therefore, Mr. Chairman, that this provision for retirement may be adopted and permitted to remain in this bill, and that while it may not necessarily be taken as a precedent for the form of a civil-service retirement law, possibly it may aid in the consideration and favorable action upon the proposition to make the Lighthouse Service a branch of the Coast Guard Service, which latter service in its consolidated form has come to be one of the most valuable and most efficient branches of the Government relating to navigation and the navigable waters of the Republic.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 7. That hereafter a superintendent of lighthouses shall be assigned in charge of each lighthouse district at an annual salary of not exceeding $3,000 each, except that the salary of the third lighthouse district shall remain at $3,600, as now fixed by law: *Provided*, That officers now designated as lighthouse inspectors shall be transferred to the positions of superintendent of lighthouses herein authorized in lieu of lighthouse inspectors: *Provided further*, That in the districts which include the Mississippi River and its tributaries the President may designate Army engineers to perform the duties of and act as superintendent of lighthouses without additional compensation.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word in order to ask the gentleman from Michigan [Mr. DOREMUS] a question.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word.

Mr. McKEOWN. How many superintendents are in the third lighthouse district, where there is a difference of $600 in the compensation?

Mr. DOREMUS. There is only one superintendent of lighthouses in the United States who gets more than $2,400, and that is the superintendent at New York.

Mr. McKEOWN. That covers only this one man?

Mr. DOREMUS. That is all; and this bill affects, as I understand, 18 men in the United States.

Mr. McKEOWN. Mr. Chairman, I withdraw the pro forma amendment.

Mr. DOREMUS. It leaves the salary of the superintendent at New York at what it already was.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8. That section 4673 of the Revised Statutes of the United States be amended to read as follows:

"SEC. 4673. The Secretary of Commerce is authorized to regulate the salaries of the respective keepers of lighthouses in such manner as he deems just and proper, but the whole sum allowed for such salaries shall not exceed an average of $700 per annum for each keeper; and the authority herein granted to regulate the salaries of keepers of lighthouses shall not be abridged or limited by the provisions of section 7 of the general deficiency appropriation act approved August 26, 1912, as amended by section 4 of the legislative, executive, and judicial appropriation act approved March 4, 1913." (U. S. Stats. L., vol. 37, p. 790.)

Mr. WALSH. Mr. Chairman, I move to amend this section by striking out, in line 23, page 5, the figures "$700" and inserting "$840."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 5, line 23, strike out "$700" and insert in lieu thereof "$840."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DOREMUS. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. SHALLENBERGER, as Speaker pro tempore, having assumed the chair, Mr. Cox, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 11284) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DOREMUS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. DOREMUS. Now, Mr. Speaker, I ask unanimous consent that the bill (H. R. 2298) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, report No. 153, be laid on the table. That is a former lighthouse bill, introduced by former Chairman Adamson.

The SPEAKER pro tempore. Without objection, it will be so ordered.

There was no objection.

Mr. MADDEN. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of order that there is no quorum present. Evidently there is not.

ADJOURNMENT.

Mr. JOHNSON of Washington. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The gentleman from Washington moves that the House do now adjourn. The question is on agreeing to the motion.

The motion was agreed to; accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned until to-morrow, Thursday, June 6, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV a letter from the Acting Secretary of the Treasury, submitting an estimate of appropriation to provide increase of pay of female operatives, printers' assistants, and skilled helpers employed by the Bureau of Engraving and Printing for inclusion in the sundry civil appropriation bill (H. Doc. No. 1148), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. DENT, from the Committee on Military Affairs, to which was referred the joint resolution (H. J. Res. 294) providing for

the time of application of the method of determining quotas of forces to be raised for military service as authorized in a joint resolution approved May 16, 1918, reported the same without amendment, accompanied by a report (No. 626), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. RIORDAN: A bill (H. R. 12391) to amend section 1044 of the Revised Statutes relating to limitations in criminal cases; to the Committee on the Judiciary.

Also, a bill (H. R. 12392) to authorize the formation and organization of corporations for the transaction and conduct of commerce with foreign nations; to the Committee on the Judiciary.

Also, a bill (H. R. 12393) to amend an act entitled "An act providing for writs of error in certain instances in criminal cases," approved March 2, 1907; to the Committee on the Judiciary.

By Mr. KING: A bill (H. R. 12394) to authorize the establishment of a bureau of farm-risk insurance in the Agricultural Department; to the Committee on Agriculture.

By Mr. HUSTED: Resolution (H. Res. 387) authorizing the appointment of a committee to inquire into the causes of the recent aviation accidents; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 12395) granting a pension to Maria A. Struman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12396) granting an increase of pension to Israel Wilkie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12397) granting an increase of pension to Thomas K. Franklin; to the Committee on Invalid Pensions.

By Mr. DILL: A bill (H. R. 12398) granting a pension to Henry Simpson; to the Committee on Invalid Pensions.

By Mr. GRIFFIN: A bill (H. R. 12399) for the relief of Dennis Shevlin; to the Committee on Military Affairs.

By Mr. HOLLAND: A bill (H. R. 12400) granting a pension to Lucy W. Lockwood; to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 12401) granting an increase of pension to William McQueen; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the First District, California, Congress of Mothers, favoring osteopathic physicians in Medical Corps of the Army; to the Committee on Military Affairs.

Also (by request), memorial of Illinois Christian Missionary Society and Ernest C. Wareting, of Cincinnati, Ohio, and Woman's Home Missionary Society, Methodist Episcopal Church, Canton (Ohio) district, asking passage of a bone-dry law as a war measure; to the Committee on the Judiciary.

Also (by request), memorial of members of Lodge No. 220, International Brotherhood of Boilermakers, Iron Shipbuilders, and Helpers of America, against increase in second-class mail postage; to the Committee on Ways and Means.

Also (by request), petition of South Washington Citizens' Association, asking an appropriation to establish a ferry line and suitable landings at the foot of Seventh Street SW. to East Potomac Park; to the Committee on the District of Columbia.

By Mr. DYER: Resolution of the American Pediatric Society, approving and urging the passage of the Owen-Dyer bill, which provides for commensurate rank for the Medical Reserve Corps; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Petitions of Converse Cooperage Co., Western Motor Car Co., and Leslie Carroll Hollingshead, of Chicago, Ill.; Atlas Hoop Corporation, of Carlithersville, Mo.; Haddorff Piano Co., of Rockford, Ill.; and E. P. Fassett, of Mendota, Ill., protesting against the repeal or postponement of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. GRIEST: Resolution adopted by Post D, Travelers' Protective Association of America, Lancaster, Pa., proposing adoption by the Government of a Federal war-time policy in respect of highway improvement; to the Committee on Roads.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of Hastings, Mich., asking for the repeal of the zone system for magazine postage; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of the Motherhood Club, of Rocky Hill, Conn., for the repeal of the postage amendment; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Resolutions of the Select and Common Councils of Philadelphia, requesting the Shipping Board be urged to provide adequate dry-dock facilities for shipping purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial from residents and legal electors of the State of California, members of the Woman's Home Missionary Society of the Normandie Avenue Methodist Episcopal Church, and one from other residents of Los Angeles, Cal., urging the enactment of legislation that will prohibit the manufacture and sale of intoxicants during the war; to the Committee on the Judiciary.

Also, a petition of Guy C. Stoddard and other citizens of Los Angeles, Cal., in favor of immediate enactment of war-time prohibition; to the Committee on the Judiciary.

SENATE.

THURSDAY, *June 6, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that at the front our boys are standing face to face with death, laughing in its face. They are not afraid, for there has arisen a new sense of God. They have carried with them the unconquerable spirit of their fathers and the beautiful and simple and never-dying faith of their mothers. They fight under our flag, which is a symbol of freedom. They are not afraid. We pray that we who stand back of them may be shaken out of ourselves into the same abandon of courage and faith and may support them with all the powers of a Nation consecrated to the freedom of the world. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

ANNIVERSARY OF THE SELECTIVE DRAFT.

Mr. SHEPPARD. Mr. President, yesterday was the first anniversary of the draft. The registration and classification of 10,000,000 men constitute a supreme example of American efficiency, as well as a wonderful tribute to the genius of Gen. Crowder. I have here a statement by Gen. Crowder describing the operation of the draft during the first year. I ask that it be inserted in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
WASHINGTON.

The Provost Marshal General has sent to all the governors for publication to local and district boards the following telegram:

"One year ago occurred the first registration for military purposes of the young manhood of the Nation. Ten million men responded in a single day. This accomplishment was nothing short of marvelous. The task of utilizing this enormous force seemed unachievable. But the work of classification of this great mass of man power in such a way as to permit of its organization and molding into an effective army was intrusted to 4,663 local boards and 156 district boards, constituting a force of nearly 15,000 of the leading citizens of every community, who, assisted in their work by more than 100,000 equally patriotic volunteers, have performed a work that challenges the attention and excites the admiration of all our people.

"Well may we pause to-day, while another million of our youths enter the lists, and survey the results of the year's work. Each registrant has been examined and his availability for military service has been determined. In other words, these millions of men have been classified in such a manner that the Nation may now call for them to come forward into the Army. No call can be so large that it will not be filled immediately, whether the number be such as may be filled by those who have been found to stand in the first rank of availables or so great that men standing in the second, third, or fourth ranks of availability must go forward. In other words, all these millions of men who one year ago were an inert mass have become a mobile army. Each has found his place and each in his proper turn has marched or awaits the order to march.

"These results could not have been accomplished except through the devoted and unselfish labor of patriots. The local and district boards have scored an unprecedented triumph and have earned the undying gratitude of the Nation. Their achievement is one of the great successes of the war. They have already sent into camp, including those under orders for June mobilization, an army of more than a million and a half men.

They have already produced as soldiers one man out of every six registrants, and the world stands in profound astonishment as it views this accomplishment.

"Statistically stated, the local boards have sent and are sending their registrants to camp in the following numbers: September, general, 296,678; October, general, 163,644; November, general, 35,721; December, general, 20,320. Total furnished to January 1, 1918, 516,363. January, specialists, 2,024; general, 21,264. Total, 23,288. February, general, 78,672; specialists, 5,107. Total, 83,779. March, general, 121,915; specialists, 10,569. Total, 132,484. April, general, 166,343; school, 7,334; specialists, 700. Total, 174,377. May, general, 345,862; school, 10,175; specialists, 17,026. Total, 373,063. Total furnished to June 1, 1918, 1,303,354. June, general, 252,468; schools, 25,073; specialists, 14,813. Total, 292,354; or a grand total of 1,595,708.

"Compensated poorly, if at all, except by the gratitude and affection of their neighbors and of the Nation at large, the boards labored incessantly through the enervating heat of last summer, only to find a still greater task awaiting their unceasing devotion throughout the rigors of the following winter. Then, having accomplished the classification, they found themselves confronted with the mobilization of millions of men, and accurately and promptly they have performed and are performing this labor.

"Much work yet remains. To-day the new men of 21 are being registered and must be speedily classified. On the 1st of next month the local and district boards will be invested with the still further responsibility of preventing idleness and of unproductive employment which is not effective to the Nation in the emergency. Some boards will review their work and correct those inequalities which have been unavoidable in so tremendous an undertaking.

"The Nation, however, with full confidence in the men who have performed these great tasks in the past, faces the future without foreboding. The splendid work of our local and district boards and of the other great volunteer army of assistants has filled us with admiration. They have been tried and found true, and so long as this war may last our people are happy in the complete assurance that this great organization will not fail the Nation.

"CROWDER."

ESTIMATE OF APPROPRIATION (S. DOC. NO. 234).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioners of the District of Columbia, submitting a supplemental estimate of appropriation in the sum of $200,000 required for the enlargement of the Tuberculosis Hospital in the city of Washington, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE PRESIDENT laid before the Senate a communication from the Chief Clerk of the Court of Claims, transmitting a certified copy of the findings of fact and conclusion filed by the court in the cause of the State of California *v.* The United States (S. Doc. No. 236), which, with the accompanying paper, was referred to the Committee on Commerce and ordered to be printed.

He also laid before the Senate a communication from the chief clerk of the Court of Claims, transmitting certified copies of the orders of the court dismissing the causes of the State of California *v.* The United States, congressional Nos. 12634-2-3-4-5, which causes were referred to the court by a resolution of the Senate under the act of March 3, 1887, known as the Tucker Act (S. Doc. No. 235), which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

ESTIMATES OF APPROPRIATION—CHANGE OF REFERENCE.

Mr. MARTIN. Mr. President, on the 4th instant Senate Document No. 232 and Senate Document No. 233, being communications from the Secretary of the Treasury submitting supplemental estimates of appropriation for military purposes, were received and referred to the Committee on Appropriations. They should have been referred to the Committee on Military Affairs. I move that the Committee on Appropriations be relieved from the further consideration of the provisions contained in these two documents and that they be referred to the Committee on Military Affairs.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10852) to provide for the appointment of a commission to standardize screw threads; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. ASHBROOK, Mr. SLAYDEN, and Mr. ROBERTS managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3547. An act to extend the provisions of the pension act to May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes;

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911; and

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1549. An act to require numbering and recording of undocumented vessels;

S. 4151. An act to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, conferring jurisdiction upon district courts to partition lands belonging to full-blood heirs of allottees of the Five Civilized Tribes, and for other purposes; and

S. 2380. An act granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualification of electors.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the congregation of the Mount Tabor Baptist Church, of Washington, D. C., praying for the enactment of a Sunday rest law for the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Citizens' Association of South Washington, D. C., praying that an appropriation be made to establish a ferry line and landings at the foot of Seventh Street SW., to operate between there and East Potomac Park, which was referred to the Committee on Appropriations.

Mr. FRANCE. I present two resolutions, which I ask may be read and referred to the appropriate committees.

There being no objection, the following resolution was read and referred to the Committee on Appropriations:

THE AUTOMOBILE CLUB OF MARYLAND.

The following resolution was unanimously adopted at the meeting of the Automobile Club of Maryland, in session at Baltimore, Md., May 14, 1918:

"Whereas the Chamber of Commerce of the United States, assembled in its war convention in Atlantic City last September, urged as a war measure the prompt improvement of public highways; and

"Whereas the transportation requirements of the country, due to the war, can be only met by complete coordination of the carrying capacities of railroads, highways, and waterways; and

"Whereas there has developed in our country a tremendous increase in highway transportation for the haulage of munitions, foodstuffs, and essential supplies; and

"Whereas we recognize the necessity of a Federal wartime policy in respect to highway improvement, permitting the various States to immediately formulate a definite highway program: Therefore be it

"*Resolved*, That the Automobile Club of Maryland urges upon the officials of the Federal Government, the Senators and Representatives of the several States the importance of adopting a program that will insure adequate highway construction and maintenance as fully provided for in Senate bill No. 4032, introduced in the Senate of the United States March 8, 1918, so that our highways may properly carry their share of the burdens of transportation: Be it further

"*Resolved*, That copies of the above resolution be sent to the President of the United States, the Secretary of the Treasury of the United States and Director General of Railroads, United States Senators, and Members of Congress."

This is to certify that the above resolution is a true copy.

[SEAL.] H. M. LUCIUS,
Secretary.

The following resolution was read and referred to the Committee on Woman Suffrage:

NATIONAL WOMAN'S PARTY,
Washington, D. C., June 5, 1918.

Senator FRANCE,
The Capitol.

DEAR SENATOR FRANCE: We come to you as a friend of suffrage to ask that you take a message to the United States Senate from women munition workers of America.

The message that we wish to send is this:

Women war workers need the vote. They need it to protect themselves and maintain their efficiency, and they are convinced that it is their patriotic duty, with their efficiency as workers in mind, to make every effort to secure the passage of the suffrage amendment at once.

So long as the Government discriminates against women, employers will discriminate against them.

The Government says our work is as important as the work of soldiers. It admits that we face the risk of injury and death as soldiers face it, but it does not recognize us as citizens of the country as soldiers are.

In the munition plants we are put in men's places. The same production is required of us as of men, but in our rights we are not made equal with men.

Other nations in which the rights of the people weren't supposed to be protected as well as in this one have granted women the vote since they have been doing the war work of men. Rulers of other nations have received deputations of women munition workers and have visited them and recognized their importance.

The American people do not realize how many thousands of women are being put into the places of men called into the Army. Every man in the eight loading rooms of our factory will soon be taken in the draft and women put into these shops where accidents occur almost daily. Those of us who sign this letter are now fuse makers and inspectors handling the highest explosives.

We want to do this work for the Army; we do not mind the danger; we do not care how hard or dangerous the work becomes; but we are determined as American women, and as the rank and file of young American women have never been determined before, that we will be recognized as citizens of the Government we are working to defend and equals of the men who fight with the arms we make for them.

Respectfully, yours,

MARY COLUMBUS AKERS,
BERTHA WILLIAMS,
HAZEL LE BRUN,
ALICE DEMENT,
RUTH CRAIGHTON,
THERESE REHAK,
LOTTIE ROHR,
LOUISE BATMAN,

Workers in the Bartlett-Haywood Plant at Baltimore.

Mr. LEWIS. Mr. President, I ask permission to tender and have printed in the RECORD a number of petitions from my State of different societies of women respecting suffrage; also a petition for the passage of what is known as the Key bill, pensioning the Spanish-American War widows. The petitions are not at my hand and can not be for one or two minutes. I ask the privilege now when they arrive to tender them and to have them printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. WARREN. Mr. President, I have here a communication from the Scandinavian Society of Park County, which is one of the growing counties of my State. The communication is very short, and I ask that it may be read.

There being no objection, the communication was read and referred to the Committee on Military Affairs, as follows:

CODY, WYO., *May 16, 1918.*

Hon. FRANCIS E. WARREN,
Washington, D. C.

DEAR SENATOR WARREN: We desire to make known to you that a society known as the Park County Scandinavian Society, of Park County, Wyo., has been organized with patriotic motives, and we ask that you give consideration to our purposes and that you extend to the President and Secretaries of War and Navy our assurance of absolute loyalty to the United States, and that you, as our respected representative, be advised that no matter what attitude in this war may be taken by our native countries we assure you of our loyalty to the United States, and we pledge to you our best efforts in maintaining unquestionable loyalty with the naturalized Scandinavians of the United States, and that you accept this information with many thanks for the many privileges and opportunities that have been presented to us since becoming citizens of this country.

G. A. HOLM,
Chairman.
R. O. LARSON,
Secretary.

Mr. PHELAN presented a petition of the Federated Trades Council of Sacramento, Cal., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. HALE presented petitions of the Equal Suffrage Club of Old Orchard, of the Equal Suffrage League of Brunswick, of the Equal Suffrage League of Dexter, of the Woman Suffrage Association of Portland, and of the Woman Suffrage Association of Old Town, all in the State of Maine, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. THOMPSON presented a petition of sundry druggists of Ottawa County, Kans., praying for the enactment of legislation for the organization of a pharmaceutical corps in the Army, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a petition of the Ward Seven Equal Suffrage Association, of Boston, Mass., praying for the immediate submission of a Federal suffrage amendment to the legisiatures of the several States, which was ordered to lie on the table.

WOMAN SUFFRAGE.

Mr. GALLINGER. Mr. President, as I entered the Chamber I heard a paper being read in reference to the so-called suffrage amendment to the Constitution. I have been deluged with letters and telegrams in reference to that matter. I have in my hand some letters and papers urgently asking me to do what I can to get action on that amendment. I have replied, as a rule, that the matter is in the hands of a commitee of the majority, and that whenever that committee is ready to move in the matter I shall be ready to cooperate.

I am now going to ask the chairman of the committee, if he is in the Chamber, whether or not there is any purpose of calling for action on the amendment in the near future. I do this for the reason that some of us at least may not be here many weeks during this torrid weather, and we feel, or I feel, that it is but due to ourselves, to the country, and to the advocates of the amendment—men and women—to take action upon it before long.

If the chairman of the committee is present I will very kindly ask him, or any Member representing the committee, what the purpose is in reference to an early vote on the amendment. Probably some other member of the committee will answer if the chairman is not present.

Mr. ASHURST. Mr. President, I suggest the absence of a quorum. That may bring the chairman of the committee here.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names.

Ashurst	Hardwick	Martin	Smith, Md.
Bankhead	Hitchcock	Myers	Smith, Mich.
Beckham	Hollis	Nelson	Smith, S. C.
Borah	Johnson, Cal.	Norris	Smoot
Brandegee	Johnson, S. Dak.	Nugent	Sterling
Culberson	Jones, Wash.	Owen	Sutherland
Cummins	Kellogg	Page	Thompson
Curtis	Kendrick	Phelan	Townsend
Fall	Kenyon	Pittman	Trammell
Fernald	King	Poindexter	Underwood
Fletcher	Kirby	Pomerene	Vardaman
France	Lenroot	Ransdell	Wadsworth
Gallinger	Lewis	Shafroth	Warren
Gronna	Lodge	Sheppard	Watson
Guion	McCumber	Sherman	Weeks
Hale	McKellar	Simmons	Willey
Harding	McNary	Smith, Ariz.	Wolcott

Mr. McNARY. I wish to announce that my colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is detained on official business.

Mr. CURTIS. I desire to announce the absence of the junior Senator from Indiana [Mr. NEW] and the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. PITTMAN. I announce the absence of the junior Senator from Nevada [Mr. HENDERSON] on account of death in his family. He will necessarily be absent for several days.

I wish also to announce that the senior Senator from Mississippi [Mr. WILLIAMS] is absent on account of illness in his family.

The VICE PRESIDENT. Sixty-eight Senators have answered the roll call. There is a quorum present.

Mr. SHEPPARD. Mr. President——

Mr. LEWIS. Will the Senator pardon me? A query of the senior Senator from New Hampshire [Mr. GALLINGER] was made in the absence of certain Senators on this side, members of the Woman Suffrage Committee. It seems that the Senator from New Mexico [Mr. JONES] is not present, and may I ask the Senator from New Hampshire if he will communicate his query to the Senator from Colorado [Mr. SHAFROTH], who has intimate connection with the subject?

Mr. GALLINGER. Mr. President, I would not have made the observation I did had I been aware of the fact that my good friend, the Senator from New Mexico [Mr. JONES], was absent from the Chamber. In fact, I thought I saw him in the Chamber. It will be remembered that I further observed that in the absence of that Senator I would be glad to have any other member of the committee give answer to the question that I propounded. I do not want to be troublesome in this body. I have been absent for five days unavoidably, and I find my table loaded with letters and telegrams and very important requests that I as a friend of the amendment should urge it to early action.

As I said a few minutes ago, I have answered it is in the hands of a committee of the majority, and I have no disposition to undertake to assume any authority that does not belong to me, that I want to exercise the usual courtesy as between the two sides of the Chamber and between the committees of this body, and that all I could do was to say that I was ready to vote upon the proposition at any time, and I hoped it would be considered in the early future.

Now, Mr. President, I would be happy if the Senator from Colorado, in the absence of the chairman of the committee, will make a statement concerning the matter.

Mr. SHAFROTH. Mr. President, the situation is simply this: There has been considerable agitation concerning this question, and a great many requests are coming in for an early

vote. It has not been deemed advisable by the friends of the measure at the present time to press it for a vote. The truth of the situation is that we have not the promise of about two or three Members whose votes would be necessary to carry the amendment by a two-thirds majority. We hope and expect——

Mr. SMITH of South Carolina. You will not get them.

Mr. SHAFROTH. I think we will get them. I can not help but believe the logic of the cause is so clear and convincing that we will get them. I have no doubt that before the end of the session we will take a vote, and I feel confident that we will carry the amendment by a two-thirds majority; but with respect to the inquiry I will say that the friends of the measure are not pressing it at the present time.

Mr. BRANDEGEE. But after we get the other three, then will the measure be pressed?

Mr. SHAFROTH. I think we will get them, and I think we will then pass the amendment.

Mr. CUMMINS. Mr. President——

Mr. SHAFROTH. I yield to the Senator from Iowa.

Mr. CUMMINS. I happen to be a member of the Committee on Woman Suffrage. While the reply of the Senator from Colorado is quite accurate, so far as it goes, I think he ought to be reminded and the Senate ought to know that at the last meeting of the Committee on Woman Suffrage, held, say, three weeks ago, it was definitely and officially decided by a vote that the committee would ask the Senate to take up the resolution for consideration and to vote upon it during the present session of Congress.

Personally, I believe it would be adopted if we submitted it at this moment; but I agree with the Senator from Colorado. As a friend of the resolution—a very warm and earnest one—I want it submitted at the time at which it can command the greatest possible number of votes; but, in any event, it ought to be submitted at the present session of Congress.

Mr. SHAFROTH. Mr. President, I fully agree with the statement just made by the Senator from Iowa and heartily concur in the view that it would not be wise now to take a vote, although I have noticed in this body that whenever a movement has been advancing in strength and popular support the vote in favor of the passage of the measure is always a little larger than that which was absolutely promised. The growth in public sentiment in favor of equal suffrage has been enormous, especially since the beginning of the war. On that account I believe that we would likely pass the measure if the vote were taken now, but I feel also that to postpone it for a reasonable period of time would insure the passage of it at a later period of this session. I am confident the vote will be taken before Congress adjourns.

Mr. SMITH of Michigan. Mr. President, let me ask the Senator from Colorado, before he takes his seat, if it is not a well-known fact in this Chamber that there is now a much larger support for this joint resolution than there has ever before been in any previous Congress?

Mr. SHAFROTH. I will state to the Senator from Michigan that there is. The last time the vote was taken there was a majority of one, and now we are within two or three votes of the necessary two-thirds majority to pass the resolution providing for submitting the constitutional amendment.

Mr. SMITH of Michigan. So far as I am concerned, I should like to see a vote taken; those Senators who are opposed to the proposition assuming their position, as they are ready and willing to do, and we who are in favor of it recording our views. Then the matter can go where it belongs—to the country—and if it is interested sufficiently, there will be no question about the passage of the joint resolution.

Mr. SHAFROTH. I heartily concur in the statement the Senator has just made.

Mr. FALL. Mr. President, as the Senator from Colorado [Mr. SHAFROTH] seems to be thoroughly informed as to the present status of this measure, as one of the consistent friends of woman suffrage, ready at any time to vote for it, I should like to be let into the secret. I have not been informed, privately or otherwise, as to the status, further than such information as has been imparted by just such statements as we have listened to from the Senator from Colorado.

I say very frankly that I should very much prefer to deal with this as we deal with any other matter. I have not been accustomed to hiding legislation until we sought secretly to obtain what I consider to be a favorable vote upon such legislation, but rather to submit it upon its merits and let it be considered upon its merits.

Now, I am prepared to vote for the joint resolution; but, so far as I am concerned, I do not intend to be delayed here, in the event other business of the Senate would allow me or justify me in leaving for a few days and then being called back peremptorily, as has been the case once heretofore, to suit the convenience of some gentleman who assumed to have charge of this measure. I am in favor of the joint resolution and shall vote for it; and if they will simply be kind enough to notify me about the time they propose to bring it up, I shall endeavor to be here.

Mr. NELSON. Mr. President, I desire to make a brief statement in regard to this matter. I am a member of the Committee on Woman Suffrage and I joined in reporting this proposed amendment. I have been for it; but the delay in bringing it to a vote, as I understood, has been at the instance of the women managers having charge of the amendment. Our committee had a meeting with the leader of the movement a short time ago, and the result of that meeting was that for the next 48 hours I was overwhelmed with some 200 letters and telegrams insinuating that we had been holding back the amendment, when, as a matter of fact, we had been holding it back at the instance of the women themselves.

Mr. President, all I have to say is that I shall vote for the proposed amendment, and the sooner we get it to a vote the better. I do not want to be subjected to this continual picketing. I want a little peace for the remainder of my days [laughter], and I therefore hope we may have a vote on this proposed amendment.

HOSTILE SUBMARINES ON AMERICAN COAST.

Mr. BRANDEGEE. Mr. President, I ask that the Secretary may read an editorial from the Philadelphia Public Ledger of yesterday in relation to the visitation upon us of the German submarine boats. Inasmuch as I believe that the questions raised in the article are in the minds of many people in the country to-day, I hope, if not incompatible with the public interest, the Navy Department may issue such information as may be properly given out in relation to the matter.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary proceeded to read the article.

Mr. SMITH of Arizona. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. SMITH of Arizona. There was such confusion prevailing, as there usually is in this part of the Chamber, that I was unable to hear whether or not unanimous consent had been given for the reading of whatever it is the Secretary is reading, which appears to be an editorial from some paper.

The VICE PRESIDENT. Unanimous consent was given.

Mr. SMITH of Arizona. Then, it is too late to make any objection, but I wish to give my usual notice that I shall object hereafter to the reading of such matter, and would have objected in this instance if I had understood what the request was, which I was unable to do because of the confusion around me here. I may have something to say later.

The VICE PRESIDENT. The Secretary will resume the reading.

The Secretary resumed the reading of the editorial.

Mr. GALLINGER. I rise to a point of order. The Senator from Arizona missed a great opportunity some time ago because of the confusion in the Chamber. We who desire to hear the editorial are all missing the opportunity now, and I ask that order in the Chamber be reestablished.

The VICE PRESIDENT rapped with his gavel.

The reading of the editorial was resumed and concluded, the entire editorial being as follows:

[From the Philadelphia Public Ledger, June 5, 1918.]

WHAT WARNINGS, WHAT DEFENSE?

Where was the powerful American submarine scout and destroyer fleet during the last 10 days of May and the first 3 days of June, while the U-boats were giving chase to American merchantmen, shelling, bombing, and torpedoing them? How could the skipper of the *Bristol*, when warned by the captain of the *Cole* that German undersea raiders were working along the coast, declare as late as Sunday last that to his knowledge the Government had flashed no wireless warning? Were the authorities at Washington incredulous of the stories of pursuits, captures, and sinkings constantly being brought in by captains and crews? And was our vigilant Navy at all cognizant of the presence of the super-submarines?

Eight days have elapsed since the Public Ledger printed the story of the three-master *Edna*, found off the mouth of Chesapeake Bay with a gaping hole blown below her water line, and two other large schooners in like conditions near by. Immediately afterwards stories were published about a German submarine sighted off the Delaware Capes, giving chase to a steamship that escaped her. A full fortnight ago the captain of the British tanker *Cheyenne* told of his escape from a U-boat attack 180 miles at sea, when he took refuge at the naval base at Lewes, on the Delaware shore. The *Cheyenne's* captain exclaimed at the incredulity of the naval authorities to whom he and his officers told the story. The *Edna* was attacked on May 25; its commander, later made prisoner on the U-boat which sunk his schooner, beheld the capture of the *Winnicconne* and the *Isabel Wiley*. There were the experiences, also, of the

crew of the *Hattie L. Dunn*, sunk on May 25, and of the crews of two other schooners and a tanker that had been picked up adrift by an American steamship.

Wireless distress calls were sent out from the ships sunk by U-boats at least 10 days previous to the official Government warnings that closed the Atlantic ports. Why were not these warnings issued earlier? Where were the flotillas of destroyers and chasers, to the building of which the Nation has devoted hundreds of millions of dollars? If they were active, the commanders of American merchant shipping subject to attack seem not to have known about it. The U-boats got their prey. Passenger steamships and freighters appear to have put to sea without restraint and without knowledge given of the presence of the raiders. The failure to take quick and sharp naval measures is mysterious, puzzling, to the lay mind. Is there a proper explanation? Or is this one more case added to the piled-up enormities of bureaucratic stupidity during this war?

The disappearance of the *Cyclops* should have sufficed to get our coast patrol in action.

Mr. LEWIS. Mr. President, the Senator from Connecticut tenders that editorial doubtless with the object of attracting the attention of the country to what he either feels has been a very great omission on the part of those who are managing the war or to give expression to the criticism of others who have such feelings. The editorial is significantly entitled "What defense," as I gather it, or "What explanation," as I understand. I do not rise to offer any detailed defense or seriatim reply to the editorial. Every public journal has a right to express its views, and it should be encouraged to do so; but, Mr. President, we ought not to let the public mind at this time be misguided nor allow false impressions to pervade the public confidence.

A certain number of vessels, whether cruisers or chasers, are now in the employ of the Government. The largest number have been used and are necessarily occupied in properly convoying or protecting the ships carrying our soldiers to the opposite shore. Those that are upon this side are limited in number. The new program of the Navy has been put into effect but a short while, not because of the fault of any administration, but because of the fault of the public that would never consent to expenditures commensurate with the needs of their country.

In view of this fact, sir, it must be apparent that the ships could not be everywhere at the same time, as intimated by the senior Senator from Virginia [Mr. MARTIN], in a voice that I overheard. They had to be at the places where they could best serve, as those guiding them thought, or at the places most needed that those controlling them thought necessary. To leave the impression, by the presentation of that editorial, that there has been some great offense of omission or some commission of fault somewhere, would be manifestly wrong, and would leave the country at large a basis for condemnation of the department without a hearing from the department and without knowing what are the facts.

Mr. President, I have a suggestion to tender to my eminent friend from Connecticut, whose abilities are admired on this side and whose genial personality is a source of pleasure to those who have his acquaintance. It is this: As a citizen of this country, if some one should ask me my personal opinion as to what was the reason of these submarines of Germany here upon the coast of the United States attacking the commerce and the ships of our land, I would say it has been brought about by certain Members of the United States Senate. I will tell the country, with perfect freedom to my conscience, that it was not until Germany was apprised by the inaccurate accusation, the unjustified impeachment from many sources in official place that this Government was honeycombed by fraud; that the administration was interlarded with crime and inefficiency; that there were no aircraft available to the Government; that the money which had been appropriated had been spent along questionable lines; that a form of corruption and pollution generally pervaded every department of the Nation; that we had neither Army nor Navy; that we had "fallen down," to use an expression which has been given common currency, in each of our war undertakings, and that in other administration of war preparation and national defense there had been such evidence of corruption and incompetence as to prove that we were unfit to defend ourselves and unprepared to meet an attack of our enemies.

These charges upon the administration were without foundation. These accusations were without merit. They led to a false conclusion in our own country. They induced Germany to conceive that in this land we were not prepared to defend; that we had neither aircraft above, ships below, nor army around——

Mr. MYERS. Mr. President, will the Senator yield to me to present a petition?

Mr. LEWIS. I shall be through in a second. I trust the Senator from Montana will defer for a moment one of his customary and amusing habits that he delights to exercise [Laughter.]

Mr. President, I think Germany was invited to our shores by the false charges which have been made against the administration by those who in different parts of this country sought to benefit politically by the aspersions made upon their own country. For myself I can see that Germany was licensed to believe that we had not any instrumentalities through which we could defend ourselves; that we were both weak and corrupt; and that this was what influenced her to send whatever forces of destruction she could command to our shores, to our confusion, and, if possible, to our undoing. That Germany will find us ready will not be gainsaid. That we are fully and completely prepared by no patriot will be disputed. But if editorials from conscientious editorial writers and men who are surrounded by limitations and more or less closeted to small quarters, apart from general information, are to be presented here upon the theory that the fears indulged by the editors shall go out to the country as established facts, and the query shall be, as the editorial is headed, as I heard it, "What answer? What defense?" For myself I am content in this observation to say, the first answer is that Germany was invited to our shores by the unjust assaults of those whose motives were to asperse our officials on the one hand or to profit politically on the other. The second reply is that there has been neither negligence nor omission; but if the continual tendency on the part of certain men in this country shall multiply, to ever hold up before their land that their country is unworthy, incompetent, and corrupt, we may have our fellow countrymen generally feeling that there is no defense for even undertaking a war, much less presuming to continue to carry it on.

Mr. NELSON. Mr. President, will the Senator yield to me for a question?

Mr. LEWIS. Gladly.

Mr. NELSON. Does the Senator from Illinois have an idea that he can stop the German submarines here by making an assault upon the Republican Party this morning? Is that his method of meeting the submarines?

Mr. LEWIS. Mr. President, I call the attention of the eminent Senator from Minnesota to the fact that the words "Republican Party" have never escaped my lips, nor have I made reference to the word "Republican"; but if the accusation I have made against certain sources appeals to the eminent Senator from Minnesota as fitting the Republican Party from his knowledge of its conduct, I am unable, sir, to protect him from the impeachment of his own conscience. [Laughter.] But I can not charge the Republican Party with such. He would not be a patriot who could do such. He would not be a fair man who would undertake such. It would not be truthful. It would not be just. I specifically said "persons," and I continued using the expression, as the eminent Senator from Minnesota will know, "certain officials in public life" and "certain individuals here in this land."

A Senator on the floor has the right to take the words of people, if he believes them, of course, editors or private citizens, and when they ask to have their views presented in this body he is often powerless to decline it. When charges made in different quarters from private sources and private citizens are brought to a Senator he is compelled sometimes to give them official recognition; and it may be on this, the Democratic side, or it may be on that, the Republican side. But the fact will remain, and I insist upon charging, that there has been a spirit too general of late pervading the land and a license too universal by which we accept the accusation of anybody, anywhere, upon any official of the Government, and that, too, where the official is powerless to reply lest he betray the confidence of his Government. Such is the situation of the Secretary of the Navy and the Secretary of War. Then, because of the necessary official silence, promptly must arise the conclusion to the public mind that he must be guilty.

For myself, sir, I respectfully say that I answer my eminent friend from Minnesota in all kindliness of heart that while I do not expect to stop submarines by anything I may say or anything that may be said here, I do not hesitate, again expressing my private opinion, in saying that Germany has been very much licensed and encouraged to assault us under the knowledge gathered from public officials of our own Government that we were unprepared to meet her, a statement without foundation in fact and a conclusion on the part of Germany which she will shortly learn is indulged to her destruction. This country is not only prepared to meet her, but, as shortly will be evidenced before the world, to meet her with vigor, power, and victory.

Mr. LODGE. Mr. President, if anybody wants to cut me off by calling for the regular order, he has the opportunity.

Mr. LEWIS. Not on this side, I assure the Senator from Massachusetts, has there been such intention.

Mr. LODGE. I heard some one suggest it.

I shall not occupy the attention of the Senate long, and my purpose in rising is not to make an attack on any other American citizen of any party or to charge them with inviting Germany to come over here with her submarines. If I were disposed to do it, I might say that nothing has so stimulated and invited Germany as loose brags and boasts about the number of troops we are transporting to France.

Mr. President, Germany has not been invited here by any attacks made upon the American Navy, because if there have been any attacks made upon the Navy I, for one, have not heard them or seen them, and I have followed the subject with extreme closeness, for I am deeply interested in it, owing to my somewhat long service on the Committee on Naval Affairs.

What I wish to say is that the Navy and the Navy Department have taken every precaution that human foresight could suggest, so far as I am able to judge, and I have examined their preparations with such intelligence and care as I could give to the matter. I have no doubt that in the newspaper offices there are men who might have done it better, but unfortunately they are not charged with the duty. I am reminded of a little story that I heard the other day of Gen. Lee, who said to a friend that he thought the only mistake that Mr. Davis had made in the conduct of the affairs of the Confederacy was that he had not turned them over to newspaper editors.

Mr. President, the Navy and the Navy Department have necessarily anticipated a submarine attack from the very beginning of the war. They have had it constantly in their minds. They have tried to make every preparation to meet it. I think they have. It would be most injurious for me to stand here and follow down the map of the coast and tell the Senate and the public exactly what those preparations are—tell them where the submarine chasers are, where the destroyers are, where the signal stations are, what arrangements they have made for meeting the danger when it came, as they were sure it would come. No human mind possibly can tell when out of the great waste of waters of the Atlantic Ocean a submarine, which travels by night and submerges by day, will appear. As soon as the Navy had any authentic news to indicate the presence of submarines on this coast they acted. They will do everything that can be done. They have the means to do it. That is all that I feel at liberty to say in a general way.

Mr. President, for four years the greatest navy in the world has been devoting all its strength to the destruction of German submarines. They were operating in what are known as the narrow seas, where the commerce of the world, we may say, comes together in a closely restricted area; and even there, with the knowledge for years of the presence of the German submarines, it is not going too far to say that many of those submarines escaped them. They are diminishing now, with our assistance. A larger control is being established over the narrow seas, and the work against the submarines at the point of the greatest danger—what we may call the naval front in this war—is succeeding more than many of us dared to hope. It is done by the multiplication of vessels and the multiplication of methods, and there is the great center of the fight.

One or two submarines have appeared suddenly on our coast, as was to be anticipated. In my judgment, we are doing all that can be done. I have taken the pains to go to the department, where everything has been laid before the members of the Naval Affairs Committee who cared to investigate the subject, and I am entirely satisfied that they are doing everything that is possible. But the chase of the submarine is something like searching for the needle in the haystack. You can not tell in which particular wisp of hay it will come to the surface; but that the defense will be effective I have no sort of question.

Mr. FALL. Mr. President, will the Senator yield to me for a question?

Mr. LODGE. Certainly.

Mr. FALL. I have had the general impression that submarines could not remain indefinitely at sea. It appears, from the information which we are able to obtain, that these submarines have been operating on our coast since prior to the 20th of May, now something like 15 days. They must have come presumably from Germany across the ocean to this coast, and they have remained here now approximately 15 days, and they have not yet disappeared. Can the Senator, without betraying confidence, give us any idea as to how long it is possible for a submarine to remain away from its base and to haunt the high seas and commit depredations

Mr. LODGE. Mr. President, these submarines, of course, in the first instance came from Europe. They are believed to be, I think correctly, submarines of a very large type, built by Germany. It is understood, from the best information that can be obtained, that these vessels, some of them—they are very few as yet—have a steaming radius of over 6,000 miles. If that is correct, by hoarding their fuel and sparing it as much as possible, they would have some latitude in point of time; but of course there must come a moment when they must seek a base. It must either be a base on shore, where oil and other supplies are provided, or it must be a mother ship.

It seems not likely that they would have a mother ship with them, because it would be extremely difficult for such a ship to escape from German ports on the surface, and she would be almost certainly captured and destroyed. It is possible that they have received oil smuggled out of this country on some vessel. It could not be done, I should suppose, more than once. It is highly improbable that they have any base on the coast of the United States or of Canada, because the land patrol and the sea patrol are almost as absolutely complete as they can be made. We have a patrol along the coast, which is composed chiefly of what is known as the Life-Saving Service, or the Coast Guard, as it is now known. We also have an organized system for procuring information from fishermen and others on the coast, extending from Maine to the Gulf. Those sources of information were organized and in operation through the Navy Department at least two years before we entered the war; so I believe that so far as our own coasts are concerned the chances of a base there are almost negligible. The chances of a base in the West Indies, I think, are very small. I do not like to go into all the details, but I think it will suggest itself to Senators if they will consider the different islands, beginning with the lower end of the Lesser Antilles, possessions of France and England, and coming up to the islands which we either control or are interested in, ending with Cuba, where we have a great naval base at Guantanamo.

There remains, of course, the possibility of a base in the Gulf of Mexico, on Mexican territory.

I should like to tell the Senate why I do not think a base can be freely used there even if one exists, but I can not. I do not think I ought to tell it or ought to tell the arrangements that have been made. It will suffice for me to say I think it would be extremely difficult, even assuming a base, to get away from there at all or more than once. There are all those possibilities of their getting supplies or getting oil.

Mr. President, I did not rise to go into the details to describe to you the different naval districts of the country and what has been done in each one of them, but simply to tell you what my own opinion is after having examined all the arrangements with the utmost care of which I was capable and with the most intense interest and give my word for what it is worth, that in my judgment the Navy and the Navy Department, the Secretary and Assistant Secretaries, and all the officers, the Chief of Staff, and every head of bureaus has done everything that human foresight could suggest.

Mr. NORRIS and Mr. JONES of New Mexico addressed the Chair.

Mr. LODGE. In one moment. I want to finish what I have to say. I want the Senate also to remember that when newspaper editorials ask what the Navy is doing I should like to have them consider why it is that we have sent all the troops we have sent—and we have sent a great many thousand—why it is that they have gone to Europe without the loss of a transport, thank God, as I do. How is it that that has happened? It has happened because of the American Navy, which furnishes the convoys, and no other cause.

I wish I could go on and tell you what the American Navy has been doing in the narrow seas. I can not. The Navy has remained largely silent about its work and its preparation, and it is one of the best things about it, but it has been doing the greatest possible work everywhere. It has not failed in convoying the troops. It has not failed in its work in the Baltic and the Channel and the coast of France and the Mediterranean, and it will not fail here. It will do everything that courage and intelligence and bravery can possibly do.

Mr. NORRIS. I should like to ask the Senator a question before he takes his seat. It is in relation to the length of time these submarines can remain at sea. The Senator gave some information in regard to it. This question has occurred to me: Is there any supply that the submarine must necessarily have to remain at sea that it could not obtain by the capture of vessels?

Mr. LODGE. Everything except oil.

Mr. NORRIS. Gasoline?

Mr. LODGE. Fuel oil. I suppose they use fuel oil and not the refined oil.

Mr. NORRIS. I presume if they captured a ship that was either transporting that kind of oil or using it, they would be able to supply themselves from that source, and therefore might stay out a good deal longer than they otherwise could.

Mr. LODGE. Undoubtedly, if they should capture a ship with fuel oil they could take a supply from it. The only tanker they seem to have successfully attacked in this raid was beached, and it is being salvaged by the Navy. I do not think they got any oil.

Mr. JONES of New Mexico rose.

Mr. SMITH of Arizona. Mr. President, I demand the regular order.

The VICE PRESIDENT. If there are no further petitions and memorials, reports of committees are in order.

DIVERSION OF WATER FROM THE NIAGARA RIVER.

Mr. HITCHCOCK. From the Committee on Foreign Relations I report back favorably with an amendment the joint resolution (S. J. Res. 158) further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect, and I submit a report (No. 480) thereon. I ask unanimous consent for the present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The amendment was, on page 1, line 9, to strike out the word "January," after the word "approved," and insert in lieu thereof the word "June," so as to make the joint resolution read:

Resolved, etc., That public resolution No. 45 of the Sixty-fourth Congress, approved January 19, 1917, entitled "Joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River," which was further extended by public resolution No. 8 of the Sixty-fifth Congress, approved June 30, 1917, is hereby again continued in full force and effect and under the same conditions, restrictions, and limitations, until July 1, 1919, unless the Congress shall before that date enact legislation regulating and controlling the diversions of water from the Niagara River or from boundary streams generally, in which event this resolution shall cease to be of any further force or effect.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, before suggesting an amendment, I wish to apologize to the Senator from Nebraska. I had not realized that the resolution would be reported so promptly, although I do not object to its prompt report, because it is of an exceeding importance, but may I call the attention of the Senator to the fact that the resolution which was passed last year extending the period for the diversion of an additional amount of water from the Niagara River from above the Falls contained a proviso which prohibited any of the companies from installing any additional power-generating machinery, and also contained a proviso which prohibited the industrial companies which purchased or contracted horsepower from the power companies from themselves installing any additional power-consuming machinery. As the result of those provisos while under treaty of the diversion of 20,000 cubic feet of water per second daily average is permitted on the American side, it was the purpose of that permit, which it is now sought to be extended to permit the diversion of the full 20,000 cubic feet per second. The prohibition against the installation of any additional machinery as contrasted with the machinery which was in operation at the time the original permit was given has prevented the industry along the Niagara frontier upon which the War and Navy Departments are dependent for most valuable material from taking advantage of the other provisions of the permit, and instead of diverting 20,000 cubic feet of water per second they have only been able to divert 18,000 cubic feet of water per second.

I was going to confer with the Senator from Nebraska and would have done so had I realized that the resolution was to come up so promptly. I was going to ask him if he would not consider favorably an amendment to the joint resolution which would eliminate from the permit as granted under the prior resolution that prohibition against the erection of additional machinery. I have an amendment prepared.

Mr. HITCHCOCK. I should be glad to hear the Senator's amendment, though I doubt whether, under the authority of the committee and the request of the Secretary of War, I would be justified in accepting any modification of the original resolution.

Mr WADSWORTH. I ask the Secretary to read the amendment.

Mr. HITCHCOCK. I should like to hear it read.

Mr. SMITH of Michigan. May I ask the Senator, before it is read, if, with the language stricken from the resolution to which he has called attention, we would still be within the maximum provided by the previous act—20,000 cubic feet?

Mr. WADSWORTH. Certainly. The provision in the previous act has miscarried, that is all.

Mr. SMITH of Michigan. The limitation, then, has operated to limit development rather than the use of water?

Mr. WADSWORTH. Absolutely. That is all it does. I ask the Secretary to read the proviso that I wish to add to the resolution.

The SECRETARY. Add at the end of the joint resolution the following proviso:

Provided, That the limitations contained in said first-named resolution, restricting such additional diversions permitted to the capacity of the generating machinery of the permittee and tenant companies, installed and ready for operation, and to an amount sufficient to supply existing hydroelectric demands of customers which such permittee and tenant companies are supplying, not exceeding the capacity of their power-using appliances, installed and ready for operation, shall not be applicable during the extended period covered by this resolution.

Mr. HITCHCOCK. Mr. President, I doubt very much whether it would be wise to amend the joint resolution at this time in this hasty way and modify the original grant of authority to the Secretary of War. The letter which I have here, which I will insert in the RECORD, asks for no such authority. He simply desires to continue the present condition of things.

I may say to the Senator from New York that at the request of the Secretary of War there has been prepared and introduced in both Houses of Congress a bill providing for the general control of boundary waters in a permanent way, and it is only because that bill can not be considered and reported in time to meet the present emergency that this resolution of extension is now offered. We are now operating under a resolution which expires on the 30th of June, and the one which I have offered extends it beyond June 30 for one year, or until Congress permanently legislates on the question. I think when Congress comes to legislate permanently on the question will be the proper time for the Senator from New York to propose the modification of the resolution. I am a little afraid by changing the resolution at this time there might be an inducement to companies to install machinery which might be the basis for claims on their part that they had acquired certain rights under the permission of Congress. I wish the Senator would permit the joint resolution to go through as it has been considered by the committee and recommended by the Secretary of War. That will be the best for all concerned, and the other question can be taken up with permanent legislation.

Mr. WADSWORTH. Mr. President, of course I recognize some of the elements in what might be called the tactical situation. We have a bill pending, one introduced in the Senate by the Senator from Nebraska [Mr. HITCHCOCK] and one in the House by the gentleman from Virginia. Personally I have no faith that that bill can pass as it is now drawn at this session of Congress. That is my personal judgment. I may be utterly mistaken. The thing that has disturbed me for more than a year—for two years, in fact—in this connection is that the factor in the situation that suffers most by reason of this restriction in the development of power is the Government of the United States. The power companies do not suffer. They can sell all the power they can generate. When the previous resolution was passed a year ago and that proviso was put in, while it permitted the companies to divert 4,000 additional cubic feet of water per second at the same time there was put in another proviso, which prevented them from using it all. It did but very little good, and to my mind it is of exceeding importance from the standpoint of our efforts in this war, for it is at Niagara Falls that are produced some of the most important chemical materials that are used in the ordnance program. It is of exceeding importance that Congress shall permit the full use of the 20,000 cubic feet at the earliest possible moment, and the resolution of the Senator from Nebraska does not do it. That is the only thing I have in mind.

Mr. HITCHCOCK. I agree with the Senator that the bill introduced by me in the Senate, and which was also introduced in the House, probably undertakes to do too much, and I may say to the Senator that the Committee on Foreign Relations, which has given some consideration to it and referred it to a subcommittee, is disposed to simplify it greatly, so as to remove objections which have been raised and confine its operation to the waters of the Niagara River. In that form I believe it can be passed at the present session of Congress. So this extension will probably only operate for a short time until that permanent legislation comes before Congress.

Mr. WADSWORTH. Of course, the Senator realizes that there are some other elements in his own bill which will give rise to the most serious contention in the Senate and elsewhere, in addition to the mere fact that it is general in its application instead of applicable only to the Niagara River. Will not the Senator be willing to accept this amendment and let it go to the other House, and if it is to be stricken out let it be stricken out there, inasmuch as it was there inserted originally. There

seemed to be a dire dread that somebody was going to steal something at Niagara Falls. That was the reason why it was put in, lest somebody should establish a vested interest which could not be revoked at some later time. As a matter of fact, there is no such possibility.

Mr. SHAFROTH. I should like to ask the Senator from New York whether there has been any State legislation upon the question of water power connected with Niagara Falls?

Mr. WADSWORTH. There has; a great deal.

Mr. SHAFROTH. And has that legislation tended to control the water power there?

Mr. WADSWORTH. Of course, the Legislature of the State of New York can have no control over the diversion of water from a navigable stream. That rests only with the Congress, but as to the generation and distribution of the power the State of New York, through its commissions, absolutely controls the rates and charges and the method of distribution.

Mr. SHAFROTH. Of course, the State, as a matter of fact——

Mr. WADSWORTH. May I say to the Senator the State of New York protests most vigorously against any action of Congress that will invade her sovereignty and deprive her of the right to regulate those charges and assess those taxes and control those properties.

Mr. SHAFROTH. Unquestionably the State of New York has that sovereign right, and it does seem to me that the United States Government ought to concur in anything the State of New York may desire with relation to the water power.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York.

Mr. HITCHCOCK. I realize that it would be quite possible for the Senate to accept the amendment and allow it to go to conference. When the issue was up before, the other House took strong grounds in favor of having this limitation, and on account of the importance of bridging over the present emergency until the matter can be fought out in permanent legislation, I think it would be a mistake to attempt to change it at this time. I hope the Senator will not press his amendment.

Mr. WADSWORTH. I dislike very much to disagree with the Senator from Nebraska because we are of the same mind on these matters, generally; I would not insist on the amendment if I did not know as a matter of personal knowledge that the Government of the United States is not getting the service which this resolution pretends to give it. They are not diverting the water which the resolution authorizes them to divert, because they are not permitted to install any additional machinery. You can not generate power by diverting water unless you gather the water into a pentstock and drop it down on a turbine wheel. Until they can put an additional unit in the passageway through which the water flows, the Government of the United States does not get any increase worthy of the name in those materials upon which it relies for the building of cannon and the manufacture of armor plate.

Mr. SHIELDS. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. SHIELDS. I do not know whether I fully comprehend the Senator's position. Is it that there is not machinery enough now installed to use the sixteen thousand and some hundred cubic feet which this resolution permits?

Mr. WADSWORTH. There is machinery enough installed at present to use the amount of water which was being diverted prior to the permit which authorized an additional 4,000 cubic feet per second. There is machinery, in other words, installed now, and has been for many years, capable of using the 16,000 cubic feet; but if you divert the other 4,000 feet which this resolution proposes to give——

Mr. SHIELDS. Then the amendment proposes to allow the use of the full 20,000 cubic feet per second.

Mr. WADSWORTH. Yes.

Mr. SHIELDS. With new machinery to be installed?

Mr. WADSWORTH. Yes.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New York [Mr. WADSWORTH].

Mr. HITCHCOCK. I send to the desk and ask to have read a letter from the Secretary of War.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, May 30, 1918.

Hon. GILBERT M. HITCHCOCK,
Chairman Committee on Foreign Relations,
United States Senate.

MY DEAR SENATOR HITCHCOCK: You are so familiar with the power situation at Niagara Falls that I need only to ask your attention to the latest phase of it, which is that the companies now using the 4,400 second-feet of water under authority of the joint resolution approved January 19, 1917, and extended by joint resolution of June 30, 1917, are by force of these two resolutions prohibited from using the water after June 30 of the present year. In the meantime, both your committee and the House Committee on Foreign Affairs are considering a new plan of development requiring great expenditures and leading, it is hoped, to a more economical and intensive development of the power situation at Niagara Falls. The joint resolution of January 9, 1917, makes it a misdemeanor for these companies to continue using this surplus water after June 30, 1918, and I am afraid I have no power to extend that permit; indeed, I am under a definite promise to your committee and the House Committee on Foreign Affairs not to make an extension of the permit. But the war situation is such that any suspension by these companies of the use of this power at this time would seriously interfere with the production of needed or, indeed, indispensable war supplies. The steel production of the country depends, in an important degree as to some grades of steel, upon the continued and maximum production of steel alloys and ingredients at Niagara Falls. As Congress is considering a recess from the 15th of June to the 1st of August, a very serious situation confronts us, and I am writing to inquire whether a joint resolution could not be passed by the two Houses as a matter of the greatest urgency which would extend the permit from day to day at the discretion of the Secretary of War, so as to carry this situation over until the Congress can determine its course of action upon the larger legislation now under consideration. If such joint resolution should for any reason be impossible of passage, I would like to have your advice as to what action I ought to take to prevent this inadmissible interruption in the production of war materials.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

Mr. HITCHCOCK. Mr. President, I have had that letter read to show that the Secretary of War evidently has reason to believe that this surplus power is now being used. It may be that it is not being used to its full capacity, as the Senator from New York [Mr. WADSWORTH] seems to suggest; but this is all that the resolution of the Senator from New York asked for last year. It is very evident that from the Government standpoint there is no need for any additional mechanical facilities or diversion of the water at this time or the Secretary of War would have asked for it. I therefore hope the Senator from New York will not insist on the amendment, which I think will only produce delay, and which may provoke a good deal of difference. It is a very simple proposition, to continue the power which already exists and the extra diversion which this joint resolution permits; and I think the Senator should be satisfied with that at the present time.

Mr. TOWNSEND. Mr. President, if the Senator from New York will permit me, what particular difficulty does the Senator from Nebraska anticipate from the adoption of the amendment offered by the Senator from New York? Does he believe that the power companies will get more rights than we intended in the former resolution?

Mr. HITCHCOCK. I fear there might result complications, and it is very evident that the other body of this Congress has such a feeling, because it insisted two years ago upon the insertion of this limitation in the resolution of extension. It is a difficult question, at best.

Mr. TOWNSEND. I recall that this matter has been here many times and that the suggestion made by the Senator from New York to-day has been heretofore made. It has been my understanding that under the operation of the grant of two years ago the actual beneficial use of the water which we intended should be granted has been denied in part, and that a part of it now is being practically wasted, which ought to be employed in beneficial production at this time.

I have listened to the Senator and I have been trying to find out what the particular objection was and the ground for it, but I have not been able to understand it, and I never have understood it.

Mr. HITCHCOCK. I believe I can set forth in a moment the condition. Originally the Burton Act was passed, which limited to 15,600 cubic feet per second the amount of water that might be diverted on the American side of the Niagara River. That act expired by limitation on June 29, 1909. There was an extension resolution for two years. About the time the extension resolution expired we entered into a treaty with Great Britain, by the terms of which the Dominion of Canada or the Province of Ontario were permitted to divert 36,000 cubic feet per second of water from the Niagara River above the Falls and the United States was authorized to divert 20,000 cubic feet of water from above the Falls. Under the law which we previously had companies had only been permitted to take 15,600 cubic feet, so that there remains a possibility, under the terms of the treaty, of our diverting 4,400 additional cubic feet of water. Under the resolution which was adopted by Congress in 1917 the Secretary of War was authorized to permit existing companies with existing facilities to take that 4,400 cubic feet of additional water power.

This letter from the Secretary of War states in plain English that they have done that thing and that they are engaged in manufacture which is important to the war industries of the United States, and until now I have never heard a question

raised that the full 4,400 cubic feet per second is not being used. There may be a little shortage, but I do not think it is wise in a hasty resolution, without opportunity to consider the merits of the question, to say to those additional companies, "You may install additional machinery; you may have the last foot of that water." We might in such a way give them vested interests which the public rights and public interests at least do not now require. I think we had better confine ourselves in this emergency to doing the simple thing, merely continuing what has been satisfactory for the past two years, and which was all that the Senator from New York asked a year ago.

Mr. TOWNSEND. Mr. President, I think the Senator from Nebraska has stated the history of this legislation with absolute correctness. I understand it in just that way. But the question has been raised prior to this day. We granted 4,400 additional cubic feet of water to these companies. Now we describe the way that they must use it; it is with existing machinery. The real reason, as I understood, was to give them the use of 4,400 feet for manufacturing purposes. It was thought at the time that existing machinery was sufficient to utilize it, but it has been discovered that it is not sufficient; that they can install more machinery and use exactly the same amount of water that we have granted to them. It seems to me that it is in the interest of economy and in the interest of efficiency at this time that that much water should be used. That is the only point that I have in view.

Mr. WADSWORTH. Mr. President, all I have to add to the discussion is this: The shortage of power at Niagara Falls is most acute. As a matter of fact, the Federal Government, acting through the War Department, stepped in there shortly after we entered the war and commandeered all of the power generated by the companies on the American side. That power is now distributed and delivered only to those industrial concerns that are manufacturing goods for the Army or the Navy. There is not enough. I know myself of three great paper mills that can no longer get any power at all from that source, which for years had been dependent upon power delivered to them by the power companies. I only cite that to show the seriousness of the situation.

Now, it is a fact which I can vouch for that the present situation is such that they can not use more than 18,000 cubic feet of water per second on a daily average. They are entitled to use 20,000 cubic feet, and if they were permitted to put in a little additional machinery they could use it.

Mr. President, 2,000 cubic feet of water per second means 20,000 horsepower. It is a serious matter. That 20,000 horsepower is worth hundreds of thousands of dollars in the course of a year and will save just that much fuel and deliver just that much more of the material that the Government wants.

Mr. HOLLIS. Mr. President, I wish to ask the Senator from New York a question. The matter which the Senator is now urging was before those who are interested in this matter when the existing extension was granted, was it not?

Mr. WADSWORTH. It was.

Mr. HOLLIS. And it was considered. Now, the Senator states a very plain case, one to which there must be a good answer or else his idea would prevail. I know the Senator will be straightforward enough to give the answer that those opposed to his amendment make. Would he do that for the Senate? I do not know what it is, but I know there must be something to be said on the other side.

Mr. WADSWORTH. The Senator asks me to present the argument of those who oppose me.

Mr. HOLLIS. Yes; because no one else seems to be able to do so.

Mr. WADSWORTH. My understanding is that when the permit resolution of a year ago, or thereabouts, reached the House of Representatives some suspicion arose in the minds of Members there that if this 4,000 additional cubic feet was authorized and the companies in order to use it put in a little additional machinery, at some time later on the companies might be able to say that by having put in that additional machinery they had acquired morally or legally some vested right to the continual and perpetual diversion of the water. It is a consideration that did not appeal to me at all, I will say very frankly. It was for that purpose, if I remember correctly, that this prohibition was inserted in the resolution forbidding them to put in the machinery which would enable them to use the water.

Mr. SMITH of Michigan and Mr. SHIELDS addressed the Chair.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from New York yield; and, if so, to whom?

Mr. WADSWORTH. I yield first to the Senator from Michigan.

Mr. SMITH of Michigan. If the Senator from New York will yield to me, I think he is familiar with the fact—I know I am—that each new demand to get power at Niagara Falls has been buttressed with that very argument. When we reached the point in our conservation at Niagara Falls when the country became very greatly interested we crept up to 15,000 cubic feet a second, and then to 16,000 cubic feet, and finally to 20,000 cubic feet. The Falls have not been seriously interfered with, and, as the department suggests, they are at liberty to revoke any permit which they give at any time when they discover that an undue amount of water is being diverted for power purposes. But I must say that the suggestion of the Senator that the maximum amount of water should be used at this time appeals very strongly to me; and while I do not know that the chairman of the Committee on Foreign Relations would feel at liberty to accept an amendment of the character proposed, yet, for one, I should dislike very much to see the opportunities for power at Niagara Falls unnecessarily curtailed at the present time.

Mr. HITCHCOCK. Mr. President, this bill now being before the Senate by unanimous consent, if the Senator from New York insists on his amendment, we might as well come to a vote on it. I think it very unwise to adopt the amendment. We are doing exactly what the Senator asked for last year, and we are doing exactly what is asked for by the Secretary of War for public purposes.

Mr. WADSWORTH. Mr. President, may I say to the Senator that the letter from the Secretary of War contains an assumption which is not accurate. He assumes that the additional 4,400 cubic feet of water is being used. It is not.

Mr. HITCHCOCK. And, so far as I know, this is the first time that in any public place it has been stated that it is not being fully used. There may be some private interests who want this additional horsepower, but, so far as the public interests are concerned, there is no evidence anywhere that this additional horsepower is necessary.

Mr. WADSWORTH. I wish the Senator would not throw that suspicion against this amendment. The Government uses all of this power; it takes everything that is manufactured by the power derived; and it is not getting anywhere near enough.

Mr. HITCHCOCK. I should like to ask the Senator from New York what Government agency states that? I have a communication from the Secretary of War in which he says that the surplus horsepower is being used under existing legislation.

Mr. WADSWORTH. He is mistaken; it is not being used. I am sorry to disagree with the Secretary of War, but I doubt if he has informed himself upon that phase of the matter.

Mr. HITCHCOCK. It is the Secretary of War who has given the license for the use of this horsepower; and the license has been in existence now not simply for one year but for two years. I think it would be a great mistake for us to brush aside the only authoritative statement that we have from official sources and grant these companies the right to put in additional machinery when that grant might possibly ripen into a valuable property for them.

Mr. WADSWORTH. Does the Senator from Nebraska realize that the Secretary of War has asked these companies to install additional machinery, and that they now are making contracts for the delivery of additional generators? The War Department wants more machinery. I doubt if the Secretary of War realizes this situation, if it can be said that he is against any additional machinery being installed, because I happen to know that, due to the terms of a bill which passed the New York Legislature one month ago consolidating the two companies on the American side, which was passed at the earnest request of the Secretary of War, the consolidated company is to-day, at the request of the War Department, making contracts for the purchase of additional machinery in order to get more power.

Mr. HITCHCOCK. Mr. President, the Senator raises an entirely different issue. It is true the Secretary of War, representing the administration, wants a change upon the Niagara River; he wants a consolidation of the companies; he wants the installation of improved machinery, because one of these companies is operating with machinery which only secures a portion of the full horsepower which might be secured.

Mr. WADSWORTH. That is true.

Mr. HITCHCOCK. The machinery is obsolete.

Mr. WADSWORTH. That is true.

Mr. HITCHCOCK. He wants that as a permanent thing, but he does not want to secure that by means of a temporary resolution; he wants to secure that by legislation duly considered by Congress; and it is for that permanent legislation and for those permanent arrangements that this additional machinery and that consolidation authorized by the New York Legis-

lature is proposed. I think the Senator is making a great mistake in bringing into this temporary resolution a provision which might ripen into the establishment of corporate rights in the additional horsepower.

Mr. SHIELDS. Mr. President, if I may be permitted, I think both Senators are wrong about the history of this resolution. I was on the subcommittee on both occasions, I believe, and on the conference committee when both resolutions were passed—the first one and the second one reviving and extending it. The limitation now complained of by the Senator from New York, and sought to be obviated by the amendment proposed by him, originated in the House, or, I believe, in conference. The House passed a joint resolution which legislated specifically upon this subject, as I remember it; but finally, by agreement, in order to get a joint resolution passed, the one now proposed to be revised was agreed on and reported to both Houses and passed. There was a desire then to use this power that is going to waste, and upon the utilization of which the war emergency makes a greater demand than ever; but at that time it was hoped that permanent legislation would be passed very soon, and the whole matter settled.

My understanding is that this power is not being used, and that there is now, I believe, 3,400 or 3,600 cubic feet per second that is going to waste.

Mr. HITCHCOCK. No, Mr. President; I am sure there has not been before the Committee on Foreign Relations or before any subcommittee thereof, or, so far as I know, before any Senator, any official statement that a single foot of power is being lost.

Mr. SHIELDS. I think the Senator is mistaken. We have had hearings on this matter, I believe, lasting about two weeks. The Senator from Delaware [Mr. SAULSBURY] wanted this joint resolution passed. The Senator from Delaware was the chairman of the committee. The late Senator from Wisconsin [Mr. Husting] introduced a great deal of testimony on the subject; and there is no question, as I understand, that all of this power in excess of the permits, between the amount of the permits and the 20,000 cubic feet per second, is now going to waste and is not being used.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. I do not care to take part in this debate; but if we are going to dispose of it this morning, and it is not going over, I am very anxious that we have a few minutes to dispose of another matter; and if it is going to be debated at length, of course I think it ought to go over anyway.

Mr. SAULSBURY. Mr. President, I think possibly I can clear up a misapprehension that exists, by reason of the debate which has been going on, as to the amount of power used. Of course, one's recollection is a trifle indistinct, but I will ask the Senator from New York if my recollection is not correct in making this statement:

When this joint resolution was originally reported from the Committee on Foreign Relations, it was with a view to enable the companies operating at Niagara to use all the water power that they could use with the machinery then installed, and was intended not to encourage them to install other machinery until more permanent legislation could be enacted which would be in accord with the general views of both Houses of Congress. My understanding of the situation is that we authorized those companies to use every cubic foot of water flowing over Niagara Falls that their then installed machinery could utilize, but we did not intend to encourage them to install other machinery by which they might make some vague or shadowy claim to special consideration if it was contrary to the principles of the legislation which Congress proposed to enact.

I want to say to the Senator from New York that I am absolutely in accord with him in the desire to utilize every ounce of power that it is possible to obtain from Niagara Falls or any other water power in this country, and I believe it is very necessary. I do think, however, as the discussion this morning has shown, that we had better continue the joint resolution in the terms in which it now is, rather than attempt to enlarge it, and thereby cause delay in this matter.

I should be perfectly willing to utilize the whole of Niagara in making useful things for the prosecution of this war, and I think probably the people of this country would favor that. We can return to scenic beauties after the war is over, but we want to preserve those scenic beauties by winning this war ahead of anything else. I am in accord with the idea of the Senator from New York; but I think that the idea of Congress, and certainly the idea that existed about two years ago, when I reported this joint resolution, was that there should be no special or additional grants made which would embarrass Congress, having done it, by any claim of extraordinary expenditure incurred which should be considered in connection with the grant.

Mr. WADSWORTH. Mr. President, my idea about the facts of the situation is just this: If the Senate should see fit to adopt my amendment, the joint resolution, being a Senate joint resolution, will go to the House and be referred to the Committee on Foreign Affairs. If the Committee on Foreign Affairs of the House object to the amendment, they can strike it out and pass the joint resolution in amended form, and send it back here; and I shall make no opposition to concurrence in the action of the House if it takes that action and strikes it out.

Mr. SAULSBURY. But the Senator's amendment would give additional rights to water power over those intended to be given by the original joint resolution, of course.

Mr. WADSWORTH. It would not give any additional rights to anybody over any power.

Mr. SAULSBURY. I will say, additional rights to use it, then.

Mr. WADSWORTH. It would give them an opportunity to use the water which the joint resolution says they can use.

Mr. SAULSBURY. By installing machinery which the original joint resolution practically prohibited.

Mr. WADSWORTH. It practically prohibited it; and that provision, may I say to the Senator, was put in by the House of Representatives or in conference, and not by the Senate. The Senator from Nebraska [Mr. HITCHCOCK] is a little in error when he says that the joint resolution which he offers this morning is exactly as I asked it a year ago. It is not.

Mr. LENROOT. Mr. President, as one who participated in the House in this legislation and approved of the provisos which the amendment now pending seeks to eliminate, I think I ought to make a short statement of the viewpoint that was taken of this legislation in the House at that time and bring to the attention of the Senate the original purpose for which this legislation was asked.

The original joint resolution was asked for solely upon the ground that the Canadian authorities, on account of the war, had seen fit to commandeer for their own war purposes the power generated upon the Canadian side that had been utilized by these industries upon the American side, and that unless they were permitted to use so much of this additional 4,400 cubic feet as would make up that loss of power some of those industries would be compelled to close. That was the consideration, and the only consideration, that was presented to the House for this legislation; and the provisos that were incorporated in the measure in the House were for the purpose only of limiting the effect of the legislation to the purposes for which the legislation was asked. There was the additional consideration, and I think it is an important one, that we ought not to create additional rights by temporary legislation of this sort. It was represented to the House—whether correctly or not I do not know, but it was represented—that so long as the industries at Niagara using these powers could continue to use their powers through temporary permits they would oppose rather than favor permanent legislation dealing with this subject, and that they ought not through temporary permits to be given the right to use the entire 20,000 feet, because, if once given that right, there would be no incentive upon their part to submit to reasonable and proper permanent legislation governing the diversion of this 20,000 feet.

It seems to me what ought to be done, and it ought to be done at this session, is to enact permanent legislation upon the subject of Niagara Falls; but I very much fear that if this amendment is adopted it will impede that permanent legislation rather than facilitate it.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from New York [Mr. WADSWORTH].

The amendment was rejected.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. WOLCOTT, from the Committee on Claims, to which was referred the bill (S. 4017) for the relief of Catherine Grace, reported it without amendment and submitted a report (No. 482) thereon.

Mr. BECKHAM, from the Committee on the Library, to which was referred the bill (S. 4366) to amend section 5 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1914, and for other purposes," approved June 23, 1913 (38 Stats.

L., pp. 4, 75), reported it without amendment and submitted a report (No. 481) thereon.

Mr. CHAMBERLAIN, from the Committee on Military Affairs, to which was referred the bill (S. 3269) to remove the charge of desertion from the military record of John H. Armstrong, reported it with an amendment and submitted a report (No. 483) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 4670) for the control and regulation of the use of the waters of the Niagara River, and for other purposes; to the Committee on Foreign Relations.

By Mr. OWEN:

A bill (S. 4671) to prevent interstate commerce in the products of child labor, and for other purposes; to the Committee on Interstate Commerce.

By Mr. POMERENE:

A bill (S. 4672) to regulate the interstate use of automobiles and all self-propelled vehicles which use the public highways in interstate commerce; to the Committee on Interstate Commerce.

Mr. SMITH of Arizona. I present a petition and brief of the pressmen of the Government Printing Office asking for an increase of compensation. In connection with it I introduce a bill, by request, and ask that it and the petition be referred to the Committee on Printing.

By Mr. SMITH of Arizona (by request):

A bill (S. 4673) to increase the compensation of pressmen in the Government Printing Office (with accompanying paper); to the Committee on Printing.

By Mr. LODGE:

A bill (S. 4674) granting an increase of pension to George E. Tracy; and

A bill (S. 4675) granting a pension to Missouri B. Perea (with accompanying papers); to the Committee on Pensions.

By Mr. WILFLEY:

A bill (S. 4676) granting an increase of pension to Julia Carey (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 4677) for the protection of lands and property in the Palo Verde Valley, Cal., and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

Mr. SHAFROTH submitted an amendment intended to be proposed by him to the resolution (S. Res. 235) to amend the rules of the Senate relating to the limitation of debate, which was ordered to lie on the table and be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. HOLLIS. Mr. President, there are now in conference certain important pension bills, in which most of us are interested, and it is desired to have immediate consideration of them. The Senator from Montana [Mr. WALSH], who is chairman of the Committee on Pensions, is necessarily absent on account of illness. The Senate will find the bills set forth on pages 15 and 16 of the calendar. There is one on page 15, being House bill 7634, and there are eight bracketed together on page 16. At the request of the Senator from Montana, I ask unanimous consent that he be relieved from service as one of the conferees on the conference committees on these bills and that the Chair appoint a substitute in his place.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and the Senator from Montana is relieved from further service as a conferee on the part of the Senate, and the Chair appoints the Senator from South Dakota [Mr. JOHNSON] to fill the vacancy.

INSPECTORS OF STEAM VESSELS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1544) to provide for appeals from the decisions of boards of local inspectors of vessels, and for other purposes, which were, on page 1, line 3, to strike out "pecuniarily" and insert "directly"; on page 1, line 3, after "in" to insert "or affected"; on page 1, line 4, to strike out "steam"; on page 1, line 5, to strike out "himself"; on page 1, line 7, to strike out the comma and insert a semicolon; on page 2, line 3, to strike out the comma; on page 2, line 8, to strike out the comma; on page 2, line 10, after "same," to strike out ", and any," and insert ". Any"; on page 2, line 10, after "may," to insert "within 30 days thereafter"; on page 2, line 12, to strike out the comma; on page 2, line 13, after "may," insert "within 30 days thereafter"; on page 2, line 20, to strike out "section" and insert "sections"; on page 2, line 20, after "one," insert "and two"; on page 2, line 22, to strike out the comma; on page 3, line 1, after "witness," to strike out the comma; on page 3, line 1, after "summoned," to strike out the comma; on page 3, line 2, after "attendance," to strike out the comma and to amend the title so as to read "An act to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes."

Mr. FLETCHER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 3547. An act to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes, was read twice by its title and referred to the Committee on Pensions.

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, was read twice by its title and referred to the Committee on Interstate Commerce.

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

ORDER OF BUSINESS.

Mr. BORAH. Mr. President, I desire to call up Senate resolution 253.

Mr. CUMMINS. I suggest that the resolution is not in order under the head of routine morning business.

The PRESIDING OFFICER (Mr. KING in the chair). The Chair did not hear the suggestion of the Senator from Iowa.

Mr. CUMMINS. The suggestion is that the call of the Senator from Idaho is not in order until after the close of the routine morning business; and I only say it because I have a resolution that I desire to submit.

Mr. BORAH. I have no objection to the Senator from Iowa offering his resolution.

The PRESIDING OFFICER. The point of order made by the Senator from Iowa is well taken.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. Mr. President, a few weeks ago, on May 21, the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN] reported Senate bill 130, a bill introduced by me, and I supposed it was understood that I would prepare the report. The clerk of the committee, however, did not so understand it, and the report accompanying it was the same as the one submitted on the bill introduced two years before. I desire now to submit a report (No. 449) to take the place of Senate Report No. 449, heretofore submitted.

The PRESIDING OFFICER. Without objection, the request of the Senator from Michigan is granted, and the substitution will be made.

PRODUCTION OF GASOLINE.

Mr. CUMMINS. I submit a Senate resolution, for which I ask immediate consideration. I think there will be no debate whatever upon it.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read the resolution (S. Res. 259), as follows:

Whereas it is asserted by reliable persons that Mr. S. M. Herber, of St. Joseph, Mo., has discovered a process of extracting from petroleum or fuel oil gasoline and other motor fuel in greatly increased quantities and at much less cost than the process now in use; and

Whereas the discoverer of the said process has submitted to certain officers of the Government an offer to demonstrate the value of the process to the Government and to the people without expense other than the presence of such experts as might be selected by the Government; and

Whereas this offer has not yet been accepted and there is immediate necessity of increasing the output of motor fuel and decreasing, if possible, the cost to the users: Therefore be it

Resolved, That the Committee on Standards, Weights, and Measures be directed to make an investigation of the subject, including the denial of a patent to the said Herber for a process of extracting gasoline from petroleum, and to report to the Senate thereon as soon as practicable the information acquired and its recommendations with respect to the matter.

The PRESIDING OFFICER. The question is upon agreeing to the resolution submitted by the Senator from Iowa.

Mr. McCUMBER. Mr. President, I should like to ask the Senator from Iowa why it is necessary to have this resolution passed?

Mr. BORAH. Mr. President, if there is going to be debate on this matter, I shall object to its consideration.

Mr. McCUMBER. There will be no debate on it. I am simply asking a question of the Senator.

Mr. BORAH. A question is debate. If there is going to be any discussion about it, I shall object to its consideration.

Mr. McCUMBER. The Senator can object if he desires.

The PRESIDING OFFICER. Objection is made to the consideration of the resolution.

Mr. CUMMINS. I assume that the resolution will lie over until to-morrow, or until it is called up for consideration.

The PRESIDING OFFICER. The resolution will lie over and be printed.

OWNERSHIP AND CONTROL OF STOCKYARDS.

Mr. NORRIS. I submit a resolution calling for information, and for which I ask present consideration. I am sure that it will not bring on any discussion or debate.

The PRESIDING OFFICER. The Senator from Nebraska submits a resolution, which will be read.

The resolution (S. Res. 258) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Director General of Railroads be, and is hereby, directed to furnish the Senate the following information:

First. What action, if any, has been taken, or is contemplated by the Director General of Railroads, in regard to the taking over, as part of the railroad system of the country, the stockyards and stockyards railway terminals at the various packing centers?

Second. Has the Director General of Railroads authority under existing laws to take over said stockyards, and if not, what additional legislation is necessary?

Third. What information, if any, has the Director General of Railroads regarding the ownership and control of said stockyards, and what, if any, connection has such ownership and control with the ownership and control of the packing industries of the country?

AMERICAN DEFENSE SOCIETY, MISSOULA COUNTY, MONT.

Mr. MYERS. I present a memorial to the Senate from the Missoula County (Mont.) American Defense Society. I ask that it be printed in the RECORD.

Mr. SMITH of Arizona. Mr. President, what is the request?

The PRESIDING OFFICER. The Senator from Montana presents a memorial, and asks that it be printed in the RECORD.

Mr. SMITH of Arizona. A memorial from whom, and for what?

Mr. MYERS. A memorial to the United States Senate from the American Defense Society of Missoula County, Mont. I believe that under the rule it is permitted to be printed in the RECORD.

Mr. SMITH of Arizona. How long is it?

Mr. MYERS. It is not a very long memorial. I do not see, though, what difference it makes how long or how short it is if the rule permits it to be printed in the RECORD.

Mr. SMITH of Arizona. Mr. President, I object to having it printed in the RECORD.

Mr. MYERS. I submit to the Presiding Officer the question whether or not a memorial is entitled to be printed in the RECORD?

Mr. SMITH of Arizona. The memorial is not from the legislature of a State.

The PRESIDING OFFICER. The Chair is advised by the parliamentarian at the desk that the memorial does not come within the rule. Were the memorial from a State legislature or some other legislative body, it would be printed in the RECORD, under the rule. Is there objection to the request of the Senator from Montana that this memorial be printed in the RECORD?

Mr. SMITH of Arizona. I have made the objection.

The PRESIDING OFFICER. Objection is made by the Senator from Arizona.

Mr. MYERS. Mr. President, I have heard the statement made on the floor of the Senate by the Senator from Utah [Mr. SMOOT] and also by the Senator from New Hampshire [Mr. GALLINGER] that memorials and petitions directed and addressed to Congress were entitled to be printed in the RECORD. I am not an adept on the rules of this body; in fact, it is hard to find out what the rules are; but I have heard that stated by those two Senators, and acting on the faith of that statement, I presented this as a memorial to be printed.

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. If the Senator will pardon me, the Chair will state that, under the rule, the memorial is entitled to be noted in the RECORD, but not to be set forth in haec verba.

Mr. MYERS. I ask leave to withdraw the memorial, Mr. President.

The PRESIDING OFFICER. The memorial is withdrawn.

Mr. SMITH of Arizona. Mr. President, I read paragraph 5 of Rule VII:

Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate.

That means, referred to a committee.

I read paragraph 1 of Rule XXIX:

Every motion to print documents, reports, and other matter transmitted by either of the executive departments, or to print memorials, petitions, accompanying documents, or any other paper, except bills of the Senate or House of Representatives, resolutions submitted by a Senator, communications from the legislatures or conventions, lawfully called, of the respective States, and motions to print by order of the standing or select committees of the Senate, shall, unless the Senate otherwise orders, be referred to the Committee on Printing.

That is the rule.

Mr. MYERS. I supposed that the memorial would be referred to some committee, of course. I have no objection to its reference to a committee and intended that it should be referred.

The PRESIDING OFFICER. Does the Chair understand that the Senator desires it to be presented and referred to the appropriate committee?

Mr. MYERS. No; I do not present it at this time. I said in asking to have it printed I was relying on the statement I have heard made on the floor as to the rule by the Senator from Utah [Mr. SMOOT] and the Senator from New Hampshire [Mr. GALLINGER].

DATA RELATIVE TO PROFITEERING AND THE REVENUE.

Mr. UNDERWOOD. Mr. President, the hour of 2 o'clock has arrived. I understood that when the Senate adjourned several days ago there was pending a motion to consider Senate resolution 235. I ask the Chair for a ruling as to whether that resolution is now before the Senate or whether it requires a renewal of the motion to bring the matter before the Senate?

The PRESIDING OFFICER. The Senator from Alabama will pardon the Chair. The Chair was advised by the Vice President just before the present occupant of the chair was called to the position that the Senator from Idaho [Mr. BORAH] at the close of the morning hour is entitled to the floor under the rules. I was not familiar with the status of the resolution offered by the Senator from Idaho a day or two ago which went over under the rule.

Mr. BORAH. May I say to the Senator from Alabama, in the event of his motion being the unfinished business, if that is the contention the Senator makes, I have no desire to disturb it, and I can avoid that by asking unanimous consent to consider the resolution, upon which there will be no debate.

Mr. UNDERWOOD. I will say to the Senator from Idaho that I of course have no desire in the world to interfere with his resolution. On Senate resolution 235 there was considerable debate upon the question of its consideration. I will not call it a filibuster. Of course, I expect and intend to push the resolution. If the resolution that the Senator presents were to bring on debate and delay I would move the present consideration of Senate resolution 235, as it is 2 o'clock and I have a right to make that motion under the rule, but if it is not going to bring on debate, I do not object.

Mr. BORAH. If it causes debate, I will not insist on its consideration.

Mr. UNDERWOOD. Then I yield.

Mr. BORAH. I ask unanimous consent for the consideration of Senate resolution 253.

Mr. McCUMBER. Let us find out what the resolution is. Let the resolution be read.

The Secretary read the resolution submitted by Mr. BORAH on the 31st ultimo, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with the following information:

First. Any and all facts, figures, data, or information now in possession of the Treasury Department relative to profiteering which would in any way enable Congress to deal with the matter either through the present proposed revenue legislation or through enactment of more effective criminal statutes.

Second. The figures showing the amount of money which the Government has raised up to this time since the beginning of the war by taxation and the amount which it has raised by loans.

Mr. BORAH. Mr. President, is the resolution before the Senate?

The PRESIDING OFFICER. The question is upon the request for unanimous consent made by the Senator from Idaho. Is there objection? The Chair hears no objection.

Mr. BORAH. I desire to offer an amendment, which is offered after a conference with the chairman of the Committee on Finance. The amendment is agreeable to me, and therefore I offer it as a part of the resolution. The amendment is as

follows: In line 9, after the word "statutes," insert a semicolon and the following:

that such report shall contain a list of all corporations with the amount of their earnings which have earned in excess of 15 per cent on their capital stock as shown by their returns to the Internal-Revenue Bureau for the calendar year 1917, accompanied by such statement as will show net earnings of the same corporation for the calendar year 1916.

I offer that amendment in completion of the resolution.

The PRESIDING OFFICER. The Senator has a right to modify his resolution.

Mr. BORAH. I have no desire to discuss the resolution, and if no one else wishes to discuss it, I ask for a vote.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from Idaho as modified.

The resolution as modified was agreed to.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

Mr. UNDERWOOD. Mr. President, when the matter just disposed of came up I made an inquiry. I desire to have the status properly fixed as to whether the motion pending several days ago is before the Senate and comes up now, the hour of 2 o'clock having arrived, or whether it requires a renewal of that motion.

The PRESIDING OFFICER. The Chair is of opinion that it died, if he may be permitted the expression, and would not automatically be presented to the Senate but would require a new motion.

Mr. UNDERWOOD. Then I move that the Senate proceed to the consideration of Senate resolution 235.

Mr. LEWIS. Mr. President, as I am to leave the city this afternoon to fill an engagement this evening, a few observations I beg to be permitted to indulge in reference to the motion of the Senator from Alabama, complying with the direction of the Committee on Rules, to bring before the Senate the consideration of a limit upon debate by prescribing a rule which shall have as a limit of debate a certain time, providing an exception wherever the circumstances justify that exception, through unanimous consent of the Senate or a majority vote.

Mr. President, I want to take the Senate into my confidence in an expression of an opinion of mine that may be profaning this ancient body.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from North Dakota?

Mr. LEWIS. Surely.

Mr. GRONNA. I am very much interested in the resolution, as we all are, and I know the Senator wants to discuss it. As far as I know, the resolution does not contain any provision that further time may be given upon a majority vote. I simply wanted to call the Senator's attention to that fact.

Mr. LEWIS. I beg to call the attention of the Senator from North Dakota that the latter observation of mine applies to the proposed amendments tendered, I believe, by the Senator from Nebraska [Mr. HITCHCOCK], and another, I believe, by the Senator from Michigan [Mr. SMITH]. If they have not been tendered, then I am inaccurate in stating that they are on the table.

Mr. President, a very interesting change has come over this body. Why should there not be a rule putting a limit on discussion? This body has proceeded since I have been a Member of it either directly to the subject or directly leading away from the subject that has been before it.

Mr. President, this is not the Senate of 20 years ago, nor after the Civil War, nor the Senate preceding the Mexican War, nor the Senate that assembled in the early days of our existence. There are orators in this body, but there are no orations. The times have so changed and the conditions of the public mind have been so transformed that if Henry Clay, Daniel Webster, and John C. Calhoun were Members of this body they would not receive audience upon any of the speeches that are to-day renowned from the school-boy utterance or quoted by statesmen from public places. If Daniel Webster were a Member of this body and attempted in this day one of his guttural reverberating echoes of philosophic statesmanship with his preliminary exordium and weighty observations, the Members would flee him for their lunch or an appropriate card would be handed that some one was waiting for them in the lobby. Barring the single conclusion of the reply to Hayne familiar to our mind as the expression of a Union, one and inseperable, there is no debate of Mr. Webster that could have been delivered in this body as it was delivered that would have received the audience of the whole Senate.

The speech which Henry Clay made in offering aid to the South American countries was the only utterance that I know from him that would have been listened to by the present temper of this body, and if John C. Calhoun had attempted to contribute his philosophic disquisition upon the relative relations of States and the National Government in a manner such as he did during those days, sir, he would be lucky if the pages remained, far less the intelligent Members of the body, because the habit of this body has been to flee every discussion until it reaches the final stage; then the statement of its opposition, and then the vote as to its conclusion.

Mr. President, may I offer you some proof, painful for me to confess and to this body to accuse? There was tendered in this body a resolution to declare war against the Imperial Government of Germany. The resolution involved the life or death of our institutions, and, sir, truth must admit that upon that resolution there was not one oration delivered on this floor that will ever be quoted by historians as a model of eloquence or as an inspiration to patriotism. There was not one speech delivered which will be referred to by professors of elocution as a model of literature or an example of diction. So hasty is this body to quickly hear the discussion, to spread defiance to opposition, or to gather intelligence in the daily newspaper while a man speaks to the Senate, that in order to give time to an oration would be to take from debate the convenience which heretofore Members have enjoyed in interrupting a Senator at will and departing from him at pleasure.

Mr. President, why, then, shall we continue a privilege which none of us enjoy? If the ancients had lived in this day they could get no audience in the Senate. Cicero's speech in impeachment of Cataline would have been heard in this body because it was the denunciation of a human being in a charge against a party, a reflection upon character; but had Pericles attempted to deliver his famous speech on the return of the soldiers from Salamis, as he had prepared it and read it from manuscript and unrolled it from two spools, this body, noticing that it was manuscript, would have fled as blackbirds from a hunter. Demosthenes might have been heard a little while defending himself in the celebrated oration for the crown, but that was because we have a rule in rising to a personal privilege and we wait a little while to see what a man indicts himself upon or what particular thing he has dignified by notice. But in this particular our orations are not encouraged. The debate is as mathematical as if delivered in a court room upon a concise question of measurement in some engineering problem, and every gentleman here delights to have the press gallery understand that there is nothing he does not know on all subjects.

With such an attitude of complete confidence in ourselves as is often displayed when a man rises on the floor, save in rare exceptions, why shall we continue a privilege which has heretofore been enjoyed merely in the writing, but in the practice never participated in?

The question with us now is, Will we go to business at this critical hour and discharge it with terseness and then dismiss it when finished? We are on the eve of taking up the revenue bill. Every Senator knows how every other Senator is set upon by his constituency, that wants every other constituency taxed but itself, and who can always present most plausible and, I may say, convincing reasons why the taxes to be dealt with are unjust, always concluding its opposition and protest with, "I am patriotic and perfectly willing to be taxed, but not at this time and in this way."

Now, sir, in order that the bill may be reached, the provisions of it considered, and we move to it as a business proposition, this measure is brought in here that it may aid discussion, that it may facilitate deliberation, and bring to a speedy conclusion the object.

I support the measure because it is my judgment, sir, that nothing can be lost by placing a limit of time which invariably certainly is all we ever have consumed in the real discussion of a measure, and all that the Senate seems to tolerate. My theory of that matter can be best expressed as far as I am concerned and as I conclude my observation with a line of one of the Henrys, in which Shakespeare put in his mouth, that "A little more than enough is far too much." I support the motion of the Senator from Alabama that the matter be brought to the attention of the Senate and the resolution adopted.

Mr. OWEN. Mr. President, I am in favor of this resolution with an amendment. I do not approve the unanimous-consent part of it. The resolution proposes that during the period of the present war the rules of the Senate shall be amended by adding thereto the following: "That no Senator shall occupy more than one hour in debate unless by *unanimous consent*." I am opposed to the unanimous consent. I do not believe that any individual ought to be permitted to veto the powers of this body even in favor of brevity, which I greatly desire. I think it ought to be amended so as to say "unless by consent of the Senate." The Senate will always consent to hear any Senator

who has anything to say. It is only to be applied when a Senator is gratifying his desire to speak against the will of his colleagues; it is only when he is using the floor to exploit his own opinions, his own fancies, and perhaps his own vanity, if I might say so without offense, because I think we all have more or less vanity, and it is not a bad quality. I agree with the learned and lovable Benjamin Franklin, who, in writing his autobiography, said: "I will not say as other authors have said, I may say this without vanity. In fact, I say it with considerable vanity. I have always regarded my vanity as a most gracious gift of Divine Providence. It has been my solace oftimes during life when every other friend had deserted me."

This floor has been sadly abused in the discussion of trivial matters, while matters of national and world-wide consequence ought to have occupied the most serious and the most earnest thinking and study of this great body. I hope the Senate will not continue its old régime of permitting one man to control the Senate. Minority rule is the bane of all governments. Minority rule is the cause of the cataclysm that now shakes civilization to its foundation. It is the rule of the Prussian few, the right of an Emperor with his little military circle around him to declare war, a circle moved by ambition, by desire for place and power, by desire to occupy the center of the world's stage as the masterful forces on earth. It is that minority rule that destroyed Poland. In the Polish Senate the body could not pass any law "*except by unanimous consent.*" This destroyed Poland, as a fool or a mischief maker or an autocratic leader could prevent action.

The only safe path for republics is to let the majority control. The American Senate has now become more and more responsible to the will of the majority of the people of the United States, because we have advanced in recent years to a point where a Senator owes his return to this body by the voice of the majority in his own State, and let us devoutly thank the Great Giver of Good for that. It makes this body more responsive, and this body ought to respect the principle which lies at the base of the selection of Senators, the majority rule.

I want to say now that if the Republican Party were in control of this body I would gladly agree to the majority rule. I think the party which has the majority ought to have the responsibility and ought to have the power that goes with responsibility. Happily for us now there is practically a merger and a forgetfulness of party lines. We are in a gigantic war for the maintenance of civilization itself, and in the presence of that great danger we forget out petty differences at home. But on the question of majority rule I tell you Senators it is vital to the maintenance of civilization. We ought to gladly lay aside this old rule and permit the majority of this body to act. If you did that, there would be action on this floor instead of so much discussion, and we would not have all these vacant benches. I observed when this rule came up for discussion a day or two ago, after it had been discussed for an hour and a quarter, there were 15 Senators in this Chamber and 81 Senators absent. Is that a proper way to conduct the business of a great Government in time of war?

Mr. SHEPPARD. Mr. President——

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Does the Senator from Oklahoma desire to have his amendments printed and lie on the table?

Mr. OWEN. I do.

The PRESIDING OFFICER. It will be so ordered, without objection.

DISTILLATION OF LIQUORS, WAR-TIME PROHIBITION, ETC.

Mr. SHEPPARD. Mr. President, I give my hearty concurrence to what the Senator from Oklahoma has so forcefully said. I rise, however, for another purpose than that of addressing myself to the subject before the Senate.

I have here a letter from the President on the subject of war-time prohibition. It was written in answer to a letter from myself making inquiry as to his view of the matter. I ask to have it read in my time.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

THE WHITE HOUSE.
Washington, May 28, 1918.

Hon. MORRIS SHEPPARD,
United States Senate.

MY DEAR SENATOR: Thank you very much for your letter of the 26th. Frankly, I was very much distressed by the action of the House. I do not think that it is wise or fair to attempt to put such compulsion on the Executive in a matter in which he has already acted almost to the limit of his authority. What is almost entirely overlooked is that there are, as I am informed, very large stocks of whisky in this country, and it seems to me quite certain that if the brewing of beer were prevented entirely, along with all the other drinks, many of them harmless, which are derived from food or feed stuffs, the consumption of whisky would be stimulated and increased to a very considerable extent.

My own judgment is that it is wise and statesmanlike to let the situation stand as it is for the present, until at any rate I shall be apprised by the Food Administration that it is necessary in the way suggested still further to conserve the supply of food and feed stuffs. The Food Administration has not thought it necessary to go any further than we have in that matter already gone.

I thank you most cordially, Senator, for your kindness in consulting me in this matter, which is of very considerable importance, and has a very direct bearing upon many collateral questions.

Cordially and sincerely, yours,

WOODROW WILSON.

Mr. SHEPPARD. Mr. President, inasmuch as the Food Administration was referred to in that letter, I submitted it to Mr. Hoover and received the following reply, which I ask to have read for the information of the Senate.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

UNITED STATES FOOD ADMINISTRATION,
Washington, June 5, 1918.

The Hon. MORRIS SHEPPARD,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I am greatly obliged for your letter of June 2, inclosing copy of letter which you received from the President, upon which you ask for some comment from me.

I have the feeling that the form in which the food act stands makes temperance issues and food conservation issues incapable of separation and in sharp conflict. You will recollect that the provisions of the food act of August 10, 1917, provides for six types of operations in connection with the liquor trade:

First. The immediate stopping of the distillation of liquor.

Second. The authority to commandeer any distilled spirits for redistillation so far as may be necessary to provide alcohol for munition requirements.

Third. The authority to regulate or stop the use of foodstuffs in the preparation of wines.

Fourth. The authority to regulate the use of foodstuffs in brewing beers.

Fifth. The authority to prohibit the use of foodstuffs entirely in brewing.

Under the first authority, distillation was stopped on September 10 throughout the country and there has been no use of foodstuffs since that date for this purpose. There proved to be in stock at the time distillation was stopped, somewhere between two and three years' supply of whisky, brandy, gin, etc., and this stock is in course of distribution, as the act provides only for the stoppage of new supplies.

Under the second authority, the War Industries Board have found no necessity for commandeering distilled spirits in the country for redistillation into munitions alcohol, and I am informed by them that there are technical difficulties in the way, as well as the fact that commercial alcohol can be obtained not only abundantly but on a much cheaper basis than could be had through commandeering and redistillation of potable spirits.

Under the third authority no action has been taken, because the wines produced in this country are from grapes, of which a very small proportion are available as table or raisin grapes, and therefore the stoppage of wine making would add no consequential amount of food to our national supplies. The conversion of vineyards to other production would not be likely so long as there is prospect of resumption of wine making at a later date. The conversion of these grapes to grape juice instead of wine, as suggested, would add nothing to our national food supplies.

Under the fourth authority, with regard to brewing, the alcoholic content in beer was reduced to 2¾ per cent, and the amount of grain and other foodstuffs that could be used has been limited to 70 per cent of that used during the corresponding period of the previous year, the effect being to stop any expansion of brewing and to reduce the foodstuffs consumed by 30 per cent. The actual amount of grain being used in the brewing of beers is at the present time approximately 4,500,000 bushels per month, of which approximately 30 per cent is recovered as cattle feed, and the loss therefore into the beer is practically the equivalent of 3,150,000 bushels per month, the grains used being barley, corn, and broken rice. There is, of course, a great deal of contention that the beer itself contains the remaining food values. But omitting this, the cessation of brewing would effect a saving in grain of approximately 3,150,000 bushels a month, from a nutritive point of view. It needs no comment from me, from a food point of view, that I should favor the saving of this amount of grain.

Under the fifth authority—that is, the stopping of brewing altogether—it does appear to me that there are temperance issues involved of such tremendous moment that they outweigh the use of the reduced amount of foodstuffs in brewing, and in any event give ground for a difference in judgment as to the alternative national risks and losses which need the most careful consideration. If brewing were stopped to-day, beer would disappear from the liquor trade within one or two months and the whole country would be put practically on a whisky, brandy, and gin basis, with some supplies of wine. The saloons would be left open and upon a basis of selling of drinks carrying 40 per cent or 50 per cent alcohol, with some small supplies of wine, instead of a large proportion of their customers being served with a drink of 2¾ per cent alcoholic content, and therefore, from a temperance viewpoint, much less harmful. It raises the very serious moral problem as to whether infinitely more damage will not result from such action than in a continuation of the use of this limited amount of foodstuffs in brewing.

It does appear to me that the losses in food are entirely secondary to the moral and physical dangers. The President's letter indicates his feeling in this particular.

You are probably aware that I have been a life-long believer in national temperance; on the other hand, as a purely administrative officer of the Government, I have felt strongly that I should not enter into any contentious matters.

Yours, faithfully,

HERBERT HOOVER.

Mr. SHEPPARD. Mr. Hoover gave his letter to the press on yesterday, and with it the statement which I also ask to have read.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

As to the discussion over the suppression of brewing, I wish to say emphatically that from a strictly food conservation point of view I should like to see the use of foodstuffs suppressed in all drinks, hard and soft.

This is not, however, the whole story. We stopped distilling a year ago. There is a long supply of whisky, gin, and other 20 per cent to 40 per cent distilled drinks in the country. We have reduced the consumption of foodstuffs in brewing by 30 per cent and reduced the alcohol content of beer to 2¾ per cent.

If we stop brewing the saloons of the country will still be open, but confined practically to a whisky and gin basis. Any true advocate of temperance and of national efficiency in these times will shrink from this situation, for the national danger in it is greater than the use of some 4,000,000 bushels of grain monthly in the breweries.

If the American people want prohibition it should prohibit by legislation to that end and not force the Food Administration to the responsibility for an orgy of drunkenness. It is mighty difficult to get drunk on 2¾ per cent beer; it will be easy enough if we force a substitution of distilled drinks for it.

The Food Administration has gone as far as it can toward temperance without precipitating a worse situation. If the American people or Congress will stop the sale of distilled liquors the administration will find no difficulty in stopping brewing.

The PRESIDING OFFICER. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD] to proceed with the consideration of Senate resolution 235.

Mr. GRONNA. Mr. President, before we proceed with that resolution I desire to ask the Senator from Texas a question. As I understand, it is conceded by the Food Administrator that the stopping of the brewing of beer would conserve, at any rate, 54,000,000 bushels of grain. That would make quite a number of barrels of flour. Does the Senator from Texas approve the stand taken by the Food Administrator that it is better to let brewing go on than it is to conserve this grain for bread?

Mr. SHEPPARD. I do not, but I hardly think that could be a just statement of his position. He is in favor of complete and immediate prohibition of the sale of all intoxicating liquors, including whisky.

Mr. GRONNA. But the Senator from Texas will remember that when the committee of the Senate a year ago brought to this Chamber a prohibition measure, one which made it absolute, prohibiting the use of any article of food in the manufacture of alcoholic liquor, the administration requested that that measure should not be passed. Am I not correct in that statement?

Mr. SHEPPARD. The request was made by the President, because he said he had information that further insistence on the measure would imperil the entire food-control legislation.

Mr. GRONNA. But the Senator from Texas and other leaders of the movement acquiesced in that request?

Mr. SHEPPARD. Yes, sir; as I shall always continue to do when a measure which is thought necessary by the President to the proper conduct of the war is in the balance. This correspondence leads us to the conclusion that complete and universal prohibition of the sale of intoxicating liquors would not be considered an interference with war measures and would not be considered objectionable if Congress should enact such legislation on its own responsibility and on its own authority.

Mr. GRONNA. Well, does the Senator from Texas think that Congress would enact such legislation in opposition to the wish of the Chief Executive?

Mr. SHEPPARD. It would not be in opposition to him; he does not indicate in the letter I have presented any opposition to such a course at this session.

Mr. GRONNA. I desire to ask the Senator another question. Is it not true that the President of the United States now has the power to close every brewery in this Nation, if he wants to do so, under the present law?

Mr. SHEPPARD. He has; but he says that such action would leave the country on a whisky basis.

Mr. KENYON and Mr. VARDAMAN addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. KENYON. I want to ask the Senator from Texas a question about this bill. I understand that it has come over from the other House and been referred to the Committee on Agriculture and Forestry. Has the Senator any knowledge when that committee will meet, why it has not met, and why it has not taken up the bill?

Mr. SHEPPARD. The chairman of the committee has been absent and is still absent.

Mr. KENYON. Will he return during the session?

Mr. SHEPPARD. That I can not answer; but the member of the committee who is expected to preside at meetings of the committee in the chairman's absence is present—I refer to the Senator from South Carolina [Mr. SMITH]—and I think he intends to call the committee together in a day or two.

Mr. KENYON. I wish the Senator from South Carolina would enlighten me on that point.

Mr. SMITH of South Carolina. Mr. President, in the absence of the chairman of the committee, I hardly know just what to say. I was requested to take charge of certain legislation which was pending at the time the chairman of the committee left the city. In a measure of this kind, I take it for granted that a majority of the committee have the right, if they see fit to do so, to request a meeting of the committee; and, if they so request, I shall call such a meeting on the bill which is now pending; that is, in the absence of any action or intimation on the part of the chairman of the committee, I should be very glad to call the committee together on the bill that would involve this very question at any time that a majority of the members should indicate that they desired to have the matter considered. The reason I make this statement is because I am not advised by the chairman of the committee at what time he proposes to return.

Mr. KENYON. Does the Senator from South Carolina know whether the chairman of the committee proposes to return?

Mr. SMITH of South Carolina. I do not know.

Mr. KENYON. If he does not return during the session, does that end the consideration of the measure?

Mr. SMITH of South Carolina. Mr. President——

Mr. GRONNA. Will the Senator from South Carolina yield to me?

Mr. SMITH of South Carolina. Yes.

Mr. GRONNA. I wish to say, for the information of the Senator from Iowa, that the chairman of the Committee on Agriculture and Forestry, the Senator from Oklahoma [Mr. GORE], expects to return to the city.

Mr. KENYON. Does the Senator from North Dakota know when?

Mr. GRONNA. I do not know when.

Mr. KENYON. I should think the committee might very well consider this bill, even if the chairman is not here.

Mr. SMITH of South Carolina. I heartily agree with the Senator to the effect that important legislation should not be allowed to lapse on account of the absence of the chairman of the committee. As the ranking member of the committee, if the committee so desires and that desire is indicated, I shall call a meeting of the committee for the consideration of the measure.

Mr. GRONNA. I simply desire to say, in view of the statement of the Senator from South Carolina, in justice to the Senator from Oklahoma [Mr. GORE], the chairman of the Committee on Agriculture and Forestry, that he indicated to me before he went away that at any time the committee wanted a meeting he hoped that members of the committee would confer; and, as I understood him, he expected the Senator from South Carolina to call the committee together.

Mr. SMITH of South Carolina. I am glad the Senator from North Dakota has made that statement. I do not recall the Senator from Oklahoma having made such a communication to me, except in reference to the bill that is now pending before the committee. He asked me at any time that it was convenient to call the committee together to consider that piece of legislation. As to the other general legislation that may come before the committee, I am very glad the Senator from North Dakota has made that statement, and I shall hold myself in readiness to call the committee whenever they see fit to ask it.

Mr. VARDAMAN. Mr. President, the bill in which the subject matter of this discussion is to be treated is not before the Senate at this time for consideration, and I would not make any observations upon the subject if I were not fearful that my silence might be misconstrued.

I am not in favor of treating the question of stopping the manufacture of beer or the consumption of foodstuffs for that purpose, or for the sale of whisky or anything of that kind by indirect legislation, by attaching it upon some other measure and making it a condition precedent to the enforcement of the law. I believe in going after the matter directly, and my views on the question have not changed since this matter was up before the Senate some months ago. I thought that it was inexcusable, indefensible, a crime against morality and the necessities of the people to convert foodstuffs into intoxicating liquors when the women and children of the world are starving for something to eat—something with which to sustain the body. Where is the justification, I submit, Mr. President, for the conversion of foodstuffs which promote health, give vigor and strength to the body, into a poison which not only kills the body but damns the soul? How can we justify such a misuse of one of the prime necessities of life when the women and children of America, our soldiers in the trenches of France, and our allies across the water are crying for food?

I do not think there is any merit in the argument that the manufacture of beer promotes temperance; that 4,000,000 bush-

els of grain converted into beer every month, added to the whisky already distilled, will promote soberness in the land. I can not follow that process of reasoning to anything resembling a logical conclusion. A glass of beer excites the appetite for drink; it is just that much more fuel to the flame of intemperance that is burning in the bodies of the American people. If the arguments advanced by the President and Mr. Hoover are sound, Congress made a mistake when it prevented the sale of beer in the District of Columbia or anywhere else in the Republic. I am sorry to see the suggestion made at this time, for if there ever was a moment in the history of the world when every moral law should be observed, when temperance should be taught and practiced among the people, now, above all others, is the time. There is no excuse, in my judgment, for the people of the United States, for Congress, permitting the brewers to convert 4,000,000 bushels of foodstuffs per month into beer in order to satisfy an unhealthy thirst.

Mr. McCUMBER. Mr. President, will the Senator inform us how many bushels of grain our starving allies are using in the manufacure of beer and malt liquors?

Mr. VARDAMAN. I do not know; I can not answer that question, but I think it is quite as inexcusable in our allies using foodstuffs to make this poisonous beverage as it would be for the people of the United States to do it. I am not willing that our people should perpetrate that egregious mistake because somebody else has done it or is doing it.

We all know the influences that are working in this country in order to induce the Government to extend this special privilege to the brewers. To my mind, the motive behind it all is clear and unmistakable. If I had the power, I should prohibit the sale of liquor, whisky, and beer in every State, town, and county throughout this Republic. I have voted that way since I came to the Senate, and, so help me, God, I shall not weary in well-doing along those lines.

Mr. President, I simply want to say this much, in order that my silence might not be misconstrued: I made up my mind many years ago to strike the liquor traffic whenever it came within reach. It is an insidious enemy to the human race; it is an outlaw against good government, and I shall feel justified in using almost any means within my power, within constitutional limitations, to destroy it.

Mr. SHEPPARD. Just one further word. I am a member of the Committee on Agriculture and Forestry, as is the Senator from Iowa [Mr. KENYON], as is the Senator from North Dakota [Mr. GRONNA], and as are other Senators; and I desire to say that I shall be glad, as a member of that committee, to cooperate with the other members in having a meeting as soon as possible in order that this question may not suffer from any delay.

Mr. JONES of Washington. Mr. President, the Senator from South Carolina [Mr. SMITH] referred to some bill that is before the committee as to which the chairman of the committee did speak to him about calling the committee together to consider. Will the Senator tell us what that bill is, if he has it in mind?

Mr. SMITH of South Carolina. I think the Senator from Washington misunderstood me. I said the Senator from Oklahoma had asked me, as I was on the committee of conference between the two Houses, to call the committee together on the pending Agricultural appropriation bill.

Mr. JONES of Washington. The Senator did not refer to the conference.

Mr. SMITH of South Carolina. But he had not indicated that he desired me to call the committee together to consider the bills that were sent to the committee in due course.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

Mr. UNDERWOOD. Mr. President, I ask for a vote on the motion I have made to proceed to the consideration of Senate resolution 235.

The PRESIDING OFFICER. The question is on the motion of the Senator from Alabama [Mr. UNDERWOOD] to proceed to the consideration of the resolution named by him.

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hale	King	Nugent
Borah	Harding	Kirby	Page
Brandegee	Hitchcock	Lenroot	Pittman
Chamberlain	Hollis	Lewis	Poindexter
Cummins	Johnson, Cal.	Lodge	Pomerene
Curtis	Johnson, S. Dak.	McCumber	Ransdell
Dillingham	Jones, N. Mex.	McKellar	Saulsbury
Fernald	Jones, Wash.	McNary	Shafroth
Fletcher	Kellogg	Martin	Sheppard
France	Kendrick	Nelson	Sherman
Gronna	Kenyon	Norris	Shields
Simmons	Sterling	Townsend	Watson
Smith, Md.	Sutherland	Trammell	Willey
Smith, Mich.	Swanson	Underwood	Wolcott
Smith, S. C.	Thompson	Vardaman	
Smoot	Tillman	Wadsworth	

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. There is a quorum present. The question is upon the motion of the Senator from Alabama to proceed to the consideration of Senate resolution 235, Calendar No. 432.

The motion was agreed to; and the Senate resumed the consideration of the resolution, which had been reported from the Committee on Rules with an amendment, to strike out the entire resolution and insert the following as a substitute:

Resolved, That during the period of the present war the rules of the Senate be amended by adding thereto the following:

"That no Member shall occupy more than one hour in debate, unless by unanimous consent, on any bill or resolution and not over 20 minutes on each amendment proposed thereto."

Mr. BORAH. Mr. President, the resolution presented by the Senator from Alabama being now the business before the Senate, I desire to have read an amendment which I have offered to it and to which I desire to address my remarks.

The PRESIDING OFFICER. The Secretary will read the proposed amendment.

The SECRETARY. It is proposed to add the following as a new section:

SEC. —. That all treaties shall be considered and acted upon by the Senate in its open or legislative session unless four-fifths of the Members of the Senate by yea-and-nay vote shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.

That this rule shall not be limited to the period of the war.

The PRESIDING OFFICER. Does the Senator offer the amendment for immediate consideration?

Mr. BORAH. I tender it as an amendment and desire to speak to it.

The PRESIDING OFFICER. The Chair would like to state his understanding of the parliamentary situation. The resolution has been reported by the committee with an amendment, which amendment is at present pending. To that amendment the Senator from Idaho offers an amendment which has been read.

Mr. BORAH. Exactly.

The PRESIDING OFFICER. Then the first question will be upon the adoption of the amendment offered by the Senator from Idaho to the amendment reported by the committee.

Mr. SHAFROTH. I have also an amendment, which has been presented, in regard to the time when the one hour allowed for debate may be occupied.

The PRESIDING OFFICER. That amendment is not yet pending. The Senator from Idaho secured recognition, and his amendment will be first considered.

Mr. SHAFROTH. Very well; I give notice of my proposed amendment.

Mr. SMITH of South Carolina. I should like to ask the Senator who offered the amendment if the words "that this rule shall not be limited to the period of the war" apply to the resolution offered by the Senator from Alabama as well as to the amendment.

Mr. BORAH. The provision to which the Senator refers is found in my amendment.

Mr. SMITH of South Carolina. The amendment offered by the Senator provides "that this rule shall not be limited to the period of the war." That refers merely to the amendment and does not refer to the resolution as a whole?

Mr. BORAH. Precisely.

Mr. UNDERWOOD. Mr. President, I will state to the Senator that the rule as reported by me provides that it shall be limited to the period of the war.

Mr. BORAH. Mr. President, there is a story associated with the treaty of 1871 between France and Germany which throws much light upon the methods of secret diplomacy. France was anxious to secure a retrocession of Belfort, an Alsatian fortress. One of the French plenipotentiaries was a shrewd, persevering man of business, a student of human nature, by the name of Pouyer-Quertier. The representatives of the great powers had sat late into the night. Bismarck finally announced that he was desirous of retiring and made ready to go. But Pouyer-Quertier insisted upon another bottle of wine, and Bismarck finally yielded. Before the bottle was finished Belfort had been receded to France. For nearly three centuries in secret chambers in the midst of conviviality and for reasons wholly disassociated with the interest or welfare of the people concerned, peoples and nations have been handed about. The question which is now engaging the attention of practically the entire civilized world is how long that system can prevail, how long shall it be permitted to be the method by which international affairs shall

be adjusted, and the rights, fortunes, and lives of the peoples determined? Will the world in the face of this awful catastrophe ever again permit the interests and relations of nations to be determined without full knowledge to those who must meet with all they have the crisis when it comes?

It is against this policy of secret diplomacy that the United States has raised its voice through its President, and it is the question upon which the Senate will now be called upon to pass. The most pronounced step that can be taken in addition to anything which has been said or done, or any step which has been taken, is that of the Senate with reference to the subject matter covered by this proposed amendment. There can be no mistake as to the attitude of this body should it fail to incorporate in its rules at this time a principle which will be an advanced step in the matter of open diplomacy. Under our form of government and the manner and method of making and concluding treaties the attitude of the Senate becomes important, and it will be distinctly announced by the position which it takes at this time.

The executive department, Mr. President, the other part of the treaty-making power, as I called to the attention of the Senate the other day, has announced its position in regard to this matter, and it now devolves upon the Senate to define its attitude not only as a practical question but as a moral proposition in the propaganda which is going forth in favor of open diplomacy. Here all the fruits of diplomacy, so far as our country is concerned are gathered in the form of treaties. We are an indispensable part of the treaty-making power. It is important, therefore, that our attitude be known.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I do.

Mr. HITCHCOCK. Will the Senator define a little more exactly what he means by "open diplomacy" and by "secret diplomacy." Does he mean to stand as an advocate of entire publicity in the negotiation of treaties or does he mean to advocate simply that the discussion in connection with the ratification of treaties shall be public? Is it not a fact that a large part of the evil of so-called secret diplomacy as existing in the past is that many treaties were not only made in secret but were kept secret after once made?

Mr. BORAH. That is a very distinct and pronounced evil which has its foundation in the other proposition that they are first made in secrecy. It is less an evil to keep in secrecy a concluded treaty than to negotiate it in secret; nevertheless when it has once become binding it is too late for the people's voice to be heard with effect. I will say to the Senator that it is not very material to a people to have the publication of a treaty if its entire negotiation has been carried on in secrecy up to the point where they are bound by it as a nation. If the powers operating in secrecy proceed to the point where the treaty has become valid and binding, there is not much consolation to the people in knowing what it is after it has reached the point where their mouths are closed and they are estopped as a practical matter from any proceeding whatever. Therefore, to begin with, we must have open discussion of the treaties before they are concluded and before they become binding upon the nations which are interested in the particular treaties.

I would be perfectly willing to concede what I presume the Senator is driving at, that there may be some steps in the negotiations between the negotiating parties which at times ought to be treated in secret; I am willing to assume that for the sake of the argument; but the secrecy never should extend to the point where the policy of a nation may be determined prior to open, full discussion and consideration upon the part of the treaty-making power. A treaty which establishes the policy or political course of a people ought to be open in its consideration from the very beginning. While evils may be conjured up in fancy with reference to the open consideration of the negotiation in some stages of it, those evils, in my judgment, are infintely less than the evils which flow from secrecy. In weighing one against the other I have no difficulty myself in arriving at the conclusion that open diplomacy with reference to all matters which result in a final treaty or the shaping of a policy for people is the only proper procedure in this day and age of the world to establish the relationship of nations.

I was about to say that the executive, the other branch of the treaty-making power of the Government, had defined the position which it holds with reference to this matter. The President, in his address to Congress on January 8, 1918, said that the first item of the only possible program of the world's peace was—

> Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

There is no limitation upon that, Mr. President, as to open negotiation, consideration, or discussion. In view of the fact that it is a statement made by that part of the Government which would be more likely than the Senate of the United States to be called upon to act in secrecy in the origin of the proceedings, I take it that for the purpose of this discussion we can accept the President's view as to what constitutes open diplomacy. In any event his statement is entirely satisfactory to me.

Mr. President, this is not a new subject. It is one about which men have been thinking and writing, and upon which much has been said during the last 10 years. Many of the statements with reference to the evils of secret diplomacy come from those who have had much to do with the subject and who have given a vast amount of study to the subject at close range. I am going to-day to deal principally with these views rather than attempt an original discussion. I do so for one reason particularly, because I want the opponents to understand the widespread interest which the subject has aroused.

The London Daily News, in an editorial shortly before the commencement of the war, said:

> Can Europe ever again tolerate the appalling peril of secret diplomacy? It belongs to the traditions of autocratic and personal government; it has no place in a democratic world.

That was a statement made before the most pronounced evil of secret diplomacy with which the world is familiar had been exposed to men, to wit, the present war. I do not contend, as has been often stated by men more familiar with the subject than I, that every war in Europe for the last hundred years can be traced to the evil consequences of secret diplomacy. But I do say, without hesitancy, that every war in Europe for the last hundred years has had, as a contributing and impelling cause, the evils of secret diplomacy. It has entered into every conflict and has tended to bring about every war in which Europe has been engaged even as far back as the treaty of Westphalia. Whether or not one could sustain the position that it has been the moving cause or the sole cause is not necessary for us here to discuss, but very few students of the subject will deny that it has been a powerfully contributing cause to these many conflicts. I think, furthermore, no man can study the history of the present war, its origin and cause, without coming to the conclusion that it had its origin almost wholly and exclusively in secret diplomacy.

Had the consideration of these questions, even after the ultimatum to Serbia, been conducted in the open, before the entire world, with the sunlight of publicity beating in upon those people who were fomenting war and speculating in the lives of nations, the war would, I believe, have been averted. When we now reflect upon the visit of Lord Haldane to Germany, for instance, prior to the beginning of this war, and the action upon the part of the representatives of the several Governments, the dishonest, sinister, scheming of the dynasty of Germany playing under cover of secrecy, one can but conclude that this hellish conflict could have its birth nowhere outside of secrecy and darkness; the open light of day would have exposed it to premature death—secrecy is always the handmaiden of crime.

An eminent writer of England, who has written much upon this subject, says:

> To effect progress toward the establishment of arbitration two things are necessary: First, the establishment of democratic rule by the political enfranchisement of all men and women; and second, the abolition of secret diplomacy, the chief weapon of despotism, and the source of misunderstandings and war.

The London Times, in an editorial in 1912, said:

> Who, then, makes war? The answer is to be found in the chancelleries of Europe among the men who have too long played with human lives as pawns in a game of chess, who have become so enmeshed in formulae and the jargon of diplomacy that they have ceased to be conscious of the poignant realities with which they trifle, and thus war will continue to be made until the great masses who are the sport of professional schemers and dreamers say the word which shall bring not eternal peace—for that is impossible—but a determination that war shall be fought only in a just and righteous and vital cause.

Mr. President, what is the real contest at this time as we view it? We have been loath to believe, as a people, that the mass of the German people would had they known all and been free to act, have sanctioned this war. I do not mean a popular vote—I mean that if they could have known what was going on in secret with a view of bringing on the war. There was a powerful propaganda put forth in Germany immediately following the declaration of war to convince the mass of the German people that war had been forced upon Germany. That propaganda was essential to secure from the German people the support that was necessary and essential to carry on the war. They were made to believe that every effort on the part of the Hohenzollerns, or the dynasty, had been made to preserve peace. They knew nothing about the facts. It was all a matter of secrecy, confined to the chambers where the chancellors sit, and therefore the representations which could

be made by the ruling power to the German people could not be confuted and have not been confuted until this day, because those who are now in possession of the facts and able to confute them have not up to this time been able to reach the German people.

Had the German people been permitted to know the facts as they existed, had they been familiar with the scheme which was being carried out by their rulers and been permitted to judge of the facts as they developed from day to day it would have been a powerful factor against war even in Germany.

We are attacking the dynasty because of its secret control of its Government and thereby its power to effectuate disturbances in Europe. I do not see how we can hesitate for a moment to go on record as being opposed to publishing to our own people that which I verily believe, had it been published even to the German people, subject as they are to the control of their dynasty, would have resulted in staying this conflict. And not only would it have had a staying effect among the German people, but the moral force of the world would have been aroused to crush the movement.

Another editorial from a leading London paper, the Standard, of August 3, 1914, says:

> We do not know what sort of children our grandchildren will be, but if they are at all like ourselves they will recall with astonishment how Europe went to war in 1914 without passion or hatred or malice; how between two and three hundred millions of people set out to slaughter one another in a fatalistic way merely because the diplomatists had arranged things so. * * * The powers of Europe are at each other's throats in obedience to a barren diplomatic formula.

Mr. President, this war did not have its origin among the peoples of any country. There was no passion coming up from the great mass of those who must fight and die in this war demanding the war. There was no familiarity with facts which enabled them even to have an opinion upon the matter. They moved up to the slaughter pen as thoroughly dumb driven by the secret diplomatic powers of certain European governments as the dumb brute goes to the shambles. There was not a note in Europe among the masses of the people anywhere favoring war. There was not a discordant passion among those now in battle line in Europe anywhere for this war. Those upon whom the burden falls entertained no enmity toward those whom they are now slaughtering. They were brought to the clash by the power which has been permitted for 300 years to carry on its schemes and its ambitions behind closed doors and to tie its peoples by obligations and schemes with which the peoples had nothing to do. The greatest war of all history was begun not to preserve liberty, but to destroy it, and the scheme was hatched in the chancelleries of Europe. While these secret agents schemed the people toiled on in fancied security, without hatred or passion, until the secret conspiracy turned loose its dogs of war "in obedience to a barren diplomatic formula."

So I say, sir, that there has not been announced in this great controversy a proposition which goes more thoroughly to the heart of the controversy than the proposition which the President announced, that a prerequisite to any permanent peace is that hereafter no such thing shall happen; that hereafter the people shall be consulted; and the only way in which they can be consulted is by their knowing the different steps which their representatives take from day to day and month to month and year to year in their relations with other nations. Without realizing this as one of the fruits of the war, we can never enjoy real security.

I now refer to an article by Mr. Oswald Garrison Villard, the able editor of the New York Evening Post. The article is entitled "The case against secret diplomacy." I shall not take the time of the Senate to read it all, although it is well worth full perusal and discussion. I shall read only such paragraphs as may be sufficient to elucidate further the subject before us.

Mr. Villard says:

> It is partly because of a secret understanding that England went into the war originally—the pledge to aid France in the event of war with Germany, which was not only unknown to the British public, but had even been withheld from a large portion of the English cabinet. Now, that understanding may or may not have been wise; it is quite likely that if it had not existed Great Britain would still have flung herself into the war because of her outraged feelings over the rape of Belgium, which must ever remain about the blackest crime in history. But the point is that a most grievous wrong was done to the English people in keeping them in darkest ignorance as to what had been tacitly agreed upon in their name and in the name of the people of France. The plain people in neither country had any chance to discuss or to approve it, nor had their parliamentarians. Yet they were bound by it, so much so that England's national existence had to be staked upon it. Not even the most ardent advocate of the allied cause will, it is to be hoped, defend this procedure. The more we detest German diplomacy and the international wickedness of it, the more must we feel that the principle of all such secret international procedure is absolutely wrong. And the chief reason for this is that the responsibility which secret diplomacy puts upon a small number of finite mortals is too great. They are only ordinary mortals, these diplomats, some of them more stupid than the ordinary person. They have lived in an atmosphere of deceit, concealment, intrigue, and corruption. More than that, they are tied up with red tape and obsessed with formulas.

A suggestion of that paragraph is that when a people are called upon to sustain a treaty or to take part in a conflict between their nation and some other they are utterly untrained either in thought or in purpose with reference to the nature of the conflict and unprepared either to reject war or go forward with intelligence and spirit. When this war began, in England the first six months of the war was devoted almost exclusively to arousing the English people to the real situation. They had to be advised of things they were entitled to know long before. Almost every conceivable method of propaganda was adopted in order to bring the morale and the spirit of the English people up to the point of cooperation and solidarity in the support of the war. If they are permitted to be familiar with their relationship to other governments, they are prepared at all times either to approve or to disapprove of the conduct of their Government. In no instance in this conflict were the people themselves informed as to the nature of the controversy or as to the reasons why they should be called into such a conflict; and every single nation which entered into the war had to indulge in the same propaganda to familiarize its people with that with which they should have been familiar from the beginning, not only giving them the power to stay the proceeding of the conflict, if it was unjust and unrighteous, but to support it in case it was just and righteous, and to support it with vigor and with efficiency from the hour that the conflict arose. Whether the war is to be stayed because it is unjust, or whether it is to be vigorously supported because it is just, the people nevertheless are entitled to the information—essential to righteous and intelligent action in both cases. I believe that many wars would be stayed; indeed, the people do not make war. But if war must sometimes come, who are more entitled to all the facts in the long train of incidents than those who must sustain it when it does come?

I can conceive of no matter of more importance to the people, with which they should be more familiar, than that of their relationship to the other nations. In this country we submit almost every conceivable complex question to the masses of the people, and they act upon it either direct or through their representatives. Almost every conceivable problem goes to them in some way through their elections—questions which are more complicated, more complex, and more difficult of solution than most international questions, and yet not so much depends upon their solution. The very life of the Nation, all their energy, their means, material and otherwise, are at the call of the Nation when the hour comes; and if there is any one question with which they should be familiar it is that which involves all they have. Domestic questions affect them seriously enough, but only proportionately to the seriousness of their relationship to other nations.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I yield.

Mr. WATSON. Does not the Senator's logic drive him to the conclusion that there should be a vote taken in this country as to whether or not we shall go to war?

Mr. BORAH. That is a question aside from this matter.

Mr. WATSON. That is a matter on which I wanted to get the Senator's viewpoint.

Mr. BORAH. I am dealing now only with the question of open diplomacy. What should be the framework of our own Government as to how war should be declared is a domestic question.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. Just a moment. Our form of government contemplates action through its representatives; and if the people are thoroughly informed of the facts, their representatives will ultimately represent them. In other words, they express their approval or disapproval with reference to this matter the same as they do with reference to the tariff, with reference to taxation, or with reference to any other subject.

Mr. WATSON. Mr. President, may I ask the Senator another question?

Mr. BORAH. Yes.

Mr. WATSON. Does the Senator believe that at the time of our declaration of war the people of this country were thoroughly informed as to all of the reasons why we were entering upon it?

Mr. BORAH. I do not think they knew much about it—that is, I would not say when we made the declaration—but up to

the time that the President delivered his address and revealed the facts upon which we were compelled to act—the real reasons for going to war. In my judgment, the people had not enjoyed sufficiently the facts necessitating action, and it is my view we have suffered materially by reason of that fact. We see now as the tide of patriotism is rising from day to day, and as the facts are more and more revealed to them and the situation more fully understood, what magnificent unity and resolve they disclose. In my humble judgment, had these matters been thoroughly discussed and thoroughly known to them they would have started out with the same zeal which they now exhibit, when the facts are more and more revealed to them as the war proceeds. The American people are perfectly capable of forming sound and intelligent conclusions on these questions, and, be assured, American honor will not suffer at their hands.

Mr. WATSON. But what I am trying to get at, if the Senator will pardon me, is how this matter of open diplomacy would have cured a situation of that character in our country. The Senator is discussing the question of open diplomacy. Now, our declaration of war was open. It was discussed not universally—because we had not an opportunity to discuss it universally—but it was discussed openly. There was nothing secret about our declaration of war; it was not done in a corner; yet the people were not informed. In other words, I am trying to get at how the Senator's argument throws any light on the conclusion that we should not have secret diplomacy.

Mr. BORAH. Mr. President, the Senator must go back further. He must inquire whether we would ever have been thrown into this war had it not been for the secret diplomacy in Europe. I was speaking of the fact that when war came both to Germany and to England and to this country these matters which might have been divulged and made known to them—the entente relationship, the treaties or understanding which bound those nations together, the obligation of one to another—had been in existence for years, and the people knew nothing whatever about them. They knew nothing about their relationship one to another, and had never been consulted with reference to those things for which they must now offer up their lives. Indeed, what I would impress upon you is the fact that these treaties are entered into contrary to the interests of the people, without the people being given any opportunity at all to pass upon them.

Mr. BRANDEGEE. Mr. President, I hesitate to interrupt the Senator, because I know he has a well-considered argument, and I do not want to disconcert him or divert him from any course he desires to pursue; but in relation to the inquiry submitted by the Senator from Nebraska, which occurred to me also, I do not quite see the connection between a rule of the Senate providing for the consideration of a treaty which has already been negotiated and is simply submitted to the Senate for its ratification and the evil the Senator complains of, which he denominates secret diplomacy, which, as I understand it, are the relations and negotiations which the plenipotentiaries of various nations have with each other before the treaty in form is submitted to the Senate for ratification.

Mr. BORAH. I differ entirely from the Senator. There is no binding treaty, of course, in this country until this body passes upon it, and all diplomacy ripens into binding obligations here.

Mr. BRANDEGEE. Of course. The Senator misunderstands me.

Mr. BORAH. The Executive department has announced its position in reference to open diplomacy; all the Senate need to do is to take care of its own business and see that its part, vital and essential, is in the open.

Mr. BRANDEGEE. The Executive has announced his notion about open diplomacy. It may bind him, and he may think he is not going to stop the war or make any peace until every other Government consents. All I want to call attention to is that in my judgment nine-tenths of whatever evil results from the methods which have prevailed among nations as to their diplomatic relations and the way they make treaties with each other proceeds from the secret negotiations, and a very small part of it proceeds from the fact that the treaty is not considered in public in the Senate.

Mr. BORAH. Mr. President, the Senator is now speaking with reference to the nations of Europe where the treaty is concluded by the negotiators. They do not have to have any ratification by the Senate or by the parliamentary body. Of course, all we can do is to deal with our own affairs. But in this country that is not true. There is no binding relationship between this Government and any other until this body passes upon it; that is, in the way of a treaty. There is no treaty relationship, it makes no difference what negotiations have been had between the Secretary of State and other powers in Europe, until it is sent here to the representatives of the people and ratified; it is not binding upon our country. If we declare for an open session with reference to these treaties, the people will always be informed before their Nation is bound by the terms of the treaty and whether or not they desire to sustain it or to have its approval. Of course, we can have no effect upon the European situation except a moral effect. But our part of the work is an important part, and it is quite essential that it, above all others, be in the open, for if the consideration of the treaty is in the open it forces publicity on all previous matters.

I will say to the Senator, however, that the propaganda for open diplomacy in Europe is widespread and seems to extend to every country of Europe. The people are determined that they will never enter another war, if they can have their way about it, which they have not themselves had anything to do with originating, and with which they were not in sympathy when it starts, simply to carry out the agreement which had been made in secret by their representatives. In my humble judgment that applies also to the mass of the German people, if they are ever released from the grip of the dynastic power of the Hohenzollerns.

I want to say further that if we ever conclude a peace with the Hohenzollerns still in control of the diplomatic powers of Germany, enabled to make their secret agreements and their secret combinations with the other nations of Europe, this Republic will have to stand an armed camp until that condition is changed. Unless the public can know precisely what that dynasty is doing there will be no peace to this earth this side of their exile.

Mr. BRANDEGEE. I go further than the Senator does, and I say even if those people do any thinking there will be no peace this side of exile.

Mr. BORAH. Possibly so; but why by our conduct here justify them in the use of their greatest weapon.

Mr. BRANDEGEE. I mean the people will exile them themselves.

Mr. BORAH. I trust the Senator is correct in regard to that, but if they had had their sessions and their arrangements and their negotiations in the open from the treaty of Frankfort on the Main in 1871 until this time we would not, in my judgment, have found the German people supporting the dynasty in this war.

Mr. BRANDEGEE. I agree with the Senator.

Mr. BORAH. We are in this war by reason of the fact that the German dynasty was able to make these secret arrangements and keep them from their own people. I read further from Mr. Villard's article:

> As we now know, the diplomacy of Germany and Austria not only shared the faults of the British but added to them the most conscienceless wickedness, including wholesale murder "without trace." It is hard to see how any country, after the war is over, can receive any German diplomats of the old school without watching them as one would common criminals and regarding them at all times with the utmost suspicion. They were not only ready to blow up factories, wreck railroads, and violate every conceivable law in neutral countries to which they were accredited, and therefore were on their honor to treat as guests treat hosts, but they were willing to embroil friendly nations on the mere chance of getting a slight advantage for Germany. Surely, if there ever was a case in which a profession has covered itself with disgrace and made out a complete case for its own destruction it is this profession of diplomacy. The light must be let into its every act hereafter.

Again, this author says:

> When the history of this whole period is written nothing will, of course, stand out more vividly and terribly than the secret diplomacy which led up to this war. I mean, of course, the decision taken by a foreign minister of Austria to send an ultimatum to Serbia which no self-respecting nation could have assented to. He won to his purpose an aged and decrepit monarch, then nearly on his deathbed, and, of course, he had the support of the ultra-militarist crowd. It was a beautiful chance, they thought, to make Serbia practically a vassal of Austria. No one, outside of newspaper offices, recalls to-day the name of that foreign minister or knows whether he is dead or alive, but he fired the train, and the unutterable misery that has resulted from it everyone knows, for the whole world has been drawn in; and no one can estimate the number of deaths which have directly and indirectly resulted therefrom. Some place them as high as 15,000,000 of men, women, and children.

Mr. WADSWORTH. Will the Senator yield to me for a moment?

Mr. BORAH. I yield.

Mr. WADSWORTH. Does the Senator remember whether the Austrian Government declared war through the action of the Emperor or the ministry, or was the declaration of war made by the Austrian Parliament?

Mr. BORAH. I could not say as to that with certainty, but the Austrian Parliament acted in all those matters, of course, under the direction and dictation of the dynasty.

Mr. WADSWORTH. I can not remember, but I was wondering whether it had any authority at all. Of course, the terms of the ultimatum delivered to Servia were made public; they were not secret. Their preparation for plotting toward that

event of course was all in secret and was between Berlin and Vienna. I do not think that all the blame should rest upon the Austrians, but, however, the terms themselves were finally made public at the time they were delivered.

Mr. BORAH. The terms were made public as the ministry saw fit to make them public, but the Senator is familiar with the fact that even in the last 30 days the real facts for the first time have come out as to the actual conditions which prevailed, for instance, between England and Germany prior to the declaration of this war. The facts were never given to the German people; the facts were never given to the Austrian people. All they had was the statement of those men who were determined that the war should be brought about, and from their standpoint alone were the people permitted to judge of the necessity of war.

Mr. WADSWORTH. I have no quarrel with the Senator in that statement of fact. I was endeavoring to fill the link, as it were, with my inquiry as to whether the Austrian Parliament ever had anything to do with the situation or was permitted to have anything to do with it.

Mr. BORAH. I am informed by the Senator from New Mexico [Mr. FALL], who sits near me, that there was no declaration upon the part of the Parliament at all; that there was simply an ultimatum at the beginning of the movement of the troops.

Mr. WADSWORTH. The fact in Germany, as we know, is that the Reichstag has no power over the declaration of war. The Emperor may declare war.

Mr. BORAH. Mr. President, referring to this paragraph again for a moment, as the writer says, the man who issued this ultimatum, who made the demand upon Serbia, and who finally "fired the train," has been lost sight of. I do not recall his name, and I do not know that anybody in the Senate Chamber could do so. But the fact remains that by reason of his power, given in secret ways, he was enabled to throw his country into war, and by reason of the secret understanding with the German authorities to bring them into the war and ultimately to bring the United States into the conflict. We had nothing whatever to do with the original causes of the war, was not interested at that time in the controversy, and was in no way responsible for anything which took place, but by reason of the power of these secret manipulators in Europe the train is fired which results in the conflict which is reaching around the world.

Now, shall we declare ourselves in favor of a policy which so far as we can go commits us absolutely as a Nation against any such system? Shall we, the Senate of the United States, say for its moral effect in Europe and for its binding effect in this country that the people shall be permitted to pass upon the negotiations which result in binding the Nation or in controversies between different nations with whom we may come into an understanding hereafter? Is not it acting on the side of reason, of justice, of peace to declare our position on this vital matter? It may be argued that we ourselves are not liable to suffer because of treaties made in secret; but let us not withhold our influence in advancing the cause throughout the world.

It is a simple question whether the Senate is willing to take the only step that it can take in encouragement of this movement. What will be the moral effect if we do not take it? What will be the construction put on our attitude throughout Europe if we refuse to take it? This body, which shares the power to make treaties, to conclude them, and without which no treaty can be made, should not go upon record in favor of concluding its treaties and obligations behind closed doors, not alone because of our interest in our own country but because of our interest in the people who will continue to suffer if we do not succeed in breaking down the system.

I said a moment ago our action can not bind and will not bind anyone but ourselves, but its moral effect throughout the world will be tremendous. The declaration of the President has had its effect throughout all Europe. It came from the President of a Republic which represents 110,000,000 free people. There is not a court in Europe nor a place where these questions are discussed but this declaration which I have read from the President has been discussed, and its influence and power for good can not be measured at this time, for no man knows to what extent it will carry forward this propaganda.

Let me refer to a debate which took place in Parliament a few days ago upon this matter.

Mr. KING. Before the Senator proceeds to discuss the debate to which he refers I want to see if I understand exactly the attitude of the Senator in regard to the effect of secret diplomacy upon the present war. As I understood him, if there had not been secret diplomacy perhaps there would not have been the present great world-wide conflagration. I am inclined to think that the Senator's premise, generally speaking, is correct, and I am somewhat in sympathy, if not in an entire accord, with his proposed amendment. But does not the Senator think that the cause of the present war results from the lust for power upon the part of Germany?

The Senator will recall that two years before the present war was launched upon the world Germany and Austria secretly approached the representative of Italy, Count Sonino, asking him to join with them under the treaty in launching an attack against the Slav forces with a view, of course, to enable Germany to force an entrance into Asia Minor. There is no question but that if Italy at that time had signified her willingness to support Germany and Austria the war would then have burst upon the world. Does not the Senator think that the cause of the war was not in secret diplomacy but rather the determination of Germany to subjugate the world and to force upon them her economic if not her political purposes?

Mr. BORAH. I agree with the Senator as to the moving cause of the war, and the fact that this preparation had been going on for some time. I think ever since 1871. Ever since the close of the Turco-Prussian War the scheme has been going forward which finally resulted in this conflict, and back of it were the ambitions and the lust for power of which the Senator speaks. But this found its expression and its final achievement through the methods to which I have referred, the secret machinations and understandings and arrangements which they had been hatching and making throughout Europe.

I submit this question to the Senator: Does the Senator believe that those arrangements, those schemes, and plans, and machinations could have been carried on successfully as they were, to the final result in this war, had the negotiators and the movers not been protected by secrecy?

Mr. KING. Replying to the Senator I think I can answer that without qualification affirmatively. I believe if there had not been secret diplomatic relations and understandings between Germany and Austria Germany would not alone have precipitated this world war.

Mr. BORAH. The Senator and I are not in disagreement upon that proposition.

Mr. HITCHCOCK. And there was no possibility of the United States being involved in any such consideration, because any treaty when once ratified becomes public in this country. The chief vice of secret diplomacy in the Old World was keeping agreements secret so that they were not known and have not come to the knowledge of the people. Is not that a fact?

Mr. BORAH. Treaties are made public here after they are ratified, ordinarily; but may I ask the Senator from Nebraska what does it avail the people to get knowledge of the contract after it has been concluded and is binding upon them? Suppose we should make a treaty here and now with reference to Colombia and it would be distasteful entirely to the American people. After it was made and made public, what could they do about it? Suppose the treaty should be made in such terms that it would finally result in war with some South American country. Suppose we should write into the treaty with Colombia a clause which gave Colombia a particular advantage, a particular favor with reference to the Panama Canal, and after it was revealed the South American country should demand that it should be abrogated and the Congress should refuse to abrogate it, and they, by reason of that fact, should declare war, and we would call upon the American people to support it. They would support a contract if it was their Government's contract, although they might have been entirely opposed to it in the beginning.

Mr. FALL. Will the Senator yield just a moment?

Mr. BORAH. I yield.

Mr. FALL. There is exactly a clause such as the Senator has referred to in the pending treaty with Colombia.

Mr. KING. The Senator has in mind, doubtless, the Jay treaty, which was negotiated at an early date between our Nation and Great Britain. If that treaty had been submitted to the people, if they had known of the terms of that treaty, it would not have received the support of 25 per cent of the people of the United States. But after the treaty was negotiated we were bound by it, and our Nation was compelled to ratify its terms and to carry it into effect.

Mr. WATSON. Will the Senator from Idaho permit me to ask the Senator from Utah a question? Might not that be true with a declaration of war?

Mr. KING. It would be very wrong for me to enter into a discussion in the time of the Senator from Idaho. I think that that same question was propounded by the distinguished Senator from Indiana to the Senator from Idaho a few moments

ago, and I think his reply was very satisfactory, and I adopt it, with the permission of my friend, as my reply.

Mr. WATSON. The Senator from Idaho stated that at the time we entered this war in his judgment the people of the United States were not familiar with the causes of the war. Yet the representative body, Congress, may declare war. Now, the people were bound by that and accepted it. Why does not the same situation obtain with reference to a treaty? The people are not informed, as a rule, as to a treaty or as to the ratification of a treaty. The Senate ratifies a treaty and the people have to accept it.

Mr. BORAH. In the first place, as a matter of procedure, there is a vast difference between a treaty which comes in here and may be discussed from day to day in the open and is finally rejected and a declaration of war which comes in a great exigency when there is no alternative. The declaration of war generally results by reason of the diplomatic or treaty relations which have preceded it. If we are going to inform the people so that they may pass upon this matter, they ought to be informed with reference to those negotiations which lead up to the treaty.

Mr. WATSON. I think the Senator is entirely right, as far as his contention is concerned, as affecting European countries, but I do not believe his contention is equally valid as applied to the United States. If I had time——

Mr. BORAH. Would the Senator be in favor of discussing a declaration of war in secret?

Mr. WATSON. No.

Mr. BORAH. Then why are you——

Mr. WATSON. On the other hand, I would not be in favor, if the Senator will permit me, of a vote by the people on a declaration of war.

Mr. BORAH. I am not asking at this time for a vote by the people on a declaration of war, because, in my judgment, it is not relevant to this discussion.

Mr. WATSON. I understand that the point the Senator is making is that the people must be informed. I am arguing that it is just as essential that the people be informed of a declaration of war that plunges us into war as that they shall be informed as to a treaty that shall be concluded as the result of the war.

Mr. BORAH. The people were informed in the sense in which the Senator is now speaking, because the President came before Congress and informed us of our position. It then went to the House and was there discussed and came here and was discussed. The only sense in which this country was not informed was the fact that the matter came with such precipitancy there was no opportunity for the people to discuss it among themselves, but, in so far as their agents acted openly, they were given all the information which they could possibly have, because everything was had in the open.

Now, it is entirely different with reference to treaties. We give them nothing, we do not state the reasons for the treaty, we do not state the contents of the treaty, we do not permit them to have any judgment in regard to the matter until it is binding, and the treaty may be the sole cause of the war.

Mr. WATSON. Yet did not the Senator state awhile ago, in answer to the first question I asked him, that in his judgment the American people were not informed?

Mr. BORAH. Of course, when I said that I had reference to the fact that prior to the time when we made our declaration and entered into the war the American people had not been advised of the necessity of war. Up to that time the feeling was that the war could be avoided, and the matter came at a time when there was no opportunity for delay in regard to it, and the people were not informed, except the information they got from the open declaration of the President, the press, and the open declaration and debates of Congress. Speaking for myself and not criticizing anyone, I think it most important when war seems possible that all facts possible should be made public. I utterly disapprove of the theory that the people can not be trusted to be wise and patriotic before war as I disapprove of the theory that they will not be wise and patriotic after war is declared.

Mr. SMITH of Michigan. If the Senator from Idaho will permit me, not only public sentiment but the attitude of the Government changed almost entirely after the sinking of the *Lusitania*. Before that time it was very doubtful whether Congress would have voted a declaration of war; but after we were attacked public sentiment changed, and the attitude of the Government, the representatives in Congress and the Executive department, changed completely.

Mr. WATSON. In that respect, is it not true that the attitude of the Government did not change after the sinking of the *Lusitania*, but that the attitude of the Government did not change until after the election?

Mr. SMITH of Michigan. If I am not intruding, I hardly want to say that the attitude of the Government changed because of the election.

Mr. WATSON. No.

Mr. SMITH of Michigan. I would hardly want to say that it changed after the election was safely passed. I think circumstances conspired to make our position a very responsible one in the world.

Mr. BORAH. Well, whatever the lack of information upon the part of the people was, it was due not to the fact that the Congress of the United States undertook to deal with the matter in secrecy, but it was due to the situation over which we had no control. Although at this time no one likes to remember it, every one would have liked to have kept out of this war if we could have done so with honor. That was the attitude of the American mind; that was the attitude of the American public; it was the attitude of the American Congress, and it was the attitude undoubtedly of the American President. When the time came which compelled a reversal of that policy it was a very short period from that time until we declared war, and in that respect I maintain, as I said awhile ago, the people were not sufficiently informed as to the necessity for the declaration of war until they got it from the President and Congress. It came almost contemporaneously with the declaration itself.

But you might just as well argue in favor of a secret declaration of war as to argue in favor of a secret consideration of a treaty which may result in war. In the debate which took place in the English Parliament a short time ago I read a paragraph from Mr. Trevelyan, who said—I call attention to this, Mr. President, to show that this discussion at this time is world-wide, and that the Congress of the United States can hardly take a backward step or refuse to take a forward step:

> At the same time the House of Commons has shown an appreciation that there is a new era approaching, and that the men and women of this country are going to take a more active and critical part in politics. * * * I am firmly convinced that during this war among many changes of opinion that have occurred there is, perhaps, no change of opinion so decisive as this, that our people now feel that self-government and democracy are unreal boasts, are empty phrases, if they are not applied with the same completeness to foreign policy as they are, and have been, to home policy.

There, Mr. President, in my judgment, is a succinct statement of the entire controversy. There can be no such thing as a democracy in the true sense of the word, as a rule of the people in any proper sense of the phrase if the matters which involve their foreign relationships are not as clearly understood and debated and considered by them as are the matters which deal with their domestic affairs. The matters which enter more directly into their very lives are the matters which are withheld from them; the matters concerning which they could endure secrecy are submitted to them; but when there is a controversy with a foreign power, which may involve much more than the amount of revenue which you are going to raise or the amount of tariff which you are going to impose it is withheld. Mr. Trevelyan says:

> During the early months of this war the Government then in office reversed the traditional policy of this country with regard to Constantinople. There may or may not have been good reasons for altering that policy. It was done without the knowledge of Parliament and without the knowledge of the country. The Government pledged this country to secure Constantinople for the Czar as a prize of war.

There is one of the late examples of secret diplomacy. Right here in the very midst of this war, fought for democracy and for the rights of the people, two great nations enter into an understanding that they will sacrifice money and life for a territorial advantage, and the whole thing is withheld from those who are called to the battle field to die. The great cause of liberty, of civilization, is pulled down by secret diplomacy to the dead level of a real estate deal.

With whom was the negotiation made? It was made between the powers of England and the Czar of Russia—the representative of the bureaucracy of Russia. And by whom was the Czar of Russia controlled? The Czar of Russia was controlled by the ignorant, unlettered, lascivious impostor, Rasputin. Late developments indicate that the negotiations with foreign powers were shaped largely by this depraved and repulsive creature, who had taken possession of the Court of Russia, and behind closed doors played with the lives and fortunes of the Russian people and the people of Europe generally like pawns upon a chessboard.

Shall the Senate of the United States put its seal of approval upon such transactions by saying that we, too, will bind our people if it is within our power to do it, and notify them after the contract has been made? As this member of Parliament very well says, there is no such thing as democracy; it is a false phrase, unless the people are permitted to pass upon that for

which they may be called upon to suffer and to die. He continues:

For 18 months they refused to give the House of Commons any information. At the conclusion of that time the arrangement was revealed to the world by the then Russian premier. Shortly afterwards occurred the Russian revolution. It then became apparent that the Russian people did not approve of the policy at all, but that it had been done in their name by the unscrupulous ministers who surrounded the Czar during his régime. I do not know why that arrangement with Russia about Constantinople should have been concealed from this house and the country for any reason except fear of their disapproval, and I am personally convinced—I may be wrong—that if there had been a foreign affairs committee, before whom the principal acts of policy had to be placed before they were realized, that agreement, in fact, would never have been arrived at with Russia.

So, Mr. President, we see that the discussion is going on elsewhere; the movement is going forward in other countries, and we are simply keeping pace by our declaration in regard to this with that movement, which is world-wide. Its evils are upon every hand. There is not a boy leaving his country home under the American flag and going forward now to offer all he has upon the battle fields of Europe who is not to a very great extent a victim of secret diplomacy.

The conspiring ministers of Europe brought about a condition of affairs which compelled the United States to fight or give up its liberty, because the scheme behind closed doors was to destroy human liberty.

Mr. HITCHCOCK. Mr. President——

Mr. BORAH. I yield to the Senator from Nebraska.

Mr. HITCHCOCK. Can the Senator cite any treaty being to any extent the cause of the present war, which was not a treaty kept in secret after it was made?

Mr. BORAH. Mr. President, let me answer that in this way—I have answered the same suggestion before—that to my mind to keep a treaty secret until it is made binding, and then to reveal it is not to protect the people at all, because after it has become the binding contract of their Government, whether it is satisfactory to them or not, the people have no opportunity at all to deal with it.

Mr. HITCHCOCK. Mr. President, is it not a fact, and is it not a part of American history, that treaties which have become unsatisfactory to the American people and to public opinion have been denounced and set aside?

Mr. BORAH. Some have after long delays and discussions; that is true.

Mr. HITCHCOCK. The very fact that such a treaty was published and known to the people, and that they have got public opinion to control the Senate——

Mr. BORAH. If the Senator speaks with reference to all treaties which have been made by the United States, I do not agree with that at all. That has been true with reference to some treaties. For instance, the treaty with Russia was annulled or set aside, because it became very unsatisfactory to the large portion of our people, who are growing now more powerful all the time, and just prior to the election of 1912 both parties declared in favor of annulling it. But if a people are fit to pass upon a treaty after it is made and cause it to be annulled, they are equally capable of passing upon it while it is being made, and the latter course may often save friction and misunderstandings. It is a serious question to annul a treaty once made, and a wise government will not pursue a course which drives a people to that extraordinary and dangerous course.

Mr. FALL. Mr. President, will the Senator from Idaho allow me to ask him a question?

Mr. BORAH. Yes.

Mr. FALL. Is it not true, in the Senator's opinion, that the very fact that the people of the United States, through their Congress, denounced the treaty with Russia is to a very great extent the cause of the ill feeling existing on the part of the Russian people against the people of the United States to-day?

Mr. BORAH. I have heard that statement made by those who claim that such is true.

Mr. HITCHCOCK. Mr. President, I wish the Senator from Idaho would draw some distinction between the method by which secret treaties are made in Europe, and which produce wars in Europe, and the process by which treaties are made in the United States by the President and submitted to the Senate for ratification—a process which does not exist in the countries of Europe. There treaties are made by the monarch and ratified by him and submitted to no one else for ratification.

Mr. BORAH. Well, Mr. President, it does not make a particle of difference, so far as the question of secrecy is concerned, whether there are two parties engaged in a treaty or one party, if in both cases the proceedings are secret. If the President of the United States must come to the Senate of the United States for his ratification, and the Senate of the United States remains a secret power, it does not make any difference whether the treaty is made by one or by two secret powers when they have both kept the secret.

It is true that the powers in Europe make their treaties without the ratification of Parliament; but if the Parliament of the United States, or the Senate of the United States, participates as a secret body with reference to that matter, what difference does it make whether the treaty is made by one or by two powers?

Mr. HITCHCOCK. The Senator's position is that it is not possible to trust the Senate of the United States, representing every State in the Union and bound immediately to publish the treaty when ratified; and he treats that ratification as similar to a ratification by a ministry of the King, when that ministry can consider the treaty is a secret document. It seems to me there is a vast distinction between the two.

Mr. BORAH. Mr. President, I really do not think, with all my respect for the Senate of the United States, that, if it were a secret body on all public questions it would not be many generations before it would be as corrupt as all other secret bodies come in time to be. Every secret governmental agency tends to become irresponsible, selfish, and corrupt, and while we are Americans we are human. While I am perfectly willing to concede all my countrymen will ask, and that is that they are a peculiarly virtuous people, in all the ancient meaning of that word, yet I believe, nevertheless, they could not withstand the influence which finally corrupts and controls a secretly controlled legislative body. The Congress of the United States would become just as corrupt and just as venal in course of time, if it were a secret body, as the other secret bodies of the world have which have followed the same course.

Mr. HITCHCOCK. Mr. President, let me interrupt the Senator once more. The ministry of the king is selected by the king himself. The Senate of the United States is an elective body, chosen by the people to represent them in the making of treaties, which is one of its constitutional powers. The Senate possesses the power at any time to consider treaties in the open, and on a number of occasions since the Senator from Idaho has been here and since I have been here it has taken that course. Why, under these circumstances, bind the Senate to a rule that it must consider all treaties in the open, when it now has the power to consider them in the open?

Mr. BORAH. It is true that ministers represent the king, and there are no secrets supposedly between the ministers and the king. We represent the people, and there should be no secrets between us and those whom we represent. We are here in a representative capacity; we are not ambassadors from the different States; we are the representatives of the people. Upon what possible theory can the Senator from Nebraska argue that there should be complete secrecy between him and the man whom he represents and whose agent he is? The people pay the taxes; they fight the battles; they bear the burdens, and upon what theory can we withhold from them these matters which are of prime concern to them? Is it because they are not sufficiently intelligent to comprehend them? Is it because they have not the capacity to deal with them? Will the Senate of the United States take the position that the American people have not the intelligence to pass upon those matters which involve life and death to their country? Upon what theory do we withhold the facts? We are their representatives, their agents, and nothing more.

Mr. BRANDEGEE. Mr. President——

Mr. BORAH. I yield.

Mr. BRANDEGEE. If the Senator will permit me to make a suggestion there, I have not considered that the reason the Senate had a rule which provided for the consideration of treaties with foreign nations in secret session was because the Senate distrusted those who elected them, or because Senators thought they were anything but representatives of the people, but it was because the relations of different foreign countries to each other are frequently involved in the discussion of a treaty that we are to ratify with one of them, and that, with the delicate situations existing between foreign sovereignties, for all of those things to be dragged into the open on the floor of the United States Senate and discussed might do damage in certain directions both to our interests and to our friends abroad, which might be avoided if they were discussed behind closed doors. It never entered my head that in voting to consider a proposed treaty with a foreign nation behind closed doors we were doing it because we thought the American people were unfit to know what we were about. I may be mistaken about that, but the Senator asked upon what theory closed doors should be advocated, and that is the theory that I had supposed to exist.

Mr. BORAH. What are these delicate questions which may offend foreign powers? These delicate questions are too often questions of dubious righteousness.

Mr. BRANDEGEE. Well, Mr. President, all the delicate questions that exist between different Governments of Europe and Asia and Africa, whatever they may be, and however secret they may be, would be laid open to the interpretations and remarks of the several Senators upon this floor. We have tried one way, and we know how much of a success or a failure this country has made. We have not tried the other way. The present rule has existed in the Senate since the foundation of this Government, which was quite as much a representative Government then as now, and the early Senators were men who had helped make the Government and who had helped form the Constitution. I do not know upon what theory that rule of the Senate was ever adopted, if not upon the one which I have suggested.

Mr. BORAH. The Senator speaks of "delicate questions." I take it that they are such questions that if they were thrown open to the public, the public might say or do something which would offend some power in Europe. Not if the powers of Europe desire peace and honorable relationships.

Mr. BRANDEGEE. Not at all; that is not my theory about it. My theory about it is this, Mr. President: There has been in Europe for many years a doctrine known as maintaining the balance of power, and we know the jealousies that have existed and the wars that have prevailed in Europe. We have not known, as the Senator from Idaho so well says, they having practiced secret diplomacy there for centuries, the real relation of those nations to each other. We might not know them even if the Senate adopted a rule to debate in the open such treaties as may be proposed. But those are the delicate questions to which I refer. Of course I can not make a catalogue of them; it would be longer than a catalogue of the ships in Homer; but they are questions growing out of the rivalries, historic prejudices, and aspirations of rival powers of Europe. That is the only way I can describe them in general terms.

Mr. OWEN. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. OWEN. I merely wish to say to the Senator from Idaho that if the so-called "delicate questions" had been made public in Europe this war would have been prevented before it ever had an opportunity to begin, and that the "delicate questions" which arose when the Bolsheviki foreign minister published the agreements between the entente allies were highly disconcerting because they ought not to have been made and because they proposed to hand about sovereignties without consulting the people who were involved. Those are some "delicate questions" that ought to be made public both for our sake, for the sake of the allies, and for the sake of the civilization of this earth.

Mr. BORAH. Mr. President, there may be "delicate questions" in Europe in connection with which secrecy should prevail. I am rather inclined to think that in the European chancelleries, where so many treaties are made for purely personal reasons or because of personal ambitions and at the instigation of a class of people who are sometimes interested, that that might be true; but I am speaking now, Mr. President, with reference to treaties which shall be made by this Republic. As to them, there can be no "delicate questions" as it occurs to me. I can not think now of any question that has arisen with reference to any treaty of this country since the beginning of the Government which could be really considered a question which the people ought not to know about. These "delicate questions" are rather indelicate suggestions to the effect that foreign affairs are too high up in the scale of intellectual effort for the consideration of the people. All public questions were once too delicate for the people, and in some countries of Europe, particularly in Germany, it is still so.

Mr. BRANDEGEE. I would agree entirely with the Senator if open discussion did not also involve letting the people of every other country in the world know all about it.

Mr. BORAH. What question has arisen with reference to any treaty in which the United States has been interested since the Jay treaty up to the present time that it would not have been well for the people of all Europe to have known about? Look back over the history of our treaties, their negotiation, their terms, and what finally became of them, and what question has arisen with reference to these treaties in the last hundred and odd years which the whole world could not have known about and been better off if they had known about it, and what question has arisen upon which the American people could not have passed with intelligence?

Mr. FALL. Mr. President——

Mr. BORAH. I yield to the Senator from New Mexico.

Mr. FALL. I simply want to make a suggestion with reference to a statement of the Senator from Nebraska [Mr. HITCHCOCK]. He has said that it is possible now for the Senate of the United States to consider a treaty in open session, and that he has known that practice to be followed. The proposition involved here is simply that we should make that the general rule; and then, if in any particular instance a treaty should be considered in secret session, by a vote of the Senate that course can be adopted and pursued.

Mr. BRANDEGEE. By a four-fifths vote.

Mr. FALL. As it stands now; but the Senate can change the four-fifths requirement to a majority vote if it chooses to do so. It can change its rules by a majority vote.

Mr. President, this resolution simply proposes to adopt as a general rule the open consideration of treaties and leave their secret consideration as the exception; in other words, if the rule suggested by the Senator from Idaho is adopted, we would proceed to consider treaties generally in open session, but it would remain for the Senate, as it can control its own action at any time it pleases, to adopt its own method of consideration, and it could treat any subject in secret if it so desired.

Mr. BORAH. I thank the Senator for the suggestion. Lord Rosebery, speaking in Glasgow a short time ago, used this language:

> Armaments must depend upon your policy, and it is extremely difficult for us, who have nothing about foreign policy but what we see in the newspapers, to form any accurate judgment as to what that foreign policy may be. Do not think that in saying this I am disparaging the knowledge of foreign policy which is derived from newspapers. I am only saying this, which must be familiar to all who have any knowledge of the subject, that what is seen on the stage of foreign policy is but a small part of the whole, by far the greater portion of which takes place behind the scenes, and as we are ordinary mortals we are not admitted behind the scenes, not even to the door of the green room, our knowledge of foreign policy must be based mainly on speculation. * * * I do not know if any Glasgow merchant here would care particularly to do what we do in foreign affairs—that is, to engage in vast and unknown liabilities and affix his signature to them without knowing their nature and extent.

Coming from one who has been prominent in the official life of England, it seems to me this must be regarded as a rather remarkable statement. It discloses that this movement for open diplomacy is not confined alone to those who have been without experience, but that it has taken hold of the minds of those who have had vast experience with reference to these matters and who know from their own actual contact with them what the evils are.

Mr. Chamberlain, another prominent English official at one time, said:

> I sometimes ask myself whether in the future it will not be necessary, and, indeed, if it will not be a good thing that the foreign secretary should take the House of Commons, in the first instance, and his countrymen at large in the second, much more into his confidence than he has done in the past. We have passed in recent years through European crises, the full gravity of which was not realized by our people, if realized at all, until after they had passed into history. I ask myself, can you conduct democratic governments on these principles?

Mr. Trevelyan, after quoting from these authorities, says:

> While during the last few years the flood of democracy has been rising—whether one likes it or whether one does not—and the great departments of state have become more and more under the control of this house, the foreign office has remained high and dry in its old attitude, quite apart from this general rise in the tendency of democratic control.

Let us hope the Senate of the United States will not take that position; but that, while this movement is going forward we, as the representatives of one of the great free nations of the earth, will at least keep pace with it, and that, in so far as it is under our control, we will keep in harmony with the movement.

Mr. Trevelyan further says, having reference to the matter to which the Senator from Nebraska has adverted, namely, as to whether or not there may be some details that ought not to be revealed:

> We want to know the broad lines of policy. We want to know what our relations are with foreign countries in the main, the basis and foundation of them. * * * We also want information with regard to the course of events. What happens now? We, as Lord Rosebery said, have to rely on the press. What happens in the press? We see a series of events reported with great fullness; we begin to read of them. The next day the story continues, and we read it with interest; but the day after that some domestic concern crops up, either in Parliament or in the country, and the foreign news is withdrawn, the story stops, the country is under the impression that that particular issue is over. It may not be at all, and we who are precisely on the same footing as any individual, as the man in the street—because we know no more than they do with regard to foreign affairs—are also prevented from following the course of events.
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> Anybody who looks over the history of the last hundred years or so is very much struck by the constant change in the combinations between the nations of Europe. The friend of one decade becomes the foe of the next, and that continual change is due to the fact that these alliances, instead of being based on the sound approval of the people, are based on bargains made by individual ministers of Governments, and, so long as they rest on that basis, they can only be ephemeral.

The people will not be so capricious, because the people are there all the time. Ministers drop out, governments depart, but the people are there all the time; and if you get their consent and approval and backing to agreements and alliances, made openly and clearly in the light of the day, you are much more likely to get duration and to prevent what has been the spectacle of Europe in the last century—all these continual changes of combinations in what is treated really as a diplomatic game.

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Again I say what I have said already of alliances and agreements: Unless you get the sanction of the people behind treaties—if treaties are simply documents to which only the Executive, only the foreign secretary, or the foreign office affix their signatures—you will never get the proper respect paid to them which we hope to see paid in the future.

Mr. President, Mr. Balfour replied to this argument, and doing so used this language:

Both these two honorable gentlemen spend a great deal of time upon what are now becoming the familiar platitudes of democracy versus secret diplomacy.

Sarcasm, Mr. President, is a familiar and an honorable, intellectual weapon. It is ordinarily used, however, in the defense of stale and worn-out institutions. That which the conscience can not well support the intellect will sometimes slavishly defend, and when it does, it generally indulges in taunt and sarcasm, because it is an easy method by which to "get by," and it is generally quite pleasing to the speaker himself. But, speaking of "platitudes," this cultured and distinguished reactionary belongs to the school of English politics who at one time looked upon the whole scheme of this Republic as a "platitude."

Further, he says of one of the speakers to whom he was replying:

He drew with considerable elaboration the well-known caricature of foreign ministers spinning diplomatic webs, oblivious, apparently, of the public opinion of the respective countries, and pursuing all those worn-out methods with the result that civilized mankind is now groaning under a series of undemocratic treaties. The picture is entirely fantastic.

When Mr. Balfour made this statement he was just fresh from the making of a treaty with Russia with reference to Constantinople, and just fresh from the making of the other treaties which were exposed at Petrograd. He says to the people of the world that this theory that ministers act in secrecy, spinning webs which obligate and burden their people, is purely fantastic; and yet there had been woven around the English and the allied people by this same secret diplomacy, under the manipulating power of foreign diplomats, at the same time that he was speaking, those secret treaties which have been exposed at Petrograd.

Mr. OWEN. Mr. President——

Mr. BORAH. I yield.

Mr. OWEN. I hope the Senator will point out that those secret treaties were guilty of the very charge made against the Teutonic dynasty of proposing annexations, and they had the effect—the evil effect, the fatal effect—of completely demoralizing the faith and confidence of the Russian people in the integrity of the allies.

Mr. BORAH. I have no doubt at all but that the treaties that were made and afterwards exposed had a powerful effect in breaking down the confidence of the Russian people in the allies. I think the Senator is correct in that statement. Everything indicates that when those treaties were made known the Russian people became distrustful of the entire allied combination.

Mr. President, when this conflict shall have closed—no one can foretell that happy day—but when war shall cease and a scourged and weary people begin to assume again the avocations and duties of peace, some of the most vital of human problems will come up for consideration—problems whose solution will take form in treaties to be ratified by this body. There will be first the peace treaty, upon which we are to build our hopes for permanent security, for a durable peace. It will have to do with our welfare and happiness as a people, our life as a Nation for years and perhaps for centuries. Certainly no one will contend that that treaty or any part of the negotiations should be considered in secret. Certainly no one will contend that those who have fought the fight and made the sacrifice, who in future years are to bend under the fearful debt the war will impose, and finally through their energy and deprivations pay it, will not be entitled to know every step from the first to the consummation. Certainly no man will stand in the Senate and invoke secrecy upon that scene made possible by the blood and the offerings of the people. Certainly no one will contend that there are "delicate matters" here, too delicate for the inspection and approval or disapproval of those who are to make the treaty possible. Will this body dare to put its seal of approval upon any treaty not considered and discussed in the open and before all whose efforts have made it possible to have a treaty. It would be a rank and cowardly insult to the dead, a shameful betrayal of the living.

Along with the treaty of peace will come other propositions, propositions which will reach down and take hold upon the very foundations of our national being and, if certain courses are adopted, may change the whole drift of our national life. We will likely be called upon then as a people, as a Nation, to pass upon the question of whether we will depart from the advice of the Father of his Country to enter into no permanent alliance with European powers or whether we shall hold fast to the faith which has guided us through the first century. I am not going to discuss the merits of this question now; my views, for what they are worth, are known to my colleagues here, and the vicissitudes of war have not changed them. But certainly that policy which bears the stamp of approval of Washington and Jefferson, which enabled us to steer through the unexplored sea upon which we launched our frail bark in 1789, and without which, in my judgment, the story of this Republic would have been a short-lived one, will not be changed behind closed doors. Whether we shall abandon the policy or hold to it is a subject upon which honest and patriotic men may differ, but any man who would advocate its change without the full and complete knowledge and approval of the American people would have no claim to the respect and confidence of those who love free governments. Not one step should be taken, not the slightest obligation binding as to such a course should be had without the full knowledge and the unqualified approval of the people whose government this is. That which uproots the sacred traditions of a people should be approved alone by the people. No closed doors on that transaction.

Another phase of the same subject is presented in the proposition of a league to enforce peace—a league which it is hoped all nations will join. Neither do I discuss the merits of this proposition at this time.

I only point out its tremendous import, its almost stupendous possibilities for change in our national life. Some think it would make for peace, some think it would turn this Republic into an armed camp. It seems to me clear enough the changes wrought by such a course will be such as to make us a different political structure. We will necessarily take upon ourselves the race questions, the political jealousies, the troubles of tortured Europe. Some think we would be able to compose them and make for permanent peace. Others think, and with them stands the judgment of the fathers, that it would only draw us into the maelstrom of European politics. Only experience can fathom the troubled waters of that boundless sea. Will this, too, be considered in secret? Will alliances and treaties be made and confirmed for such a momentous course in secret? Will those matters upon which hang the happiness of the living and the countless generations to come be disposed of as "delicate problems"—too delicate for the people to understand or to pass upon, but not too delicate, perchance, to require limb and life in their support?

Mr. President, in the face of the superb courage, the sublime and willing sacrifice of the people in behalf of this civilization of ours, in the presence of this fearful catastrophe from whose destruction if we are to be saved at all we are to be saved by the people—the man in the street, in the factory, on the farm, in the professions—will men still contend that these same people are not entitled to know every act and deed of their public servants to the end that their sanity, their love of peace, their sense of justice, may help to clarify and make wholesome the relations which nations are henceforth to bear toward one another? People who suffer and die as our people are doing in the great cause of civilization can be trusted in every hour of every emergency which is to mark, as we hope, the onward progress of this Republic.

EMPLOYMENT OF CHILD LABOR.

Mr. OWEN. Mr. President, I should like to ask the Senator from Alabama whether he expects to get a vote upon this resolution this evening?

Mr. UNDERWOOD. I did not expect to press the resolution to a vote this evening. I understand that possibly the Senator from New Mexico desires to speak before adjournment.

Mr. FALL. I should like to occupy a little time.

Mr. OWEN. If that be the case, I want to submit for a few minutes some observations upon a bill (S. 4671) which I introduced this morning relative to child labor. It will take only a few minutes for me to say what I wish to say.

Mr. President, I have just submitted to the Senate a bill to prevent interstate commerce in the products of child labor.

This is the same bill which was passed on September 1, 1916, whose constitutionality was denied by five members of the Supreme Court of the United States on Monday last, except that I

have inserted two amendments—one an amendment to section 2, as follows:

Said board may permit exceptions under the rules imposed by this act for a limited period of time, not exceeding 12 months, to be made a matter of record in the office of the board.

I add a new section 7, as follows:

The constitutionality of this act having been declared by the competent authority of Congress and of the President of the United States at the time of its passage shall only be questioned thereafter by the Congress itself and the people of the United States in their sovereign capacity as voters. Any executive or judicial officer who in his official capacity denies the constitutionality of this act shall ipso facto vacate his office. No judge of an inferior Federal court shall permit the question of the constitutionality of this act to be raised in the court over which he presides, and the United States Supreme Court shall have no appellate power to pass upon such question.

Mr. President, the act of September 1, 1916, passed by Congress for the purpose of abating the exploitation of the child labor of America for money-making purposes has been declared unconstitutional by a divided court, as follows: Chief Justice White, Justice McReynolds, Justice Van Devanter, Justice Pitney, and Justice Day holding it unconstitutional, and Justice McKenna, Justice Holmes, Justice Brandeis, and Justice Clark holding it constitutional. If any one of the first five had been absent from his post on account of sickness the act would have been held constitutional.

If any one of the five had agreed with the opinion of the other four in regard to whether or not it was constitutional, it would have been construed as constitutional; that is to say, it would have been held constitutional by the opinion of this honorable court in the particular case pending before them. This decision does not prevent the court from amending its opinion and declaring the act constitutional in other cases. It does not prevent Congress from authorizing two more members to be appointed on the Supreme Court who entertain the same view as the minority, and reversing the court in the next case that comes before the court, as was done in the Legal Tender cases. I did not regard that as an orderly or a very advisable procedure. But it was done as a matter of necessity, under a national exigency to protect the national exigency.

Mr. KING. Or a moral course.

Mr. OWEN. I do not care at this time to review the reasons which led the people of the United States, through their Representatives in Congress, to declare the principle of public policy that child labor should not be exploited for money-making purposes as far as interstate commerce is concerned.

But the public policy was declared by Congress, and now the policy of the people of the United States, acting through the legislative branch, has been nullified, set aside, held for naught by the action, in effect, of a single individual judge necessary to make a majority of this honorable court.

One man has nullified the opinion, the matured public opinion, of the country, as expressed by Congress, and has overruled both Houses of Congress and the President of the United States and four members of the Supreme Court, and has established as a judicial decree that every Member of the Senate and every Member of the House voting for the act and the President of the United States violated the Constitution of the United States, which they severally lifted up their hands before Almighty God and swore to observe.

This act of the Supreme Court is not intended as a personal affront to the Members of the House, to the Senators, and to the President of the United States approving the act by charging that they have severally violated the Constitution of the United States. These learned justices who have declared this act of Congress unconstitutional have merely followed the unwarranted, the unjust, and unsound precedent set by John Marshall in the petty case of Marbury against Madison, when he had the temerity to exercise the veto over Congress as the first judge on the bench to declare an act of Congress unconstitutional. John Marshall's decision was absolutely wrong and contrary to the history and spirit of the law, and was a piece of judicial usurpation which was not followed by the Supreme Court of the United States in a single case for 50 years until the fatal case of Dred Scott, when that honorable Supreme Court declared slavery a constitutional national right and the Missouri Compromise as unconstitutional, void, and of no effect.

The deadly consequences which followed that unwise decision had to be remedied on the field of battle by the armed forces of the majority in four years of blood and tears of the American people, because that decision immediately raised the moral question of slavery to such a burning issue that there appeared no adjustment possible by the slaveholding States except by a dissolution of the Union—a policy too full of danger for America to be permitted, and America chose the lesser alternative of civil war and the rewriting of the Constitution, declaring the Republic a Nation and that slavery should not be permitted within its borders, either as a constitutional right or any other kind of right. The Nation agreed with Abraham Lincoln, in defiance of the Supreme Court decision, when Abraham Lincoln said:

If slavery is not wrong, nothing is wrong.

Mr. President, slavery is wrong.

The slavery of children is wrong, and the child-labor act was intended to prevent the slavery of children, even by their own parents, in so far as the United States could prevent it by the exercise of its control over interstate commerce.

This act did not intend to interfere with the exploitation of children inside of State lines. The correction of that abuse was left to the States, but in some States the cotton manufacturers and other like forces were sufficiently powerful politically to be able by their joint influence to prevent any interference with intrastate exploitation of children. The Congress under the influence of the public sentiment of the people of the United States passed this act to prevent the products of exploited child labor crossing a State line, and in this way it was intended to safeguard American youth as far as Congress had recognized power.

The Supreme Court in rendering its decision has in effect declared that in the opinion of a majority of this honorable court every Congressman and every Senator and the President, in passing the child-labor act, violated the Constitution. This is merely a judicial opinion within the conceived discretion of each judge who delivers the opinion. The opinion is not intended to be disrespectful to Congress; it merely proceeds upon the assumption that the House of Representatives and the Senate of the United States and the President of the United States have not the intelligence to determine whether this law is constitutional or not, and have erred in holding it constitutional. Either this, or that the House of Representatives, the Senate of the United States, and the President of the United States, knowing the law was unconstitutional, passed it in willful defiance of their oaths of office. I do not assume the latter theory possible.

It is easy to understand that a justice who regards John Marshall's decision as a sound precedent would say to himself, as John Marshall did, in effect, I am confronted with the solemn duty of saying whether this law shall stand against the superior law of the Constitution.

John Marshall argued that the Constitution was the supreme law of the land under Article VI, which declares:

This Constitution, and the laws of the United States which shall be made in pursuance thereof, * * * shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or the laws of any State to the contrary notwithstanding.

But John Marshall, in passing upon the law which Congress said on its oath had been passed in pursuance of the Constitution, held that it was not passed in pursuance thereof, and that therefore he was charged with the solemn duty of exercising a veto over the legislative powers of the people of the United States under the form of his judicial discretion.

And so this mischievous, dangerous, unconstitutional precedent has come down to this day.

Mr. President, I do not in any degree question the sincerity, the integrity of mind, or the patriotic purpose of any of the honorable learned justices who rendered this opinion in the child-labor act. I do not believe they intended to be discourteous to Congress, but I charge them with having nullified, as far as the particular case before them permitted them to do, a great human public policy of the United States duly recorded by the House of Representatives, by the Senate of the United States, and by the President of the United States in the child-labor act, and approved by widespread public opinion.

And I say that this honorable court should not be permitted by Congress to determine the policy of the people of the United States, since this is the duty of Congress alone, and Congress has full constitutional power and the moral duty to prevent it. (Art. III, sec. 2, Constitution, U. S.)

Mr. President, every lawyer, almost without exception, will loyally stand by the decisions of the Supreme Court of the United States as the last word in human wisdom. It must be remembered, however, that every lawyer is an inchoate judge and instinctively approves added power to the courts. He instinctively and loyally supports the courts by whose approval he lives and thrives and has his being, but not one lawyer out of a hundred is aware of the fact that the only opportunity which the Supreme Court has of conflicting with Congress concerning the constitutionality of an act is through the unwise exercise of the very appellate powers granted by Congress. Thus the occasion arises in the Supreme Court which puts upon a conscientious judge of the Marshall school of thought

the "solemn duty," which I am sure few judges would desire, of declaring unconstitutional an act which the House of Representatives and the Senate of the United States and the President of the United States had on their oaths of office declared constitutional, provided the judge personally thought the act unconstitutional. The obvious remedy for this possible conflict between the court and Congress is to take from the court the right to consider the question of the constitutionality of an act after Congress had determined the act was constitutional in the manner the Constitution provides (Art. III, sec. 2). A wise judge, I think, would be quite justified, under existing statutes, in declaring that the Representatives of the people of the United States in Congress having declared an act constitutional, the conclusive presumption arises that the act is constitutional, that matter having been settled by competent authority, but since some judges have not had the wisdom to do this it remains for Congress to remove from such judges the embarrassing situation in which such judges find themselves when confronted with the conception of their own interpretation of the Constitution on the one side as against the interpretation of the Constitution by Congress and by the President and by the Attorney General on the other side.

It is said by some that the judges are much more learned and wiser than Congress in construing the Constitution. I can not concede this whimsical notion. They are not more learned; they are not wiser; they are not more patriotic; and what is the fatal weakness if they make their mistakes there is no adequate means of correcting their judicial errors, while if Congress should err the people have an immediate redress; they can change the House of Representatives almost immediately and can change two-thirds of the Senate within four years, while the judges are appointed for life and are removable only by impeachment.

No one would approve impeachment for a judicial error honestly made; and this great and honorable court, which we all revere, will never have its integrity or its patriotism challenged.

Mr. President, the supreme powers of the people of the United States are vested in Congress and in the President as the executive of the laws passed by Congress and the President. The Supreme Court, authorized by the Constitution to construe the meaning of the legislative will as crystallized in the statutes, was established by Congress, the number of its members fixed by Congress, their salaries fixed by Congress, their marshal, their clerk, their office force, their library, their assembly room, the means by which to enforce their decrees, all furnished by statute, and Congress granted all of the jurisdiction which the Supreme Court enjoys, except cases affecting ambassadors and other public ministers and consuls and those in which a State shall be a party. Under the original constitutional jurisdiction of the Supreme Court the number of cases are negligible, and therefore of no great public consequence—about 20 cases in 130 years; but the Constitution provides with regard to all other cases that—

> The Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and under such regulations as the Congress shall make. (Art. III, sec. 2, Const.)

The Supreme Court has maintained this interpretation of the Constitution in the following cases:

Wiscart *v.* Dauchey, 3 Dall., 321 (1796); Durousseau *v.* U. S., 6 Cranch., 307 (1810); U. S. *v.* Gordon, 7 Cranch., 287 (1813); Daniels *v.* C., R. I. & P. R. R., 3 Wall., 250 (1865); In re McCardle, 7 Wall., 510 (1868); Nat. Ex. Bank *v.* Peters, 144 U. S., 570 (1891); Colo. C. C. M. Co. *v.* Turck, 150 U. S., 138 (1893).

In quite a famous case, known as the McCardle case, in 1868 Congress withdrew from the Supreme Court the power to pass upon the case after the case had been docketed and exercised the right and the power of Congress to make an exception in the McCardle case; Congress was quite right in doing this, and the Supreme Court did not express an opinion in the case—Seventh Wallace, 510—but solemnly upheld the exception which Congress chose to make under section 2, Article III, of the Constitution of the United States.

I now propose that Congress shall make an exception of the child-labor act under this constitutional authority and withdraw from the Supreme Court the power to express an opinion upon the constitutionality of that act or to contradict Congress and put it in contempt before the people of the United States. If Congress does not take this step, then Congress turns over to the Supreme Court the final right to declare the policy of the Government of the people of the United States and to exercise the power of veto over Congress and the President—a power never contemplated by the Constitution of the United States.

Mr. President, no civilized nation permits the judiciary to set aside its laws on the ground that they are not constitutional, except perhaps that the United States has, by an oversight, apparently yielded to it in a few cases.

Mr. KELLOGG. Mr. President——

Mr. OWEN. I yield to the Senator from Minnesota.

Mr. KELLOGG. I call the Senator's attention to the fact that the highest court in England within the last two years set aside the law of Canada because it was in violation of the constitution of Canada or the enabling act of Canada.

Mr. KING. I was going to call the Senator's attention to the fact that Australia has done precisely what the Senator from Minnesota says Great Britain has done; and the appellate court of Australia has cited in support of its construction of its powers the action of the Supreme Court of the United States in the famous McCulloch case, to which the Senator referred.

Mr. OWEN. Mr. President, I would be glad if the Senator would put the citation in the RECORD. I do not recall the instance referred to in the case of Canada. Of course, however, Canada is merely a subordinate State, a dominion, subject to the supreme power of Great Britain, and must be bound by the terms of its admission as a part of the Empire.

Neither Great Britain, France, Italy, Austria, Germany, Belgium, Denmark, Australia, nor New Zealand permits judges to set aside the laws of their highest legislative authority.

Mr. President, one of the unsound, mischievous teachings of lawyers has been that Congress and the Supreme Court are *coordinate, cocqual* branches of the Government, with the power to "protect" the people against Congress. The people can protect themselves against Congress at the polls, and they do it if Congress errs.

The supreme legislative power of the American people is in Congress.

The supreme executive power is in the hands of the President.

The "Supreme" Court has an original jurisdiction under the Constitution, under which has arisen about 20 cases in 130 years of no national importance. *All of the jurisdiction which they have* has been given them by Congress in appellate jurisdiction by statute law, and can be taken away, because all of their authority is appellate and statutory, SUBJECT TO SUCH EXCEPTIONS as Congress may provide.

Mr. President, the sovereignty of the United States is vested in the people, and in 48 State constitutions this principle is solemnly declared.

The people control Congress, and if Congress errs the people can correct Congress either by admonition or by removal from office.

The people of the 48 States control the State judiciary and are not controlled by the judiciary.

Forty-eight States have two ways of removing judges—either by impeachment, by a short tenure of office, or by resolution of the legislature. Thirty-two States have three ways of removing judges. Thirty-two States may remove judges by resolution of the State legislature. Seven States have four ways of removing judges, to wit, impeachment, legislative recall, short tenure of office, and popular recall.

At the Constitutional Convention at which the Constitution of the United States was framed three times an attempt was made to give the Supreme Court some sort of very limited authority of expressing opinions about the validity of acts of Congress; it never received over 2 votes; and out of the 65 members of the Constitutional Convention only 11 members favored giving the judiciary any kind of even a limited power in this regard. These were Blair, Gerry, Hamilton, King, Mason, Morris, Williamson, Baldwin, Wilson, Brearly, and Livingston.

I undertook to show on January 27, 1917, that every case in which the Supreme Court declared an act of Congress unconstitutional, where the case had any importance, the court was wrong, with a single exception.

The plain truth is, Mr. President, that judges on the bench, like Senators, do not cease to be human beings, influenced by previous associations, training, environment, and surrounding opinions.

And if you want a conservative decision, by all means get a majority of the court appointed as conservatives. If you want a home-rule decision, get a court composed of Irishmen.

This does not question the good faith of men.

Catholics devoutly believe in transsubstantiation. Protestants disbelieve it. We must not question the sincerity of men merely because they differ in opinion with us, but when it comes to deciding the national policy this must be left to Congress and Congress must exercise its power, and in granting the Supreme Court appellate jurisdiction Congress must make such exceptions and such regulations as will prevent the Supreme Court inadvertently assuming to direct the Nation's policies.

This can be done under the Constitution in the manner which I have proposed, by forbidding the judges of inferior Federal courts questioning the constitutionality of an act when Congress has declared it constitutional, and removing the appellate power from the Supreme Court to pass on this question of constitutionality.

In this way there would be no conflict between the Congress and the Supreme Court. There ought to be none. The bodies exercising the high powers of this great Republic ought to act along lines of perfect harmony, not along lines of conflict. The people of the United States ought to know what the law is when Congress has spoken and not wait 20 years to have it declared unconstitutional by a changing court.

The people are entitled to know what the law is, and unless the acts of Congress become binding when they are passed the people never know what the law is. They may have to wait 20 years to discover that some Supreme Court thinks the law unconstitutional, and years later the court may be reversed by new members.

Mr. KING. Will the Senator yield?

Mr. OWEN. I yield.

Mr. KING. What would the Senator do if it were not for the appellate court to construe the law? Take a statute of a State. Many lawyers in the State will place a given construction upon it; many other lawyers will give it an entirely different construction. The people act upon the construction placed upon the statute by various attorneys. Does the Senator contend that there should be no appellate court to construe and interpret a statute; and if the court may interpret the statutes of a State why should you not have an appellate court to interpret the statutes of Congress, the highest law of the representative body of the States?

Mr. OWEN. When the Congress of the United States passes upon a question and declares it constitutional, it is the highest competent authority in this Republic. It is the lawmaking branch of the Republic, and the judiciary is not the lawmaking branch. It is for them to interpret the meaning of the legislative branch, not to write the law under the color of an interpretation. The construction of a State statute by the Supreme Court is quite another question, which I do not now discuss.

Mr. CUMMINS. Mr. President——

Mr. OWEN. Just a moment. I have not quite concluded my answer to the Senator from Utah. I will then answer any question that the Senator from Iowa may wish to propound. Every single State, moreover, has control over its judiciary. The members of the Federal court alone are appointed for life. The Federal court alone can disregard or even defy public opinion.

Mr. KING. Will the Senator yield?

Mr. OWEN. I intended to yield to the Senator from Iowa, but I will first yield to the Senator from Utah.

Mr. KING. Does not the Senator know that every State in the Union, at least every one with whose constitution I am familiar, has given to the supreme court or the highest judicial court of the State the same power to construe an act to be unconstitutional that I insist the Constitution of the United States gives to the Supreme Court of the United States?

Mr. OWEN. I do not. On the contrary, I will say to the Senator that while it is a fact some of the State courts have imitated the bad example of John Marshall, the State courts are subject to control and recall by the people of the States, and therefore a remedy exists not applicable to Federal judges appointed during good behavior—construed by the honorable judges as "for life." I now yield to the Senator from Iowa.

Mr. CUMMINS. Personally I believe the child-labor law to be constitutional, and I deplore the outcome of the litigation which grew out of it; but I want to get the view of the Senator from Oklahoma with regard to the function of the Supreme Court. The Constitution says that "the judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as Congress may from time to time ordain and establish." Does the Senator from Oklahoma make any distinction between the power of the Supreme Court to declare a law of Congress unconstitutional and its power to declare a law of a State unconstitutional?

Mr. OWEN. Certainly I do. There is a different law, of course, in interpreting the constitutionality of the laws of the States of the United States and interpreting the Federal law. I am speaking now simply of this particular instance of Federal laws. I do not wish to go into the question of interpreting the laws of the 48 States, but only the question at issue.

Mr. CUMMINS. I omitted one factor that ought to be supplied. Does the Senator make any distinction between the power of the Supreme Court to declare a law of Congress unconstitutional because it is repugnant to the Constitution of the United States and its power to declare the law of a State unconstitutional because it is repugnant to the Constitution of the United States?

Mr. OWEN. Yes, sir; I do.

Mr. CUMMINS. I would be very glad to hear the distinction the Senator makes.

Mr. OWEN. I do not care to go into that discussion. I think there is a very broad distinction; but in this case I will state broadly that I agree with the principle laid down by Sir William Blackstone. That ought to be a principle recognized by lawyers everywhere, although they have forgotten it since John Marshall rewrote the law, he being the patron saint of the bar with many. I think, with Thomas Jefferson, he ought to have been impeached immediately, because he was guilty of usurpation of the veto power in declaring the law of Congress unconstitutional. But the principle laid down by Blackstone is that the function of the judicial authority is to determine the meaning of the legislative branch when they express themselves by acts, and that where the law appears to be "grossly unreasonable" it is not for the judge to set the law aside because it is unreasonable, because, as Sir William Blackstone says, that would be substituting the judicial will for the legislative will. What I want to see established is that the people of the United States shall have the power of self-government and the right to govern through their representatives and to hold their representatives responsible.

Mr. CUMMINS. May I ask, then, a question at that point?

Mr. OWEN. Yes, sir.

Mr. CUMMINS. Suppose Congress did pass a law declaring slavery, subjecting the people of this country to involuntary servitude, does the Senator think that a law of that kind could be enforced? Does not the Senator think it would be declared unconstitutional?

Mr. OWEN. I will answer the Senator. He thinks the remedy would be in the Supreme Court. The remedy would not be in a court. The remedy for an act of base treachery and treason of that kind, if it were thinkable, would be first met by the retirement of every man who dared to vote for such an act, by the righteous indignation of the people of this country. That is the answer to the Senator's question, and that tells where the power lies. If Congress were to dare to pass an act of that kind, it is a question whether its members would physically survive to reach home, if they dared to go home. The Senator can not make good his plea in favor of the Supreme Court nullifying acts of Congress and usurping the veto power by so egregious a supposition.

Mr. KELLOGG. Mr. President, I am not going to trespass upon the time of the Senate at this late hour to discuss the legality of the child-labor law or the Senator's peculiar views upon government; but as a lawyer and as a legislator who took the oath of office which he mentions, and as a citizen of this country brought up to revere the Constitution and our governmental institutions, I can not allow the sun to go down without expressing my dissent from the doctrines expressed by the Senator from Oklahoma.

More than a century and a quarter ago our forefathers, with the experience of ages before them, formulated for the government of this people a written Constitution containing therein guaranties for the protection of life and liberty and the protection of our institutions, and wisely they divided that government into three parts—the legislative, the executive, and the judicial; the highest court of the land was established to see that the citizen was protected in his constitutional rights against the encroachments of the executive or the encroachments of the legislative, because unlimited power in all times has developed tyranny. Man is abusive of power, and over the power of the executive and the legislative was wisely placed the highest court of this land.

Sir, I believe it was a departure in the form of government. The light of this Government was lifted into the western skies, and it has illuminated the world. The guaranties of that Constitution could not possibly be enforced without a court to place the bounds upon power that overstepped the constitutional limitations. We might as well wipe out the Constitution as abolish the Supreme Court of the United States, which has for more than 100 years been the rock of the liberties of the American people.

Mr. President, I believe that the guaranties of that Constitution are better guides to follow in time of trouble and world disaster than any of the untried theories of political opportunists.

Mr. UNDERWOOD obtained the floor.

Mr. OWEN. Mr. President, I merely wish to say one word.

Mr. UNDERWOOD. I will yield.

Mr. OWEN. Nothing which I have said could possibly be interpreted as any purpose "to wipe out the Supreme Court." The only thing I have suggested to wipe out is an avoidable conflict between the Congress of the United States and the Supreme Court after the Congress has declared an act constitutional. I agree with the Senator that power unrestrained is dangerous and may lead to tyranny, but the power of Congress can not lead to tyranny, *because Congress must go back to the people themselves every two years* and be returned again as good and faithful Representatives. So the safeguard against the development of tyranny in Congress is in the people, not in the courts, and in the Constitution is abundantly provided for.

I should like to dissent further from the idea that three branches of government were established. There were established only two branches of the Government. One was the executive and the other was the legislative. The legislative comes first and the executive second, and the judiciary is really a branch of the executive, to interpret what the law means so the executive may execute it advisedly. The executive carries it out after the executive ascertains what the law means. I need not say more with regard to it at this time.

Mr. FALL. Before the Senator sits down, I wish to ask him a question. I have heard him speak upon this theme several times. What guaranty did the different States have that the power which they retained to themselves under the Constitution should remain in them and not be encroached upon by the Federal Government? They only delegated power. The States held the power; they delegated it to the National Government. Now, what power would protect the State in the power which it retains if it were not for the Supreme Court of the United States, just as it did in the case a day or two ago?

Mr. OWEN. The States need not apprehend that they will be denied any of their just rights by the people of the United States; and if the people of the United States should determine, as a matter of fact, that a State was doing things which it ought not to do and against the interest and rights of the great majority, the people of the United States would probably find the means of carrying out their will by the power that conscientious conviction would impose and the powers of the great majority. The people would never be hasty, unjust, or tyrannical. Only minorities are tyrannical.

Mr. FALL. The people have found such means heretofore; there is no question about that. But of course the line of legislation which some people are advocating is gradually and rapidly wiping out State rights

Mr. OWEN. I will say to the Senator very seriously that by the constitutions of the 48 States and by the Federal Constitution the sovereignty was vested in the people, and that is where I want it to remain. I do not approve the assumption of sovereignty by the Federal courts, and I am opposed to the court exercising the veto power over Congress and the President.

Mr. FALL. No; the residuum of power not directly by the terms of the instrument retained in the States, or by the terms of the instrument, or by necessary implication vested in the National Government, was retained by the tenth amendment to the Constitution in the people of the United States.

Mr. OWEN. Well, the sovereignty is undoubtedly in the people of the United States and there I wish it to remain. I am defending the Constitution of the United States.

Mr. FALL. Just as the sovereignty, of course, is in any people to get upon the hill and kick constitutions over and make new ones, if they want to do so.

Mr. OWEN. That is one of the powers which the people do have—the right to change their constitutions when they do not like them.

Mr. FALL. That is one of their inherent rights.

Mr. OWEN. That is one of their inherent rights, and it is declared in every State constitution, I think, without exception.

Mr. FALL. I do not know of any State constitutions containing any such declaration.

Mr. OWEN. It is contained in all of them without exception and is one of the necessary attributes of sovereignty. It is expressly and in plain terms declared in most of them, the quotations which I have heretofore placed in the CONGRESSIONAL RECORD.

In Senate Document No. 738, Sixty-fourth Congress, second session, will be found quite a free discussion of this matter, which may be of interest to Senators who care to go more fully into the question.

EXECUTIVE SESSION.

Mr. UNDERWOOD. I understand an executive session is desired for a few moments, and I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 7, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 6, 1918.

APPOINTMENT IN THE NATIONAL ARMY.

MEDICAL CORPS.

To be brigadier general with rank from June 3, 1918.

Col. Theodore C. Lyster, Medical Corps, National Army.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

INFANTRY.

To be first lieutenant with rank from October 25, 1917.

Second Lieut. Joseph A. Nichols.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Pay Inspector Joseph J. Cheatham to be a pay director in the Navy with the rank of captain from the 1st day of July, 1917 (subject to examinations required by law).

The following-named paymasters to be pay inspectors in the Navy with the rank of commander from the 1st day of July, 1917 (subject to examinations required by law):

John Irwin, jr.,
Grey Skipwith,
Eugene C. Tobey, and
Jonathan Brooks.

The following-named paymasters to be pay inspectors in the Navy with the rank of commander from the 1st day of July, 1917:

William A. Merritt and
McGill R. Goldsborough.

Paymaster William H. Doherty to be a pay inspector in the Navy with the rank of commander from the 1st day of January, 1918 (subject to examinations required by law).

Paymaster David M. Addison to be a pay inspector in the Navy with the rank of commander from the 10th day of January, 1918.

Lieut. Commander Kenneth G. Castleman, an additional number in grade, to be a commander in the Navy from the 1st day of July, 1917.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Hollaway H. Frost,
Hugh McC. Branham,
Walden L. Ainsworth,
Samuel W. King,
Robert H. Skelton,
Carlos A. Bailey,
Philip R. Baker,
Harold E. Snow, and
William H. O'Brien, jr.

The following-named boatswains to be chief boatswains in the Navy from the 19th day of February, 1918:

Michael J. Bresnahan,
Warner K. Bigger, and
Joseph Sperl.

Machinist William D. Dadd to be a chief machinist in the Navy from the 17th day of January, 1918.

Pay Clerk Maurice S. Hirshorn to be a chief pay clerk in the Navy from the 19th day of June, 1917.

Chief Gunner Franklin T. Applegate to be an ensign in the Navy, for temporary service, from the 1st day of July, 1917.

Ensign Franklin T. Applegate to be a lieutenant (junior grade) in the Navy, for temporary service, from the 15th day of October, 1917.

Chief Gunner Joseph F. Carmody to be an ensign in the Navy, for temporary service, from the 1st day of February, 1918.

Carpenter Frederick J. Silvernail to be an ensign in the Navy, for temporary service, from the 1st day of June, 1918.

The following-named temporary warrant officers to be ensigns in the Navy, for temporary service, from the 1st day of June, 1918:

Edwin J. Johannessen,
Harry J. Carey,
James H. Alvis,
Peter J. Riley,
Murray T. Wilkinson,
Otis A. Nicholas,
William Kasburg,
Joel R. Conrad,
Charles F. Hudson,
Robert E. Sammons,

Edwin V. Annatoyn,
James D. Barner,
Arthur L. Mundo,
Walter L. Hunley,
William Crofut,
Leo Kamponan, and
Leon W. Mills.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 1st day of June, 1918:

Edward W. Neville,
Fred E. Patrick,
Philip D. Butler,
John A. Westrom,
Edward Danielson,
Harry F. Breckel,
Clyde L. Lewis,
Joseph L. Norvell,
Joseph A. Wetzel,
Andrew Simmons, and
Arthur F. Dietrich.

Lieutenant (Junior Grade) De Coursey Fales, National Naval Volunteers, to be an ensign in the Navy, for temporary service, from the 1st day of June, 1918.

Ensign William J. Charles, National Naval Volunteers, to be an ensign in the Navy, for temporary service, from the 1st day of June, 1918.

The following ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 1st day of June, 1918:

John W. White,
Duncan P. Houser,
Edward H. Wardwell,
Francis H. Stone, and
Bartholomew J. Patterson.

The following-named pay clerks to be assistant paymasters in the Navy with the rank of ensign, for temporary service, from the 1st day of January, 1918:

John L. Cash and
Charles A. Sieck.

Vincent Le R. Bennett, a citizen of New York, to be an acting chaplain in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 22d day of May, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 6, 1918.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

To be first lieutenants.

Second Lieut. W. Dirk Van Ingen,
Second Lieut. Herbert V. Scanlan,
Second Lieut. Sigurd von Christierson,
Second Lieut. Kenneth O. Spinning,
Second Lieut. Curt E. Hansen,
Second Lieut. Vincent P. Ryan,
Second Lieut. Raymond C. Blatt,
Second Lieut. Clinton de Witt,
Second Lieut. Harold J. Adams,
Second Lieut. William B. Van Auken,
Second Lieut. Harold Kitson, and
Second Lieut. John Boies.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Paymaster Frederick K. Perkins to be a pay inspector with the rank of commander; and

Paymaster Franklin P. Sackett to be a paymaster with the rank of commander.

The following-named passed assistant surgeons to be surgeons with the rank of lieutenant commander:

Martin Donelson,
Myron C. Baker,
Elmer E. Curtis,
Dow H. Casto,
Charles W. O. Bunker,
Howard F. Lawrence,
Charles J. Holeman, and
Gordon D. Hale.

Passed Asst. Surg. Alexander B. Hayward to be a surgeon with the rank of lieutenant commander.

The following-named passed assistant surgeons to be surgeons with the rank of lieutenant commander:

Montgomery E. Higgins,
George W. Shepard,
Ernest W. Brown,
Dallas G. Sutton,
Lawrence M. Schmidt,
William Chambers,
Sankey Bacon,
Frank P. W. Hough,
Kent C. Melhorn,
Lee W. McGuire,
Joseph A. Biello,
George C. Rhoades,
Alfred J. Toulon, and
Harry H. Lane.

The following-named passed assistant paymasters to be paymasters with the rank of lieutenant commander:

John J. Luchsinger, jr.,
Eugene H. Douglass,
Robert K. Van Mater,
William S. Zane,
James C. Hilton,
Ellsworth H. Van Patten,
Joseph E. McDonald, and
Everett G. Morsell.

Passed Asst. Paymaster Thomas P. Ballenger to be a paymaster with the rank of lieutenant commander.

Passed Asst. Paymaster Frank T. Foxwell to be a paymaster with the rank of lieutenant commander.

The following-named passed assistant paymasters to be paymasters with the rank of lieutenant commander:

Richard H. Johnston,
Dallas B. Wainwright, jr.,
William H. Wilterdink,
George P. Shamer,
Omar D. Conger,
John F. O'Mara,
James P. Helm,
Frank Baldwin,
Patrick T. M. Lathrop,
Manning H. Philbrick,
Henry L. Beach,
John H. Knapp,
John L. Chatterton,
Fred E. McMillen, and
Maurice H. Karker.

Gunner Frederick G. Keyes to be a chief gunner.

Machinist George W. Robbins to be a chief machinist.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons with the rank of lieutenant (junior grade), for temporary service:

Hiram B. Duncan,
Elmer J. Morrison,
Robert H. Scott,
Robert K. Rewalt,
Harry V. Sims,
Melvin S. Stover,
Dana M. Collier,
Walter M. Brunet,
Samuel P. Bartley,
Richard P. Bell,
Arthur D. Burnett,
Charles F. Carter,
William S. Kerlin,
Ernest R. Schilling,
Herbert L. Arnold,
Walter E. Hennerich,
Lyle D. McMillan,
Harry B. Jablow,
John Pennington,
Enoch Calloway,
Grove Baldwin,
William A. Epstein,
Robert C. Hannigen,
John A. Cloyd,
Charles T. McGregor,
Alfred M. Kahn,
William H. Schellhamer,
Philip Levey,
Harry J. Noble,
Dudley D. Schoenfeld,
Charles C. Wolcott,
Paul W. Bloxsom,
Elmer C. Texter,
Malcolm L. Pratt,
Walter J. Muellenhager,
Alfred C. Labine,
Royal K. Joslin,
Arthur H. Pierson,
Thomas H. Sharp,

Cecil G. Sutherlin,
Hadley H. Teter,
Calvin N. Caldwell,
David H. McCall,
James A. Fountain,
Alfred G. Tinney,
Charles A. Cullen,
William F. Krone,
John S. Von Winkle,
Lawrence C. Chisholm,
George W. Ruger,
Herman C. Petterson,
Howard Rouse,
Nelson A. Bryan,
Henry P. Merrill,
Warwick T. Brown,
James L. Pierce,
Avery H. Sarno,
David W. Register,
Harrison L. Wyatt,
Myron L. Curtner,
Rolfe Tainter,
Gustaf A. Larson,
John A. Judy,
Grover C. Freeman,
Frederick W. Muller,
Harry E. Kaplan,
John J. Blue,
William R. Leahy,
Houston B. Fite,
John L. Cremens,
Carlyle J. Edwards,
Gilbert H. Larson,
Carl O. Fischer,
Edwin G. Stork,
Ralph E. Duncan,
Henry C. Mahnken,
John R. Frank,
Everett K. Gear,
Adolph G. Sund,
Alfred L. Arnold,
Jared E. Clarke,
Hillard L. Weer,
Charles M. Glassmire,
Bryant E. Moulton,
Randall Clifford,
John B. Craig,
Willis D. Hall,
Samuel E. Johnson,
Bathune F. McDonald,
Marvin M. Gould,
Robert F. Zeiss,
Arthur C. Dean,
Robert S. Wood,
Thomas H. Russell,
Henry D. Stewart,
Alva G. Thomas,
Waldemar R. Metz,
Daniel P. Platt,
Gardner N. Cobb,
Kirk B. Bard,
Jacob S. Rosenthal,
William A. Frascolla,
Henry DeW. Hubbard,
Kenneth D. Legge,
John A. Marsh,
Roy L. Fielder,
Arthur Goettsch,
Reuben H. Hunt,
Earl H. Mitchell,
William A. Morgan,
Russell C. Ryan,
Thomas Soltz,
Grover C. Todd,
Paul B. Welch,
James B. Bert,
Robert E. Henderson,
Warren A. Van Derveer,
Ralph A. Gowdy,
Calvin H. Childress,
Clement J. Friedman,
James K. Gordon,
Paul P. Maher,
Lance E. Briscoe,
Alvin O. Sibila,
John B. Healy,
Julian P. Johnson,
Harry B. Krummes,
Howard H. Montgomery,
Philip H. Decker,
Lafayette T. Miller,
Frank L. Hubbard,
Jose A. Perez,
Ray E. A. Pomeroy,
Grady R. Roberts,
Leighton A. Smith,
Charles B. Wade,
Charles F. Graham,
John M. Emmett,
Wendell P. Blake,
Frank E. Sayers,
Woodhull L. Condict,
Charles L. Fackler,
Mervin C. Myerson,
Harry M. Biffar,
Ivan M. Proctor,
Richard Owen,
William H. Olds,
Joseph M. Archibold,
Henry A. Bruckshaw,
Joseph C. Brugman,
William P. Mull,
Anthony Stadtherr,
Gordon A. Grimland,
Bronson E. Summers,
William E. Costolow,
Charles Lieber,
Jesse W. Smith,
John C. Wieters,
J. Hart Toland,
William R. Turner,
George A. Enion,
Carl H. Fornell,
Charles M. Hatcher,
William B. James,
W. Iden King,
George M. Richards,
Alexander S. Walker,
Richard D. Anderson,
Max Shaweker,
Talmadge Weatherly,
Paul L. Holliday,
John E. Linden,
Richard W. Vaughan,
Walter R. Parker,
Robert V. Williams,
Winthrop Adams,
Vernon E. Babington,
William A. Reese,
John A. Salb,
Harry J. Dooley,
Howard L. Dovey,
William F. Kennedy,
Edgar F. McCall,
Clarence S. McKee,
Eugene Torrey,
John M. Walker,
Charles J. V. Fries,
Eugene T. Morrison,
McClure Scott,
Harvey L. Bassinger,
Thomas L. Carter,
James C. Walker,
Clarence P. Curley,
Mercer C. Parrott,
Karl McC. Scott,
Joseph P. Israel,
Aibert G. Wenzell,
Joseph J. Mundell,
Mendel L. Cohn,
Paul J. Flory,
Edwin C. Thomas,
Clarance A. Whitcomb,
Francis D. Walker,
Louis F. Garben,
Royal A. McCune,
Edward L. McDermott,
Alfredo DeYoanna,
Saverio DeYoanna,
John G. Downey,

Joseph F. Montague,
Thomas C. Redfern,
John T. Short,
John Casagrande,
George E. McLaughlin,
Russell S. Boles,
Arnold E. Saverien,
Joseph J. Toland,
Theodore Warner,
Robert L. McMahon,
Thomas A. Ratliffe,
Franklin C. Hill,
Glaister H. Ashley,
Arthur Wildman,
Walter A. Bacon,
George T. Polk,
Lyell C. Kinney,
Raymond Lewis,
Philip D. Werum,
William H. Wynn,
Stanley Nichols,
Cyrus C. Brown,
James M. Nichols,
William F. Crouse,
Robert C. Leddy,
Charles R. Tatum,
Benjamin H. Viau,
Charles W. Brown,
Harry D. Conley,
Harris B. Corey,
Paul G. Parker,
Claude Timberlake,
Harry L. Howell,
Jacob Applebaum,
Tena L. Eyerly,
Charles L. Warner,
John C. Clayton,
Robert D. Hostetter,
Leo B. Norris,
Abraham Jablons, and
Bertie T. Larson.

The following-named assistant surgeons of the United States Naval Reserve Force to be assistant surgeons with the rank of lieutenant (junior grade), for temporary service:

James F. Finnegan,
Glenn J. Parker,
Christopher C. Gardner,
Charles W. Lane,
Robert S. Irvine,
Irving Gray,
John J. Keegan,
Edwin Peterson,
Samuel Eisler,
Carl J. Bucher,
Samuel Z. Myers,
Richard T. Powers,
Mylnor W. Beach,
Verner B. Callomon,
Fred J. Eakins,
Robert M. Entwisle,
Joseph B. Helm,
Charles Koenigsberger,
Francis H. Lee,
John A. McLain,
Leo T. McNichols,
Albert M. Mitchell,
Trygve Oftedal,
George U. Pillmore,
Earl B. Rinker,
Louis H. Segar,
Edward S. Smith,
James C. Doughty,
Louis H. Douglass,
Howell C. Johnston,
Arthur S. Judy,
Linwood H. Justis,
Horace G. Longaker,
Sterling N. Pierce,
Robert G. Reaves,
Charles B. Blenshy,
John W. Gainey,
Edward R. Messer,
James F. Churchill,
Gaetano De Yoanna,
Robert H. Donnell,
Joseph Visalli,
Maurice T. Briggs,
Carroll H. Fowlkes,
Henry L. Holzberg,
Henry L. Marshall,
Charles J. C. Gillon,
Byron M. Harman,
Walter C. Payne,
James F. Runner,
Henry B. Conrad,
Earl S. Pomeroy,
Benjamin Thane,
William R. Redden,
Francis B. Galbraith,
Frank S. Johns,
Hiram F. Leshin,
Will L. Brown,
Horace S. Craigin,
William R. Lightbody,
Arthur A. Neubauer,
Robert E. Cleary,
Raymond D. Fear,
Maurice A. Aaronson,
Harry J. Vaughan,
Arthur L. Gaetani,
Bruno J. W. Glaubitz,
Raymond R. Simmons,
Gurdon S. Allyn,
Thomas H. Cherry,
Lewis G. Avery,
William W. Davies,
Andrew J. Hedgcock,
Maurice Joses,
Fred N. Pugsley,
James B. Latimer,
John H. Morrissey,
Floyd W. Rice,
Ellis M. Spoont,
Ardemore A. Stott,
Samuel S. Watkins,
Thomas F. Duhigg,
Lloyd A. Kennell,
Conrad O. Rogne,
Ronald B. Rogers,
Corydon M. Ryon,
Bernard J. O'Neill,
Fred H. Gebhardt,
Joseph F. Rowe,
John C. Lindsay,
John R. Lynch,
Edward D. Leete,
Cope M. Blackford,
Fred C. Smith,
James O. Walker,
Jesse C. Horton,
Thomas C. Little,
Solomon Schneider,
Edwin Janss,
Isaac N. Ratchford,
Charles C. Richards,
Claude D. Roop,
Arthur Van Dusen,
Camille M. Shaar,
Benjamin W. Gaines,
Thomas G. McDonald,
Ian D. Tiedmann,
Milton H. Schutz,
Howard T. Child,
Robert A. Schless,
William F. Broadhead,
Edward L. Lingeman,
Samuel Cline,
James D. Benjamin,
Hugh F. Lena,
Jules Magnette,
Reuben G. McCall,
William K. Otis,
Edward D. Archibald,
Enoch G. Brian,
Charles R. Hughes,
Harry E. Kleinschmidt,
Fred A. Rieckhoff,
Craig Worth,
Emmett J. Brady,
Fremont Cummins,

Harry A. Keener, and
Edward J. Cummings.

Pay Clerk Ransom C. Wall to be an assistant paymaster with the rank of ensign, for temporary service.

The following-named citizens to be acting chaplains with the rank of lieutenant (junior grade), for temporary service:

Robert H. Blackshear,
Joseph A. Perkins,
William P. Reagor, and
Reuben W. Shrum.

John F. B. Carruthers to be an acting chaplain with the rank of lieutenant (junior grade), for temporary service.

Frank Halford to be a major in the Marine Corps.

POSTMASTERS.

GEORGIA.

Homer R. Chesnutt, Lawrenceville.
Jesse H. Hicks, Chickamauga.
Foster D. Smith, Greensboro.

KANSAS.

Eula Ensor, Towanda.

MINNESOTA.

Arthur D. Bornemann, Hallock.
Fred F. Campbell, White Bear Lake.

OKLAHOMA.

James M. Dixon, Miami.
Russell L. Floyd, Waynoka.
Rose F. Gaunt, Porter.
Harvey H. Harp, Gracemont.
Myrtle E. Morgan, Minco.
Emery C. Quigley, Fairfax.
Maud Riley, Keifer.

PENNSYLVANIA.

Arthur J. Sechler, Cherry Tree.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 6, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we thank Thee for that deep and abiding faith Thou hast woven into our being, and which amid all the changing scenes of life holds us close to Thee, strengthens us for every duty, comforts us in every sorrow, and makes us wise to choose amid its perplexing problems. Life is a precious boon, but we realize that it brings with it great responsibilities, for it is writ, "The wages of sin is death, but the gift of God is eternal life, through Jesus Christ our Lord"; and whatever else we may do, grant that we may never lose faith in the love of God and His overruling power for good; that we may march on to victory, as individuals and as a Nation, now and always, under the spiritual leadership of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

NATHAN HALE.

Mr. LONERGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life and achievements of Nathan Hale, Revolutionary hero, to-day marking the anniversary of his birth.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD on the life and achievements of Nathan Hale. Is there objection?

There was no objection.

WITHDRAWAL OF PAPERS.

Mr. STRONG, by unanimous consent, was given leave to withdraw from the files of the House, without leaving copies, papers in the case of Ellen Carrier, H. R. 5461, Sixty-fourth Congress, no adverse report having been made thereon.

PROPOSED VOYAGE OF HOSPITAL SHIP "COMFORT."

Mr. HUSTED. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

Mr. GARNER. On what subject.

Mr. HUSTED. On the proposed voyage of the hospital ship *Comfort*, a Red Cross ship.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. HUSTED. Mr. Speaker, several days ago I noticed in one of the New York papers that the Government proposed to send over the new hospital ship *Comfort* without a convoy for the purpose of testing the humanity of the German naval war lords. I did not believe that report was true. It did not seem to me that it could be possible, but I noticed in this morning's New York World a detailed statement to the effect that that ship was to be sent over absolutely without protection, without convoy, without having any defensive weapon on board, with the lights on that vessel blazing at night, for the purpose of testing the humanity of the Huns.

Now, it seems to me that this is a heads-I-win-tails-you-lose proposition from the standpoint of the German Government. If the Germans refrain from attacking that ship they will refrain from national psychological reasons and use them as an important contribution to their propaganda. On the other hand, if the ship is attacked we expose the lives of 200 men and a valuable ship unnecessarily, because I have great confidence in the ability of our Navy to protect our troop ships and protect our hospital ships on the high seas. We know that the Germans have attacked British hospital ships and we know that they have attacked the Red Cross hospitals in France.

When I was in France last winter I made a special investigation into that matter, and I found that in one case, at least, the Germans admitted that they had bombed a Red Cross hospital from the air; that they did it intentionally, and they gave the frivolous excuse that artillery batteries were located in the grounds of the hospital.

Mr. Pratt, vice president of the Standard Oil Co., returned from France a few days ago, where we had been organizing Young Men's Christian Association camps. He brings us the report that the Germans have crucified two American soldiers. We learn that in the recent attack by submarines off our coast they have riddled lifeboats with machine-gun bullets. I sincerely trust that it is not the intention of the Government to do any such foolish thing, and if it is the intention of the Government to send over a ship without any protection whatever, I think steps should be taken at once to stop it. [Applause.]

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I ask unanimous consent to withdraw the conference report on the Post Office appropriation bill (H. R. 7237, H. Rept. No. 627) to correct a slight error.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to withdraw the conference report on the Post Office appropriation bill to correct an error. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I would like to know whether after the report is corrected the gentleman intends to call the report up to-morrow?

Mr. MOON. I do not know; we want to meet this evening and correct the mistake and then report it back.

Mr. MOORE of Pennsylvania. It will have to be then printed, under the rule.

Mr. MOON. Yes.

Mr. MOORE of Pennsylvania. That will take another day.

Mr. MOON. It may.

Mr. MOORE of Pennsylvania. Does the gentleman intend to call it up on Saturday?

Mr. MOON. I do not know.

Mr. MOORE of Pennsylvania. If the gentleman will agree to have the report called up on Monday I will not object.

Mr. MOON. If the gentleman wants to object I shall not interpose.

Mr. MOORE of Pennsylvania. The gentleman from Tennessee will facilitate the passage of the bill and add to the convenience of many Members if he will indicate when he will call up the report.

Mr. MOON. It will be impossible. I do not want to inconvenience any man, and I want every man to be here.

Mr. MOORE of Pennsylvania. I understand the gentleman from Tennessee is not very well to-day, but if he will say that he will not call the bill up on Saturday it will be a great convenience to Members.

Mr. MOON. If it is a matter of convenience to any Member of the House, I will say that it will not be taken up before Monday.

Mr. JOHNSON of Kentucky. I hope the gentleman will not bind himself to take it up on Monday, because that is District day.

Mr. MOON. I have not committed myself to take it up on Monday. I said I would not call it up before Monday.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Did I correctly understand that the request of the gentleman from Tennessee [Mr. MOON] was to withdraw the conference report?

The SPEAKER. Yes.

Mr. STAFFORD. Then I assume that under parliamentary practice it will be necessary for him to present the report when it conforms to the revised form to meet his wishes.

The SPEAKER. The Chair would think that he would have the right to file his report when he got ready, without any ceremony about it.

Mr. STAFFORD. I assume that it is to be presented again under the rules of the House, having been withdrawn.

The SPEAKER. If any gentleman is contentious about it, the Chair thinks he would have to do that. So the gentleman from Tennessee had better get his report fixed up and hand it in from the floor.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4151. An act to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, conferring jurisdiction upon district courts to partition lands belonging to full-blood heirs of allottees of the Five Civilized Tribes, and for other purposes;

S. 2380. An act granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualification of electors; and

S. 1549. An act to require numbering and recording of undocumented vessels.

PROTECTION OF MIGRATORY BIRDS.

Under the order previously adopted the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, with Mr. KEATING in the chair.

Mr. RAKER. Mr. Chairman, so as to save time in the discussion of section 5 of this bill the entire question is raised upon the amendment that is pending, and I would like to present the matter before this particular amendment is voted on. The time for debate on this amendment has been limited, and I ask unanimous consent that I may have 15 minutes to discuss the provisions of section 5. It will save time afterwards.

The CHAIRMAN. The gentleman from California [Mr. RAKER] asks unanimous consent that he may have 15 minutes in which to discuss section 5. Is there objection?

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Will the gentleman's 15 minutes come out of the time which has been agreed upon heretofore for debate?

The CHAIRMAN. No; it would add 15 minutes to that time.

Mr. MILLER of Minnesota. Reserving the right to object, do I understand that the 15 minutes in addition to the 40 minutes agreed upon will constitute the entire period of time for the debate of section 5?

Mr. RAKER. Not at all. I just wanted to get the facts with reference to section 5 before the House.

Mr. MILLER of Minnesota. It certainly will not be fair to give the gentleman 15 minutes and not give time to other Members.

Mr. RAKER. Having begun my statement the other night, I should like to complete it on the provisions of section 5 at this time.

Mr. MILLER of Minnesota. Still reserving the right to object, I am surprised that the gentleman needs any more time. I read with a great deal of care and interest and delight and charm and inspiration an article in an evening paper published yesterday, stating that the gentleman from California [Mr. RAKER] had accomplished wonders, and performed the entire operation of convincing the House that his committee and myself were wrong and that he was right. Now, what does he want to talk about any more.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. MILLER of Minnesota. I object.

The CHAIRMAN. The gentleman from Minnesota objects. The gentleman from Virginia [Mr. FLOOD] has 15 minutes and the gentleman from Minnesota [Mr. MILLER] has 20 minutes.

Mr. FLOOD. Mr. Chairman, will the gentleman from Minnesota consume some of his time?

Mr. MILLER of Minnesota. I think that is perfectly fair; but the gentleman from Virginia [Mr. FLOOD] proposes the amendment, and I would rather have him present some reason for adopting the amendment.

Mr. FLOOD. Mr. Chairman, all I wish to say in reference to the amendment I have proposed is that the general policy of the States of this Union has been not to search dwelling houses or houses on the premises of suspected persons without a search warrant. There was a strong sentiment in the Committee on Foreign Affairs in favor of adhering to this policy, and a strong sentiment in the House in favor of it, and in deference to that sentiment I have offered this amendment. I do not believe it is a very important amendment, because I do not think any of the people of this country will suffer at the hands of the officials of the Department of Agriculture in the enforcement of this measure if this amendment is not adopted. On the other hand, I think with this amendment it is absolutely certain that these officials will enforce the provisions of this law just as well as they would under this bill as it was reported from the committee; and in deference to the sentiment, not only in the committee and in the House but in the country, with reference to searches without warrant, I hope the amendment will be adopted and put in the bill, as I think it will popularize the bill not only here but in the country. [Applause.]

Mr. WELLING. Mr. Chairman, I ask unanimous consent that the amendment be again reported, so we will know what we are talking about.

The CHAIRMAN. Without objection, the amendment will be again reported.

The Clerk read as follows:

Amendment offered by Mr. FLOOD: Page 4, line 7, strike out the word "without" and insert in lieu thereof the word "with"; page 4, lines 8 and 9, strike out the words "other than a dwelling, and, with warrant, to search any dwelling."

Mr. MILLER of Minnesota. Mr. Chairman, I hope I may have the attention of Members for a few minutes, in which I shall try to present the issue raised by this amendment. It may be that after the first part of my remarks what I shall say will not be so important. Therefore I do not urge that perfect attention which I hope to receive during my opening remarks.

It is true, as the gentleman from Virginia [Mr. FLOOD] has just stated, that when this item was before the committee it was the subject of much discussion and divided opinion. It is only fair to him and to others to say that the vote was exceedingly close, and the vote was taken several times. However, the fact that the bill is reported in the form it is indicates that a majority of the committee were of the opinion that the amendment he now proposes should not be adopted. Therefore I desire to have it distinctly understood by the Members of the House that this amendment offered by the gentleman from Virginia expresses his views and the views of a portion of the committee, but that it is not a committee amendment and does not represent the views of a majority of the committee, at least as the committee was represented at the time the vote was taken.

I do not agree with the gentleman that this is not a vital matter. I consider it such. It is not vital in the sense that the bill is worthless if it is adopted at all. The bill will be a very valuable bill even if it is adopted, but if it is rejected and the language is retained that is now written in the bill, it will be infinitely better in accomplishing the purposes in view. The difference is not very great between the two ideas. The language of the bill provides this, that if one of these officers whose business it is to enforce the terms of this bill shall behold a man violating the terms of the bill in his presence, he can arrest him. Is there any man here of the opinion that he should not have that authority That is a universal practice, found in every jurisdiction so far as I know, where the English language is spoken.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a brief question?

Mr. MILLER of Minnesota. Yes.

Mr. WALSH. It would also cover a violation of the regulations, would it not?

Mr. MILLER of Minnesota. That is entirely true. There is nothing in the bill to violate particularly. The regulations are the vital feature of the bill. The gentleman is entirely right to say that a violation of the regulation is an offense which, if observed personally, there on the ground, by the police officer, would give him the right under the terms of the bill to arrest the man committing the misdemeanor. This is simply a misdemeanor, and in every jurisdiction, so far as I know, where the English language is spoken to-day throughout the world a police officer charged with the enforcement of the

law is authorized to arrest a man committing a misdemeanor in his presence. Second, if the crime is not committed in his presence, he has got to find evidence of its commission.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. And here is where this kind of a law is particularly difficult of enforcement. Experience has shown that unless you clothe your police officers with very great power—yes; inquisitorial power; power that on the face looks abhorrent to the average man—you might just as well not write your law. I yield for a question.

Mr. MOORE of Pennsylvania. Suppose the regulations carried a penalty of some kind. Should the power of arrest be conferred upon a department officer?

Mr. MILLER of Minnesota. They undoubtedly will carry a penalty. Of course the officer ought to have the right to arrest. It will not be his province, however, to determine the man's guilt or to impose a fine or a penalty. That will be a matter for the court.

Mr. MOORE of Pennsylvania. Go one step further. Let me inquire whether the department should have the power by regulation to impose a penalty or imprisonment upon a citizen.

Mr. MILLER of Minnesota. That is a constitutional question and an important one that received consideration at the hands of the committee, as was proper. It seems to be the unquestioned law that you can intrust to an executive officer the making of rules and regulations to carry out an act, failure to obey which on the part of any citizen will subject him to arrest and punishment.

Mr. MOORE of Pennsylvania. Does the gentleman think Congress ought to confer upon a department the power to make regulations which involve the imprisonment of an individual.

Mr. MILLER of Minnesota. Yes; I do. In this case it is necessary.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Mr. Chairman, I must decline to yield for a few minutes. I desire first to complete my statement, and then I will be glad to yield to any gentleman who has any question to ask. Rules and regulations providing the open and close season can not be exactly the same for all sections of the United States, because we have climate differences which must be considered. We also have geographic situations which must be considered. In different sections that which would be a fair rule for one would not be a fair rule for another. Manifestly that is a kind of legislation exceedingly difficult for a general body such as this, first, to acquire information upon; and, second, intelligently to legislate upon. That is the exact kind of subject that should be intrusted to a group of scientific men charged with the responsibility of forming the rules and regulations, and if you give them the authority thus to form the rules and regulations it naturally devolves upon them the authority to frame the punishment. It, however, is a misdemeanor and the punishment can not be very great. Let me add further——

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. I can not yet; I shall a little later. As the matter stands before the country the Department of Agriculture is not going to act in any high-handed or arbitrary manner. Let it be understood all through this discussion that the various game commissions of the United States are consulted, are giving their experience, are furnishing to the Secretary of Agriculture their advice and cooperation, and their assistance is constantly used by the department.

The various game commissions of the respective States cooperate with the Department of Agriculture in order that just rules and regulations may be adopted. Experience easily may show that a rule or regulation adopted for, say, Oregon, or for South Carolina, may not be the best. It should not be necessary that they wait for an act of Congress to change that rule or regulation. They should have authority and power to act quickly. Let me again urge that the only way on earth that any law of this kind can be made effective is by the cooperation of the people of the respective States, made officially through their game commissions. You could write all the law in the world for the protection of game and no protection would result unless you had the cooperation of the people in the various localities where the law is to operate. Now, as the bill is drawn it permits this. It permits the police officer trying to get evidence against a man who has committed a breach of the law, in order to get that evidence, to go and get a warrant and search a dwelling house. Now, ought not he to have that power? Unless you give to the agent or to the person authorized to administer this law power to search the house and premises of the man, the malefactor, you might as well not write the law at all.

Mr. MONDELL. Now, will the gentleman yield?

Mr. MILLER of Minnesota. I can not yield now; I have so stated to the gentleman three times. I will indicate to the gentleman when I can. It will be but a very few minutes, I will say to my friend from Wyoming. Why, just think how the matter stands. The enforcement of game-protection laws discloses that the place of all places you have to close up are the restaurants and hotels of the great cities. Those are the dwelling places, there are many people within them, and many of the hotel proprietors reside there and claim that is their dwelling house, and get away with it in the enforcement of these laws. Unless you can search their hotel, their ice box, the law is inoperative and ineffective. Suppose a man has been killing game, committing a breach of this law, and taking that game home, as he will take it home—where else would he take it—you can not convict him nine cases out of ten unless you can secure the actual physical evidence.

Mr. BUTLER. Get him and the bird, too.

Mr. MILLER of Minnesota. Get him and the bird, too; and then you have a conviction. If he finds a man's ice box has a fine brace of Mallard ducks out of season, then it is up to him to explain how he got them, as he ought to be required to do. Any man who wants to make game protection impossible or doubtful of operation, just let him fail to support a law that will authorize a man to go and get evidence in the only place where evidence exists.

When men take a rod or a gun out into the open world, they are away from the eyes of men largely, and they carry back home the game out of sight of man and conceal it, and in order to make the law effective you have got to enable the police officer to go and seek out the evidence wherever it may be. Now, that is the usual rule that prevails wherever the English-speaking people live, that in order to search a man's dwelling house he will have to be armed with a warrant, but he can not secure a warrant until he has proven somewhat his case before the proper official who issues the warrant. He can not trust to mere speculation or some whim in getting a warrant, he has got to have a reason to believe that in the execution of the warrant the evidence will be procured and produced, and he must satisfy the issuing officer that there is reason back of his request. Now, the next step, and the last one that the terms of the bill as drawn bring into issue, is this: We authorize in the language here a police officer or the person charged with the duty of administering this law to go and search the premises that are occupied as a dwelling and to do it without a warrant. Now, that is a somewhat drastic power; no man can deny it; but I want to say to you that the experience of every efficient game commissioner in the United States has shown that that power must exist. This is not speculation on my part. We are accustomed to speak in glowing terms of the beauties of the respective districts we represent, and I perhaps may be justified in saying that I believe that northern Wisconsin and northern Minnesota to-day furnish the best sportsman's paradise to be found on the American continent; at least the parts that are adjacent and near to large bodies of people. Those two States years ago recognized, although they had abundance of moose, an abundance of deer, many beaver, otter, fox, ducks by the hundreds of millions, pigeons, plover, grouse, snipe, prairie chickens—everything, though they had them in enormous quantities, that if they were to be permitted as part of the State to bless mankind that they had to be protected. Many efforts toward protection were made but failed of result, and this is a law of Minnesota and Wisconsin. I want to say to you that the game of those two States to-day is perfectly protected. No man can say that the power given to the game wardens of those two States is ever used in a way that violates unnecessarily the rights of man. Could you submit this to a vote of the people of those two States to-day you would find it almost unanimously carried. The only people who would vote against it would be the restaurant people, hotel keepers, and the pot hunters. Now, why is this essential? Leaving out many very vital factors in the case, ducks do not flutter around great cities nor around mill ponds. You must go into the wilderness or to a lake, where people are not in large numbers, in order to find any duck shooting. That is true of other game as well. The man who shoots ducks, who shoots deer, or other game, does it almost always alone by himself. If he is allowed to take that plunder back and cache it in a shack or cache it in any kind of a shanty he might use on the place or maybe in the wilderness, which would be most likely the case, when the game warden comes and tries to get the evidence of his guilt, the man can stand and put his hands in his pocket and spit in his face, like they do. In the Northern States there are lumber camps everywhere existing. We have been trying for years to stop the pot hunters from shooting game of this kind and selling it to the lumber camps. They have at last stopped them, because

they can go into the lumber camps, as the game wardens do in the States of Minnesota and Wisconsin, and if they find evidence of somebody's killing there, the whole caboodle of them are obliged to answer, and you can rest assured that they are careful they did not commit the crime.

Mr. FESS. Will the gentleman now yield for a question?

Mr. MILLER of Minnesota. I will be very glad to do so now.

Mr. FESS. Is it not true that this authority so written as to go into premises, but not a dwelling, without a warrant is found not only in the two States you name but generally throughout the States in the Union?

Mr. MILLER of Minnesota. I thank the gentleman. I intended to make that statement, but had overlooked it. I cited these two States as illustration, because I think they have been most effective of any of the States in the Union in game protection. But it is as the gentleman from Ohio has just stated, that the experience of all the States has shown that you have got to give this power, drastic as it may seem, to the men charged with the duties of administering this law, or you might just as well not write any law.

Mr. WALSH. The gentleman is aware, of course, that when we passed the espionage law we had a certain warrant provision in it. I would like to ask him if he thinks we should give a wider latitude to officers in the enforcement of this law than we did to officers who are engaged in seeking to round up plotters?

Mr. MILLER of Minnesota. I certainly do, because under the espionage law you are not going to look for evidence in the lakes and in the marshes and forests.

Mr. WALSH. I am thinking of stores and other buildings?

Mr. MILLER of Minnesota. My dear sir, the terms of this bill as drawn are in harmony with the terms of the espionage bill so far as dwellings are concerned. This does not permit the search of any dwelling without a warrant. If you adopt the amendment as proposed, dwellings will be sacred and you can not search them at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the time be extended 10 minutes on a side.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time be extended for 10 minutes on a side, making 20 minutes in all.

Mr. FOSTER. I object, Mr. Chairman.

Mr. FLOOD. Mr. Chairman, I yield nine minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentleman of the committee, I want to state in advance, so that there can be no misunderstanding of what I say, that I am in favor of the policy of this legislation. I am in favor of enacting a law that will be constitutional and will be enforcible and one that the courts may uphold, one that will protect the wild life of America. But I want to say to you and call your attention to it, that section 5 as changed by the committee amendment, with the amendment now suggested by the distinguished gentleman from Virginia [Mr. FLOOD] is unconstitutional, and the court would be compelled to hold the whole act unconstitutional by virtue of the provisions of the language therein.

There can be no doubt that the officers appointed should be officers of the United States, with the power to arrest without warrant when the offense is committed in their view and in their presence. Second, that the officer appointed by the Department of Agriculture should have the power of serving a warrant of arrest. There is no doubt on that. Third, there should be no question that the officer authorized under this act should have the power of executing a search warrant. There is no doubt upon that. But now I want to call the attention of the committee to the situation as it now stands.

Amendment No. IV of the Federal Constitution provides as follows, and this is fundamental; there is no doubt about this. Therefore, any law that Congress might enact contrary to this constitutional provision is unconstitutional and illegal. Amendment No. IV of the Constitution reads as follows:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

I want to lay it down before this House that Congress has not the power to authorize a search warrant to be used and issued by anyone unless it complies with the constitutional provisions. In other words, an officer can not search a man's place without a search warrant. And that search warrant can only be procured upon affidavit showing probable cause, and that search warrant must be issued by a court within its jurisdiction.

Now, the constitution of California reenacts the provision I have just read—Amendment IV of the United States Constitution—and it reads as follows:

> The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches shall not be violated, and no warrant shall issue but upon reasonable cause supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Now, I want to call the committee's attention to the fact that, so far as my investigation has gone this morning and last night, every State in the Union in its bill of rights has reenacted in its constitution the provisions of Article IV of the Federal Constitution. You will find them in the work entitled "The State Constitutions, by Kettlebury." The gentleman from Minnesota says they have such a law in his State. I will guarantee him right now that Minnesota has never passed a law to violate subdivision 10, Article I, of the United States Constitution, permitting search of premises of any kind or persons without compliance with the above referred to constitutional provision. Why, it is fundamental. There is no provision anywhere or at any place to that effect, and why enact in this law a provision which makes it unconstitutional and that will defeat the bill when it is brought before the courts for consideration?

I want to call the committee's attention particularly to the language of the bill as suggested to be amended. The amendment offered by the chairman of the committee to some extent relieves the objection made. But let me call your attention to the language as it now appears in the bill as thus offered to be amended by the gentleman from Virginia:

> Shall have authority with warrant—

To do what? Now, listen:

> Shall have authority with warrant to search any place if he shall have reason to suspect that there is concealed therein any bird—

And so forth.

Mr. BLAND. Will the gentleman yield?

Mr. RAKER. I can not yield for the moment. I want to convey this idea. I want to say there ought to be in the provisions of the bill the authorization of these men to execute a search warrant. Now, they can not take an ordinary warrant as provided in this bill and search any place. But under the bill, if he suspects or if he believes that it is necessary and proper to search any place or any person anywhere, he can go and search it with this warrant, and that is the authority given to him by the provisions of this bill.

The point I am contending for is that under the United States Constitution and under all the State constitutions the law in regard to search warrants is, first, you can obtain a search warrant only under certain conditions; namely, you have got to appear before a court having jurisdiction, you have got to show in your affidavit probable cause that the thing exists, that there is a concealment of money that you want, or property, or some evidence or item, or that there is liquor improperly stowed away or game improperly stowed away, and so forth; and then the court issues a search warrant, but not before or otherwise.

A warrant thus issued is a search warrant under the law. The officer, whoever he may be, knows his duty. He knows what he can do. He can go to the place named in the warrant and search it. It is wholly immaterial what such officer might think or say or suppose. It is none of his business. Jones or anyone else may have applied for and obtained the issuance of the search warrant. The officer to whom it is delivered knows nothing about it. He has the search warrant, and it is his official duty to execute it, or he may personally swear out the search warrant, and when the court delivers to him that search warrant, upon its face alone circumscribes his power or jurisdiction by the language in it. No State, I am happy to say, has ever, as yet, tried to break down by legislation that fundamental principle embodied in the Federal Constitution and in the constitutions of the several States as to searches and seizures. It was of the first amendments adopted to the Constitution of the United States, and it has not been violated. It has not been attempted to be violated. There is no reason here why this fundamental principle of American liberty and democracy should be violated. Why we should attempt to enact a law that upon its face is unconstitutional I can not quite understand. This bill can be easily amended in this important particular, and I most earnestly urge upon the committee that it be so properly amended before it leaves the Committee of the Whole.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAKER. I would like to have five minutes more in order that I may conclude my remarks on this amendment.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for five minutes more. Is there objection?

Mr. MILLER of Minnesota. I object.

The CHAIRMAN. The gentleman from Minnesota objects.

Mr. STAFFORD. Mr. Chairman, I make the point of order that there is no quorum present. If we can not have debate on this subject, I want a full House here.

The CHAIRMAN. The gentleman from Wisconsin makes the point of order that there is no quorum present.

Mr. RAKER. Will the gentleman withhold that for a moment?

Mr. STAFFORD. I will withdraw it for the present.

The CHAIRMAN. Does the gentleman withhold his point?

Mr. STAFFORD. Yes.

Mr. RAKER. Mr. Chairman, to the end that my argument may be applicable, I ask unanimous consent that the proposed amendment be read now, so that it can be discussed by other Members when the time comes. May I have that by unanimous consent?

The CHAIRMAN. Without objection, the pending amendment will be reported by the Clerk. Is there objection?

There was no objection.

The CHAIRMAN. It is a substitute for section 5?

Mr. RAKER. Yes.

Mr. STAFFORD. It is to be read for information.

Mr. MILLER of Minnesota. It is not offered for consideration at this time. I think it is not in order. I think it is an amendment in the third degree.

Mr. CARAWAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARAWAY. The time was allotted for general debate on this question of the Flood amendment. Now, then, the gentleman from California proposes in that time to offer another amendment, which may be a substantial amendment, in the time allotted for the discussion of the other matter, some of which has already been consumed.

Mr. RAKER. This is not to be taken out of my time.

Mr. CARAWAY. Query: Will the remainder of the time allotted now be consumed practically in the discussion of this new amendment?

The CHAIRMAN. Not at all. The House by unanimous consent permits the Clerk to read this amendment to the House, not to interfere with the time arrangement previously made. The Clerk will read.

The Clerk read as follows:

Amendment offered by Mr. RAKER:

"SEC. 5. That the Secretary of Agriculture may, in writing, from time to time, appoint and authorize employees of the Department of Agriculture to enforce the provisions of this act, which persons so appointed, after taking the constitutional oath of office and otherwise qualifying under the law, shall be public officers and shall have all the powers and authority of United States marshals or other peace officers to make arrests for violating any of the provisions of this act and to serve all processes and notices in the enforcement of this act."

The CHAIRMAN. Does the gentleman from Wisconsin [Mr. STAFFORD] withdraw his point?

Mr. STAFFORD. I withdraw the demand for the present, to see if we can have further time for debate on this important subject.

Mr. MILLER of Minnesota. The gentleman was not anxious for time on the other side.

Mr. STAFFORD. I made the request for time on both sides.

The CHAIRMAN. This discussion is out of order.

Mr. FLOOD. Mr. Chairman, I want to call the attention of the House to the amendment which I offered. The bill as reported from the Committee on Foreign Affairs provided for a search of dwelling houses with a warrant and for a search of other places, including buildings upon the premises of suspected persons, without a warrant. The amendment I propose changes the bill as reported from the Committee on Foreign Affairs by requiring a search warrant to search any place. That is the whole issue between the gentleman from Minnesota [Mr. MILLER] and myself.

I said awhile ago that I did not think the amendment was of any great importance, because I believe that the bill as reported by the committee, or with this amendment, will be enforced by the agents of the Department of Agriculture, and that these birds will be protected. I believe that will be the case, whether my amendment is adopted or not. But there is a widespread sentiment in this country and in this House, which developed in the Committee on Foreign Affairs, against the enactment of a law to permit the search of any building by these officers without their having first procured a search warrant. And so, in deference to that sentiment and, as I believe, to strengthen and to popularize this bill in the country, I offered that amendment. I want to call the attention of the committee to the fact that that is the sole difference between the gentleman from Minnesota and myself upon this amendment. I trust the amendment, in deference to the sentiment to which I have referred and for the purpose of popularizing this measure in the country, will be adopted.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. STEVENSON. Does not the gentleman think we ought to have the word "search" before the word "warrant"? You have been referring to other warrants.

Mr. FLOOD. Yes. I think that is a good suggestion.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to modify his amendment.

Mr. FLOOD. So that instead of reading "with warrant," it will read "with a search warrant."

The CHAIRMAN. The Clerk will report the modified amendment, without objection.

The Clerk read as follows:

Modified amendment offered by Mr. FLOOD: Page 4, line 7, strike out the word "without" and insert in lieu thereof the words "with a search," so that the line will read as amended "and shall have authority with a search warrant to search any place."

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent that the original amendment be reported again as it will be after it is perfected.

The CHAIRMAN. The proposition submitted is an amendment to an amendment.

Mr. MILLER of Minnesota. I mean the exact language upon which we are going to vote.

The CHAIRMAN. The Clerk will report the amendment to the amendment.

Mr. BLAND. As modified.

The Clerk read as follows:

Modified amendment as offered by Mr. FLOOD: Page 4, line 7, strike out the word "without" and insert in lieu thereof the words "with a search"; and on page 4, lines 8 and 9, strike out the words "other than a dwelling, and, with warrant, to search any dwelling."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Virginia [Mr. FLOOD].

Mr. BURNETT. Mr. Chairman, I notice that in the last clause just read by the Clerk the word "search" does not appear before the word "warrant."

Mr. FLOOD. Those are the words which it is proposed to strike out.

Mr. BLAND. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND. A vote on this modified amendment to the amendment will not close debate on the committee amendment, will it?

The CHAIRMAN. Not at all.

Mr. BLAND. I want to be heard in favor of the committee amendment.

Mr. MILLER of Minnesota. Mr. Chairman, there is a good deal of confusion about how the amendment stands.

The CHAIRMAN. Let the Chair endeavor to state the proposition. The committee have offered an amendment to section 5. The gentleman from Virginia [Mr. FLOOD] has offered an amendment to that amendment. The proposition submitted by the gentleman from Virginia [Mr. FLOOD] is in the modified form just reported by the Clerk. The vote is on the amendment to the amendment.

Mr. MILLER of Minnesota. May I have the indulgence of the Chair for just a moment, and the attention of the gentleman from Virginia [Mr. FLOOD]?

Mr. FLOOD. Certainly.

Mr. MILLER of Minnesota. The reason I have asked that this be reread is because I know the gentleman wants his amendment to provide this——

Mr. RAKER. Mr. Chairman, just a moment. Is the gentleman going to argue the amendment?

Mr. MILLER of Minnesota. I am not. I am simply trying to get the language to correspond with what the gentleman is asking, so that we will make no mistake. The gentleman desires his amendment to enable the searching of a dwelling with a warrant, and the searching of any other place with a warrant, too. He has stricken out language which, in my judgment, leaves it in grave doubt at least whether a man armed with a warrant could search a dwelling, because the word "dwelling" where specifically mentioned is stricken entirely from the bill.

Mr. RAKER. Will the gentleman permit me——

Mr. STAFFORD. This is proceeding by unanimous consent. In view of the gentleman's objection to extending the time, I think we ought to have some understanding, and I demand the regular order.

The CHAIRMAN. The regular order is demanded, which is the vote on the amendment to the amendment submitted by the gentleman from Virginia [Mr. FLOOD].

The question being taken, the amendment to the amendment offered by Mr. FLOOD was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment to the amendment, which I send to the desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment to the amendment, which will be reported.

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers the following: Page 4, line 13, after the word "act," insert a period and strike out the words "or of any regulation made pursuant thereto."

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not enough of a lawyer to discuss this with the constitutional lawyers of the House, but I am enough of a layman to express the hope that we will reserve to the Congress of the United States the power to enact such penal laws as may be necessary. I do not believe we ought to encourage the punishment of our citizens by regulations made by bureaus or departments, but that is exactly what we are doing here. If I understood aright the eloquent speech of the gentleman from Minnesota [Mr. MILLER], I understood that this bill intended to confer upon the Secretary of Agriculture the power to make regulations which, if violated, would permit any agent of the Secretary of Agriculture to arrest a citizen and to put him in jail. Now, it seems to me the Congress ought to enact the law which fixes the punishment for crime. I do not believe that function should be left with the secretary of a department or the chief of a bureau or any other one of the branches of the Government, except Congress.

I observe that in section 6 provision is made for the punishment of those who shall violate the provisions of the act and the regulations of the department, and that it is denominated a misdemeanor, and upon conviction thereof before a court the culprit is to be fined not more than $500 and may be imprisoned for as long as six months, and that at the direction not of Congress itself but of the secretary of the department or of a bureau which makes to the secretary a recommendation as to the punishment that shall be inflicted upon those who violate the regulations. It may be that my amendment is all wrong—I do not know—but there was no opportunity to discuss it fairly under the arrangement made as to the limitation of the time for debate, and it seems to me the point ought to be made by way of protest against giving to a bureau or a department chief power to punish and imprison our citizens.

Mr. DOWELL. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Iowa.

Mr. DOWELL. Under this section the punishment is under the direction of the court, upon trial and conviction, the same as under any penal statute. The department has nothing whatever to do with the punishment. Its only function is to furnish the information.

Mr. MOORE of Pennsylvania. But the court is to inflict the punishment for a violation of a regulation of the department. That is the point. I do not think we should put it in the power of one man to put another in jail by regulation.

Mr. FLOOD. The gentleman from Pennsylvania has misconstrued the purpose of the words that he moves to strike out. If he would offer his amendment in a different shape, I think it would help the bill. I suggest that he strike out not only the words that he proposes to, but all of the words in line 9, beginning with the word "if" down to and including the word "thereto" in line 14.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FLOOD. I will take the floor in my own right. The words I propose to strike out read:

If he shall have reason to suspect that there is concealed therein any bird, or any part, nest, or egg thereof, which has been captured, killed, taken, shipped, transported, or carried, or which is possessed contrary to the provisions of this act or of any regulation made pursuant thereto.

Mr. MOORE of Pennsylvania. I would not object to striking that out.

Mr. MILLER of Minnesota. You might as well strike out the amending clause.

Mr. FLOOD. The gentleman from Minnesota is mistaken.

Mr. KING. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. KING. Would not that permit a search and seizure for other reasons than that of locating game that has been unlawfully killed?

Mr. FLOOD. No; there has to be a search warrant and you have to specify in the warrant according to the general law the articles that the search is to be made for. The language I read, I will say to the gentleman from Minnesota, was intended to authorize the search of a building where the officers suspected these things were. Now, under the amendments we have adopted we have to search under a search warrant and these words are not necessary.

Mr. RAKER. The gentleman's suggestion as far as the search warrant goes clearly comes within the provisions of the law, but suppose we make it read this way: "And he shall have authority to execute search warrants." He will have authority to search——

Mr. ROSE. I would like to ask the gentleman if he sees any real danger in the words following line 13, "or of any regulation made pursuant thereto," when every regulation must be founded on the law itself and no official will be allowed to go beyond the bounds of the law?

Mr. FLOOD. No; I do not.

Mr. ROBBINS. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. ROBBINS. I want to oppose the motion of the gentleman from Pennsylvania [Mr. MOORE].

Mr. FLOOD. I can not yield for a speech, I have only five minutes. I will try to get the gentleman some time.

Mr. ROBBINS. I would like some time, as I have an authority which I wish to call to the attention of the House.

Mr. FLOOD. I want to say, Mr. Chairman, that I offer that as a substitute for the amendment of the gentleman from Pennsylvania, to strike out all of the words beginning with the word "if," in line 9, down to and including the word "thereto," in line 14.

Mr. MOORE of Pennsylvania. I will accept that substitute, if I may.

Mr. FLOOD. I offered the amendment because the amendment with reference to the search warrant was handed to me and I did not notice the relation it bore to the words which I have moved to strike out. Those words were necessary if the officer was authorized to make the search without a warrant, because he made the search then on his suspicion; that is, if he had reason to suspect that there was concealed therein any of these birds, nests, eggs, and so forth, they gave him authority to go into the building.

Now he is not acting on his suspicion; he is acting on a warrant, and these words are not necessary. He can not search any building without a warrant. Therefore I offer this amendment to perfect the text.

The CHAIRMAN. The Chair understands that the gentleman from Pennsylvania accepts the amendment offered by the gentleman from Virginia.

Mr. MOORE of Pennsylvania. I will accept the amendment offered by the gentleman from Virginia in lieu of the amendment I offered.

Mr. FLOOD. I ask unanimous consent, Mr. Chairman, to fix the time for voting on section 5 and all amendments thereto, if we ascertain how many Members want to speak.

Mr. DOWELL. Mr. Chairman, can we have the amendment as modified read by the Clerk so that we may all understand what it means?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia.

The Clerk read as follows:

Substitute offered by Mr. FLOOD for the amendment offered by the gentleman from Pennsylvania [Mr. MOORE]: On page 4, line 9, strike out all of the language beginning with the word "if," down to and including the word "thereto," in line 14, so that it will read: "and shall have authority with a search warrant to search any place."

Mr. RAKER. Mr. Chairman, I offer the following substitute.

The CHAIRMAN. One substitute is pending. The question is on the substitute offered by the gentleman from Virginia.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto close in 1 hour and 10 minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that debate on this section and all amendments thereto close in 1 hour and 10 minutes. Is there objection?

Mr. MILLER of Minnesota. Reserving the right to object, I will ask the gentleman to modify his request so that the time shall be equally divided between those in favor of the section and those opposed.

The CHAIRMAN. Is there objection?

Mr. MILLER of Minnesota. Mr. Chairman, if the gentleman does not see fit to make that request, I shall object.

Mr. COX. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is, Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none.

Mr. MILLER of Minnesota. But I reserved the right to object, Mr. Chairman.

The CHAIRMAN. But the gentleman from Indiana [Mr. COX] demanded the regular order, and the regular order was putting the request of the gentleman from Virginia [Mr. FLOOD].

Mr. MILLER of Minnesota. Then, Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Minnesota objects, and the Chair recognizes the gentleman from Indiana [Mr. BLAND].

Mr. BLAND. Mr. Chairman, I do not think this amendment should pass. I am not friendly to the bill, and I am going to vote against it; but if you pass the bill, you ought not to so amend it that it would not be worth while passing and would be a joke as a matter of legislation. To begin with, this bill in several sections provides for the delegation of legislative authority. I oppose that principle in this character of legislation. I do not think you ought to delegate the right to some whippersnapper over here in the Department of Agriculture to make it a misdemeanor punishable by being fined or put in jail, or both, for going out and killing a duck. There are 20,000 employees in the Department of Agriculture, many of them of military age with a deferred classification. I am opposed to that kind of legislation; but the bill is all based upon that theory, and the only legislation that it provides for is for certain power to be delegated to some one else to determine when you are violating the law. It is true it provides the penalty to be applied, but it also provides that another fellow is to determine when that penalty shall be applied. That is your bill; I am fighting it as such; but if you amend this section, it will not correct the other sections upon the same subject and you will have a bill that will not accomplish the purpose that even those who are in favor of it want it to accomplish. For instance, you propose to strike out the language after the word "act," which provides that to get a warrant you must show that you have a reasonable belief that such and such things exist in violation of the rules. You can not say in violation of the act, because the act does not provide anything. It merely provides that rules may be adopted. Therefore if you are going to have this kind of a law, it is absurd to strike this language out of it. As has been said here, it takes the very life out of the bill. As far as I am concerned, I want the bill defeated; but I do not want a legislative absurdity passed, and this provision absolutely destroys this section.

Yesterday a young man called on me representing the game-bird and the song-bird fellows—a nice, pleasant fellow, seriously in earnest about this bill. He wanted me to be for it. He put up a splendid argument, and I take no exceptions to his calling upon me. He has a right to do so, and I am glad to have the information that he gave me. When he left me he was convinced, and so stated, that in my section of the country, if this law as drafted passes, our fellows will not be able to kill any ducks at all. We have about the most altruistic, good-natured fellows in Indiana that you ever saw, and we are willing to give up some of the things we would like to have; but we are not willing to say that we will deprive ourselves of the opportunity to kill some of the wild things that nature gives us once or twice a year for the purpose of saving them for the fellow down in the winter quarters of those birds, and that is the very purpose of this bill.

Mr. BUTLER rose.

Mr. BLAND. I shall yield to the gentleman later. In Indiana, as I stated before, we do not get any fall shooting, because we can not shoot them; they are not there to shoot, or else they are out in the middle of the rivers. We have no lakes such as the gentleman from Minnesota [Mr. MILLER] talks about—no wilderness to go into and get them. We have to hunt them out in civilization, down along the river banks, and you can not hunt them when the water is low, and we therefore get no fall shooting of consequence, and all this talk about pot shooting is absurd. In the spring of the year when the water is up and out in the willows we can kill a duck or two. We can not kill many, and what we do kill will not deplete the stock of ducks very much. It is down in the resorts, where they bag their 300, that hurts. I am opposed to this bill in general, and I am especially opposed to letting some one fellow in the Department of Agriculture determine what the game laws of our States shall be. This goes further than any piece of legislation that I have ever heard of coming to this Congress. Do you want to legislate by commission entirely? Do you want to make the penalty of the law subject to the will or caprice of some one-ideaed fellow in some department? It is absurd when you think about it. You ought not to tolerate it for a moment. I am opposed to the legislation for that reason, and I am opposed to this amendment for the reason that it renders the bill if passed a disgraceful piece of work turned out by this body. I was in favor of the amendment of the gentleman awhile ago which we adopted, to require a search warrant to be taken out before you can search places, yet some of the bird fellows here favored granting the right of search and seizure without warrant. Gentlemen, what malady of indifference to consequences has come over this body?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto conclude in 1 hour and 10 minutes, half of the time to be used by those in favor of the bill and half by those opposed to it.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that debate upon this section and all amendments thereto close in 1 hour and 10 minutes, the time to be equally divided between the supporters and the opponents of the measure. Is it the intention of the gentleman from Virginia that the Chair shall control the time?

Mr. FLOOD. Yes.

The CHAIRMAN. And the Chair control the time.

Mr. RAKER. Mr. Chairman, reserving the right to object, as I stated before, I am in favor of this bill, and I am in favor of so amending section 5 that it will make it so that it will not be contrary to the Constitution and the laws of the country.

Mr. MONDELL. And I want 10 minutes.

Mr. FLOOD. I have put the gentleman down for 10 minutes in opposition to the bill.

The CHAIRMAN. If the gentleman from Virginia has made arrangements to recognize gentlemen, the Chair suggests it might be better to designate some one on the floor to control the time.

Mr. FLOOD. I designate the gentleman from Wyoming [Mr. MONDELL] to control the time in opposition to the bill.

The CHAIRMAN. Is the gentleman from Wyoming in opposition to the bill?

Mr. MONDELL. Yes.

The CHAIRMAN. Then, the unanimous-consent agreement has been modified so as to provide that debate on this section and all amendments thereto shall end in 1 hour and 10 minutes, 35 minutes of that time to be controlled by the gentleman from Virginia and 35 minutes by the gentleman from Wyoming. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER. Mr. Chairman, before this rule is put into operation I desire to ask unanimous consent to ask one question of the gentleman from Indiana, just one question.

The CHAIRMAN. The rule is already in effect.

Mr. BUTLER. Well, I did not have an opportunity before——

Mr. FLOOD. I yield one minute to the gentleman from Pennsylvania.

Mr. BUTLER. Did I understand the gentleman to say that if this bill were passed that the people of Indiana would not have any opportunity to shoot ducks without violating the law?

Mr. BLAND. I say this, that this bill gives the Secretary of Agriculture the right to close the spring and fall shooting in Indiana, and they say we are pot shooters over there and the misinformation has been stated here on the floor several times, which is absolutely without foundation. But if they have that notion over here in the Department of Agriculture, if these one-ideaed fellows have that notion, they will close the season in Indiana in the fall and we will not get to shoot any ducks. Now, the law of Indiana does not allow shooting in the spring; we are going to wipe that out, in my judgment; but you can not hunt ducks in the fall because we can not kill in the fall, because very few are there, and they only stay a short time, depending upon the coolness of the weather up north. There are no lakes and there is no opportunity of killing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLOOD. Mr. Chairman, I yield five minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, the gentleman from Indiana [Mr. BLAND] says that the passage of the amendment offered by the gentleman from Virginia will destroy the bill. The words proposed to be stricken out are words that were put there as a condition of search without a search warrant. Now, we have stricken out the power to search without a search warrant, and therefore the necessity for laying down the premises upon which he can so search passes, and taking the words out do not affect the bill one particle. The gentleman has not looked at what is left in the bill. Having provided now that he can only search with a search warrant, the provision is made in lines 14 to 18 that—

The several judges of the courts established under the laws of the United States and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

Therefore the conditions are laid down upon which the search warrant can be obtained and clearly laid down and are left in the bill unless the amendment, which strikes out what is merely surplusage, is defeated. So that in so far as that is concerned, the gentleman who is so much opposed to the bill will not find the bill materially hurt if this amendment which he also opposes should prevail. Now, the gentleman makes a good deal of concern that the bill authorizes a criminal offense to be created practically by a regulation of a department, and says that is new. Well, the Supreme Court of the United States has in several instances sustained the exercise of exactly such powers, and this Congress, in a matter very much more important than game matters, a great deal more important than ducks, has made the same provision in the matter of the regulation of food, fuel, and feed, making a man who violates them liable to a penalty.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. STEVENSON. No; I have not the time.

Mr. BLAND. That was a war measure.

Mr. STEVENSON. We have now authorized regulations, and if the matter of the violation of the regulations as to food by a man is made criminal, then surely regulations as to ducks, sparrows, and so forth, can also be made criminal without injuring the constitutional rights of the American people.

Mr. BLAND. One is a war measure.

Mr. STEVENSON. The gentleman says also that they can not hunt ducks in Indiana in the fall, because they can not kill them. I have never been able to see why you can not hunt, whether you kill or not. There is no embargo on hunting, at least down in South Carolina; they hunt ducks, but do not kill them. I have never killed many in my life, and I live in a duck country. There is no inhibition here on hunting ducks in Indiana, because they can not kill them. So I think this objection the gentleman from Indiana has made to this bill is certainly not well taken. The objection to the amendment is certainly not well taken, if he is opposed to the bill, because taking him in his own language, he says the prevalence of this amendment will kill the bill, and that is certainly what he desires, according to his own statement. I yield back the remainder of my time.

Mr. FLOOD. I yield five minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Chairman, it is rather an unusual situation where the time on both sides is controlled by gentlemen favorable to the amendment, but I know it will be distributed equally among those favoring and those against it. The gentleman who has just spoken says that the elimination of these words would not in any way seriously affect the bill. That undoubtedly was the reason the chairman of the committee, the gentleman from Virginia, proposed that they be eliminated. I know that he would not for one moment ask that they be eliminated if he thought the elimination would seriously injure the bill, but I think I can prove to him in one minute's time that the elimination will seriously injure and cripple the bill.

They form the basis upon which a warrant is to be secured. It is not true that their insertion was simply to enable a police officer to make a search without a warrant. They are jurisdictional to the issuance of a warrant. That language qualifies the two clauses—first, the search of premises without a warrant; second, the search of dwelling houses with a warrant. The inclusion of these items will enable a police officer to get a warrant to carry out the terms of this bill when he has reason to believe there is concealed in a place a bird, or any part, nest, or egg thereof, which has been captured, killed, taken, shipped, transported, or carried, or which is possessed contrary to the provisions of this act or any regulation made pursuant thereof. If that is not in this bill, when a man goes before a court officer to get a warrant, upon what is he going to ask for a warrant? What must be the showing that he makes? No man can tell; no man will know. One court might ask one thing and another court might ask something else, but the probability is that the court would say, where the language is so general as this, "There is nothing whatever upon which we could issue a warrant."

Mr. RAKER. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. I will not just now; if I get time, I will.

In other words, this greatly enlarges the opportunity to search and find the evidence of the crime. If they are eliminated, the officers will be restricted severely in the performance of their task. And I sincerely and profoundly, humbly, prayerfully, tearfully, hope that the chairman of the committee will see that the contention I here make is correct and withdraw his request that these words be eliminated. It looks to me, gentlemen, that by the time this bill is passed it will be a lucky dog if it even has the smell of its enacting clause left on it.

Mr. BLAND. Will the gentleman yield?

Mr. MILLER of Minnesota. It is not possible to carry out effectively an act of this kind and have it disemboweled right and left.

Mr. BLAND. Will the gentleman yield?

Mr. MILLER of Minnesota. I can not just now. If I get a moment's time, I will be glad to do so.

Now, I desire to say a word in reference to the amendment proposed by the gentleman from California [Mr. RAKER]. That is positively the most ridiculous thing I have heard attempted to-day. The language of it restricts the enforcement of this law to agents of a certain character appointed by the Secretary of Agriculture. He must know, everybody must know, if they have inquired into it at all, that it is the intention of the Department of Agriculture to utilize the State agents throughout the Nation in the carrying out of the terms of this bill. Otherwise they could not possibly do it, and no man who is in favor of the principles of this bill or of game protection at all can stand up and ask that the only man who can enforce this bill is a man that the Secretary of Agriculture can appoint, and that man probably would not be one living in the State. Do not let anybody say he favors game protection and then try to destroy every possible feature of decency about it. If a man is opposed to it, let him stand up squarely and fight it; we honor the man that opposes anything he does not believe in. But let no man come and say, with honeyed words, "I am your friend," when you will have to say, "Et tu, Brute," and then stab you in the back.

The provision adopted a few moments ago, I am frank to say, is not going to be so serious. It is going to be exactly what I intimated. As a matter of fact, the laws of the various States authorized the search of premises without a warrant, and the practical operation of this bill——

The CHAIRMAN (Mr. FOSTER). The time of the gentleman has expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that his time be extended two minutes, so that I may ask him a question.

Mr. MILLER of Minnesota. I can not do it.

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Arkansas [Mr. TILLMAN].

Mr. TILLMAN. Mr. Chairman, we are spending valuable time that might be devoted to a more useful purpose. The U boats are now barking and biting at our doors, and our boys are confronting the Hindenburg line in Europe and the great battle of the centuries is on; and yet we are spending two days passing a measure protecting meadow larks and woodpeckers.

I have offered an amendment to strike out section 5 of the bill, which I think is a most objectionable section. I want to make the bill less objectionable if possible.

I favor the amendment to be offered by my colleague [Mr. CARAWAY], which proposes to strike out of the bill all of section 5 as proposed to be amended, down to and including the word "thereto," in line 14, page 4, and in line 22, page 4, striking out the words "by any such employee or."

I think the whole bill is objectionable. It is an unwarranted invasion, or attempted invasion, of State rights. I will admit that we already have been for some time playing fast and loose with the sacred doctrine of State rights, and yet there are a few people left who have some respect for the rights of the sovereign States. There are a number of eminent justices who grace a certain bench between here and the Senate Chamber who have some regard for the Constitution. Many of us have modified our minds on the doctrine of State rights. The gentleman from North Carolina—and by that I do not mean my courteous and gallant friend, Maj. STEDMAN, who made the attractive speech on this bill on Tuesday, for I would not under any circumstances criticize that distinguished gentleman, because I consider that I am honored, and everybody else in the House is honored, by touching the hem of his garment; I would not go to the extent the gentleman from Pennsylvania did when he indirectly, inferentially, but I presume not with any offensive intention, accused the gentleman from North Carolina and all other Confederate soldiers with being seceders and having been guilty of treason—a very unfortunate remark and made at an unfortunate time. The inferential charge is untimely, ungracious, unworthy of the able gentleman, unfair, and untrue. I am referring to the gentleman from North Carolina, who comes from the canvasback-duck district, and not to Maj. STEDMAN. The gentleman from North Carolina [Mr. SMALL], in the passage of the child-labor law, invoked the doctrine of State rights against that bill. On the prohibition amendment it was by him appealed to, and on the amendment to allow equal suffrage

the gentleman appealed strongly to the doctrine of State rights in opposition to that measure. He was unwilling to protect the children of the country, but now he is willing to protect the nighthawks and woodpeckers by voting for this bill and ignoring the doctrine of State rights.

Now, if we strike out section 5 of this bill we will get rid of the most dangerous and drastic features of it. The right of search and seizure has always been a harsh remedy. It is permissible and desirable to allow search and seizure to break up moonshining or counterfeiting.

But it is made a misdemeanor only, this matter of having in your possession eggs, birds, or birds' nests; and it does seem to me that it is dangerous to invest the Secretary of Agriculture with the privilege of appointing officers to make these searches, perhaps men of a kind who could not be elected to any position in the localities where they operate. Such a person may come with the end of a tomato can appended to the lapel of his coat as his badge of authority, not under oath, not elected by the people among whom he is officially acting. We give him the power under section 5 here to search a man's smokehouse or premises, and he may go into a home and search the cradle, pull out the little trundle bed and search that; go into the outbuildings under this authority; a man who has not been elected to perform this duty, who probably could not be elected dog catcher in a township where there are no dogs. Yet this bill gives the Secretary of Agriculture authority to appoint that man to perform that very disagreeable service, especially to the man whose premises he searches.

That provision ought to be stricken out. I am going to vote for the amendment offered by the gentleman from Virginia [Mr. FLOOD], which I think makes the bill better, and I expect to vote for the amendment offered by my colleague [Mr. CARAWAY], which I think makes it infinitely better. But I prefer to see the whole section stricken out.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. GREEN of Iowa. With reference to the necessity of this act, part of it I do not understand. I understand that in the gentleman's own State, as well as in my State, there is a very strict law forbidding the killing of insectivorous birds.

Mr. TILLMAN. We have such a law, sir.

Mr. GREEN of Iowa. And the passage of this act is not needed in the least for their protection?

Mr. TILLMAN. The gentleman is right about that. There is no reason why this bill should be passed. Every State in the Union, so far as I am advised, has its own game laws. We believe in bird conservation and in wild-life conservation. And, moreover, as the gentleman from Indiana [Mr. BLAND] well said, this bill is not in the interest of the country boy who wants to go out and hunt game. It is in the interest of the game hog who belongs to an exclusive club and wants to go down to North Carolina or Louisiana or Florida and hunt game and kill by wholesale.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. BLAND. I want to call the attention of the gentleman to this question: Does it not occur to the gentleman that the bill should be amended, in view of this fact—it says the party shall have authority, with a warrant, to search a place if he believes that so and so is true?

Mr. TILLMAN. Yes.

Mr. BLAND. That states that an administrative officer believes so and so. It ought to be the fellow that applies for the warrant who believes so and so.

Mr. TILLMAN. Yes. But that is not all. The word "suspect" should be eliminated and the word "believe" substituted, which is a stronger term.

You will have all the law you need without section 5 to enforce this act. There are marshals and deputy marshals and commissioners and Federal courts. You do not need this rank and drastic provision here for search and seizure. It ought to be cut out.

Mr. FLOOD. Mr. Chairman, may I interrupt the gentleman?

Mr. TILLMAN. Not now. Later I will be glad to yield to the gentleman.

I think we are not only allowing the sacred doctrine of State rights to be invaded and utterly abolished, but we are preparing to make our boys sissies. I will ask the gentleman from Virginia [Mr. FLOOD], who represents an intrepid constituency, a constituency second to none in manly men and womanly women—rose-hearted Virginia—I would like to know what Lord Fairfax, who used to hunt elk and wild fowl just across the Potomac in the Old Dominion, would say of this bill to protect woodpeckers and bobolinks. What would Daniel Boone, Davy Crockett, Sam Houston say of it? Let us not feminize our boys. This bill ought to be denominated "an old maid's bill." It should be bedecked with skirts, ruffled petticoats, and corkscrew curls. [Laughter.]

Mr. FLOOD. Mr. Chairman, if the gentleman will permit me, I will tell him what a distinguished gentleman from his own State said of this bill. Does the gentleman know D. G. Beaucamp?

Mr. TILLMAN. I do not; but is he from Virginia? If he is from Virginia and lives in Arkansas, I know he is worthy. [Laughter.]

Mr. FLOOD. He is chairman of the game commission. He very heartily indorses this bill.

Mr. TILLMAN. Well, his opinion is entitled to due respect. But I do not yield further.

I say that by this bill we may make mollycoddles of our boys. The reason the American soldiers are rendering such splendid service in France—and they are surpassing any of our allies in effective courage at the present time, I am happy to say—is because in their boyhood most of them were accustomed to active sports in the open air.

When my boys were old enough to shoot and fish I bought them shotguns and pointer dogs and fishing tackle, and I taught them how to hunt, how to fish, and how to engage in other red-blooded sports. I preferred to see them hunting with dog and gun in the forests and meadows and fishing in the streams than sitting in a parlor talking to some frizzly headed, brainless girl. I did not seek to make carpet knights of them. Boys will not shoot at a mark or a target, but they like to shoot at birds. God made woodpeckers, meadow larks, wild ducks, and bobolinks for boys to shoot.

Mr. HAMILTON of Michigan. Would the gentleman restrict them to shooting exclusively?

Mr. TILLMAN. No. They have done some little judicious courting. [Laughter.] And now one of those boys is fighting with his companions in France, and the other one is soon to go.

Mr. HAMILTON of Michigan. It makes them all the more enthusiastic judiciously to court some? [Laughter.]

Mr. TILLMAN. Yes; and it makes better soldiers of them, if they learn to shoot.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. TILLMAN. I would like to have three minutes more.

Mr. MONDELL. I regret that the time is already allotted. But I will yield three minutes more to the gentleman.

Mr. TILLMAN. I would like to insert in the RECORD one of the most beautiful poems in the language, "To a waterfowl," written by William Cullen Bryant, of Massachusetts, when he was but 23 years of age, and I take it for granted that the gentleman from Massachusetts [Mr. WALSH] will not object to its insertion, as Bryant was born in the gentleman's district, and this poem was written there.

TO A WATERFOWL.

Whither, midst falling dew,
While glow the heavens with the last steps of day,
Far, through their rosy depths, dost thou pursue
Thy solitary way?

Vainly the fowler's eye
Might mark thy distant flight to do thee wrong,
As, darkly seen against the crimson sky,
Thy figure floats along.

Seek'st thou the plashy brink
Of weedy lake, or marge of river wide,
Or where the rocking billows rise and sink
On the chafed ocean side?

There is a Power whose care
Teaches thy way along that pathless coast—
The desert and illimitable air—
Lone wandering, but not lost.

All day thy wings have fanned,
At that far height, the cold, thin atmosphere,
Yet stoop not, weary, to the welcome land,
Though the dark night is near.

And soon that toil shall end;
Soon shalt thou find a summer home, and rest,
And scream among thy fellows; reeds shall bend,
Soon o'er thy sheltered nest.

Thou'rt gone, the abyss of heaven
Hath swallowed up thy form; yet, on my heart
Deeply has sunk the lesson thou hast given,
And shall not soon depart.

He who, from zone to zone,
Guides through the boundless sky thy certain flight,
In the long way that I must tread alone,
Will lead my steps aright.

The second stanza of this poem shows that the waterfowl can usually take care of himself and is in no danger of extermination, protected as he is by proper State legislation and being sufficiently shifty to keep out of range much of the time.

I am in favor of game and fish conservation and preservation, but, in addition to other reasons given, I do not believe in giving authority to the Secretary of Agriculture to legislate for us. We abandon our functions when we do that, and under this bill the Secretary of Agriculture may put a ban on shooting altogether. The States should be allowed to make their own game laws. [Applause.]

The CHAIRMAN. The gentleman yields back one and one-half minutes.

Mr. MONDELL. Will the gentleman from Virginia yield some time?

Mr. FLOOD. I yield 10 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman, I will not use all my time. I find myself in this position, that I am in favor of this bill, but I am opposed to the provision which permits the searching of premises without a search warrant. I must oppose that provision because of the constitutional provision in the State of Pennsylvania which prohibits that.

Mr. FLOOD. The committee have adopted an amendment changing that.

Mr. ROBBINS. Does the bill now provide that the premises can not be searched without a search warrant?

Mr. FLOOD. That amendment has been adopted by the committee.

Mr. ROBBINS. That puts the bill in accordance with section 8 of article 1 of the constitution of Pennsylvania, which provides "that all search warrants must be supported by oath or affirmation and subscribed to by the affiant."

I am in favor of this bill. I do not take the position that the gentleman who just preceded me [Mr. TILLMAN] has taken that this is frivolous legislation. It was shown very clearly by the gentleman from Ohio [Mr. FESS], who opened this debate, that this is an important bill, from the viewpoint of the conservation of our food crops, when a billion dollars a year is lost by reason of the destruction of these insectivorous migratory birds. It has developed in this debate that the geography of the United States has influenced the judgment of the Members on this floor. The gentleman from Indiana [Mr. BLAND], who is most vociferous in his opposition to this bill, bases his opposition entirely on the fact that as the birds fly over from south to north and rest in the State of Indiana the people of Indiana would be prevented from shooting them. He thinks it is selfish to prevent that, and that they ought to be allowed that right without restriction. The gentleman from Arkansas [Mr. TILLMAN], who just preceded me, comes from a section of the country where these birds winter, and he believes therefore that this legislation is a great invasion of State rights, and says it is a striking down by Congress of the constitutional rights of his State, because it interferes with the right to shoot the birds which stop in Arkansas on their way between the North and the South.

Mr. WHEELER. Will the gentleman permit a question?

Mr. ROBBINS. A very brief question.

Mr. WHEELER. Does the gentleman think it is absolutely fair for the Federal Government to permit them to kill ducks during the months of January and February down in southern Texas and Louisiana, where men go and kill them for the market, and shoot from 100 to 300 a day, and not permit shooting in Ohio or Indiana?

Mr. ROBBINS. The gentleman need not prolong his question. I understand it and I will answer it. I hope that gentlemen in discussing this bill will rise above the idea of the rich hunter and the professional hunter and the effeminate boy. This bill proposes a complete scheme for the game laws of the United States, and if it is enacted we will have a uniform law that will cover this country from the Canadian border to the Gulf, and that is the whole purpose of this act. The trouble with our State legislation upon this proposition is that we have so many laws trying to deal with this question that it has resulted in the destruction of our birds. In Pennsylvania we have a disinterested organization known as the "Wild Life League," composed of men who desire sincerely and earnestly to protect the bird life of our country. They meet and endeavor to do something to protect it, voluntarily contributing funds to bear the expense of importing birds into Pennsylvania that will propagate and breed there, and to increase the game and increase the bird life. Although none of them have personally seen me about it, I know that they want this law enacted. I have knowledge of their meetings, and have attended some of them as an individual citizen interested in bird life and its propagation and protection. I wish, however, to devote a few minutes of my time, not to arguing the merits of this proposition, because they seem to be overwhelming and conclusive in favor of enacting this law, but I want to devote myself to the legal phases of the question raised by the amendment of the gentleman from Pennsylvania and to the objection of the gentleman from Indiana [Mr. BLAND] and the gentleman from Arkansas [Mr. TILLMAN], namely, that to delegate to the Secretary of Agriculture the power to make rules and regulations in relation to the protection of game under this law is a delegation of the power of Congress, that we have no right to make, and is the delegation to an individual of the legislative power which may be exercised by him in a burdensome and oppressive manner.

I want to cite the gentlemen of this committee to the United States Supreme Court case of Field against Clark, reported in One hundred and forty-third United States, which arose under the revenue law of 1890, wherein the President was given absolute power to suspend the tariff duties when reciprocal laws were passed or regulations and tariff orders entered into by other nations; not only is the power given to suspend the operation of an act of Congress, but to suspend the penalties and the means of enforcing that act of Congress. Our tariff laws are crowded with penalties all through their terms and provisions.

The distinction which gentlemen have failed to observe is a distinction that the Supreme Court draws, and it will be drawn when this law comes up before it for consideration by that court, if it ever comes up. I will admit that the legislative power must reside in Congress; that we can not delegate that to any individual, not even to the President of the United States. But we delegate to an officer of the Government the power to enforce a law that is general in its terms, and have the right to do so, and the Supreme Court have affirmed that proposition. In this case which I cite, which arose out of the tariff law, I want to call your attention to the distinction made. I quote from page 692 of the decision. The Supreme Court says in this case:

> That Congress can not delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution.

But that is not what we are doing here. Now I read from page 693 of the same case:

> Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the law-making department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, permitting the free introduction of sugars, molasses, coffee, tea, and hides from particular countries should be suspended in a given contingency, and that in case of such suspensions certain duties should be imposed.

Now, this is the point to which I direct the attention of the gentlemen of the committee. To quote further from the same case:

> The true distinction, as Judge Ranney, speaking for the Supreme Court of Ohio, has well said, "is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be, and conferring authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first can not be done; to the latter no valid objection can be made."

Further, citing a Pennsylvania case, the court says:

> Half the statutes on our books are in the alternative, depending on the discretion of some person or persons to whom is confided the duty of determining whether the proper occasion exists for executing them. But it can not be said that the exercise of such discretion is the making of the law.

So, in Locke's appeal (72 Pa. St., 491):

> To assert that a law is less than a law because it is made to depend on a future event or act is to rob the legislature of the power to act wisely for the public welfare whenever a law is passed relating to a state of affairs not yet developed or to things future and impossible to fully know.

Now, gentlemen, that is the distinction that exists here. Congress can not in a general law suggest these prescribed regulations as the shooting of game birds, the destruction of insectivorous birds or migratory birds that will apply to the whole United States, unless we would append to this bill a catalogue so minute in its terms that it would apply to all sections and all latitudes of our great country, and that is impossible for any great legislative body such as the American Congress.

We are passing a law remitting that duty to the head of the Department of Agriculture, and that is a duty that we have a right to delegate, because it is not legislation; it is a descriptive duty, and we have a right to delegate that to the Secretary of Agriculture just as much as to delegate the making of rules and suspending the operation of the tariff act in 1890 to the President of the United States, and by his proclamation he could find when the law was broken or when it was to be applied or suspended, and also the penalty enforced as a result of the action of other countries meeting those conditions.

Mr. WALSH. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. WALSH. The gentleman is undoubtedly familiar with the phraseology of the bill. May I direct his attention to the fact that the law prohibits the killing of these birds, and it is the law that will be violated. The bill gives the Department of Agriculture the right to permit game birds to be killed at a certain time, in certain places, and in the absence of the permit by regulation the violation would be of the law. This act is constitutional and is according to the decisions of the Supreme Court, and should be passed. I am greatly in favor of protecting our birds.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

By unanimous consent, Mr. ROBBINS and Mr. TILLMAN had leave to extend their remarks in the RECORD.

Mr. MONDELL. Mr. Chairman, I yield eight and one-half minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 3, strike out all of section 5 down to and including the word "thereto," in line 14, page 4, and in line 22, page 4, strike out the words "seized by any such employee or."

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I very much hope that the Members here present will read the section as it will read if my amendment prevails. The amendment is to prevent the Secretary of Agriculture from creating a horde of petty officers throughout the various States of the United States and clothing them not only with power to make arrests but to make search and seizure and in every way harrass the citizenship of the States.

The time is too short to discuss, although I am satisfied this is true, speaking of the entire bill, that unless the negotiations and promulgation of the treaty between the Government of Great Britain and the United States gives Congress the power to enact this law, we have no constitutional warrant for this legislation. There is under a similar law a case pending before the United States Supreme Court which arose in my home county and has been before that court for five years. The Government has been unwilling for the court to decide it. It has had the case argued and reargued for the purpose of delay while it attempted to negotiate this treaty, under the belief that the treaty would give the Congress the power to enact laws that it does not now possess. I do not believe it does, but I have not the time to discuss it now. I am tempted, however, to digress far enough to call attention to the inconsistencies of some gentlemen of this House with respect to this proposed act. Tuesday when this matter was up for discussion an eloquent gentleman from North Carolina said that it was an invasion in fact of the sovereignty of the State, but that we ought to yield in such a matter as this. I want to read what that gentleman said about the invasion of State rights when another matter of importance was before the Congress. He said:

If the time ever comes when the States are shorn of the right to govern themselves in all local matters and are deprived of the right to exercise their untrammeled police power for the enforcement of the same, we will see the beginning of the end of this Republic.

"Whenever the time comes when the States are shorn of the right to exercise in its fullest degree its police power we will see the beginning of the end of this Republic." That was the gentleman from North Carolina [Mr. SMALL], and the matter before the Congress was whether we should have a sober Nation or a drunken Nation, the question of national prohibition. That police power was so important then that he could not assent to its invasion. It was such a sacred right that he who laid hand upon it, like the Ark of the Covenant, must die.

The same gentleman voted against the child-labor law. He argued against the enfranchisement of women. He said this, in effect, "Let drunkards fill drunkards' graves so long as we can preserve the sovereignty of North Carolina; let women cry out in vain for the ballot to protect themselves against unrighteous laws and conditions, for they shall be denied because the sovereign State of North Carolina alone has the authority and right to grant this redress and do justice in that matter; let children grow up in ignorance, dwarfed in body and mind, ground in the dust within factory walls, but the police regulations of the sovereign State of North Carolina must not be invaded." But when he heard the twitter of a tomtit or saw the flash of a canvas-back wing the sovereignty of North Carolina fell from him like a cloak. [Laughter and applause.] That is consistency and that is statesmanship! Let women and children cry out in vain and let drunkards go down to untimely graves if only you touch not the sovereignty of the State; but for fear that some gentleman—and he referred to a gentleman in Congress upon the Republican side—may be deprived of his winter shooting, God bless your heart, let the sovereignty of the State of North Carolina go into the scrap heap.

I want to tell you something about the provision that I am seeking to strike out. It gives to the Secretary of Agriculture the right to name a horde of officers, many of them without known character, without standing, certainly not known in the community that is to suffer from their activity. These will pin the bottom of an oyster can upon their coats and invade the homes of free citizens. Why, God bless you, the gentleman from Minnesota [Mr. MILLER] particularly was filled with indignation at the idea of even requiring them to get a search warrant to take a sick baby out of its crib in order that they may look in the pillow upon which its head rests to see if there is a duck feather in it. Mr. Chairman, liberty is not destroyed from the top. We destroy it by taking away the little rights. The weak first fall victims and in their destruction rests the germs of decay that will finally destroy the State.

In my district is a game preserve. It is a beautiful lake. I know it well. I own a farm on its shore, and here, lest some one may think I want to pot hunt, let me say I do not hunt at all.

I have not picked up a gun in 10 years, and I have no inclination to do so. But this is a very fine game preserve, I presume, although I do not personally know much about it as a game preserve; but I do know the department has a man there as game warden who unfortunately learned to talk and walk but never to think or to be a gentleman. He is the most disturbing factor in that community. He is such a blackguard that no community on earth ought to be required to put up with him; yet on appeal to the Department of Agriculture to have him removed I have been promised that he should go; but he stays. I was told the department knew this man talks too much and did too little; but, as I said, he stays and stays and stays just the same. Now the power is sought to multiply him by a thousand. [Laughter.] If you have had any experience with a departmental agent, one of these who parts his hair in the middle and puts on a nose glass and looks wise and knows nothing, you know this is true—that he has the idea that his efficiency—whatever that may mean—depends upon the number of people he harasses and the amount of discontent and disturbance he creates. The author of this measure seeks power for the Secretary of Agriculture to appoint a thousand of those fellows and turn them loose to protect the tomtits and harass the white people of this country. They will go out from Washington and will come back with statements something like this: "I arrested Bill Jones because I saw a duck feather sticking out of his hat, and I threw the widow Smith out of her house because I had a suspicion there was half of a bird's egg under her table. I left anger and resentment wherever I went, and I will do as well the next time." These reports, as long as the moral law covering the field of his alleged activities, will fill filing cabinets and empty the Treasury vaults. They will do nothing else except to make law odious and, I hope, plague the gentlemen who so arduously support this bill at this time.

Here is another remarkable thing: We passed a bill appropriating $12,000,000,000 the other day in a few hours with but 30 people present because it was said that we were in the midst of war and that haste was necessary. Now we stop in the midst of this great war for half a week for the gentleman from Virginia [Mr. FLOOD] to bring on the floor to have discussed this bill to protect woodpeckers and sapsuckers and sandpipers and bull bats and other very necessary creatures of his community. I want to say this in passing: I have never before complimented the gentlemen on the Republican side of this House, and I dislike to do it now, because it strikes me they already have an exaggerated idea of their importance [laughter] and their disinterestedness and their altruistic natures, but I can not refrain, for this is the first time I ever knew these gentlemen to advocate doing something for my section. Usually their efforts have been confined to doing something to it and not for it. [Laughter.] There are some of you over there now who want to fatten your ducks and geese and send them down our way to let us kill them. For this I am sure we are duly thankful, but for fear you may want to come after them we shall decline the offer.

I want to protect our wild life. I want game and song birds to live, but I also want liberty and the rights of our people to survive these "uplifters," who feel that their mission is to persecute and harass the plain people that game preserves may be established for pleasure of the rich. With these I have no sympathy. I hope the House agrees with me.

Mr. FLOOD. Mr. Chairman, I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentlemen of the committee, notwithstanding the strictures of the gentleman from Minnesota

[Mr. MILLER]—and I see he is absent—I believe I am a better friend of this bill than he is. He wants to put in a provision that he knows is unconstitutional so that it will be defeated. I have a right to say that from his attitude in regard to supporting the bill, because he wants to permit a search of all premises without a search warrant.

The constitution of his State says it can not be done, and the gentleman knows it. In regard to the rules and regulations under this bill they are provided for in section 3. Section 4 says a violation of them is a crime. In the case of Light against the United States, reported in Two hundred and twentieth United States, page 523, together with United States against Grimaud, page 560, same volume, the Supreme Court of the United States held that Congress has a right to authorize these departments to make rules and regulations, the disregarding of which can be punished as an offense, so there is no question as to that. Therefore it is the law that departments have a right to make rules and regulations; therefore they have the right to say they are a crime. That being the case, it will have the right to say that one of these officers appointed shall execute a search warrant; and that is what I am trying to get at and prohibit from doing in any of these cases unless he has authority of law. What the amendment ought to be on page 4, line 7, is to state—and this will mean something—"that he shall have authority to execute search warrants," and nothing else. Otherwise it is unconstitutional. The provision left in the bill adds these three words, "search any place." In other words, the effect under the law, contrary to the constitution of your State, contrary to the law, gives him not only the right to search but to search any place.

The committee does not want that I am satisfied, and they could make it now comply with the law by saying, "and shall have authority with a search warrant to search any place provided for in the search warrant," and while they repeat that language, just simply say, "shall have authority to execute search warrants." Now, I have an amendment, which I shall ask to be adopted at the proper time when the matter comes up for consideration. What I want to suggest is, it gives the Secretary of Agriculture the same power to appoint members of his staff and employees of the Department of Agriculture. Now, the gentleman from Minnesota referred to that, that this amendment would take away the power to appoint agencies of the States and it was not workable. The gentleman does not know anything about the bill, I believe, because no such matter is in the bill, except he shall appoint them in writing; that the man appointed shall take the constitutional oath of office and he therefore becomes a public officer. Becoming a public officer, he can execute warrants of arrest; becoming a public officer, he can arrest a man who commits an offense within his presence; being a public officer, he can make and execute a search warrant under all the limitations and restrictions of that warrant, and not otherwise. Therefore, any man who is being searched or whose premises are being searched by this officer under some other course, under the law this officer can be prosecuted criminally for malfeasance, misfeasance, or nonfeasance in office. But under the bill as it stands to-day you do not make him an officer. Certainly this committee does not want and intend to do that. They want to allow the Secretary of Agriculture to appoint employees in writing so there is a record; that they should take the constitutional oath to support the Constitution of the United States. He would then be an officer to execute the law, namely, arrest without a warrant for any offense committed in his presence, and, namely, execute a warrant of arrest, and, namely, to execute a search warrant. Then you have got some responsibility, and that will give this bill teeth by which it can be executed and by which the law can be enforced, as it ought to be, legitimately, properly, and fully. There can not be any legislation enacted that is more beneficial than it is for the conservation of the wild life of this country. The wild life of this country means so much to our people and to their interests, and we should therefore enact all needful legislation for that purpose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. Fifteen minutes.

Mr. MONDELL. Mr. Chairman, with the permission of the committee, I wish to use 10 minutes, and I would like the Chair to let me know at the conclusion of that time. Mr. Chairman, I shall support the amendment of the gentleman from California, the gentleman from Minnesota notwithstanding. We passed a bill the other day proposing an appropriation of $6,000,000 to add some 8,000 or 10,000 to the employees in the Department of Agriculture, which already has twenty-odd thousand employees, and under this bill all of those, without regard to their qualifications, as police officers would have jurisdiction to make arrests. I think under a Government like ours it is not asking too much that the officer empowered to make arrests and search and seizure shall at least have taken an oath to perform that duty in accordance with the law. How anyone can oppose as fair, reasonable, and decent a proposition as that I am unable to understand. Gentlemen who want to turn loose a lot of men who are appointed without any thought of their qualifications as police officers, without having taken the oath to perform their duties in accordance with the law, to search men's homes and arrest and hale them before Federal courts hundreds of miles away—men who desire to have that done can not have a very high regard for the principles of free government.

Mr. GREEN of Iowa. And no bond.

Mr. MONDELL. I am in favor of the amendment offered by the gentleman from Virginia, the gentleman from Indiana [Mr. BLAND] to the contrary notwithstanding. It is not true that that amendment would make it difficult to enforce the provisions of this act. If the gentleman from Indiana will examine the act carefully he will find that the act itself does, by reference to the treaty, describe the acts the doing of which renders one subject to punishment. The only authority the Secretary of Agriculture has is in the matter of making exceptions to the prohibited acts. The very first part of this paragraph authorizing arrests on sight authorizes such arrests only for violations of the act, and it is logical as anything can be in a wholly indefensible piece of legislation to follow that with another provision that arrests under warrant, search, and seizure shall also be specifically confined to violations of the act.

It is a little embarrassing for one who has any regard whatever for the fundamentals of this Government of ours to discuss a bill of this kind on the theory that any part of it is tolerable. No constituent of mine has suggested I vote against it. Some of them have requested me to support it, therefore my natural inclination as a Member would be to give it support as the easiest way out. I would give it support if in my opinion it did not violate every principle of the Republic.

What would the fathers have thought of such legislation, men recently liberated from the tyranny of a bureaucracy, of officers appointed by a distant power with authority to interfere with their local affairs? They attempted to prevent that for all future time and to leave with the local authorities the management of their local affairs. Whenever we encroach upon those principles thus laid down and established we undermine the very foundations of our Government. It is curious the frame of mind gentlemen bring themselves to in a matter of this kind. Men who have so profound a regard for local rights—we call them State rights because our Commonwealths are States, but I mean local rights. Men who have such regard for local rights of self-government that they would not tolerate for a moment a proposition to invoke the Federal authority in the protection of human life and against outrage to the individual will blithely support a proposition to establish Federal police jurisdiction the country over for the alleged protection of the plover and the peedee. Such is the inconsistency of the attitude of these gentlemen.

The Supreme Court is soon to pass upon the migratory-bird law, I hope, and in my opinion most of those who have approved that law have now come to the conclusion that the decision of the Supreme Court will be adverse to the constitutionality of the measure. In that condition of affairs it is now proposed to bolster up that soon to be discredited act by invoking the treaty-making power and substituting for the migratory-bird law a law based upon the treaty-making power. Gentlemen who find they can not deprive localities of their just rights under our Government by direct legislation, owing to the attitude of the Supreme Court, would invoke another power, that of making treaties. It is now urged that because certain gentlemen sat down with certain other gentlemen beyond our borders and agreed to a certain proposition we are held and bound by it, even though if attempted in any other way it would meet the adverse mandate of the Supreme Court.

But, unfortunately for that theory, the Supreme Court has passed upon that very matter. I think no one during the debate has called attention to the case of Ward against Race Horse, found in the United States Reports, volume 163, beginning on page 504. Ward was the sheriff of Uinta County, in my State. Race Horse was a Shoshone Indian. A treaty had been entered into between the United States and the Shoshone Tribe authorizing them to hunt upon the unoccupied land of that region so long as the water ran. Some years after that treaty had been ratified the State of Wyoming was established over much of the territory to which the treaty related, and laws were enacted regulating the hunting of game. In that condition

of affairs the Shoshones continued to hunt as they had under their treaty in the Territorial days, in violation of the State game laws. Whereupon Race Horse and his companions were arrested and haled into court for the violation of those laws. The Supreme Court gave that case very careful attention, and I invite gentlemen's attention to it, for it is a case directly in point, because game was involved as game is involved here, unless we are to take the extraordinary view of these latter-day uplifters, that a bird flying in the air is not game, but some form of interstate commerce.

The Supreme Court said in that case:

Doubtless the rule that treaties should be so construed as to uphold the sanctity of the public faith ought not to be departed from. But that salutory rule should not be made an instrument for violating the public faith by distorting the words of a treaty in order to imply that it conveyed rights wholly inconsistent with its language and in conflict with the rights of one of the [sovereign] States.

They did not put in the word "sovereign." I have added that, because that is what the State is, within its proper and reserved jurisdiction. And so the Supreme Court declared that, though the treaty was binding when made, it ceased to have any effect whatever when it interfered with the police power of a State and attempted in any way to shorten the jurisdiction of that State in the control of its game. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I had reserved five minutes for a gentleman who had asked for time; but the gentleman who desired to speak has informed me that he does not desire to use the time, so that I shall take those five minutes myself.

Mr. Chairman, I want in that time to refer to the rather extraordinary suggestion made by the gentleman from Virginia [Mr. FLOOD] from a borrowed brief. I asked him who wrote it, because I am sure no Virginian ever wrote it. The idea of a man from Virginia suggesting that any State can be brought into the Union shorn of any power, authority, or jurisdiction held by any other State in the Union is a doctrine that never burgeoned in Virginia, of all the places under the flag, and it is not a doctrine that will ever grow or find sustenance anywhere in the soil of this Republic, I trust. The lame and halting suggestion is made that the Supreme Court held that a treaty in violation of the sovereign rights of the State of Wyoming was held noneffective because the Congress had not shorn Wyoming of its sovereign rights when it entered the Union. Congress has no power, authority, or jurisdiction to bring a State into the Union shorn of those same powers held and exercised by every other Commonwealth, and the gentleman from Virginia agrees with me on that.

Mr. FLOOD. No; I do not agree that Congress can not impose conditions.

Mr. MONDELL. We are not a Union of unequal States, some limping and halting and short-limbed and short-armed, but a Nation of sovereign Commonwealths united in a Union that will stand forever. [Applause.] And each and all of them, great and small, have all the power that any one of them has. When the Supreme Court said that the treaty fell and ceased to be effective because it interfered with the police power and jurisdiction and sovereignty of a State, it did not mean that that was so because the State had not been shorn of its power, because it could not be shorn.

Mr. FESS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Ohio?

Mr. MONDELL. I yield.

Mr. FESS. Does the gentleman say that a Territory can designate upon what conditions it will come into the Union?

Mr. MONDELL. I say that every State came into the Union with equal power, equal sovereignty, equal control over its own affairs, and there is no difference between or among them. The question of what may be done in a Territory is altogether a different proposition.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. I can not yield further.

Mr. FLOOD. Does the gentleman contend that I said that Wyoming was shorn of any of her powers?

Mr. MONDELL. Oh, no. What the gentleman said, if I understood him, was that the Supreme Court held that the treaty was not in force and effect, because Wyoming had not relinquished any part of her sovereignty; and that was true as far as it went, but it was only a very small portion of the truth. Wyoming could not have relinquished any part of her sovereignty and been one of the union of States.

Mr. FLOOD. I did not say that.

Mr. FESS. Will the gentleman yield?

Mr. MONDELL. No; I can not yield further. I have only a moment more. If any of these gentlemen want to prove that the States are unequal, I shall be glad to give them time by unanimous consent to prove that at any time.

Now, Mr. Chairman, there is one peculiar thing with regard to all of this legislation. It is the frame of mind, the psychology of the gentlemen who support it to tear down the pillars of the Nation in order to protect a phoebe, when they would not do the same thing to protect the most profound and essential right of the people.

The CHAIRMAN. The time of the gentleman has expired. The question is on the substitute offered by the gentleman from Virginia [Mr. FLOOD].

Mr. STAFFORD. Mr. Chairman, may we have that reported?

The CHAIRMAN. Without objection, the substitute will be reported.

The Clerk read as follows:

Substitute offered by Mr. FLOOD to the amendment offered by Mr. MOORE of Pennsylvania: Page 4, line 9, strike out all beginning with the word "if," in line 9, down to and including the word "thereto," in line 14.

The CHAIRMAN. The question is on the substitute.

The substitute was agreed to.

The CHAIRMAN. The question now is on the committee amendment to section 5 as modified by the substitute.

Mr. RAKER. Mr. Chairman, I have an amendment to the committee amendment, to strike out all of the committee amendment and substitute in place of it the following——

The CHAIRMAN. Without objection, the Clerk will report the amendment offered by the gentleman from California [Mr. RAKER].

The Clerk read as follows:

Amendment offered by Mr. RAKER: Strike out all of line 23, page 3, down to and including the word "thereto," in line 14, page 4, and insert in lieu thereof the following:

"SEC. 5. That the Secretary of Agriculture may, in writing, from time to time, appoint and authorize employees of the Department of Agriculture to enforce the provisions of this act, which persons so appointed, after taking the constitutional oath of office and otherwise qualifying under the law, shall be public officers and shall have all the powers and authority of United States marshals or other peace officers to make arrests for violating any of the provisions of this act and to serve all processes and notices in the enforcement of this act."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from California [Mr. RAKER].

The question being taken, the amendment was rejected.

Mr. RAKER. Mr. Chairman, I offer the following amendment: I move to strike out all after the word "authority," in line 7, down to and including the word "place," in line 8, and substitute therefor the words "to execute search warrants," so that it will read "and shall have authority to execute search warrants."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. RAKER: Page 4, line 7, after the word "authority," strike out the following: "with a search warrant to search any place," and insert in lieu thereof the words "to execute search warrants."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. FOSTER. Mr. Chairman, what becomes of the amendment of the gentleman from Arkansas [Mr. CARAWAY].

The CHAIRMAN. In the judgment of the Chair that should be voted on after we have voted on the committee amendment, as it is in the nature of a substitute. The question is on the committee amendment.

The question being taken, on a division (demanded by Mr. MOORES of Indiana) there were—ayes 55, noes 5.

Accordingly, the committee amendment was agreed to.

The CHAIRMAN. The question now recurs to the amendment offered by the gentleman from Arkansas [Mr. CARAWAY], which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARAWAY: Page 3, strike out all of section 5, down to and including the word "thereto," in line 14, page 4, and in line 22, page 4, strike out the words "by any such employee or."

Mr. RAKER. Mr. Chairman, a parliamentary inquiry. All the language afterwards placed in line 8, down to and including the word "thereto," in line 14, has been stricken out. Does the gentleman want to strike it out again?

The CHAIRMAN. Only a portion of the words proposed to be stricken out by the gentleman's amendment have been stricken out. The question is on the amendment offered by the gentleman from Arkansas [Mr. CARAWAY].

The question was taken; and on a division (demanded by Mr. CARAWAY) there were—ayes 20, noes 41.

Accordingly the amendment of Mr. CARAWAY was rejected.

The Clerk read as follows:

SEC. 6. That any person, association, partnership, or corporation who shall violate any of the provisions of said convention or of this act, or who shall violate or fail to comply with any regulation made pursuant to this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or be imprisoned not more than six months, or both.

Mr. HUDDLESTON. Mr. Chairman, I move to strike out the last word. Certain gentlemen argue that this bill is constitutional, and having satisfied themselves of that fact they seem to assume that the policy back of it is good and that the bill should be supported.

I do not think the bill is constitutional; but waiving the question as to its constitutionality, I want to insist that it is bad policy. We pass this bill, if at all, in order to enforce a treaty made for the protection of birds. We have other treaties of vastly greater importance than the mere protection of bird life. We have treaties which regulate the rights of subjects of foreign countries to reside in the United States, to transact business here, to contract, and to do various other things. If we are to pass laws taking away the police powers of States for the protection of bird life, why should we not pass laws which will take away the police powers of States in the protection of treaty rights of aliens relating to residence, property, contracts, and many other subjects? The Congress has the same right to interfere with the local affairs of a State for the protection of the security of the persons of subjects of foreign countries that it has to protect the lives of birds which may nest in foreign countries. If it is good policy to protect the lives of birds, why should not Congress act even in the local affairs of California, we will say, and fix it so that the treaty obligations we have to orientals may be protected?

Why should not Congress go into the State and the district of the gentleman from California [Mr. RAKER], who is supporting this bill, and by Federal statute and the exercise of Federal police powers force on Californians the mixed schools that they are so much concerned about? Why should not Congress go into our great cities, where subjects of foreign countries reside by thousands, and to whom we owe sacred treaty obligations, and interfere with local affairs there for the protection and security of these aliens?

Consider it, gentlemen. Congress ought not to bow to matters of convenience merely. We should stand sometimes, it seems to me, for principle. There is no principle more sacred to those who love American institutions than the right of local self-government, the right of the community to exercise and discharge its police powers free from Federal interference. That principle I insist on in its application to birds as well as to men to contract rights. [Applause.]

Mr. GRAHAM of Illinois. Mr. Chairman and gentleman of the committee, this section provides a penalty of $500 or an imprisonment of not more than six months for a violation of any of the provisions of the treaty, or of any of the provisions of this act, or of any of the regulations that may be issued from time to time by the Department of Agriculture. You will observe that it is rather a severe penalty for the infraction of any game law. I want to ask the membership of this committee how many of you are there to-day who know what the regulations of the Department of Agriculture are under the Weeks-McLean law as applied to your respective States? When does the season open and close in North Carolina; when does the season open and close in Iowa; and when does it open and close in Indiana? Very few of us, who are supposed to be particularly well informed as to the laws of our country, know what those regulations are. And yet here we are granting to the Department of Agriculture the right to inflict that sort of a penalty on any person in this country at any time. Is there anything in this law which you have observed that provides in any particular way how the regulations shall be promulgated? Is there any notice provided to be given to the people or inhabitants of the country? There are no safety provisions surrounding it at all. One day the Department of Agriculture or the chief of Biological Survey may make regulations as to the killing of game in Georgia and Alabama and the next day it becomes effective, and some agent of that department can arrest your son or neighbor for a violation of a law that he knew nothing about and had no opportunity of obtaining any knowledge of.

This is a dangerous provision. There ought to be some way in which the people of a State of the Nation should be advised about the laws. I do not think it is ever advisable, at least outside of war times, for the Congress of the United States to delegate to some department of the Government the right to make laws and put them in operation as it may please; and yet that is what we are doing. Now, if we do not know about these regulations, if we can not be sufficiently advised about them, I would like to know how the people of the various States can get this information.

Now, I want to call attention to something else. Look at the preceding section of this act and you will find that the Secretary of Agriculture in section 3 is authorized to provide from time to time, having due regard for the zones, and so forth, to make regulations—what about? About the hunting, taking, capture, killing, possession, sale, purchase, shipment, transportation, carriage, or export of any bird. In other words, the Department of Agriculture can make regulations not only about the hunting of the birds but about the sale of anything connected with the life of the bird and disposition of their bodies after they are dead. In fact, an agent of the Agricultural Department in talking with me about this matter informed me that it was the purpose of the department, as soon as the act was passed, to immediately put into effect the regulations prohibiting the sale of any wild game in the United States, and another to make the size of the bag the same all over the United States. You will observe that the power written herein is supposed to be giving a power to conserve the wild bird life in this country, but it is in effect and will be a game law that will give the United States authorities the right to go into your State and say whether you shall sell wild ducks or ship them, or whether any hunter can carry them from the blind to his house. It will say how many birds you can kill and what you can do with them. Do you want to give that kind of power to the Government of the United States or the Department of Agriculture? And yet I tell you that information was conveyed to me by the head of the Bureau of Biological Survey, a man in whom I have the greatest confidence, and for whom I have the greatest respect and personal friendship.

I object to that sort of legislation. I do not believe that it is wise; I do not believe that it ought to be adopted; and I so stated to the head of the Biological Survey. I insist that the regulations whatever they may be should be made on a scientific basis, and they ought to be written into the statutory law of this country so that a man can read them and know what the regulations are.

Suppose some one wants to know what the regulations are, where will you find them? In Washington, in the Department of Agriculture; but there is no law book that contains them, except as from time to time the proclamations of the President are issued in the Statutes at Large. Many days, months, or perhaps a year may have passed before these regulations which have been promulgated will appear in these published Statutes at Large. There is no way for the public to find out about these things, and that is the principal trouble with this sort of legislation. I say to you here now, that I stand here ready to insist upon or to favor in every way that I can, regulations for the protection of our wild life and the conservation of our bird life, but they ought to be statutory law, law that will apply to the whole country, and laws that you and I helped make, and about which we can tell our constituents. [Applause.]

Mr. FLOOD. Mr. Chairman, I do not think the suggestions made by the gentleman from Illinois [Mr. GRAHAM] that this is a very severe penalty is tenable. The maximum fine can not be but $500 and the maximum imprisonment can not be for more than six months. The court could fine $1 and imprison for one day. It is idle, therefore, to complain of the severity of the penalty.

Mr. REED. What is the present penalty of the Federal bird law?

Mr. FLOOD. It is the same as this. If we are going to have any kind of penalty, we had better have one that will stop the slaughter of these birds. The gentleman evidently does not agree with the general sentiment of the country and the sentiment of this House for the protection of migratory and insectivorous birds. As to his suggestion about the publication of these regulations, I will say that regulations finally agreed upon are promulgated by the President, the proclamation being published in the United States Statutes at Large, and thousands of copies of the proclamation are widely distributed in the form of a service announcement.

The regulations are not changed daily or weekly, or even monthly. They are not changed by the Secretary of Agriculture acting without advice. An advisory board of 21 members selected from game commissioners and others assist, and their proceedings are published in the game magazines and periodicals and in many newspapers. No one is liable to be taken by surprise. After these changes are made they are promulgated 90 days before they go into effect. It is the purpose and the hope of the Department of Agriculture to get behind this law the sentiment of the entire country, and it will not execute it

in such a way as to drive away from it the people who are interested in the protection of these birds or who are interested in the shooting of them. Ninety days' notice is given; it is published in the game journals of the different States, in the newspapers of the different States, and then in the Statutes at Large. I can not see that there is any objection to this section except upon the part of those who are utterly and teetotally opposed to the protection of game life in this country.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 5, line 7, after the word "act," strike out the words "or who shall violate or fail to comply with any regulation made pursuant to this act."

Mr. MOORE of Pennsylvania. Mr. Chairman, the gentleman from Illinois [Mr. GRAHAM] in his speech has anticipated this amendment. He indicated the fear that I have had in mind, and which I expressed a few moments ago when offering an amendment to another section of the bill, which was accepted in part by the gentleman from Virginia [Mr. FLOOD]. By the passage of the amendment offered by the gentleman from Virginia in lieu of my amendment, we struck out of section 5 the words "or of any regulations made pursuant thereto," and relegated the penal force of the act to the law itself. If section 6 passes as it is written, it will be within the power of the Secretary of Agriculture to define the offenses, the commission of which would subject a citizen to criminal prosecution and imprisonment. It may be that he can go so far as to say that a man shall be sentenced to six months' imprisonment who has feathers in his possession. It may be that he will find some new method, not contemplated by the Congress, thus giving blanket powers to the Secretary to regulate as to criminal punishment. I do not believe Congress should give to a department blanket power to send men to jail. If the department wanted certain offenses made unlawful, the department should submit to the Committee on Foreign Affairs, which drafted this bill, the particular offenses it desired to have included. As this section now stands, Congress votes the Secretary of Agriculture the right to punish men and put them in jail, and does not state the grounds upon which such men may be sent to jail. It leaves everything to the Department of Agriculture, an official who may be influenced by the advice of his subordinates and bureau chiefs or by men in the field. These game preserves are good things. They have encouraged the development of our bird life in the United States and have helped to stave off the wanton destruction of that life. But suppose one of the Secretary's agents has a quarrel with some one who has trespassed upon a game preserve or has otherwise incurred the ill will of the agent. The latter may "find" some violation of the regulations, report it to the bureau chief, who in turn will report it to the Secretary of Agriculture, and all that it is necessary to do then, without coming to Congress at all, is to have the Secretary make a new regulation and without the knowledge of Congress create a new offense and impose a find of $500 and a possible imprisonment of six months upon an offender. It seems to me we are delegating our power to make law in rather a loose manner.

Mr. GREEN of Iowa. Mr. Chairman, I rise to support the amendment. The gentleman from Pennsylvania [Mr. MOORE] is quite correct as to the effect of this section. It is true that the law in the preceding sections absolutely forbids the killing and the transportation or having possession of any game birds upon the part of any person, and then provides only that the Secretary of Agriculture shall make certain regulations in the way of exceptions to the application of the law. The effect of this is to put the whole thing absolutely in the power of the Secretary of Agriculture to make regulations as to which few people know the purport or effect and to provide that whoever violates them shall not merely be fined $500—for that is perhaps not the most serious part of the provisions of this section—but shall be haled before some Federal court or commissioner perhaps 100 or 200 miles away from his home and there be tried for an offense at a place where it is most difficult to show his innocence.

Mr. Chairman, I am as much in favor of protecting wild life as any gentleman in this House, but I do not believe it is necessary to pass this bill in its present form in order to protect it. When it comes to the assertion, so often made, that this bill is in the interest of food preservation, and therefore a war measure, there is absolutely nothing on which it can stand. Do not gentlemen know that practically every State in this Union—if there is an exception no one has mentioned it—already has a law forbidding the killing of insectivorous birds, an absolute law with no exceptions? There is one in my State, there is one in practically every State—Arkansas, Illinois, Nebraska, Colorado—every one that has been mentioned. Everywhere there is already full provision made for the protection of song and insectivorous birds. What are the enemies of insectivorous birds? These hunters gentlemen have been talking about? Who hunts insectivorous birds? Not anybody in my State or elsewhere hunts insectivorous birds.

The enemies of insectivorous birds are the cat and the squirrel, which is protected here in this town and in hundreds of towns all over the country, and the small boy, who sometimes throws a stone at the birds and frightens them away. Those are the chief enemies of insectivorous birds. If this House would pass an act preventing squirrels from being protected, as they are in the various towns of this Nation, they would do vastly more for the protection of insectivorous birds than this bill will ever do or can do, because it goes no further and can go no further than the States do that already have absolutely forbidden the killing of insectivorous birds. The squirrels tear up their nests, eat their eggs, fight the birds, and drive them away. I would like any gentleman to find, if he can, a single nest in all the Capitol park surrounding this building of an insectivorous bird. I never saw one, and I do not believe they can be found. Why? Because the park is filled with squirrels, and it is the same way in any town that harbors them. The squirrels are the greatest enemies the birds have, because they can assail them in the trees, tear up their nests, and destroy their eggs. Instead of some practical measure, we have here a provision with most stringent penalties which will enable any appointee of the Department of Agriculture, regardless of whether he is a fit man for the place, whether he has the necessary judgment, immediately to seize upon some citizen, haul him away from his home, 100 or 200 miles, bring him before a court or a commissioner, and have him fined $500 if he violates some regulation that he knows nothing about.

Is there any necessity for so stringent a provision? The insectivorous birds are already protected from hunters. They need to be protected from their natural enemies, but this bill does not do that. They can not nest in the woods, for there owls and squirrels drive them out, and, as I have said, in many towns squirrels, which prey upon them, are protected. Keep away the cats and the squirrels and the robins will nest on your porch, the catbirds in your arbors, the wrens in your bird houses. Restrain the small boy and birds soon learn that the safest place for them is near the abode of man. I lived for many years in the town of Audubon, in my district. It was named after the great naturalist, Audubon, who wrote that monumental work on the birds of North America and illustrated it from his own drawings. The people of that town are bird lovers, but the beauty of the squirrels attracted them, and where the squirrels are the birds nest no more.

Mr. Chairman, what we need is a sane, sensible bill, without the many obnoxious features of this measure, which have already been noted in the discussion which has preceded. I want to preserve the wild game, but I feel compelled to vote against this measure.

Mr. MONDELL. Mr. Chairman, I want to take as my text the last sentence of the gentleman from Virginia [Mr. FLOOD]. He is of the opinion that no one is opposed to this bill except those who desire the slaughter of game, song, and insectivorous birds.

Mr. FLOOD. Well, if the gentleman will permit me, I will modify that statement.

Mr. MONDELL. That was the gentleman's statement in substance.

Mr. FLOOD. I modify that statement.

Mr. MONDELL. I am very glad the gentleman has modified it. I think I said at the beginning of my discussion a few moments ago as far as any influence has been brought upon me in the matter it was in favor of the legislation. Not a soul has ever asked me to oppose this bill, but some have asked me to favor it, and people whose approval I should like to have. No one has a more sincere desire than I have to protect bird life. No one has been more faithful than I have been in all proper legislation for the protection of bird life, but I do think there are alleged remedies that are very much worse than the ill they are supposed to cure. And this is one of them. It is important to protect our birds; it is much more important to protect the form of our Government and the liberties of our people. I believe as sincerely and profoundly as I ever believed anything in my life that that is what is involved here; nothing more, nothing less. The gentleman from Virginia would not for a moment approve a treaty and a law to enforce it to take from a State any of the rights suggested by the gentleman from Alabama [Mr. HUDDLESTON] a few moments ago, and yet if the treaty-making power has the right to take from States the control over birds, it has the right to take from the State con-

trol over aliens residing within the State, and there might be infinitely more reason why in the protection of our Government that should be done. I have never been disposed to impune gentlemen's motives and yet I can say without betraying anybody's confidence that in my opinion many men vote for legislation of this kind, not because they believe in it, but because there is a pressure behind them from well-meaning but misguided people of certain classes and other folks who are as selfish as men can be. A peculiar thing about this kind of legislation is that it is frequently supported by arguments that are not representative of the real sentiments and purpose of those uttering them. We listened to a beautiful speech here the other day about song birds, and we all love them——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. MONDELL. We all love song birds and we desire to protect them, and most of our States do adequately protect them. If there be a State that does not, shame upon it; and the whole sisterhood of States should unite to see that the song birds of the Union are protected in a proper way by the local authorities. We have heard appealing arguments for the insectivorous bird, and we are asked to support legislation of this kind on the alleged theory that it is in the interest of the farmer, and that we must violate the fundamental principles of our Government in order to have the worms destroyed. But, as a matter of fact, when you reach the people who are actually the compelling force behind this kind of legislation, in nine cases out of ten they are neither especial lovers of song birds or folks who are particularly interested in insectivorous birds, but game-bird hunters, fellows who hunt ducks and geese and brant and shore birds. That, aided and abetted by the Government bureaus which desire to lord it over the people, is the force that is behind this legislation. Most of the talk of song birds, birds that destroy worms and grubs, is mere camouflage spread abroad to catch the well meaning, the unthinking, and the unwary. For the purpose of making a holiday for the duck hunter some gentlemen would allow a department of the Government to break down all of the police regulations of every State in the Union. We may come to that sort of thing in full fruit and flower under this flag, and if we do it will be a sorry day for the Republic. It may require the establishment of a meddlesome, pestiferous game-bird bureaucracy in this Nation to bring people to a realizing sense of its obnoxious character.

Republics are generally safe from outside assaults. The vigor, the virility, and patriotism of their people have generally protected them from the enemy beyond their gates. When they have failed, decayed, and fallen it has been generally due to the fact that they have allowed the insidious growth of centralization and bureaucracy to undermine the liberties of the people.

Yes, protect the birds, but protect first human beings, and if it is necessary to extend Federal jurisdiction to do that, I will support it. Protect the birds——

Mr. McKENZIE. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield to the gentleman from Illinois?

Mr. MONDELL. Protect the birds, but it is not necessary to change the form and character of our Government in order to do that. If we are to destroy local government and State jurisdiction, for Heaven's sake and in Heaven's name let us do it in a cause that is worthy, and not that some pot hunter may have a better opportunity than he now has to go forth and bag the succulent canvasback.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEA of California. Mr. Chairman, I believe the language that this amendment proposes to strike out is very important to the successful operation of this bill. I do not think it is possible to have a successful Federal law in reference to hunting and preserving game without having zone regulations. Such zones can not be successfully defined by an arbitrary law of Congress. Somewhere there must be a discretionary power to define those zones and prescribe appropriate regulations, for two or three reasons. One is for the protection of the birds. The habits of birds are so different in the different climates of this country, the same birds having different habits in different climates, and the seasons vary so greatly that their protection can not be effectively accomplished without the discretionary power being placed somewhere to define zones and establish regulations therefor that apply to the particular conditions involved in the different parts of the country.

And the same thing is true in reference to the hunting of birds. If we are to have intelligent regulation for the hunting of birds in this country, it will require one rule—one open season for one zone and another rule and another season for a different zone.

Another reason I am opposed to this amendment is that it would destroy to a large extent the usefulness of Article VII of the treaty. Article VII provides that where birds are seriously injurious to the agricultural or other interests of the community the appropriate authority of the Government may make regulations permitting the killing of such birds so destroying property. That is a very important section of the treaty. The power to make regulations provided by the treaty without the power to enforce them as provided by this bill, would make such regulations a nullity. Everyone, for instance, recognizes that the duck is a very destructive bird.

Last fall I was in a rice field in California. We now have about 79,000 acres of rice in cultivation there, an infant industry in California. In one field I saw 20 acres of rice that was not cut because the ducks had entirely destroyed it. It was not worth cutting. Now, how are those rice fields going to be protected under Federal law if you take away the discretion of the Department of Agriculture or if you take away the power to prescribe a penalty for the violation of the regulations? You deny the State power to protect against such condition and you render the Federal Government powerless to give protection. It is necessary for somebody to have the discretionary power to prescribe the rules to meet these troubles as they arise.

Now, the serious condition, for instance, that I have mentioned never existed in California until last year. We did not have the rice industry there until within the last four years. Such a condition can be adequately met only by conferring on somebody a discretionary power that can be promptly exercised to meet the exigency. Rice grown on 20 acres was uncut. Rice was yielding 35 sacks to the acre. So this was a tremendous loss. Some members of the Rice Growers' Association of California have estimated the damage done to the rice crop of that State amounted to $1,000,000 on the 79,000 acres of rice grown. So the importance of giving some discretionary power the right to prescribe rules and to enforce them is of vital importance to the successful operation of this bill. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 21, noes 26.

So the amendment was rejected.

Mr. ROBBINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 5, lines 6 and 7, after the word "of," in line 6, strike out the words "said convention or of."

Mr. ROBBINS. Mr. Chairman, the effect of that amendment is simply to strike out the requirement of this act, the inclusion of the provisions of the convention upon which this bill is based, especially as a part of the law the violation of the provisions of which shall subject a citizen to punishment. I can not see any reason why this convention or treaty should be mentioned in the law as a part of it. This convention will not be printed in the Revised Statutes of the United States. It is not a part of the Revised Statutes. The men that violate the provisions of this law will look at the statute, and if you should go into a lawyer's office and ask him what the law is in regard to hunting he would at once turn to the Revised Statutes, and he would see what this statute provided, but he would not find the treaty printed there.

Mr. FLOOD. He would see the treaty, statute, and regulations.

Mr. ROBBINS. There is no authorization to publish as a part of the Revised Statutes the treaty between the United States and Canada.

Mr. FLOOD. The regulations along with the treaty and statute will be sent to the President, and he will issue a proclamation, and they will all be printed with the Revised Statutes.

Mr. ROBBINS. The gentleman may believe that, but I would like to have his authority for his belief. I say there has not been any authority shown during this debate, nor can there be any, that the compiler of the Revised Statutes of the United States, or the Clerk of this House, will certify the treaty between Great Britain and the United States as a part of that statute. It will not be there at all. The provisions of the statute will be there, the penal provisions will be available to every hunter and every attorney that looks at the law, but the details of this treaty—and there are many things in it that will not be men-

tioned in the statute—are not to be included as a part of that statute.

Mr. JOHNSON of Washington. The gentleman's belief is that if a man in Alaska killed a migratory bird, and was haled before a magistrate, they might have some difficulty in just finding whether that particular bird was included in the treaty or not?

Mr. ROBBINS. Certainly. He would not have the treaty before him or available. He would have no way of discovering whether that was one of the prohibited birds or not.

Mr. WHITE of Maine. Is it not true that in reading section 2 of the act you are relegated to consider and find out to what the act applies?

Mr. ROBBINS. That is a different proposition. I want to call the gentleman's attention to the fact that we have here a penal clause. What the act refers to is a different thing. This provision here is a penal clause that subjects a man to a fine of $500 or six months' imprisonment, or both.

Notice ought to be given to every citizen, before he is subjected to any penal clause of a statute of what he is called upon to observe. I say there ought to be omitted from this section those words, "who shall violate any of the provisions of said convention." Then the meaning would be clear. It should be, "Who shall violate any of the provisions of this act, or who shall violate or fail to comply with any regulation made pursuant to this act."

Mr. FLOOD. Does the gentleman feel that we ought not to provide against the violation of the terms of this treaty that we have entered into and ratified and exchange ratifications? Are we not under obligation to prevent its being abused and violated?

Mr. ROBBINS. This act is passed to carry into effect this treaty in the United States. That is what we are legislating about. It is not self-acting. We are passing this act to do that. To put in force a treaty between the United States and Canada I am greatly in favor of this bill, but do not want it to contain provisions that will nullify any of its provisions. Let us strengthen it all we can and hasten to pass it.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MONDELL. Mr. Chairman, I am surprised that so intelligent a gentleman as the gentleman from Pennsylvania [Mr. ROBBINS] should have listened to the debate and the discussion of this bill for two days without discovering the character of the legislation. He is now suggesting some of the absurdities of the proposed law. That is the trouble with this whole business. Most of the gentlemen will only discover the absurdities of the measure after it is on the statute books; but the gentleman from Pennsylvania has glimpsed some of them just before the final vote. Why, of course, it is absurd to pass a law assuming to make it a crime or misdemeanor to do or perform an act without prescribing in the statute the character of the act which it becomes a crime or misdemeanor to do or to perform. But the part of the bill we are now discussing is in perfect harmony with the balance of it in that regard. The gentleman from Pennsylvania, who is for the bill, certainly does not want to throw the whole blooming thing out of gear by amending the latter part of the bill out of harmony with the proposition contained in the first sections.

Of course, it is absurd. What are you going to do in a case like this: A barefoot boy, as barefoot boys sometimes do, largely through inadvertence and without meaning anything wrong, happens to throw a stone at and strikes and injures a robin's nest and breaks one of the eggs, whereupon he is hauled before a court for violation of a solemn treaty entered into between the United States of America and the Provinces of Canada. Just how you are going to determine whether the bird that laid the egg flew across the Province of Ontario this year or no I do not know, but I assume it will be necessary to prove that before you can convict a barefoot boy for that sort of a mischance, for ordinarily barefoot boys do not hit birds' nests when they throw at them. [Laughter.] There is one thing about this bill that really gives me pain and trouble, and that——

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. In a moment. And that is that the Indians of the country are not bound by the blessed provisions of the treaty, but they may kill the scoter for their own use and benefit. Now, I do not know what a scoter is. I suppose I should know, and I am worried to know just how my Indian constituents at home are going to find out what a scoter is and know what their rights are in regard to a scoter that may have flown over the Province of Saskatchewan and has not been properly tagged. Now I yield.

Mr. MOORE of Pennsylvania. I can say to the gentleman that a scooter is one that scoots. [Laughter.]

Mr. MONDELL. I am afraid my Indian friends will be scooted under this bill. [Laughter.]

Mr. MOORE of Pennsylvania. I wanted to ask the gentleman about that little boy who had a stone in his hands and threw it at the bird's nest. Suppose it was a last year's bird's nest. [Laughter.]

Mr. MONDELL. The offense is the same if it is tagged "from Canada."

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ROGERS. Mr. Chairman, I have not taken up time in discussing this measure, although I am very much in favor of it. I wanted to call the attention of the committee to a matter that is suggested by the consideration of this bill, although not directly concerning its passage through the House.

Day before yesterday we took up the bill, as I remember it, shortly before 1 o'clock. We debated it without interruption until just before the House adjourned about half-past 5. The Official Bulletin, which is sent to our offices every morning and distributed all over the country every morning, purports to be the official record of the doings of the Government, and it carries daily a report in some detail of the proceedings of Congress. The country has the right to assume that that record is correct, that it is reasonably full, and that certainly there are no serious omissions. Whatever we may think of the migratory-bird bill, I think we shall agree that it is an important bill; that the country is very much interested in it and that it wishes to be informed as to its progress and as to any action that may be taken upon it by the House.

I have before me a page from the Official Bulletin of Wednesday, which reports the proceedings of the Congress for Tuesday, June 4. Nearly a column of the Bulletin is given over to a description of the doings of the House on Tuesday. The report describes the appearance of Alien Property Custodian A. Mitchell Palmer before the "Commerce" Committee of the House. There is no such committee. Presumably the Committee on Interstate and Foreign Commerce is meant. It describes briefly the result of the election case of Steele against Scott. It describes even the hearings before the Committee on Foreign Affairs in connection with Niagara Falls power legislation. It concludes with a résumé of perhaps a dozen bills which were introduced on that day. But there is not so much as a word of reference to the fact that this bill was considered, important as it is, and in spite of the fact that the debate, as I have said, took practically all of the time of the House between its convening at noon and its adjournment at half-past 5.

There have been repeated instances in the past of similar errors of statement or omissions in the reports of the Senate and of the House in this Official Bulletin. I have not taken the time of the House to dwell upon them, because it seemed to me that unless the practice continued and became more gross than it had been up to this time perhaps it was a matter of de minimis. But it does strike me that we are entitled, and the country is entitled, to have an accurate and a reasonably full report of the proceedings of the House and Senate set forth in this Bulletin. Otherwise there is absolutely no value at all in having these reports in the Bulletin, because a faulty, garbled, or insufficient report is worse than none.

Mr. GARRETT of Tennessee. Does the gentleman think that the Bulletin should have carried the debate upon this bill?

Mr. ROGERS. Oh, of course not.

Mr. GARRETT of Tennessee. What does the gentleman think it should have carried—just a statement that the bill was called up and considered?

Mr. ROGERS. A statement that the bill was called up, a very brief résumé of what the bill stood for, any material amendments or objections offered, and the fact perhaps that it was pending when the House adjourned, at all events that has been its usual practice.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEMPSEY rose and was recognized.

Mr. FLOOD. Mr. Chairman, I should like to get an agreement as to a vote.

The CHAIRMAN. Has the gentleman any proposition to submit?

Mr. FLOOD. I believe the gentleman from Pennsylvania [Mr. MOORE] wishes to speak.

Mr. MOORE of Pennsylvania. I was going to comment on the statement of the gentleman from Massachusetts [Mr. ROGERS], but I will not, as it is not now germane.

Mr. FLOOD. I ask that all debate on this section and all amendments thereto close in 20 minutes.

Mr. HICKS. Will the gentleman from Virginia yield for a question?

Mr. FLOOD. Yes.

Mr. HICKS. With all due respect, and realizing the importance of this bill for the protection of birds, is it not more important that we should get at some legislation for the protection of our soldiers, and let the next bill on the program come forward?

Mr. FLOOD. There is no more important duty that this House can discharge at this time than to carry out its treaty obligations. We are sending our soldiers abroad on account of the violation of treaties and the principles of international law by the Imperial German Government, and we ought not to follow in her footsteps. [Applause.]

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that debate on this section and all amendments thereto close in 20 minutes. Is there objection?

Mr. FESS. Reserving the right to object, Mr. Chairman, I should like to ask the chairman of the committee [Mr. FLOOD] whether it is his purpose to expedite the passage of this bill, so that the House may take up the bill for the rehabilitation of wounded soldiers, which was made in order to-day? What is the purpose of the chairman of the committee?

Mr. FLOOD. My purpose is to expedite the passage of this bill without reference to any other bill. I am in charge of this bill, and I want to get it passed and get it passed as soon as possible. I would be glad to see the bill the gentleman refers to come up to-day, but I can not undertake to cut off gentlemen when they insist upon debating this bill. It is not pleasant to do this, and under the circumstances facing us, it would not be in the interest of the pending bill.

Mr. FESS. Still reserving the right to object, the soldiers' rehabilitation bill was expected to be brought up to-day, and unanimous consent was asked and granted last Tuesday. I am concerned to know whether there is any likelihood of bringing that bill up to-day.

Mr. FLOOD. The gentleman told me just now that he would object to any extension of time. He has my permission to do that, and I suppose he has the permission of the House. I am going to manage this bill in the way I think will get it through at the earliest possible moment, and I can not make any prediction as to the time it will take, because I do not know how long gentlemen who are opposed to this bill will desire to speak upon it.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. WALSH. Reserving the right to object, there was no agreement that the soldiers' rehabilitation bill should be taken up to-day. The agreement was that it should follow the disposition of this measure. I do not think the gentleman from Ohio is accurate in stating that it was to come up to-day.

Mr. FESS. If the gentleman will yield, it was generally understood that this bird bill would be brought to final action the day it was taken up.

Mr. JOHNSON of Washington. Understood by whom?

Mr. FESS. There is a very apparent disposition here to make this a talkfest day. I am exceedingly anxious to know whether the rehabilitation bill is in the way or not. For that reason I am going to object to any request for extension of time.

The CHAIRMAN. The gentleman from Ohio objects.

Mr. FESS. I do not object to limiting the debate.

The CHAIRMAN. The gentleman from Virginia [Mr. FLOOD] asks unanimous consent that debate on this section and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, we had before us a short time ago the military appropriation bill, the largest appropriation bill ever presented to this or any other body. In spite of its magnitude and importance the discussion of it took less time than this bill which is now under consideration. Now, I realize two things; first, that the performance of treaty obligations is a binding and high duty; and I recognize, second, that the protection of the birds of the country is of great and vital importance; but in a great Congress like this, with momentous questions awaiting our consideration, with the rehabilitation of wounded and injured soldiers awaiting our attention all of one day and the greater part of another, I can not see why we should take two whole days in summoning bogies from the depths, in seeing fantastic dreams of the liberties of the Republic sacrificed because of the fact that we are enacting a migratory-bird law. Gentlemen conjure up the idea that a bureaucracy will be created, and that every innocent boy who goes out to play upon the streets and breaks a bird's egg through accident is to be haled 500 miles away and punished as if he were committing an offense of the highest degree, and with all the rigors of the criminal law. Gentlemen, to imagine such things as that and to spend time in talking about them here would be bad enough if it were done in sport. It is worse when it is seriously suggested. Why, we are talking about these things with much more eloquence, with much greater fear of dire perils than we have indulged in upon all the serious legislation which has confronted us.

Now, with these treaty obligations to be performed, with the fact that it is a good thing to protect the birds of the country, why can not we in a most momentous time like this legislate promptly and expeditiously, and let the measure for the restitution and rehabilitation of the injured and maimed human life take its place before the House? [Applause.]

Mr. WALSH. Mr. Chairman, I can not agree with the idea so ably expressed by the gentleman from New York [Mr. DEMPSEY] that simply because one measure of great importance may be delayed another measure of great importance should be hastily acted upon. It is a regretful circumstance that some of these gentlemen who may be anxious to get away for the week end, or who have not been seen much of late, should come in and attempt to lecture the House when we are engaged in legitimate discussion. There has been no spirit of filibuster engaged in on this bill. Nearly every Member who has spoken has discussed the amendment. The distinguished chairman of the committee has proposed amendments and has asked for extension of time, and I submit that because the gentleman from Ohio is anxious that the rehabilitation bill should be acted upon is no reason why there should be an attempt to place a cloture upon Members having legitimate views to express.

Mr. DEMPSEY. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. DEMPSEY. "The gentleman from New York" has been here every day, or the greater part of every day, if the gentleman alludes to him.

Mr. WALSH. I am glad to know that the gentleman from New York has been present every day, and I trust that we may continue to see him present. We get much helpful information whenever he engages in debate and the deliberations of this body.

Mr. FESS. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. FESS. My concern in the matter that is to come up is due very largely to the present situation which is represented to us by the Surgeon General's office and other agencies of the Government. The Senate having passed this bill more than a week ago unanimously, there is a desire among Members here to expedite it, and I am exceedingly anxious to get it before the House so that other privileged matters may not hold it up.

Mr. WALSH. I appreciate the gentleman's anxiety, but I will venture the suggestion, if I may without being ostracized for criticizing the Committee on Rules, that the rehabilitation measure should have been the one to be brought in by a rule at this particular time, and that this measure relating to treaty obligations might well have been deferred for two or three days.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GARRETT of Tennessee. There was no request came to the Committee on Rules for a rule on the rehabilitation measure.

Mr. WALSH. If that is so, evidently those who are most interested in that measure were not as anxious as the distinguished gentleman from Ohio.

Mr. FESS. Will the gentleman yield again?

Mr. WALSH. Yes.

Mr. FESS. I would like to state to my friend from Massachusetts that unanimous consent was asked for its consideration. It had been suggested that a rule be brought in, but those who were in authority thought that asking unanimous consent would be the more expeditious way, and I am so unsophisticated that I had not thought of any such performance as has taken place to-day.

Mr. WALSH. The gentleman has served here long enough to know that measures that apparently would pass by unanimous consent sometimes require a great deal of time for deliberation and discussion. Now, this is an important matter, and I want to submit that it was brought before the House by virtue of the treaty entered into between Great Britain and the United States; that treaty was ratified by another body, and because we had nothing to do with the ratification of that treaty we ought not to be prevented here in this branch of Congress from discussing germane amendments and considering and seeing to it that this legislation is put in proper form. If there is another measure of

equal or greater importance awaiting the disposition of this measure, I submit that we can agree to lay this one aside and take up the one of greater importance.

Mr. JOHNSON of Washington. Mr. Chairman, before I proceed I wish to make a parliamentary inquiry. What amendment is there pending?

The CHAIRMAN. The amendment of the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. JOHNSON of Washington. I would like to offer an amendment to strike out the figures "500" in line 10, page 5, and insert "100," and to strike out the word "six," in line 11, and insert the word "two," so that it will read "a fine of $100 or imprisonment for two months."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 5, line 10, strike out the figures "500" and insert in lieu thereof "100"; strike out, in line 11, the word "six" and insert the word "two."

Mr. JOHNSON of Washington. Mr. Chairman, let me say that I am inclined to think that in the country where there is still some hunting of game for food, and particularly in the country where it is proposed, under the treaty, to exempt Esquimos and Indians, there will be no opportunity to ascertain the details of the treaty which this law affect, and that many men who live far from civilization and who may kill certain birds such as Indians are permitted to kill, such as auks, auklets, bitterns, fulmars, gulls, herons, petrels, puffins, and so on, to say nothing of scooters, should not be subjected to a penalty as extreme as $500 or an imprisonment for six months, or both.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit an interruption?

Mr. JOHNSON of Washington. Yes.

Mr. COOPER of Wisconsin. Does the gentleman think that if his amendment were enacted in the law the man who kills the birds which he specifies could be justly subjected to such a penalty as $100 and two months?

Mr. JOHNSON of Washington. I do not quite understand what the gentleman means.

Mr. COOPER of Wisconsin. Does the gentleman think that the man who without guilty intent killed a scoter should be fined $100 and sent up for two months?

Mr. JOHNSON of Washington. I say that the extreme penalty is too severe.

Mr. COOPER of Wisconsin. Mr. Chairman, I want to remind the gentleman from Washington that the bill as it stands, if enacted as a law, would not require a court to fine the man who killed a scoter $500. The language is "not more" than $500, and the fine, therefore, might be $1 and "not more" than six months, and might not be more than one day.

Mr. JOHNSON of Washington. Yes; and I want that amended to read not more than $100 and not more than two months, which I think is a sufficient maximum penalty.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

The amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JOHNSON].

The amendment was rejected.

The Clerk read as follows:

SEC. 7. That nothing in this act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of said convention or of this act, or from making or enforcing laws or regulations which shall give further protection to migratory birds, their nests, and eggs, if such laws or regulations do not extend the open seasons for such birds beyond the dates approved by the President in accordance with section 3 of this act.

Mr. SULZER. Mr. Chairman, as I understand this bill and the convention upon which it is based, they apply to the North American Continent north of the Mexican border. I notice many gentlemen have referred to ducks, brant, and geese going into Canada and then returning to the United States, and the gentleman from Virginia [Mr. FLOOD] has suggested that this bill is in the interest of those who may seek to hunt these migratory game birds in the United States. The fact seems to be that most gentlemen have considered that the application of this bill, so far as the United States is concerned, ceases at the Canadian border, but as a matter of fact, a very large part of the domain of the United States begins at the Canadian border. Those gentlemen have apparently overlooked the fact that there are 600,000 square miles of the United States territory north of the Canadian border, and that myriads of these ducks and brant and geese pass over the Provinces of Canada each spring and go to the wide flats of the Yukon and the Kuskokwim and the other great rivers of Alaska. The gentleman from New York [Mr. PLATT], in his remarks, has been the only one to refer to Alaska in any manner, and he stated that there were many of these ducks and geese that went from Alaska to Hawaii, and flew direct, each year, a distance of several thousand miles. Mr. Chairman, they evidently not only go to Hawaii, but to many other of the islands of the Pacific. They go to Siberia and to Japan and to Korea, and I do not know where else they do go. This bill and this convention will absolutely deprive the Indians and the Eskimos in the far northern parts of Alaska, the miners and prospectors, and the pioneers who are building up that country from shooting or acquiring any ducks or brant or geese, for the simple reason that the convention provides that the close season shall be from the 10th of March until the 1st of September, and the Department of Agriculture will have no discretion to change or modify those dates or the close season. On the 1st day of September in each year there are practically none of these migratory game birds in that section of the country, because the cold weather has come and they have all migrated south.

Therefore the people of Alaska will largely be deprived of any hunting at all. There is no provision to authorize the Secretary of Agriculture to use discretion in exempting Indians and others, particularly prospectors and explorers, from the operation of this law, as has been the case with most laws heretofore enacted on this subject. This is not right; it is not just or fair. If ducks and brant and geese are going to be killed under law in the various States, then the people of Alaska should not be deprived of this privilege simply because they are in a far-northern latitude and subjected to more trying conditions. It does seem to me that it is not more serious to kill a duck or goose while it is in Alaska than it is to kill that same duck or goose in the States or in Hawaii or in Japan. When it is killed, that is the end of it, and it does not make much difference whether it happens to be killed in January or February in some southern clime or late in August in the Territory of Alaska.

Another matter, the ducks and geese in Alaska destroy untold millions of salmon eggs and salmon fry in the innumerable streams of that Territory. Those who are best informed on the subject and most anxious to foster and preserve the great salmon supply of Alaska, amounting to $50,000,000 annually, are anxious to have legislation enacted which will provide for wardens to rid these streams of ducks and geese during the salmon season, but this can not be done without killing some of them.

Under this treaty the great salmon supply of Alaska can not be protected in this manner, even though the departments of the Government favor such action. I believe Alaska was entirely overlooked when this treaty was made, even though I notice certain exceptions were granted the Province of British Columbia and certain parts of the Atlantic coast. The treaty was made in 1916, and I know of no way in which the closed season provided can be modified; nevertheless I wish to suggest an amendment to this bill which I feel will remove some of its harshness as applied to Alaska, and therefore I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Page 4, line 20, after the word "act," change the period to a semicolon and add the following:

"*Provided*, That this act shall not apply to the Territory of Alaska in so far as it relates to brant, wild ducks and geese."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. SULZER) there were—ayes 13, noes 25.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. That until the adoption and approval, pursuant to section 3 of this act, of regulations dealing with migratory birds and their nests and eggs, such migratory birds and their nests and eggs as are intended and used exclusively for scientific or propagating purposes may be taken, captured, killed, possessed, sold, purchased, shipped, and transported for such scientific or propagating purposes if and to the extent not in conflict with the laws of the State, Territory, or District in which they are taken, captured, killed, possessed, sold, or purchased, or in or from which they are shipped or transported, if the packages containing the dead bodies or the nests or eggs of such birds when shipped and transported shall be marked on the outside thereof so as accurately and clearly to show the name and address of the shipper and the contents of the package.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word. I think we all appreciate the birds, their companionship, their beauty, and their usefulness. Around my home are a good many shrubs and trees and in my home city of Charlotte, Mich., there are many shade and ornamental trees, and a great many varieties and kinds of birds inhabit the city where I live. We all learn to love the birds and much care should be taken for their protection. I have often wondered why it is that here in the city of Washington there are no song birds or migratory birds, foreign or native, in the trees or in the

parks, and the only reason I could think of is because there are so many squirrels in the trees of the city and in the parks that they destroy their nests and drive the birds away. I think that the birds are more useful, beautiful, and ornamental than these squirrels that destroy their nests, their young, and drive them away. If we are going to have a treaty about migratory birds, let us have some place where they can come and remain safely and be a pleasure and companions.

Mr. RAKER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Michigan. Yes.

Mr. RAKER. Has it not been suggested that the reason that there are no more birds here is that the eggs are cooked in the nests because it is so hot.

Mr. SMITH of Michigan. That is not a good reason, but if they will cage up these squirrels or drive them away——

Mr. REED. Or muzzle them.

Mr. SMITH of Michigan. Or, as my friend says, muzzle them. We will have the pleasure of the birds and their beauty to please and entertain us. They will not subject us to the microbes, insects, and germs that are carried around by these squirrels. In some places they destroy squirrels. I do not know what good they are. Maybe they are a little pleasure to some. I feed them peanuts occasionally to see them sit up and eat, but if we must elect as between the birds and these squirrels, I would sooner see the beautiful birds and hear their songs than to see these squirrels stripped of half their fur or hear their chatter. Squirrels are all right in their place, but they should be relegated to the zoological garden or the tall timber and make room for some of the beautiful bird life we have heard so much about here to-day.

I would say to those who wish to cultivate birds and have them for their use and pleasure that if they will put bells on their home cats it would save a great many birds. I believe in the treaty in reference to the protection of migratory birds. I believe we should protect the birds not only by treaty but in fact as well as theory and in every way we can, and they will multiply and be our companions.

Mr. BLAND. I wondered if there were enough experts in the Department of Agriculture to superintend the belling of cats and the muzzling of the squirrels?

Mr. SMITH of Michigan. There ought to be a large appropriation for that. [Laughter.] Everything ought to be done to have these birds. [Applause.]

The Clerk read as follows:

SEC. 9. That the unexpended balances of any sums appropriated by the agricultural appropriation acts for the fiscal years 1917 and 1918, for enforcing the provisions of the act approved March 4, 1913, relating to the protection of migratory game and insectivorous birds, are hereby reappropriated and made available until expended for the expenses of carrying into effect the provisions of this act and regulations made pursuant thereto, including the payment of such rent, and the employment of such persons and means, as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, cooperation with local authorities in the protection of migratory birds, and necessary investigations connected therewith.

The committee amendment was read, as follows:

Page 6, line 22, strike out the words "city of Washington" and insert in lieu thereof "District of Columbia."

The question was taken, and the amendment was agreed to.

Mr. RAKER. Mr. Speaker, I move to strike out lines 20, 21, 22, 23, 24, and 25 and insert a period instead of a comma at the end of line 19. I want to say——

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, strike out lines 20 to 25, inclusive.

Mr. RAKER. Mr. Chairman, I want to call the attention of the chairman and the rest of the committee to the part suggested to be stricken out, which is the provision in reference to rents and other conditions. Now, why reenact that and say that shall include the payment of such rent and the employment of such persons and means when you want the money appropriated for the enforcement of the act elsewhere. It says:

Made available until expended for the expenses of carrying into effect the provisions of this act and regulations made pursuant thereto.

You have your appropriation in it, and you ought not to try to include more rent here, when——

Mr. FLOOD. I will say to the gentleman—and I think I am correct, and any member of the Committee on Agriculture will correct me if I am in error, I think the appropriation is made for the purpose of paying certain part of the rent and certain employees. We had an appropriation of $50,000 to carry out the present game law. All of that amount is expended, I understand, except about $2,500. In the Agricultural appropriation bill for the next year, beginning the 1st of July, there is a similar amount paid, and out of that appropriation they take care of certain rents and certain salaries in the District of Columbia.

Mr. RAKER. Does the gentleman think that is necessary?

Mr. FLOOD. I think it is.

Mr. RAKER. Under the statement of the gentleman I want to say this: I am a little surprised at my friend who just left the floor, and it just shows the disposition of men. With all good feeling to my friend from Michigan, he wants to destroy the squirrels because he does not like their bark, their chatter, or their song, and he is willing to let the birds go. Why, I beg to say little squirrelie is not biting any eggs or eating any birds; he is just enjoying himself; he is making the children happy, just the same as the birds are. Then I am a little bit surprised to see some gentlemen in this committee, as well as on the committee that reported out the next bill, that having reported the bill, therefore you have got to swallow the bill whole. If you raise any question or make any presentation of the matter as to amendment, why it is all wrong.

This committee has amended this bill whereby they will save it from being declared unconstitutional by our courts. These Members who are so anxious and concerned about our using a few moments' time in making the bill workable ought to be, at least, patient and allow the bill to be properly discussed and properly presented. The other bill in regard to the subject referred to by the gentleman, the vocational rehabilitation of returned soldiers and sailors of the United States, will be taken care of in proper time. Gentlemen ought not to be so impatient, and ought not to think, because one differs with the gentleman who reported a bill that is unconstitutional in provision—and the committee themselves come in and ask that it be amended, and it has been amended—gentlemen should not think we are taking up the time of the House and frittering away the time of the country in trying to protect the people of this country and the rights of American citizens by protecting them in their rights and in their property against unreasonable search and seizure, which has been one of the fundamental principles of this country from the beginning. The gentleman who has been so anxious and accused the House of taking up time reported a bill that took away this constitutional right. Now, I trust this matter will not be insisted upon any more. The gentleman does not intend to be cross—he is good-natured, he has a lovable disposition—and he ought to at least permit us to consider the bill.

Mr. FLOOD. Is the gentleman aware of the fact that the gentleman to whom he refers is not a member of the Committee on Military Affairs?

Mr. RAKER. The gentleman does not know to whom I refer.

Mr. FLOOD. Well, to whom does the gentleman refer?

Mr. RAKER. The gentleman referred to will well know without any names being given, and I know he will take kindly the few remarks I have made.

Mr. MOORE of Pennsylvania. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

Mr. JOHNSON of Washington. Mr. Chairman, I have an amendment which I ask to be reported.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 15, after the word "therewith," insert: "*Provided*, That none of sums herein appropriated shall be expended for the editing, publication, or distribution of any departmental, daily, weekly, or monthly newspapers."

Mr. FLOOD. We have no objection to that.

Mr. JOHNSON of Washington. Then, it is a start in the right direction.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. CHARLES B. SMITH) there were—ayes 34, noes 5.

So the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to correct the amendment by inserting the word "the." I think the word "the" is missing.

The CHAIRMAN. Without objection, the word "the" will be inserted. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I offer the amendment which is at the Clerk's desk, but suggest that it be amended in the first two lines to follow the amendment just adopted. It should read "*Provided further*."

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] presents an amendment, which the Clerk will report.

Mr. WINGO. I think we ought to get rid of that other amendment first. I want to know where the word "the" is to be placed. It ought not to be thrown in anywhere.

The CHAIRMAN. The gentleman said the word "the" was inserted after the word "of" in the amendment offered by the gentleman from Washington.

Mr. WINGO. The gentleman from Washington [Mr. JOHNSON] wanted the word "the" inserted somewhere, and did not say where it was.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Pennsylvania [Mr. MOORE].

The Clerk read as follows:

Mr. MOORE of Pennsylvania offers the following: After the amendment just adopted insert the following:

"*Provided further*, That no person who is subject to the draft for service in the Army or Navy shall be employed by the Secretary of Agriculture under the provisions of this act."

Mr. FLOOD. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk proceeded to read the amendment.

The CHAIRMAN. The amendment is not in order at this place. The gentleman from Michigan [Mr. HAMILTON] is recognized for the purpose of offering an amendment.

Mr. HAMILTON of Michigan. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. HAMILTON of Michigan offers the following amendment: On page 7, following line 9, insert the following as a new section:

"SEC. 12. That one of the objects of this act is to foster the breeding of migratory game birds on farms and preserves for the purpose of increasing the food supply."

And change section number of section 12.

Mr. HAMILTON of Michigan. Mr. Chairman, I offer this amendment to establish beyond all question that one of the purposes of this bill is to encourage the breeding of game birds on preserves and farms. I have been assured by the chairman of the committee that that is the purpose of the bill, and therefore I desire to have the amendment incorporated.

Mr. FLOOD. Mr. Chairman, I think the amendment is a good one, and I would like to see it adopted.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 12. That this act shall become effective immediately upon its passage and approval.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BLAND, of Indiana, offers the following amendment: Page 7, line 10, strike out the whole of section 12 and insert in lieu thereof the following:

"SEC. 13. That this act shall not become effective until the provisions of the treaty between the United States and Great Britain covering the question of migratory birds shall have been ratified or approved by the legislatures of all the States of the Union, which fact shall be determined by proclamation issued by the President of the United States."

Mr. BLAND. Mr. Chairman——

Mr. FLOOD. Mr. Chairman, I make a point of order against that. It is not germane to the measure that we are considering. This is a bill to carry into effect a treaty.

Mr. BLAND. Mr. Chairman, I would like to be heard on the point of order.

Mr. FLOOD. It is to make effective a treaty. That is the purpose of this bill. The States have not anything to do with the treaty-making power, and the Congress can not confer that authority upon the States.

The CHAIRMAN. It is not within the province of the Chair, however, to pass upon constitutional questions. That is a question for the House to decide.

Mr. BLAND. If the Chair is prepared to rule, I do not care to proceed.

The CHAIRMAN. The Chair overrules the point of order.

Mr. BLAND. Addressing myself to the amendment, I understand from the chairman of the committee that this treaty was ratified by all the Provinces of Canada.

Mr. FLOOD. You did not understand that from me at all.

Mr. BLAND. I so understood you. I may have been in error.

Mr. FLOOD. You are in error. I never made any such statement. The gentleman from Illinois [Mr. GRAHAM] made that statement. I am informed that not a single Province in Canada ever ratified that treaty.

Mr. BLAND. There is certainly a wide difference of information between the two gentlemen; one says they have all ratified the treaty and the other gentleman says none of them has ever ratified it. I say that all of them should have ratified the treaty and so should our States have a voice in the matter, not for the purpose of making the treaty valid but to justify this act which is proposed to enable the carrying out of the treaty. The folks down my way are not willing for some nature cranks to get together and treaty away their time-honored and natural rights without them at least having a voice.

Mr. FLOOD. Let me say that the legislature of no Province of Canada has ratified this treaty.

Mr. BLAND. I presume he takes the position that the game wardens have ratified the treaty and that that is sufficient.

Mr. GRAHAM of Illinois. Day before yesterday I read from the debates in the House of Commons in Canada, where it was stated expressly—and you will find it in the RECORD in my remarks—in the debates on the floor of the House of Commons that it had been ratified by some of the legislatures of the Provinces.

Mr. FLOOD. I heard the gentleman, and I inquired of Dr. Nelson this morning about that, and he said as a matter of fact the legislature of none of the Provinces has ratified it.

Mr. BLAND. I can not yield further.

Mr. GRAHAM of Illinois. Will the gentleman yield further to me?

Mr. BLAND. Yes.

Mr. GRAHAM of Illinois. I want to say, irrespective of what Dr. Nelson, who is Chief of our Biological Survey, has said, it was stated in the debates of the House of Commons in Canada that it had been ratified, and they certainly have better opportunities for knowing than Dr. Nelson.

Mr. MONDELL. Is not this true, that, at any rate, it was referred to the Canadian Provinces?

Mr. GRAHAM of Illinois. The legislature of every Province of Canada had this treaty referred to it.

Mr. TEMPLE. Will the gentleman yield?

Mr. BLAND. Yes.

Mr. TEMPLE. The same gentleman, in the same debate, of which the gentleman from Illinois [Mr. GRAHAM] read the report, made the statement that that treaty had been submitted to all of the States of the Union. He was mistaken about that, and my information is that he was also mistaken about the submission to the parliaments of the Provinces of Canada. Sir Robert Borden submitted it to the ministries of the various Provinces, and it was approved by orders in council by all except two—British Columbia and Quebec. Quebec ultimately approved the proposed action, but British Columbia, I believe, continued to withhold its assent.

Mr. BLAND. I thank the gentleman for the correction and for his usual accurate and valuable information. So we see that in the Dominion of Canada the people's representatives in the Provinces have been consulted as to what their game laws should be. They to this extent believe in keeping at least their game laws within local control. Is there any reason why the people of the States should not be consulted here? They say, "Leave it to the game wardens." The game warden in my State is appointed. He is not appointed for the reason that he knows anything about game. That office is political spoil in my State and elsewhere.

The people should have something to say about their rights to hunt, and if my amendment carries, the legislatures of the various States will have to approve, not ratify, this legislation. You understand that I am against the bill, and in its present form I intend to vote against it, so my amendment says, "All the States of the Union." I am frank about it. I want this requirement so that no State shall be denied this natural right without its consent. I want to call the attention of the gentleman in charge of the bill to the fact that it is not necessary to ratify the treaty to make the treaty good, but it is necessary for you to get the approval of the States of that treaty before the people of the States will be satisfied with such usurpation of their natural rights; before they will concede the right by this bill to make their game laws by the delegation of legislative authority to the Department of Agriculture.

I say to you that this amendment ought to be adopted, because if the people approve of this character of legislation we can come back here and say our legislation is justified, and the President would be justified in issuing his proclamation.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BLAND. Yes.

Mr. WALSH. The States are already represented in the United States Senate, where the treaty was ratified, are they not?

Mr. BLAND. Yes; and we are represented by the game wardens, who have already ratified it. But I am not willing to pass this act to authorize legislation by proxy simply because the United States Senate have ratified a treaty. My people are opposed to legislation of this kind. It is my opinion that we should submit this proposed delegation of rights to the States, and if they approve of this character of legislation they can ratify it, and if not, I do not think we should cram down the throats of the people such legislation simply to please the game wardens and fellows of that class. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. MEEKER. Mr. Chairman, I move to strike out the last two words. I wish to ask the gentleman from Indiana [Mr. BLAND] a question.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last two words.

Mr. MEEKER. I will ask the gentleman if his amendment proposes that all the States shall ratify this legislation?

Mr. BLAND. Yes; upon the theory that all the Provinces of Canada approved the Canadian treaty.

Mr. MEEKER. I will ask the gentleman how he voted on the prohibition amendment and the woman-suffrage amendment?

Mr. BLAND. That has nothing to do with a squirrel law.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit his amendment to be read again?

Mr. BLAND. I will be glad to have it read.

Mr. COOPER of Wisconsin. Mr. Chairman, may we have the amendment read?

The CHAIRMAN. Without objection, the Clerk will again read the amendment.

The Clerk read as follows:

Mr. BLAND offers the following amendment: Page 7, line 10, strike out the whole of section 12 and insert in lieu thereof the following:

"SEC. 12. That this act shall not become effective until the provisions of the treaty between the United States and Great Britain covering the question of migratory birds shall have been ratified or approved by the legislatures of all the States of the Union, which fact shall be determined by a proclamation issued by the President of the United States."

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last two words.

Mr. COOPER of Wisconsin. Mr. Chairman, inasmuch as the Constitution of the United States provides that treaties negotiated and ratified and laws enacted in accordance with the Constitution shall be the supreme law of the land, and inasmuch as the Constitution confers upon the Senate of the United States the sole power to ratify treaties, and inasmuch as the amendment offered by the gentleman from Indiana [Mr. BLAND] would make it necessary to have all of the 48 States separately ratify this treaty with Great Britain, I feel that I shall be constrained to vote against the amendment.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. Yes.

Mr. CANNON. I want to ask the gentleman a question. This is an act to put the treaty in force?

Mr. COOPER of Wisconsin. Yes.

Mr. CANNON. The treaty having been ratified, as I understand, by Great Britain, I do not know that its ratification is necessary, but it was ratified by the Senate of the United States and it stands as a law?

Mr. COOPER of Wisconsin. The supreme law of the land.

Mr. CANNON. Then what is the necessity for this legislation? If I recollect aright, I think there have been several treaties that have practically failed because after they had been ratified by the treaty-making powers the House of Representatives refused to enact legislation that would put them into force.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. CANNON. Certainly.

Mr. COOPER of Wisconsin. What the gentleman from Illinois says is entirely in accord with the facts; but as I heard the amendment of the gentleman from Indiana read, it proposes to require that all of the States shall ratify the provisions of this treaty, and that it shall not be effective until all the States have ratified and approved it.

Mr. CANNON. I am inclined to think that the amendment was in order, and if it should be agreed to and this bill should become an act of Congress, I think its operation would be postponed until all the States had approved it.

Mr. COOPER of Wisconsin. That is very true, because an act of Congress passed in accordance with the Constitution, if passed subsequent to the ratification of a treaty, repeals that treaty entirely or pro tanto, as it may happen to run counter to the provisions of the treaty; but I said only that I shall vote against the amendment because it proposes, in effect, that all of the States must ratify this treaty.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words. I have no doubt that the gentleman from Wisconsin [Mr. COOPER] believes in the referendum. I have no doubt that on many occasions within the confines of his splendid State he has eloquently upheld the principle of the referendum. Wisconsin is one of the homes and abiding places of the principle of the referendum. Now, the gentleman who believes in the referendum in Wisconsin, can not——

Mr. COOPER of Wisconsin. Mr. Chairman, before the gentleman becomes any more eloquent on the subject of my State will he allow me to correct the first premise of his argument?

Mr. MONDELL. Perhaps the gentleman does not believe in the referendum.

Mr. COOPER of Wisconsin. I do not wish the gentleman to get himself into a quagmire through not knowing the facts. We have not the initiative and referendum in Wisconsin.

Mr. MONDELL. Then perhaps the gentleman does not believe in the principle of the referendum. I am willing to leave it that way.

Mr. COOPER of Wisconsin. I could not well think of a greater nonsequitur than to say that because we have not the initiative and referendum in my State, therefore I do not believe in it. [Laughter.]

Mr. MONDELL. Did I understand the gentleman to say that he did not believe in the principle of the referendum?

Mr. COOPER of Wisconsin. The gentleman from Wyoming understood perfectly well, but he is in one of his nonunderstanding humors to-day. [Laughter.]

Mr. MONDELL. The gentleman has not said, and he will not say, that he is not in favor of the principle of the referendum; and this is a proposition to invoke the principle of the referendum. What is proposed need not, and would not, have any effect on the treaty itself. The treaty would be and remain a treaty, notwithstanding a majority of the States of the Union declined to approve it. It would be a treaty nevertheless. But the failure of the legislatures of the States of the Union to approve the treaty would be a bar against the passage of legislation by this House, the effect of which is to shorten the police powers of the States of the Union.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. MONDELL. A brief interruption.

Mr. COOPER of Wisconsin. I dislike very much to interrupt the gentleman's profound constitutional argument, but I want to ask a question—perhaps, under the circumstances, I should say to propound an interrogatory. Does the gentleman think that we ought to have a referendum on the question of a ratification of a treaty?

Mr. MONDELL. I have said nothing about the referendum as applied to the ratification of a treaty ordinarily.

Mr. COOPER of Wisconsin. I know that; but does the gentleman believe that there ought to be such a referendum?

Mr. MONDELL. What I am in favor of is just exactly what is proposed here, to give the States of the Union, through their legislatures, the opportunity to say whether or not they desire to have this shortening and infringement of their police powers through congressional action based on a treaty that is the only excuse for the legislation. Without the treaty there would not be any excuse for the legislation, and therefore, inasmuch as the legislation intended to carry the treaty into effect would affect the police powers of the States, it is entirely proper that the States should be given the opportunity to say whether or not they approve of that interference of their police powers based on a treaty as an excuse.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONGWORTH. The gentleman is an earnest and eloquent advocate of the principle of the referendum. Has he ever heard before this of a referendum which provided that legislation should be ineffective if there was a single disapproval?

Mr. MONDELL. If we are to have a referendum really expressive of the sentiment of the States, this is the kind to have, and this is exactly the sort of a referendum I want on this kind of a treaty. [Laughter.]

The CHAIRMAN. All time has expired, and the question is on the amendment offered by the gentleman from Indiana [Mr. BLAND].

The question was taken, and the amendment was rejected.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise.

Mr. RAKER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Virginia is recognized.

Mr. WALSH. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. If there is a member of the committee seeking recognition he can not be taken off the floor by the chairman of the committee moving to rise.

The CHAIRMAN. The Chair did not recognize the gentleman from California, but did recognize the chairman of the committee, who made a motion that is in order.

Mr. RAKER. I was on my feet seeking recognition.

Mr. STAFFORD. Before the Chair finally rules on the point of order——

Mr. FLOOD. Mr. Chairman, I withdraw my motion.

Mr. RAKER. Then, Mr. Chairman, I offer the amendment to strike out section 13.

Mr. FLOOD. I will accept the amendment.

The Clerk read as follows:

Amendment by Mr. RAKER: Strike out all of section 13.

Mr. RAKER. Mr. Chairman, being a citizen of California, respecting and believing in her laws, being a Representative from that State and respecting the Constitution of the United States, I do not believe that we ought to submit to a provision that is known to be unconstitutional by every Member of this House.

Mr. DYER. Will the gentleman yield?

Mr. RAKER. I can not; I have only five minutes, and I decline to yield.

Mr. MOORE of Pennsylvania. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. The gentleman from California is not speaking to his amendment.

The CHAIRMAN. The Chair thinks the gentleman is keeping reasonably close to it.

Mr. MOORE of Pennsylvania. The motion is to strike out the section, and he has not said anything except about the laws of California.

The CHAIRMAN. The gentleman from California will proceed in order.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. RAKER. I can not yield now.

Mr. GARRETT of Tennessee. The gentleman has his proposition won if he will not talk about it.

Mr. RAKER. I do not care how the committee votes on the amendment; they can vote it up or vote it down, it makes no difference. I want to make another point, and am not worried nor do not care what becomes of the amendment. It is made merely pro forma so I can get my five minutes and show why the words "search any place" may be finally stricken out either by the committee or in conference.

Mr. DYER. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Missouri can not take the gentleman from California off the floor by a parliamentary inquiry.

Mr. MOORE of Pennsylvania. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Two minutes have elapsed since I made the point of order, and the gentleman from California is not now speaking to his amendment.

The CHAIRMAN. The gentleman from California will proceed in order.

Mr. DYER. A parliamentary inquiry.

The CHAIRMAN. The gentleman can not take the gentleman from California off the floor by a parliamentary inquiry.

Mr. DYER. Will the gentleman from California yield for me to make a parliamentary inquiry?

Mr. RAKER. No; I decline to yield. The provisions remaining in the bill and which this section will affect says that you may "search any place." Now, the constitutional provision in my State says that the search warrant must particularly describe the place to be searched. The constitutional provision of the United States says you must particularly describe the place to be searched. I am with the gentleman from Virginia on the bill and in favor of the legislation. Why does not he strike out the words contrary to every constitutional provision in the country and make the bill constitutional?

Mr. FLOOD. I think, Mr. Chairman, since the able speech of the gentleman from California, that his amendment ought to be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken, and the amendment was rejected.

Mr. FLOOD. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. KEATING, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 1553, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded upon any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read, and was read a third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HUDDLESTON. Mr. Speaker, I demand the yeas and nays. Pending that I make the point of order that there is no quorum present.

Mr. FOSTER. I submit that the gentleman is too late with a request of that kind.

Mr. HUDDLESTON. I was on my feet demanding recognition.

The SPEAKER. The Chair does not think it is too late. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the passage of the bill.

The Clerk called the roll; and there were—yeas 236, nays 49, answered "present" 3, not voting 142, as follows:

YEAS—236.

Alexander	Eagan	Kettner	Quin
Anderson	Edmonds	Kincheloe	Rainey, H. T.
Ashbrook	Ellsworth	King	Raker
Aswell	Esch	Kinkaid	Ramsey
Ayres	Evans	Kitchin	Randall
Bankhead	Fairfield	Knutson	Reavis
Barkley	Farr	La Follette	Reed
Barnhart	Fess	Langley	Riordan
Beakes	Flood	Larsen	Robbins
Bell	Foster	Lazaro	Roberts
Beshlin	Francis	Lea, Cal.	Robinson
Blanton	Frear	Lee, Ga.	Rogers
Borland	Freeman	Lehlbach	Rose
Britten	French	Lesher	Rouse
Brodbeck	Fuller, Ill.	Littlepage	Sabath
Browne	Fuller, Mass.	Lobeck	Sanders, Ind.
Burroughs	Gallagher	London	Sanders, La.
Butler	Gandy	Lonergan	Sanders, N. Y.
Byrns, Tenn.	Garner	Longworth	Schall
Caldwell	Garrett, Tenn.	Lufkin	Scott, Mich.
Candler, Miss.	Garrett, Tex.	Lundeen	Scully
Cannon	Glynn	Lunn	Sells
Carew	Godwin, N. C.	McAndrews	Shallenberger
Carlin	Good	McArthur	Siegel
Carter, Okla.	Goodall	McClintic	Sims
Chandler, N. Y.	Greene, Vt.	McFadden	Sinnott
Chandler, Okla.	Gregg	McKenzie	Small
Church	Griest	McKeown	Smith, Idaho
Clark, Pa.	Hadley	Madden	Smith, Mich.
Claypool	Hamilton, Mich.	Magee	Smith, C. B.
Cleary	Hamlin	Mansfield	Snook
Collier	Hardy	Mapes	Stafford
Connelly, Kans.	Harrison, Va.	Mays	Steagall
Cooper, Ohio	Hastings	Meeker	Stedman
Cooper, W. Va.	Haugen	Merritt	Steenerson
Cooper, Wis.	Hawley	Montague	Stephens, Nebr.
Cox	Hayden	Moore, Pa.	Sterling, Ill.
Cramton	Hayes	Moores, Ind.	Sterling, Pa.
Crosser	Helvering	Morgan	Stevenson
Dallinger	Hensley	Mudd	Stiness
Darrow	Hersey	Neely	Strong
Decker	Hicks	Nelson	Sumners
Delaney	Holland	Nolan	Swift
Dempsey	Humphreys	Oliver, N. Y.	Switzer
Denison	Husted	Olney	Tague
Dill	Hutchinson	Osborne	Taylor, Ark.
Dillon	Igoe	O'Shaunessy	Taylor, Colo.
Dixon	Johnson, Wash.	Overstreet	Temple
Dooling	Jones	Padgett	Thompson
Doolittle	Juul	Paige	Timberlake
Doughton	Kearns	Park	Tinkham
Dunn	Keating	Polk	Treadway
Dupré	Kelly, Pa.	Pratt	Van Dyke
Dyer	Kennedy, R. I.	Purnell	Venable

Vestal	Walton	Whaley	Winslow
Vinson	Watkins	White, Me.	Wise
Voigt	Watson, Pa.	White, Ohio	Woodyard
Volstead	Watson, Va.	Wilson, La.	Wright
Walker	Welling	Wilson, Tex.	Young, N. Dak.

NAYS—49.

Almon	Focht	Martin	Shackleford
Black	Graham, Ill.	Mondell	Slayden
Blackmon	Gray, Ala.	Moon	Stephens, Miss.
Bland	Green, Iowa	Nicholls, S. C.	Thomas
Byrnes, S. C.	Harrison, Miss.	Oldfield	Tillman
Caraway	Helm	Oliver, Ala.	Towner
Connally, Tex.	Huddleston	Overmyer	Waldow
Curry, Cal.	Hull, Iowa	Rayburn	Wheeler
Dent	Jacoway	Rodenberg	Williams
Denton	Johnson, Ky.	Romjue	Wingo.
Dickinson	Kennedy, Iowa	Rubey	
Dominick	Little	Russell	
Dowell	McLemore	Scott, Iowa	

ANSWERED "PRESENT"—3.

Lever	Sisson	Walsh

NOT VOTING—142.

Anthony	Elston	James	Ramseyer
Austin	Emerson	Johnson, S. Dak.	Rankin
Bacharach	Estopinal	Kahn	Rowe
Baer	Fairchild, B. L.	Kehoe	Rowland
Booher	Fairchild, G. W.	Kelley, Mich.	Rucker
Bowers	Ferris	Key, Ohio	Sanford
Brand	Fields	Kiess, Pa.	Saunders, Va.
Browning	Fisher	Kraus	Scott, Pa.
Brumbaugh	Flynn	Kreider	Sears
Buchanan	Fordney	LaGuardia	Sherley
Burnett	Foss	Linthicum	Sherwood
Campbell, Kans.	Gallivan	McCormick	Shouse
Campbell, Pa.	Gard	McCulloch	Slemp
Cantrill	Garland	McKinley	Sloan
Carter, Mass.	Gillett	McLaughlin, Mich.	Smith, T. F.
Carey	Glass	McLaughlin, Pa.	Snell
Clark, Fla.	Goodwin, Ark.	Maher	Snyder
Classon	Gordon	Mann	Steele
Coady	Gould	Mason	Sullivan
Copley	Graham, Pa.	Miller, Minn.	Sweet
Costello	Gray, N. J.	Miller, Wash.	Talbott
Crago	Greene, Mass.	Morin	Templeton
Crisp	Griffin	Mott	Tilson
Currie, Mich.	Hamill	Nichols, Mich.	Vare
Dale, N. Y.	Hamilton, N. Y.	Norton	Ward
Dale, Vt.	Haskell	Parker, N. J.	Wason
Davidson	Heaton	Parker, N. Y.	Weaver
Davis	Heflin	Peters	Webb
Dewalt	Heintz	Phelan	Welty
Dies	Hilliard	Platt	Wilson, Ill.
Donovan	Hollingsworth	Porter	Wood, Ind.
Doremus	Hood	Pou	Woods, Iowa
Drane	Houston	Powers	Young, Tex.
Drukker	Howard	Price	Zihlman
Eagle	Hull, Tenn.	Ragsdale	
Elliott	Ireland	Rainey, J. W.	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. CLARK of Florida with Mr. AUSTIN.

Mr. LINTHICUM with Mr. WALSH.

Mr. KEHOE with Mr. DAVIDSON.

Mr. STEELE with Mr. FOSS.

Mr. COADY with Mr. GEORGE W. FAIRCHILD.

Mr. TALBOTT with Mr. BROWNING.

Mr. BRUMBAUGH with Mr. DALE of Vermont.

Mr. HILLIARD with Mr. MASON.

Mr. DONOVAN with Mr. IRELAND.

Mr. DEWALT with Mr. HAMILTON of New York.

Mr. LEVER with Mr. MCLAUGHLIN of Michigan.

Mr. HOOD with Mr. HEATON.

Mr. BOOHER with Mr. DAVIS.

Mr. GREGG with Mr. GOULD.

Mr. SISSON with Mr. FORDNEY.

Mr. BUCHANAN with Mr. BAER.

Mr. BURNETT with Mr. BOWERS.

Mr. CAMPBELL of Pennsylvania with Mr. ANTHONY.

Mr. BRAND with Mr. BACHARACH.

Mr. CANTRILL with Mr. CARTER of Massachusetts.

Mr. CRISP with Mr. COPLEY.

Mr. DALE of New York with Mr. COSTELLO.

Mr. EAGLE with Mr. ELLIOTT.

Mr. FLYNN with Mr. GARLAND.

Mr. DIES with Mr. CRAGO.

Mr. FISHER with Mr. ELSTON.

Mr. DOREMUS with Mr. EMERSON.

Mr. ESTOPINAL with Mr. BENJAMIN L. FAIRCHILD.

Mr. GALLIVAN with Mr. CURRIE of Michigan.

Mr. DRANE with Mr. GRAHAM of Pennsylvania.

Mr. FIELDS with Mr. GRAY of New Jersey.

Mr. FERRIS with Mr. HULL of Tennessee.

Mr. GARD with Mr. GREENE of Massachusetts.

Mr. GLASS with Mr. HASKELL.

Mr. GOODWIN of Arkansas with Mr. KAHN.

Mr. GORDON with Mr. HOLLINGSWORTH.

Mr. GRIFFIN with Mr. KELLEY of Michigan.

Mr. HEFLIN with Mr. KIESS of Pennsylvania.

Mr. HAMILL with Mr. KRAUS.

Mr. HOUSTON with Mr. KREIDER.

Mr. HOWARD with Mr. MCCORMICK.

Mr. KEHOE with Mr. JAMES.

Mr. KEY of Ohio with Mr. MCCULLOCH.

Mr. MAHER with Mr. MCKINLEY.

Mr. PHELAN with Mr. MCLAUGHLIN of Pennsylvania.

Mr. POU with Mr. MILLER of Minnesota.

Mr. PRICE with Mr. MILLER of Washington.

Mr. RAGSDALE with Mr. MORIN.

Mr. JOHN W. RAINEY with Mr. PLATT.

Mr. RUCKER with Mr. NICHOLS of Michigan.

Mr. SAUNDERS of Virginia with Mr. PORTER.

Mr. SHERLEY with Mr. PARKER of New York.

Mr. SHERWOOD with Mr. ROWE.

Mr. SHOUSE with Mr. SLOAN.

Mr. THOMAS F. SMITH with Mr. SNELL.

Mr. SULLIVAN with Mr. SNYDER.

Mr. WELTY with Mr. TILSON.

Mr. WEBB with Mr. WARD.

Mr. WEAVER with Mr. WASON.

Mr. YOUNG of Texas with Mr. ZIHLMAN.

Mr. WALSH. Mr. Speaker, I am paired one or two times. I desire to withdraw my vote of "aye" and answer "present."

The name of Mr. WALSH was called, and he answered "Present."

Mr. SISSON. Mr. Speaker, I am paired with the gentleman from Michigan, Mr. FORDNEY. I desire to withdraw my vote of "nay" and answer "present."

The name of Mr. SISSON was called, and he answered "Present."

Mr. ROGERS. Mr. Speaker, my colleague Mr. GILLETT was unavoidably absent. He is in favor of the bill, and if he were present would vote "aye."

Mr. SWIFT. Mr. Speaker, my colleague Mr. MOTT is unavoidably detained. He is in favor of the bill, and if he were present would vote "aye."

Mr. HERSEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Maine rise?

Mr. HERSEY. Mr. Speaker, my colleague Mr. PETERS is unavoidably absent. If he were present, he would vote "aye."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors.

On motion of Mr. FLOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONFERENCE REPORT, POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I present the conference report on the Post Office bill for printing under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER. Ordered printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 627).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 26, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 8, 11, 13, 14, 15, 16, 17, 18, 20, 25, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 55, 56, 61, 62, 64, and 65, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: On page 2 of the bill, in line 12, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: On page 3 of the bill, in line 4, after the word "all," insert "including in-

creases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: On page 5 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: On page 10 of the bill, in line 23, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: On page 11 of the bill, in line 14, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: On page 11 of the bill, in line 17, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: On page 13 of the bill, in line 23, of the matter inserted by said amendment strike out "$200,000" and insert in lieu thereof "$300,000"; and in line 25 strike out the word "the" where it first appears and insert in lieu thereof the word "this"; and in the same line strike out "contemplated by the appropriation title," so that the amendment as amended will read as follows: "*Provided*, That not to exceed $300,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: On page 14 of the bill, in line 13, strike out the word "the" where it first appears and insert in lieu thereof the word "this"; and in the same line strike out the words "contemplated by the appropriation title," so that the amendment as amended will read as follows:

"*Provided*, That not to exceed $100,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: On page 18 of the bill, in line 1 of the amendment proposed by the Senate, after the word "Winnepesaukee" insert the following: "from the post office at Laconia"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 19 of the bill, in line 22, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: On page 22 of the bill, in line 25 of the matter proposed by the Senate, after the word "compensation" insert the word "thus"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$370,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided further*, That on and after July 1, 1918, rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof based on actual mileage: *Provided further*, That the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,160 per annum"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows:

"SEC. 2. That during the fiscal year ending June 30, 1919, the annual salaries fixed by law for assistant postmasters at first and second class post offices, and supervisory officials, whose compensation is $2,200 and less per annum, shall be increased $200, and those whose compensation is in excess of $2,200 shall be increased five per cent; that clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That on July 1, 1918, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades and the salaries they receive thereunder to the new grades, 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1 at $1,100; grade 2 at $1,200; grade 3 at $1,300; grade 4 at $1,400; grade 5 at $1,500; grade 6 at $1,600; grade 7 at $1,700; grade 8 at $1,800; grade 9 at $1,900; grade 10 at $2,000.

"The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

"Class A, $1,100 to $1,400; class B, $1,100 to $1,500; and class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That on July 1, 1918, railway postal clerks shall pass automatically from the grades they are in and the salaries they receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act: *Provided*, That the classifications and increases of salaries provided for in this section shall not be continued beyond the fiscal year ending June 30, 1919: *Provided further*, That the salary of clerks, carriers and railway postal clerks shall be increased during the fiscal year 1919, not more than $200: *Provided* further, That the classifications herein provided for shall not become effective until July 1, 1918: *Provided further*, That the salaries of such other employees fixed by law or paid from lump-sum appropriations provided for in this act, including laborers in the Railway Mail Service, who receive $800 per annum or less shall be increased 20 per cent per annum; those who receive in excess of $800 and not more than $1,500 shall be increased 15 per cent per annum; and those who receive in excess of $1,500 and not more than $2,200 shall be increased 10 per cent per annum. Rural carriers assigned to horse-drawn vehicle routes now receiving a compensation of $1,200 or less per annum, exclusive of mileage allowance for miles on routes over 24 miles in length, shall receive, in addition thereto, 20 per cent of the amount of such compensation. Such increases shall not apply to the special assistant to the Attorney General appropriated for in this act and to postmasters at offices of the first, second, and third classes; *Provided further*, That postmasters of the fourth class shall receive the same compensation as now provided by law, except that

they shall receive 100 per cent of the cancellations of the first $80 or less per quarter: *Provided further*, That, if the compensation does not exceed $50 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That hereafter substitute, temporary, or auxiliary clerks and letter carriers at first and second class post offices shall be paid at the rate of 40 cents an hour: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated."

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: On page 32 of the bill, in lines 8 and 9, strike out the words "assistant postmasters and other supervisory employees and"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 32 of the bill, in line 16, strike out the words "April 6" and insert in lieu thereof "June 30," and in line 18 strike out the words "which bids were received" and insert in lieu thereof "contracts entered into," and in line 19 strike out the words "the declaration of the present war" and insert in lieu thereof "June 30, 1917"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: On page 34 of the bill, in line 2, in lieu of the sum proposed insert "$300,000," and in line 6, after the word "date," insert a period and strike out the remainder of the section; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: On page 34 of the bill, in line 16, after the word "Department," insert "but suitable for the use of the Postal Service"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: On page 35 of the bill, in line 5, after the word "positions," insert a period and strike out the remainder of the section; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: On page 36 of the bill, in line 21, in lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 23, relating to the purchase of the pneumatic mail tube system: The conferees have been unable to agree.

JOHN A. MOON,
THOMAS M. BELL,
A. B. ROUSE,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

J. H. BANKHEAD,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, as follows:

On amendments 1, 4, 6, 7, 9, 10, and 27: These amendments relate to items of compensation for a stated number of employees at stipulated salaries, plus temporary increases for the next fiscal year provided in amendment 52, and the language inserted is for the purpose of making plain the legislative intent which made it necessary to increase the amounts to be appropriated therefor.

On amendments 2, 3, 5, 11, 12, 16, 17, 18, 30, 37, 46, and 51: These amendments also relate to the temporary increases for the next fiscal year for postal employees whose compensation is appropriated for in lump-sum allowances. The increases inserted by the Senate amendments are necessary to provide for the temporary increases proposed.

On amendment 8: Amendment 8 amends present law to enable postal employees entitled to compensatory time for Sunday or holiday service, if they so elect, to accept pay for overtime in lieu of compensatory time. It is deemed that such legislation is wise and in the interest of good service, since many employees entitled to compensatory service within the week following prefer to work rather than take the time off.

On amendments 13 and 15: Amendments 13 and 15 make permanent law an identical amendment which has been repeated in each appropriation bill for a number of years. These amendments will make unnecessary the repetition of the same language in future appropriation bills.

On amendment 14: Increasing the appropriation by $300,000 is made necessary by the increased cost for rent, light, and fuel in first, second, and third class post offices.

On amendment 19: The amendment agreed to does not increase the appropriation, but makes available $300,000 for the fiscal year ending June 30, 1918.

On amendment 20: This amendment is merely clerical.

On amendment 21: Amendment 21 makes immediately available for the present fiscal year $100,000 for mail-messenger service.

On amendment 22: This amendment relates to postage on drop letters in the city of New York, from which the Senate conferees receded.

On amendment 24: Amendment 24 relates to the mail service on Lake Winnepesaukee, N. H. A similar item has been carried in a number of previous bills, which fixed the salary of the carrier because of the peculiar conditions attending the service.

On amendment 25: Amendment 25 is a change in language made necessary by the preceding amendment.

On amendment 28: The word "regular" is inserted so as to enable the department to employ temporary railway postal clerks during certain emergencies, and is inserted to make clearer the legislative intent.

On amendment 29: The increased amount is necessary because of additional demands upon the service, provided for in this item.

On amendments 31 and 32: Amendment 31 is necessary because of an increase of $10,000 in the appropriation provided for in amendment 32, made necessary, upon the statement of the Postmaster General, that the unusual conditions require the additional amount and is in the interest of good service.

On amendment 33: This amendment requires the Interstate Commerce Commission to fix and determine fair and reasonable rates of compensation for the transportation of mail by urban and interurban electric railway common carriers, the same as is now the case with steam railways, and provides that after the rates are so fixed, pursuant to due notice and hearing as is usually provided, it shall be unlawful for such carriers to refuse to perform the service at the rates so prescribed.

On amendment 34: Amendment 34 increases the appropriation for censorship of foreign mails made necessary because of the increased labor involved, and makes immediately available $200,000 for that purpose.

On amendment 35: This amendment is intended to prevent duplication in the censorship of mails from the military forces connected with the American expeditionary force.

On amendment 36: Amendment 36 increases the appropriation for the manufacture of stamped envelopes and newspaper wrappers, due to the increased demands upon the department.

On amendments 38, 39, 40, 41, and 42: These amendments relate to the supply of sundry material for the Postal Service throughout the country, and the increases provided are necessary because of the rapid growth of the service and the unusual demands for material and supplies.

On amendment 43: Amendment 43 makes available additional appropriations necessary for material and supplies, and for $100,000 to be used by the Postmaster General for the installation and experiments with mail-distributing machines.

On amendment 44: Amendment 44 changes the word "chairs" to "chains" to correct a clerical error.

On amendment 45: This amendment materially increasing the appropriation provided by the House, is necessary to enable the

department to purchase raw material and better equip the shops in the city of Washington for the manufacture of mail bags, mail containers, etc. Recent bids disclosed that the cost for this material in the open market has increased approximately 100 per cent. The Post Office Department believes that with additional funds they could manufacture them on their own account with economy to the Government.

On amendments 47 and 48: Amendments 47 and 48 modify a provision heretofore carried in each appropriation bill and provide that no part of the fund for inland transportation by star routes shall be expended for star-route service which is already served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured, and make the provision permanent law.

On amendments 49 and 50: These amendments relate to the compensation for rural delivery carriers. In substance, they include provisions contained in H. R. 9414, which has heretofore passed the House, and provide that rural carriers on horse-drawn vehicle routes shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles, or major fraction thereof, based on actual mileage, the same as is now provided for routes in excess of 30 miles in length. On tri-weekly routes $12 per mile per annum for each mile in excess of 24 miles is allowed the carrier. The present law respecting the compensation for motor-route carriers, who furnish their own automobiles, on routes not less than 50 miles in length is amended to increase their compensation from a maximum of $1,800 to a maximum of $2,160. The amendment by the Senate that a carrier may use such character of vehicle on horse-drawn routes as may be approved by the local postmaster is stricken out.

On amendment 52: Amendment 52 relates to temporary increases during the fiscal year for employees of the Postal Service, and, in substance, contains similar provisions to those contained in H. R. 9414, recently passed by the House, except that the salaries of assistant postmasters and clerks and carriers in first and second class post offices, railway postal clerks from grade 1 to grade 10, inclusive, and supervisory officials, shall be increased not more than $200 during the next fiscal year. Supervisory officials receiving in excess of $2,200 receive an increase of 5 per cent. All other employees of the Postal Service whose compensation does not exceed $800 per annum are increased 20 per cent; those who receive from $800 to $1,500 per annum are increased 15 per cent. The salaries of rural carriers not in excess of $1,200 are increased 20 per cent.

No increases are provided for postmasters at first, second, and third class offices, but postmasters of the fourth class are allowed an additional increase of 100 per cent on cancellations up to $80 per quarter instead of $50, as at present, except that those whose compensation does not exceed $50 per quarter are increased 20 per cent. Provision is made, however, that such temporary increases shall not have the effect of advancing the office to third class.

The provision relating to advance in grades of clerks and carriers and railway postal clerks is included, but limited to the fiscal year ending June 30, 1919. Provision is also made that substitute, temporary, and auxiliary clerks and carriers shall be paid at the rate of 40 cents per hour instead of 35 cents and 40 cents at present, making the rate uniform.

On amendment 53: Amendment 53 extends to watchmen, messengers, and laborers in first and second class post offices and to railway postal clerks assigned to terminal railway post offices and transfer clerks the privileges of the 8 in 10 hour law, and also extends to railway postal clerks assigned to terminal railway post offices and transfer offices the privileges of compensatory time as now provided for clerks and carriers who work under the same conditions. The provision in the amendment extending compensatory time to assistant postmasters and supervisory employees is stricken out.

On amendment 54: Amendment 54 lodges with the Postmaster General the authority to investigate conditions arising from contracts on star route, screen wagon, and other vehicle service, and contracts for envelopes, blanks and blank books, and the Official Postal Guide entered into prior to June 30, 1917, with a view to determining whether or not any adjustment should be made in the contracts due to the increased cost for materials or services because of the war and whether the facts disclose the necessity to adjust the same for materials or services to be furnished after the approval of this act. With the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts.

On amendment 55: Amendment 55 makes effective to certain employees in the Post Office Department the 5 and 10 per cent increase provided in the present appropriation bill which by reason of construction is denied them and is identical with a similar provision which has heretofore passed the House.

On amendment 56: Amendment 56 permits the Postmaster General to accept liberty bonds in lieu of corporate or personal surety for contractors, officers, and employees in the Postal Service and is identical with a similar provision which has heretofore passed the House.

On amendment 57: Amendment 57 relates to the same subject matter contained in H. R. 9414, which has heretofore passed the House, and permits experimentation by the Postmaster General in the operation of motor-vehicle truck routes in the vicinity of such cities as he may select. The sum of $300,000 is made available out of unexpended appropriations for the Postal Service for the purpose of such experimentation, and direction is given that results shall be reported to Congress.

On amendment 58: Amendment 58 is almost identical with a similar provision in H. R. 9414, which has heretofore passed the House, and permits the Secretary of War to turn over to the Postmaster General without charge such aeroplanes and automobiles, or parts thereof, as are unsuitable for the War Department but suitable for the Postal Service.

On amendment 59: Amendment 59 authorizes employees and substitute employees of the Postal Service who enter the military or naval service to be restored after their honorable discharge from such service to the positions which they formerly occupied in the Postal Service at the salary to which they would have been promoted provided they are physically and mentally qualified. The provision in the Senate amendment which permitted members of the immediate family of such employee, or others connected with the Expeditionary Forces in Europe, to mail certain packages is stricken out.

On amendment 60: Amendment 60, proposed by the Senate, is stricken out.

On amendment 61: Amendment 61 permits the Postmaster General to adjust claims of postmasters for loss by fire, burglary, or other cause, of war-savings stamps and thrift stamps, etc., which under the law they are required to keep on hand.

On amendment 62: Amendment 62 repeals existing law authorizing the payment of $5 to postmasters for each recruit secured and accepted in the Army, Navy, or Marine service.

On amendments 63 and 64: Amendments 63 and 64 are the same as sections 9 and 10 of H. R. 9414, which has heretofore passed the House, increasing the amount any one person may deposit in a postal savings bank from $1,000 with interest and $1,000 without interest as provided under present law to $2,500 with interest. The provision as passed the House was for $3,000 with interest.

Amendment 64 permits the purchase of postal savings stamps in denominations of 10 cents to be affixed to a card and when it amounts to $1 may be deposited as a postal savings account or redeemed in cash.

On amendment 65: Amendment 65 is a clerical one made necessary by the addition of certain sections to the bill.

On amendment 23: Amendment 23 relates to the purchase of the pneumatic-tube mail service. The conferees have been unable to agree respecting the provisions of this amendment.

JOHN A. MOON,
THOMAS M. BELL,
A. B. ROUSE,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

REHABILITATION OF WOUNDED SOLDIERS AND SAILORS.

Mr. BANKHEAD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BANKHEAD. Mr. Speaker, in conformity with the former order of the House, I desire to call up the bill H. R. 12212, commonly called a bill to provide for the vocational rehabilitation of wounded soldiers.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12212) to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military and naval forces of the United States, and for other purposes.

Mr. BANKHEAD. Mr. Speaker, I am authorized by the Committee on Education to ask unanimous consent that the bill S. 4557, which passed the Senate a few days ago by unanimous vote, be substituted for the bill H. R. 12212.

The SPEAKER. The gentleman from Alabama, by authority of the Committee on Education, asks unanimous consent that the bill S. 4557, of similar tenor to the House bill, be substituted in lieu of the House bill. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. BANKHEAD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 4557.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 4557——

Mr. BANKHEAD. And, Mr. Speaker, pending the submission of that question, I want to couple with it the request that the gentleman from Iowa [Mr. TOWNER] and myself equally control the time when we go into the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from Alabama asks unanimous consent that he control half of the time, and the gentleman from Iowa [Mr. TOWNER] the other half. Is there objection?

Mr. WALSH. Mr. Speaker, might I ask the gentleman from Alabama about how much of general debate he thinks there will be on the measure to-morrow?

Mr. BANKHEAD. In reply to that inquiry, Mr. Speaker, I will say that we have not agreed yet. The gentleman from Iowa [Mr. TOWNER] and other gentlemen of the committee and myself had a tentative agreement that it would be advisable, inasmuch as there would be a demand on the part of a good many Members, to place no limitation on the time for debate now.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. BANKHEAD]? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 4557.

The motion was agreed to.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes p. m.) the House adjourned until to-morrow, Friday, June 7, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting supplemental estimate of appropriation required by the Engineer Department of the Army for the defenses of the Panama Canal, fiscal year 1919 (H. Doc. No. 1149); to the Committee on Appropriations and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the findings of the court in the case of Thomas J. Lindley v. The United States (H. Doc. No. 1150); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River, reported the same without amendment, accompanied by a report (No. 628), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, reported the same with amendment, accompanied by a report (No. 632), which said bill and report were referred to the House Calendar.

By Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11949) granting the consent of Congress to the county of Pearl River, Miss., and the fourth ward of the Parish of Washington, La., to construct a bridge across Pearl River, between Pearl River County, Miss., and Washington Parish, La., reported the same with amendment, accompanied by a report (No. 633), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11948) granting the consent of Congress to the Great Southern Lumber Co., a corporation of the State of Pennsylvania, doing business in the State of Mississippi, to construct a bridge across Pearl River, at or near the north line of section 22, township 8 north, range 21 west, west of the basic meridian, in the land district east of Pearl River, in the State of Mississippi, reported the same with amendment, accompanied by a report (No. 634), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 629), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 630), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 631), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes; to the Committee on Immigration and Naturalization.

By Mr. HAYDEN: A bill (H. R. 12403) to amend an act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917; to the Committee on Agriculture.

By Mr. BURNETT: A bill (H. R. 12404) authorizing the construction of a building for the Public Health Service in the city of Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. BELL: Resolution (H. Res. 388) providing two messengers to telephone assistants; to the Committee on Accounts.

By Mr. KING: Resolution (H. Res. 389) providing for the appointment of a committee of five Members of the House of Representatives to make a careful inquiry into the cost of cultivation and planting crops; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 12405) granting an increase of pension to Laura A. Moorhead; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 12406) granting an increase of pension to Daniel Dawson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) granting an increase of pension to Sidney S. Canter; to the Committee on Invalid Pensions.

By Mr. CAREW (by request): A bill (H. R. 12408 for the relief of Transport Service (Inc.); to the Committee on Claims.

By Mr. ELSTON: A bill (H. R. 12409) granting a pension to Martin Tepper; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 12410) granting an increase of pension to Peter G. Wynegar; to the Committee on Invalid Pensions.

By Mr. LEHLBACH: A bill (H. R. 12411) granting an increase of pension to Clayton E. Blackwell; to the Committee on Invalid Pensions.

By Mr. McFADDEN: A bill (H. R. 12412) granting an increase of pension to Nelson J. Finney; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 12413) to correct the military record of John Ernst and grant him an honorable discharge; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 12414) granting an increase of pension to Jesse Nott; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of sundry citizens of Kentucky, favoring passage of a bill to establish a national conservatory of music and art; to the Committee on the Library.

Also (by request), petition of Missouri Bankers' Association, against passage of Senate bill 4426 and other bills relating to bank deposits of $5,000 and under; to the Committee on Banking and Currency.

By Mr. FULLER of Illinois: Petition of Protestant churches of Morris, Ill., favoring immediate war-time prohibition; to the Committee on the Judiciary.

By Mr. LINTHICUM: Petition of J. A. Edmondson, of Baltimore, Md., protesting against the increased rates of postage for periodicals; to the Committee on Ways and Means.

Also, petitions of John J. Greer & Co., the J. S. Young Co., J. A. Bokel Co., John N. Carroll, jr., Gilbert Bros. & Co., Corkran, Hill & Co., and William Numsen & Sons, all of Baltimore, Md., opposing the repeal or postponement of the second-class postage amendment of the war-revenue act; to the Committee on Ways and Means.

By Mr. LUNDEEN: Petition of Dr. Auten Pine, president, Dr. Elizabeth Woodward, treasurer, and Dr. Florence Ridgeway, secretary, of the Minnesota Medical Women's Association, St. Paul, Minn., that women and men physicians be given equal opportunities for service in the United States Army; to the Committee on Military Affairs.

By Mr. McFADDEN: Petition of 22 citizens of Montrose, Kingsley, and Heart Lake, Pa., protesting against the zone system of postage on newspapers and magazines; to the Committee on Ways and Means.

By Mr. SINNOTT: Petition of 150 citizens of Deschutes County, Oreg., praying for an investigation of Crane Prairie Reservation, with the object of having the same restored to homestead entry; to the Committee on the Public Lands.

By Mr. STEENERSON: Petition of William J. Dale and other citizens of Lockhart, Minn., against passage of House bill 128; to the Committee on the District of Columbia.

SENATE.

FRIDAY, *June 7, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we consecrate a holy moment at the beginning of this session of the Senate that we may lift our hearts to Thee and seek Thy guidance and blessing. We desire amid the ever-increasing responsibilities of life to get our orders from Thy throne and receive our strength and wisdom from Thee. We desire that the people of this country who look for leadership in civil affairs to this body may realize that those who lead them are themselves led by the spirit of God. Grant us this day our grace to discharge our duties in the fear and in the sight of God. We ask it for Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. LEWIS, under the permission granted to him yesterday, sent to the desk the following petitions, etc., for publication in the RECORD:

WOMAN'S CITY CLUB OF CHICAGO,
May 28, 1918.

Hon. JAMES HAMILTON LEWIS,
United States Senate, Washington, D. C.

DEAR SIR: The inclosed resolutions were unanimously passed at the regular meeting of the Woman's City Club, May 27, and the undersigned was instructed to send a copy to you, with the request that you have the same read into the CONGRESSIONAL RECORD.

Thanking you for your consistent aid in this matter, I remain,
Very truly, yours,

AMELIA SEARS, *Civic Director.*

Whereas the members of the Woman's City Club of Chicago, through their civic activity, are hampered by limitation of their franchise and realize that the franchise in the hands of women means the development of a large group of citizens for civic righteousness; and

Whereas the women of the Nation have already shown their loyalty to the Government by their war work and other forms of service, the crisis of the world now demands that all their energies and activities be utilized for the good of the Nation: Therefore be it

Resolved, That we, the members of the Woman's City Club of Chicago, wish to express our appreciation to you for your loyal support of the women of Illinois; we still urge you to continue your efforts in behalf of the speedy passage of the Federal suffrage amendment.

MAY 27, 1918.

ILLINOIS EQUAL SUFFRAGE ASSOCIATION,
Chicago, May 21, 1918.

Senator JAMES HAMILTON LEWIS,
United States Senate, Washington, D. C.

MY DEAR SENATOR LEWIS: At a meeting at the headquarters of the Illinois Equal Suffrage Association on Monday, May 20, representatives from the following organizations were present: Woman's Association of Commerce, Woman's Press Association, Woman's Protective Association, Chicago Political Equality League, Bindery Women's Union, Chicago Woman's Trade Union League, National Woman's Trade Union League, Woman's Defenders League, Daughters of 1918, Sixth Ward Civic League, Seventh Ward Civic League, Eighteenth Ward Civic League, Twenty-third Ward Civic League, and Twenty-fifth Ward Civic League.

The inclosed resolution was adopted, and we are sending it to you with the request that it be read into the record of the Senate. We are also inclosing the newspaper account of the meeting.

We feel sure that, because of your active interest in the work for full suffrage for our Illinois women, you will be interested.

Very cordially, yours.

HELEN STEWART,
Corresponding Secretary.

A conference was held at the headquarters of the Illinois Equal Suffrage Association on Monday afternoon by members of the following organizations: Woman's Association of Commerce, Woman's Press Association, Woman's Protective Association, Chicago Political Equality League, Bindery Women's Union, Woman's Defenders League, Chicago Woman's Trade Union League, National Woman's Trade Union League, Daughters of 1918, Sixth Ward Civic League, Seventh Ward Civic League, Eighteenth Ward Civic League, Twenty-third Ward Civic League, and Twenty-fifth Ward Civic League. The following resolution was adopted:

"Whereas 40,000,000 women of the allied nations have been enfranchised since the war began; and

"Whereas we believe an American Republic will not deny its women the political liberty that monarchies have extended; and

"Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens, not loyal enough for the Army but permitted to vote; and

"Whereas the organized suffragists have already shown their loyalty to the Government by their war work, the crisis of the world now demands that all their energies be released from the struggle for their own political freedom: Therefore

"We urge the immediate passage of the Federal suffrage amendment, and we express our appreciation of your loyal support and ask you to continue your efforts in behalf of the speedy passage of the amendment."

[From the Chicago Daily Tribune, May 21, 1918.]

A conference was held at the headquarters of the Illinois Equal Suffrage Association yesterday afternoon by members of the following organizations: Woman's Association of Commerce, Woman's Press Association, Woman's Protective Association, Chicago Political Equality League, Bindery Women's Union, Chicago Woman's Trade Union League, National Woman's Trade Union League, Woman's Defenders' League, Daughters of 1918, Sixth Ward Civic League, Seventh Ward Civic League, Eighteenth Ward Civic League, Twenty-third Ward Civic League, and Twenty-fifth Ward Civic League.

The following resolution was adopted and forwarded to the two Illinois Senators:

"Whereas 40,000,000 women of the allied nations have been enfranchised since the war began; and

"Whereas we believe an American Republic will not deny its women the political liberty that monarchies have extended; and

"Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens, not loyal enough for the Army but permitted to vote; and

"Whereas the organized suffragists have already shown their loyalty to the Government by their war work, the crisis of the world now demands that all their energies be released from the struggle for their own political freedom: Therefore

"We urge the immediate passage of the Federal suffrage amendment, and we express our appreciation of your loyal support and ask you to continue your efforts in behalf of the speedy passage of the amendment."

[From the Chicago Evening Journal, May 21, 1918.]

ASK VOTE FOR LOYAL WOMEN TO OFFSET "FIRST PAPER" ALIENS.

Resolutions urging the passage of the Federal suffrage amendment immediately, so that the votes of loyal American women may be used to offset those of "first-paper" alien men were forwarded to United States Senators LEWIS and SHERMAN.

The resolutions were adopted by members of the following organizations, who met at the headquarters of the Illinois Equal Suffrage Association: Woman's Association of Commerce, Woman's Press Association, Woman's Protective Association, Chicago Political Equality League, Bindery Women's Union, Chicago Woman's Trade Union League, National Woman's Trade Union League, Daughters of 1918, Sixth Ward Civic League, Seventh Ward Civic League, Eighteenth Ward Civic League, Twenty-third Ward Civic League, and Twenty-fifth Ward Civic League. The resolution:

"Whereas 40,000,000 women of the allied nations have been enfranchised since the war began; and

"Whereas we believe an American Republic will not deny its women the political liberty that monarchies have extended; and

"Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens, not loyal enough for the Army but permitted to vote; and

"Whereas the organized suffragists have already shown their loyalty to the Government by their war work, the crisis of the world now demands that all their energies be released from the struggle for their own political freedom: Therefore

"We urge the immediate passage of the Federal suffrage amendment, and we express our appreciation of your loyal support and ask you to continue your efforts in behalf of the speedy passage of the amendment."

—

4117 CHAMPLAIN AVENUE,
May 21, 1918.

J. HAMILTON LEWIS,
Washington, D. C.

DEAR MR. LEWIS: I am inclosing to you a petition which the members of the Abraham Lincoln Center class in religion has prepared.

We would like to have this read into RECORD. The women of Illinois are proud that they have representing them in Congress two men who believe that justice and liberty should be extended to all regardless of sex.

They appreciate your standing and your efforts toward the passage of the Federal suffrage amendment.

Most cordially,

ELLA A. NAGELY.

ABRAHAM LINCOLN CENTER,
Chicago, May 21, 1918.

To the Members of the United States Senate now in session:

GENTLEMEN: The undersigned, members of the religious-study class at the Abraham Lincoln Center, Chicago, do respectfully join their petition with the ever-growing host of intelligent men and women in all countries for the prompt passage of the pending amendment to the Constitution, removing the sex limitation to the right of suffrage throughout the United States. Science, ethics, religion, and now the rapidly growing experience of many political units at home and abroad, all go to prove that in asking for the passage of this amendment we are simply asking for the obvious demands of reason, justice, and economic, social and political efficiency. To delay is to refuse a place in the advance line of civilization and to be found kicking against the pricks of destiny.

MATILDA C. SCHAFF
(And others).

—

DANVILLE, ILL.

Hon. JAMES HAMILTON LEWIS,
Washington, D. C.

HONORABLE SIR: The undersigned have indorsed the following resolutions and request that they be read into the Senate RECORD.

"Whereas 40,000,000 women of the allied nations have been enfranchised since the war began; and

"Whereas we believe an American Republic will not deny its women the political liberty that monarchies have extended; and

"Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens, not loyal enough for the Army but permitted to vote; and

"Whereas even a brief analysis of America's part in this great war shows that next in sacrifice to the men on the firing line, in the air, on land, or on sea comes the women, mothers and wives and the great army of toilers in the many branches of war work so necessary to the success of our cause who are anxiously watching the action of the United States Senate for recognition, which they deserve; and

"Whereas the organized suffragists have already shown their loyalty to the Government by their war work, the crisis of the world now demands that all their energies be released from the struggle for the political freedom of our American women: Therefore be it

"*Resolved*, That we urge the immediate passage of the Federal suffrage amendment, and we express our appreciation of your loyal support and ask you to continue your efforts in behalf of the speedy passage of the amendment."

Mrs. O. J. Chapman, president Young Women's Christian Association; Mrs. I. S. Levin, president Woman's Club of Danville; Mrs. Jas. A. Meeks, chairman of food production, Vermilion County; Mrs. C. Abernathy, president Federated Clubs of Danville; Mrs. W. S. Dillon, county chairman C. N. D.; Mrs. Lin H. Griffith, president Woman's Military Auxiliary; Mrs. Howard J. Mater, vice president Woman's Military Auxiliary; Mrs. Lincoln Payne, president Civic League; Mrs. E. B. Coolley, county chairman woman's committee third liberty loan; (Miss) Bertie Braden, county chairman Recreation Committee; Mrs. L. F. Miller, president of the Children's Home Board; Mrs. Frank U. Johnson, chairman committee on magazines for soldiers; Mrs. Stephen C. Glidden, county chairman woman's committee W. S. S., county chairman children's welfare C. N. D.; Mrs. S. M. Clark, president associated charity board; Mrs. Minnie M. Sheets, county food conservation; Mrs. Mary I. Southworth, president Woman's Christian Temperance Union; Mrs. Henry P. Blose, librarian Garden and Food Library; Mrs. E. E. Clark, chairman canteen committee C. N. D.; Mrs. G. C. Baldwin, regent Gov. Bradford Chapter, Daughters of the American Revolution; Mrs. Nelle Mann Shedd, deputy United States marshal; Mrs. O. L. Lyons, Danville chairman food production C. N. D.; Mrs. Chas. Taylor, county chairman finance committee C. N. D.; Mrs. E. E. Payson, chairman committee women and children in industry, C. N. D.

—

DELAVAN, ILL., *May 24, 1918.*

Senator J. HAMILTON LEWIS,
United States Senate, Washington, D. C.

DEAR SIR: At a regular meeting of the Delavan Woman's Club, held May 22, the following resolution was unanimously passed by the 73 members present:

"*Resolved*, That the Delavan Woman's Club publicly express appreciation and thanks to Senators SHERMAN and LEWIS for the solid stand they have taken on Illinois equal suffrage, and the hope that their continued efforts may push the Federal amendment for full suffrage to a speedy passage."

Respectfully,

(Miss) ROSA TOMM,
(Miss) MARY ELLEN HAYES,
Mrs. J. T. NATIRESS,
Committee.

ALTON, ILL., *May 22, 1918.*

Hon. J. HAMILTON LEWIS,
United States Senate, Washington, D. C.

MY DEAR SIR: We are much interested in the passage of the Federal amendment. I am sending to you a copy of the resolutions passed by the Alton Equal Suffrage Association:

"*Resolved*, That the meeting called by the Alton Equal Suffrage Association on May 22 praises our two Senators, J. HAMILTON LEWIS and LAWRENCE Y. SHERMAN, for standing solidly and consistently for suffrage; asks our Senators to use their utmost endeavor to secure a speedy passage of the Federal amendment; insists, as this war is a struggle for democracy, for the right of those who submit to authority to have a voice in their own government, that our Senators press the Federal amendment as a war measure; requests these resolutions or copies of editorials from Alton newspapers be read into the RECORD of the Senate."

The following is an editorial from the Alton Evening Telegraph:

"WOMAN SUFFRAGE.

"The Senate of the United States should pass the bill for full suffrage for women. We are lagging in the extension of this privilege to womankind. Other English-speaking nations have granted it, and why should not we? We are expecting the women to do their patriotic duties in war. We look to them to sacrifice their husbands and their sons and to help with the war work. They should have an equal voice in the voting on all matters submitted to a vote of the people. It is the modern thing to do, and the logical thing. The Senate should not delay the matter any longer. Votes for women is but fair."

I hope you will use all your influence to bring the Federal amendment to a successful vote.

Yours,

(Mrs. GEO. E.) ANNA J. WILKINSON.

—

WOMAN'S ASSOCIATION OF COMMERCE OF
UNITED STATES OF AMERICA,
OFFICE OF THE PRESIDENT,
Chicago, May 21, 1918.

Hon. JAMES HAMILTON LEWIS,
Washington, D. C.

DEAR SIR: At a meeting of the executive board of governors of the Woman's Association of Commerce of the United States of America held May 20, 1918, great interest was manifested in the present status of the Federal amendment. After discussion the following resolution was passed:

"Whereas 40,000,000 women of the allied nations have been enfranchised since the war began; and

"Whereas we believe an American Republic will not longer deny its women the political liberty that monarchies have extended; and

"Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens not loyal enough for the Army but permitted to vote; and

"Whereas the organized suffragists have already shown their loyalty to the Government by their war work, the crisis of the world now demands that all their energies be released from the struggle for their own political freedom: Therefore

"We urge the immediate passage of the Federal amendment, and we express our appreciation of your loyal support and ask you to continue your efforts in behalf of the speedy passage of the amendment."

Yours, very truly,

WOMAN'S ASSOCIATION OF COMMERCE
OF UNITED STATES OF AMERICA,
FLORENCE KING, *President.*

—

FEDERATION OF WOMEN'S CLUBS,
Freeport, Ill., May 28, 1918.

Hon. J. HAMILTON LEWIS,
Washington, D. C.

DEAR SIR: At the last annual convention of the Illinois Federation of Women's Clubs of the thirteenth congressional district, representing 36 separate organizations, the following resolution was unanimously adopted:

"Whereas the women of the United States have demonstrated their fitness and willingness to serve our country, no matter what the service; and

"Whereas now, more than ever before, the equal franchise is a necessity to insure the highest efficiency in the successful prosecution of the world war; and

"Whereas in the reconstructive period following in the wake of the war the equal enfranchisement of women and men is needed to reestablish industry, society, and a sane order of relationships: Be it

"*Resolved*, That this body recognizes the immediate passage of the Susan B. Anthony amendment to be an essential war measure and indorses the suffrage Federal amendment and protests against further delay in its passage by the Senate.

"Furthermore, we wish to express our approval of the support given this measure by the Senators of Illinois and request their further assistance for its safe passage.

"(Signed) EMMA HEY, *Dixon.*
"FLORENCE RAY STROH,
"Stillman Valley.
"EMMA L. SHEERER,
"Galena."

Yours, very truly,

(Mrs. F. E.) FLORENCE WILKINS FURST.
Recording Secretary.

—

CHICAGO WOMEN'S ATHLETIC CLUB,
Monmouth, Ill., May 24, 1918.

Hon. J. HAMILTON LEWIS,
Washington, D. C.

DEAR SIR: At a joint meeting of the Monmouth Woman's Club and the Council of National Defense, which was largely attended by the most influential women of the town and county, resolutions were passed which voice the opinion of the women of this community on the passage of the so-called Susan B. Anthony amendment to the Constitution. The resolutions were passed by a unanimous vote.

The women of this city and community are very desirous of early passage of this amendment and any efforts that you may put forth

will be greatly appreciated. I would also ask that this paper may be used in any way to aid toward that end. I was appointed to look after forwarding this to you. I am,

Very respectfully, yours,

Mrs. MARY E. SYKES,
Ex. County of Schools, Warren County, Ill.

MONMOUTH, ILL., *May 20, 1918.*

Whereas we, the members of the Monmouth Woman's Club and the Woman's Committee of the Council of National Defense, in joint meeting assembled, believe that the passage of the so-called Susan B. Anthony amendment to the Federal Constitution should receive speedy action by the United States Senate; and

Whereas we believe that the passage of that amendment would prove a valuable war measure as declaring for a true democracy, giving to all the governed a voice in the Government; and

Whereas we believe that the opposition to said amendment comes from the enemies of liberty and justice, who through indifference, ignorance, or for selfish and evil purposes oppose the measure: Therefore be it

Resolved, That we do hereby express our sincere and heartfelt gratitude to the Congressmen from Illinois who so loyally and gallantly supported this amendment and to our Senators, who have so fearlessly declared their support of the measure, and would respectfully urge that they do all in their power to bring the vote in the Senate to a speedy and successful conclusion.

Mrs. ESTELLE P. HAMEL,
Secretary Monmouth Woman's Club.
Mrs. GEORGE F. MEACHAM,
Secretary Council National Defense.

DIXON WOMAN'S CLUB,
Dixon, May 26, 1918.

Senator LEWIS.

DEAR SIR: At a meeting yesterday of the Dixon Woman's Club resolutions to praise the efforts of our Senators who have stood solidly for full suffrage were adopted, at which we expressed confidence of a speedy passage.

Sincerely,

CORA L. PETERSBERGER,
Corresponding Secretary.

CHICAGO HEIGHTS, ILL., *May 23, 1918.*

Hon. J. HAMILTON LEWIS,
Washington, D. C.

MY DEAR SIR: The Woman's Club of Chicago Heights heartily indorses the Susan B. Anthony amendment.

We protest against the undue delay of the passage of the amendment in the Senate and earnestly urge its passage.

Thanking you for firmly standing by our cause, I am,

Most respectfully, yours,

BELLE H. SMITH,
Corresponding Secretary.

WOMAN'S LEGISLATIVE CONGRESS,
May 29, 1918.

Hon. JAMES HAMILTON LEWIS,
United States Senate, Washington, D. C.

DEAR SIR: On behalf of a very large representative group of Illinois women I have the pleasure and honor to present the inclosed resolution.

It is not because of any need on your account that we present our petition, because we are aware of your loyalty to women, but to impress you with the fact that the suffrage amendment is our very great desire.

With appreciation,

Cordially, yours, (Mrs.) HARLAN WARD COOLEY,
Chairman.

Resolution.

Whereas the women of Illinois as partial citizens have been a great force for public good; and

Whereas our country needs the votes of loyal women and good to offset the votes of first-paper aliens not loyal enough for service in the Army and Navy but permitted to vote; and

Whereas the women of the Nation have already shown their loyalty to the Government by their war work and other forms of service, the crisis of the world now demands that all their energies and activities be utilized for the good of the Nation: Therefore be it

Resolved by the Members of the Illinois Woman's Legislative Congress, That in extending our appreciation to you, our representative in the United States Senate, for your loyal support of the women of Illinois, we further urge you to continue your best efforts in behalf of the speedy passage of the Federal suffrage amendment.

WOMAN'S COMMITTEE, COUNCIL OF NATIONAL DEFENSE,
ILLINOIS DIVISION, CHICAGO.

Whereas since the world war began nine great States and nations have extended suffrage to their women, realizing the absolute necessity for such action to procure a maximum efficiency of the people for the successful prosecution of the war; and

Whereas the women of the United States of America are mobilizing for war service and stand ready to enter all the activities of the land, and are even now shouldering a great part of the burden in the Nation's hour of need; and

Whereas the women of the United States of America are equally well qualified as are the women of other nations to direct and hold the reins of government: Be it

Resolved, That the Galena Unit, Woman's Committee, Council of National Defense, declares the Susan B. Anthony amendment a war measure of the first importance and protests against the further delay in the Senate of carrying this measure through successfully.

(Signed) MYRTLE RENWICK HEER,
Chairman Galena Unit, Representing 32 Organizations.

CHICAGO WOMAN'S CLUB.

Whereas the time has passed when the United States Senate should fail to respond to the need of our country in this war-time stress to grant to women the full rights of citizenship, which experience in many States has demonstrated to be to the best interests of democracy: Therefore be it

Resolved, That we urge the Senate of the United States to at once pass the Federal suffrage amendment, that the women of the United States may in every way possible take the places of our fast depleting ranks of male citizens; that thus armed with the ballot they may maintain democracy at home.

CHICAGO WOMAN'S CLUB,
May 24, 1918.

Hon. JAMES HAMILTON LEWIS,
Senator from Illinois, Washington, D. C.

DEAR SIR: Inclosed please find copy of resolution which the Chicago Woman's Club sent to-day to the Chairman of the Senate.

Thanking you for the efforts which you have already made in behalf of this measure, and confiding in you further most valuable support, I am,

Very truly, yours, ALICE E. MORAN,
Corresponding Secretary.

ENGLEWOOD WOMAN'S CLUB,
Chicago, May 23, 1918.

Hon. J. H. LEWIS,
Washington, D. C.

DEAR MR. LEWIS: We have watched with great interest your work upon the suffrage bill and have been very proud of your record.

Standing for full suffrage, Great Britain and Canada have enfranchised their women, and America must recognize and honor her women by granting them full suffrage.

We are sure you will continue your efforts to push the resolution to a speedy passage. We would like to have Illinois lead in recognizing the value of woman in the Nation. Thanking you most heartily, we are,

Very cordially, yours,

MYRTLE DEAN CLARK,
President.
RUTH O. REEVES,
Corresponding Secretary.

NATIONAL WOMAN'S PARTY,
May 29, 1918.

Hon. JAS. HAMILTON LEWIS,
Senate Office Building, Washington, D. C.

DEAR SIR: I am sending you the inclosed clipping from the Philadelphia Public Ledger, thinking it may be of interest to you in connection with the national suffrage amendment now pending in the Senate. This is the second strong editorial on the same subject which has appeared in this paper within the last 10 days. I hope you will give it your very serious attention.

Very truly, yours, ELLA RIEGEL,
Pennsylvania Member of the National Advisory Council.

ARE WOMEN PEOPLE, SENATORS?

Equal suffrage for men and women in all the States of the Union may be delayed, but it can not permanently be sidetracked. It is an act of justice that ought not to be delayed, because so long as any portion of the country denies to its women a voice in the management of public affairs our professions of devotion to the cause of democracy are made hollow and insincere, and we stand convicted before the world not only of inconsistency but we are pilloried as laggards in the march of progress. Shall it be said that the United States of America as a whole still hesitates about a step which has already been taken by nearly a third of the States and which has been adopted by Great Britain in double recognition of the justice of the women's demand and of the debt which the Empire owes to its women for their part in defending the liberty of the world against the deadly menace of Hun oppression?

The Senate of the United States is to be asked to-day to fulfill its too-long-delayed duty by passing on the Federal suffrage amendment, and the country looks to it to arrange itself upon the side of progress and of justice, not among the blind and stubborn forces of reaction. This measure has been held up upon the Senate calendar because of doubt whether there could be mustered a sufficient number of affirmative votes among those Senators who are alive to the overwhelming sentiment of the Nation in favor of a prompt settlement of the suffrage question and its removal from the field of controversy. It can no longer be said, since the verdict of New York State, that "women are people," that the issue is being forced upon the country by a handful of sparsely settled western Commonwealths. It is in truth being forced upon the Nation, but solely by the logic of events and by the irresistible influence of that sense of right and justice which should ultimately prevail in a true democracy.

This Nation is calling upon the women to make the supreme sacrifice of personal service as well as that vicarious sacrifice of their nearest and best for the cause of that civilization of which they are a vital part. The opposition of the enfranchisement of woman has degenerated into a blind refusal to accept the unanswerable logic of events, an obstinate determination to resist the inevitable, be it ever so just and reasonable. Their are politicians who stand in the way because they fear the influence of woman at the polls, a fear that is both a confession and a self-condemnation. There are subtle forces of evil which hope by defeating or delaying votes for woman to gain a stay for themselves and to avert their certain destruction. These are the elements still at work in the Senate to prevent the passage of the pending amendment, but they should be powerless before the power of a public opinion which has long since decided the issue of votes for women in the affirmative. Should not the Senate therefore keep abreast of the times rather than become the last refuge of reaction and blind injustice?

WOMAN'S PROTECTIVE ASSOCIATION,
Chicago, Ill., May 23, 1918.

Hon. JAMES HAMILTON LEWIS,
Washington, D. C.

DEAR SENATOR: We are inclosing herewith resolutions adopted by the Woman's Protective Association of Chicago, Ill. We ask your earnest support of the Federal suffrage amendment, which is on the calendar for an early vote.

Thanking you for your endeavors in behalf of the women of the State of Illinois, we are,

Yours, very truly,

WOMAN'S PROTECTIVE ASSOCIATION,
By ELIZABETH L. HOFFMAN,
Corresponding Secretary.
MARGARET B. DOBYNE, *President.*

Resolution.

Whereas the members of the Woman's Protective Association, though not active in suffrage or political propaganda, realize that the franchise in the hands of women means the development of a large group of citizens for civic righteousness; and

Whereas our country needs the votes of loyal women to offset the votes of first-paper aliens, not loyal enough for service in the Army and Navy, but permitted to vote; and

Whereas the women of the Nation have already shown their loyalty to the Government by their war work and other forms of service, the crisis of the world now demands that all their energies and activities be utilized for the good of the Nation: Therefore be it

Resolved, That we, the members of the Woman's Protective Association, wish to express our appreciation to you for your loyal support of the women of Illinois; we still urge you to continue your efforts in behalf of the speedy passage of the Federal suffrage amendment.

CHICAGO EQUAL SUFFRAGE ASSOCIATION.

Hon. JAMES HAMILTON LEWIS.

MY DEAR SIR: The amendment to the Federal Constitution enfranchising women is now pending in the Senate and we are confronted by a very serious situation.

We suffragists have, as you know, since the war began, put literally all our time and strength into war work. The roster of the Councils of Defense, State and national, is a list of our most active women, and I do not know one member of a suffrage organization who is not working hard at some form of service for her country. We would have rendered the service no matter what it cost, but we felt justified in hoping that, as in Europe, where 40,000,000 women of the allied nations have been enfranchised since the war began, our work for our country would speak for us louder than any organized suffrage propaganda.

But the Senate is now being flooded with demands that the matter be indefinitely postponed, "as the women and the country have lost interest and don't want it." It would be a tragedy if they had their way. You need the votes of the loyal women to offset the votes—allowed in many States—of the "first-paper" alien, not loyal enough for the Army but permitted to vote. We need to feel that our democracy—fighting for democracy—is at least as fair as the monarchies of Europe. The matter will come up in another week; the wavering ones must feel that the country does care. All political parties, either in their platform or by action of their central committee, have indorsed the Federal amendment. Suffrage is inevitable; why delay action any longer?

We appreciate the stand you and Senator SHERMAN have always taken for suffrage and urge that you use all your influence to get the amendment passed as quickly as possible.

You know the German newspapers did not print the news that England had enfranchised 2,000,000 men and 6,000,000 women. What Germany fears most is a real democracy. Witness her refusal to even consider woman suffrage and her defeat of the franchise extension bill. Where does the Senate stand?

Cordially, yours,

MRS. GEO. F. HARDING, Sr.
(ADELAIDE M. HARDING),
Evanston Hotel, Evanston, Ill.

GALENA, ILL., *May 22, 1918.*

MRS. GRACE WILBUR TROUT,
Chicago, Ill.

DEAR MADAM: We wish to go on record as heartily favoring the passage of the "Susan B. Anthony" amendment in the immediate future, as we feel the passing of the same is an essential war measure.

We also wish to express our approval of the support already given.

Very truly, yours,

OUTLOOK CLUB,
MRS. N. G. GARLOCK,
Chairman Legislative Committee.

FOURTH PRESBYTERIAN CHURCH,
Chicago, May 25, 1918.

Senator JAMES HAMILTON LEWIS,
Washington, D. C.

DEAR SENATOR LEWIS: We appreciate the earnest work you have already done for suffrage and believe that it is speaking more and more clearly the mind and heart of the people. We do not believe a bit less in the great primary responsibility of woman in the home, but we believe that she has her right to assert herself as well in the matters of the Nation, and surely she is doing it and should be recognized with the franchise.

Faithfully, yours, JOHN TIMOTHY STONE.

DE KALB, ILL., *May 25, 1918.*

Senator JAMES HAMILTON LEWIS,
Senate Chamber, Washington, D. C.:

We thank you for your support of the Federal amendment. Members of the Woman's Club ask you to vote for amendment now pending in Senate. Will you work for votes for amendment from all Senators not pledged to support amendment?

MRS. SARA HINDS, *President.*
MRS. MERTIE BROOKS, *Secretary.*

EVANSTON, ILL., *May 24, 1918.*

Hon. J. HAMILTON LEWIS,
Senator from Illinois, Washington, D. C.:

University Circle of Evanston asks your support of suffrage measure.

ETTA PRESTON, *Secretary.*

PONTIAC, ILL., *May 25, 1918.*

Hon. J. HAMILTON LEWIS,
United States Senate, Washington, D. C.:

Pontiac Woman's Club, representing 200 women, passed resolution of praise and appreciation for the stand you have taken for full suffrage and expressed confidence in your continued efforts to push this resolution to a speedy passage.

AGNES E. SELLS, *Chairman.*

EVANSTON, ILL., *May 23, 1918.*

The Hon. JAMES HAMILTON LEWIS,
Washington, D. C.:

Your promised support of the suffrage amendment is appreciated by us, and in recognition of the splendid service and sacrifice of our women in the war hope you will secure the votes of other Senators for their full enfranchisement.

WOMAN'S UNION, FIRST METHODIST CHURCH, 500 MEMBERS.

CHICAGO, ILL., *May 23, 1918.*

Hon. J. HAMILTON LEWIS,
Senator of Illinois, Senate Chamber,
Washington, D. C.:

Whereas democracy includes all the people, men and women;

Whereas the democracy of all the world hangs in the balance;

Whereas the Government of the United States needs the full strength and time of its women for war work;

Whereas organized suffragettes have shown great loyalty and devotion to democray's cause by their war efforts;

Whereas the Chicago Political Equality League have a record of $582,000 in the third liberty loan, $30,000 in the first thrift-stamp campaign, 50,000 garments for allies' relief, 15,000 surgical dressings, 5,000 knitted garments, 1,000 letters to soldiers and sailors: Be it

Resolved, That the managers of the Chicago Political Equality League appreciate the great support and influence as an Illinois Senator you have given the Federal suffrage amendment and earnestly urge you to further help this amendment to a quick and successful vote.

MANAGERS OF THE CHICAGO POLITICAL EQUALITY LEAGUE.

EVANSTON, ILL., *May 24, 1918.*

Hon. JAMES HAMILTON LEWIS,
Washington:

We protest, honorable Senator, against delay in passing Federal suffrage amendment, believing that women of America have proved their ability and loyalty in war service, and that bill should be passed as war measure; that they need protection of ballot when such large numbers of American men are leaving home.

WILMETTE PUBLIC SCHOOL TEACHERS.
WILMETTE RED CROSS UNIT.

GALESBURG, ILL., *May 23, 1918.*

Senator JAMES HAMILTON LEWIS,
Washington, D. C.

DEAR SIR: We respectfully and urgently request your earnest support and your vote for the equal suffrage amendment to the Constitution of the United States.

GALESBURG GRADUATE NURSES ASSOCIATION,
MRS. E. B. SINCLAIR, *First Vice President.*
MRS. S. M. HUGHES, *Secretary.*

BUSHNELL, ILL., *May 23, 1918.*

Senator J. HAMILTON LEWIS,
Washington, D. C.:

We have never lost interest in the passage of the Federal amendment for woman suffrage, but are fighting with all our strength in support of the Government and for the welfare of the boys who are fighting for us. Our burdens are many. Can only take time to pray you to continue to fight for our freedom.

BLANCH B. WEST,
Chairman Fourteenth Congressional District
Woman's Suffrage Association.

CANTON, ILL., *May 23, 1918.*

Hon. J. HAMILTON LEWIS,
United States Senate, Washington, D. C.:

Since the enfranchisement of women has become a vital war measure, we hereby protest against further delay of the Senate in passing the full suffrage amendment. We would also express our appreciation of the earnest efforts of both our Senators in behalf of full suffrage for women.

WOMAN'S CIVIC LEAGUE OF CANTON, ILL.

Mr. HOLLIS presented petitions of the New Hampshire Equal Suffrage Association, of Portsmouth, of sundry citizens of Portsmouth, and of the Woman's Christian Temperance Union, of Portsmouth, all in the State of New Hampshire, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry citizens of Jackson, Mich., praying for the passage of the Barkley war prohibition bill, which was referred to the Committee on Agriculture and Forestry.

Mr. NELSON presented a petition of the Third District of Federated Women's Clubs, of Hastings, Mich., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Good Thunder, Minn., and a petition of sundry citizens of Mankato, Minn., praying for national prohibition as a war measure, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 4597) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., reported it with amendments and submitted a report (No. 484) thereon.

He also, from the same committee, to which was referred the bill (H. R. 10021) granting the consent of Congress to the county commissioners of Trumbull County, Ohio, to construct, operate, and maintain a bridge and approaches thereto across the Mahoning River in the State of Ohio, reported it without amendment and submitted a report (No. 485) thereon.

Mr. HOLLIS, from the Committee on the District of Columbia, to which was referred the bill (S. 4548) to protect the lives and health and morals of women and minor workers in the District of Columbia and to establish a minimum wage board and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes, reported it with amendment and submitted a report (No. 486) thereon.

He also, from the same committee, to which were referred the following bills, submitted adverse reports thereon:

A bill (S. 640) for the retirement of public-school teachers in the District of Columbia (Rept. No. 489);

A bill (S. 3077) for the retirement of public-school teachers in the District of Columbia (Rept. No. 487); and

A bill (S. 3993) to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a minimum wage board and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and to provide penalties for violation of this act (Rept. No. 488).

Mr. HOLLIS. As these three bills have been replaced by other bills of a similar character, I move that they be indefinitely postponed.

The motion was agreed to.

THE CONGRESSIONAL RECORD.

Mr. SMITH of Arizona. Pursuant to Senate resolution No. 233, directing the Committee on Printing to inquire into the reasons for the irregular delivery of the CONGRESSIONAL RECORD to addresses outside the District of Columbia, etc., I submit a report (No. 490), and ask that it be printed in the RECORD for the information of the Senate.

The VICE PRESIDENT. Without objection, that action will be taken.

The report is as follows:

[Senate Rept. No. 490, 65th Cong., 2d sess.]

DELIVERY AND ADDRESSING OF CONGRESSIONAL RECORD.

Mr. SMITH of Arizona, from the Committee on Printing, submitted the following report, to accompany Senate resolution 233:

The Committee on Printing, pursuant to a resolution directing the Committee on Printing to inquire into the reasons for the irregular delivery of the CONGRESSIONAL RECORD to addresses outside the District of Columbia, etc., has inquired into the addressing and delivery of the CONGRESSIONAL RECORD and submits its report herewith:

The resolution (S. Res. 233) is as follows:

"*Resolved*, That the Committee on Printing is hereby directed to inquire into the reasons for the irregular delivery of the CONGRESSIONAL RECORD to addresses outside of the District of Columbia, and also as to what improvements may be adopted that will make more legible the mailing addresses placed on the wrappers."

In its investigation the committee requested the Public Printer to submit a full statement concerning the delivery and addressing of the CONGRESSIONAL RECORD. The Public Printer's report to the committee, under date of May 4, 1918, is submitted herewith:

OFFICE OF THE PUBLIC PRINTER,
Washington, May 4, 1918.

MY DEAR SENATOR: In answer to yours under date of May 2, 1918, requesting a full statement in regard to the resolution of Senator GALLINGER, directing the Committee on Printing to inquire into the reasons for the irregular delivery of the CONGRESSIONAL RECORD to addresses outside of the District of Columbia, and also to what improvements may be adopted that will make more legible the mailing addresses placed on wrappers, the following is respectfully submitted:

Shortage of stock has been the cause of printing but 5,000 copies of the CONGRESSIONAL RECORD from April 4 to April 13, both dates inclusive. This shortage has been caused in this office by sufficient stock having been ordered but not received, owing to railroad congestion and other causes over which this office has no control. As rapidly as stock was received, the full number of copies were completed and mailed.

Following are the RECORD numbers, date upon which but 5,000 copies were printed, and date when full number was printed:

RECORD 94, April 4, 5,000 copies; completed April 15.
RECORD 95, April 5, 5,000 copies; completed April 15.
RECORD 96, April 6, 5,000 copies; completed April 15.
RECORD 97, April 8, 5,000 copies; completed April 17.
RECORD 98, April 9, 5,000 copies; completed April 17.
RECORD 99, April 10, 5,000 copies; completed April 18.
RECORD 100, April 11, 5,000 copies; completed April 18.
RECORD 101, April 12, 5,000 copies; completed April 19.
RECORD 102, April 13, 5,000 copies; completed April 19.
RECORD 103, full amount printed.

You will recall, my dear Senator, correspondence upon this subject under date of February 5, 1918, and February 7, 1918, between the chairman of the Joint Committee and the Public Printer, which clearly sets forth the reasons for the curtailment of the RECORD.

As to the legibility of the addresses in mailing out the RECORD, the superintendent of documents, in charge of this work, reports as follows:

"Within the past 30 days the mailing list of addresses on the CONGRESSIONAL RECORD has been changed from the old pin-point system to the typewriter system, which has proved very satisfactory. Since the change has been made no copies have been returned on account of illegible addresses. The typewriter stencils are plain and legible and are giving satisfaction."

Although congestion in railway transportation is delaying some of our shipments of paper, the extraordinary demands being made on this office are being satisfactorily met.

Respectfully submitted.

(Signed) CORNELIUS FORD,
Public Printer.

CHAIRMAN COMMITTEE ON PRINTING,
United States Senate.

The Committee on Printing is of the opinion that, according to the foregoing statement of the Public Printer, the delivery and addressing of the CONGRESSIONAL RECORD have been improved in a satisfactory manner.

MARSHAL OF WESTERN DISTRICT OF MICHIGAN.

Mr. CULBERSON. From the Committee on the Judiciary, I report back favorably, without amendment, the bill (H. R. 7796) to increase the salary of the United States marshal for the western district of Michigan. I call the attention of the Senator from Michigan [Mr. SMITH] to the bill.

Mr. SMITH of Michigan. I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States marshal for the western district of Michigan shall be at the rate of $4,000 a year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of South Dakota (by request):

A bill (S. 4678) for the restoration of annuities to the Medawakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863; to the Committee on Indian Affairs.

By Mr. MYERS:

A bill (S. 4679) to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on Commerce.

By Mr. HALE:

A bill (S. 4680) granting an increase of pension to Charles F. Perry; to the Committee on Pensions.

AMENDMENTS TO ARMY APPROPRIATION BILL.

Mr. CUMMINS submitted an amendment relative to the age limit of men to be hereafter raised by draft between the ages of 18 and 45 years, both inclusive, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. FRANCE submitted an amendment proposing to authorize the President to further mobilize the Federal forces and to increase temporarily the Military Establishment of the United States, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

HEARINGS BEFORE THE COMMITTEE ON IMMIGRATION.

Mr. HARDWICK submitted the following resolution (S. Res. 260), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Immigration, or any subcommittee thereof, be authorized to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, and that expenses contracted hereunder shall be paid out of the contingent fund of the Senate.

CONSIDERATION OF TREATIES—AMENDMENT OF THE RULES.

Mr. BORAH. I send to the desk a notice of a proposed amendment to the rules, which I ask to have read, printed, and lie on the table.

The Secretary read as follows:

I herewith and hereby give formal notice, in accordance with the spirit and letter of Rule XL of the Standing Rules of the Senate—which prescribes the method by which the rules may be suspended, modified, or amended—that I will on to-morrow, if the Senate shall be in session on that day, and if not, upon the next day upon which the Senate is in session, submit a resolution or motion for the amendment of paragraph 3 of Rule XXXVI of the Standing Rules of the Senate, as follows:

Strike out all of paragraph 3 of Rule XXXVI relating to proceedings relative to treaties and insert the following:

"That all treaties shall be considered and acted upon by the Senate in its open or legislative session, unless four-fifths of the Members of the Senate by yea-and-nay vote shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken."

And while it may not be necessary to do so, I hereby give notice that I shall offer this amendment to the rules as an amendment to Senate resolution 235 now pending before the Senate.

WILLIAM E. BORAH.

JUNE 7, 1918.

CONSTRUCTION OF CONCRETE SHIPS.

Mr. McCUMBER. Mr. President, I request that the following documents may be printed together as a public document, namely, Construction of Concrete Ships, special report submitted to Edward N. Hurley, chairman of the Emergency Fleet Corporation; Senate Committee on Commerce Report on the Construction of Concrete Ships; letter from Benjamin A. Howes and the reply to that document by a letter from Roy H. Robinson. I ask that they may be printed in the order which I have mentioned, and that they be referred to the Committee on Printing with this request.

The VICE PRESIDENT. That action will be taken.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

PROTECTION OF MIGRATORY BIRDS.

Mr. SMITH of Arizona. Senate bill 1553, to give effect to the convention between the United States and Great Britain for the protection of migratory birds, has just been received from the other House with amendments. I ask that the amendments be laid before the Senate and that the Senate concur in them.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, which were read, as follows:

On page 3, after line 7, to strike out all down to and including "warrant," in line 19, and insert:

"SEC. 5. That any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of this act shall have power, without warrant, to arrest any person committing a violation of this act in his presence or view and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this act; and shall have authority, with a search warrant, to search any place. The several judges of the courts established under the laws of the United States and United States commissioners may, within their respective jurisdictions, upon proper oath or affirmation showing probable cause, issue warrants in all such cases."

On page 5, line 24, to strike out "City of Washington" and insert "District of Columbia."

On page 6, line 2, after "therewith," insert: ": *Provided*, That none of the sums herein appropriated shall be expended for the editing, publication, or distribution of any departmental daily, weekly, or monthly newspapers: *Provided further*, That no person who is subject to the draft for service in the Army or Navy shall be employed by the Secretary of Agriculture under the provisions of this act."

On page 6, after line 11, to insert:

"SEC. 12. That one of the objects of this act is to foster the breeding of migratory game birds on farms and preserves for the purpose of increasing the food supply."

On page 6, line 12, to strike out "12" and insert "13."

Mr. JONES of Washington. Before the amendments are considered I think we ought to have a quorum. They seem to be important amendments. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Nelson	Smoot
Bankhead	Hitchcock	Norris	Sterling
Beckham	Hollis	Nugent	Sutherland
Borah	Johnson, Cal.	Phelan	Swanson
Brandegee	Johnson, S. Dak.	Pittman	Thompson
Calder	Jones, N. Mex.	Poindexter	Tillman
Chamberlain	Jones, Wash.	Pomerene	Townsend
Culberson	Kellogg	Ransdell	Trammell
Curtis	Kendrick	Saulsbury	Underwood
Dillingham	King	Shafroth	Vardaman
Fall	Kirby	Sheppard	Wadsworth
Fernald	Lenroot	Sherman	Warren
Fletcher	McCumber	Shields	Watson
France	McKellar	Smith, Ariz.	Wilfley
Gronna	McNary	Smith, Md.	
Gulon	Martin	Smith, Mich.	
Hale	Myers	Smith, S. C.	

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and the junior Senator from Indiana [Mr. NEW] on official business. I will let this announcement stand for the day.

Mr. SHAFROTH. I wish to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. SUTHERLAND. I desire to announce that my colleague [Mr. GOFF] is detained by illness.

Mr. KIRBY. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, and that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family. I wish also to announce that the junior Senator from Kentucky [Mr. BECKHAM] and the Senator from Arkansas [Mr. ROBINSON] are detained on official business.

The VICE PRESIDENT. Sixty-five Senators have answered to the roll call. There is a quorum present. The question is on concurring in the amendments made by the House to Senate bill 1553.

Mr. JONES of Washington. I should like to have the amendment again read proposed by the House as a substitute for section 5.

The VICE PRESIDENT. The Secretary will again read the House amendment.

The amendment was again read by the Secretary.

Mr. JONES of Washington. I ask the Senator in charge of the measure if he can state substantially the difference between the provision as passed by the Senate and the provision inserted by the House.

Mr. SMITH of Arizona. The easiest way to do that is merely to read the two provisions. They are very short. Section 5 of the bill as passed by the Senate reads:

SEC. 5. That employees of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of this act shall, with respect thereto, have the same powers as are conferred by law on marshals with respect to executing the laws of the United States. That any warrant necessary to the enforcement of the provisions of this act, or any regulation made thereunder, shall be issued by the several judges of the courts established under the laws of the United States, and the United States commissioners within their respective jurisdictions, upon proper oath or affirmation showing probable cause for the issuance of such warrant.

In lieu of that was inserted what the Secretary has just read. There is no difference, as I see it, in the world except as to the issuance of a warrant by a court of competent jurisdiction or by the commissioner of the court before a search is made of the residence of anyone. In other cases, where it is in the view of the party where the depredation was committed, they can make the arrest immediately without a warrant.

Mr. JONES of Washington. The Senator thinks there is not enough essential difference between the provision as it passed the Senate and the provision as it passed the House to justify going to conference for its consideration by conferees?

Mr. SMITH of Arizona. I will answer the Senator that I have been in conference with those who have the matter in control, and they have conferred with the Canadians in the movement to prevent the destruction of migratory birds, and they think that the House provision is better than the Senate provision.

Mr. JONES of Washington. Of course, I have not had an opportunity to examine it. I know the Senator has given it special attention, and I feel justified in taking his judgment in reference to the matter.

Mr. SMITH of Arizona. I am obliged to the Senator.

Mr. FALL. Mr. President, I may be entirely in error, but I think I can see a very material difference between the amendment which has been adopted by the House and the original clause as it passed this body. In the original clause, as just read by the Senator having charge of the measure, the language conferred authority upon the representatives of the Secretary of Agriculture specially delegated such as is now exercised under the law by United States marshals. That language is stricken out and in lieu of it provision is made that any representative of the Secretary of Agriculture shall have the right, without warrant, without complaint, to arrest anyone who is charged with having violated any of the provisions of this act.

Mr. NELSON. Will the Senator allow me to interrupt him?

Mr. FALL. Certainly.

Mr. NELSON. I do not so understand the amendment. As I understood the reading of it, he can only do it in cases where the offense was committed in his presence.

Mr. FALL. I was going on to comment on that.

Mr. NELSON. It is a well-known common law principle applied to criminal law that you can arrest a man if you catch him in the offense, if it is committed in your presence. In that case you have a right to arrest him without warrant, and you can bring him before the court immediately.

Mr. FALL. I understand the distinction, and if the Senator had not interrupted me I should have continued by stating that the provision is that he should have the authority to arrest for any violation of this act whatsoever, not operating under the law as applied by the court to a United States marshal, but he has the right to arrest for any violation committed in his presence or in his view. It is in the disjunctive, as I understand it.

Mr. President, of course, even in a criminal prosecution or with reference to violations of a criminal statute, the question of presence is always one of construction by the court, and the courts have allowed arrests to be made without warrant under certain circumstances where the offense was constructively in

the presence of the officer. Now, this seeks to create an entirely new line of officers in the United States. I am not, I may say now, very thoroughly in accord with many of the provisions of the bill. I had an opportunity to express myself once heretofore and I now desire to express my dissent from various provisions, and my very strong dissent from this amendment. I shall not vote for it under any circumstances, I do not propose to hold it up or even to ask for the yeas and nays upon it, but personally I want to go on record as voting against this amendment.

Mr. KING. Mr. President, there is much to be said in favor of the principle for which this bill stands. That there should be some protection afforded migratory birds I think all will concede. However, our own experiences and the history of legislation, not only in our Nation but in other civilized countries, furnish many examples of imprudent, unwise, and often dangerous and destructive legislation, animated by the highest motives. Legislation is often inspired by a fanaticism or an intolerant dogmatism, and some slight evil or unimportant wrong is exaggerated and magnified until its correction or eradication becomes the most important thing in the world. Frequently people become obsessed with the thought that unless some fancied evil is corrected destruction awaits the Government. Legislation presents a most interesting study in psychology, and it is a study profoundly interesting to ascertain the causes which have produced important as well as unimportant legislative enactments. Very much of legislation results from the whims and caprices and fads and idiosyncrasies and burning zeal and limitless enthusiasm of one or more individuals.

I have sometimes thought this bill was the result of some of the characteristics embraced within the statement just made. Frequently legislation is productive of greater evils than benefits, and a measure which may have an atom of merit may have pounds of evil. We often encounter individuals who are profoundly impressed with the fact that some industrial or economic or governmental policy should be changed, or that some evil should immediately be remedied. They see only the object to be attained. They utterly fail to comprehend how the accomplishment of their desire would perhaps injure the entire social or political fabric or dislocate industrial conditions. They fail to see that relationships and interrelationships exist not only in the material, but in what might be called the incorporeal, the psychic, and the moral world. Perceiving some unimportant defect in a mighty and beautiful structure, to remedy it they would become iconoclasts and destroy it.

I was not a Member of the Senate when the question considered in this bill was first brought to the attention of the Senate. I understand that it was elaborately discussed, its constitutionality challenged, and many reasons urged against its enactment. But if it be admitted that there are valid and substantial reasons for some legislation dealing with this subject, it must be conceded by all that there are grave objections to this bill.

It may be that the evils to be corrected outweigh the dangers which it creates. However, I am opposed to the bill, and particularly opposed to the amendment which constitutes a part of section 5 of the bill as it has come from the House. Primarily, my objection to this measure is grounded upon the distinctions which, under our form of government, exist between the Federal and the State Governments. My opinion that the Federal Government is making insidious attacks upon the sovereignty of the States, and the local self-government of the people within the States, I am sure is supported by incontrovertible evidence, and my apprehension as to the result of such attacks is not wholly unfounded.

Under the interstate-commerce clause of the Constitution—the provision respecting the establishment of post offices and post roads and its supposed national prerogatives—the Federal Government is enacting criminal statutes which relate to acts and conduct cognizable under the police powers of the State. I confess to a feeling of alarm when I witness the growing tendency to superimpose the Federal Government upon the States and the complacent manner in which the people submit to Federal control in matters which I conceive to be exclusively local and domestic. I appreciate the fact that any effort of mine to stem this tide of federalism will perhaps be without avail. The people are saturated with the thought that all power is with the National Government; that to make it strong in a national and international way in order that it may discharge the duties, responsibilities, and functions placed upon it by the Constitution it must be so powerful as to control purely domestic and local and State affairs. A strong, virile, sovereign State, powerful and beneficent in its authority in local concerns, by many is not desired. I am amazed at the attitude of intelligent people when attention is called to the fact that the Federal Government is one of delegated and enumerated powers, that it is a child of the States and not the creator of these sovereignties in which we live. They manifest the utmost indifference and indicate a desire for the exercise of additional authority over the States and the domestic government of the citizens of the States by the National Government. Constitutional limitations upon the power of the Federal Government are looked upon by many with impatience. If the Federal Government sees fit to lay its hand upon the State and to perform any of the functions or duties pertaining to the States or discharge any of the responsibilities which are involved in local self-government, there are those who affect to see no impropriety or wrong in such a course. Indeed, there are those who welcome national control even of the most unimportant and exclusively local concerns.

The founders of the Republic did not contemplate a Federal criminal code to reach the lives and conduct of the people. They understood what the police powers of the State were; that under this power which inheres in the States it was not only their prerogative but their duty to protect by such restraints and regulations as were deemed to be reasonable and proper the lives, health, comfort, and property of its citizens. Senators will remember the substance of the statement of the court in the famous License Cases, Fifth Howard. There the court states in effect that the police power is never more nor less than the power of government inherent in every sovereignty; that is to say, the power to govern men and things.

Mr. President, I want the States to govern "men and things," to assert their inherent power for the protection of the lives and property of the people, and to impose such necessary and proper restrictions as may be required to maintain law and order and insure progress. It will be remembered that Mr. Justice Story, in the early case of Prigg v. Penn (16 Pet., 539), says that the police power belongs to the States in virtue of their general sovereignty and has never been conceded to the United States, and furthermore that it extends over all subjects within their territorial limits.

It is the duty of the States to provide for the security and protection of the citizens of the State, to enact such Federal statutes as may be necessary to preserve order and protect life and property. The States should be vital, living organisms. Their functions should not be weakened and their legitimate sphere of activity impinged upon. It weakens the States, it leads to confusion, uncertainty, serious complications, and finally to conflicts in authority and jurisdiction. Where there are two sovereignties or States attempting to control the same individuals, to legislate upon the same or similar subjects, and to exercise the same or similar police power, a situation will arise that in the end will become a menace to the peace and welfare and ultimately to the liberties of the people. If the conflict in jurisdiction is persistent, it may lead to civil strife, and frequently it leads to an abdication by one of its undoubted rights and prerogatives, and to aggressions, usurpations, and tyrannies upon the part of the other.

And so I predict in the present temper of the times, and with the present lethargy of the people in asserting a proper individualism and maintaining the vigor and virtue and vitality of the States, that there will be further devitalization of the States and further submergence of their constitutional forms which will result in a further aggrandizement of the Federal Government and an intrusion by it into the activities and functions of the States and into the spirit and lives of the people. This legislation provides a criminal statute relating to the conduct of the people within the States, and is in accord with the view that the Federal Government should occupy the field committed by the people to the States, and that the former should legislate for the local and domestic affairs of the citizens of the States. I repeat that efforts are made to have the Federal Government perform the functions of the States and to discharge those duties, responsibilities, and activities which are exclusively within the power of a sovereign State.

Mr. POINDEXTER. Mr. President——

Mr. KING. I yield to my friend from Washington.

Mr. POINDEXTER. We can not go any further than the Constitution contemplates, can we? Do I understand that the Senator's remarks are animadversions upon the Constitution for the latitude that it gives to the Federal Government, or does he claim that we are proceeding in violation of the Constitution?

Mr. KING. Oh, Mr. President, I am not animadverting upon the Constitution because of the powers which it gives the Federal Government; I am entirely satisfied with the enumerated and delegated powers given to the Federal Government. What I am protesting against is the apparent determination of some Senators and of the country—at least, of a large part

of the country—to permit, by the Federal Government, the usurpation of powers that never were delegated to it. It was not within——

Mr. POINDEXTER. Mr. President——

Mr. KING. Let me finish this sentence. It was not within the purpose of the founders of our Government that the Federal Government should exercise the police powers of the States; that there should be a code of criminal laws enacted by the Federal Government relating to the conduct of individuals in their local and in State affairs. There are no common-law Federal offenses, and the framers of the Constitution and the people who ratified it never intended that the States should be lifeless political organisms. The States had constitutions and criminal statutes, and dealt with the questions and problems belonging to free and enlightened Commonwealths. They delegated to the National Government certain powers for national purposes, and the authority conferred upon it can not be rightfully exercised to weaken or destroy its creators.

Mr. POINDEXTER. Does the Senator from Utah claim that this proposed law would be invalid as being an infringement on the constitutional prerogatives of the States?

Mr. KING. Oh, Mr. President, personally I think that this proposed law goes to the limit—indeed, goes beyond the limit—as to the powers of the Federal Government. It seems obvious that the exercise of the powers conferred by this bill not only would be oppressive, but, if the bill becomes a law and is enforced according to its letter and spirit, it will infringe upon the reserved rights of the States. Moreover, it will be regarded as a further precedent justifying additional legislation by Congress dealing with local and purely intrastate affairs.

Mr. POINDEXTER. I should merely like to submit that it is utterly impossible for us to destroy the powers of the States, because the Constitution is superior to the laws of Congress; the laws of Congress can not set aside the Constitution; but I should like to add this thought merely for consideration in this connection: There ought to be, in my judgment, the utmost freedom on the part of the Federal Government in exercising those powers which are conferred upon it by the Constitution of the United States. In my judgment it is not only the privilege of the Federal Government to exercise its powers, but if, in the judgment of Congress, when its attention is called to matters which need the remedies of legislation that are within the powers of Congress under the Constitution, it is its duty to exercise those powers to meet the needs of the time.

Mr. KING. Mr. President, I shall have no quarrel with my friend from Washington in his generalization in the broad formula which he has just announced—if I have correctly understood him—namely, that the powers which have been delegated to the Federal Government may be and upon proper occasions ought to be exercised by it—of course, we all accede to that proposition. But that is not the entire question here presented. We have before us a measure which effects local and State concerns, and a proposition to place the National Government within the forum of the States to execise some of the police powers of the States. I again repeat there is a feeling prevalent in the land that the Federal Government ought to impose itself upon the States and discharge the responsibilities which devolve upon States. This attitude manifests itself in a waning of the spirit of local self-government, which is the life of this Republic and the maintenance of which is essential to the perpetuity of free institutions. We frequently find in the legislation of Congress encroachments upon the reserved powers of the States. We are gradually undermining that love of local self-government, that devotion to the State which alone will preserve this dual form of government and preserve our domestic institutions as well as our National Government.

As stated, a bill containing similar provisions to this received the attention of the Senate at a former session, and its constitutional features were then elaborately discussed. The able Senator from Missouri [Mr. REED], when this particular bill was before the Senate a few months ago, opposed it in a vigorous and logical way. As I remember, he contended that it was an infringement upon the rights of the States and was an assertion by the Federal Government of power and authority which it could not rightfully exercise.

Mr. President, it would seem that the power to control wild birds and wild animals within the States belongs to the States, that the right to prescribe game laws is a prerogative of the States. When personal property is transported from one State to another it becomes subject to the State to which it is taken. It may there be taxed and the manner of its disposition is controlled by the laws of the State. If it is stolen the offender is prosecuted by the State under the State statutes. The power of the Federal Government under the interstate-commerce clause of the Constitution gives it no authority to go into the States and to control the property when it ceases to be impressed with the character of "interstate commerce."

Concede that Congress has the right to legislate with respect to migratory birds, certainly there must come a time with respect to such birds when they become subject to the State laws. To multiply the number of Federal criminal statutes, to flood the States with additional marshals and agents and petty officials and detectives and bureaucratic hirelings to harass and annoy the people and subject them to the inconveniences and indignities that this will inevitably produce, seems to me to be improper, unwise, and indefensible. Already the States are filled with Federal agents who are interested in enforcing criminal statutes relating to the local and domestic affairs and conduct of the people. It matters not that there are State laws and State courts and State officials to protect the lives and property of the people; we must enact a Federal criminal code relating to many of the same matters governing the lives and conduct and the local and domestic affairs of the people. It matters not that the States have laws relating to the killing of birds and the capture and shipping of the same, the Federal Government must superimpose itself upon the States and legislate upon the same subjects and prescribe further and additional pains and penalties.

But I did not rise for the purpose of discussing the constitutional aspects of the bill or, indeed, to discuss any features of the bill, but merely to protest against the strong and increasing tendencies to crowd out and overwhelm the sovereign States and reduce them to mere dependencies, or lifeless, formless, and needless attachments to or appendages of an all-powerful and omnipotent Federal Government.

I desire, however, before sitting down to call attention to a few words of section 5 of the House bill. This section is very objectionable to me and it seems to me must be obnoxious to all persons who have been reared under Anglo-Saxon institutions. The section provides that any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of this act shall have power, without warrant, to arrest any person committing a violation of this act in his presence or view and also—

> shall have power to execute any warrant or other process issued by an officer or court of competent jurisdiction for the enforcement of the provisions of this act, and shall have authority, without warrant, to search any place, other than a dwelling, if he shall have reason to suspect that there is concealed therein any bird, or any part, nest, or egg thereof, which has been captured, killed, taken, shipped, transported, or carried, or which is possessed contrary to the provisions of this act or of any regulation made pursuant thereto.

Mr. President, it is bad enough to constitute any petty official of the Department of Agriculture, any of the little supernumeraries of a despotic bureau, a peace official and empower him with a warrant to arrest a person whom he claims violates provisions of the bill in his presence or view; but it is a monstrous proposition to give to such bureaucratic employee authority, without any warrant, to search any place other than a dwelling, if he shall have reason to suspect that there is concealed therein any bird, and so forth. There is no restriction upon his discretion or authority; but without investigation, without warrant, without any process whatever, he may enter upon the premises of any person, either night or day, and search such premises other than a dwelling house. He may enter the farmer's stables, or granaries, or storehouse, or trespass upon his property; he may spy and search and seize, all without warrant or process. Mr. President, such a power to be conferred upon a Federal official, or any other official, can not be defended by any person who has partaken of the spirit of Anglo-Saxon freedom. Senators should remember the controversies in our own land in the colonial days; searches and seizures by the officers of the Crown provoked hostilities and homicides. They incensed the people against the Crown, and did much to alienate the colonists from the mother land. This bill will place within the States an army of intermeddling, petty officials. For years the National Government and its bureaus and departments have had swarms of agents and representatives clothed with a little brief authority, swollen with their importance, who have too often been despotic and oppressive, and brought the Government into contempt, and in some instances developed a spirit of bitterness and unrest. In the West the people know something of bureaucratic methods. They have suffered from federalism and rules and regulations which have been given the effect of criminal statutes, and have been harassed and annoyed and oppressed until their indignation has been aroused, and their condemnation of departments and bureaus and officials of the Government has been bitter and unrestrained.

The distinguished Senator from Illinois [Mr. SHERMAN] upon a number of occasions, when the question of the power of the Federal Government to search the homes and premises of citizens was under discussion, has voiced in very strong terms the dangers resulting therefrom, and the evils flowing from the abuse of the exercise of such power. I submit that it is dangerous, that it is autocratic, that it is an affront to the citizens of a State to have some petty representative of bureaucracy go from Washington into a State and into the homes of the people, and exercise the authority conferred by this bill.

Mr. FALL. Mr. President——

Mr. KING. I yield to the Senator.

Mr. FALL. Does not the Senator think that it would be certainly more consistent, if we are to proceed with legislation of this kind to carry out the treaty with Canada, that we should enact similar legislation with reference to other treaty obligations? For instance, we have a treaty with some great, proud country, under which the citizens of that country have guaranteed to them rights to acquire property, to reside in this country, and to enjoy school privileges and other privileges on a par with the citizens of other countries. Would it not be consistent for us to follow this legislation by enacting legislation that the United States marshal shall enforce such treaty provisions without warrant or without complaint being filed and without judicial procedure, or to go further even and provide that the officials or the employees of the Secretary of the Interior shall have authority, without complaint being made, to make arrests for violation by a State or by a citizen of the provisions of such a treaty?

Mr. KING. Mr. President, the Senator from New Mexico has made a far better argument in the question which he has propounded than I have made in support of the contention which I am submitting to the Senate, and I can not supplement it. But I submit for the consideration of the Senate that this provision is obnoxious to Anglo-Saxon ideas of government; it is obnoxious—or, at least, it ought to be—to the people of a sovereign State to have some member of a bureaucracy, some petty official of the Federal Government, come from Washington, thousands of miles away, and invade their premises without warrant. This bill authorizes him to make arrests without warrant, to search premises without process of the courts, and to subject the people to a sort of police surveillance that smacks of medievalism and of Spanish tyranny.

I shall vote against the House amendment, and it seems to me that the Senate ought to reject it. The original Senate bill was bad enough, but the House amendment is infinitely worse.

Mr. SMITH of Arizona. Mr. President, I did not anticipate that my motion to concur in the House amendment would bring about the amount of debate on the main question that has been precipitated. That question was debated in the Senate for three months——

Mr. GALLINGER. For even longer than that, I think.

Mr. SMITH of Arizona. And, as my friend, the Senator from New Hampshire, says, for even longer than that. Every item in it was gone over, to many of us to a degree that wore out one's patience. I have no contention with Senators for the position they occupy, but that position was answered by the vote of the Senate by something like 10 to 1 on the merits of the question as they were then discussed.

The only question before the Senate is whether or not the Senate is ready to concur in the House amendment, which, I think, and which those who will have in charge the execution of the law think, does not widen the power of the Federal Government at all but, in my opinion, gives a little added security against search. The House passed the bill yesterday with this amendment, which, I think, improves it; and, in order to avoid going to conference on this small amendment, I concluded that it would be best to ask the concurrence of the Senate in it.

While Senators are right in the statement of the broad principles which they have advocated and which are the breath, as we claim, of the democracy of our country, in the carrying out of the stipulations of this treaty we have agreed with Canada to do what we can to protect migratory birds. Hence, I have asked the concurrence of the Senate in the amendment of the House of Representatives, which, I repeat, in my opinion, improves rather than hurts the bill.

Mr. FALL. Mr. President, it is very true that this bill has been discussed upon principle; it is equally true that that principle was discussed before the formation of this Government and was recently discussed by the Supreme Court of the United States. For 140 years we have been discussing the principle which has been invoked by the Senator from Utah [Mr. KING], and, in my judgment, it will yet be a few years before the discussion of that principle will cease. In the consideration of this measure there is involved not alone the discussion of this amendment but the discussion of the great principle of government upon which this Nation was founded.

Mr. President, I wish to say that foreign commentators upon the Constitution and the form of government of the United States are recognized as having written better than any American has ever written. Every one of them, from Bryce to Von Holst, and the most recent Italian teacher of jurisprudence, in discussing the form of government of the United States has held, without exception, that the perpetuity of this Government, as compared with any other democracy, depends upon this principle and upon this principle alone, the check upon bureaucracy and centralization of the State governments and the maintenance of State rights. Every move that is being made here, sir, is to strike down that doctrine and to put this country upon the plane of a pure democracy, although every government of that character which has existed upon the earth has passed through its little cycle and gone down to nothingness.

Mr. SHERMAN. Mr. President, the original migratory-bird bill was of itself a very great stretch of authority, but I was disposed to let it go without the undue consumption of the time of this body. It is like everything else, however, just as soon as the end of the wedge is placed in position there is always an abundance of authority to hit the head of the wedge and drive it further. Not content with the original act as it passed the Senate, a further invasion of local power has been sought, until it is manifested in the amendment presented and adopted in the other House.

Here is one provision that, to my mind, is so utterly obnoxious that if my vote were to destroy the whole of the migratory-bird act I would destroy it rather than have this one provision in it and let the migratory birds take care of themselves, both here and in Canada. This amendment provides, on pages 3 and 4, in section 5:

That any employee of the Department of Agriculture authorized by the Secretary of Agriculture to enforce the provisions of this act—

Omitting, now, the language until I come to line 7 on page 4 in section 5—

shall have authority, without warrant, to search any place other than a dwelling, and, with warrant, to search any dwelling, if he shall have reason to suspect that there is concealed therein any bird, or any part, nest, or egg thereof, which has been captured, killed, taken, shipped, transported, or carried, or which is possessed contrary to the provisions of this act or of any regulation made pursuant thereto.

The latter part contains a most obnoxious provision. Any regulation made by any authority charged with the execution of the migratory-bird act is to be made cause for arrest by some authority from the Department of Agriculture. I am not prepared to permit criminal legislation to be enacted by the Secretary of Agriculture. That is what this is. This amendment is practically nothing else. The Secretary of Agriculture—of whose department I have made some remarks and of whom I expect to make some more if my life is spared for a reasonable length of time—is not the department first of all that I propose to vest with the power of criminal legislation. Under this bill he can authorize any petty minion of his to come into my territory or on my private premises and with a warrant into my house or without a warrant to enter any outbuilding or any premises I have and search it from garret to foundation. I do not propose to let go unrebuked such a challenge of local right as that, not for a moment, and before the limitation is placed on the Senate of an hour's time on any bill or 20 minutes on any amendment I propose, once for all, to take such time as I please in this body to make necessary comments upon such an invasion and such an abuse of power as that contained in this House amendment.

I suppose this is another measure that is brought in under the guise of a war measure. We have had a good many of these changes. I am quite sure, Mr. President, that it will require more help to make these arrests than the Department of Agriculture now has. It is found, I suppose, at present, that it is impracticable to enforce this act with the present constabulary that the Government has. The marshals and deputy marshals, being occupied under the espionage act and the variety of duties that has been thrown upon them by the present conditions, have found that further help is required; and it is proposed to authorize for these purposes the employees of the Department of Agriculture. Now, these men, petty employees, representatives of bureaus, are to come upon private premises without a search warrant, and there seize anything, from a last year's bird's nest to a migratory duck that crossed the line.

I have seen a great deal of unwise legislation. I have seen some that is foolish, and much that is unnecessary, in State and Federal bodies; but to my mind this is the most thoroughly unnecessary and unwise, not to say imprudent in its invasion of

State authority, of all the measures I have seen brought into this body. It is utterly unnecessary. It requires more help, more peace officers, more employees in the Department of Agriculture to enforce it than it would to conduct the ordinary judicial procedure and serve ordinary process in any of the Federal districts of the country.

The employee of the Department of Agriculture, without a warrant, can be made a roving commissioner to go about over the country, anywhere in the United States, for that matter, because he is not limited by districts except when he reports for punishment. He can go upon any premises, upon any outbuilding, upon any barn, anything connected with a dwelling house that is not a dwelling house itself, break locks and doors, and enter into a search for birds or birds' eggs, or for anything that crosses the line in the nature of a migratory feathered animal. He may search for the nests and birds' eggs, and for the birds themselves dead or alive, in cages or out of them. He may, because of this power vested in him by the amendment, turn himself into a roving authority to arrest, without warrant, upon his mere idea of whether it ought to be done or not, anybody, of either sex and any age. In addition to that, he is given authority to search any dwelling with a warrant, the issue of which is loose and informal. He can go before a United States commissioner anywhere in the United States where he happens to be, make the necessary oath, describe in an affidavit the premises he wishes to search, and say that there are two nests of some migratory bird, a plover or a quail that has come across the line, and under that sort of an affidavit he can have the warrant issued and make the search and come into the dwelling house of anybody in the country. It seems to me that this is using Federal authority for a small and insignificant purpose, and is making so trivial and ridiculous the authority of the United States that it savors of comedy rather than sober legislation.

I agree with some of my colleagues here on the police powers of the States. I know that now there seems to be a general drift toward a destruction of those powers. I shall adhere to my own convictions on that subject.

I voted here some days ago for the profiteering resolution on the rent subject. That applies entirely to the District of Columbia. It invokes a power that is inherent in that exercised in the acts on moratorium. They have been universally recognized. We could suspend all over the country, whenever suit is brought in a Federal court, every statute of limitations known to Federal practice; and they ordinarily adopt the limitations of the different States in which the suits are brought in which those different Federal districts are found. That I could justify. This I can not. The House amendment is an invasion of the most obnoxious type of a purely police power of a State.

Federal courts have decided, and decided many times, both the trial courts in the districts and the Supreme Court; that the game and the fish, when they once come inside the borders of a State, are subject to the police powers of the State only. They are owned by and the title to them, living or dead, is in the State. The Government then has no jurisdiction over them. When the migratory birds come inside the borders of Maryland, or when a fish leaves the sea and comes up the arm of a river until it reaches Maryland territory, and passes inside the border, both the fowl and the fish thereafter become a part of the common property of the State of Maryland. The fish and game are a part of the property of the State of Maryland, owned in common, and subject only within that State to the acts of the Legislature of Maryland. When the courts shall have reached the point of expounding and applying the acts in relation to migratory birds that we have passed here in considerable profusion in the last two or three years, they will announce that doctrine. It is well known, and has been known from the beginning. The fish that leaves the sea and comes inside the borders of a State, after it passes the line, is within the power of the State and is the common property of the State, just like common pasturage used to be when the land was common. The fish and the fowl are exactly in the same position. When the fowl, winging its way in the air, comes over the border and gets within the borders of the State, it is a part of the State property. The State legislature can control, through its police powers, the actions of its citizens upon the fish and game inside of that State. What we may do by treaty to modify the power of the legislature over its own fish and game is an undecided question. Just what this treaty between this country and Canada will do is uncertain. A treaty is a law of the United States and is sometimes of much more binding authority than an act of Congress. This is one of the police powers that is ordinarily not of much significance, and if it were not for the precedent involved in the House amendment, I would simply content myself with voting against it, but because of the insidious character of a number of those amendments, all of whose purposes are to invade these provinces of the States that have been from the beginning reserved exclusively for the action of the States, I felt disposed to voice my protest more at length. For that reason, Mr. President, I have taken this occasion to do so.

The VICE PRESIDENT. The question is on concurring in the House amendments.

Mr. LODGE. Mr. President, I am very heartily in favor of this legislation and have supported it at all stages. I have nothing to say about section 5. Powers of the kind must be given. But another amendment that does not seem to have been noticed is as follows:

Provided, That none of the sums herein appropriated shall be expended for the editing, publication, or distribution of any departmental daily, weekly, or monthly newspapers.

I am entirely in favor of putting that restriction on the expenditures of the money, but the departments do not publish newspapers. It ought to be properly worded.

Then there is another amendment:

That one of the objects of this act is to foster the breeding of migratory game birds.

That is not statutory language or the ordinary way of legislating. A statute is supposed to explain itself; and to put in "one of the objects of this act is to foster the breeding of migratory game birds on farms and preserves for the purpose of increasing the food supply"—no doubt that is an object of the act; no doubt it will have that effect if properly administered; but surely that is not the way to frame a statute. It seems to me that it ought to go back to conference.

I have no objection to the amendments, but I think they ought to be properly worded and put in suitable legislative language.

Mr. SMITH of Arizona. Mr. President, I have had some experience with this bill. It was debated from four to six months, it strikes me, in one House or the other—principally in this. I do not see any necessity for the statement in the bill to which the Senator from Massachusetts has made objection. I do not see any harm in it, unless some might feel that a sort of an assault would be made on Congress for the lack of a proper use of phraseology. I did not care whether or not it said "that the object of this act is to foster the breeding of migratory game birds on farms," and so forth. The act itself would settle that question, whatever Congress may declare about it.

At the suggestion of those who think that these minor matters ought to be corrected I move that the Senate disagree to the House amendments and request a conference, and that the Chair appoint the conferees.

The VICE PRESIDENT. The Senator from Arizona withdraws his motion to concur in the amendments of the House and moves that the Senate disagree to the amendments of the House and request a conference with the House, and that the Chair appoint the conferees.

The motion was agreed to; and the Vice President appointed Mr. SMITH of Arizona, Mr. SHIELDS, and Mr. LODGE conferees on the part of the Senate.

HOSTILE SUBMARINES ON AMERICAN COAST.

Mr. TILLMAN. Mr. President, I was not in the Senate yesterday when the matter of the submarine attacks on the Atlantic coast was up for discussion. I am glad to see in the RECORD this morning that the Senator from Massachusetts [Mr. LODGE] and others defended the Navy. It seemed to me this morning that it might be well to get an authoritative statement from the Navy Department. I wrote the Secretary of the Navy a letter and received the following answer:

THE SECRETARY OF THE NAVY,
Washington, June 7, 1918.

Hon. B. R. TILLMAN,
United States Senate.

MY DEAR SENATOR TILLMAN: After conference with Admiral Benson and other naval officers, it has been agreed that at this time it would be exceedingly unwise to give out any information which could be used to advantage by the enemy.

Submarine hunting is at best a most elusive thing. Be assured that everything that can be done is being done. All naval units are disposed in manner dictated by experience and study of the subject.

If you felt disposed to state that you are assured that all possible steps are being taken and have been taken, but that to give the information might be of advantage to the enemy, I believe it would be the wisest thing to do at this time.

Sincerely, yours, JOSEPHUS DANIELS.

Mr. President, that is just what I am trying to do. I have been assured by the proper naval authorities, as this letter shows, that everything that can be done is being done. As chairman of the Naval Committee I want to assure those who are panic-stricken that there is no need for panic at all, for we have a Navy that is "up to snuff." It can take care of our cities and everything else, and it will hunt down these damned devils and wipe them off the face of the earth, so everybody can sleep in peace.

LANDS IN BLACKFEET RESERVATION, MONT.

Mr. MYERS. Mr. President, at the request of my colleague [Mr. WALSH], who is necessarily absent, I move that the Senate proceed to the consideration of Senate bill 4404. I will say by way of explanation that it is a bill for opening a part of the Blackfeet Reservation and for allotting the Blackfeet Indian Reservation, in Montana. A similar bill passed the Senate once before, and, I think, twice. It is in substantially the same form. I am told it was unanimously recommended by the Senate Committee on Indian Affairs, indorsed by the Secretary of the Interior and the Indian Bureau and by the Indians themselves, and that it is satisfactory to everybody. It carries no appropriation. My colleague, who is the author of the bill, is very anxious to have it passed by the Senate and to get it on its way to the other branch of Congress.

The VICE PRESIDENT. The question is on the motion of the Senator from Montana to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., 1015–1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana, which had been reported from the Committee on Indian Affairs with amendments.

The amendments of the Committee on Indian Affairs were, in section 1, page 2, line 3, before the word "Indians," to strike out "living"; in line 4, after the word "allotted," to insert "living six months after the approval of this act"; in line 6, before the word "Indians," to strike out "living" and insert "the"; in line 10, before the word "patent," to strike out "restricted" and insert "trust"; in line 12, after the word "direct," to insert "*Provided further*, That the Blackfeet tribal rolls shall close six months after the approval of this act, and thereafter no additional names shall be added to said rolls"; on page 3, line 11, after the word "direct," to insert "and patents hereafter issued shall contain a reservation accordingly"; and in line 21, after the word "mentioned," to strike out "*And provided further*, That lands classified as mineral or valuable for coal or other minerals may be allotted, with a reservation, however, in any patent of the coal, oil, or gas, or other mineral deposits for the benefit of the said tribe," so as to make the bill read:

Be it enacted, etc., That so much of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), as relates to the disposal of surplus unallotted lands within the Blackfeet Indian Reservation in Montana, is hereby repealed, and the Secretary of the Interior is authorized to make allotments under existing laws within the said reservation to any Indians of said Blackfeet Tribe not heretofore allotted, living six months after the approval of this act, and thereafter to prorate all unallotted and otherwise unreserved lands therein among the Indians who have been allotted or may be entitled to rights within said reservation: *Provided*, That of the lands so allotted 80 acres of each allotment shall be designated as a homestead by the allottee and be evidenced by a trust patent and shall remain inalienable until Congress shall otherwise direct: *Provided further*, That the Blackfeet tribal rolls shall close six months after the approval of this act and thereafter no additional names shall be added to said rolls.

SEC. 2. That nothing herein shall be construed to repeal the grants of land made by the act of March 1, 1907, to religious institutions and to the State of Montana for school purposes, nor repeal the authority of the Secretary of the Interior to dispose of any land within said reservation suitable for town-site purposes, as provided by that act: *Provided*, That the State of Montana in making indemnity school selections shall be confined to nonmineral and nonirrigable lands: *Provided further*, That the provisions of the act of March 1, 1907, which require a division of the funds received from the sale of the surplus lands immediately upon the date of the approval of the allotments of land are hereby repealed.

SEC. 3. That the lands within said reservation, whether allotted, unallotted, reserved, set aside for town-site purposes, granted to the State of Montana for school purposes, or otherwise disposed of, shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress.

SEC. 4. That any and all minerals, including coal, oil, and gas, are hereby reserved for the benefit of the Blackfeet Tribe of Indians until Congress shall otherwise direct, and patents hereafter issued shall contain a reservation accordingly: *Provided*, That the lands containing said minerals may be leased under such rules and regulations and upon such terms and conditions as the Secretary of the Interior may prescribe: *Provided further*, That allotments herein provided for shall be made under such rules and regulations as the said Secretary may prescribe, and trust patents shall be issued therefor as provided by the aforesaid act of March 1, 1907, except as to the homestead hereinbefore mentioned.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PRODUCTION OF GASOLINE.

Mr. CUMMINS. I desire to call up Senate resolution 259, which I offered yesterday and which went over under the rule.

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The SECRETARY. Senate resolution 259, directing the Committee on Standards, Weights, and Measures to investigate the process discovered by S. M. Herber for extracting gasoline and other motor fuel from petroleum, including the denial of a patent to said Herber therefor, and report to the Senate, and so forth.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

EXHIBITS FOR BRONX EXPOSITION OF NEW YORK.

Mr. WADSWORTH. I move to take up the bill (S. 4108) to provide for the entry under bond of exhibits of arts, sciences, and industries.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That all articles which shall be imported from foreign countries for the sole purpose of exhibition at expositions of the arts, sciences, and industries and products of the soil, mine, and sea, to be held in international expositions in 1918 and in each successive following year by the Bronx Exposition (Inc.), of New York, in the buildings in the city of New York owned or controlled by the said Bronx Exposition (Inc.), a corporation organized under the laws of the State of New York, upon which there shall be a tariff or customs duty, shall be admitted free of the payment of such duty, customs, fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition in any of the said years to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition buildings, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That the authority hereby granted shall be deemed to apply also to all articles upon which no duty has been paid, now held in bond, and heretofore imported under authority of law for exhibition at any exposition heretofore held within the United States which said articles may be transferred under like regulations to said building owned or controlled by the said Bronx Exposition (Inc.): *Provided further*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use; and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale or withdrawal: *And provided further*, That nothing in this section contained shall be construed as an invitation, express or implied, from the Government of the United States to any foreign Government, State, municipality, corporation, partnership, or individual to import any such articles for the purpose of exhibition at the said exposition.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINERALS ON INDIAN RESERVATIONS.

Mr. ASHURST. I move that the Senate proceed to the consideration of the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Mr. SMOOT. I desire to ask the Senator from Arizona if he expects to pass that bill this morning by 2 o'clock?

Mr. ASHURST. The rainstorm is so furious outside that I am unable to hear the Senator.

Mr. SMOOT. The unfinished business will come before the Senate at 2 o'clock, and I feel quite sure the Senator can not pass the bill in the three-quarters of an hour that remain. I ask the Senator if he will not let it go over to-day?

Mr. ASHURST. Of course if it will be a personal accommodation or favor to the Senator from Utah, I certainly will not make the motion; but I think I would better make a short statement.

Mr. SMOOT. Of course there is no objection to that.

Mr. ASHURST. The bill provides for the opening of Indian reservations to metalliferous mining. There are several millions of acres of land belonging to the various Indian tribes which contain metals now very much needed by our Government owing to the exigencies of the war. A similar bill passed the House of Representatives in the last Congress, and it was favorably reported to the Senate from the Senate Committee on Indian Affairs. The Sixty-fourth Congress, however, came to a close and the bill did not become a law owing to the inability to reach the same, the calendar being very congested. The bill as it passed the House and as reported to the Senate was again introduced by myself in the Senate at this Congress, and it has been reported favorably from the Committee on Indian Affairs.

I now read a short extract from the report of the committee on this bill:

The following table shows the area of unallotted lands included within Indian reservations in the Rocky Mountain and Pacific Coast States which will be opened to prospecting for gold, silver, copper, and other valuable metalliferous minerals in the event that this bill becomes a law:

Area of unallotted land in Indian reservations.

	Acres.
Arizona	19,551,045
California	436,211
Colorado	375,960
Idaho	55,453
Montana	4,313,416
Nevada	687,912
New Mexico	1,889,880
Oregon	1,208,469
Utah	506,880
Washington	3,150,075
Wyoming	608,526

The Secretary of the Interior in his report to the Indian Affairs Committees of the Senate and House on this bill urged the passage of the bill with certain amendments, which have been adopted by the committees.

I here read a further extract from the favorable report of the Senate committee on this bill:

It is well known that many of the reservations in the Western States contain large and valuable deposits of minerals, but in the absence of suitable legislation there has been no development of these resources. The Indians have not engaged in mining because they do not possess either the knowledge or the capital that is required to conduct extensive mining operations. It is the opinion of your committee that this bill offers a workable plan that will bring about development and which fully protects the interests of the Indians.

Mr. President, the Interior Department and the Bureau of Mines are exercising every faculty and energy within their power to increase our supply of certain metals required in the manufacture of munitions and explosives. Indeed, we recall that the ill-fated steamer *Cyclops*, supposed to have been sunk last March near the West Indies, carried a cargo of manganese ore from Brazil. That ship was bound for the United States laden with manganese ores, when in the mountains of the Indian reservations of my own State there are tons of manganese ores which could be mined and could be utilized quickly. The ships that are now transporting such ores from South America are necessary at this time and can be used for transporting flour, clothing, munitions, and soldiers to Europe. It seems to me that no far-seeing man could oppose legislation which would open vast quantities of these metals which are now so essential.

I will here read an excerpt from the Arizona Daily Gazette with reference to the necessity of mining our own metals, rather than sending ships all the long way to Brazil, Chile, and Peru for the very metals we have in abundance here; and let me call attention to the fact that the rare and the minor metals for the manufacture of explosives and ordnance are just as necessary as are the major metals. Indeed, as to platinum—which is found in some of the Indian reservations in great quantities—we are hard pressed in order to obtain the necessary supply. Why not, therefore, pass a bill, which is recommended by the Secretary of the Interior and which has passed the House of Representatives, to take from the earth on our own shores these metals, major and minor? I read from the editorial, as follows:

OUR MINOR MINERALS.

Secretary of the Interior Lane recently offered a suggestion for increasing transport facilities. It is simply that the United States increase its own production of minor minerals and so release the many ships that must now be used to bring these minerals to us from distant lands—China, Ceylon, Chile, Spain, Australia, Greenland.

Mr. President, we are sending our ships to these far-away countries across the bounding main to get metals which we have in abundance here at home, because some Senators forsooth do not believe we should lease lands from the Indians for mining purposes; in other words, rather than give up their doctrine and philosophy that an Indian reservation should not be leased at all, Senators prefer that we send our ships all the way to Ceylon, to China, to Brazil, to bring home metals that we have here in great quantities. Again, reading from the editorial:

These minor minerals, chief among them being manganese, are essentials in the manufacture of steel for high-grade munitions, auto and airplane frames and armor-piercing projectiles and in making various explosives.

The United States has mines containing manganese, tungsten, chromite, nitrate, mercury, antimony, mica, and so on down the list. But they are small mines and have never been worked to their full capacity.

Mr. President, a large amount of the manganese ores and ores of the minor metals and the rare metals necessary in the manufacture of ordnance and explosives happen to be located on Indian reservations. This bill has been most closely scrutinized; it is so drawn that the interests of the Indians are fully preserved. A very liberal royalty—a royalty as liberal as any that could be suggested—is proposed to be paid to the Indian tribes. The rights of the Indians are well guarded; no land upon which there is a "water hole," no land upon which there is a spring which the Indians have ever used may be taken for the purpose of extracting these metals.

I urge that the Senate give favorable consideration to the bill. I have not heretofore pressed it, because other bills of importance—although this is also most important—has engaged the attention of the Senate.

I do not at this time seek to assail the views of those Senators who are opposed to the leasing system; but let me say, Mr. President, in all candor, that this bill, which proposes to mine metalliferous minerals upon Indian reservations does not in any essential respect impinge upon or oppose the philosophy or the views of those Senators who are opposed to the leasing of "public lands." It may be that Senators would oppose a landlord system with reference to our public lands, but Indian reservations are not "public lands." You can not make a homestead entry upon them; you can not make any kind of an entry upon lands belonging to Indian tribes. Such lands are held in trust by the Government for the benefit of the Indian tribes. Are we really benefiting the Indian tribes when a greater sum of money could now be obtained for the minerals than at any other time, if we do not enact legislation looking to that end? Why shall we not, therefore, proceed to extract the manganese and all the other minor and major metals as well instead of sending, I repeat, our ships to Ceylon, to Brazil, and to Peru in order to bring here ores which we have in abundance?

Mr. KING. Mr. President, will the Senator from Arizona yield to me?

Mr. ASHURST. Certainly.

Mr. KING. I was just wondering, as this legislation is entirely new, and I never heard of the bill until the Senator from Arizona mentioned it a moment ago, whether it would not be possible for the Government, through treaty or otherwise, to extinguish the title which the Indians have in the lands that are known to be mineral, and then, after such extinguishment, to permit the acquisition of title in fee by those who care to enter upon the lands and to mine and develop them?

Mr. ASHURST. Mr. President, such an act could not be passed, and I will say to my learned friend from Utah that I am sure the Indian Committee would oppose such legislation. It would not be good faith toward the Indian. We have relegated the Indian to a reservation, and in many instances that reservation has been poor land; but it so happens, in the providence of the Almighty, some of the lands to which we have relegated the Indian and which we thought were very poor have turned out to be lands abounding in minerals. Since we have discovered that these lands which we thought were poor lands, upon which we have settled him, abound in minerals, it would not be good faith to say we are going to carve out of the Indian estate the rich part thereof and that they shall have the shell, the hull, the remainder. I do not believe that would be acting in entire good faith toward the Indian.

Mr. KING. Mr. President——

Mr. ASHURST. I yield to the Senator from Utah.

Mr. KING. I do not want the Senator from Arizona to get the idea from the question which I propounded that I had any intention to deal unfairly or, indeed, ungenerously with the Indians. My idea was that, if the lands could be purchased from the Indians, then the mining operations could be prosecuted, certainly with greater celerity and with greater success by private enterprise than under the leasing system.

Mr. ASHURST. First let me make myself clear. The Senator from Utah is a valued member of the Committee on Indian Affairs. If aught I said would seem to indicate any thought that he would favor a proposition which would appear to be in bad faith, I must withdraw such remark. The Senator gave careful and intelligent attention to matters before the committee, and his suggestions were valuable to our committee. I simply meant to say emphatically that I did not think such a policy could be adopted. I think the only practical way—and this is a practical world—in which we can treat this proposition is to lease the land; let the equitable title remain in the Indians, the legal title being held in trust by the Government for the Indians, the Indians getting a royalty on the minerals which are extracted.

Mr. SMITH of Arizona. Mr. President——

Mr. ASHURST. I yield to my colleague.

Mr. SMITH of Arizona. I was going to make a suggestion to my colleague in line with what the Senator from Utah [Mr. KING] has said. I personally think that the policy suggested by the Senator from Utah would be wiser; but, as my colleague has said, this is a practical world, and we know that the Indians' Rights Association and those hedging around and taking such good care of the Indians always are able to bring power to bear to prevent us using proper and practical intelligence in handling either the Indian himself or the land he owns. So this consideration led me to support, as it did many of us, the most practical measure that could be gotten out of the situation. My colleague knows that what we want done can not be done. We need these ores, and we have got to adopt the best possible means we can adopt to get them. I join him in the hope that the Senate will pass this bill just as soon as possible, for I think, if I am not intruding——

Mr. ASHURST. I yield cheerfully.

Mr. SMITH of Arizona. I see my friend the senior Senator from Utah [Mr. SMOOT] evidences dissent from the suggestion I have made. I think I know the reason for his dissent, namely, that it would in a way establish a precedent for leasing the public lands. I wish to say that I would not consent to a proposition that extended the leasing system another inch; and if I believed with the Senator from Utah that this bill extended that system I would join with him in opposing its passage.

The ore being on lands embraced in Indian reservations dedicated to the Indian, the United States still having the control and power over him and the reservations, it seems to me that we might make such disposition of the lands, whether we call it a lease or call it a permit—we do not need to use the word "lease"—as to obtain this very necessary ore without establishing the precedent that the Senator from Utah and myself equally deprecate at all times.

Mr. LODGE. Mr. President——

Mr. ASHURST. I yield to the Senator from Massachusetts.

Mr. LODGE. I only wish to ask the Senator if I understood him to say that there were large quantities of manganese ore in the lands to which he has referred?

Mr. ASHURST. Yes; manganese ore.

Mr. LODGE. Mr. President, I have not examined the bill with any care, but I wish to say that there is nothing that we need so much at this time as manganese.

Mr. ASHURST. Quite true.

Mr. LODGE. We are dependent now on Brazil for a sufficient supply, and getting it is rather uncertain. Our own supply is very insufficient. Manganese ore is of vast importance; we need it more than anything else, and if there is any large quantity of manganese in this country that can be opened and put on the market no greater service could be rendered to the Government in connection with the manufacture of war munitions.

Mr. ASHURST. I thank the Senator from Massachusetts. Before he came into the Chamber I stated the fact, which, of course, he knows full well, that the steamer *Cyclops*, supposed to be lost coming from Brazil, was laden with manganese ore.

Mr. LODGE. Yes.

Mr. ASHURST. Whereas we have large quantities of manganese ore within our own borders, large bodies of it being on Indian reservations.

This bill only proposes that the prospector or miner, willing to risk his time and his money, may have a lease from the Government to extract those ores, the Indian tribes getting a very substantial royalty. As it is now they receive nothing and we do not get the ore, and if we do not enact this legislation the war and its fury will roll on and on, the Indians will get nothing out of the ores on their lands, and we and our allies will get no manganese.

Mr. LODGE. If we have manganese ores there, we ought to find some method of getting them which would be just to the Indians; but at this time to leave unused manganese ores that are known to be in the earth is a misfortune to the country.

Mr. SMITH of Arizona and Mr. SMOOT addressed the Chair.

Mr. ASHURST. I will yield first to my colleague and then I will yield to the Senator from Utah.

Mr. SMITH of Arizona. I wish to suggest to the Senator from Massachusetts that we are having some difficulty in connection with manganese ore because of freight rates. A man who is interested in what is thought to be a big manganese mine in Arizona who called at my office only a few days ago said that it has been found that in transporting it they are unable to get any kind of liberal freight rates, and that under the prevailing rates there has been added 15 cents a unit on purchases here in favor of the manganese from this side of Chicago. Why that is so, nobody knows; but it is retarding the men who are trying to bring manganese ore here, and in the meantime the Government is required to employ ships to bring manganese from distant countries of the world, and those ships from time to time are sunk.

Mr. SMOOT. Mr. President——

Mr. ASHURST. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I wish to say that the manganese spoken of by the junior Senator from Arizona [Mr. SMITH] is located on public lands and not on Indian lands. There is plenty of manganese, if the reports are correct, in Arizona alone which could be made use of if the freight rates and conditions were such that the mines could be worked and the ore taken out.

Mr. LODGE. The Senator understands that I was not arguing in regard to the method to be employed in obtaining the ore; but I know that our country at this time is not of itself producing one-third of the manganese ore which it needs so sorely in all the great metal manufactures for war purposes. We ought to get that ore wherever it is. I do not know enough about the question to say whether freight rates are in the way of getting it, but we ought to arrange to get it.

Mr. SMOOT. I agree with the Senator; and I wish to say now that if we had freight rates that would justify the shipping of manganese ore, it could be shipped from Arizona, it could be shipped from Colorado and from Utah, and there is no question in the world that there could be produced perhaps a sufficient amount for the requirements of the United States. It is not necessary to go on Indian reservations for it. The Senator from Arizona knows, or I think he knows, that in some parts of Arizona and in Utah manganese ore is mixed with other ores and can only be obtained in that form. The difficulty lies in the freight rates which the producer is compelled to pay to transport the ore to a smelter to get it separated. That is where the trouble is; it is not that there is no manganese ore in the United States.

Mr. LODGE. The Government now controls the railroads.

Mr. SMOOT. I understand that, and it seems to me that that is the place we ought to go rather than try to pass laws that would authorize the leasing of Indian lands, when there is no earthly necessity for it, so far as manganese ore is concerned, because the public lands contain the identical ores that are contained in the lands which it is sought to have leased.

The Senator from Arizona knows also that private capital will not go to work and develop manganese ore or other ore upon the public lands when they can go onto other lands to-day without paying any royalty whatever. They are not going onto Indian lands and try to develop them, either.

Mr. ASHURST. I do not wish to interrupt the Senator, because I had yielded to him, and I want him to make a complete statement; but let me say, in respect to manganese ores in Arizona, that a large quantity of such ore is supposed to exist and is on a military reservation. I asked the Department of War to permit the exploration and mining of manganese ore, but the Secretary of War declined to give the necessary permits. So those ores are withdrawn from our use. The railroad freight rates, as my colleague and as the Senator from Utah have said, are so excessive that the ores can not be utilized which have been discovered on the public domain.

I happened to mention manganese ore because it came to my mind as a forceful illustration by reason of the sinking of the *Cyclops*, which carried such ores; but there are numerous other metals that are needed and are essential in the production and manufacture of ordnance and explosives.

This bill is being ground between the upper and the nether millstones. First, it is assailed in some quarters as being rather unfair to the Indian, and it is stated that under this bill his lands will be exploited. I say, in reply, that the bill is most carefully guarded; Indian lands can not be exploited. The Indian will get a splendid royalty for all the ore taken out, and the equitable title of the land will remain in the Indian, the legal title being held by the Government for him.

The other millstone is that some Senators and private citizens who belong to that school of thought are opposed to leases. Between these two millstones this bill makes no progress. Let me say to those Senators who are opposed to leasing that this bill does not contemplate the leasing of "public lands." I can well see how a Senator who earnestly opposes the leasing of public lands can vote for this bill, because the Indian reservations are not public lands, and we lease Indian reservations now for the purposes of raising cattle and sheep and carrying on agriculture of all kind.

Mr. CURTIS. Mr. President——

Mr. ASHURST. I yield to the Senator from Kansas.

Mr. CURTIS. In other places we lease Indian lands for mineral purposes.

Mr. ASHURST. We do, indeed, for mineral purposes.

Mr. SMOOT. Then, if that is the case, why have a bill at all?

Mr. CURTIS. Because the leases which have been made heretofore are in Oklahoma, where special bills apply to the reservations, and cover asphalt, coal, oil, and so forth.

Mr. SMOOT. But they are the only ones that are leased. If this bill will be confined to oil, coal, and gas, the same as the Oklahoma leasing bill is confined, upon Indian reservations, I would not oppose it.

Mr. ASHURST. Mr. President, the Senator from Utah, logical as he is and forceful in debate as he is, has admitted his case away.

Mr. SMOOT. No.

Mr. ASHURST. Just a moment, now. If by any reason of logic or propriety you can lease Indian lands that contain coal and oil, why do you stop when it comes to leasing lands that are valuable in nitrates, manganese, or other metals?

Mr. SMOOT. The Senator has lived so long in a mining country that I am really surprised that he should ask that question. I suppose it would take too long for me to go into that subject now, but I just want to suggest this to the Senator: The Senator knows, I believe, that there are more dollars spent in prospecting for the precious metals than there are dollars taken out of the earth in that way.

Mr. ASHURST. I think that is the history of the mining industry.

Mr. SMOOT. I will say without question of doubt that if you take every Western State that there is and carefully keep track of the time and the expense to which the prospector is put from the time he starts until the mine is developed, if there is a mine—and there is only about one prospect out of a thousand that makes a mine—the cost will be more than is ever taken out of the ground of the precious metals.

Mr. SHAFROTH. Mr. President, I will state to the Senator that in the hearings we had upon the rare-metal bill there was one witness who testified that the estimates of the very best authorities were to the effect that $5 were expended for every dollar of net profit.

Mr. SMOOT. I will say to the Senator that in my opinion it is less than $5, but I wanted to be within reason in making my statement.

Mr. ASHURST. Let me answer the Senator. Let us assume—and, indeed, what the Senator from Colorado has said is true, and what the Senator from Utah has said is true—how, in what way, can you conjure up an argument against this bill by reason of those facts? How does what you have just said become an argument against this bill?

Mr. SMOOT. Mr. President, I was talking about the question submitted to me by the Senator, and his statement that I had given my case away because I had admitted that perhaps there was some justification in leasing oil and coal and gas lands, as has been done on the Indian reservations in Oklahoma. Why, Mr. President, when coal is discovered they know the size of the vein, and they can follow it along the mountain for miles and miles. There is not any special risk of loss in mining coal.

Mr. ASHURST. Let me interrupt the Senator there. The initial expense, the equipment required to get ready to take out the coal, is usually greater than the preparation for working a gold mine.

Mr. SMOOT. That all depends on how deep the mine is and how extensively it is worked. I can take the Senator to a mine that costs two, four, five, six, or seven times the amount for the mining of copper and the mining of silver and the mining of gold that it would cost to prepare for the mining of coal. Again, Mr. President, the Senator, of course, knows positively that with coal you run no chance of loss after the mine has been opened up and developed. You know just how far you can go. You know what you can do. There is not a gold-mine operator in the world who knows 30 days ahead of the last shot put into a drift whether there will be gold for 10 feet ahead or not.

Mr. ASHURST. Mr. President, if the mine should prove to be a misfortune to the investors, in what way could the Indians be harmed? The bold, aggressive, speculative man who puts his money into the mine might lose it, but the Indians have not been harmed. The individual citizen is willing to accept a lease. Why should he be denied the opportunity?

Mr. SMOOT. Mr. President, I want to say to the Senator that he knows as well as every other Senator who has given the question attention that the people who are crowding on the Western States this leasing system are not only in favor of leasing all the lands that are left but in favor of compelling a lease upon every mine that produces lead, silver, copper, gold, or precious metals of any kind; and let me tell the Senator that if we begin to pass laws allowing the leasing of Indian lands for mining purposes, just as surely as he stands upon this floor now it will be carried to the extent of compelling the leasing of the mineral public lands of the West.

Mr. ASHURST. I know, Mr. President, that we can not finish the consideration of this bill between now and 2 o'clock, as it is now 1.45, but I want to make a further statement before I surrender the floor.

The Senator from Utah is a premier legislator. He knows in his heart that you can not pass a bill through this or any succeeding Congress allowing persons at their will to go upon Indian reservations and locate mining claims. He is too good a legislator not to know that you never can proceed except in the way of a lease of some kind.

Mr. FALL. Mr. President——

Mr. ASHURST. I yield to the Senator from New Mexico.

Mr. FALL. Mr. President, the manganese situation of course is one that is critical. We need it. We must have it from some source. Now, I have listened with a good deal of interest to this discussion between the Senators. We have quite extensive shipments of manganese ores from New Mexico. We now have a situation of this character confronting us:

From Silver City, in Grant County, in the southern part of the State, manganese is being shipped extensively. The lands adjoining belong to individual owners, who acquired them years ago, and simply contented themselves with paying taxes upon them, and refused to work them. The situation is so critical that one department of the Government of the United States has taken up and is very seriously considering the question of having the President, under his power, condemn those adjoining lands. The owners of the lands have refused to allow the mining of the manganese, even at a royalty of $1 a ton for the ore, which is considered generally an enormous royalty, the parties mining to pay all costs and expenses and bear any losses, and of course enjoy the profits; but, as the Government fixes the price for the manganese, those profits can not be excessive. The situation is so extreme, as I say, that this matter now is under consideration.

Now, Mr. President, if the Senator will allow me in his time, I understand that this legislation can not be passed before 2 o'clock.

Mr. ASHURST. Yes; but I want two or three minutes before the hour of 2 o'clock arrives.

Mr. FALL. I simply want to state my position upon this bill very briefly. The royalty provided is excessive.

Mr. ASHURST. I agree with the Senator, rather.

Mr. FALL. It would simply prevent the mining of low-grade metals, including manganese, where only 50 cents per ton profit was made upon the ores.

Mr. ASHURST. Let me interrupt the Senator there. He is a valuable member of the Committee on Indian Affairs. That excessive royalty proposed to be paid to the Indians was incorporated in the bill at the request of, I will not say members, but those who really could not appreciate the difficulty in extracting metals, and the enormous outlay of money required to prepare to get the metals out.

Mr. FALL. The royalty is to be fixed by the Secretary of the Interior, but it is provided that he can not take a royalty of less than 5 per cent of the gross value.

Mr. ASHURST. Yes; of the gross value.

Mr. FALL. Now, we have ores all over the United States to-day, on an average basis of $10 ores, that are being mined at 50 cents profit; and that is where the great copper companies of the United States to-day are making profits, on a total copper production in each ton of rock treated of less than 40 pounds of copper—out of each 2,000 pounds an extraction of 40 pounds of copper. Those mines are making more money than the other mines because they are treating an enormous tonnage. Now, if you treat a thousand tons of $10 ore at a profit of 50 cents, you are making $500 a day for your stockholders. If you impose a minimum royalty of 5 per cent of the gross value, and then compel the miner to pay all transportation costs, production costs, mining costs, and all other costs, you would prevent the opening up of a very large number of the low-grade mines of copper, silver, gold, manganese, and other metals. So that that royalty should be changed, in view of the fact that in each specific instance the Secretary of the Interior has the power to fix the royalty.

Now, just one word more, with the Senator's permission. I am going to favor this bill whenever I have an opportunity to do so. The lease system provided here does not necessarily mean that it is the forerunner of a lease system of minerals on the public domain; but even if it did, sir, I am one of those who want to see something done during this and the succeeding generation, particularly in view of the fact that we will have a good many thousand boys coming back here after the war who will need work. I want to see the resources of our country opened up and some opportunity offered for delivering the precious metals to the people. Now, it is evident that you can not do that, as the Senator has said, by providing private ownership upon Indian reservations, and I do not know that I would favor any such proposition myself; but I certainly will favor a lease proposition, and, if necessary, I will favor a lease proposition for the minerals under the surface of the ground on the public domain, so long as the surface area is left so that it can be handled in a way to increase the population of our western States.

Mr. ASHURST. Mr. President, the Senator from New Mexico [Mr. FALL] has made a powerful argument in support of this bill, and I hope that those Senators who have not heard it will read what he said.

With respect to the 5 per cent royalty on the gross output, I agree with the Senator from New Mexico that it is almost impossible to induce anybody to take a lease on that basis; and

that was inserted at the earnest insistence of Members not of this body alone, but certain worthy persons who believed they were protecting the Indians, but as a matter of fact they were making the royalty so excessive that I fear nobody will take a lease. Of course, the bill can not pass between now and 2 o'clock. There are only seven or eight minutes left. I am going to conclude, but I respectfully say that I shall again seek an opportunity to urge the passage of the bill.

At this time I ask unanimous consent to include in the RECORD a copy of the bill and the committee report.

The PRESIDING OFFICER (Mr. NUGENT in the chair). Without objection, it is so ordered.

The bill and report are as follows:

A bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

SEC. 2. That after the passage and approval of this act, unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within sixty days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further*, That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

SEC. 3. That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the lessee may in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the gross value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their education, support, and civilization.

SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

SEC. 13. That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products, and the disposition of the proceeds thereof of any such mine by such Indians.

SEC. 14. That the provisions of this act shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma.

[S. Rept. No. 166, 65th Cong., 1st sess.]

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

Mr. ASHURST, from the Committee on Indian Affairs, submitted the following report [to accompany S. 385]:

The Committee on Indian Affairs, to whom was referred the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations, having considered the same, recommends that the bill do pass without amendment.

This bill is similar to H. R. 12426, Sixty-fourth Congress, which was adopted by the Senate. The House report (533), Sixty-fourth Congress, second session, on that bill is adopted by your committee as part of its report, as follows:

"The Committee on Indian Affairs, to whom was referred the bill (H. R. 12426) to authorize mining for metalliferous minerals on Indian reservations, having carefully considered the same, recommends that the bill be amended, and that as so amended the bill do pass.

"Amend the title of the bill by striking out the words 'in the State of Arizona.'

"On page 1, line 11, strike out the words 'in the State of Arizona.'

"On page 2, strike out all of lines 5, 6, 7, 8, 9, 10, and 11 and insert in lieu thereof the following:

"'SEC. 2. That after the passage and approval of this act unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for and discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be.'

"On page 3, line 18, strike out the word 'twenty' and insert in lieu thereof the word 'eighty.'

"On page 4, line 25, strike out the word 'two' and insert in lieu thereof the word 'five.'

"On page 6, line 14, strike out the word 'carry' and insert in lieu thereof the word 'carrying.'

"On page 6, after line 20, insert a new section, as follows:

"'SEC. 13. That the provisions of this act shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma.'

"The bill as amended will read as follows:

"'A bill to authorize mining for metalliferous minerals on Indian reservations.

"'*Be it enacted, etc.*, That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

"'SEC. 2. That after the passage and approval of this act unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for and discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior.

"'SEC. 3. That leases under this act shall be for a period of 50 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

"'SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

"'SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

"'SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions of this act to the same extent as though such successor or assign were the original lessee hereunder.

"'SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specially recited in the lease.

"'SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall be 5 per cent of the gross value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

"'SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States.

"'SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

"'SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their education, support, and civilization.

"'SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

"'SEC. 13. That the provisions of this act shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma.'"

The Department of the Interior favors the passage of this legislation, as shown by the following letter:

DEPARTMENT OF THE INTERIOR,
Washington, April 10, 1916.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. STEPHENS: I have your request for report upon H. R. 12426, which proposes to permit prospecting for and leasing of metalliferous mineral deposits within Indian reservations in the State of Arizona for 50-year periods upon a flat royalty of 2 per cent of the gross value of the output at the mine, the proceeds to be deposited in the Treasury to the credit of the Indians.

I favor the enactment of this measure. I find that 5 per cent is the ordinary commercial leasing rate, and would suggest that in lieu of 2 per cent. It also appears that there is a public demand that mineral deposits in Indian reservations in other States be opened to development, and I therefore suggest that the words "in the State of Arizona," in line 11, page 1, be stricken out, making the bill applicable to such deposits in all Indian reservations. It is also suggested that lines 5 to 11, page 2, be eliminated, and the following substituted therefor:

"That after the passage and approval of this act unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for and discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be."

The latter amendment is suggested for the reason that there may be cases where the opening of all lands within a given Indian reservation to exploration and prospecting would be destructive of the rights and interests of the Indians or inadvisable from the standpoint of public policy, and the proposed amendment gives some discretion to the officers of the United States in that connection.

In line 14, page 6, the word "carry" should be "carrying."

With these amendments, I recommend the bill be enacted.

Cordially, yours,

FRANKLIN K. LANE.

The following table shows the area of unallotted lands included within Indian reservations in the Rocky Mountain and Pacific Coast States, which will be opened to prospecting for gold, silver, copper, and other valuable metalliferous minerals in the event that this bill becomes a law:

Area of unallotted land in Indian reservations.

	Acres.
Arizona	19,551,045
California	436,211
Colorado	375,960
Idaho	55,453
Montana	4,313,416
Nevada	687,912
New Mexico	1,889,880
Oregon	1,208,469
Utah	306,880
Washington	3,150,075
Wyoming	608,526

It is well known that many of the reservations in the Western States contain large and valuable deposits of minerals, but in the absence of suitable legislation there has been no development of these resources. The Indians have not engaged in mining because they do not possess either the knowledge or the capital that is required to conduct extensive mining operations. It is the opinion of your committee that this bill offers a workable plan that will bring about development and which fully protects the interests of the Indians.

The leasing provisions of this bill have been taken without material change from applicable sections of H. R. 406, a bill to authorize exploration for and disposition of coal, oil, gas, phosphate, potassium, or sodium, and H. R. 408, a bill to provide for the development of water power and the use of the public lands in relation thereto, which recently passed the House. These measures were so thoroughly discussed both in the Sixty-third and in the present Congress that it is presumed that a detailed explanation of the nature of the leases provided for in this bill is unnecessary.

The attention of those who, as a matter of principle, object to the adoption of the leasing system on the public domain is directed to the fact that the lands that may be leased for mining purposes under the provisions of this bill are the tribal property of the Indians and that it has never been the policy of the Government to permit mining on Indian reservations under the general mining laws. These lands have been set aside for the exclusive use and benefit of the Indians, and they are entitled to receive the same income from their property as any other private proprietor.

Owing to the present high prices of metals this is a most opportune time for the passage of a measure of this character and it is certain that its enactment into law will mean the immediate development of many valuable mines. It is the hope of your committee that a number of the Indian tribes will in time receive a sufficient income from royalties and rentals from their mineral lands, so that it will be no longer necessary to make gratuity appropriations from the Treasury for their education, support, and civilization.

As originally introduced, this bill applied to the State of Arizona only, but if the bill is made general in its scope over one-half of the total area that will be opened to prospecting and development will still be located in that State. The area of the newly created Papago Reservation in Arizona is not included in the above table, because the mineral lands within that reservation have not been withdrawn from entry or withheld from disposition under the mining laws.

Mr. SHAFROTH. Mr. President, I want to say just a few words.

I recognize the fact that these reservations have been set aside for Indians not upon the ground of each individual Indian or any particular tribe having all the rights of perpetual control and ownership of those lands, because the United States Government would be doing a great wrong to the States if it set aside Indian reservations perpetually, to be exempt from taxation for State, county, or school purposes. They are set aside for the purpose of letting the Indians take special allotments in time, and in that instance the lands which they get are lands which they own, the same as we own a piece of land when we buy it; but it is expected that every one of these Indian reservations will be opened for settlement in time, and will be opened under the same conditions as in the past. They have been opened under the condition of letting the Indians have the same amount of money that the Government gets out of similar lands. If they are mineral lands, the price is $5 an acre. In the western portion of my State it is the Government price of a dollar and a quarter an acre for grazing lands; and the Government of the United States has the right, without doing any injustice whatever, to pass a law to let these lands be opened to entry just the same as the Government opens its lands for entry. Mostly it has been done by treaty with the Indians, but since that time the Supreme Court of the United States has held that the Government has a right to open these lands upon the same terms that it sells its lands in that State. If that would be a wrong to the Indians, let the lands be sold at auction and the proceeds go to the Indian fund. It is not right that lands should be held in perpetuity—exempt from taxation—by the Government, either for itself or for Indian tribes.

Mr. President, the trouble with this bill is that it opens up the field of leasing the precious metals, which never has been advocated by more than a very few people in the United States.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. SHAFROTH. Yes.

Mr. ASHURST. I thank the Senator. The Senator, of course, is opposed to leasing the public domain.

Mr. SHAFROTH. Yes, sir.

Mr. ASHURST. Now, the Senator is a most excellent lawyer.

Mr. SHAFROTH. I thank the Senator from Arizona.

Mr. ASHURST. He is. I can say that without any flattery. Does the Senator contend that these Indian reservations are in any sense public lands? Why, we now lease Indian reservations for agricultural purposes, for stock-grazing purposes, and in some instances we are now leasing Indian reservations for mining purposes. The Supreme Court has held over and over again—two decisions now come to my mind—that Indian reservations or any lands withheld from entry where a man may not make an entry of any kind are not public lands; so the Senator may favor this bill and not yield one jot or tittle of his famous opposition to a leasing proposition.

Mr. SHAFROTH. No, Mr. President; there is this distinction between the two cases: These lands are not identically the same as lands owned in private ownership, because the State has no power to raise taxes upon them, and therefore you are invading the sovereignty of the State when you take away that very necessity of existence, the right of taxation. For that reason there is not the same relation between the Government and the Indians that may occupy the lands as in the case of private ownership.

The usual way in which Indian reservations have been opened to settlement by the whites has been by the entry system, identically the same as that made upon Government land, except that there can not be a free homestead entry made upon Indian reservations. There is a distinction between the two, and there ought to be, because of the fact that the Government, by reason of its power to prevent the lands being subject to taxation, is able in some instances almost to destroy a State by taking away from it its power of taxation; and the relation which exists in our form of government between the State governments and the National Government never contemplated that ultimately there should be one rule for Indian reservations and another rule for lands of private individuals.

Mr. President, the trouble with this proposition is that it goes a step further than any bill that has ever been seriously considered by the Congress of the United States.

Mr. ASHURST. Mr. President, let me interrupt the Senator in the minute now remaining. This bill passed the House of Representatives in the Sixty-fourth Congress in this identical form.

Mr. SHAFROTH. That may be; and I concede that there is a great tendency for Senators to say, "Well, if this is all right for Arizona, and the Senators from that State want it, we will consent to it"; but the whole principle is wrong. In my opinion the very gentlemen who are urging the passage of this bill will find that the result will be that which has followed in the Western States, where reservations have been created and have been found to be destructive to the development of the lands of those States.

Mr. FALL. Mr. President——

Mr. SHAFROTH. I yield to the Senator from New Mexico.

Mr. FALL. Of course, the Senator knows that this leasing principle was the principle upon which we operated prior to 1836. You could only work minerals before that time by leasing upon the public lands. Then we changed that principle, and I think very much for the better.

Mr. SHAFROTH. Oh, no; I do not think that is the rule.

Mr. FALL. Up until 1836 even lead mines were leased by the Government of the United States.

Mr. SHAFROTH. The only variation of parting with title to land that I know of was that which was adopted in 1806, which was when the lands were in Territories. Lead mines and zinc mines were included in that law, and Thomas H. Benton made the fight of his life, which extended over 20 years, against the leasing system, and finally got it repealed under a message to Congress sent by Mr. Polk, President of the United States, to the effect that it had been found that it had cost the Government four times as much to operate under the leasing system as the revenues which had been collected.

INCREASE OF PENSIONS.

Mr. SMOOT. Mr. President, I am informed that the pension bill (H. R. 9959) passed the House by a vote of 194 yeas to 69 nays. Therefore I ask that Senate bill 3783, to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912, be taken from the calendar and indefinitely postponed, as that is the same as the bill which passed the House.

The PRESIDING OFFICER. Without objection, it will be so ordered.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 235, proposing a limitation of debate.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	Martin	Smith, S. C.
Bankhead	Hitchcock	Nelson	Smoot
Borah	Johnson, Cal.	Norris	Sterling
Brandegee	Johnson, S. Dak.	Nugent	Sutherland
Chamberlain	Jones, N. Mex.	Page	Swanson
Cummins	Jones, Wash.	Phelan	Thompson
Curtis	Kellogg	Pomerene	Townsend
Fall	Kendrick	Ransdell	Trammell
Fernald	Kenyon	Saulsbury	Underwood
France	King	Shafroth	Vardaman
Gallinger	Kirby	Sheppard	Wadsworth
Gerry	Lenroot	Sherman	Warren
Gronna	Lodge	Shields	Watson
Guion	McCumber	Smith, Ariz.	Weeks
Hale	McKellar	Smith, Md.	Willey
Harding	McNary	Smith, Mich.	

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER. Sixty-three Senators have answered to their names. There is a quorum present.

Mr. FALL. Mr. President——

Mr. UNDERWOOD. If the Senator will yield just a minute, I understand that there are some gentlemen who do not desire to go on with the debate this evening, although there are some who do desire to speak to-morrow. In order to accommodate them and not push a vote this afternoon I ask unanimous consent that when the Senate is ready to adjourn this afternoon it shall take a recess until 12 o'clock to-morrow in order to cut out routine business in the morning.

Mr. CURTIS. What effect would that have on the notice given by the Senator from Idaho [Mr. BORAH] that he would offer his amendment?

Mr. UNDERWOOD. I do not desire to take advantage of that, and I ask unanimous consent that it shall not interfere with the notice given by the Senator from Idaho.

Mr. GALLINGER. Mr. President, I will object to any compound unanimous-consent agreement.

The PRESIDING OFFICER. Objection is made.

Mr. UNDERWOOD. Then I ask unanimous consent for my original proposition. I do that in order not to push the matter late this evening and in order to give gentlemen a chance who desire to speak to-morrow.

Mr. GALLINGER. I will ask the Senator from Alabama in entire good faith what the necessity is for pressing this proposed amendment to the rules in this manner, cutting off the morning hour?

Mr. UNDERWOOD. I have no desire to do that if there is opposition. That is the reason why I asked for unanimous consent. I will state to the Senator what my purpose is. I think on the adoption of this rule a great deal depends as to whether the Senate can get a recess before the revenue bill comes here. I am in hopes that we can dispose of business and secure a recess of reasonable length before the consideration of the revenue bill. There are appropriation bills that have to be attended to, and I should like to get a vote at a reasonably early date. I am not proposing to make a motion. If I can not get unanimous consent to take a recess this afternoon, of course we will not cut out the morning business to-morrow, but I am in hopes the Senator——

Mr. GALLINGER. If the Senator will permit me, I am wondering what the Senegambian in the woodpile is in this matter. What is in the mind of the Senator in amending the rules just at the present time? Did I understand the Senator to say it was for the purpose of forcing legislation that we all expect we will have to deal with——

Mr. UNDERWOOD. No; not at all.

Mr. GALLINGER. On the revenue bill?

Mr. UNDERWOOD. I do not say that at all, because I have no right to say it. I am not authorized to say it. That was not my intention; but I do know that if we pass this rule we

can safely rely on expediting the revenue bill and we can safely rely on getting away from here.

On the other hand, if we have no rule it is apparent when we look at past revenue bills that it will take unlimited time. I have not any doubt in the world about the revenue bill passing ultimately; I have not any doubt about any war legislation passing ultimately, whether this rule is adopted or not, but I do believe that legislation before the Senate will receive very much more careful consideration in the whole, not some particular bill, but en masse, war legislation will receive better and more careful consideration en masse if we adopt a rule that limits the debate of the individual Member except where the Senate determines otherwise. There is no purpose right now——

Mr. FALL. If the Senator will pardon me, I merely wish to understand the parliamentary situation.

Mr. UNDERWOOD. I am out of order, I will say to the Senator, because he is entitled to the floor.

Mr. FALL. That is what I want to understand.

Mr. UNDERWOOD. I was only answering a question of the leader of the minority.

Mr. FALL. If the Senator will allow me to make my statement, he will understand my object. I have just been informed by the Chair that some one else has been recognized rather than myself. I want to understand the status.

Mr. UNDERWOOD. I understood the recognition went to the Senator from New Mexico.

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). The Chair will state that when called to the chair he asked whether the Senator from New Mexico had been recognized, and the occupant of the chair said he had not.

Mr. GALLINGER. There is no disposition to interfere with the right of the Senator from New Mexico.

Mr. FALL. I am not objecting to the Senators continuing, and I hope they will, but I want to know whether I am recognized or not.

The PRESIDING OFFICER. Very well; the Chair will recognize the Senator from New Mexico.

Mr. FALL. I was informed privately that I had not been recognized.

Mr. UNDERWOOD. I merely rose to ask unanimous consent that we might take a recess; but it has been indicated that consent can not be given, and therefore I withdraw the request.

Mr. FALL. I will explain my position. I had risen and understood that I had been recognized. The Senator from Alabama so understood; and I yielded to him then, as I am prepared to yield now. I was then informed by a messenger that I did not have the floor. So I wanted to understand whether I did or not.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. FALL. I yield.

Mr. GALLINGER. I rose to ask the Senator from New Mexico to permit me to offer a proposed amendment to the resolution that is before the Senate. I move to strike out, in the first line of the resolution, the words "period of the present war" and substitute the words "present calendar year." I ask that it be read and printed and lie on the table.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. On page 2, line 18, strike out the words "period of the present war" and insert "present calendar year," so as to read:

Resolved, That during the present calendar year the rules of the Senate be amended—

And so forth.

Mr. FALL. Mr. President, I had a few words to say a day or two since, when the pending resolution was before the Senate, upon the amendment offered by the Senator from Idaho [Mr. BORAH]. I favored the adoption of the amendment. With the permission of the Senate I propose to discuss shortly a concrete illustration which I think may prove of some interest. In my opinion the general rule should be that all treaties sent to this body for ratification should be considered in open session, and the exception to that rule should provide for the consideration of such treaties in secret session and not in open session; in fact the reverse of the present position, which is that under the rules now the consideration of a treaty must be in secret session, the exception being that by a vote of the Senate it may be considered in open session.

Mr. President, fortunately for my argument and as explaining my position, there is a treaty pending at this time before this body the seal of secrecy upon which has been by the action of the body itself removed. There are a majority and a minority report from the Committee on Foreign Relations accompanying the resolution of ratification offered by the majority to this treaty, and the seal of secrecy has been removed from this report. Therefore, while the Senate itself, under the rules, can not consider the ratification of the treaty except behind closed doors, individual Senators are in a position where they can discuss the provisions of the treaty without violating either a rule or etiquette. I shall take advantage of this parliamentary situation to refer at more or less length to the treaty known at the Colombian treaty.

By the terms of this treaty the United States of America, obtaining nothing whatsoever except an obligation upon the part of Colombia that she will agree upon the delimitation of the boundaries of the Republic of Panama or agree to have a survey made of such boundaries—obtaining nothing else whatsoever from Colombia—extends to Colombia an apology of this great Nation for certain occurrences in the past and delivers to Colombia of the people's money $25,000,000.

In addition, however, to the $25,000,000, which is merely a bagatelle in these days of billions, there are other considerations given by the United States to Colombia which I most strenuously object to. I am firmly convinced that by open discussion of the provisions of this treaty the people of the United States will never allow it to be ratified in the form in which it is pending before this body or with the amendments suggested by the majority of the committee.

Mr. President, the first article of the treaty negotiated between this country and Colombia——

Mr. SHERMAN. If the Senator will yield to me just a moment before he leaves the statement he last made, referring to the advantages of the publicity of this treaty, does the Senator believe that the American people generally understand the character of government in Colombia that led to the formation of the Republic of Panama and the subsequent dealings of this country with the newly established Republic and its recognition in a former administration?

Mr. FALL. I have not the remotest idea that the people of the United States understand the character of the personnel of the Colombian Government, nor do I think they understand anything of the constitution of the Colombian Government as it existed at the time the controversy arose between Colombia and the United States by virtue of our recognition of Panama, nor have they ever understood it. They did not understand it, in my judgment, when the Grenadines treaty of 1846 was entered into, as I shall show by reference to certain historical facts.

The first article of the proposed treaty provides:

ARTICLE I.

The Government of the United States of America, wishing to put at rest all controversies and differences with the Republic of Colombia arising out of the events from which the present situation on the Isthmus of Panama resulted, expresses, in its own name and in the name of the people of the United States, sincere regret that anything should have occurred to interrupt or to mar the relations of cordial friendship that had so long subsisted between the two nations.

This is an apology for the act of a former administration of this Government which at least thought that it represented the people of the United States and spoke in the name of the people of the United States, certainly as clearly or representing certainly as great a majority of those people as does the administration which negotiated the present treaty. However, I do not care to dwell at any length upon the apology, and I shall only refer very shortly to the occasion for our acts accompanying which the apology is now extended.

I am not going into the details of the Panaman revolution. I shall not undertake to rehearse the evidence or the rumors, nor shall I undertake at this time to conclude as to whether the Panaman revolution was simply an uprising of those natives who were indisposed to the continuation of the so-called Government of Colombia over that Province or whether it was brought about by those who were desirous of concluding the deal for the French-owned Wyse concession through which they were acquiring $40,000,000. I am simply saying in passing that the evidence which I have discovered would lead just as strongly to the conclusion that those who were interested in selling the Wyse concession for $40,000,000 to the people of the United States were engaged in fostering the revolution, that such evidence leads much more closely to those interested in selling than it ever has led to anyone interested in the purchase. As a matter of fact, there has been no evidence of any kind or character worthy of consideration at all showing that anyone interested in the purchase had anything whatsoever to do with the Panaman revolution.

There is ample evidence charges have been openly made, even recently, and openly discussed in Colombia itself and in Panama, that those interested in selling secured the placing of certain officials in Panama through officials of Colombia

at that time for the purpose of bringing on a revolution and that certain financial considerations passed.

However, as I said, I shall not undertake to discuss the details of this proposition. I will admit, for the sake of the argument in which I am engaged at present, that the act of the United States Government in placing its marines upon Panaman soil and protecting the American owned, or practically so, the American and French owned railroad, which it was under treaty obligations directly to protect, possibly retarded the reassertion of sovereignty by Colombia over Panama. In other words, if she had been allowed without interference to use the Panaman railroad for the transportation of her troops to different points in Panama, it might have been more easy, at any rate, for her to defer the final freedom of the Panaman Republic. Such action of ours may have had that effect. If so, by those who insist that we were under any treaty obligation to Colombia, such action should not be criticized, because this was a specific proposition embraced in the old treaty of 1846.

Upon the theory, then—and that is the only theory advanced as to the obligation resting upon us to pay Colombia anything—that the action of the United States Government prevented the Colombian troops from being transported over our railroads for the purpose of fighting the Panamans, upon that theory of right, and upon no further theory except that, it is suggested by some one that we will achieve the favor, at least receive the approval and in some way approach more nearly the friendship of the other Latin-American countries, if we simply hand over to Colombia an apology and $25,000,000, we are urged to adopt the treaty.

Upon these two theories, the one that our action in landing our soldiers had something to do with the securing of the freedom of the Panamans, upon that theory of right entitling them to compensation, and upon the other general theory that by money given to some one we may secure the friendship of certain Latin-American countries, including Colombia, we are asked to extend this apology and pay the $25,000,000.

But we are asked to do something more than that, Mr. President, and I will undertake to show by the wording of the treaty itself that if you, on the one hand, by the payment of this money and the extension of this apology might persuade some other Latin-American countries that we were inclined to be at least friendly toward Latin America, if our action would have that effect, it would be offset by the fact that in the treaty itself such discrimination is made in favor of Colombia and against every other Latin-American nation, even against Panama itself, which we are under obligations, and treaty obligations, to protect; a reading of the treaty will show that such discrimination is being made against the interest of every other Latin-American country on this continent, and any good effect produced by our apology and surrender of our money will be more than offset by the ill effects following the ratification of the treaty in its present terms.

Under article 2, clause 1, it is provided:

The Republic of Colombia shall be at liberty at all times to transport through the interoceanic canal its troops, materials of war, and ships of war, even in case of war between Colombia and another country, without paying any charges to the United States.

In the first place, this is a violation of the Hay-Pauncefote treaty, to start with. Under the Hay-Pauncefote treaty, as Senators will all recall, the fleets of all nations are to be treated alike, and we have provided tolls for the ships of all other nations; but now we provide that the ships of war, troops, and munitions of Colombia shall pass through the canal free of all tolls. The treaty further provides:

2. The products of the soil and industry of Colombia passing through the canal, as well as the Colombian mails, shall be exempt from any charge or duty other than those to which the products and mails of the United States may be subject.

That is an absolute violation of the favored-nation clause with every nation with which we have such a treaty, in the first place, and is a discrimination in favor of the transportation of the goods of Colombia against the transportation of the goods of every other nation upon the earth, and particularly applicable to the case which I suggested a moment ago, and is a discrimination against all the other Latin American nations on this continent.

The products of the soil and industry of Colombia, such as cattle, salt, and provisions, shall be admitted to entry in the Canal Zone, and likewise in the islands and mainland occupied or which may be occupied by the United States as auxiliary and accessory thereto, without paying other duties or charges than those payable by similar products of the United States.

There is another discrimination in favor of Colombia and against all other countries, not only on this continent, but a violation of the favored-nation clause with every nation with which we have such a treaty.

Mr. McCUMBER. Mr. President, before the Senator from New Mexico passes from that branch of the subject, I should like to ask under what authority this Government can fix the tariff on goods entering the Panama Canal Zone, remembering that we did not secure sovereignty, but merely a right of way, and acknowledged the right of Panama to exercise complete sovereignty over that territory, except such as we exercised by virtue of our contract to secure the right of way?

Mr. FALL. I do not think, Mr. President, with due deference to the Senator from North Dakota, that the treaty between the United States and Panama has been construed as he would suggest, and I do not agree as to that being the proper construction of it. I think that, in so far as our tariff laws are concerned, the United States can provide and can enforce—I mean under the terms of the treaty—the tariff laws for the Panama Canal Zone, not, of course, for the Republic of Panama, but for the Canal Zone.

Mr. McCUMBER. I want to say, in order that that statement may not go unchallenged, that I think, if the Senator will look a little deeper into that subject, he will find that we have no right to control the tariff of other countries in reference to entry into the Panama Canal Zone.

Mr. FALL. I have no doubt in the world, as I have already said, that, irrespective of how that question might be settled, this provision of the treaty is a violation of treaty obligations in treaties containing the favored-nation clause, first, and is an absolute discrimination in favor of one Latin-American country as against others, which will be very deeply resented by every other Latin-American country, and that this assertion would go without question as to those who are familiar with the Latin-American character.

I may say that this question as to business upon the Panama Canal Zone is going to be, in my judgment, one of very great and material interest to the people of the United States. When this war is over, Mr. President, I look to see the reshipping business, even the general wholesale business, from all points of the American hemisphere grow by leaps and bounds, particularly in the Panama Canal Zone. It will be necessary to have great stores of coal, naval stores, and products of all kinds there with which to furnish provisions and outfits to all ships which are engaged particularly in the coastwise trade on the entire hemisphere, as well as such ships as will be passing through the Canal which will be engaged in deep-sea commerce. In my judgment, the Panama Canal Zone will offer, even within the course of a few years, a field of almost unlimited extent for the industry of the United States, and from the Panama Canal Zone the business men of the United States can and will come in closer contact with the people of the Latin-American States than they would have come under any circumstances had we not constructed the Panama Canal and obtained at least rights within the Panama Canal Zone.

Now, Mr. President, let us go a litle further with this treaty:

3. Colombian citizens crossing the Canal Zone shall, upon production of proper proof of their nationality, be exempt from every toll, tax, or duty to which citizens of the United States are not subject.

There is another discrimination against all the people of the earth, particularly the people of Latin America, and another violation of the favored-nation clause. Clause 4 of this article provides—and I will ask Senators to pay particular attention to the wording of this clause—

4. During the construction of the interoceanic canal and afterwards, whenever traffic by the canal is interrupted or whenever it shall be necessary for any other reason to use the railway, the troops, materials of war, products, and mails of the Republic of Colombia, as above mentioned, shall, even in case of war between Colombia and another country, be transported on the railway between Ancon and Cristobal, or on any other railway substituted therefor, paying only the same charges and duties as are imposed upon the troops, materials of war, products, and mails of the United States.

Mr. President, no other country is extended this privilege at all.

Mr. WADSWORTH. Would not the Senator believe that that would make us an ally of Colombia in any war in which she might be engaged?

Mr. FALL. Why, Mr. President, it makes the United States practically an ally of Colombia against every other Latin-American country. It is an offense to those countries which have joined us in this war as our allies to-day. Senators will remember that Colombia has not taken such action; to no other country is granted the privilege of transporting its troops and its munitions of war over the Panama Railroad under any conditions, certainly if she is at war with a country with which we are at war. But, further, see what we have done in this paragraph with poor little Panama:

The officers, agents, and employees of the Government of Colombia shall, upon production of proper proof of their official character or their employment, also be entitled to passage on the said railway on

the same terms as officers, agents, and employees of the Government of the United States. The provisions of this paragraph shall not, however, apply in case of war between Colombia and Panama.

Mr. President, the quarrel of Colombia is with Panama. Her quarrel with us is simply that we prevented her carrying to the bitter end her quarrel with Panama; and we have provided that, in a war against Panama itself, she shall have absolute freedom of transportation through the canal, and we have only restricted her as to transportation upon the railroad in case she is at war with Panama. The Republic of Colombia, declaring war against Panama to-morrow, is, under the terms of section 4, excluded from the use of the railroad for the transportation of her troops and munitions of war, but under section 3 she is granted absolutely the right of transportation through the canal, and she may land her soldiers wherever she pleases and attack Panama from behind.

Clause 5 of this article provides:

Coal, petroleum, and sea salt, being the product of Colombia, passing from the Atlantic coast of Colombia to any Colombian port on the Pacific coast, and vice versa, shall be transported over the aforesaid railway free of any charge, except the actual cost of handling and transportation, which shall not in any case exceed one-half of the ordinary freight charges levied upon similar products of the United States passing over the railway and in transit from one port to another of the United States.

That is not only a special privilege granted to Colombia over any other nation of the earth, it is not only a violation of the favored-nation clause with every nation which we have such a treaty, it is not only a violation of our obligations to treat the other Latin-American countries as we treat one, but it is a discrimination in favor of Colombia in the transportation of her goods over the railroad as against the citizens of the United States themselves; in other words, the citizen of New York or of Florida, transporting goods over the railroad, pays the ordinary price, while a citizen of Colombia, transporting similar goods over the railway, pays but 50 per cent of the ordinary price.

Why, Mr. President, some ingenious Colombian or some attorney for Colombia, expecting undoubtedly large compensation from this large amount of money which we are requested to pay, has evidently drawn this so-called treaty, and has had it passed upon in some way by our State Department, without having any American lawyer look into the different provisions of it. I think there has never been such an attempt made in negotiating any treaty in this country to violate every obligation to all the countries of the earth with which we have treaties as is shown by this treaty which is now before us. Certainly there has never been any treaty proposed to the Senate of the United States for its ratification which violated every principle of international comity as does this treaty.

I think simply calling attention to these different extraordinary provisions of the treaty should be sufficient; but, Mr. President, what has been said about it? What does the public know about it? What did the people of the United States hear when the discussion of the Colombian treaty came up?

Their attention had been directed to one point, and one point only, and that was that by the action of the United States in recognizing the independence of Panama, after taking armed possession of the Panama Railroad, as we were obligated to do, we did a great injury to Colombia, and that we were under treaty obligations to protect her interests in Panama rather than in any way, directly or indirectly, to aid the Panamans in securing their independence.

Upon this point I wish to speak very briefly, without endeavoring to go into a general discussion of the subject. Admitting, as I have said, for the sake of argument, that the action of the United States did materially assist in securing the independence of Panama, let us see for a moment whether the United States was under any obligation whatsoever by virtue of the treaty of 1846 to cooperate with Colombia in suppressing the Panaman revolution, or whether we were under obligation even to stand aside in the controversy then raging between the people of these two countries.

In the first place, Mr. President, the treaty of 1846 was entered into between this country and what was known at that time as the Republic of New Granada, and those who advocate the ratification of this treaty or the payment of any funds to Colombia insist that Colombia is the successor of the Republic of New Granada, and that, therefore, any obligation which we had with the Republic of New Granada extended to its successor in interest, the Republic of Colombia.

Let us look back into the history of these countries for a moment. The Republic of New Granada originally comprised the present Venezuelan confederation, the present Republic of Ecuador, a portion of the present Republic of Bolivia, and the States going to make up the present Republic of Colombia, including the then sovereign State of Panama. From time to time States broke away from this Republic, particularly after the death of Bolivar, who had achieved the independence of this portion of South America from Spanish rule. In 1830 Venezuela, a sovereign State in the Republic of New Granada, withdrew, as she had a right to do, from the confederation. Following her action, Ecuador withdrew and Bolivia withdrew and was constituted a republic later, leaving the States originally comprised in the old Kingdom of New Granada as known under the viceroyalty of that name.

Panama was originally the Province of Castilla del Oro, extending from Cape Gracias a Dios to the Sea of Darien. She was a sovereign State among the sovereign States of the so-called New Granadan Republic, and under the constitution she retained to herself all the sovereignty which each one of the original 13 States of our Union retained prior to the adoption of the Constitution of the United States in 1787.

There were some 11 States remaining in the New Granadan Republic. In 1846, when we entered into this treaty with the New Granadan Republic, they were operating under the constitution recognizing the sovereignty of the different States and only the national sovereignty in certain restricted matters, just exactly as our confederation did. They had one revolution after another, and in 1863 finally formed a constitution, which continued until it was put out of business by a dictator in 1886. Under the constitution of 1863 Panama retained to herself the right to protect herself, and distinctly by words precluded the right of the National Government of Colombia, or of any other State within Colombia, to enter her borders with armed forces under any circumstances, except by her invitation.

Mr. President, as establishing the conditions existing and leading up to the suppression of the constitution of Colombia, I wish to read an extract from the "Constitution of Colombia," a work by Pombo y Guerra, found in the public library here in the original Spanish. There is no translation of this work at all, and I may say to Senators that I think there is no very accurate history of Colombia; but the two volumes of Pombo y Guerra, being a history of the constitutions and laws of Colombia, is by far the most accurate account or historical record of Colombia from the beginning down to the present time which is obtainable. Unfortunately, however, as I have said, there is no translation of it.

In 1880 Nunez seized forcible control of the Government of Colombia, and for more than six years ruled as an absolute dictator under no constitution whatsoever, except a constitution promulgated by his decree in 1886. In that year he himself personally, as dictator, promulgated a constitution for the Republic, and it was under his promulgated constitution that Panama was deprived not only of her sovereignty but even of her rights as a State. When we found her at the time she revolted it was necessary to maintain an armed force in Panama at all times to coerce the people of Panama into a semblance of quietude, because she was shorn of her powers as a sovereign State by the decree of a dictator. What I shall read to you now is given by Pombo y Guerra as the reason for it. I quote from the account of Luis Carlos Rico, secretary to Nunez:

In 1873 there occurred a matter creating great alarm for the Republic. There was a conflict in the city of Panama, and the Government of that State requested that the troops from a North American ship of war should be disembarked. * * * Such disembarkation was effected, and on the city hall or municipal buildings of that settlement was seen flying the flag of the United States of America, and the soldiers of the same country with arms on their shoulders gave that protection and security which legally could not be extended by the General Government of Colombia.

Mr. President, this statement of Carlos Rico was the apology urged by Nunez for forcing his so-called constitution upon the people of Colombia at the muzzle of the guns of his soldiers. Along with his constitution and the decree putting it into force, went this statement of Carlos Rico as to the necessity for it. Under the old constitution Panama was a sovereign State; under the constitution she had not senators in the upper house of the Colombian Parliament; but under the terms of the constitution itself she had plenipotentiaries, there being two from each State, ambassadors simply representing in their character as plenipotentiaries a sovereign State under a federal union or confederation and not under a Republic. By the terms of the constitution, if I remember aright, Panama retained to herself the right to invite whomsoever she pleased for her defense, and it was provided distinctly that Colombia should have no right to enter her territory with armed forces.

The Wyse concession was made in 1876 originally, and renewed in 1878, and it became, of course, apparent to all South America, and particularly to such patriots as Mr. Nunez, that there was now an opportunity to have the Panama Canal built, and that if Colombia could control it by forcibly relegating the sovereign State of Panama to the position simply of a Province,

to Colombia would go the funds to be paid under the Wyse concession or under any other concession, and not to the sovereign State of Panama itself, which would be entitled to it under the constitution. So, without the acquiescence of Panama, in fact, over the military protest of Panama, Panama was subjugated by the forces of Nunez in 1886, and from that time held in bondage as a Province, when she had been a sovereign State from 1819 up to that time.

Mr. WATSON. Mr. President, may I interrupt the Senator?

Mr. FALL. I yield to the Senator.

Mr. WATSON. Had there been any sort of negotiations entered into or any prospect of negotiations for the construction of a canal before Colombia forcibly took over the territory of Panama in 1886?

Mr. FALL. There had been; there had been various attempts. Of course, the negotiations for the building of a canal across the Isthmus at some point had gone on almost from 1670—I think that was the year—when the English first investigated the matter. Of course, the matter was discussed long before that by the old Spaniards, who made their first settlement in Panama, I think, in the year 1503, Columbus having first discovered and sailed up the coast of Panama. The first settlement was made, if I recall correctly, at the old town of Darien, which for many years was the great town and was the point from which all the silver and gold galleons started out to the west coast and from which they departed for Spain.

Mr. WATSON. I think that we are all more or less familiar with the agitation for a canal, but possibly it had reference to the Nicaraguan Canal.

Mr. FALL. No; the Darien Canal was the first canal suggested, going up the Atrata River, long before the Nicaraguan Canal was even thought of. The Darien Canal project, as I have said, was the original project long before it was even suggested that we should go through the Isthmus, as we have done, and long before the San Juan River route in Nicaragua was even investigated or thought of, which was in comparatively recent years.

Mr. WATSON. In other words, the Senator is ready to assert that the fact that there might be a canal cut across there at some time was the impelling motive that induced Colombia to take possession of Panama?

Mr. FALL. Undoubtedly. The negotiations which resulted in the original Wyse concession in 1876 had been carried on for years prior to that. It was in 1873 that the occurrence in Panama, to which I have referred, took place; and it was long after the granting of the Wyse concession that Panama was reduced to the condition of a vassal, not, in fact, until subsequent to the issue of the decree of 1886, 10 years after the Wyse concession had been granted, when it became apparent that it was of great value.

Mr. LODGE. Mr. President, if the Senator will allow me, the railroad negotiations were even earlier than that, were they not?

Mr. FALL. Yes, sir; the railroad negotiations were prior to 1846, and resulted finally in the treaty of 1846. Of course the historical facts are that Great Britain and the United States were rivals prior to 1846. In 1850 we entered into the Clayton-Bulwer treaty. That was a settlement of our rivalry at that time. Each nation had been reaching out for canal routes across the Isthmus from Darien to the San Juan route in Nicaragua, and the Clayton-Bulwer treaty in 1850 was an attempted settlement of these difficulties; and, of course, that treaty having been entered into, necessitated its abrogation in 1901, when we undertook to construct the canal under the provisions of our subsequent agreement with the Republic of Panama. But I want to impress upon the Senators here that Panama, under the constitution of Colombia, had a right to declare her independence, or at least she had a right to refuse to allow a Colombian soldier to enter her borders. There was a provision in the constitution that neither one of the States should grant to any foreign country any right of sovereignty without the permission of the other States. This was the principal clause in the articles of confederation; but equally plainly was it written that neither the Republic of Colombia nor any other State had a right to enter with military forces the soil of any one of the sovereign States of the Republic. As I have read to you from the translation of Luis Carlos Rico's statement accompanying the promulgation of the Nunez dictatorial decree, the very fact that this existed, and that the Panama Canal route was becoming valuable, and that there was money in it, was the foundation for the overthrow by force of arms of the sovereignty of Panama, to which overthrow Panama never consented. She retained, up to the time that she declared and obtained her independence, her right of independence and her right to deal with foreign affairs under the constitution and under the articles of confederation by which she was bound to Colombia.

These are historical facts. These are the actual conditions. We found Panama in this condition. She had a right to declare her independence. She did so. We were fortunately at hand with our marines to do exactly what we had done, and our action in doing which had been acquiesced in by the Colombian Government in a dozen different instances. We were fortunately at hand to take possession of the railroad. We took possession of the railroad in 1873, as Carlos Rico said, when Colombia, as he says, legally could not do it, and could not protect Panama, which was true. Neither could she legally send her soldiers to that road when we refused to allow them to travel over it. She was beyond her legal rights. She had no right, in opposition to the wishes of the people of Panama itself, to send her troops upon Panaman soil. She was bound by her constitutional prohibition not to do so. She sent them there. We were bound to keep open the line of transit, under the treaty. We were bound by our material interests, of course, to prevent a bloody revolution. We had adopted exactly the same method in four or five different instances from 1846 down to the time that Panama declared her independence. Never had there been protests against it before. Even in 1873, Colombia made no protest, because under her constitution she had no right to make protest. We had been invited there by Panama, as Rico says, and Colombia had no legal right to interfere. We were invited by Panama to take charge, to put our marines upon the railroad, and to protect it. We did so. We were invited by Panama to recognize her independence. She had a right to extend the invitation. We had a legal right, without the violation of any treaty obligation whatsoever, to extend our recognition, and we did so.

Mr. President, aside from the historical matters to which I have referred, let any lawyer read the treaty of 1846 and show me one word which attempts in any way whatsoever to guarantee to the New Granadan Republic or the Granadan Republic her sovereignty over any State. It was ridiculous to suggest such an idea—that it was the intention of the treaty of 1846 to compel us to guarantee her sovereignty over Panama, or not to recognize the independence of Panama or any other State. Could there have been anything which would have prevented us recognizing the independence of Venezuela when she seceded? Could there have been anything to prevent us from recognizing the independence of Ecuador when she seceded, or the independence of Bolivia when she set up a separate Government? We were under no obligation whatsoever to guarantee anything except the free right of transit; and the sovereignty that Colombia had of the Granadan Republic, the predecessor in interest of Colombia, over the right of transit. Why? Because Great Britain was reaching out for a right of transit, and at that time had negotiations on with the Republic of Nicaragua for the Nicaraguan route. She claimed Greytown, at the mouth of the San Juan, and stood in our way in attempting to secure the San Juan River route from Nicaragua for years. Over our protest she had a protectorate over certain Indian tribes that she claimed owned the mouth of the San Juan River. She prevented Nicaragua for years from entering into a treaty with us by which we might secure the Nicaraguan route. She was threatening the shortest route overland of the people in the East of the United States to the gold fields of California. We were guaranteeing the sovereignty, the ownership of New Granada or of its sovereign States over this route—we might as well be plain about it—as against Great Britain, which was setting up claims by virtue of her ownership of territory now reduced to the extent of British Honduras, which cuts Guatemala off from an outlet on the Gulf of Mexico. Her claim of ownership was very much greater at that time. It extended down to Panama itself. She was threatening all the time. We stepped in, and by virtue of the treaty we obtained a right to ourselves, in consideration of which we agreed that we would defend or keep open that route of transit against even Great Britain. We might as well have written her name into the treaty, as you will see if you will go back to the history of that time.

Mr. President, this is about all that I have to say upon this subject. I have spoken as I have about it because, in the first place, it is a matter which has been misunderstood by the people of the United States. It has been said that Mr. Roosevelt committed a great outrage by landing there the United States marines and then in recognizing the independence of Panama. Under international law every act of Mr. Roosevelt's was perfectly justifiable, and under the treaty which they appealed to themselves his landing of troops was obligatory to maintain open the route of transit, and at that time this was the only route of transit.

It may be that by virtue of the fact that under the Wyse concession Colombia was to receive very large financial largess from the construction of the canal; it may be that by virtue of the fact

that she agreed in the Hay-Herran treaty that she would accept $10,000,000 to quiet all questions, and that again in the tripartite treaties entered into while former Senator Root was Secretary of State, by which we agreed to see that Panama made over to Colombia a certain portion of the money which we were paying Panama, that Colombia sincerely believes that we should make some payment to her. By her own acts she lost the opportunity to get the money which Panama received. It may be, however, that by this series of attempted treaties, recognizing some equity in Colombia, we are under some obligation to her—of what character? No legal obligation.

Mr. President, I say now that Colombia, if she is friendly to the United States, is willing to do away with the old Granadan treaty of 1846, which has been outgrown for 40 years, which is obsolete, except as she has demanded under it that we recompense her in some way for her loss of the Panama Canal. It may be that it would be worth some money to the people of the United States to have the boundary lines of the Republic of Panama definitely fixed, as they have never been fixed on the ground, and there is yet a dispute as to the boundary lines between Colombia and Panama. It may be that it would be best for our interests to secure the recognition of the Panaman Republic by the Republic of Colombia, which has always refused such recognition. It may be that it would be very advantageous to the people of the United States if they could enter into a treaty with Colombia by which Colombia agreed that she would remain neutral and not allow the use of her ports or her coasts to any nation with which we were at war. It might be that it would be advantageous to us to enter into a mutual agreement of that kind that either country would remain neutral in a war in which the other was engaged, and that we would not allow the use of our ports or our coasts, and that she reciprocally would not allow the use of her ports or of her coasts. Of course, under international law she is obligated to do that now; but if we had a provision in a treaty by which we had the authority to search those coasts ourselves, and ourselves to enforce the provisions of the treaty in the event of her inability to do so, we would achieve something which it would be worth paying even some money to achieve.

In my judgment, a proposition made to Colombia to-day along businesslike and reasonable lines would be successful, even if those lines were based somewhat upon the suggestions which I have made, as vague as they are. I may say that I have reason to believe that Colombia would look with favor upon a self-respecting treaty, not offensive, but at any rate mutually defensive, between the two countries, and by which she would receive a certain measure of protection against the aggressions of those whom she is not able to meet, just as Nicaragua has been glad to enter into such a treaty with the United States. It has been my idea of our diplomacy with reference to Latin-American countries that we should proceed with the interests and the friendship of each equally in view whenever we entered into a negotiation with one. If we succeeded in closing negotiations with Colombia along the line that I have suggested, I would provide in the treaty itself that any provisions as to transit through the canal or over the railroad placed in the treaty by us for the benefit of Colombia should be equally extended to any other Latin American country entering into the same treaty with us.

Mr. SHERMAN. Mr. President——

Mr. FALL. I yield to the Senator. I was about to yield the floor.

Mr. SHERMAN. Before the Senator closes, would it not be fair, to say the least, in the event we approach this treaty, to strike out the part that tenders an apology to Colombia, and ourselves forego the right to inquire into what I consider the exceedingly bad faith of the Colombian Government in matters leading up to the continuation of the concession to the French company that was about to expire? I think the historical facts of the diplomatic correspondence on that subject would show that the Colombian Government intended to delay us and lull us into a feeling of security until the time arrived when they could declare a forfeiture, and then, after that time had come, to declare that forfeiture and take away not only from Panama but from us the right to deal with it; and that the attendant circumstances showed such bad faith that when it comes to a question of apologies we could stand off one against the other, to say the least, and keep still about it.

Mr. FALL. And having done that, and having stricken out the first article of the treaty, I wish the Senator would join me in striking out each of the other articles discriminating against every other country and violating every treaty between this country and every other country with which we have a favored-nation clause.

Mr. President, I am not opposed to—in fact, I very strongly favor—a just and equitable treaty with Colombia. Colombia commands both sides of the Panama Canal. Her territory extends from the Atlantic to the Pacific south of the Isthmus of Panama. I have reason to believe that citizens of a foreign country with which we are not on friendly terms have, during the last few years, been engaged in certain river work at Darien and on the Magdalena and the Atrato and at Barranquilla. I have no information at all as to the point to which this work has been carried or the development of it, but it is being done, or was being done, under a concession made by Colombia, and it undoubtedly could be developed to the point where submarines could find a very safe harbor. However, I am not an alarmist and I do not want to drag those things into it. I can see where it is advantageous for us to settle all differences with Colombia and to have a treaty with her providing that the people of the United States secure some of the benefits of the treaty and do not place themselves on record as violating their obligations to every other nation written into treaties and violating obligations which we are so constantly proclaiming through speeches and otherwise to the Latin-American people on this hemisphere.

Mr. HITCHCOCK. Mr. President, I do not care at this time to make any other reply to the Senator from New Mexico than to read a part of the treaty which was made between the United States and New Granada in 1846, the treaty to which he has referred, but of which, I think, he has given an entirely inaccurate impression. I shall not read all of Article XXXV, but I shall read enough of it to show that the United States received very valuable concessions from New Granada at that time and valuable rights on the Isthmus, and that the United States made very definite and specific promises to New Granada in consideration of those valuable benefits.

A part of Article XXXV of that treaty reads as follows:

> The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States; that no other tolls or charges shall be levied or collected upon the citizens of the United States, or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is, under like circumstances, levied upon and collected from the Granadian citizens; that any lawful produce, manufactures, or merchandise belonging to citizens of the United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever; or, having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said Isthmus. And in orer to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

One of the rights of sovereignty which New Granada had over that territory was the right to land her soldiers there and to suppress a rebellion, and that right the United States denied and defied at that time by force of arms, in refusing to permit the soldiers of New Granada to land upon that territory, the sovereignty of which we had guaranteed to New Granada.

I am not going to discuss the matter further. There is no present intention of pushing a treaty such as has been sent to the Senate, but there is and there must be in the future an occasion when the United States will recognize the obligation which she owes to New Granada and make good to her, in some sense at least, the wrong that we committed against her.

Mr. WILFLEY obtained the floor.

Mr. FALL. Mr. President, with the permission of the Senator from Missouri, I should like to say just a word.

Mr. WILFLEY. I yield to the Senator.

Mr. FALL. I want to clear the record. I do not enjoy very much having the inference drawn from what the Senator has just said that I have attempted to misstate, or not state fully, the proposition which I was advancing to the Senate. I referred distinctly to the guaranty and repeated it in practically the words which the Senator has just read; and I construed it to mean what it says it means, that it guarantees by Article XXXV the right of free transit. That is the guaranty, and to effect that right of sovereignty of New Granada against what? Not against Panama.

The whole question of this old treaty has been discussed time and again.

Mr. KELLOGG and Mr. SHAFROTH addressed the Chair.

The VICE PRESIDENT. The Senator from Missouri [Mr. WILFLEY] has the floor.

Mr. SHAFROTH. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names.

Ashurst	Hollis	Page	Sutherland
Bankhead	Johnson, Cal.	Phelan	Swanson
Cummins	Jones, N. Mex.	Pittman	Tillman
Curtis	Jones, Wash.	Ransdell	Trammell
Fall	Kellogg	Saulsbury	Underwood
Fletcher	Kendrick	Shafroth	Vardaman
France	Kirby	Sheppard	Wadsworth
Gallinger	McNary	Sherman	Watson
Harding	Martin	Simmons	Willey
Hitchcock	Norris	Smith, Md.	

Mr. KIRBY. I wish to announce that the senior Senator from Tennessee [Mr. SHIELDS] and the junior Senator from Tennessee [Mr. MCKELLAR] are detained on official business.

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. CULBERSON, Mr. JOHNSON of South Dakota, Mr. NUGENT, Mr. POINDEXTER, Mr. SMITH of Georgia, Mr. SMOOT, Mr. STERLING, and Mr. WARREN answered to their names when called.

Mr. CHAMBERLAIN, Mr. SMITH of Arizona, Mr. KENYON, Mr. SMITH of Michigan, Mr. GUION, Mr. THOMPSON, and Mr. KING entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty-four Senators have answered to the roll call. There is a quorum present. The Senator from Missouri will proceed.

Mr. WILFLEY. Mr. President, I believe that the circumstances of the times demand and justify the adoption of this resolution to amend the rules of the Senate so that they will limit the time of debate on any bill or resolution during the period of the war. This resolution is in harmony with the spirit of the people to speed up every instrumentality engaged in the conduct of the war. The Senate of the United States has been for more than a century the greatest forum in the world for free and unlimited discussion of subjects of legislation. In ordinary times, when deliberation and full discussion of all matters may be indulged without endangering the success of ventures on which the Nation is embarked and on the speedy progress of which the very existence of the Nation depends, this characteristic of this body has been regarded as one of the bulwarks of the Government; but these are no ordinary times.

This is the greatest crisis in the history of the world, and the destiny of the human race depends upon the outcome of our present undertaking. This Nation is now engaged in the great enterprise of preserving for posterity the blessings of Christian civilization and free government, developed through 19 centuries of struggle for the achievement of a world society of justice and mercy, and of overpowering and driving out of existence the greatest organization for the promotion of iniquity and oppression that the powers of darkness have ever launched against humanity in all history.

There is one outstanding question which must be considered carefully, profoundly, and with the utmost sincerity of which the human mind and heart is capable by everyone who is called upon to act in any capacity touching the activities of the Government in this critical time in the Nation's affairs. That question is:

> Will our course of action speed us on our way to the goal of our great undertaking or will our action weaken the arm which is now raised to strike down this cruel force and delay the achievement of our great purpose?

In answer to this question we must find the compass which should direct our course in every undertaking. Nothing should be done that will divert the attention or dissipate the energy of those on whom the execution of our war plans depends. Our every act must be for the purpose of strengthening the determination and increasing the ability of the Government to carry on the war with the utmost efficiency, to the end of complete, speedy, and glorious victory with a righteous and permanent peace which may never again be assailed by a selfish, arrogant, plotting autocracy.

The questions which in this crisis are before us for consideration are such as demand speedy action. Our forces are in the field, on foreign soil, engaged in desperate struggle with a powerful, active, and persistent enemy. Our Navy is on the far-flung battle line of the high seas in desperate combat with the skulking foe of decency and honor who hesitates not to take the lives of thousands of women and children if by so doing he may gain one atom of advantage for his unholy cause. Our activity in such time is to exercise the power conferred upon us by the Constitution and to marshal the resources of the Nation to the support of our forces in the field and our Navy upon the seas. The task of directing these forces is upon the executive department of the Government, and that department must look to us to provide the money with which executive plans must be carried out, and to extend authority by which the executive machinery may be better organized. When we are called upon to exercise that function, we must act speedily, and we must put our organization in such condition that we not only may, but that we certainly will, secure such action. We must not permit to exist in this body, under our rules, a situation in which any individual or any group of individuals, in the exercise of personal opinion or privilege with reference to any matter before us, may delay action beyond the time imperatively needed for a proper consideration by us of the methods by which we shall accomplish the things which we must do. The demands of our consciences and of the people compel us to clear our decks for the speedy performance of the duty that may from time to time be upon us.

The people are deeply concerned and thoroughly aroused to the situation. They are ready to make the supreme sacrifice and render the utmost service for this great cause of humanity. They realize that all things—their comforts, their means, and even the lives of millions of their sons—are now on the altar of sacrifice to the cause of winning this stupendous war. The people know we are launched upon a desperate undertaking and they are desperately in earnest in their determination to see it through to a successful conclusion. They repose the greatest confidence in the Chief Executive of the Nation, and they demand that he be left unhampered and uninterrupted in this great work. They want action in every activity of the Government that will be definitely helpful to our soldiers who are fighting in the trenches to win this war. They are opposed to unnecessary discussion here or elsewhere of any question, because they know that such discussion delays action and furnishes comfort and encouragement to the enemy. They know that those in charge of the various undertakings of the Government are not infallible, are not endowed with superhuman wisdom, but they do not want mistakes continually paraded when they have been corrected or are in the process of correction by those who know best how to correct them. The people want those things done that will stimulate courage and valor, and they feel great resentment of any influence that tends to weaken or destroy the resolute purpose of the Nation.

The founders of our Government, with wisdom not equaled elsewhere in the deliberations of men, set up three divisions of government with relations so nicely adjusted in the fundamental law of the land that each is to some extent a check upon the other. I would not take from any branch of the Government one smallest part of the power vested in it by the Constitution, nor would I raise my voice against the undertaking by the legislative department of the full obligation corollary to the powers given it in connection with the activities of the other branches of the Government, but I submit that at this time, when it is inconceivable that any branch of the Government should not act in all things with the greatest devotion to our great cause, it is incumbent upon us that we turn our attention from the function of checking other branches of the Government and direct our full power to effective support of the work which is imposed upon the executive department.

In order that the resources and energy of the Nation might be effectively organized, Congress, in the exercise of its constitutional rights, has conferred upon the President extraordinary powers for conducting the war. This step was taken for the purpose of enabling the Nation to meet an emergency without precedent or parallel in its history. It was based upon the conviction that the most effective way for the Nation to cope with the greatest military organization known to the world was to promptly concentrate whatever powers were necessary in the hands of the Chief Executive. Congress at the time could not have escaped the realization that no man or group of men could organize and mobilize the energies and resources of the Nation without making some mistakes.

I speak with confidence that none will question or contradict the assertion, that the President has as strong an interest and as deep a desire to promote the prosecution of the war as any Member of this body. Our acts must be in response to his requests and suggestions. His acts give assurance that he is calling to the support of the Government every available resource that is within his power of command. He has appointed his political rival during the last campaign, an able lawyer of great experience and reputation in such work, to make an investigation of the aircraft production, and has given him authority to make such investigation thorough and complete. He has called to the service of the Government two of the leading business men of the country to take charge of the work of aircraft production. He has called other leading business men of the country to take charge of other war activities—all with the purpose

and to the end of producing the greatest efficiency and dispatch in war operations.

The people know these facts and under such circumstances they are impatient of anything that does not speed our war activities while the Nation is facing the gravest crisis in its history. No considerable number of people of any section of this country or of any political party want the Senate of the United States used as a sounding board for objectors or critics or disappointed promoters who wish to assail those who bear the burden of directing the conduct of the war. The people do not want the Government assailed; they want it supported. They want what the Constitution contemplates—a more perfect union, in order to provide for the common defense and promote the general welfare and make secure the blessings of liberty to themselves and their posterity; and they want it now. The people have in their minds the one great purpose which has been set forth by the Commander in Chief of our Army and Navy in language that will live through all the annals of recorded time. The winning of the war is the consuming purpose of the Nation.

To the President we have given the greatest power for waging war that has ever been vested in one man in the history of the world. On him we have placed the greatest responsibility that living man has ever carried. In him to-day is reposed the greatest confidence by the greatest number of free people in the greatest crisis for free institutions that any individual has ever possessed. Since I am so recently from the ranks of the people, I feel I can speak with perfect confidence of the spirit of the people of my State. The people of Missouri have confidence in Woodrow Wilson, and they are looking to Congress, and they feel it is the duty of Congress, to which the people will hold us to strict account, to give him all the cooperation and support within our power to enable him to meet and carry the responsibility which Congress, with the full approval of the people, has imposed upon him. They believe he understands and appreciates the issues and problems of this war from the standpoint of this Nation better than any other living man, and they believe that he is in a position to formulate and carry out a constructive policy in the execution of our war program to ultimate victory and peace.

The great question which now confronts our Nation and which is uppermost in the minds of all thoughtful Americans is, What policy shall we adopt; what road shall we travel which will bring us victory? It is our most solemn duty to most seriously consider all that we do with the questions which come before us to ascertain how we can best further the interest of the Nation and contribute most effectively to the winning of the war. If our force is to be most effective it must be put forth with the most possible speed, for time is a fundamental element of military accomplishment. This war must be won by this Nation and its associates for the preservation of all that is good in present civilized society—and it will be won. We have the resources, materials, and men with which the war must be waged; but materials and men will not win the war unless they are directed to the business of carrying on the war by an organization equal to the task of applying them most effectively against the enemy organized and trained for the purpose of making war and conquering the world. The warlike and heroic spirit of our people has already been reinvigorated and recreated, and they stand ready to meet the issue with their blood and their treasure; but this is not enough. The organization equal to this task is not merely an organization of men to lead armies and to transport supplies and to raise money with which to finance our activities. The organization which we must have is an organization that will bring to the work of carrying on the war the full support of all our resources of capital and labor and military man power backed by all social, economic, and financial force of the Nation directed to a single purpose. With Germany war is a highly developed technical and scientific business. To meet this enemy we must, for the time being, become a military people, and incorporate into our national life military methods. This involves radical change—sacrifice of every character, discipline of the most rigid and exacting kind, and a complete dedication of our lives to the organization and operation of a military power of sufficient strength to carry us to victory. No nation in history ever responded more nobly to the call of its Government to meet the emergencies of war than has ours.

The American people are not indifferent to this situation. They are aroused to the peril of this crisis. But under the stress of such desperate circumstances the spirit of the people must be regarded with jealous consideration, for that spirit is vital to every phase of the situation. The morale of the civil population is scarcely less important than the morale of our military forces in the fields. Attention must be constantly given to the problem of keeping the spirit of our people and their confidence and faith in the Government up to the point where that spirit and confidence stands as a firm foundation for the organization through which our men and material resources are directed to the task in hand.

There is no merit in "supporting the President" by opposing what he tries to do or attempting to show that it should have been done in some other way or by belittling and denouncing those upon whom he relies in conducting the war. The leading spirit of our powerful and ruthless enemy, the genius who, more than any other single man, has kept the German people steadfast even to the support of a selfish and iniquitous Government, has not been unmindful of preserving the spirit of his people for the support of an autocratic government of a people schooled in servile submission to that autocracy. More than a year ago Gen. Ludendorff said in a message which was sent to the Reichstag:

> We shall accomplish our enormous task if we feel behind us a united German people full of faith and ceasing to divide itself in vain discussion.

To say that we are fighting to make the world safe for democracy is but to say that democracy to-day is on trial. Will democratic government stand the test of war? Will a democratic people keep up a spirit and support the Government strong enough to wage war against autocracy? That is the question before us to-day. A democratic form of government is recognized as the best form of government for a free and enlightened people in time of peace. But the argument that has been waged against it through the centuries is that it will not stand the test of war.

War necessarily requires centralized power, and the framers of our Constitution, recognizing this not merely as a theory but as a fact, adapted our Government to the exigencies of war, and under provisions of the Constitution, Congress has centralized great power in the hands of the President for the conduct of the war in which we are now engaged. That power must not now be taken away or impaired by delay in giving to the President all the resources and authority that may be needed at any time in carrying out executive plans. This war must be conducted and directed by the Executive and not by parliamentary authority. I would not take away any constitutional rights of Congress, but in time of war different provisions of the Constitution are employed than in time of peace. The greatest expounder of the Constitution who ever lived, John Marshall, said:

> The nature of the Constitution requires that only its great outlines should be marked, its important objects designated, and the minor ingredients which compose those objects be deduced from the nature of the objects themselves.

I maintain that a democratic form of government can meet conditions of war and adapt the forces and agencies of the Nation to those conditions. The great outlines and the important objects of the Constitution can be protected if the minor ingredients which compose those objects are made to conform to the conditions of war. Democratic government is not only the most successful form of government for an enlightened people in time of peace, but under proper interpretation and administration it will stand every test of war and will protect its people in every crisis.

I have great faith in our Constitution; I have no fear that it will be distorted or destroyed by legislation in time of war. I am as jealous to preserve the Constitution as any living man. The only sure way to preserve our Constitution is to win this war.

The Constitution of the United States was not designed by its authors to hamper the development of the Nation or to obstruct its operations in a great emergency. One of its chief objects is to provide for a common defense. We are now engaged in its defense against a ruthless and powerful foe. The Hun is at our gates. We must fight to conquer. We must command all the resources of the Nation to the support of our Commander in Chief that he may lead us to victory and peace. In spirit and action we must be responsive to the call of this crisis and adapt ourselves to the imperative conditions that confront us.

Mr. CUMMINS. I send to the desk an amendment, which at the proper time I shall propose to the resolution now pending. I ask that it be printed.

Mr. GALLINGER. Let it be read, Mr. President.

The VICE PRESIDENT. The Secretary will read it.

The SECRETARY. It is proposed to amend the resolution by making that part after line 20, page 2, read as follows:

> That no Senator shall occupy more than 1 hour and 30 minutes in debate on any bill or resolution and not more than 20 minutes on any amendment proposed thereto: *Provided*, That the Senate upon request may enlarge the time by a majority vote, the question to be decided without debate: *And provided further*, That when an amendment is pending a Senator may use all or any part of his time allowed for debate upon the bill or resolution.

Mr. SHERMAN addressed the Senate. After having spoken for an hour and a quarter, he said:

Mr. President, I may not be able to finish this evening, and if the Senator in charge of the resolution wishes it to go over until to-morrow, I will be very glad to yield.

Mr. UNDERWOOD. If the Senator desires to take up the question to-morrow, I am perfectly willing to move an adjournment.

Mr. SHERMAN. Very well.

Mr. UNDERWOOD. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, June 8, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 7, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our hearts instinctively turn to Thee, Eternal God, our Heavenly Father, source of every noble impulse, high resolve, and earnest desire. We thank Thee that we are privileged to think our own thoughts, to act our own desires, and feel the thrill of an approving conscience, as we strive to preserve and advance the civilization of our day. To overcome one wrong, to encourage one drooping soul is a joy beyond compare.

We thank Thee that our Republic with our allies is engaged in a gigantic struggle for humanity, to save it from autocracy, militarism, and brute force. Protect our soldiers and sailors who are fighting for liberty; guide their commanders and give them a victory for peace and humanity, and unborn generations will praise Thee, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

Mr. CARTER of Oklahoma. Mr. Speaker, I ask unanimous consent to change the reference of House resolution 369, authorizing the Committee on Indian Affairs to investigate the Bureau of Indian Affairs and branches, from the Committee on Indian Affairs to the Committee on Rules.

The SPEAKER. What did the gentleman say it was about?

Mr. CARTER of Oklahoma. It directs an investigation by the Committee on Indian Affairs.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to change the reference of House resolution 369 from the Committee on Indian Affairs to the Committee on Rules. Is there objection?

There was no objection.

INDIAN FUNDS HELD IN STATE AND NATIONAL BANKS.

Mr. HASTINGS. Mr. Speaker, by direction of the Committee on Indian Affairs I report back House resolution 322, requesting certain information from the Secretary of the Interior, and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent for the immediate consideration of the resolution which the Clerk will report.

The Clerk read as follows:

House resolution 322.

Resolved, That the Secretary of the Interior be requested to furnish the House of Representatives, if not incompatible with the public interest, information as to the amount of money on deposit in State and national banks on April 1, 1918, belonging to the Five Civilized Tribes of Indians in the State of Oklahoma and the Osage Tribe of Indians in the State of Oklahoma and to individual members of said tribes of Indians, the name and address of each of said banks and the amount on deposit in each bank and the rate of interest paid by each bank.

The SPEAKER. Is there objection?

Mr. HENRY T. RAINEY. Reserving the right to object, which I do not expect to do——

Mr. WALSH. If it is a privileged resolution, you do not have to have unanimous consent.

Mr. CARTER of Oklahoma. It is a privileged resolution.

Mr. HENRY T. RAINEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HENRY T. RAINEY. I am to have 40 minutes?

The SPEAKER. That is subject to the disposition of business on the Speaker's table. This is a privileged matter, and such matters are always excepted. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. HASTINGS, a motion to reconsider the vote whereby the resolution was agreed to was laid on the table.

PENSIONS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9959). It is a general pension bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the bill H. R. 9959, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9959) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912.

Mr. SHERWOOD. I move to concur in the Senate amendment.

The SPEAKER. It is a House bill, with Senate amendment, and the gentleman moves to concur in the Senate amendment.

Mr. RUSSELL. The gentleman can move the previous question.

Mr. SHERWOOD. Mr. Speaker, I move to concur in the Senate amendment, and I move the previous question.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To ask if the gentleman will permit me to ask him a question.

The SPEAKER. In the first place, consent is desired. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Ohio moves to concur in the Senate amendment to the House bill and moves the previous question.

Mr. MOORE of Pennsylvania. I merely desire to ask the gentleman, so that the House can understand, whether the amendment in which he wishes to concur is the so-called Smoot amendment?

Mr. SHERWOOD. It is.

Mr. MOORE of Pennsylvania. It is the Smoot amendment, increasing Civil War soldiers' pensions, with which the gentleman wants to concur?

Mr. SHERWOOD. Yes.

Mr. MOORE of Pennsylvania. I have no objection.

Mr. WALSH. The bill in its present form is what might be called the Smoot-Bland bill.

Mr. ASHBROOK. Where do you get the Bland?

Mr. FOSTER. Oh, Mr. Speaker, gentlemen ought not to ask such questions.

The SPEAKER. The gentleman from Ohio moves the previous question on the motion to concur.

The previous question was ordered.

The SPEAKER. The question is on the motion to concur.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MOORE of Pennsylvania. Mr. Speaker, so long as there is objection to this increase on the part of some, I suggest the advisability of having a roll call. I make the point of no quorum on the motion.

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of concurring will answer "yea" when their names are called; those opposed will answer "nay."

The question was taken; and there were—yeas 196, nays 69, answered "present" 1, not voting 166, as follows:

YEAS—196.

Alexander	Claypool	Ellsworth	Greene, Mass.
Anderson	Cleary	Elston	Greene, Vt.
Ashbrook	Connelly, Kans.	Esch	Hadley
Austin	Cooper, Ohio	Fairchild	Hamilton, Mich.
Ayres	Cooper, W. Va.	Farr	Hamlin
Barkley	Cooper, Wis.	Ferris	Hastings
Barnhart	Copley	Fess	Hawley
Beakes	Cramton	Fields	Hayden
Beshlin	Crosser	Focht	Hayes
Bland	Dallinger	Foster	Helvering
Booher	Darrow	Francis	Hersey
Borland	Decker	Frear	Hicks
Britten	Delaney	Freeman	Husted
Brodbeck	Dempsey	French	Hutchinson
Browne	Denison	Fuller, Ill.	Igoe
Burnett	Denton	Fuller, Mass.	Johnson, Ky.
Burroughs	Dill	Gallagher	Johnson, Wash.
Butler	Dillon	Gallivan	Juul
Cannon	Dixon	Gandy	Kearns
Carter, Okla.	Doolittle	Gard	Kelly, Pa.
Chandler, Okla.	Dunn	Glynn	Kennedy, R. I.
Church	Dyer	Godwin, N. C.	Key, Ohio
Clark, Pa.	Elliott	Graham, Ill.	King

Kinkaid	Mecker	Roberts	Stiness
Knutson	Merritt	Rodenberg	Switzer
Kraus	Miller, Wash.	Romjue	Tague
La Follette	Mondell	Rose	Taylor, Colo.
Langley	Moon	Rubey	Temple
Lesher	Moore, Pa.	Rucker	Thompson
Little	Morgan	Russell	Tillman
Lobeck	Morin	Sabath	Timberlake
London	Nelson	Sanders, Ind.	Towner
Lonergan	Nolan	Sanders, N. Y.	Treadway
Longworth	Oliver, N. Y.	Schall	Van Dyke
Lufkin	Olney	Scott, Mich.	Vestal
McAndrews	Osborne	Scully	Voigt
McArthur	Overmyer	Shackleford	Volstead
McClintic	Padgett	Shallenberger	Waldow
McFadden	Paige	Sherwood	Walsh
McKenzie	Platt	Shouse	Walton
McKeown	Porter	Siegel	Watson, Pa.
McKinley	Pou	Sinnott	Welling
McLemore	Purnell	Smith, Idaho	Wheeler
Madden	Rainey, H. T.	Snook	White, Me.
Magee	Raker	Stafford	White, Ohio
Mapes	Ramsey	Steenerson	Williams
Martin	Randall	Stephens, Nebr.	Winslow
Mason	Rankin	Sterling, Ill.	Woodyard
Mays	Reavis	Sterling, Pa.	Young, N. Dak.

NAYS—69.

Almon	Flood	Lazaro	Stephens, Miss.
Aswell	Garner	Lee, Ga.	Stevenson
Bankhead	Garrett, Tenn.	Mansfield	Sumners
Bell	Garrett, Tex.	Montague	Taylor, Ark.
Blackmon	Goodwin, Ark.	Nicholls, S. C.	Venable
Blanton	Gray, Ala.	Oldfield	Vinson
Buchanan	Harrison, Miss.	Oliver, Ala.	Walker
Byrnes, S. C.	Heflin	Overstreet	Watkins
Byrns, Tenn.	Helm	Park	Watson, Va.
Candler, Miss.	Holland	Quin	Webb
Caraway	Hull, Tenn.	Ragsdale	Whaley
Carlin	Humphreys	Rayburn	Wilson, La.
Collier	Jacoway	Rouse	Wingo
Connally, Tex.	James	Sims	Wright
Dominick	Jones	Slayden	Young, Tex.
Doughton	Kincheloe	Small	
Dupré	Kitchin	Steagall	
Eagle	Larsen	Stedman	

ANSWERED "PRESENT"—1.

Talbott

NOT VOTING—164.

Anthony	Emerson	Keating	Robbins
Bacharach	Estopinal	Kehoe	Robinson
Baer	Evans	Kelley, Mich.	Rogers
Black	Fairchild, B. L.	Kennedy, Iowa	Rowe
Bowers	Fairchild, G. W.	Kettner	Rowland
Brand	Fisher	Kless, Pa.	Sanders, La.
Browning	Flynn	Kreider	Sanford
Brumbaugh	Fordney	LaGuardia	Saunders, Va.
Caldwell	Foss	Lea, Cal.	Scott, Iowa
Campbell, Kans.	Garland	Lehlbach	Scott, Pa.
Campbell, Pa.	Gillett	Lever	Sears
Cantrill	Glass	Linthicum	Sells
Carew	Good	Littlepage	Sherley
Carter, Mass.	Goodall	Lundeen	Sisson
Cary	Gordon	Lunn	Slemp
Chandler, N. Y.	Gould	McCormick	Sloan
Clark, Fla.	Graham, Pa.	McCulloch	Smith, Mich.
Classon	Gray, N. J.	McLaughlin, Mich.	Smith, C. B.
Coady	Green, Iowa	McLaughlin, Pa.	Smith, T. F.
Costello	Gregg	Maher	Snell
Cox	Griest	Mann	Snyder
Crago	Griffin	Miller, Minn.	Steele
Crisp	Hamill	Moores, Ind.	Strong
Currie, Mich.	Hamilton, N. Y.	Mott	Sullivan
Curry, Cal.	Hardy	Mudd	Sweet
Dale, N. Y.	Harrison, Va.	Neely	Swift
Dale, Vt.	Haskell	Nichols, Mich.	Templeton
Davidson	Haugen	Norton	Thomas
Davis	Heaton	O'Shaunessy	Tilson
Dent	Heintz	Parker, N. J.	Tinkham
Dewalt	Hensley	Parker, N. Y.	Vare
Dickinson	Hilliard	Peters	Ward
Dies	Hollingsworth	Phelan	Wason
Donovan	Hood	Polk	Weaver
Dooling	Houston	Powers	Welty
Doremus	Howard	Pratt	Wilson, Ill.
Dowell	Huddleston	Price	Wilson, Tex.
Drane	Hull, Iowa	Rainey, J. W.	Wise
Drukker	Ireland	Ramseyer	Wood, Ind.
Eagan	Johnson, S. Dak.	Reed	Woods, Iowa
Edmonds	Kahn	Riordan	Zihlman

So the motion to concur in the Senate amendment was agreed to.

The Clerk announced the following pairs:

Mr. DICKINSON (for) with Mr. BLACK (against).

Until further notice:

Mr. KEHOE with Mr. DAVIDSON.

Mr. COADY with Mr. GEORGE W. FAIRCHILD.

Mr. HILLARD with Mr. MASON.

Mr. DONOVAN with Mr. IRELAND.

Mr. DEWALT with Mr. HAMILTON of New York.

Mr. LEVER with Mr. MCLAUGHLIN of Michigan.

Mr. HOOD with Mr. HEATON.

Mr. TALBOTT with Mr. BROWNING.

Mr. SISSON with Mr. FORDNEY.

Mr. HAMILL with Mr. PETERS.

Mr. LINTHICUM with Mr. CARTER of Massachusetts.

Mr. O'SHAUNESSY with Mr. MILLER of Minnesota.

Mr. JOHN W. RAINEY with Mr. SLOAN.

Mr. THOMAS F. SMITH with Mr. KREIDER.

Mr. HOWARD with Mr. DALE of Vermont.

Mr. STEELE with Mr. SANFORD.

Mr. CALDWELL with Mr. BACHARACH.

Mr. CAMPBELL of Pennsylvania with Mr. ANTHONY.

Mr. CANTRILL with Mr. BOWERS.

Mr. CAREW with Mr. SMITH of Michigan.

Mr. DALE of New York with Mr. SNELL.

Mr. CRISP with Mr. CHANDLER of New York.

Mr. DOOLING with Mr. COSTELLO.

Mr. DIES with Mr. CRAGO.

Mr. DOREMUS with Mr. SNYDER.

Mr. DRANE with Mr. CURRY of California.

Mr. COX with Mr. MUDD.

Mr. DENT with Mr. KAHN.

Mr. EAGAN with Mr. DAVIS.

Mr. SEARS with Mr. DOWELL.

Mr. ESTOPINAL with Mr. SWEET.

Mr. EVANS with Mr. EDMONDS.

Mr. FISHER with Mr. EMERSON.

Mr. FLYNN with Mr. BENJAMIN L. FAIRCHILD.

Mr. GORDON with Mr. FOSS.

Mr. GRIFFIN with Mr. GARLAND.

Mr. SHERLEY with Mr. GILLETT.

Mr. GLASS with Mr. SLEMP.

Mr. GREGG with Mr. GOOD.

Mr. HUDDLESTON with Mr. GOODALL.

Mr. HOUSTON with Mr. GOULD.

Mr. HARDY with Mr. GRAHAM of Pennsylvania.

Mr. KEATING with Mr. GRAY of New Jersey.

Mr. HARRISON of Virginia with Mr. SWIFT.

Mr. LEA of California with Mr. KELLEY of Michigan.

Mr. KETTNER with Mr. GRIEST.

Mr. LITTLEPAGE with Mr. HASKELL.

Mr. MAHER with Mr. HAUGEN.

Mr. PRICE with Mr. TILSON.

Mr. PHELAN with Mr. TINKHAM.

Mr. LUNN with Mr. KENNEDY of Iowa.

Mr. ROBINSON with Mr. KIESS of Pennsylvania.

Mr. POLK with Mr. LEHLBACH.

Mr. WEAVER with Mr. LUNDEEN.

Mr. THOMAS with Mr. MCCORMICK.

Mr. RIORDAN with Mr. MCCULLOCH.

Mr. WELTY with Mr. WARD.

Mr. NEELY with Mr. ZIHLMAN.

Mr. WISE with Mr. WOOD of Indiana.

Mr. BRAND with Mr. STRONG.

Mr. CHARLES B. SMITH with Mr. REED.

Mr. SANDERS of Louisiana with Mr. ROBBINS.

Mr. SAUNDERS of Virginia with Mr. ROGERS.

Mr. SULLIVAN with Mr. ROWE.

Mr. MASON. Mr. Speaker, I am paired with the gentleman from Colorado, Mr. HILLIARD. I am informed and believe that if present, he would vote "yea," and therefore I will let my vote stand.

Mr. BUTLER. Mr. Speaker, I have a general pair with my colleague from Pennsylvania, Mr. STEELE; but I am sure that if he were present he would vote for this bill, and therefore I desire to break my pair and have him paired with some one else on this vote. I have voted "yea" and wish to allow my vote to stand.

Mr. BURROUGHS. Mr. Speaker, my colleague Mr. WASON is unavoidably absent this morning. If present, he would have voted "yea."

Mr. ASHBROOK. My colleague Mr. BRUMBAUGH is absent. If he were present, he would vote "yea."

The SPEAKER. The Chair wants to make a very brief statement. Members are getting into the habit of announcing how their colleagues would vote if they were here. How do they know how their colleague would vote?

Mr. BUTLER. Did the Speaker put that question to me?

The SPEAKER. No; I am not talking about you, because you had a pair; but we are gradually drifting into this habit, and sometimes 6 or 8 or 10 Members announce how their colleagues would vote, when their colleagues out in Ohio or Massachusetts or Mississippi could not possibly have known what the question was.

Mr. ASHBROOK. Mr. Speaker, I would like to say that I speak with authority for my colleague Mr. BRUMBAUGH, because he votes for all pension bills, as I do.

The SPEAKER. But he might take a notion to vote against one.

Mr. ASHBROOK. I am sure he would not do that.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

On motion of Mr. ASHBROOK, a motion to reconsider the vote by which the Senate amendment was concurred in was laid on the table.

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent that all gentlemen have five legislative days in which to extend remarks on this pension bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent that all gentlemen have five legislative days in which to extend their remarks in the RECORD on this bill. Is there objection?

Mr. STAFFORD. I object.

Mr. ASHBROOK. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

DISTRICT JUDGE, MISSISSIPPI (H. REPT. NO. 641, PT. 2).

Mr. REAVIS. I ask unanimous consent to file instanter the views of the minority on the bill (S. 746) to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to file instanter the views of the minority on S. 746. Is there objection?

There was no objection.

PENSIONS.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and that the House disagree to all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table House bill 9506, an omnibus pension bill, disagree to all the Senate amendments, and ask for a conference. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS.

Mr. KEY of Ohio. I ask unanimous consent for a similar order on House bills 9641, 10843, 10924, and 11658, all of which are omnibus pension bills.

The SPEAKER. The gentleman from Ohio asks for a similar order on the four bills which he mentions. The Clerk will report them by title.

The Clerk read the titles of the bills.

The SPEAKER. Is there objection?

There was no objection, and the Speaker appointed as conferees Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS.

BRIDGE ACROSS LITTLE PEEDEE RIVER, S. C.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River. This is the usual bridge bill to replace a bridge at or near the point or place of the existing bridge.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the bill, which the Clerk will report.

Mr. BANKHEAD. Mr. Speaker, reserving the right to object, I have no objection to this bill, but I am anxious to expedite the special order for to-day, and I will have to object to any further unanimous consent.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the counties of Marion and Horry and the State highway commission of South Carolina and successors and assigns to construct, maintain, and operate a bridge and approaches thereto across Little Peedee River at a point suitable to the interests of navigation at or near the site of the present bridge at Galivants Ferry, in the counties of Marion and Horry, in the State of South Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MONTAGUE, a motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar bill (H. R. 11552) was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1544) to provide for appeals from the decisions of boards of local inspectors of steam vessels, and for other purposes.

The message also announced that the Vice President had appointed Mr. JOHNSON of South Dakota a member of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bills H. R. 7634, H. R. 8496, H. R. 9160, H. R. 9612, H. R. 10027, H. R. 10477, H. R. 10850, H. R. 11364, and H. R. 11663, granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war in place of Mr. WALSH, excused.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. J. Res. 158. Joint resolution further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2, Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. J. Res. 158. Joint resolution further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect; to the Committee on Foreign Affairs.

EXTENSION OF REMARKS.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the dead heroes of the *Tuscania* and their burial on the coast of Scotland.

The SPEAKER. The gentleman from Michigan asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech that my colleague, the gentleman from Connecticut [Mr. TILSON], delivered at Atlantic City on the production of fire arms in the United States during the war.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD by printing a speech by his colleague, Col. TILSON. Is there objection?

There was no objection.

AMENDMENT OF SECTION 101, JUDICIAL CODE.

Mr. WEBB. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 5558 and concur in the Senate amendment. The act is to amend section 101 of the judicial code.

The SPEAKER. Is there objection?

There was no objection.

Mr. WEBB. I move to concur in the Senate amendments.

The motion was agreed to.

WESTERN DISTRICT OF VIRGINIA.

Mr. WEBB. Now, Mr. Speaker, I make a similar request in regard to the bill H. R. 9864, an act to amend section 111 of the judicial code.

Mr. MONDELL. What is the effect of the amendments?

Mr. WEBB. The way the House passed the bill it amended only half of the section, 100. The Senate rewrites the whole section. It is a matter of taste and form.

Mr. MOORE of Pennsylvania. In each instance it is merely a clerical change.

Mr. WEBB. Absolutely; no material change at all.

The SPEAKER. The question is on concurring in the Senate amendments.

The amendments were concurred in.

Mr. SHOUSE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pension bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PLATINUM, IRIDIUM, AND PALLADIUM.

The SPEAKER. The gentleman from Illinois [Mr. HENRY T. RAINEY] is recognized for 40 minutes by special order of the House.

PLATINUM.

Mr. HENRY T. RAINEY. Mr. Speaker, the war has been in progress for over a year, and during that period of time I have supported in my votes in this House the activities of every war board. I propose now to criticize one of these boards—the War Industries Board. But I propose that my criticism shall be constructive. I intend to discuss in the time so generously allotted to me the subject of platinum, iridium, and palladium.

Modern wars can not be fought without platinum. In the present war that group of nations whose supply of platinum is inadequate will be compelled to submit to an inglorious peace. We can send abroad 10,000,000 of the youth of the land most carefully trained, but without platinum they could accomplish nothing. Explosives can not be manufactured without the use of sulphuric and nitric acids, and sulphuric and nitric acids can not be manufactured without ample supplies of platinum.

Nitrogen-fixing industries, for which we are preparing in this country, can not be operated successfully without platinum, and the millions we may expend in the construction of plants for extracting nitrogen from the air to be used in the manufacture of explosives will be absolutely wasted unless we have ample supplies of platinum. Without the use of platinum the extraction of nitrogen from the air is impossible.

Ignition points in airplanes must be manufactured out of platinum. No other metal has sufficient heat-resisting qualities. Platinum is absolutely necessary in the manufacture of pyrometers, and pyrometers are necessary in all steel treatments. No guns can be made without the use of pyrometers, and the use of platinum as a catalyst in the manufacture of sulphuric and nitric acids for explosives is absolutely necessary.

It was apparent when this war started that we could not fight it to a successful conclusion without an ample supply of platinum.

FIRST EFFORT TO CONSERVE PLATINUM.

To-day it is estimated that 50 per cent of the platinum used in the United States is used in the jewelry industry. A few weeks after our entry in the present war, on the 21st day of May, 1917, I supported on this floor an amendment to the war-revenue bill proposed by the gentleman from Ohio [Mr. LONGWORTH], in which he sought to tax jewelry composed in whole or in part of platinum 250 per cent. The proposition was defeated by the jewelers' vigilance committee. I made a speech on the floor favoring the amendment. The gentleman from Ohio addressed the committee, also, calling attention to the necessity for the conservation of platinum.

The Jewelers' Vigilance Committee was organized about the time of our entry into the world war for the avowed purpose of protecting jewelers of the country in the manufacture and sale of luxuries against war taxes that might be deemed by them to be excessive, and the first thing the vigilance committee did was to establish here in this Capital the most forceful and the most aggressive lobby I have ever seen in the city of Washington.

They represented that we got our supply of platinum from Russia; that Russia was our ally in this war; that she would soon permit unrestricted platinum shipments to the United States. They insisted that we had all the platinum we needed for war purposes, and they plausibly called attention to resolutions adopted by the jewelers' organizations in which they pledged that the supplies of platinum would be materially augmented; that the jewelry trade would discourage the use of nonessential platinum findings and parts of jewelry. They pledged themselves to the proposition of assisting the Government in bringing the war to a successful conclusion, and on this floor the gentleman from New Jersey [Mr. LEHLBACH], who represents the city where the platinum industry of this country centers, read into the RECORD a letter from the Secretary of Commerce, addressed to Mr. Rothschild, of the Jewelers' Vigilance Committee, commending the Jewelers' Vigilance Committee for their patriotic stand, and this letter from the Secretary of Commerce contained the statement that no campaign for the conservation of platinum was needed further than the jewelry trade had already voluntarily made, as expressed in the resolutions to which I have just called attention, and the letter from the Secretary of Commerce contains the further statement that the promises of the jewelers and the campaign they proposed to make met with the entire approval of his department. As a result of this letter, and as a result of the efforts of the lobby maintained by the Jewelers' Vigilance Committee, the effort at that time to conserve platinum by taxing platinum jewelry failed.

JEWELERS' VIGILANCE COMMITTEE AND THE 400 JEWELERS WHO SUSTAIN THEM.

More than four years have elapsed since this awful world war started, but during that period of time no nation engaged in this war has produced profiteers more unpatriotic, whose efforts have been more unconscionable than the Jewelers' Vigilance Committee and the 400 jewelers' establishments in the United States which have sustained them with funds. Fifty per cent of our platinum supply each year is used in the manufacture of jewelry.

In a report made by the chairman of the Jewelers' Vigilance Committee and published in the Jewelers' Circular-Weekly, of April 10, 1918, he states that the Jewelers' Vigilance Committee took up the platinum matter at the request of the platinum manufacturers, and his report shows that the Jewelers' Vigilance Committee was organized with the entry of the United States into this world war. He refers to the efforts of the former chairman, Mr. Rothschild, and the powerful representative committee which came to Washington to defeat the amendment to the revenue bill I have been discussing. He states they kept in constant touch with the Internal-Revenue Commissioner's Department; that all other matters coming before the vigilance committee than this were postponed; that the effort to defeat this amendment imposed a large expense, which was met by contributions of large and small amounts from over 400 persons and firms interested in the jewelry industry, and notwithstanding the large expense connected with the lobby they maintained he insisted that they still have left a nucleus for a fighting fund. During this fight against the attempt to conserve platinum he states the directors and the committees had 61 meetings, of which number 16 meetings were held by the platinum committee. Their legislative committee had 2 meetings and the taxing committee had 12 meetings. There were 10 mass meetings of the Jewelers' Vigilance Committee with the trade at large on the subject of platinum and on the subject of jewelry—six of them were on taxing matters; two of them were held on the subject of platinum alone.

In addition to the members of the Jewelers' Vigilance Committee, these meetings were attended by representatives of 832 firms. They sent out over 1,700 letters, circulars, announcements, and so forth, through the mails. There were 445 telegrams, the shortest of which contained 42 words and the longest 708 words. This long telegram was sent to 11 firms. They made 14 trips to Washington and other trips to other places and 115 members of the Jewelers' Vigilance Committee made these trips.

I submit that this report, which anyone can read, describes the activities of the most vigorous lobby which ever infested this Capital. In their unpatriotic efforts they won, and they are still winning victories, and every victory they win is a victory for the German Emperor.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. LONGWORTH. Did the gentleman state that 50 per cent of the supply of platinum is still used in the manufacture of jewelry?

Mr. HENRY T. RAINEY. Yes.

Mr. LONGWORTH. Then the alleged efforts of these gentlemen to prevent the use of platinum in jewelry have certainly not been very successful.

Mr. HENRY T. RAINEY. They certainly have not been very successful, and they evidently did not intend to be successful along the lines the gentleman has indicated.

Mr. PLATT. As a matter of fact, is not jewelry made from platinum about the ugliest looking stuff that a person could wear?

Mr. HENRY T. RAINEY. Well, that is a matter of taste. Platinum was never considered desirable for wear as jewelry until it was worth more than gold.

PROPAGANDA OF THE JEWELERS AND THEIR VIGILANCE COMMITTEE.

The promised efforts of the jewelers of the country through their vigilance committee to conserve platinum failed miserably. Platinum continued to increase in value until to-day the Government has placed a value on it of $105 per ounce, and as it increased in value its use as jewelry increased. Those jewelers who held the platinum stocks of the country and those dealers in platinum who held large stocks, without effort on their part, made enormous sums of money, and while pretending to be discouraging the use of platinum they compelled its use by discouraging the use of substitutes.

WHITE GOLD.

White gold is used as a substitute for platinum. It requires an acid test to tell the difference, but the Jewelers' Vigilance Committee held a meeting and passed a resolution early this year, denouncing the use of white gold as a substitute for

platinum, and requiring that in the future whenever white gold was used in jewelry the letter "W" should be stamped on all articles in which this metal was used. They violently assailed the manufacturing chemists of the country, and they attributed the fight for the conservation of platinum made on this floor by the gentleman from Ohio [Mr. LONGWORTH] and myself, to the efforts of the chemical interests of the country, and Mr. Rothschild, at the convention of the annual State Retail Jewelers' Association, is quoted in the Jewelers' Circular-Weekly of May 30, 1917, as saying:

The selfish chemical interests which had started this attack on our industry with the avowed and shameless purpose of bearing down the price of platinum began a misleading press campaign—

Which he said resulted in the attempt to put a prohibitive war tax on platinum jewelry, which the platinum committee—

was happily in a position to frustrate by the timely presentation of a letter from the Secretary of Commerce, which was read on the floor of the House of Representatives, defeating this effort to tax platinum jewelry out of existence.

On the 3d day of April of this year the Jewelers' Circular attacked the women of the country, and, among other things, said:

The platinum situation in the jewelry trade is not satisfactory. The propaganda of the women fanatics asking the public to give up platinum jewelry has not been contradicted by Government officials.

On the 1st day of May of this year the magazine Vogue, an expensive magazine which circulates among the ultra fashionable set in the United States, and whose columns are largely composed of jewelers' advertisements, contained an article under the heading "The bride has a thousand jewels," in which the public are advised to buy platinum jewelry. The proper military engagement ring which is "patriotic, without being conspicuous," must have a graceful platinum setting. It must be a "ring engraved all around its platinum circle with stars," and the article proceeds to say that if she is to be the bride of the uniformed fiancé, a service pin is essential. The article deplores the plain character of service pins, but proceeds to say that "when they are made of rubies, diamonds, and sapphires, set in platinum, they are very beautiful."

On the 15th day of last month the Jewelers' Circular-Weekly, on page 105, contained an article with the heading, "The absurdity of curtailing sales of luxuries." The article occupies over a column of space, insists that attempts to economize on luxuries are attempts on the part of the unthinking, and they argue in this article that the men and women who work in factories are obtaining to-day large wages for the first time in their lives, and they are working not for the purpose of laying up money, not for the purpose of purchasing the necessaries of life, but they are working in order to enable them to have the opportunity of purchasing luxuries, such as jewelry. I quote from the article.

They do not want money as money; they want the money for what it will buy. It is the luxury that they have craved for years and one that they could not get, that they demand now as a compensation for their work.

I now hereby most solemnly promise that, so far as I am concerned, when the new war-revenue bill makes its appearance it will contain an item which will impose a war tax so high on jewelry composed in whole or in part of platinum as to make its use impossible in the manufacture of jewelry during the period of this war at least. [Applause.] Since the war started no sufficient measures for the conservation of platinum have been taken. With each passing month it has increased in value in the hands of profiteers. It was not desirable as jewelry until it exceeded in value gold, and since then it has become exceedingly desirable as jewelry, and the rich are evidently demanding platinum jewelry merely for the reason that to-day platinum, iridium, and palladium are the most valuable of all the precious metals.

Mr. LONGWORTH. I suggest to the gentleman that we do not wait until it reaches the floor, but put such a provision in in committee, and I think we will be able to do it.

Mr. HENRY T. RAINEY. And if we do not get it there we will try it on the floor.

Mr. ALEXANDER. Will the gentleman yield?

Mr. HENRY T. RAINEY. I will.

Mr. ALEXANDER. Why not make it a felony to use platinum for the manufacture of jewelry also?

Mr. HENRY T. RAINEY. It ought to be made a felony during this war at least. It ought never to be used under any circumstances in the manufacture of jewelry.

Mr. SANFORD. Will the gentleman yield?

Mr. HENRY T. RAINEY. I will.

Mr. SANFORD. Has anyone in the War Department or any branch of the executive departments communicated to the Congress up to this time these startling facts which the gentleman now discloses?

Mr. HENRY T. RAINEY. Not to my knowledge.

Mr. SANFORD. Will the gentleman allow me to ask him one further question? Does not the gentleman think that Congress should be able to assume that if the Kaiser is winning victories in this way—if these startling facts exist—the War Department would know what these factors in the production of combustibles are, and the War Department should advise the Congress speedily of such a condition?

Mr. HENRY T. RAINEY. Well, I am doing my best to advise Congress.

Mr. SANFORD. I fully sympathize with the gentleman's contention——

Mr. HENRY T. RAINEY. I do not control the War Department, and I am not criticizing any department of this Government in this address.

Mr. SANFORD. I hope the gentleman will understand that I am not attempting to criticize anyone; but it seems to me Congress should be able to assume, if we are being beaten in this way, that the War Department, which has charge of this knowledge, should give us knowledge at once.

Mr. HENRY T. RAINEY. This is a matter of general information, and the gentleman from Illinois, my colleague [Mr. FOSTER], has presented a bill from his committee which has for its purpose the conservation of platinum hereafter to be mined in the United States and the development of the platinum industry in the United States. Am I correct?

Mr. FOSTER. Yes; and to give the Government absolute control of all platinum in the United States now or that might be brought in by importation.

Mr. FARR. Will the gentleman state where that bill is?

Mr. FOSTER. In another branch of this Congress, at the north end of the Capitol.

Mr. FARR. Does the gentleman know when it is likely to pass there?

Mr. FOSTER. I do not know, and I can not say.

OUR SOURCE OF PLATINUM.

Mr. HENRY T. RAINEY. Nearly all of the world's supply of platinum comes from Russia. Even at the time of our entry into this war Russia had prohibited the exportation of platinum to any country in the world, including the United States, and of course the exportation of platinum from Russia to any other country than Germany now is an impossibility. Germany controls the platinum supply of Russia to-day, and Russia has supplied, and is still supplying, nearly all the platinum in use in the world. We produce in the United States less than 1 per cent of our supply of platinum. Ten per cent of the world's supply of platinum comes from the Republic of Colombia, but on account of the unfortunate incidents of a few years ago the Republic of Colombia is not particularly friendly to the United States at the present time, and even if with her generous and enthusiastic cooperation we succeeded in getting all of the platinum she had to offer to the world, the supply we would obtain would be negligible.

Iridium and palladium occur with platinum and are used for the purpose of hardening platinum. We are attempting now weekly to commandeer these metals also and have fixed a price on iridium of $175 per ounce and a price on palladium of $130 per ounce. These metals are used with platinum to harden it and are just as necessary as platinum.

There is published in the current number of the Journal of Industrial and Engineering Chemistry a most interesting article on the subject of platinum, under the heading "The Great Gamble." I do not propose to insert this article in the CONGRESSIONAL RECORD, but I will see that each Member of this House obtains a copy of it.

Dr. Charles H. Herty, the editor of this paper, publishes a letter of recent date in this article from Dr. George Otis Smith, Director of the United States Geological Survey, in which he states that "the fact that there is a serious shortage in the platinum supply is beyond question." I quote from his letter:

A Hoover is needed to conserve platinum, lest our military program halt, simply because our acid works can not meet their demand. Of course, Mr. Editor, I indorse your protest against a halfway or a 75 per cent, or even a 99 per cent, restriction of nonessential use of platinum. No American with his eyes open to the facts can do less than stand behind you.

This interesting article also contains a letter from Dr. Van H. Manning, Director of the Bureau of Mines, in which he states that "the artificial value placed upon platinum to-day is due entirely to its use in jewelry, an entirely unessential use, even in times of peace." This letter contains the statement that there are other white metals equally valuable for the setting of gems,

except that they are not as costly as platinum. The same article contains a letter dated May 15, 1918, and signed by J. N. Hill, the geologist in charge of our platinum statistics, in which he states that "the platinum situation is far worse than it was six months ago, and at that time a shortage of platinum metals for war purposes was indicated." He states in this letter that to permit the utilization of 25 per cent of the stocks held by manufacturing jewelers at the present time appears "to be the height of folly, since our stocks are low, the demands for war purposes increasing with each addition to our Army, and our source of new materials strictly limited."

The Scientific American of May 18, 1918, calls attention to the platinum shortage and criticizes the Association of Manufacturing Jewelers, who attempt to minimize it, and describes their efforts as being due to motives wholly selfish. The article goes on to say that, considering our basic war needs for platinum, the purchasing of jewelry made from this unattractive metal can not be considered as anything other than the height of unpatriotism. This article appeared on the 18th day of May, 1918. On the 16th day of May, 1918, Mr. Eisenhower, speaking for the firm of J. E. Caldwell & Co., and for jewelers generally in the United States, is quoted in the Philadelphia Ledger as saying that "25 per cent of the reserve stock of platinum, which has already been turned over to the Government, is enough to fill all our war needs for five years to come."

I have called attention, I think, to sufficient evidence to show the absolute need for platinum and the lack of patriotism of those who advocate its use at the present time for other than necessary war purposes. I now propose to discuss briefly the inefficient attempts of our War Industries Board to conserve this important metal.

The conservation of platinum and iridium and palladium has been by the War Industries Board placed in charge of Mr. C. H. Conner. For the first time since war started, I am on this floor criticizing any agency of this Government. I have supported every war board in its activities to the very best of my ability, and I do not intend now to indulge in any character of criticism of the activities of this board, which has rendered most valuable and patriotic service, except constructive criticism. I do not question the patriotism of Mr. Conner, nor the patriotism of any member of this board. Their patriotism and their devotion to duty is beyond question. They have, however, had exceedingly bad advisers, and have been influenced by the advice received from the Jewelers' Vigilance Committee and from another source which I will mention later on. I have called attention sufficiently to the unpatriotic efforts of the Jewelers' Vigilance Committee to indicate that their advice ought not to be seriously considered in an important matter of this kind, and yet if we are to believe the statements made by the Jewelers' Vigilance Committee in their trade papers, they have been in constant communication with Mr. Conner and the War Industries Board, and have been assisting the War Industries Board in enforcing the recent ineffective commandeering orders.

Several attempts have been made by this board, all of them wholly ineffective, wholly insufficient to conserve these important metals. For months, and until the last 60 days, the War Industries Board evidently depended entirely upon the promises of the large jewelers of the country to furnish the Government with sufficient platinum for war purposes. Out of 5,000 ounces of platinum, which they admit to have been in the hands of manufacturing jewelers a few weeks ago, only 500 ounces were turned over to the Government at the request of the War Industries Board. Two or three orders have been made within the last two months commandeering platinum. The first order, according to the Jewelers' Circular-Weekly, applied only to a few platinum refiners. Since that time a more sweeping order has been made, but the last order, made less than a month ago, permitted the sale of platinum articles in the hands of jewelers and manufacturers still to be made. It did not attempt to reach manufactured platinum, and it may be fairly assumed that a large part of the stock is now in the shape of manufactured platinum. In fact, the Jewelers' Vigilance Committee have been warning manufacturing jewelers that pure platinum would be commandeered for months. Even now 25 per cent of the platinum in the hands of manufacturing jewelers is exempt from the effects of the order, and the same exemption applies to palladium and iridium, and jewelers are advised by the War Industries Board that other releases or waivers are now being furnished so as not to disturb the platinum industry. The War Industries Board have evidently followed the advice of the Jewelers' Vigilance Committee. The statement is made that 10,000 men are engaged in the manufacture of platinum jewelry, and this industry must not be disturbed and these men thrown out of employment. At the present time, with submarines at our gates, with nearly a million young men in the trenches in France, confronted as we are with the possibility of a long war which will tax our resources to the utmost, the throwing of these 10,000 men out of employment is absolutely a negligible matter. They are evidently skilled mechanics—their services are in demand in war industries, and throwing them out of employment, if the industry should be stopped, as I predict it will be soon, will be rendering a great war service. They will not be out of employment long—employment awaits all mechanics in our great war industries at high wages.

I desire now to call attention to another source of advice upon which the War Industries Board has depended. I am unwilling to believe that they fully understand the influences which surround the adviser upon whom they have depended since the organization of this important war board.

The SPEAKER. The time of the gentleman has expired.

Mr. LONGWORTH. I ask unanimous consent that the gentleman may proceed until he concludes his remarks.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that the gentleman from Illinois may proceed until he concludes. Is there objection?

Mr. FESS. Reserving the right to object, Mr. Speaker, I do not want to object and do not intend to unless the gentleman's remarks will take too much time.

Mr. HENRY T. RAINEY. I will be through in 15 minutes.

The SPEAKER. Is there objection?

Mr. FESS. The rehabilitation bill is waiting.

Mr. HENRY T. RAINEY. I know it; and I will get through in just a few minutes.

Mr. CANNON. If the gentleman is correct, this is to prevent the necessity of the rehabilitation of future victims.

The SPEAKER. Is there objection?

There was no objection.

CHARLES ENGELHARD.

Mr. HENRY T. RAINEY. The German firm of W. C. Heraeus has its headquarters in Hanau, Germany. It has a branch in the United States, controlled by Charles Engelhard, who has his office at 30 Church Street, New York City, and who advertised, just before our entry into the war, in American trade papers that, doing business as Charles Engelhard, he is a branch of this German firm. This German firm is among the largest dealers in platinum in the world, occupying a position in the platinum industry throughout the world almost similar to the position always occupied prior to the war of the German firm of Hagenback in the wild-animal industry of the world.

Charles Engelhard was born in Hanau, Germany, of German parentage. He speaks English imperfectly, and came here some 25 years ago. He married the daughter of this same W. C. Heraeus, and she has six brothers in the German Army. I have with me a complete copy of a card signed by Charles Engelhard and filed recently with the Chemists' Club of New York, which contains the following statement:

I am personally with the War Industries Board, Washington, D. C., every Tuesday, to consult as regards platinum matters.

He also states on this card that his business is platinum.

There are five firms which control 80 per cent of the platinum supplies of the United States:

Baker & Co., of Newark, N. J.;
The American Platinum Works, also of Newark, N. J.;
The Irvington Smelting & Refining Co., Irvington, N. J.;
The Hanovia Chemical Co.; and
Charles Engelhard, doing business as Charles Engelhard.

All of these firms are controlled absolutely by Charles Engelhard, and every one of these firms has its office at 30 Church Street, New York City. In other words, the office of every one of these firms is also the office of Charles Engelhard.

Just a moment ago Mr. Baruch, the chairman of the War Industries Board, who knew I was going to make this speech, called me up over the telephone—and in justice to him I want to say that he said that Charles Engelhard was not officially connected with the War Industries Board. I have not said that he was. I have merely said that he claims—and this is the claim he made just a few weeks ago—that a part of his business was to come down here to Washington every Tuesday to confer with the War Industries Board on the subject of platinum; and I know that yesterday afternoon between the hours of 3 and 4 o'clock Charles Engelhard told a representative of the Alien Property Custodian that he was still the adviser of the War Industries Board as to platinum. Now, whether they have followed his advice or not, they could not have done worse than they have, and you would expect this kind of advice they have been following from this source and from the profiteering jewelers of this country.

Charles Engelhard lives at 535 Park Avenue, New York City, in the fashionable residence section of New York. It would require millions of dollars to swing the business of these four firms, and yet the commercial agencies of the country are unable to obtain from Charles Engelhard a satisfactory statement as to his business, or as to the source of the large sums of money he must have in order to control the platinum business of the United States. Recently a young man representing one of the great commercial agencies succeeded in passing the outer barriers and in getting into the inner office of Charles Engelhard, hoping to find him there and to obtain from him personally a financial statement. He did not find him there, but he did find there apparently in control of the inner office a German alien by the name of Von Broek, who at that time received from unknown sources frequently sums of money usually amounting to $6,000, which sums he disbursed among Germans who were out of employment on account of war conditions. From the firm of Baker & Co. a suspected German alien was recently taken and interned at Ellis Island, N. Y., where Von Broek is now interned.

I have called attention, I think, to sufficient facts, and these facts can not be controverted, to create the strong suspicion that the platinum industry of the United States may have been controlled during the year that we have been engaged in this war by Germany. In order to be perfectly fair, I desire to state that Charles Engelhard claims to be naturalized, but he was not naturalized, according to his own statement, until 1906, and at that time Germany was actively preparing in so many different ways for her entry into this war. I have not myself investigated the question as to whether or not he is naturalized. I am assuming that his statement in this particular is true.

I think I have called attention to sufficient facts to show that the War Industries Board has been badly advised, and if I succeed in turning the light of publicity upon the unfortunate situation which confronts us as a Nation in the matter of platinum, I may succeed in accomplishing a real conservation in time of war, not of a part, but of all of this most valuable basic war metal.

And now, in conclusion I desire to call attention to just one other fact. Most of you are familiar with the Holmes electric protector, and you are familiar with its uses. It is used to protect—against thieves—valuables, money, and jewels. Its use for the purpose of protecting books and papers against thieves is rare indeed. Books of a business firm, their letter files and papers are seldom in need of electric protectors. This office, however, of Charles Engelhard at 30 Church Street, New York, and all the books and papers in the office are protected with a Holmes electric protector. I do not desire to comment upon this interesting fact except to say that the books and the papers of the disloyal I. W. W. organizations of the United States which were recently seized by our efficient Secret Service agents were not protected by a Holmes electric protector. If they had been contained in offices in the great city of New York, and were protected in this way, their seizure would have been impossible, for reasons every Member of this Congress well understands.

I do not desire to further comment upon the advisers of the War Industries Board. I have called attention to who they are, and have called attention to enough facts connected with their activities to show that bad advice with reference to platinum was to be expected from these sources, and I have called attention to enough facts with reference to platinum to show that the War Industries Board, in its conservation efforts and in its insufficient commandeering orders, has had bad advice, and unless sufficient commandeering orders are made at once the matter ought to be taken completely out of their hands and turned over to some competent governmental control or agency.

THE ONLY AGENCY AT WORK IN THE UNITED STATES FOR THE CONSERVATION OF PLATINUM.

It is interesting in this connection to note that the women of the country have established an organization for the conservation of platinum which they call the Women's National League for the Conservation of Platinum. Mrs. Ellwood B. Spear, of 27 Walker Street, Cambridge, Mass., is president, and the council is made up of vice presidents from a number of States. They are issuing appeals to the women of the country to cease the purchase of platinum jewelry, and at their own expense they are sending out literature on the subject. Congress and its committees have yielded to the persuasive power of an unpatriotic lobby. The War Industries Board, charged with the important patriotic duty of conserving this important metal, has failed in the discharge of this important duty. The Jewelers' Vigilance Committee and the 400 important firms and individuals who contribute liberally to their support have been maintaining an expensive publicity campaign to convince the country that conservation of platinum is not necessary. The facts show that they have been unpatriotic profiteers. No language that can be phrased can be made too strong in characterizing their selfish, immoral methods, and the results they have already obtained are appalling; but while all this has been going on and these agencies of the Government have failed the women of the National League for the Conservation of Platinum at their own expense have been carrying on a campaign of publicity and education along patriotic lines. They have been doing what they could, and have been termed by the jewelers' lobby an organization of "women fanatics."

In conclusion, I want to say that I have merely presented facts, and I most respectfully submit to this body that the time for the creation of a competent agency to take charge of this matter has come. [Applause.]

Mr. LONGWORTH. Will the gentleman yield?

Mr. HENRY T. RAINEY. I will.

Mr. LONGWORTH. I think this ought to be said in regard to the attitude of the Ways and Means Committee a year ago: At the time the amendment was introduced by myself the fact was that the committee had never given the question any attention, because the information showing the tremendous shortage of platinum and the necessity of some action did not come to me until after the bill was reported and under consideration. When I spoke to a number of my colleagues, they said that they did not feel that they ought to act as a committee with such little information, no information having come direct to the committee. At the psychological moment the letter from the Secretary of Commerce was read in the House, and it was not remarkable that many gentlemen felt that his view was entitled to more weight than mine.

Mr. HENRY T. RAINEY. I think the gentleman is correct.

Mr. LONGWORTH. I predict now that when the next revenue bill is reported there will be a tax, and if I can have my way it will be a thousand per cent on platinum used in jewelry. [Applause.]

Mr. HENRY T. RAINEY. I thank the gentleman. We will be able to close the door before all the horses have been stolen. At the present time when our boys are fighting in France it is not a time to consider this one small industry. The only argument they use against the proposition to place a prohibitive tax on platinum jewelry is that from eight to ten thousand skilled mechanics will be thrown out of employment.

In view of the fact that we are preparing to send more soldiers to France, in view of the fact that we are to have soon a million men in France, to be followed by another million, and another million, until 10,000,000 men are there, if necessary, in order to win the war, in view of the fact that on this day the war front has been moved closer to us—the war front to-day is just a few miles from the New Jersey coast—in view of these facts, this is not the time to talk about the rights of employment that 10,000 mechanics may have in this country in any industry.

The failure of our platinum supply for war purposes may result in a disaster to this country such as no man can imagine at the present time. Every time we send a hundred thousand more men to the battle fields of Flanders we need more platinum; every time we equip a hundred more aeroplanes we need more platinum; every time we build a tank we need more platinum; every time we manufacture a gun we need more platinum; every time we manufacture a shell we need more platinum; every time we manufacture additional supplies of explosives we need more platinum. Eight or ten thousand mechanics, skilled mechanics, will have no trouble at all in finding employment in war industries, and if the stoppage of the platinum-jewelry industry—an unessential industry—releases eight or ten thousand skilled mechanics to engage in war work, that of itself would be a sufficient reason for stopping it. But back of it are all the other reasons, and if we do not conserve these important metals, these three precious metals of the world, there may be disaster and defeat in store for the armies of the Republic. [Applause.]

Mr. CANNON. Will the gentleman yield?

Mr. HENRY T. RAINEY. Yes.

Mr. CANNON. I have been very much interested in the gentleman's statement. It has occurred to me how a high duty on platinum would prove a remedy, and then it occurred to me that the duty of 500 or 1,000 per cent might stop its importation, except by the Government, and the Government could bring it in free of duty or it could go into the Treasury.

Mr. HENRY T. RAINEY. Platinum ought to come in absolutely free; we need all we can get of these three metals. I am not advocating a duty; I am advocating a prohibitive tax on the manufacture of jewelry containing platinum in whole or in part, a tax so high that this kind of jewelry could not be manufactured.

Mr. CANNON. The gentleman thinks that would control the price.

Mr. HENRY T. RAINEY. It would certainly make it much cheaper, according to the opinion of the experts, and it would also release 50 per cent of platinum used in jewelry.

Mr. CANNON. The gentleman may be right, and if the Government would monopolize the imports of platinum and put on a high tax where it is used by individuals, that possibly might be a remedy.

Mr. HENRY T. RAINEY. I do not care how it is done; but the further manufacture of jewelry out of these basic war metals should be prevented at once, and all stocks of these metals should be taken over by the Government without delay, and jewelry in the hands of manufacturers containing platinum ought also to be taken over.

Mr. LONGWORTH. If the gentleman will permit, I will read to the gentleman from Illinois the amendment which I offered and which in my opinion is an absolutely sure way of preventing the use of platinum in jewelry. This amendment was offered to that section of the revenue bill which put a tax of 3 per cent on jewelry:

Upon jewelry composed in whole or in part of platinum sold by the manufacturer, producer, or importer thereof, a tax equivalent to 250 per cent of the price for which it is sold.

In other words, in jewelry which had any platinum the manufacturer, producer, or importer would have to pay a tax of 250 per cent before he could sell it. If we put such a tax upon it, or one even higher, we will get at this situation.

LEAVE TO ADDRESS THE HOUSE.

Mr. WELLING. Mr. Speaker, I ask unanimous consent to address the House for four minutes.

The SPEAKER. The gentleman from Utah asks unanimous consent to address the House for four minutes. Is there objection?

Mr. FESS. Mr. Speaker, I regret that I shall have to object.

The SPEAKER. The gentleman from Ohio objects.

REHABILITATION OF WOUNDED SOLDIERS AND SAILORS.

Mr. BANKHEAD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill S. 4557.

The Clerk reported the title of the bill.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Chairman, in accordance with the arrangements made with Judge TOWNER, who has charge of the bill on the Republican side of the House, and representing the Republican section of the committee, I shall for the present make a very brief preliminary statement with reference to this bill and then yield to the gentleman from Iowa, who, I understand, intends to yield to the gentleman from Ohio, Dr. FESS, who on account of some personal arrangements will probably have to leave the city at an early hour. I shall not, therefore, as I would like to do, at the present time, undertake an anaysis or summary of the provisions of the bill. I feel sure that all of us since the beginning of this war have from time to time thought of the imperious and pressing necessity that would soon devolve upon the Congress to devise some practical ways and means for providing for the reeducation of those of our sailors and soldiers who were permanently disabled in body or in health as a result of their service in the war. It is a measure and a proposition that has enlisted the thoughtful consideration of some of the greatest constructive minds of the country, and I want to say to the gentlemen of the committee that the bill as now presented represents, as I believe, the very best thought of the country upon the part of those, who by their qualifications, their study, and their experience, are best qualified to make recommendations and suggestions on this subject.

Some four or five months ago, at the instance of the Council of National Defense, a committee composed of a large number of gentlemen with special qualifications to pass upon this subject, met and had some preliminary discussions as to the fundamental and vital propositions that should be involved in the bill that should be passed by the Congress. Those gentlemen consisted of the Secretaries of War, Navy, Commerce, and Labor, the Director General of the Vocational Board, a representative from the Surgeon General's Office, and a great many other men who are deeply interested in the subject. As a result of their preliminary investigations and recommendations the committee finally sifted down to a smaller number, and then the bills were introduced in the Senate and the House by the respective chairmen of the Committees on Education, involving in the main the general principles that had been finally concurred in by the two respective committees of both bodies and which constitute the substance of the bill now offered for the consideration of this committee. The bill was up for debate several days in the Senate. Some minor objections were made to it, but it finally passed by a unanimous vote of the Senate and now comes up for consideration of the House by the unanimous vote of the Committee on Education.

I desire to commend to the consideration of the committee the report which has been filed in support of House bill 12212, which is the number of the House bill. I believe it is one of the most comprehensive and concrete reports from any committee that I have read. It was prepared at the request of the committee by Dr. FESS, who has made careful study of these propositions, and those gentlemen who are interested in the subject, if they will secure copies of the report, will find therein in concrete form the essential elements embodied in the bill.

Mr. BANKHEAD. Mr. Chairman, when we made the preliminary arrangements yesterday about going into the Committee of the Whole House on the state of the Union, we did not reach any decision as to the time that should be consumed in general debate, but agreed that it might run along at the pleasure of the committee. I failed to reserve the remainder of my time, the hour allotted to me under the rules, when I took my seat a moment ago, and I desire to do that now.

The CHAIRMAN. The gentleman from Alabama reserves the remainder of his time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 7796) to increase the salary of the United States marshal for the western district of Michigan.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of Arizona, Mr. SHIELDS, and Mr. LODGE as the conferees on the part of the Senate.

REHABILITATION OF WOUNDED SOLDIERS AND SAILORS.

The committee resumed its session.

Mr. TOWNER. Mr. Chairman, I yield such time to the gentleman from Ohio [Mr. FESS] as he may desire in the presentation of the bill.

Mr. FESS. Mr. Chairman, I ask unanimous consent that I may yield five minutes of that time to the gentleman from Utah [Mr. WELLING], who wanted to make some statements to which I objected a while ago, because we had not yet gotten into the Committee of the Whole.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The gentleman from Utah is recognized for five minutes.

Mr. WELLING. Mr. Chairman, I feel very grateful indeed for the courtesy of the gentleman from Ohio [Mr. FESS] and the committee for yielding to me at this time. I am glad to have the time now, before a technical discussion of the bill for the rehabilitation of wounded soldiers is taken up, because I have no intention of discussing that legislation other than to say that it will receive my hearty support.

Mr. Chairman, the House has frequently during the progress of the war paused for a moment in its regular business to express its appreciation of some incident which has distinguished a community in its contribution to our war work. I ask the indulgence of the House this morning to refer briefly to such an event.

My State is known as the home of the Mormon people. In a former generation it was the popular thing here and elsewhere to speak in terms of condemnation of their religion, as well as to question their patriotism and their loyalty to our country.

However much men may have disagreed in the past about these questions, I think it will be conceded that no man has yet successfully challenged the broad statesmanship and breadth of vision of Brigham Young, one of the great leaders of these people.

This dauntless pioneer led into a trackless desert the men and women who, under his direction, laid securely the foundation of a great State. I rise this morning to speak of one very inconspicuous and minor evidence of this leadership. Brigham Young fostered and encouraged as one of the auxiliary organizations of the church the Woman's Relief Society. With the main purpose of that great organization—its charitable and educational work—I am not now concerned. These women were advised as one of their minor activities to store wheat, and it is of this rather unusual activity I wish to speak.

In the early days of Utah's history and in the humble beginning of the relief society, these women gleaned the harvest fields in order that no precious head of grain should be lost. Wheat was so precious to the pioneers that it was used as a medium of exchange. It was the standard of value by which other commodities were measured. They had little or no other currency. My own mother has related to me more than once her association with and cheerful participation in this work of gleaning the precious yellow grain.

Later on by purchase and donation these women added more rapidly to their store of wheat. As the stock grew it was moved from the small wooden granaries belonging to the local relief society organizations to great steel and cement elevators constructed for that purpose and controlled by the women themselves. From the beginning these women were taught that the time would come when every available pound of wheat would be needed to conserve the Nation's life and prevent famine and starvation. It has remained a strongly intrenched tradition with the women of this organization, and they believe it to be true to-day.

This spring, in April, there were in the elevators belonging to the Mormon women of Utah and other adjacent Western States 205,518 bushels of first-class milling wheat. Last month these devoted women felt that the time had come for them to use their precious savings of more than 60 years. Through the presidency of the Mormon Church every pound of this wheat was tendered to and accepted by the United States Food Administration for the use of the starving women and children among our allies, and for the use of our soldiers and sailors in the Army and Navy of the United States. [Applause.]

Mr. Chairman, I had not thought of mentioning this incident until yesterday, when I received a letter from Mr. Herbert Hoover expressing the appreciation of his administration for the assistance rendered. Mr. Hoover's letter and my reply thereto are as follows:

UNITED STATES FOOD ADMINISTRATION,
Washington, D. C., June 3, 1918.

Hon. MILTON H. WELLING,
House of Representatives, Washington, D. C.

DEAR MR. WELLING: The recent action of the women of the Church of Jesus Christ of Latter Day Saints, in Utah, in releasing wheat and flour for the use of our allies and our own soldiers abroad is so commendable that I wish to drop you this line merely to assure you of my appreciation of this service performed by the church.

It has given me pleasure to write about this matter to Joseph F. Smith, Anthon H. Lund, and C. W. Penrose, first presidency, Church of Jesus Christ of Latter Day Saints, and to assure them of the renewed courage we get from this generous act, both because it yields a substantial addition of food sorely needed by our hard-pressed allies and also because the example is felt far outside the field of its immediate application.

Yours, faithfully, HERBERT HOOVER.

JUNE 6, 1918.

Hon. HERBERT HOOVER,
United States Food Administrator, Washington, D. C.

MY DEAR MR. HOOVER: May I thank you most sincerely for your favor of June 3, announcing the tender of a large quantity of wheat by the women of the Mormon Church to the war needs of our Nation and our allies.

I join with you in the thought that this action is a manifestation of patriotic service to our country in this crisis which deserves all praise.

Thanking you for your letter and assuring you of my desire to cooperate with you in your arduous duties, I have the honor to be

Very sincerely, yours,

M. H. WELLING.

This 12,331,080 pounds of wheat so tendered to the cause of human liberty will not win the war, but it will save the lives of thousands who suffer for lack of bread to eat.

These women have with solemn pride given their sons to fight for the freedom of mankind. They now turn over to the uses of humanity these precious savings of more than a generation to bind up the broken hearted and bring back life to the helpless victims of this pitiless strife. [Applause.]

Mr. FESS. Mr. Chairman and members of the committee, I have been rather unusually interested in the outcome of this legislation not so much as to what action the House would finally take, for there can be no doubt of the final decision on the bill, but as to the expedition with which we might reach it in order that authority can be given to handle the cases that are coming to our shores. I mentioned sometime ago on the floor of the House of the incident of the Surgeon General's office without specific authority doing what appears to be necessary to meet the emergency in the belief that Congress would ratify anything reasonable that was done in this rehabilitation work, and the fact that the casualty lists are being published daily, which give to us startling facts as to the number of wounded among our soldiers. These facts pressed upon me very heavily, and that is why I may have seemed to have manifested some impatience over what ordinarily would not have been regarded as unnecessary delay, but which I thought was an unnecessary delay in reaching this bill, because of the emergency of this situation. The list that was given on June 5, as reported in the press, indicates 45 wounded soldiers that day and the number previously reported was 3,726. These soldiers, some of them are in Europe and some of them over here. The Government has utilized or is attempting to utilize the Walter Reed Hospital for this work of functional rehabilitation, and it proposes to use the hospital over here in Baltimore at Fort McHenry and the hospital down in Georgia at Fort McPherson. I understand steps are being taken to establish, all told, 11 such institutions. The necessity of legislation of this sort certainly is apparent without any sort of argument at all.

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. I will.

Mr. MADDEN. I would like to ask the gentleman his opinion of what the capacity of the 11 hospitals proposed will be?

Mr. FESS. I could not at this time say what the capacity will be. That, of course, will be chiefly for the functional rehabilitation and is not to be used for the real vocational training for which this bill provides.

Mr. MADDEN. That will be simply for the convalescent treatment?

Mr. FESS. The physical or functional rehabilitation.

Mr. MADDEN. During the period of convalescence?

Mr. FESS. Yes. Gentlemen of the Congress, the facts that we get from the belligerents and the number of wounded soldiers lead us to make general statements. Of course those statements will not be entirely accurate. We are told that 1 per cent of those who have been at the front have been wounded to such an extent that they would become subjects of rehabilitation. If we had a million this year, there will be 10,000, according to the statistics of the Canadian Government, subject to rehabilitation. Now, of course everybody knows that if we are entering upon open warfare such as in the last few days that that figure is going to be wonderfully increased.

Mr. TOWNER. May I suggest to my colleague that that is 10,000 every year?

Mr. FESS. Yes. It is stated in Canada about 50 per cent of them would be subject to medical treatment or rehabilitation and 50 per cent to surgical. We are told that the seriously disabled soldier is not so much a disability—for example, the dismembered, the legless or the armless or the eyeless soldier—but it is rather the one who suffers from shell shock or a nervous condition, the ailment of which does not appear to the open eye. That number is far in excess of those who will require the more spectacular treatment in the hospitals. Some Members saw the great film that was displayed here in the House Office Building by the courtesy of the Canadian commission, where was displayed the activity in the hospitals where physical rehabilitation took place, and also the vocational activity, where the training for a vocation took place, and it was a rather startling fact, although a welcome one, to recognize that practically not over 50 cases, all told, coming to them in Canada were cases where the eyesight was totally gone. There were great numbers, however, with no legs and no arms. The fact that we are getting back our wounded, and without a doubt great numbers in the near future, is upon us. The sentiment of the situation which appeals to us all, and which is the consideration in my mind, is, What can be done with the wounded, whether they are subject to rehabilitation or not?

Mr. MADDEN. Will the gentleman, if he can, tell us what the experience of Canada has been with respect to the number of men who have to be rehabilitated? They have only sent over less than 500,000 men to the other side. Now, how many have come back—what per cent?

Mr. FESS. I have figures in the report——

Mr. BANKHEAD. If the gentleman will permit, the information shows that 1 per cent approximately of the total number of men engaged in the Canadian Army overseas were subjects for vocational rehabilitation.

Mr. TOWNER. But the gentleman from Illinois, I understand, wants to know how many were returned wounded out of 250,000 men who have been actually engaged in warfare on the front and in the trenches. Forty-one thousand were sent back. Forty-one thousand of the number actually engaged in warfare have been sent back wounded. Out of this number 26,000 have been sent for treatment to hospitals; others have been returned to their homes, and of that number 2,400, or 1 per cent, have been subject to vocational training. That is where the coefficient of 1 per cent is obtained.

Mr. MOORE of Pennsylvania. These are Canadian soldiers returned?

Mr. TOWNER. Yes.

Mr. MADDEN. So the wounded returned would amount to 18 per cent of the total?

Mr. TOWNER. Whatever the amount is.

Mr. MADDEN. Twenty-one thousand would be about that per cent.

Mr. FESS. As to the possibility of rehabilitation, the first example of all is given in the work done at Lyons, France, through the mayor of the city. He was assisted by the famous leader from Belgium upon the rehabilitation of the industrial crippled who happened to find his way to Lyons when cripples began to file through back from the front into that city. All of these belligerent countries began this work as voluntary effort, then it became a sort of semiofficial organization, and now I am glad to know that every belligerent country is dealing with it officially, as a governmental duty and function.

Dr. Amar, of France, has made the statement that fully 80 per cent of the people who are wounded can be rehabilitated. This is a thing that appeals to me, I think, beyond any other thought in connection with the war. We all associate with war the climax of the tragedy, which is death. Nothing do we cling to like life. And yet I believe that every Member here will agree that there are conditions under which a soldier may be placed that are worse than death. I think to come back home with a mind incoherent, so that consecutive thinking is impossible and with no longer the ability of control of mental powers, or a physical wreck, a man who before he became a soldier had a brilliant future, so far as promise could come from ability to do things, for such a young man to become a mere pitiful subject of public charity is deplorable. One of the most hopeless situations of all conception is a man placed in a position where he has no chance in life and must be regarded simply as human wastage. Especially is this true if he was a man of great promise when he responded to the call of his country. We find that that is unnecessary. There is now in progress, as has been conclusively demonstrated, such training in other countries that we find human wastage is being repaired and lost ability is being rationally utilized, and instead of energies totally lost because of a maimed condition, that individual comes home and has a promise that he will not only be again a citizen, independent in his relationship to the community, but, through a system of training, can look the world in the face and bid defiance to its thoughtless, if not heartless, attitude toward the cripple, because he has had a training of self-helpfulness that makes him absolutely independent of his situation.

I do not know anything that an individual could be so proud of as to be able to follow the advice of old ex-Gov. Gore, of Massachusetts, which he gave to the young collegian, Daniel Webster, who was about to leave college and go back home because the farm was mortgaged and he did not have the money and his parents could not take care of the farm. The old governor said:

> Go on and finish your work. What bread you eat let it be the bread of independence. Depend not upon the favor of any man.

I think that any individual, young, middle-aged, or old, who can realize that he has the qualifications and the opportunity for complete utilization of those qualifications, can look the world in the face and say, "I do not owe you anything," is the most self-respecting, and in the last analysis the most happy as well as deserving. This situation, in my judgment, gives a man a desirable place in a community. It makes him one of the most independent people and places him in the best condition of any citizen of his community.

The bill as it is written is based upon the principle that the soldier who was taken from his home—it might be without his consent, because his greatest allegiance is to his Government, or even as a volunteer—has been brought back in a crippled state, which without training would leave him in a hopeless condition the balance of his life, must be cared for, not as a subject of charity but as a subject to be trained for self-helpfulness by the Government whose honor he offered his life to defend. It is based upon the principle that when the soldier is wounded and brought back to the hospital to be healed, having been healed, the function of the Government is not yet completed; that he must be trained to do something—either to resume his former work or enter upon some new work.

Mr. ASWELL. Will the gentleman yield there?

Mr. FESS. I yield.

Mr. ASWELL. That is just the point that occurred to my mind, that the most important thing for a wounded soldier is to have faith in the fact that he will be able to do something. Now, he needs that when he is wounded and while he is in the hospital. The point I wish you to make clear is this: Vocational education is one thing and rehabilitation is a vastly different thing, and I have doubt as to the Vocational Board being the best agency of the Government to do this work. For instance, you can not go back into the hospital and begin a vocational training or rehabilitation. Under this bill you must wait until he comes out of the hospital on the advice of the Surgeon General, and it seems to me this bill should be so amended that the soldier may get some inspiration and some hope and some direction while he is in the hospital.

Mr. MADDEN. Will the gentleman yield and let me break in with a word?

Mr. FESS. I yield.

Mr. MADDEN. It seems to me the suggestion made by the gentleman from Louisiana [Mr. ASWELL] is a good one, and I assume that, whatever the vocational education legislation is to be, when the wounded soldier is in the hospital for medical treatment the doctors will begin to train his mind for the vocational education which is to follow after he is able to resume some sort of activity.

Mr. ASWELL. That is just the point. The main object of the bill is the man.

Mr. FESS. Mr. Chairman, I think I can entirely satisfy my friend from Louisiana.

Mr. ASWELL. One more question.

Mr. FESS. Let me suggest that I think when I discuss section 6 the gentleman will be entirely satisfied with the answer, because the very point he raises is the most delicate problem all along the way and has been gone into very thoroughly.

Now, the second question.

Mr. ASWELL. The second question is this. The board is a vocational board. It is a narrow board in a sense. It is for the specific vocational work. Now, when the wounded come back from Europe, I understand, some of them want to be lawyers, some doctors, some teachers, and some preachers, and I take it that that vocational board will have difficulty in giving the latitude that these men are entitled to have. Their whole function is to train them in specific, narrow lines, and I fear it on that point.

Mr. FESS. I would ask my friend to hold the question in mind until I reach the discussion of the bill, if that will be satisfactory.

Mr. ASWELL. All right.

Mr. FESS. I will ask the members of the committee to look into the bill and let us get what it proposes to do from the standpoint of the wounded soldier, wherever he may be found.

The bill provides in section 2 that every person who has been disabled to the degree that, when he is discharged, he becomes a beneficiary under section 3 of the war-risk insurance measure, and has been so disabled that he can not resume his former occupation or can not enter upon some new occupation, or can not fulfill any gainful occupation, or, having resumed or entered upon some other occupation, can not carry it on successfully—that man is subject to rehabilitation and is to be a beneficiary of the provisions of this act.

Now, you will notice right in the beginning that it does not take in a person who does not fall under the requirements of the war-risk insurance act of October 6, 1917.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. BURNETT. I am trying to follow the gentleman. The act the gentleman refers, as I have it here, is dated September 2, 1914.

Mr. FESS. This is the act of September 2, 1914, as amended October 6, 1917.

Mr. BURNETT. It was amended then?

Mr. FESS. Yes. It is the amended war-insurance measure. The definitions or limitations of section 2 are that anyone so disabled that he can not resume his work, or having resumed it, can not carry it on successfully, shall be a beneficiary of this legislation. Section 3, following it, is a little beyond that. A man may have been so disabled that he becomes a beneficiary of the war-risk insurance act under article 3 for compensation, and yet he may resume his former work or he may enter

upon some other work successfully. While section 2 applies to those who can not successfully carry on their gainful occupations, section 3 applies to those who can do so.

Now, while he is doing his former work or is entering upon some new work and doing it successfully, he may see an opportunity under training where he might do a great deal better than he has been doing. He becomes a beneficiary under this act if he so chooses. In other words, section 2 limits it to the people who can not resume their work or carry it on successfully. Section 3 extends it to those who can resume their work or can carry it on successfully.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. STAFFORD. As I read the bill and report—and the gentleman is commenting upon it—I obtained the idea that section 3 enabled any enlisted soldier, regardless of whether he was incapacitated for labor or not, to receive education at the expense of the National Government under the Federal Vocational Board.

Mr. FESS. Yes; provided that his disablement is to the extent that he becomes a beneficiary under section 3 of the war-risk insurance act, which act defines the character of disability.

Mr. STAFORD. Is section 3 limited in its scope by the articles of the war-risk insurance law?

Mr. FESS. No one is the subject of rehabilitation under this bill who does not fall under the article for compensation, article 3 of the war-risk insurance act.

Mr. STAFFORD. Then I understand if they are of that class, the National Government intends to establish a national university to extend to them the benefits of it?

Mr. FESS. You do not have a national university for the purpose of this bill. It is a trade school. The university man—and my friend is a university man—knows that that is not university work at all.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. ASWELL. All these soldiers that are returned will not be farm hands and factory hands. A large number of these young men will come back and wish to continue their courses in the university, so that the gentleman's point is well taken. This movement should cover the whole scope of education and not merely the education of factory hands.

Mr. FESS. This bill in the main limits it to vocational training. It does not go to university training for a profession.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. McKENZIE. The question of the gentleman from Louisiana prompted my question, and that is going to the very bottom of this bill or the purpose of it. My understanding is that this bill is not to take care of the men simply because of the fact that they may have been wounded or injured in the service, but it is to take care of those who have been so disabled that they will need this rehabilitation, and this is, in addition to that, to give him this vocational training.

Mr. FESS. My friend is mistaken about that, if I understand his inquiry.

Mr. McKENZIE. Permit me a word further. For instance, a young man goes into the Army; he receives a wound; he is discharged from the Army. Prior to going into the Army he was a law student. After coming out he desires to continue his law studies. This bill does not mean that the Government is going to send that young man to law school and educate him as a lawyer, when, as a matter of fact, he can be a lawyer just as well, regardless of the wound he received. Am I right?

Mr. FESS. I think the gentleman is right. I did not catch the full meaning of his first observation.

Mr. ASWELL. Suppose this young man had one year in the law school. What are you going to do with him?

Mr. McKENZIE. I am not taking the position that you should not do anything for him. The purpose of this bill is not to take care of a man under those circumstances. It would be foreign to the purposes of this bill.

Mr. FESS. The bill clearly defines it in lines 3, 4, 5, and 6, on page 2, "unable to carry on a gainful occupation or to resume his former occupation."

Mr. ASWELL. Is not law a gainful occupation?

Mr. FESS. It is a question whether it is that or a profession. If it is an occupation, it is included.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes.

Mr. LONDON. Is not the principle object of the bill to enable people to be self-supporting instead of imposing the burden of their support on the Government for the rest of their lives? Is not that the object of the bill?

Mr. FESS. Yes; distinctively so.

Mr. ASWELL. What is it proposed to do with a young man who had one year in a law school?

Mr. FESS. If he had no occupation before he went to the law school. The language which was not in the bill when it was originally written, but was put in the bill by the House committee with that idea in view is, "unable to carry on a gainful occupation" was written to include such person. You could not say "resume his old or enter upon a new," because neither would be applicable to one who had no occupation before he enlisted, consequently we wrote that "unable to pursue a gainful occupation" in order to include him, but not to give him a finishing course in law, as I understand the bill.

Mr. ASWELL. I will say to my friend from Ohio that if this bill does not permit the young man who was beginning his law course to continue it, then it should be amended so that he might.

Mr. FESS. If your profession is a gainful occupation instead of a profession, it is in here; but I state to my friend clearly that that was not my view. I was limiting this to vocation instead of profession. While I admit the strength of my friend's position, the bill does not, in my judgment, look to professional training which will require a long period of time.

Mr. MADDEN. I would like my friend to define "vocation."

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield to my friend from Wyoming.

Mr. MONDELL. I think it is important, in view of what the gentleman from Illinois [Mr. McKENZIE] has said, that the gentleman from Ohio define precisely what the word "vocation" is intended to cover. My understanding has been that the training proposed was vocational, mainly industrial, not professional; but from some suggestions that have been made by the gentleman from Ohio [Mr. FESS] I assume that he has in mind professional training. That was evidently not the original purpose of the bill, and I think it is pretty well to have that clearly defined and understood.

Mr. FESS. Mr. Chairman, the vocational bill signed by the President on February 23, 1917, and which should be a guide in the use of the word about which this dispute has arisen, provides for agricultural education and industrial education. Vocational training comprehends both of them. We did not include in that bill, known as the Smith-Hughes bill—and I might say I was on the commission which recommended the bill to the Congress for action—training for any profession, but for a vocation; and this rehabilitation bill has been written on that basis, using the term "vocational training," and also limiting it to gainful occupations. We also provide that the board created under that law is to administer this proposed law.

Mr. MONDELL. So that there was no purpose in the minds of those who drafted the proposed legislation providing for professional education and training of any sort?

Mr. FESS. No. At least it was not so stated. However, the bill in lines 7, 8, and 9, on page 2, under the wording "such course of vocational rehabilitation as the board shall prescribe and provide" may give such power. But I do not think it is so intended.

Mr. GREENE of Massachusetts. Will the gentleman yield to me?

Mr. FESS. I yield to my friend from Massachusetts.

Mr. GREENE of Massachusetts. I have in mind two cases, I do not know that they would be reached by this proposition, but I want to suggest them to my friend—two cases of persons in my own city who were drafted and taken into the service. After being in the service a few months they were discharged with this statement: "Discharged because of tuberculous tendency not incurred in the service." What is to be the status of persons like that? How are you going to rehabilitate persons whose discharge states that they were discharged for disability not incurred in the service? And yet they were admitted as being sound persons, fit to enter the Army, and had been in the Army several months; but they were handicapped by that statement in their discharge. What is going to become of them?

Mr. FESS. If the disability was not incurred in the service, the man would not be a beneficiary of article 3 in the war-risk insurance bill, and he would not come in here, as that law is the basis of this in determining who are included as subject to the benefits herein provided.

Mr. GREENE of Massachusetts. Yes; but both of these men were insured. What is their insurable status? They were insured when they entered the service.

Mr. FESS. They would still be insured. That is a different section of the war-risk insurance act.

Mr. GREENE of Massachusetts. Yes; provided they keep up their payments after they come out.

Mr. FESS. Certainly. Section 3 is the definitive section for the interpretation of this bill.

Mr. GREENE of Massachusetts. But they came out unable to work. When they seek employment they are not able to work. Yet they claim that, although they were admitted as sound persons, they were discharged because of tubercular tendencies after being in the service for several months; and, with families on their hands, they are given this handicap by the discharging authorities.

Mr. FESS. Let me say to my friend from Massachusetts that his people do not come under this bill if they are not under the third section of the war-risk insurance bill, because this bill is built upon that basis.

Mr. GREENE of Massachusetts. They are under the war-risk insurance bill, but they are discharged.

Mr. FESS. You might say that they ought to be in the bill, but there are a good many things that probably are good that you can not put in this bill.

Mr. GREENE of Massachusetts. I said, "When I go back to Washington I will ask Prof. FESS, who has these ideas on vocational care, and preparing to take care of these unfortunate people." I want to see where they are coming in. I understand they have no standing at all.

Mr. FESS. Not unless they are beneficiaries under the war-risk insurance bill.

Mr. TEMPLE. Under article 3 of that bill.

Mr. FESS. Under article 3 of that bill. This bill is clear and specific on that point. The wording of section 2, page 1, "that every person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under article 3 of the act entitled," and so forth, limits the operation of this bill to beneficiaries of article 3 of the war-risk insurance act. Section 3 of this act repeats the language, and these two sections include the persons affected by this bill.

Mr. IGOE. I should like to ask the gentleman about another phase of this, if it will not disturb him.

Mr. FESS. It will not disturb me.

Mr. IGOE. I should like to ask as to the effect of this bill on the allotment feature. Also, I am confused by a part of section 3 which provides that under some circumstances, if the wounded soldier fails to take this course, his compensation may be cut off. I should like an explanation of that.

Mr. FESS. If my friend will permit me, I will answer that. I should like to have the very careful attention of Members to the pay, the compensation, the allotment, and the allowance features of section 2, lines 14 and 15, on page 2:

> Shall, while following the same, receive monthly compensation equal to the amount of his monthly pay for the last month of his active service, or equal to the amount to which he would be entitled under article 3 of said act, whichever amount is the greater.

That is explained in this way: Under article 3 of the war-risk insurance bill he is paid a compensation to begin immediately after discharge. That compensation is determined first by the character of disability.

If it is a total disability it is so much, dependent upon the situation of his family, the number of his dependents, such as wife, child or children, widowed mother, and so on, and if he has lost both arms or both legs or both eyes it is $100 a month. The compensation is less if disability is only partial, but it will still be rated on the number of dependents. If he has a wife or a child, or both, or more than one child, it varies, as gentlemen will remember.

Mr. MADDEN. It may go up to $75 a month?

Mr. FESS. Yes. In case he has a wife and three or more children it is $75. Now, in order that we might give this disabled soldier the better chance, we did not specify that he should receive the compensation under article 3 unless that was greater than his monthly pay when he was discharged, and, as you will note, he has a virtual option. However, he would certainly choose the salary if that is higher than the compensation, and vice versa. He may take under his salary or he may take under article 3. If article 3 gives him more, he takes that. Take the case of a captain with a wife and no children. A captain's salary is $200 a month, but his compensation under article 3, if he had neither wife nor child, would be only $30 a month. If he had wife and no child it would be $45. Consequently he will take at once under salary instead of under compensation. Take a captain with a wife and three children, under compensation he would get $75 under the war-risk insurance, but his salary being $200 he will take under his salary. On the other hand, if you take a sergeant—his salary is $38 a month. If you take a sergeant with a wife and no child his compensation would be $45, and if he has three children it would be $75; so he would not in either case take under salary, but he would take under compensation. If he is an enlisted man, not an officer, he will always take under compensation and never under salary, because the salary is lower.

Mr. IGOE. Was it the intention of the committee in line 21, where you speak of compulsory allotments——

Mr. FESS. I have not reached that yet. Now, as to allotments——

Mr. MADDEN. Before going to the allotment proposition I would like to ask a question. We have just been talking about vocational training and we have been wondering what it embraced; whether it was purely mechanical or whether it was partly mechanical and partly educational in other directions—scholastic education. I took the trouble to look up the definition of "vocation." Here it is:

> Any occupation or pursuit for which one qualifies oneself, or to which one devotes one's time or life; a calling; a career; fitness for such a career.

So I suppose a vocational education will embrace not only a literary training, if that was the thing the wounded soldier saw proper to follow, but mechanical training as well.

Mr. FESS. I confess that that was not my conception; but if that is the true limitation of the words, the young man who studied law would fall under it. And, as I said before, the latitude given the board under this bill will most probably allow it if it appears proper.

Mr. HEFLIN. Will the gentleman yield?

Mr. FESS. Yes; I yield.

Mr. HEFLIN. The gentleman was speaking about the officers and the salary or compensation being so much. Is it for him to elect which he will take?

Mr. FESS. He takes whichever is larger.

Mr. HEFLIN. Whichever one he decides to take, he can take?

Mr. FESS. He certainly would decide the larger, but I suppose he could take the smaller. The language is alternative.

Mr. ASWELL. Will the gentleman yield?

Mr. FESS. I will.

Mr. ASWELL. It seems to me that this is very important. If this bill is to be applicable to the vocational-education bill now in force, that eliminates the assistance that the crippled soldier might receive in the profession of teaching. A large number when they come out will be equipped to teach.

Mr. FESS. I admit the strength of the gentleman's statement, and can only repeat that the language of lines 7, 8, and 9, on page 2, is doubtless broad enough to cover teaching.

Mr. ASWELL. What I would like to have clear and definite is, Shall this bill be limited to industries and agriculture—that is, the factory, and so forth—or shall it include vocations along the line of teaching, medicine, and law, that young men would like to follow?

Mr. FESS. I can only repeat what I said, that if the term "gainful occupation" will include the professions, I have no doubt that it is in, and if it does not include it, it is not. In that case it must come under the powers of the board over courses.

Mr. TEMPLE. I would like to add that it includes the kind of training spoken of, and if a man has been so disabled that he can not follow that occupation without being rehabilitated, and if he has been so injured under the terms of article 3—there are several limitations in the bill besides the limitation of vocational, which only governs a small section of the general field.

Mr. FESS. I thank my friend from Pennsylvania for his observation. Now, Mr. Chairman, I would like to attend to the question of my friend from Missouri [Mr. IGOE], the allotment and allowance, and this is probably the most delicate feature of the bill and the most difficult to understand.

On line 18, page 2:

> If such person was an enlisted man at the time of his discharge, for the period during which he is so afforded a course of rehabilitation, his family shall receive compulsory allotment and family allowance according to the terms of Article II of said act in the same manner as if he were an enlisted man, and for the purpose of computing and paying compulsory allotment and family allowance his compensation shall be treated as his monthly pay.

Mr. IGOE. Will the gentleman yield right there? I want to ask the gentleman a question. As I understand it, compulsory allotment applies only to the wife and children.

Mr. FESS. That is right. The other beneficiaries are included when the soldier elects to do so.

Mr. IGOE. It does not include parents of a disabled soldier. You do not intend to include them?

Mr. FESS. No; we are not changing the war-risk insurance act.

Mr. IGOE. The gentleman must understand that as to parents and dependent brothers and sisters it is voluntary, and unless you write it into the bill would you not deprive that soldier's dependents of the allowances from the Government?

Mr. FESS. It will for this reason: The allowance by the Government stops one month after his discharge. That is the law, and unless you write the allowance and allotment into this bill, as we do in section 2 but not in section 3, they will not get it. We have limited it even in section 2 to the class of compulsory allotments.

Mr. IGOE. That is what I wanted to find out, whether the committee had intentionally confined it to the compulsory allotments.

Mr. FESS. That was the intention. In other words, without this provision there is no such thing as a family allowance or allotment to a discharged soldier, for when he is discharged that allowance is stopped, and in order that his family may be cared for while he is gone off to be trained we have written it that in cases which are under compulsory allotments shall continue during the time of his training.

Mr. HASTINGS. Will the gentleman yield?

Mr. FESS. Yes; I yield.

Mr. HASTINGS. How long would the vocational training take? Is that subject to the decision of the board?

Mr. FESS. Yes. It has been variously estimated. Eight to twelve months are frequently required. But no limit can be placed in the bill.

Mr. HASTINGS. So it may continue indefinitely.

Mr. FESS. It might; there is no limit save the good sense of the board in charge.

Mr. HASTINGS. During that time the allotment is going to the dependents of the soldier.

Mr. FESS. Yes. Compulsory allotment to the class of persons included in section 2, but not in section 3. Some Members wished to extend it to those classes in section 3, but the bill as written and passed the Senate excludes it from beneficiaries in section 3.

Mr. HASTINGS. Whether it be one year or five years.

Mr. FESS. He has to make his own allotment, and the Government makes an allowance to match it.

Mr. BANKHEAD. If the gentleman from Ohio will allow me, the experiences in other countries show that the average period of training does not exceed six months. If at the expiration of that time the man is not found capable of being rehabilitated, he is let go.

Mr. DENISON. Will the gentleman yield?

Mr. FESS. Yes. I yield to my friend from Illinois.

Mr. DENISON. Who decides as to what kind of training a man shall receive, the disabled soldier or the board?

Mr. FESS. It will be an agreement between the board, the Surgeon General's office, and the soldier to be trained.

Mr. DENISON. I can imagine a disabled soldier having been used to some occupation in which he is compelled to read. Would, under the terms of the bill, such a man be entitled to be educated if he should lose his sight—would he be educated to read by instruction given to the blind?

Mr. FESS. I think so. There is nothing in here to prevent it, and that is the very purpose of the legislation. We are told in many cases men who have returned maimed have been so trained that they became more skillful after training, although disabled soldiers, than they had been before they enlisted. The evidence along this line is wonderfully reassuring to those whose anxiety for these injured citizens is acute. To revert to the question of the gentleman from Illinois as to the treatment of the blind; that is, if a man lost his eyesight, under the compensation of article 3 he would get $100 a month, anyway. He can go on and be trained so that he might later on have an additional compensation. Suppose he does work under this training for which he can get $100 a month. He will get not only the $100 a month from the Government under the war-risk act, but will get in addition whatever he earns after he has been trained. That is specifically provided for in the bill. In other words, he will be supplied with an incentive to take the training.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield to my friend from Alabama.

Mr. BURNETT. I would like to suggest to the gentleman that before this becomes a law the extent and meaning of the word "vocational" ought to be very well settled. The rule of construction is where there are doubtful words or phrases used that the debates are looked to for the purpose of getting the meaning intended by those making the law. It seems that the lexicographer lays down one definition which is absolutely at variance with the understanding of the gentleman. A great deal of confusion might arise hereafter when these young men apply for this vocational education because of construction. Therefore I would like to suggest to the gentleman that before this bill is finally enacted into law that matter ought to be amended so as to meet the views of the gentleman, if that is the intention of his committee and of this committee, or so broadened as to meet the definition laid down by the lexicographer.

Mr. FESS. I would state to my friend that I thank him for the suggestion on the rule of legal construction.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield to the ranking member on the committee.

Mr. TOWNER. Let me make a suggestion, that while the word "vocation" applies unquestionably to anything that a man follows for the purpose of making his living, that the phrase "vocational education" has a well-understood and well-defined meaning. It does not include general education; it does not include professional education; it would not include the idea of the gentleman from Louisiana [Mr. ASWELL]. Vocational education is something that is limited to either those things that are manual in their nature or that are business in their nature. Strictly speaking, I think I am justified in saying that those are the only two branches of what is known as vocational education, so that if gentlemen have the idea that this would allow the Government to pay for a general education in a college or for a professional education in a college, I think they would be mistaken, because that would not be the interpretation. If gentlemen believe that ought to be done, that is a matter for the committee of the House to decide.

Mr. FESS. Let me ask the gentleman from Iowa a question in connection with that. He is a lawyer and a judge, and was on the committee and had much to do with the vocational-education bill of last year, and I therefore want his opinion on this: If a young man is in the first year of his law school and has gone out under the draft or has volunteered, and is wounded so that he is unable to resume his studies—that would be the occupation—does the gentleman from Iowa think that this law intends that the Government should put him through the law school for three years to finish his course?

Mr. TOWNER. I do not.

Mr. FESS. I do not think so either. Whether that power is in the board or not, I am quite certain that is not in the minds of the framers of the bill.

Mr. TOWNER. I do not think it touches that class of cases at all.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield.

Mr. BURNETT. I do not want to be understood as intimating an opinion as to whether that ought to be done or not.

Mr. TOWNER. I so understood the gentleman.

Mr. BURNETT. My idea is that it ought to be cleared up.

Mr. TOWNER. It was only that I desired to say to the gentleman that vocational education is a thing that is not as large in its meaning by any means as it has been interpreted and used as is the word "vocation," which the gentleman from Illinois [Mr. MADDEN] secured the definition of.

Mr. STAFFORD. "Vocation" is used in contradistinction to "avocation."

Mr. TOWNER. Yes. When a man says that he is following his vocation, that would include his profession, but when you say that you are going to vocationally educate a man, that would not include a profession; it would not include anything except those things which are referred to, business or manual.

Mr. HUSTED. A vocational education would include a course in typewriting and stenography?

Mr. TOWNER. Yes.

Mr. HUSTED. If it would include a course in typewriting and stenography, why would it not include a general business course?

Mr. TOWNER. It would. Vocational education does include all matters of business and all matters that apply to manual occupations of any kind.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. FESS] has expired.

Mr. TOWNER. Mr. Chairman, let me suggest that under the unanimous-consent agreement there is no expiration of time, except upon the motion of the chairman of the committee. We are not limited in debate to even one hour.

The CHAIRMAN. The Chair was under the impression that the gentleman from Ohio had been recognized for one hour.

Mr. STAFFORD. Under the rules of the House no person can proceed for more than one hour. The gentleman having charge of the time can yield another hour to the gentleman from Ohio.

Mr. TOWNER. I yield to the gentleman from Ohio such time as he desires.

Mr. BANKHEAD. Mr. Chairman, does the gentleman from Iowa think it could be possible at this stage to come to an agreement in reference to the conclusion of general debate?

Mr. MADDEN. That can not be done in committee.

The CHAIRMAN. That would not be done in committee.

Mr. TOWNER. We can rise to do that, but I think we should not attempt to do it just now.

Mr. BANKHEAD. I have no disposition to prematurely cut off debate.

Mr. TOWNER. Let me make this suggestion to the Members of the House: It would be a good deal more satisfactory to the House if these matters should be referred to while the bill is being read for amendment, because it is the immediate subject under discussion. Of course it takes the gentleman from Ohio [Mr. FESS] away from his line of thought and consumes a good deal of time if everything in each particular section is referred to that is in the mind of gentlemen.

Mr. MADDEN. While we may be very foolish in the questions we ask the doctor, it gives him an opportunity to show his wisdom in his replies.

Mr. FESS. That is very embarrassing to the gentleman from Ohio.

The CHAIRMAN. The gentleman from Ohio is recognized for one hour.

Mr. FESS. Mr. Chairman, I will not take that time if I am permitted to proceed. However, I do not wish to be discourteous. Does the gentleman from Illinois desire to ask a question?

Mr. MADDEN. I will not disturb the gentleman if he wishes to complete his statement, any more than to say this: I would like the opportunity to say I do not think the scope of vocational education as understood and enunciated by the gentleman from Ohio meets the view of a great many Members of the House who believe that wounded soldiers ought to be given a wider scope to prepare themselves for rehabilitation after they have gotten through with their work in the war.

Mr. FESS. Now, Mr. Chairman, I want to say, to relieve the membership of the House of a doubt that is in the mind of my friend from Louisiana [Mr. ASWELL], that the bill provides that in case of the vocational board defining a course to pursue, it is not defined in limitations. It says such courses as in the judgment of the board it may provide and prescribe, so that will cover that case.

Mr. ASWELL. That is the very point. I doubt the wisdom of permitting the board to determine what the man shall do. Let the man decide himself, it seems to me.

Mr. TOWNER. Let me say to the gentleman from Louisiana that is exactly what this bill does.

Mr. FESS. Now, if the membership of the committee will permit me, there was a great conflict in the minds of members of the committees of both the House and Senate as to whether this should be compulsory or whether it should be optional. I confess when I first studied the subject and when I addressed the House last October I thought it ought to be compulsory; that every disabled soldier ought to be required to take some vocational training.

After going over it pretty thoroughly I came to the conclusion that the only compulsion in it ought to be economic rather than governmental. That is written in this manner on page 3, where it provides:

> That if such person willfully fails or refuses to follow the prescribed course of vocational rehabilitation which he has elected to follow—

You see he is consulted about what it is to be and he had elected to follow this—

> in a manner satisfactory to the board, the said board in its discretion may certify to that effect to the bureau, and the said bureau shall, during such period of failure or refusal—

Withhold the compensation, and so forth. It is permissive to the board, as it should be in my judgment, to certify this fact; but it is imperative on the Bureau of War Risk to withhold it when so certified, so that we have here economic control rather than either governmental or military.

Mr. MADDEN. Will the gentleman yield?

Mr. FESS. The gentleman from Wisconsin rose first. I yield to him.

Mr. STAFFORD. I wish to inquire as to how long a period of time would the withholding of the compensation continue? Suppose the soldier should absolutely be recalcitrant and would not continue his studies. Would not the compensation be withheld perpetually during that period?

Mr. FESS. If he refuses to pursue his course then the board may use its discretion to certify that fact and the Bureau of War-Risk Insurance shall withhold the compensation.

Mr. STAFFORD. That is the very point. Then when he once enters upon this work of vocational rehabilitation if he changes his mind without the approval of the board, then the compensation will be withdrawn for the time so long as he persists in that determination?

Mr. FESS. The board may certify that fact. It does not say so, but the board will investigate his case to ascertain the facts upon which it may give advice to the bureau touching this case under the charge of the board.

Mr. STAFFORD. No; the said board shall during such period of failure or refusal withhold.

Mr. FESS. Not said "board," but said "bureau." It is discretionary with the board, but compulsory with the bureau.

Mr. STAFFORD. Then if the board in its discretion certifies that fact it will be withheld until he changes his opinion?

Mr. FESS. The withholding must be compulsory in part or all, but dependent entirely on the discretion of the board which has charge of the training of the soldier. It would be unwise in not permitting this latitude to the board.

Mr. DENISON. Will the gentleman yield for one question?

Mr. FESS. I will.

Mr. DENISON. I would like to have it cleared up, if possible, along the line of the question I asked a while ago. I asked the gentleman from Ohio who determined the course of instructions a man would receive, and he answered it would be determined at a conference. Then afterwards the gentleman from Iowa [Mr. TOWNER] said it was compulsory; it was absolutely under the control of the disabled soldier; that he had the power to elect which he would take. Now, suppose a man is a mechanic or a laborer or a farmer and he should elect to have the Government educate him for a lawyer. Could such a thing as that be done under the terms of this bill? If it can be, it ought to be amended.

Mr. FESS. I do not think he would be trained for a lawyer in any case; that is a profession. Of course, while he must choose in the final decision, his choice will be assisted in the advice given him by both the board or those sent by the board in conference with the Surgeon General's office or medical force in charge of the hospital where he is being functionally rehabilitated.

Mr. DENISON. There seems to be some question.

Mr. FESS. I can only repeat that while he is in the hospital under the control of the Surgeon General's office the vocational board would have an advisory function of conferring with both the Surgeon General's office and with the patient and there in conference determine what the training shall be, but, of course, the final option is with the individual.

Mr. DENISON. He has no right under the terms of the bill to go before the board and demand that he be given a certain line of training, has he?

Mr. FESS. No; whatever he does will be elected by him; but it does not mean that the man will receive anything he wants to do; certainly not. The mere whim or ambition of a crippled soldier can not be allowed to overrule the judgment of the medical, surgical, and vocational officers.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. FESS. I will, to my friend from Maine.

Mr. WHITE of Maine. In that same connection, I would like to ask the gentleman a question. Lines 8 and 9, page 2, refer to the course of vocational rehabilitation which the board shall prescribe. On page 3, in line 3, it refers to the course which he shall elect, and it left me somewhat in confusion; or, to put it in another way——

Mr. FESS. The course that any soldier will take must be prescribed by the board, but the soldier will elect what he wants to do, and upon the advice of those in authority will decide his course.

Mr. WHITE of Maine. Now, to put it in a concrete form, suppose a soldier elects that he wants to learn to be a shoemaker, to run a shoe machine. The board says he is not fitted for that, but that they will teach him to be a carpenter. Now, in the last analysis, does the man elect or does the board prescribe?

Mr. FESS. The man elects; but it is the board's ratification as to whether he be allowed to do it or not. It must be so, for this is a matter of public as well as personal concern.

Mr. WHITE of Maine. In other words, the board has a veto on the election which a man might make.

Mr. FESS. The board can not force a man to do something that he does not want to do, but it can substantially veto whatever choice he may make.

Mr. MADDEN. He may want to do a lot of things, but he will have to be trained in that in which he can be trained by the vocational board.

Mr. FESS. My friend from Illinois has put it clearly.

Mr. TEMPLE. No man can go to any college and follow a course that the college does not furnish. The board will prescribe certain courses, and a man can elect from among them, but he can not elect to take one that is not provided.

Mr. FESS. Dr. TEMPLE has made a very apt reference, which puts the answer in a nutshell.

Mr. HAMILTON of Michigan. I want to ask the gentleman from Ohio [Mr. FESS] a question for information. On lines 9 to 12, inclusive, on page 3, it says—

That no vocational training shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching.

Does that mean——

Mr. FESS. Would the gentleman allow me to tell him what that means?

Mr. HAMILTON of Michigan. Yes; that is what I want to find out.

Mr. FESS. The patient is in the hospital undergoing functional rehabilitation. Here the military authority is supreme. The Federal board can not send anybody in there to train him except on consent of the military authority or until the Surgeon General's office admits him, on the statement that the patient is in condition to be trained.

Mr. HAMILTON of Michigan. You say that no vocational teaching shall be carried on in the hospital at all?

Mr. FESS. Oh, no; I did not say that, but on the consent of the Surgeon General or his office.

Mr. HAMILTON of Michigan. You mean this man shall not be taught in the hospital? You say, "No vocational teaching shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching."

Mr. FESS. I think, if my friend will permit——

Mr. HAMILTON of Michigan. I think that ought to be changed.

Mr. FESS. I think, if my friend will permit, the matter is clear as to its intent and purpose, and may be all right, although it was an amendment put in the bill in another body from fear that the Surgeon General's authority might be interrupted in matters of his own duty. I may further say that none of the Members of the House committee desired such language inserted, as it seems purely surplusage.

Mr. HAMILTON of Michigan. I know, but the language does not express what you want expressed.

Mr. FESS. It is not in the right place in the bill. The section has to do with the pay of the soldier taking training. This language to which the gentleman from Michigan refers and which was inserted at the other end of the Capitol should follow line 25, on page 5, section 6.

Mr. HAMILTON of Michigan. All right, then. I would suggest that that ought to be overhauled.

Mr. FESS. Now, Mr. Chairman, may I ask the membership of the committee to permit me to proceed without further interruption, because I am taking too much time here and I do not need to be told that I am.

Will the committee permit me to call their attention to section 6, omitting sections 4 and 5, both of which are clearly stated and can have no points of opposition? Section 4 deals with powers and duties of the board and provides for investigations, and is taken from the Smith-Hughes law of 1917. Section 6 deals with the authority, the most important section of the bill if effective results are to be sought from this legislation. I would like to have the membership of the committee notice how we have adjusted this conflict between the military and civil authorities, and it will be an answer to my friend from Louisiana [Mr. ASWELL], who asked about it earlier in the discussion. As long as the disabled soldier is being physically rehabilitated, or functionally rehabilitated, the Surgeon General's Office has control. In other words, while the soldier is being healed, and until he is discharged, he must be wholly under the control of the military authority. But while he is in the hospital undergoing functional rehabilitation he would like to know about what he is going to follow, and he would like to consult about it. It would not do to give that field over to the Surgeon General's Office. That group of physicians and surgeons can not know either the requirements of vocational training or the possible demands of such trained persons. It is no reflection on a teacher to say he knows nothing about surgery. Neither is it a reflection upon a surgeon to assert he knows nothing about training. The Surgeon General's Office is not to look beyond, into the varied industries, and indicate what is demanded in commerce, labor, and agriculture, and what the trained man can do, but the Surgeon General's Office is primarily to heal. In other words, the Surgeon General's Office is dealing with the wounded man up to the time when he will be capable of being vocationally trained. It is not to remove the consequences of the wound, that is the function of the trainer, but to heal the wound. But while the patient is in the hospital he ought to be so treated that he might know what he can do, and he might have some preliminary or prevocational training to fit him for the larger training when he gets out.

But you can not admit into the hospital a trainer even for this prevocational training, except as he comes by consent of the Surgeon General's Office, and then while in the hospital for that purpose he must be under the Surgeon General. And whatever training for vocational life is done in the hospital while he is there being physically rehabilitated shall be by the assent or consent of the authority, which is the military authority. However, to insure a rational and continuous process of training the bill provides that there shall be a plan between the Surgeon General's Office—it does not specifically name this office, but it says "the military and naval authorities"—and the administrative vocational board by which such training might be begun in the hospital that will continue as a constant process outside of the hospital. But it must be under the Surgeon General. I make this emphatic and refer to it in extenso because much fear has been expressed that the Surgeon General may be unduly interfered with in the hospitals.

Mr. MADDEN. Will the gentleman let me ask him a question?

Mr. FESS. I yield to the gentleman.

Mr. MADDEN. Does the gentleman think that the make-up of the vocational board has the experience sufficiently varied to justify the hope that vocational training will be given along sufficiently comprehensive lines to meet all the cases? We have a manufacturer, a farmer, and a labor leader; and does not the gentleman think that the board ought to have a doctor on it, say, and have a banker on it, if you please, and have a lawyer on it as well? It ought to be made up of a greater number of men with a greater variety of experience than the present board has.

Mr. FESS. I thank the gentleman for asking the question as to the character and characteristics of this board. The answer is this: Vocational training has had a limitation and the law provided the character of the board, and the board as it exists now is constituted as follows, namely: The Secretary of Agriculture is the chairman; with him is associated the Secretary of Commerce, the Secretary of Labor, and the Commissioner of Education. The latter is the secretary. With these, as ex officio members—the head of commerce, labor, and agriculture, which covers the vocational field, and the head of education, which covers the training feature—are associated—please note—James Monroe, a manufacturer, of Boston; Mr. Greathouse, a practical farmer of Indiana, the owner and manager of a great farm; and Mr. Holder, representative of the American Federation of Labor. And the board has employed as——

Mr. ASWELL. The genius of the board is Mr. Prosser. Who is he?

Mr. FESS. The board has employed as director Mr. Charles A. Prosser, formerly at the head of the Vocational Education Association, later the leading member of the President's Vocational Commission, which reported the Smith-Hughes bill, and of Massachusetts, latterly of New York, still later of Minneapolis as head of the famous Dunwoody Institute—now taken over by the Government for training purposes—and now of Washington, and by all standards the best equipped man on this subject in America. I can not think of a better organization to handle this matter than this board as it is now constituted.

Mr. REAVIS. Mr. Chairman, will the gentleman yield?

Mr. FESS. Certainly.

Mr. REAVIS. Generally speaking, the injury received by a soldier will not prove a handicap to his entering into professional labor, and a doctor, or a lawyer, or a banker on the board would be of no particular benefit, would he?

Mr. FESS. I think not. It certainly would not be an improvement upon the present management as proposed in this bill.

Mr. REAVIS. Let me ask another question: Perhaps the gentleman has covered it already. I have not had the privilege of hearing all the gentleman has stated. Where does the vocational board take over the soldier—I mean absolute control—after his discharge from the Army or before?

Mr. FESS. There is an amendment in this bill which the Senate added, in lines 1 to 4, on page 6, which permits the Surgeon General's authority to follow the patient in the vocational field while under the board in matters that pertain to the medical necessities of the patient, but it would be purely advisory to the board, as the board is advisory to the surgeons in the hospital. Specifically, the military has him until discharged; then the board takes him. But each by consent of the other is allowed an advisory function.

Mr. REAVIS. One other question: Are these injured soldiers to be discharged from the Army, so that their taking this vocational training is discretionary with them?

Mr. FESS. Yes; it is optional.

Mr. REAVIS. Do you consider that a wise provision?

Mr. FESS. At first—I mean last year when we discussed the war-risk bill—I thought it would not be, but I will say to my friend from Nebraska that I think it is wise not to make it compulsory.

Mr. REAVIS. If I may make a further suggestion, I would like to say that the average soldier, after having served abroad and being wounded and discharged from the Army, will naturally want immediately to go to his home.

Mr. FESS. And will be permitted under this law to do so.

Mr. REAVIS. Now, society has some rights in this matter. A man who is so rehabilitated that he is not a derelict, and whose handicap is largely overcome, is worth a good deal more to society than he would be if he had not had this vocational training. In the interest of society and the benefit he might be to it, would it not be wise to make this vocational training compulsory?

Mr. FESS. I came to the conclusion, after starting out in the belief that it ought to be compulsory, that it would not do to make it compulsory, on the general principle that you could compel a person to go into a training school, but you could not change his nature or his taste; you could not make him study unless he was willing. He is not a schoolboy; he is a man. I have no doubt, in my judgment, that it would be a mistake to make it compulsory.

Mr. REAVIS. My great fear is that some of these soldiers are not going to be impressed with the absolute personal and general necessity of this rehabilitation.

Mr. FESS. May I state to my friend from Nebraska that the wounded soldiers who come from Europe to Canada have on the boat accompanying them persons who have been rehabilitated, employed by the Canadian and British Governments, and they have leaflets to show them, placards, and pictures which indicate what some of their wounded colleagues are already doing, and it is said that the trip over here is always a tremendous impetus for them to go into training. And yet, as a matter of governmental policy, they are always sent home for 10 days to visit their families before training is begun. This is the practice in all the countries, and especially in Canada, where great results have been achieved.

Mr. REAVIS. I think that is a most excellent thing.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield.

Mr. TOWNER. Let me say to the gentleman from Nebraska that the compulsory system has been tried in France and England and Canada, and has been abandoned in all of them, because it compels the soldier to remain an enlisted man subject to military orders, and what is forced upon a man is not generally well received.

Another thing: Just as soon as a man has completed his hospital treatment he is entitled to his discharge, if he can not be returned for service. That has been the military rule in civilized nations for centuries, as the gentleman knows. Now, at once, upon discharge, the soldier has the option of taking or not taking this training. It is to do or not to do, just as he decides. If he does, then the compensation provided for in the act continues to him. On the average, it takes eight months for them to complete their course, and the fact that 80 per cent of all of those do voluntarily take this course and complete it is, it seems to me, a sufficient showing that the voluntary system is proving a magnificent success.

Mr. FESS. I thank the gentleman from Iowa for making his observation, which is well established.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield.

Mr. McKENZIE. I would like to ask the gentleman from Ohio and the gentleman from Iowa [Mr. TOWNER], either one, if in the investigation of this subject they did not come to the conclusion that the Federal Government has absolutely no power, after the soldier is discharged from the Military Establishment, to compel him to do anything? As an American citizen has he not got that inherent right to refuse to go into this or any other enterprise?

Mr. REAVIS. If the gentleman will permit me, I recognize that to be true, but my suggestion was that he be not given his discharge.

Mr. FESS. Yes. If you do not give him his discharge he is still under the law and the recipient of allotments and allowances and all the features of the war-risk insurance.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. FESS. Yes; I yield to my friend from California.

Mr. NOLAN. In the discussion of this bill before the committee has any reference been made to any possible discrimination by employers against these men that might be rehabilitated? I have this in mind: The liability companies in insuring employees in industry specify certain physical requirements of employees, and it has come to my notice on numerous occasions that large industrial concerns, and even smaller employers of men, are compelled to have their men submit to a physical examination. If a man is found to be physically defective in any way they have felt that the risk on him was too great to warrant their insuring him. I would like to ask if the committee gave that matter any consideration in investigating this very important question? I do not know that we have the right to impose conditions, but we might, in considering the matter at this time, also consider that element that is to enter into it.

Mr. FESS. Let me state to my friend that this bill deals only with the soldier, and being a soldier he would have the benefit of the insurance feature. I do not see how we can correct anything of that sort. We can not certainly in this legislation correct what he suggests.

Mr. NOLAN. It seems to me that some attention might be given to that, and a campaign carried on so that there would not be any discrimination, and that a foundation might be laid for an appeal to the patriotism of the employers. I suppose thousands of men will be found crippled, and it may be that thousands of those men would have to be insured by the Government—men who are to get the benefits of the war insurance act.

Mr. TOWNER. If the gentleman will allow me, I will say that that matter was taken up and thoroughly discussed and considered in Canada. It is, as the gentleman says, a question connected with the conditions that exist. In Canada an arrangement was made without any difficulty with the industrial insurance companies by which they were not to make any discrimination against injured soldiers who might be placed in mechanical and industrial pursuits as a result of their training received under the terms of this kind of a law. When this law is passed in this country I doubt not that a similar arrangement will be made. At least I hope that these insurance companies in the United States will exhibit as much patriotism as has been exhibited by the like companies in Canada.

Mr. NOLAN. If I am not imposing upon my friend from Ohio——

Mr. FESS. I will yield further.

Mr. NOLAN. We have here an opportunity of circumventing that, in case the employers or the indemnity companies should try to do it, by amending the war-risk insurance act so that employers would be protected as fully in the case of these rehabilitated men as in the case of other employees. I am very glad the committee had the experience of Canada on that particular phase of it, because when we go back into industry after this war, and when there is great competition, as there always is in industry, requiring the employment of men who can produce the greatest results, I am afraid we will have to take this phase of it and give a lot of consideration to it if the employers and insurance companies do not exhibit a patriotic spirit.

Mr. FESS. This proposed bill does not attempt to modify the war-risk insurance act in any manner, except to repeal section 304 of the amendment of October 6, 1917.

Mr. HICKS. Will my friend from Ohio yield to me for a moment?

Mr. FESS. I yield to the gentleman from New York.

Mr. HICKS. Perhaps this will throw some light upon the inquiry of my friend from California. When we were on the other side, in conversation with the superintendent of one of the largest training schools for disabled soldiers, this phase of the question came up: That these men who were trained as carpenters and blacksmiths, and so forth, at Government expense would go out and compete with men who were not discharged soldiers. The fear in this superintendent's mind, from complaints he had received, was that there should be some compensation or some adjustment made in some way, otherwise there might be trouble between the union men who were not soldiers and the veterans, because the wounded soldiers, in addition to what they earned, would also be getting pensions, and therefore were getting a larger wage than the men working beside them who were not receiving pensions.

Mr. REAVIS. And the wounded soldiers are entitled to it.

Mr. HICKS. At the present time the patriotism of the union-labor men leads them to work on an equality with these veterans, and I believe our labor men will be equally patriotic and will welcome at the bench beside them the men who followed the flag to victory, and personally I believe the wounded soldier is entitled to all his patriotism entitles him and all his skill can yield him.

Mr. FESS. I will say to my friend from New York that one of the points of most intense interest in the discussion was the placement of the wounded soldier after he has been rehabilitated. That is left with the board of control, which is the vocational board, upon which there are representatives of industry, agriculture, and labor, and it ought to be cared for. It is so articulated with industry and the employment of labor that it seems to me to be peculiarly fitted to conduct studies into the needs of industries and their relations to the supply of labor, which must become in an increasing fashion a very important feature, when through the war the ranks of labor, especially unskilled, will be greatly congested.

Mr. PLATT. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from New York.

Mr. PLATT. I was going to raise a point somewhat similar to that covered by my colleague, in regard to men who have been wounded and who are able to do some work, but may not be able to do the full amount of work. The ordinary labor union requires that every man shall receive equal pay regardless of his capacity for work. Suppose a man was rehabilitated sufficiently to earn a small wage at a certain trade. How can he be taken into a union in that trade, and how can be get employment, if his employers are compelled to give him the full pay of an entirely competent man?

Mr. FESS. I feel sure that will be cared for, because, so far as I know, the labor unions are back of this bill to a man.

Mr. PLATT. I know, but very often the attitude of the men is that when a man is partially disabled you can not keep him employed at a smaller wage, but that you must pay him full wages or not employ him at all.

Mr. SUMNERS. I have been talking with a number of my colleagues about the bill, and we are all for it, but there is one point with regard to which I think we are not certain. That is the point of the voluntary or compulsory acceptance of the benefits of the bill. It has been stated that in the experience of the countries having to do with the rehabilitation of their soldiers perhaps 80 per cent voluntarily accept the benefits of this sort of an education. Has the distinguished gentleman from Ohio any idea as to how we could undertake to salvage the other 20 per cent?

Mr. FESS. I confess that I have no conception of it. I asked Mr. Kider, secretary of the Invalid Soldiers' Commission of Canada, who was sent down here at the request of the British ambassador to appear and give information before our joint committee, what he would do with persons who would not follow the instruction and take up the training, and his answer was, "We would say good-by to them."

Mr. MERRITT. You can not do that.

Mr. SUMNERS. I have talked with a number of men who were themselves crippled and who have learned to use mechanical arms, and who, because they have acquired skill in that direction, have attracted the attention of other cripples. It is the unanimous opinion of these men that if you let a cripple get back into ordinary life and become accustomed to having other people sympathize with him and wait on him, and sustain toward him the general attitude that he is unable to do anything, he gets the same mental attitude, and it is impossible to get him to try to do anything.

Mr. FESS. That is the same idea that my friend from Nebraska had.

Mr. SUMNERS. I think pretty nearly everybody in the House has the same idea.

Mr. FESS. That thing was gone over, and has been studied most intensely by all those who have been working on the bill. The thing to do is to take a man out of the hospital as quickly as possible, and, while he is coming over, in fact, surround him with the conditions of other people who have succeeded. Give these men a teacher who himself has been crippled and who is a standing object lesson of what rehabilitation can do, and as far as possible keep that aspiration and inspiration in the man's mind until he gets into the school.

Mr. NOLAN. Will the gentleman yield?

Mr. FESS. Yes.

Mr. NOLAN. I did not catch the percentage of men, if the gentleman has it, that refused to take the course in England and Canada.

Mr. FESS. It is infinitesimal; it is negligible.

Mr. NOLAN. Have they in the law the same proviso that we have in section 2?

Mr. FESS. As to economic control, they have the same thing.

Mr. NOLAN. And the percentage of men that refused to accept the rehabilitation work?

Mr. FESS. Is negligible; they state it is not sufficient to mention. Now, Members of the House, there is one more statement I wish to make. This is a bill that has not been hastily framed.

The matter was called up in the discussion of the war-risk insurance act last October. I was notified at that time that the Surgeon General's office was interested in it, and various departments here, including members of the Cabinet, were at work on it. The Surgeon General, through a suggestion, or rather the Secretary of War, through a suggestion of the President, called a conference which was made up of more than 50 people. They were representatives of all classes of activities in the country. That conference finally decided upon the appointment of a committee of 16, and those 16 represented the responsible agencies of the Government. They recommended that there be a commission sent to Canada to study the situation and come back and report. The British ambassador suggested that the Canadian commission send its secretary down here to give first-hand instruction as he saw it, being with them every day. We held, on April 30, May 1, and May 2, three days' hearing before joint committees of the Senate and House.

Before these hearings came Mr. Kider, the official from Canada, the representatives of the United States Chamber of Commerce, the representatives of the American manufacturing associations, the representatives of the American Federation of Labor, the representatives of the United States Tuberculosis Association, and representatives also of the Vocational Educational Board. I should have mentioned in the beginning that Gen. Gorgas and Col. Frank Billings were present, and every department that could be interested, as I saw it, was before us, and let me say there was not one single negative note against the movement.

A bill was framed and brought in, taken up by the two bodies, and our House committee went over it as carefully as any bill that I have ever seen gone over. It was rewritten and resectioned and then reintroduced in both Senate and House.

When the Senate took it up, as the gentleman from Alabama [Mr. BANKHEAD] has said, they discussed it for three days, and only one note of opposition to one phase, not to the bill, but to one phase of it. It came to a vote on May 25, and did not have a single opposing vote. It was a unanimous vote. The House immediately thought it was wise to take the Senate bill with a few modifications and substitute it for the House bill. I confess that there are one or two items in the Senate bill that we were not entirely satisfied with.

Our wounded soldiers are here; they are being cared for without any authority. There is not a line of authority in the law to proceed to the rehabilitation of the soldiers. And yet they are going on to do it in the belief that Congress will not refuse to ratify what they have done. For that reason I am very hopeful that we will take the bill up with speedy action and make it a law. [Applause.]

Mr. ASWELL. Will the gentleman yield?

Mr. FESS. If I have the time.

Mr. ASWELL. Has the gentleman any information as to whether this board would assemble these patients in some large center or institution, or distribute them as far as possible through State institutions?

Mr. FESS. The Federal Board for Vocational Education has put in operation vocational training in every State of the 48 States of the Union through the cooperation of the State boards.

Mr. ASWELL. I am familiar with that fact.

Mr. FESS. And through that agency the Federal board proposes to utilize the existing agencies instead of building new ones. By this management the Government will at once be able to command facilities unequaled. By the passage of this bill our country will be able to do at once what other countries took three years to learn.

Mr. ASWELL. That is important, and I am glad to know it.

Mr. LONDON. Will the gentleman yield?

Mr. FESS. Yes.

Mr. LONDON. I would like to be permitted to correct a statement made by the gentleman from New York [Mr. PLATT] which gave the impression that the labor unions insist on equal compensation for all workers, irrespective of their capacity. That is the statement that will go into the RECORD. I do not want that statement to go unchallenged.

Mr. PLATT. That is correct.

Mr. LONDON. It is not correct; the unions have never been so unreasonable as that; and only in certain sections of New York, where they are not familiar with the practices and principles of the union, does such a state of opinion exist.

Mr. FESS. Now, Mr. Chairman, just one very important question, then I desist from further discussion. In some quarters it is urged that this vocational work shall be carried on by the military authority. In the first place, there is no law for the

Army to do this, unless we write it in this law, which I am most averse to do.

Aside from the legal questions involved, including the total lack of authorization by law for such a program by the Surgeon General's office, the question arises as to whether or not the Army could successfully discharge the task. The following points are made in opposition to this proposal:

(1) Not one of the principal belligerent nations has attempted it. This includes Germany, France, England, Canada, and Italy. Even in France and Italy, where military control is continued over the period of vocational training and where this control has been acknowledged to be unsatisfactory, vocational training is given by civilians. Belgium alone, which is an expatriated country, has a scheme equivalent to that proposed by the Surgeon General's office. This is only because all Belgian citizens are under the military control of a foreign country.

(2) The occupations for which men should be trained are so many in number that the plan would be impossible, as far as hospitals are concerned. The list of occupations attached, for which Canada, Great Britain, and France are giving vocational training, numbers more than 500. The list would be larger in the United States because of our greater size, our complex and highly diversified economic, agricultural, industrial, commercial, general, and engineering occupations. Such a program could not be carried out by hospitals without the expenditure of hundreds of millions of dollars at a time when equipment is not to be had without commandeering. The training facilities of the country must be utilized. This means dealing with the schools and colleges—public and private, agricultural, industrial, commercial, normal, engineering, and universities. It involves the establishment of schemes on farms, in offices, and in manufacturing plants. It involves placement of men and the follow up of men to prevent them from being exploited.

Is Congress ready to make this extension of military duty and power over civilian life?

(3) Those who look forward to a national scheme of partial support and standardizing of the vocational reeducation of the victims of industry must realize that every consideration requires that the vocational reeducation of the victims of war should be in the hands of a civilian agency. Otherwise, should the second step come, the training of disabled civilians would be given under military control. If a new board were established for the purpose, the Army facilities could not be adapted to the purpose and the Army experience in dealing with the victims of war would have little, if any, carry over for the benefit of a plan for the victims of industry.

(4) It is the business of the Surgeon General's office to give physical reconstruction to disabled soldiers. Construction begins, and hence their manual activities are for therapeutic value only, excepting as they incidentally help a man along toward the more serious and thoroughgoing work of vocational training to be given after his discharge.

It will be illuminating to enumerate a list of occupations employed in the belligerent countries. I am satisfied that our varied and complicated industrial life would run his list in this country close to the 400 mark:

LIST OF OCCUPATIONS BEING TRAINED FOR IN CANADA.

1. Armature winding.
2. Agriculture.
3. Agricltural mechanics.
4. Accounting—municipal.
5. Arts—university.
6. Associated agriculture.
7. Automobile repairing.
8. Agriculture and farm mechanics.
9. Architecture and building construction.
10. Automobiles, care and operation.
11. Applied science.
12. Accounting (cost) and elementary.
13. Art metal work.
14. Accountancy, higher.
15. Architectural drawing.
16. Ad. writing.
17. Brush and broom making.
18. Braille typewriting and reading with message.
19. Bench machinist.
20. Bench stove fitter.
21. Boiler maker layer out.
22. Bench tinsmith.
23. Bricklayer foreman.
24. Bench carpentry.
25. Business management.
26. Building construction, steel and concrete.
27. Bookkeeping.
28. Barbering.
29. Boot making, surgical.
30. Boiler making, caiker and tuber.
31. Bee keeping.
32. Basketry.
33. Blacksmithing.
34. Banking and finance.
35. Building inspection and clerk of works.
36. Business and civil service combined.
37. Boat finishing and varnishing.
38. Buffing and polishing, brass.
39. Bronze chasing and finishing.
40. Civil service.
41. Commercial.
42. Cabinet making.
43. Chauffeur.
44. Carriage striper.
45. Chartered accountant.
46. Civil engineering.
47. Commercial art.
48. Carpentry.
49. Commercial telegraphy.
50. Commercial specialists (law).
51. Clay modeling.
52. Commercial illustrator.
53. Coal mining.
54. Clerk of works.
55. Carding and spinning.
56. Cinematograph operating.
57. Cement and steel testing.
58. Concentrating machines and assayer.
59. Core making.
60. Drafting, electrical.
61. Designing and advertising, commercial.
62. Drill, hand.
63. Drafting and elementary engineering (civil).
64. Dairying and stock judging.
65. Drafting (structural).
66. Designing and stencil cutting.
67. Electricity, elementary and theory.
68. Engine turning.
69. Elevator operation.
70. Electrical engineering.
71. Electrical wiring.
72. Elementary civil engineering.
73. Electrical construction.
74. Estimating.
75. Electrical machine and motor testing.
76. Electroplating.
77. English and arithmetic.
78. Engineering, sanitary.
79. Elementary surveying.
81. Furrier.
82. Flower growing.
83. Farming, mixed.
84. Poultry raising.
85. Farm mechanics.
86. Field and animal husbandry.
87. French polishing.
88. Farm mechanics and tractor engineering.
89. Fruit growing.
90. Farm motors.
91. Finishing (woolen mills).
92. Furniture assembling.
93. Gasoline-engine course.
94. Gas and steam engine operation.
95. Grain inspector.
96. Gas tractor and stationary engineering.
97. Gas engines, manufacturing of.
98. Gardening and greenhouse work.
99. Garage mechanics.
100. Highway construction.
101. Harness fitter.
102. Harness stitcher.
103. Hog raising.
104. Health inspector.
105. Horticulture.
106. Harness making and saddlery.
107. Harness repairing, hand.
108. House painting and decorating.
109. Interpreting.
110. Illustrating, magazine.
111. Ignition systems and starting devices.
112. Inspector of meats and foods.
113. Joinery.
114. Jewelry polishing and soldering.
115. Librarian.
116. Lens grinding.
117. Lip reading.
118. Limb manufacturing.
119. Mechanical dentistry.
120. Massage.
121. Machine-tool operation.
122. Milk inspector.
123. Medicine and surgery.
124. Mechanical drawing.
125. Motor man, street railway.
126. Municipal secretary.
127. Accountant.
128. Manual training instructor.
129. Machine drawing.
130. Mill hand, woodworking.
131. Multigraph adding machine and comptometer.
132. Milling and assaying.
133. Music.
134. Monotype operating.
135. Lead glazing.
136. Naval architecture.
137. Novelty making.
138. Oxyacetylene welding.
139. Ornamental plasterer.
140. Pneumatic tool repairer.
141. Pharmacy.
142. Plaster modeling.
143. Pattern making.
144. Printing.
145. Pastry cook.
146. Poultry raising and truck gardening.
147. Plumbing.
148. Steam and gas fitting.
149. Powerhouse assistant.
150. Power sewing-machine operating.

151. Pottery.
152. Piano finishing.
153. Photography.
154. Piano tuning.
155. Reed working.
156. Railroad telegraphy.
157. Railroad telegraphy and station work.
158. Road inspection.
159. Shoe repairing.
160. Shoemaking.
161. Sculptor in stone or wood.
162. Salesmanship (commercial).
163. Saxophone player.
164. Structural designing.
165. Shorthand and typewriting.
166. Switchboard operation (provincial telephone systems).
167. Singing.
168. Sign writing and graining.
169. Sign writing and show-card writing.
170. Stone cutting and gold work (jewelry).
171. Steam and hot-water heating.
172. Stain-glass manufacture.
173. Spinning metal.
174. Stencil and graining.
175. Storage-battery repairer.
176. Trombone playing.
177. Typewriter repairing.
178. Tinsmithing.
179. Teacher (public school).
180. Tree surgery.
181. Tailor's cutter.
182. Theatrical mechanics.
183. Template workers.
184. Tile setting and repairing.
185. University—first year of course in dentistry.
186. Upholstering.
187. Veterinary assistant.
188. Veterinary surgeon.
189. Watchmaking.
190. Wireless telegraphy.
191. Weave-room clerk.
192. Blue-print reading, estimating, and building construction.
193. Traffic rules and train dispatching.
194. Janitor.
195. Wheel truing and bicycle repairing.
196. X-ray operating.

LIST OF OCCUPATIONS BEING TRAINED FOR IN GREAT BRITAIN.

Agricultural motor tractor work.
Aircraft manufacture:
- Fusilage making and erection of engine on fusilage.
- Main planes, tail planes, elevators, and ailerons:
  - Rib assembling in jigs.
  - Rib finishing (sandpapering, etc.).
  - Assisting on plane assembling, e. g., threading on ribs, etc.
  - Wiring up planes and riveting bolt ends.
  - Assembling elevators and ailerons in jigs
  - Varnishing (unpainted woodwork).
  - Doping.
  - Sandpapering.
  - Attaching external fittings to planes, etc.
- Fusilages:
  - Assisting assembling of sides in jigs.
  - Cleaning up assembled sides.
  - Attaching fittings to fusilage sides
  - Wiring up and riveting bolts.
  - Varnishing.
  - Assisting in final assembling of fusilage (craftsmen's mate).
  - Assembling and making small repetition parts, e. g., camera boxes, brackets, seat boxes.
  - Assembling under carriages.
- Erecting shop:
  - Mechanical assemblers (e. g., struts in planes, etc.).
  - Wiring of machines.
  - Splicing.
  - Bolting and screwing assembled fittings and instruments to machines.
  - Bolting fittings on planes.
  - Riveting bolts.
  - Offering up and bolting tail units in place.
  - Offering up and pinning elevators and ailerons to planes.
  - Attaching wiring skids to main planes.
  - Assembling and attaching shock absorbers.

Boot and shoe manufacture:
- Power eyeletting.
- Rollers.
- Sole molder.
- Power skiving.
- Pounding machine.
- Leveller.
- Loose billing.
- Universal sluggers.
- Sole layers.
- Bottom scourer.
- Grading machine.
- Splitting machine.
- Pattern grading.
- Outsole and insole channeling machines.
- Loose nailers.
- Stitching machines.
- Heel-attaching machines.
- Heel trimmers.
- Heel scourers.
- Heel-burnishing machines.
- Clicking presses.
- Cutting presses (rough stuff).
- Pull-over machine.
- Consol laster.
- Blake sewer.
- Standard screwer.
- Welt sewer.

Boot and shoe manufacturers—Continued.
- Rough rounders.
- Edge trimmers.
- Edge setters.

Dental mechanics:
- Plaster of Paris work.
- Impression trays.
- Articulators.
- Founding casts.
- Vulcanite work.
- Porcelain teeth.
- Plate work.
- Pressure casting.
- Springs and swivels.

Electricity substation attendant:
- Workshop.

Employment in picture theaters:
- Operators and operators' assistants.
- Doorkeeper.
- Attendant.

Engineering:
- I. Minor machine operations—
  - Capstan lathes.
  - Light drilling.
  - Grinding.
  - Milling.
  - Light planing.
  - Shaping.
  - Slotting
  - Screwing.
  - Sawing.
  - Boring.
  - Power presses.
- II. Skilled trades—
  - Coppersmithing.
  - Fitting, turning, and brass finishing.
  - Molding.
  - Pattern making.

Furniture trade:
- Drawing and designing (only for men specially gifted).
- Carving and inlay.
- Upholstery.
- French polishing.
- Cabinetmaking.
- Chair making.
- Machine work.
- Wood turning.
- Lining or marking out of timber.
- Sandpapering by hand.
- Glass beveling, machine process.
- Surface polishing of mirrors.
- Cleaning, coppering, varnishing, and silvering of mirrors (but not silver mixing).

Gold, silver, jewelery, and watch and clock jobbing:
- Makers up of the cheaper kinds of gold jewelry.
- Makers up of all imitation jewelry.
- Makers up of cigarette cases, match boxes, and the less skilled forms of silverware and simple forms of electroplate goods.
- Hand wire drawers in the jewelery, silversmiths, and electroplate trades.
- Polishers and finishers.
- Stampers and piercers.
- Enamelers.
- Helpers in gilding and plating shops.
- Melters and those attending to sweeps and residues.
- Jewelers, silversmiths, and electroplate workers in all the more skilled branches of the trades.
- Setting in the jewelry trade.
- Britannia metal smithing.
- Silver hand polishing.
- Die sinking.
- Spinning and turning.
- Engraving.
- Chasing.
- Casting.

Hand-sewn boot and shoe making and boot and shoe repairing:
- Hand-sewn boot and shoe making.
- Hand repairing.
- Machine repairing—
  - Bench work.
  - Machine stitching and sewing (repairing only).
  - Finishing.
- Clogging.

Leather-goods trade:
- Fancy-leather goods.
- Solid-leather goods (other than trunks and portmanteau).
- Trunk making.

Printing and kindred trades:
- Composition—
  - Hand.
  - Mechanical—
    - Linotype.
    - Monotype.
  - Copyholder.
- Machine—
  - Platens.
  - Layers on.
  - Printing.
- Lithography.
- Photoengraving—
  - Operator.
  - Etcher.
- Bookbinding—
  - Forwarding.
  - Finishing.
- Stereotyping and electrotyping.
- Warehouse.

Tailoring:
- Cutting.
- Making up—
  - Coat making.
  - Trousers making.
  - Vest making.

LIST OF TRADES FOR WHICH INSTRUCTION HAS BEEN GIVEN IN FRANCE TO WOUNDED SOLDIERS.

MAY 24, 1918.

AGRICULTURE.

Manager, gardener, agricultural mechanic, tillers of the soil, vineyard cultivators, supervisors of cultivation, breeders, shepherds, forest guards, workers in cheese factory, milkmen, woodcutters.

COMMERCE.

Storekeepers, copyists, delivery men, errand boys, commercial travelers, barbers, motion-picture operators, architects' assistants, mechanical draftsman, librarian, bookkeepers, case packers, postal carriers, tax collectors, grocers, cashier, invoicer, typist, stenographer, hospital attendant, coroner, salesman, hotel clerk, elevator operator, newspaper editor, head road worker, market inspector, telephone operator, bank employees, policeman, interpreter, insurance agent, baggage-master, employee in mayor's office.

CONSTRUCTION.

Building painters, masons, plumbers, painter-decorator, electrician, building inspector, glazer, roof plumber, letter painter, marble-worker.

WORKERS IN METAL.

Mechanic, inspectors, jewelers, workers in precious stones, bridle maker, metal sawyers, aeroplane makers, locksmiths, welder, borers, electricians, optician, stipplers, mechanical engineer, hydraulic pressman, blacksmith, autogenous welders, riveters, dental mechanicians, turners, sheet-iron worker, tinsmith, engraver, watchmaker, stoker, tool distributor, drop forgers, coin cutters, metal turners, gear mounters, tin coppersmith, automobile mechanician, smelters, drivers of tool machines, machinist's helpers, bronze setter, gem setter, pewter welder, metal-design cutter.

TEXTILES.

Weaver, tapestry designer, tailor, cap maker, carpet makers, cutters, umbrella maker, sock maker, upholsterer, maker of pearl flowers.

CHEMICAL INDUSTRIES.

Perfumer, gas fitter, labratory helper, soap maker, oil maker, refiner, liquid air maker, chlorates maker, powder maker, maker of chemical products, candle maker, lacquer maker, bone sorter, manufacturer of matches, manufacturer of tobacco.

PAPER MAKING.

Paper machine operator, paper maker, stamper, operator of vulcanizing machine, manufacturer of caoutchouc.

LEATHER, HIDES, AND SKINS.

Shoemaker, hide worker, fur dresser, saddle maker, harness maker, morocco tanner, leather dresser, hide worker, tanner.

TRANSPORTATION.

Automobile chauffeur, garage employees, mechanic for subway, delivery drivers, railway employees, wireless telegraphers, supervisors of omnibus service, carriage washers, conductor for motor truck, machinists in street-cleaning service, meter readers.

WOODWORKING TRADES.

Carpenters, worker in can factories, basket makers, worker in toy factory, worker in piano keys factory, wood turners, wood varnishers, orthopedic carpenter, wooden-shoe maker, worker in broom factory, weaver of matting, cabinet maker, wood varnisher, ivory sculptor, grainer, sawyer, cooper, wheelwright, piano repairer, high-class brush maker, maker of ivory articles, painter of aeroplanes, cartwright.

DOMESTIC SERVICE.

Concierge, valet, porter, watchman, cook, wardrobe keeper, general servant.

BOOK TRADE.

Printers, linotypists, compositors, proof reader for music, bookbinders, engravers, technical editors, pressmen, stereotyper, machine operator, industrial photo copyist, photographers, letter-press printer.

VICTUALING.

Waffle cook, wine-cellar man, chocolate maker, hotel waiter, pastry cook, distiller, restaurant keeper, canners, sausage maker, bone remover, biscuit maker, pork butcher, baker.

MISCELLANEOUS.

Stone sculptor, mine worker, glass blowers, shopmen, clerks, errand boys, grooms, packers, porters.

Mr. Chairman, I repeat that the vast resources of our own country and its wonderful diversified industries would multiply greatly the number of activities to employ our disabled. It has been roughly estimated to be between four and five hundred. It is obviously too vast to even think of the scope being left with the Surgeon General's office.

Mr. BANKHEAD. Mr. Chairman, I yield 10 minutes to the gentleman from South Carolina [Mr. STEVENSON].

Mr. STEVENSON. Mr. Chairman, while I am heartily in favor of the principles of this bill and think it is one that we owe to the people who will be maimed and disabled for life, who have assumed the responsibilities that this Nation has on the front, I want to talk a few minutes about a subject a little foreign to it this afternoon.

In the Washington Post of May 30, a New York correspondent on the market situation contains the following, which is very suggestive to the farmers of the United States generally:

Bankers view the proposed increases in Federal taxes with equanimity. They contend that if the new tax schedule is made equitable there will be no occasion for fear in Wall Street. President Wilson admitted in his address that the existing statute had inequalities. The question of equal taxation raises a point, whether cotton growers and cotton-goods manufacturers will have to bear special taxes. It is alleged that cotton-goods men are making as much as 300 per cent profits, and that they have escaped special taxation so far because of influence in Congress. Nothing would please Wall Street more than to see cotton taxed. It is asserted that the prejudice of the solid South will be overcome by the united influence of the rest of the country. It would also please Wall Street if the western farmer were included in the new taxation program.

The question arises as to the truthfulness of some of these statements. The cotton manufacturer is taxed on his income and his excess profits just the same as the Wall Street magnate. So is the cotton farmer and so is the western raiser of stock and grain. The statement "they have escaped special taxation so far because of influence in Congress" is not true if it means that they are not burdened with the war taxes imposed on all in the same category alike. If the Wall Street gentry desire that specific tax be levied on each pound of cotton and on each bushel of wheat and on each yard of cloth, they would put these people in a different class and tax them specially. That would be a poor return for the patriotism which they show in endeavoring to produce the things which the Government says are necessary to win the war, to wit, bread, clothes, explosives, meat, and fats.

I desire to call attention to the fact that the cotton producer in the past year has produced in refined oil, between August 1, 1917, and April 30, 1918, 1,007,887,195 pounds—and this is pure fat. They have produced cottonseed meal, directly useful in fattening cattle, 1,912,605 tons.

The statement that cotton manufacturers are making 300 per cent profit is easily believable, but their stocks are largely held in New York and New England, and the people who hold them are paying income taxes and the corporations are paying income and excess-profit taxes. The spindles that are located in the South number 14,323,000, and in the balance of the United States the spindles number 19,423,000, and they are running almost to full capacity, and, I am informed, are having a profitable business; but is there any reason for laying a different tax on them from the tax laid on other people who are making money. That they are making money at the expense of the cotton farmer whose product has been depreciated in value recently by manipulations on the New York market, which made cotton for future delivery sell for 7 cents less per pound than the actual cotton sells for, is shown by a comparison of prices.

When war was declared in 1914 cotton was bringing 13½ cents. It is now bringing 30 cents.

[Figures compiled by former Senator McLaurin, of South Carolina, an expert both in raising and marketing cotton.]

	1914.	1918.
Standard 27-inch dress gingham	$0.07½	$0.25
Standard 4-yard sheeting	.06	.28
Ten-quarter pepperrill sheeting	.20	.62½
William Anderson Ivanhoe gingham	.10½	.35
William Simpson standard prints	.06	.22½
A. C. A. bed ticking	.10½	.38½
Cotton blankets, special size and weight	.75	2.25
Child's ribbed stockings, per dozen	.85	2.25

These prices show that the statement is probably correct that they are making handsome profits and are endeavoring to increase them by the reduction in the price of cotton. The embargo on the shipment of cotton on the railroads has been followed by the calling of all loans on cotton by the banks, which necessitates the selling of the cotton at a time when it is impossible to move it to the mills, and the purchaser is uncertain when he can resell it or at what price. The mills can afford to buy and retain it in the warehouse where located until they need it, and comparative figures show that they have been waiting for this condition to arise.

On April 30, 1917, there were stored in the factory warehouses 2,033,356 bales; at the same date in 1918 there were 1,807,055 bales, there being in 1917 226,301 bales in excess of that held by the mills in 1918. On the other hand, there are stored in the warehouses, held by the producers, at the same date in 1918, 2,843,553 bales of cotton, while there were only 2,503,411 bales so stored in 1917. The mills, therefore, have 226,000 bales less and the owners have 340,000 bales more in storage; and to depress the price and also force this cotton on the market will be vastly to the advantage of the spinner, and this probably is one of the reasons for the call of loans on the cotton.

There is certainly no reason for alarm as to the value of the cotton, because the production for the year 1916 for the entire world was 18,365,000 bales, and the consumption of cotton for the same year was 20,180,000 bales. The excess of consumption over production was 1,815,000 bales. Now, the production for the year 1917 was 17,285,000 bales, and, conceding that the consumption will decrease according to the ratio of decrease up to the present, the consumption will be 20,045,000 bales, leaving a deficit of 2,760,000 bales, which is added to the deficit carried over from the year 1916. Hence, cotton is becoming more valuable, and the only reason for a desire to call the loans that are made on it must be a desire to force a sufficient amount on the market to depress the price, which can only add to the 300 per cent profit already being made by the manufacturers.

I am not, however, admitting that they are making that large profit, nor am I admitting that they should be specially taxed more than to have all excess profits very heavily taxed; but

the man who is making the cotton is certainly not sharing in the tremendous benefits, and therefore should not be discriminated against by being specially taxed and by having his loans called and his cotton forced on the market at a time when everything is tending to depress the price of his product, nor should he be specially taxed because "it will be especially pleasing to Wall Street" to tax it.

Now, in respect to what it is costing to make it, the farmer who is making the cotton and who is making the wheat, who is to be specially taxed, according to the gentlemen in New York, according to their statements, is confronted with double expense. The fertilizer that he has to buy is costing him practically 100 per cent more and the labor which he has to employ, if he can obtain it, is also enormously increased in cost, and if the propaganda is to be put out now that they be specially taxed, I submit it is one which is not taking into account the patriotism that has been shown by the farmers of the country who, at the request of this great Government, have increased the food products enormously in the last year and who are this year straining every resource to increase it in the face of a price-fixing program which, as they say, has cut the profit that is in it to a very low figure, one which is certainly not profitable, and in saying that I submit that the proposition to tax the western farmer and the southern farmer especially on their products is one which, I hope, will not commend itself to the Committee on Ways and Means. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I yield five minutes to the gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, there are a great many things in this bill I should like to see changed, but the discussion this morning has in my judgment settled the whole proposition as to the limitations of the bill. It is clear from the discussions, from the reading of the bill, from the intent of the Senate, and from the expressions of members of the Committee on Education that it is intended to be confined distinctly to the ordinary vocational educational activities. It is clear from these discussions that it will not include the training of lawyers, doctors, or school-teachers. That is shown here by the fact that the unanimous opinion is that the vocational board is to be the governmental agency to control it. I should very much like to see a larger scope covered by this bill, but the majority in both Houses and the committee seem to believe that it should be limited to the vocational; that is, to the agricultural and the ordinary trades or mechanical arts. Even with this limitation it is my opinion that the bill should be speedily passed to-day and be put into operation at the very earliest moment. I merely wanted to make this brief statement.

Mr. WILSON of Louisiana. Before the gentleman sits down, will my colleague yield for a question?

Mr. ASWELL. I will.

Mr. WILSON of Louisiana. My colleague states it is generally conceded that this bill will only apply to callings or trades, industrial or mechanical, and not to any profession. We had some discussion upon that awhile ago, and the gentleman from Illinois [Mr. MADDEN] produced a definition of "vocation" from a dictionary, and in the meantime I was curious to know what the courts might have held about it. The only case I could find was a Nebraska case, and I desire to state just what the court held as to the word "vocation," and it is this. It says:

A "vocation" is an employment, occupation, calling, trade, including professions as well as mechanical occupations.

Mr. ASWELL. I will state, in reply, that is undoubtedly true as far as the word "vocation" is concerned, but "vocational education" has been construed uniformly differently. The term "vocational education" by common usage has come to apply to the ordinary trades and not to the professions.

Mr. WILSON of Louisiana. I have been unable to find any extended definition of "vocational education," but I know that among college men it is not supposed to include a profession.

Mr. WATSON of Pennsylvania. If the gentleman will permit me, what authority does the gentleman quote? Is that from the Supreme Court of the United States?

Mr. WILSON of Louisiana. No; a Nebraska case, 127 Northwestern Reporter.

Mr. WATSON of Pennsylvania. A State case.

Mr. BANKHEAD. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, I want to indorse in the strongest possible way the remarks made a few moments ago by the gentleman from Colorado [Mr. TAYLOR]. I was one of the party he was with last fall that visited the battle line, and the impression that he received from those best qualified to speak on the question of rehabilitation was the impression that I also received, and it is that these wounded men should be given this education as soon as possible after leaving the hospital. I want to refer briefly to one or two things we saw on our trip, obtained from personal observations, which may be of interest to the Members of the House.

Let me speak for a moment of some of the great hospitals in London, and especially the orthopedic hospitals, where they rebuild the human wreckage of war. It was one of the most depressing as well as one of the most encouraging sights I saw abroad. It was really marvelous to see the way in which surgeons at these institutions salvage the men who are sent there, and it means much for the economic future of the nation. Some men come in without arms, some without legs, some are blind, others are so shattered in their heads or bodies that it seems impossible to do anything to remedy their pitiful condition. I have seen men with parts of the jaw fractured, others with nose and cheeks lacerated by a piece of shell. In restoring face wounds where the bone has been cut away they take a piece of a rib of the wounded man to replace the loss, carefully fitting the new part into the cavity. Or, if this be impracticable they take the rib from a brother or sister or some other near blood relative. I saw one of these men after he had been treated for several months. They showed us a picture of him taken the day he was received at the hospital. The change was almost unbelievable—his nose, cheek, and one-half of his jaw had been blown away. When I saw him several months after the initial treatment, while there was still a frightful scar, he was able to use his jaw almost as well as you or I. He could speak, he could eat, and all without pain.

At the military hospital at Shepherd's Bush, 1,200 patients are cared for, and, in addition to medical treatment, when they are strong enough they are taught gainful trades, so that they may again become factors in the industrial life of the nation. In one of the wards I met a young fellow who had come to the hospital so terribly mangled that his case was considered hopeless. He had been buried for four hours by a shell explosion along the Somme. After months of careful treatment his broken body had been rebuilt, and he was bright and cheerful. I asked him how he felt. "Oh, I am feeling fine. Better days ahead," he said.

Those men, after they are cured of their wounds, are given some vocational training. It may be that of a painter, a decorator, a carpenter, a blacksmith, a cigar and cigarette maker, a saddler, an upholsterer, a bricklayer, or the maker of crutches and splints. We were very much interested and impressed with the fact that these wounded men, as soon as they were able to go into the workshops, would prefer to turn their skill to the benefit of their comrades in making splints and crutches used in that hospital, and they were proud of what they were doing. They felt gratified at the thought that they were self-supporting and still doing their bit. They receive a small wage while thus employed, but they also had certain privileges. For instance, if a man was in the shops and doing daily work he was allowed to go to his meals at the first table; he was given certain privileges in regard to leave of absence from the institution; but the thing that appealed to him most was the fact of the uniform. The man in the hospital who is not working in the shops is compelled to wear a blue uniform, a sign that he is an invalid, but the very moment he enters one of the shops and becomes self-supporting he is permitted to wear the khaki uniform of his regiment. So when any of these men parade the streets of London in khaki uniform it denotes the fact that they are self-supporting citizens of the community. We were entertained one day, as my friend from Colorado will remember, in the great mess hall at Shepherds Bush, when a band composed of these armless and legless men played the Star-Spangled Banner in honor of our coming from America, and I can assure the Members of this House that we returned very cordial and enthusiastic applause for that rendition. [Applause.]

Mr. TAYLOR of Colorado. If the gentleman will permit, I would like the gentleman to tell the House of the hospital we visited in which the men were making virtually all the wooden legs that they were using in the British Army, and making them out of American willow.

Mr. HICKS. I will do that in just a moment, and I am glad the gentleman referred to it. At Ruehampton, right in the heart of London, is a great hospital where, as my friend from Colorado says, they are manufacturing the artificial arms and legs for use in the hospitals, and these men are all former soldiers who were themselves wounded on the battle field. Col. MacLeod, in charge, told us that 30 per cent of those who entered had no preference of a trade and left the institution without having obtained any real benefit. One man in particular we noticed who had lost both legs, one at the thigh and one at the knee,

and yet for several moments after we saw him we did not know that he was a cripple.

He could run, he could walk, he could turn, and all practically without a limp. At first that man was so discouraged at his condition that guards had to be placed over him to prevent him from committing suicide. Then there came to him an inspiration that he could still make himself a useful factor in society, and from the moment of that vision he began to look upon the future in a different way, and he is to-day an educator of other men. He stands in the factory inspiring the men who come there in the same pitiful condition in which he came, with the thought that they, too, can become useful factors in the economic life of the Nation. He tells them how to adjust their artificial limbs and instructs the workmen how to make the limbs in the most scientific way, but he himself has no legs.

In the factory of which I am speaking they have lathes where they manufacture all sorts of woodenware; they have lathes where they turn out iron and steel screws and parts for machines; and they teach the men to manufacture and repair automobiles, they teach them carpentry, and then they teach men along commercial lines, such as bookkeeping and typewriting, and things pertaining to office work. They also teach them agriculture. But one of the curious things the superintendent told us was that nearly all the men preferred anything except farming; that only a few went into that line. And as far as domestic science is concerned, none whatever entered that field of occupation.

Great Britain cares for her blinded sailors and soldiers at St. Dunstans Hospital, where 350 of these unfortunates are quartered. The hostel is situated on the estate of Mr. Otto Kahn, of New York, who contributes the use of his property to this splendid work. Sir Arthur Pearson, himself blind, is the financial sponsor to the institution. The men are taught useful occupations and everything is done to prevent the blinded soldiers from falling into the slough of despond, which usually engulfs a man who has suddenly lost the sense of sight. Instead of this, his fighting spirit is aroused as he learns of the full and wonderful lives of usefulness achieved by others, and he realizes that closed eyelids do not mean lack of vision. He is inspired with the motto, "What others can make of life, I can also make." Gainful trades are taught, which will enable these sightless men to take their places in the economic world. Shorthand writing, telephone operating, shoe repairing, mat and basket making, joinery, gardening, poultry raising, and massage are the occupations in which these blind veterans find their opportunities to again become factors in the industrial life of the nation. Many volunteer workers give their time and patience to this noble work. The men are taught to read and write by the Braille system, and a short address I made to some of the workers was handed me as it had been taken down by the blind typist in this code of the sightless. The days are divided into class and lecture room exercises, shopwork, and recreation. In many of the workrooms the men were singing as their nimble fingers plaited the baskets and mats, and everywhere there was an absence of that depression and helplessness which is so often associated with a life of blindness.

In the shops, although there are sighted foremen in each department, the instruction is mainly given by men who are themselves blind. The more intelligent and apt soldiers are kept to be pupil teachers, in order to encourage the newcomer by the fact that he is profiting by the knowledge of a man who was himself blinded on the battle field only a short time before.

Mr. FESS. Will the gentleman yield?

Mr. HICKS. Gladly.

Mr. FESS. The gentleman might be interested to know that the report from Canada is that there are 196 trades that these people can follow, and in our country it has been estimated that there will be at least 400.

Mr. HICKS. For the blind?

Mr. FESS. No.

Mr. HICKS. I am speaking now of the blind at St. Dunstans. I want to refer one moment to what the gentleman from Ohio [Mr. FESS] has mentioned and return to the rehabilitation of the armless and legless. We were very much impressed in observing a man who had lost an arm at the shoulder and had an artificial one, which was so adjusted with contrivances and pulleys that he could use it with almost the same power and dexterity as formerly. He was able to write, ride a bicycle, use a typewriter, row a boat, dig with a spade, and even shave himself. I saw him lift, at arm's length with the artificial limb, a 50-pound sledge hammer, and what was probably more startling was to see him take his pouch of tobacco from one pocket, which he held in one hand with his pipe, and then with the contrivance on the artificial hand take a pinch of tobacco and pack it into his pipe. Many soldiers suffer from shell shock, due to the terrific bombardment to which they have been subjected. They may be physically sound and in perfect health except for dislocated nerves. Some are unable to walk; others can not use their arms or hands. For hours volunteer nurses sit beside these men, searching with electric vibrators for a nerve which yet has life. Perhaps at first the dormant nerve will respond by only an almost imperceptible quiver, but by constant treatment day after day it will be restored to its normal condition. Then another nerve is treated, until finally the man can again walk or use his hands.

Mr. FESS. Will the gentleman yield?

Mr. HICKS. I will.

Mr. FESS. Dr. Amer, of the School of St. Maurice, gives one striking example, where a very skilled violinist had his right arm taken off, and by certain functional appliances and a steel arm the man now plays the violin, holding the bow in steel fingers.

The CHAIRMAN. The time of the gentleman from New York [Mr. HICKS] has expired.

Mr. HICKS. May I have three minutes more?

Mr. BANKHEAD. Yes; I will be very glad to yield to the gentleman three minutes more.

Mr. HICKS. I thank the gentleman from Alabama for his courtesy. I am glad to have the gentleman from Ohio make that suggestion, because we were most impressed with the variety of occupations that these men seem to be able to fit themselves for and to perform by means of the contrivances that have been perfected for their use. The amount of ingenuity that has been put into this salvaging of human beings is one of the marvels of the war. The science of medicine and surgery under the spur of necessity has made rapid strides in the past three and a half years, and the knowledge and experience acquired will be one of the compensations for the sacrifices made. When the true history of this war is written in the perspective of future years it will tell of the movement of ships and of armies, of victories on land and sea, of heroism in the air and in the depths. It will speak also of the great human side of the conflict; the silent, unheralded, unsung devotion of the doctors and nurses in these hospitals. I want to pay my tribute to the noble deeds of the men of genius and the women of patience of Great Britain, France, and Italy. Yea; and to those of America, too, now that our boys are in the trenches, who are giving every ounce of their strength and the full measure of their skill to the task of restoring human beings, of rebuilding the bodies and the minds of men seemingly hopelessly injured, and implanting in their shattered frames hope and confidence to fight life's battles anew. [Applause.]

Mr. WATSON of Pennsylvania. In speaking of artificial limbs, do the soldiers teach themselves to use these limbs and artificial hands, or are they taught by experts?

Mr. HICKS. They are taught largely by the men themselves. In St. Dunstans Hospital, for instance—the hospital for the blind—while they have men with sight in certain departments, most of the educational work is taught by men who were themselves blinded on the battle fields. It is felt that the soldiers will have more inspiration and will be more encouraged by receiving education from men who were themselves injured only a few months before.

Mr. TOWNER. Let me say, with the gentleman's permission, that that is just exactly what this bill is for, to send these teachers to accompany these men, sometimes into a factory, into a shoe manufacturing establishment, into a boiler maker's establishment, into all of these occupations, and it teaches them to adjust their conditions to the circumstances that there exist. That is what this vocational bill is intended to do.

Mr. HICKS. I agree with the gentleman from Iowa that the moral effect of having the lessons of usefulness taught by men who have themselves been benefited by this training is most important, and I feel that this bill will do much for the future of our Republic and should have the sanction of every Member of Congress. [Applause.]

Mr. BANKHEAD. Mr. Chairman, I yield 15 minutes to the gentleman from Indiana [Mr. VESTAL].

Mr. VESTAL. Mr. Chairman, I ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. HICKS. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. VESTAL. Mr. Chairman, shortly after the declaration of war one year ago last April, through legislation passed by

this body, we decreed that the selective-draft system should be used in raising our Army instead of the volunteer system.

The most convincing argument made in favor of the selective-draft system, or that at least convinced me that the method was a correct one, was that every citizen of the Republic, no matter what his station in life, his financial condition, or his occupation, owed certain duties and obligations to the Government under which he lived.

One of the sacred obligations that he owed to the Republic was to defend and protect it against all enemies in payment for the many blessings that he had enjoyed under the Stars and Stripes; that the duty to defend the country when its flag was insulted, when property was destroyed, and our people ruthlessly murdered upon the high seas did not devolve upon any one class of its citizens but there was a universal obligation to serve resting upon the shoulders of all our citizens.

And so, upon that theory and upon that broad principle of justice, the draft law was enacted. The magnitude of this great struggle I think has convinced the majority of our people of the wisdom of the draft. So while the citizens of the Republic owe this duty and obligation to it, the Nation at the same time owes a duty to its defenders, and it is because of that duty we owe our soldiers that this legislation is proposed.

The country recognized its duty, in part at least, by enacting into law the war-risk insurance bill, by the terms of which we provide for the soldier in case of his being disabled and for his dependents in case of his death; we provide for the soldier's dependent family by means of a Government allowance while he is serving his country.

But I think the Nation owes still another duty to its disabled soldiers, that of placing them as nearly as it can, when the war is over, in the same condition as when they were called to the colors; and that, in a broad sense, is the purpose of this legislation. In other words, men are being called from every walk of life—from the workshop, the farm, the factory, and from the great business institutions of the country—to fight the battles of the Republic. If any of these men are disabled while in the service of the country, we propose by this legislation to so train those men that they may take up life's work again with the same earning capacity as when they entered the service.

Under this bill instead of paying the soldier so much a month, by reason of his disability contracted in the service of his country, we propose to offer him in addition thereto the opportunity of obtaining such training as will fit him to earn a living for himself and family, in spite of his disability, so he will not be compelled to look to public charity.

It would not be the purpose under this law, and the board, of course, would not provide a course of training to a disabled soldier unless there was reasonable certainty that by so doing the soldier would be able to follow some gainful occupation.

Section 2 provides that that class of disabled soldiers who are disabled under circumstances that would entitle them after discharge from the service to compensation under article 3 of the war-risk insurance act, and who because of their disabilities are unable to follow their former occupation, or having entered upon such occupation are unable to continue the same successfully, or who are unable to follow some gainful occupation, shall be given a course in vocational training.

There is no discretion left here with the board. They are compelled under this law to give the soldier in that class vocational training if, in the opinion of the board, by so educating that soldier he will be able to carry on some gainful occupation.

The question as to whether he is unable to follow his former occupation or some gainful occupation on account of his disabilities is a question for the board charged with administering this law.

The disabled soldier is not compelled to take this course of vocational training. He may elect to take it or not. We simply offer to give him the training. If the disabled soldier in the class described in section 2 elects to take this course of training, he shall, while following the course, receive monthly compensation in a sum equal to the amount of his monthly pay for the last month of his active service or the amount to which he would be entitled under article 3 of the war-risk insurance act, whichever amount is the greater.

If such soldier was an enlisted man at the time of his discharge, during the period he is taking the course of vocational training as provided by the board his family shall receive compulsory allotment and family allowance according to the terms of article 2 of the war-risk insurance act, and for the purpose of computing compulsory allotment and family allowance his compensation shall be treated as his monthly pay.

As stated before, this legislation does not seek to compel any disabled soldier to take a course in vocational training; it only offers the soldier the opportunity.

And if a soldier elects to take such a course and then willfully fails or refuses to follow the same, the bill provides that the board may certify that fact to the Bureau of War-Risk Insurance, and the bureau shall during such period of failure or refusal to follow the course withhold any part or all of the monthly compensation due such soldier; but this, of course, does not in any wise affect compulsory allotment. The family allowance paid under this section will be paid from the military and naval family-allowance appropriation, provided for in section 18 of the war-risk bill, and the monthly compensation shall be paid from the military and naval compensation appropriation provided for in section 19 of the war-risk act.

The bill also provides that no compensation under section 3 of the war-risk act shall be paid during the period that a disabled soldier is being furnished by the board a course of vocational training.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. TOWNER. Referring to the matter that the gentleman has just been speaking about, there is provision in section 3 that "no monthly compensation, family allowances, or expenses as provided by this act shall be paid on account of any such person availing himself of the courses under this section."

Mr. VESTAL. I am speaking of section 2. I will come to that particular section later on.

Mr. TOWNER. Very well.

Mr. VESTAL. It only offers the soldier the opportunity to take this course of training. Gentlemen will notice that the language of the law is that the board may certify that fact to the Bureau of War-Risk Insurance in case the soldier refuses to take the course of training, and then the Bureau of War-Risk Insurance shall, during the time that the disabled soldier willfully refuses to take this course, withhold any or all of his monthly compensation. But that does not affect his family allowance or compulsory allotment. That will go on to his family just the same.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. MADDEN. I do not read it that way. I would like to have somebody explain it. I understand that all his compensation is stopped.

Mr. VESTAL. No. Let us see what it says. At the top of page 3, after the first proviso it says—

That if such person willfully fails or refuses to follow the prescribed course of vocational rehabilitation he has elected to follow in a manner satisfactory to the board, the said board in its discretion may certify to that effect to the bureau, and the said bureau shall, during such period of failure or refusal, withhold any part or all of the monthly compensation due such person and not subject to compulsory allotment which the said board may have determined should be withheld.

You see there is a compulsory allotment there to take care of his family. If the soldier was a sergeant and had three or four children and was getting $75 a month, the greater part of that is a compulsory allotment, to take care of his children, and only a part of it goes to the soldier himself, so that the board can withhold what goes to the soldier himself, but can not withhold what goes to his family.

Mr. MADDEN. Does the gentleman think that it is fair or right or just for the Government of the United States, that has already allotted a given compensation to a man for injuries sustained in the defense of the flag, to take that compensation away from him because he thinks that he does not need the rehabilitation which this board says he ought to have? That is the question.

Mr. VESTAL. We go right back to the proposition that the board does not force him to take it in the beginning.

Mr. MADDEN. I understand that.

Mr. VESTAL. If he believes he ought to have that course he may take it, and if he does not he receives his compensation.

Mr. MADDEN. If the board decide that it is wise for them to report to the War-Risk Insurance Bureau that he does not want to take it, then the War-Risk Insurance Bureau is compelled under the law to deduct this compensation from the injured soldier. Is that true?

Mr. VESTAL. That is true.

Mr. MADDEN. Has the gentleman any assurance supporting his opinion that this board will not so report to the War-Risk Bureau? Why place that power in anybody's hands?

Mr. VESTAL. I would take it that this board, charged with that duty, would be of such a character as would use the very best of discretion in these matters. You have got to lodge discretion in some official. You can not throw it wide open.

Mr. MADDEN. If you put discretion in the hands of any board where human frailty is charged with the responsibility of carrying out any law, as all laws are carried out by humanity, do you not think you are taking a great many chances of taking away the compensation that that soldier has a right to receive as the result of his injuries during the war?

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. VESTAL. Yes.

Mr. HUSTED. How does the disabled soldier or sailor get into the training school in the first instance? Is it to be his own initiative, or is he directed to go there?

Mr. VESTAL. It is by his own initiative. He elects to take the course.

Mr. HUSTED. I understand that he can not be compelled to take it.

Mr. VESTAL. Yes.

Mr. HUSTED. But is there no provision in the law anywhere by which somebody is authorized to direct him to go there? I can not find it.

Mr. VESTAL. This law, as I understand it, has got to be in general terms. Of course, this board will probably follow out the course that is followed in Canada, where they have somebody on the hospital ship who gets to these soldiers as quickly as he can and explains what we propose to do and also by means of posters and things of that kind brings to the attention of the soldier the fact that he will be offered this vocational training.

Mr. HUSTED. If the gentleman will permit, I realize that no disabled soldier is required to take this training; that if he decides that he does not want to take it he may lose the compensation provided. But there is a provision in the act here that if the disabled soldier refuses to take the training, then his compensation may be taken from him. But if there is nobody to direct him to take it, what about the man who never offers to enter the school? He could avoid having the training and also receive the entire compensation.

Mr. FESS. I think my friend has a misconception when he says that the compensation will be taken from him. The compensation allowance to him as a training man is taken from him, but the compensation under Article III is not taken from him. He gets the compensation under Article III of the war-risk insurance act, but he does not get it as pay for attending this training school.

Mr. HUSTED. Is there not a provision in the war-risk insurance bill that part, at least, of his disability pension may be taken from him if he does not permit himself to be vocationally trained and rehabilitated?

Mr. FESS. I think not.

Mr. HUSTED. I think there is.

Mr. FESS. In the war-risk insurance bill?

Mr. HUSTED. Yes.

Mr. FESS. Oh, no. There is no training provided for there.

Mr. BLANTON. Will the gentleman yield a moment?

Mr. VESTAL. I yield to the gentleman from Texas.

Mr. BLANTON. I should like to state further, in answer to the question of the gentleman from Massachusetts, that this suggestion to the injured soldier or sailor comes in the hospital, when the first aid is given. The suggestion is made to him that he may yet become an independent citizen, and that he will be placed back into vocational life and have his share in the activities of the world. This suggestion is made all down the line through the hospital, and when he comes out of the hospital he is put right into the vocational training school.

Mr. HUSTED. The point I want to make is that I do not see how anyone can refuse to take the vocational training if he is not ordered or directed by anybody to take it.

Mr. VESTAL. Now, I want to discuss section 3 for a moment. Section 3 of this bill provides for a different class of disabled soldiers. It provides that all soldiers who are disabled and who upon discharge would be entitled to compensation under article 3 of the war risk, shall be provided courses of vocational training, so far as practicable, and under such conditions as the board may prescribe, free of cost for instruction, but this class, if permitted to take the course, shall receive no monthly compensation, family allowance, or expenses.

This section has to do with that class of soldiers who are disabled and yet their disabilities are not such as to preclude them from following their former occupation or some gainful occupation.

And the section is drawn upon the theory that although this class of disabled soldiers is able to follow former occupations, or some gainful occupations, because of disabilities, the soldiers can not produce the maximum as they could when they were called from civil life to help defend the flag, and because of that fact we seek to make these courses in vocational training available for them as far as it is practicable to do so. But as to this class we believe that the monthly compensation should be withheld, also that no family allowance, expenses, and so forth, should be allowed.

I do not believe I am in accord with the committee—at least not all of them—upon the provisions of this section. While I agree with and am in favor of the first part of the first proviso, that no monthly compensation shall be allowed, for the reason that the Government is giving him a course in vocational training in lieu of this compensation, I am unable to see how the family of a disabled soldier able to follow his former occupation, who elects to follow a course in vocational training, is any better able to live than the family of a disabled soldier unable to follow his former occupation and electing to follow a course of vocational training. And when the proper time comes I propose to offer an amendment to this section of the bill striking out monthly compensation but providing for family allowances and expenses, and striking out the last proviso in the section.

The only reason I can see for not allowing family allowances to this class of soldiers is the expense, but should we stand upon that, when the soldier offered his youth, his strength, his very life itself, for the protection of our institutions?

Mr. MADDEN. Will the gentleman yield for a short question?

Mr. VESTAL. Yes.

Mr. MADDEN. The gentleman does not agree with the gentleman from Ohio [Mr. FESS] that the soldier who refuses to take vocational training will not be deprived of the compensation allowed to him for the injury he has received, does he?

Mr. VESTAL. I did not quite get the gentleman's question.

Mr. MADDEN. The gentleman from Ohio asserts that no deduction shall be made from the compensation allowed by the Government for injuries to a soldier, even though he refuses to take the vocational training. The gentleman from Indiana asserts that such part of the compensation as may come to the soldier himself, aside from the amount that is required to be allotted to his family, shall be deducted in case he refuses.

Mr. VESTAL. That is the way I read that section.

Mr. MADDEN. Yes; that is the way I read it.

Mr. VESTAL. I may be wrong in it, but that is the way I understand it.

Mr. FESS. Let me ask my friend a question.

Mr. VESTAL. Yes.

Mr. FESS. A soldier who elects to follow the training is not paid any compensation under article 3, because he is paid his last monthly salary or else the compensation, but not as compensation.

Mr. VESTAL. Yes; I understand that.

Mr. FESS. Now, if he refuses to go on with his training, does my friend say that he loses the compensation under the compensation act of October 6?

Mr. VESTAL. That is the way I read section 2.

Mr. MADDEN. That is the way I read it.

Mr. VESTAL. Section 2, not section 3.

Mr. FESS. Section 2 has to do with allowances. It has nothing to do with compensation.

Mr. VESTAL. It has to do with allowances?

Mr. FESS. Yes. Section 2 has not anything to do with compensation. Section 2 is the family allowance based upon the allotment to the soldier. That stops when he is discharged. But if he goes on under section 2 for training, he will be given, in addition to his compensation, an allowance for his family, because when he is discharged his allowance is stopped.

Mr. VESTAL. That is correct.

Mr. FESS. But this law gives him the allowance if he goes on with the school.

Mr. MADDEN. And if he does not go to school it takes away from him the allotment which is allowed to him for the injury he has received. That is the way I read it.

Mr. FESS. My friend uses the wrong word—"allotment."

Mr. MADDEN. Then, I will say injury compensation.

Mr. VESTAL. The board may "withhold any part or all of the monthly compensation due to such person and not subject to compulsory allotment which the said board may have determined should be withheld."

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. TOWNER. I yield to the gentleman such time as he may desire.

Mr. FESS. Now, if the gentleman will permit me, there is some confusion here.

Mr. VESTAL. Yes; and I think that ought to be cleared up.

Mr. FESS. I would like to have the gentleman from Illinois to note this. Under section 2 the amount paid to the disabled soldier that goes into the school is either the last month's salary that he was receiving when he was discharged, or else the amount provided in article 3 of the compensation, whichever is the greater. Now, listen. It is not paid as compensation but paid as salary.

Mr. MADDEN. If it goes in.

Mr. FESS. Yes; and now after he goes in he refuses to go on. He loses both the allowance and his family the compensation and salary, but he certainly is permitted to continue to draw the same compensation under article 3 of the war-risk insurance bill. He does not forfeit that by going into the school.

Mr. MADDEN. I think the committee intended to make it read that way, but I do not read it that way, and can not make myself understand it that way. Here is what I understand: When the soldier goes into the vocational-training school he is allowed either amount, the monthly pay or the amount of compensation for injury; but during the period that he is receiving either one of these he does not receive the compensation that was allowed to him for his injury. Then if he refuses to go on he does not get the monthly allowance for attending school and he loses also the right to receive such part of the compensation due to his injury as might come to him personally independent of that allowed to his family as a compulsory allotment.

Mr. FESS. Let me give a concrete case. If he is a captain he gets $200 a month salary.

Mr. LONDON. That has nothing to do with it.

Mr. FESS. Yes, it has. He does not take the $38 compensation but he takes the $200 salary. While he is in the school he gets the $200 from the Government, and because he is in the school and it is not compensation but is the payment for attending school. If he goes out of the school the $200 salary stops, but his compensation of $38 does not stop.

Mr. LONDON. Will the gentleman from Indiana yield to me?

Mr. VESTAL. In one moment. In answer to my colleague on the committee I think that is the intention of this bill; that is what I understand is the intention, but I do not believe as a member of the committee that the language of the bill so states. That is the thing I am talking about. Now, I will yield to the gentleman from New York.

Mr. LONDON. Is not the effect of the language this, that the soldier is not punished for refusing to enter the training school, but he is punished for changing his mind after he has entered it? Is not that the substance? In other words, he gets the full allowance for disability under the war-risk insurance bill if he refuses to enter the school, but if he once enters the school he loses that portion——

Mr. VESTAL. That is not the intention of the bill.

Mr. LONDON. Is not that the effect of the language?

Mr. BARKLEY. Does not the confusion arise from the word "compensation," which applies while he is in the school and under the war-risk insurance bill?

Mr. VESTAL. That may be; there is no question about what the committee understands this to mean—that he shall be deprived of the compensation under the provisions of this act; that is, the additional compensation allowed him for training.

Mr. BARKLEY. Under the language of the bill, if the compensation, under article 3 of the war-risk insurance act, is larger than his pay as a soldier, then, that is the compensation and it is substituted for pay, and under the language of the bill he would lose that, would he not?

Mr. VESTAL. Yes. Every dollar this Government spends in caring for a disabled soldier's family and in reeducating the soldier so that he may take his place in the industrial world will be repaid fiftyfold.

Section 4 of the bill deals with the powers granted the Federal board, describing their powers and duties.

Section 5, making it the duty of the board to make studies, investigations, reports, and so forth, is taken from or copied from one of the sections in the Smith-Hughes Act.

Section 6 marks the line where military control ceases and civil control, under the Federal board, begins.

So long, of course, as the soldier is not discharged he is under the complete control of the military authorities, and all treatment to bring about functional and mental restoration to disabled soldiers should be under the control of the War and Navy Departments, respectively.

But while the disabled soldier is still in the hospital, and before he is discharged, while he is convalescing, prevocational training should be employed, getting the soldier ready for the vocational training which is to immediately follow his discharge, so to avoid any conflict in authority, we provide that when the training is employed as a therapeutic measure the Federal board may, by the consent of the military authorities act with them, but only in an advisory capacity, so as to insure, as far as possible a proper process of training and preparation for instructors for such training.

We provide further that when the disabled soldier is discharged all military control ceases, and he is then under the control absolutely of the Federal board, except that the military authorities may act with the board in an advisory capacity only as to the health of the soldier, and I understand that this arrangement is perfectly agreeable with the board and the War and Navy Departments.

In my judgment, the success of the whole scheme depends upon getting the soldier back into civil life as soon as possible. Military authority ought to cease, and the soldier ought to be discharged as soon as his medical treatment has reached finality, and as I view the matter, the board having the disabled soldier's vocational education in view ought to be consulted and advised with as soon as the soldier is brought to the hospital, and military authority ought to cease entirely as soon as the medical treatment is concluded. These men only took up arms at the Nation's call; they come from peaceful, happy homes; they are not professional soldiers; they are citizens of a great Republic, and the sooner they feel they are in control of themselves the more progress they will make in their vocational work.

A word as to the board that is to carry on the vocational work outlined in this bill. The board is composed of the Secretary of Agriculture, the Secretary of Commerce, the Secretary of Labor, and the Commissioner of Education, Mr. Claxton. The three active members of the board, Mr. Greathouse, from my own State, formerly superintendent of public instruction, and a practical farmer, and familiar with the work of the farmer, touching all the agricultural institutions of the United States; Mr. Monroe, who was a successful manufacturer of Boston, a great student of commerce, a graduate of Boston Tech; Mr. Holder, representing labor; and Dr. Prosser, the director of vocational training.

It seems to me that this Federal board, representing as it does all phases of industrial and commercial lines, and acquainted with the labor situation all over the country, is most admirably fitted to have control of and carry out the plans proposed by this legislation. A great number of the injured men to be reeducated or given vocational training will have come from the farm, and so we have the Secretary of Agriculture, in touch with this great vocation, on the board.

Many of the injured men will come from the trades, and the Secretary of Commerce fits in well. And then we have the problem of placing the men after they have been trained in some vocation, and we have the organization of the Department of Labor, through the Secretary of Labor, to assist in this work.

Then again the board is already created and in touch with this kind of work, and it would be added expense and a loss of time if we would seek to create a new commission or board separate and apart from this Federal board to administer this law.

The other allied nations have been doing work along the lines of vocational rehabilitation since this war began. Before the beginning of the war Belgium had one institution for the vocational training of men who had been injured in industrial plants. And when Belgian territory was overrun by the German Army the institute was moved to some place in France. Then the plan used by the institution in Belgium was used in rehabilitating injured soldiers. The policy was soon adopted by all our allied countries, and the results have been marvelous.

The committee heard the testimony of a great number of persons during its hearings, but the facts stated by Mr. Kidner, connected with the commission having this work in charge, from Canada, and Dr. Prosser, who has made a study of the work in Canada, were probably the most interesting.

From the testimony there elicited we learned that Canada had sent approximately 250,000 men across the ocean to fight. Forty-one thousand were returned to Canada. Not all of these were disabled, but out of the whole number returned 2,400 were disabled to such an extent that they were subjects for vocational training, or practically 1 per cent of the whole number of men that were sent across. Under their laws in Canada it is not compulsory that any of these disabled men take vocational courses, but Mr. Kidner told us that out of the 2,400 eligible to take the course only 107 courses have not been accepted, and some of these cases are only deferred cases. The percentages as we get them from Canada show that only a small per cent are so seriously disabled as to not be able to carry on their former occupations. It is the theory of the law in Canada, and it is the theory of this bill, that a man is not given this vocational training merely because he is a soldier but because he is so disabled while in the service of his country that he is unable to follow his former occupation.

Under this law every man undergoing treatment in a hospital is given the opportunity of improving his education or his previous training. If, when his medical treatment has reached finality and he is pronounced cured by the surgeon, he is able to follow his former vocation, or some gainful occupation, he is not eligible to a course in vocational training, as provided for in section 2 of the bill.

If he desires a course in vocational training and in the opinion of the board it is practicable, then he would come under the class provided for in section 3 of this law.

As I said at the beginning of my remarks, this country owes a duty to these men it has called to arms in its defense; an obligation rests upon us as a Nation that we can never fully repay. The least we can do is to place them as nearly as possible in the same position and condition, so far as earning capacity is concerned, as they were when they left their peaceful, happy homes at the Nation's call.

The possibilities under this bill are so great, economically and socially, that I am sure no Member of this House will hesitate to support it.

Our soldier boys comprise the very flower of American manhood, men from every walk of life, from every vocation, and every station. Some have left the farm, some the factory and the workshop, others the great business institutions of the land, their loyalty and patriotism only measured by their opportunity to serve.

They have gone forth strong in body and limb, stout of heart, to give their lives, if need be, for the honor of Old Glory, the safety of our womanhood, the protection of childhood, and the honor of manhood; to protect and safeguard all that Washington fought for, all that the immortal Lincoln died for. [Applause.] Many of them will never return, but will forever rest on the blood-soaked battle fields of sunny France.

Thousands of them will come back broken in body and spirit, shell shocked, and shell torn. Because of their disabilities many of them will have lost heart and will look forward to the future with dread. They will feel that, with their handicap, they will have no chance in the industrial life of the Nation. What greater service can the Nation render to these heroes than to go to meet them on their return and dispel the gloom by opening the door of opportunity for them to again take their places with their more fortunate comrades. Give them to understand that the Nation that sent them to battle still needs them in its industrial life, and demonstrate to them by means of vocational training that in spite of their disabilities they can still be self-supporting and useful citizens. [Applause.]

The disabled soldiers and sailors have a right to a position of independence, but we would show an utter disregard for their feelings if we attempted to show our appreciation by following a course of public charity. We propose by this bill to instill into the disabled soldier the certainty that he can overcome his disabilities, and then furnish him the means by which his disabilities can be overcome.

In my judgment the measure ought to pass, and pass quickly, for already numbers of our boys are being returned from the front, and, as Dr. Prosser well stated in the hearings before the committee, we are bound to have some physical cripples returned from the front, but we ought not to have, in this great Republic, any social or economic cripples resulting from the war. [Applause.]

The CHAIRMAN. The gentleman from Iowa has one minute remaining and the gentleman from Alabama has two minutes remaining.

Mr. TOWNER. Mr. Chairman, I ask for recognition for one hour.

Mr. MADDEN. Does the gentleman expect to use that hour now?

Mr. TOWNER. No; I do not think so. I wanted to yield some time. I wanted to yield to the gentleman from New York [Mr. PLATT].

Mr. MADDEN. I thought if the gentleman was going to use his hour now that I should object.

The CHAIRMAN. Is the Chair correct in the understanding that the gentleman has already had an hour of time on this bill?

Mr. TOWNER. Yes; I think so, several times, but I ask it again.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent——

Mr. WALSH. No; he is entitled to recognition anew.

The CHAIRMAN. The Chair will recognize the gentleman from Iowa.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Can the same gentleman get recognition more than once for an hour in general debate?

The CHAIRMAN. The Chair was under the impression that a Member could only use one hour on one bill. But the Chair is not a parliamentarian and thinks he may be mistaken.

Mr. STAFFORD. Mr. Chairman, to avoid any dispute, I ask unanimous consent that the gentleman from Iowa be permitted to proceed for one hour.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the gentleman from Iowa be permitted to proceed for one hour. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, for the purpose of getting this bill passed, I do not suppose any further oratory is necessary or that a considerable number of speeches which have been made already were necessary. The bill expresses a splendid idea, a new idea, that of teaching maimed soldiers so that they go back to their old life or into some other occupation, perhaps, that they have not previously followed, where they can earn a living, so that they may know that they will continue to be useful, self-supporting members of society. I think we are all in favor of this purpose. I do not think there is anybody here who is really in any sense opposed to the bill. The only possible question about the bill anybody could raise, it seems to me, is as to whether the bill is properly written or whether the bill provides just the right way to carry out the idea. I have a few doubts as to some parts of it. I do think it is unnecessarily involved in its language in some places. There has been a strong tendency in writing some of this legislation to use the longest words possible to be used. "Rehabilitation" is rolled around under the tongues of the "highbrows" who started this bill, but there is no particular sense in using that word all through it, and it does not mean "rehabilitating" except, perhaps, in the beginning, in the title, but means training, and I think the shorter word really ought to be used. We have been urged to leave the bill exactly as it is, because it has passed the Senate, but the Committee on Education rewrote a good deal of the bill once and took it over to the Senate, and they passed it, with some amendments that did not improve it. There are some things in it that ought to be stricken out now, and it really is not very creditable to a committee which has the name of the Committee on Education to let a bill go out from this House written as this bill is now. It ought to be simplified and clarified in language and one or two of the provisos in it ought to be taken out.

Mr. ROSE. Will the gentleman yield for a short question?

Mr. PLATT. I will.

Mr. ROSE. I would like to ask if the bill passed the Senate in the form in which it is now before the House?

Mr. PLATT. It did. Our committee changed the first bill introduced a good deal, but has not amended the bill since it passed the Senate, though we discussed a number of amendments which we think should be passed. There are one or two whole sections in the bill which I do not see any particular reason for. A certain amount of confusion has been created by the long words which were put in this and in the war-risk insurance act. For instance, the war-risk insurance bill advocates insisted on changing the word "pension" to the word "compensation." Now, section 3 of the war-risk insurance bill provides for what is exactly the same thing as a pension. Section 2, providing for family allowances and allotments, is a different thing, but I think in the other section the word pension ought to have been used. A certain amount of conscious, premeditated slur on the present pension system was intended in changing that, as well as in the organization of the new pension or "compensation" system under the Treasury Department instead of in the Pension Bureau. You will find in the hearings on this bill, and they are very interesting by the way, that the Canadians refer to "pensions." You will find in section 2 of this bill the question is whether a man undergoing "rehabilitation" shall receive "compensation" or a salary. Perhaps they used a longer word than "salary," remuneration ought to suit pretty well. Now, if we could cut out the polysyllabic words and put it plainly that the choice of the wounded soldier seeking to return to economic usefulness lies between his pay and his pension we should have something which you understand and everybody understands. That is all there is of it. Now, this rehabilitation idea, to use the word that is in the bill, is new, I believe. I have not gone into the history of the thing, but it has certainly not been tried to any appreciable extent before the present great war. But it is not new to us. It is being tried out in Canada with a great deal of success. The hearings tell particularly about the work in Canada, with statements also about the work in England and in France and Italy. My colleague from New York [Mr. HICKS] has already told you of his personal visits to hospitals in England and France, and it is a very interesting work. It is being carried out here also, right in the Walter Reed Hospital, I understand, under the Surgeon General's control. I believe it is being very well done, and I can not help having a certain

amount of doubt whether it might not be better carried out as already started here under direction of the Surgeon General than under the control of the Vocational Education Commission. That perhaps is not a matter of vital importance, as in other countries the work proceeds successfully under control of different authority in each one.

Among the saddest things of any war, I think, are the cripples that come home to us and are with us all the time. The men who fall on the battle field have gone from us, and we mourn them and honor them for having sacrificed their lives for us; but, after all, they are gone, while the cripples remain with us. I think the statement that they have not before had a fair deal is a fair statement. If we can do anything to put them into self-supporting positions, where they will feel that their life is of some use to them and to other people, it is the greatest thing that can possibly be done. [Applause.]

You will find some figures in the hearings which are encouraging. Canada has found and England has found that the proportion of men blinded by the war is very small, only 27 men out of 41,000 disabled men returned to Canada. My friend and colleague, the gentleman from Ohio, Dr. FESS, has given you some of the figures—that out of a million men fighting overseas 1 per cent, or 10,000, each year will come back as subjects for training, of whom only about half will have had surgical operations, and of these only 500 will be cases of dismemberment. Many of the others, though retaining arms and legs, will be partially crippled through wounds affecting certain muscles, and others still will be chiefly medical cases. I will not go further into this—read it in the hearings. It is sufficient to say that the number of actual cripples, in the sense in which we use the word generally, is less than most of us have believed. The cases present an infinite variety, and I can readily believe that the work of helping them back to a position of self-support is one of absorbing interest, and one that we shall all be glad to have had some part in through the enactment of this legislation.

Mr. TOWNER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, this bill appeals both to the heart and to the brain. The magnitude of the sacrifices involved in the European war has compelled nations and governments to adopt new measures and to discard old notions. All governments realize to what an extent the individual is helpless in the present contest of nations; he is called upon to give his life; if he manages to escape with his life, but with a limb gone, his earning capacity destroyed, the nation—the people collectively—owes him an obligation, a sacred duty, to restore at least his earning capacity and his ability for self-support.

There is one section in the bill, however, section 7, that gives me some concern. It permits private gifts and donations from either public or private sources. I do not like the idea of this reservoir of the Nation's patriotism being supplied by charity from private sources. I fear that it may have a degrading effect upon the man who will get his sustenance during the period of training from that fund. When the Government pays him a salary——

Mr. TOWNER. Will the gentleman yield?

Mr. LONDON. I will.

Mr. TOWNER. I agree with the gentleman generally upon that proposition; but now, for instance, this has been suggested to the committee: There are some men that are now building hospitals for this purpose with their private money, and without the thought, perhaps, that the Government would undertake it. It is suggested that these gentlemen will be anxious and willing, at least, to give those hospitals to the Government for this purpose. Does not the gentleman feel that under those circumstances it would be proper for the Government to accept them?

Mr. LONDON. I would accept them in their present state—those that may be ready or in the process of construction at the time the bill goes into effect. But I would not like to see it as a policy of the Government to receive private charity in order to maintain a fund which is a recognition of the duty of the Nation toward its fighters and defenders. That is the only thing that seems to me objectionable in the bill.

There will always be plenty of room for charity toward these men. It will require charity to be helpful in a thousand ways. The highest form of human charity can never be put down on paper or in the form of a resolution. It can not be adequately described. It is the human attitude of one living man toward another less fortunate. It is the sort of kindness that can not be organized. There will be plenty of room for that sort of charity. But I do dislike the idea that a defender of the Nation should be called upon to receive aid from private sources. And then I fear another thing, that in the event of large gifts being received from industrial corporations that they may have too much to say as to the manner and method of placing these men. I would like to keep the dispensers of gifts away as much as possible. I would not like to see a big industrial corporation contribute a million dollars and then come, with the prestige given to the donor by the donation of a million dollars, and exercise an undue influence on the officials whose obligation it will be to place the disabled men into gainful occupations.

Mr. FESS. Will the gentleman yield?

Mr. LONDON. I will.

Mr. FESS. The reason this was placed in the law as in section 7 was the beneficent gifts that are pouring in over in Europe——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Those gifts are of large amounts. Also an effort will be made in this country through the war-chest funds and the Red Cross activities, and so on, and the condition of the receipts, of course, is to be an unconditional one.

Mr. LONDON. I understand that, so far as the letter of the law is concerned. But the gentleman knows that in a community where one contributes more than the rest—in a small community, where you have one great, rich man—he has more to say than anybody else in the community. Because his gift is the largest his voice is the most commanding. You can not be accepting gifts from private persons without putting yourself under obligation to them. I fear that influence.

Mr. FESS. Would my friend be in favor of cutting that out?

Mr. LONDON. I would. I believe it is purely a national obligation. Let me make this suggestion, that when it will come to the great big work of rehabilitation, since we are now using that polysyllabic word, it will be found to be absolutely beyond the capacity of private charity to deal with it. The real great Red Cross work of the world will have to be undertaken by the nations of the world as the result of a collective understanding. There will be millions of homes ruined in France. Belgium is almost completely wiped off the map. Serbia is completely destroyed. The Bulgarians have gone to the extent of taking away from the Serbians their plows and all their agricultural tools. Entire countries devastated by the war. When it will come to rehabilitating the invaded sections of Europe, it will require the collective efforts of the governments of the world. It will be far beyond the scope of any individual efforts.

Of course I heartily support the bill, but I do not believe you can make a perfect bill now. The future will disclose its defects.

Mr. FESS. My friend will notice that the section has been guarded pretty well, both in requiring a report to be made and also with respect to the conditions.

Mr. LONDON. I know, but I would eliminate private gifts. I think they would have a demoralizing effect.

Mr. MADDEN. Mr. Chairman, we have had a very edifying discussion this afternoon, and——

Mr. BANKHEAD. Mr. Chairman, I think I know what is in the gentleman's mind. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1544. An act to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes.

EXTENSION OF REMARKS.

Mr. FESS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LONDON. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. PLATT. And I make the same request, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks on the question of transportation.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STEPHENS of Mississippi. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on war legislation.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD on war legislation. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE.

Mr. BARKLEY. Mr. Speaker, I ask unanimous consent that on June 14, next Friday, I be allowed to address the House for 20 minutes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that on next Friday, after the reading of the Journal and the disposal of business on the Speaker's table, he be allowed to address the House for not to exceed 20 minutes.

Mr. FESS. On the subject of Flag Day?

Mr. BARKLEY. Yes.

Mr. MEEKER. Reserving the right to object, is it on the flag?

Mr. BARKLEY. It will not be physically on it. I hope it will be spiritually on that subject.

Mr. STAFFORD. On what subject did the gentleman say?

Mr. BARKLEY. It is Flag Day. It will be on some kindred subject.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 9 minutes p. m.) the House adjourned until to-morrow, Saturday, June 8, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Ordnance Department of the Army for a switching locomotive at Rock Island Arsenal, Rock Island, Ill., fiscal year 1919 (H. Doc. No. 1151); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation to reimburse certain civilian employees of the Engineer Department at large, United States Army, for loss of personal effects by reason of the sinking of the United States Panama dredge *No. 4* on February 5, 1918 (H. Doc. No. 1152); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 746) to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes, reported the same without amendment, accompanied by a report (No. 641), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TREADWAY, from the Committee on Ways and Means, to which was referred the bill (H. R. 12002) for the establishment of Bar Harbor, in the State of Maine, as a port of entry and delivery for the immediate transportation without appraisement of dutiable merchandise, reported the same without amendment, accompanied by a report (No. 642), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 8839) for the establishment of Oswego, in the State of New York, as a port of entry for immediate transportation without appraisement of dutiable merchandise, reported the same without amendment, accompanied by a report (No. 643), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 3572) authorizing the Coos Bay, Umpqua, and Siuslaw Tribes of Indians, in the State of Oregon, to submit claims to the Court of Claims, reported the same without amendment, accompanied by a report (No. 636), which said bill and report were referred to the Private Calendar.

Mr. GOODWIN of Arkansas, from the Committee on Claims, to which was referred the bill (H. R. 3448) for the relief of Thomas P. Darr, reported the same without amendment, accompanied by a report (No. 637), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 2958) for the relief of Faxon, Horton & Gallagher; Long Bros. Grocery Co.; A. Rieger; Rothenberg & Schloss; Ryley, Wilson & Co.; and Van Noy News Co., reported the same without amendment, accompanied by a report (No. 638), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 3950) for the relief of C. D. Pautler, reported the same without amendment, accompanied by a report (No. 639), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (S. 3923) authorizing the Indian tribes and individual Indians, or any of them, residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise, reported the same without amendment, accompanied by a report (No. 640), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DILLON: A bill (H. R. 12415) to limit the power of Supreme Court judges to declare laws unconstitutional; to the Committee on the Judiciary.

By Mr. CHANDLER of Oklahoma: A bill (H. R. 12416) defining "lurking and trespassing upon and injuring oil properties and refineries," fixing the punishment therefor, and for other purposes; to the Committee on the Judiciary.

By Mr. FERRIS: A bill (H. R. 12417) to provide for the disposition of abandoned lighthouse and life-saving stations; to the Committee on the Public Lands.

By Mr. SHACKLEFORD: A bill (H. R. 12418) providing for the acquisition of additional land and for the construction of an addition to the public building at Columbia, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. DILL: A bill (H. R. 12419) authorizing the President to fix the price of wheat substitutes during the period of the war; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BORLAND: A bill (H. R. 12420) granting an increase of pension to William H. Hall; to the Committee on Invalid Pensions.

By Mr. DILLON: A bill (H. R. 12421) granting a pension to Charles Hartsough; to the Committee on Pensions.

By Mr. DARROW: A bill (H. R. 12422) for the relief of Anna Carroll; to the Committee on Claims.

Also, a bill (H. R. 12423) for the relief of G. L. Aldendifer; to the Committee on Claims.

By Mr. DYER: A bill (H. R. 12424) granting an increase of pension to Edward Wadsworth; to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 12425) granting a pension to Hattie A. Lee; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12426) granting an increase of pension to Mrs. E. R. Gault; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BESHLIN: Memorial of citizens of Warren, Pa., against polygamy in the United States; to the Committee on the Judiciary.

By Mr. DILLON: Resolution of the Mitchell Chamber of Commerce, Mitchell, S. Dak., urging a centralized Federal body to coordinate highway activities; to the Committee on Roads.

By Mr. DOOLITTLE: Petition of citizens of Scranton and Alta Vista, Kans., favoring immediate war prohibition; to the Committee on the Judiciary.

By Mr. DYER: Memorial of the American Surgical Society, favoring passage of the Owen and Dyer bills relative to rank for medical officers of the Army; to the Committee on Military Affairs.

By Mr. HILLIARD: Memorial of Ladies' Aid Society of Methodist Episcopal Church of Englewood, Colo., urging passage of the Barkley war prohibition bill; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Memorial of South Jefferson and Pomona Granges, of Hillsdale County, Mich., against price fixing and excess profits; to the Committee on Agriculture.

SENATE.

SATURDAY, *June 8, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee as Thou art the truth, the way, and the light. Thou art righteous altogether, and Thy judgments are in the earth when people are troubled. Thou art moving to-day mightily among the nations of the earth. Thou art shaking the things that are false. Thou art teaching men the path of life. We pray that we may have grace to follow the providences that are about us. Where God leads may we not fear to follow. We pray Thee to lead us on to the establishment of Thine own great universal kingdom among men. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

DAUGHTERS OF THE AMERICAN REVOLUTION.

The VICE PRESIDENT laid before the Senate the annual report of the National Society of the Daughters of the American Revolution, which was referred to the Committee on Printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 9953) To amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912.

The message further announced that the House agrees to the amendments of the Senate to the bill (H. R. 5558) to amend section 101 of the Judicial Code.

The message also announced that the House agrees to the amendments of the Senate to the bill (H. R. 9864) to amend section 111 of the Judicial Code.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1544. An act to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes;

H. R. 5558. An act to amend section 101 of the Judicial Code;

H. R. 7796. An act to increase the salary of the United States marshal for the western district of Michigan;

H. R. 9864. An act to amend section 111 of the Judicial Code; and

H. R. 9959. An act to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912.

PETITIONS AND MEMORIALS.

Mr. MYERS. Mr. President, I present a short memorial to the United States Senate, which I ask to have printed in the RECORD and referred to the Committee on Foreign Relations.

Mr. SMOOT. I should like to ask the Senator from Montana if that is the same memorial the printing of which in the RECORD was objected to by the Senator from Arizona [Mr. SMITH]?

Mr. MYERS. It is.

Mr. SMOOT. Does the Senator really feel that it ought to be presented to the Senate with this request in the absence of the Senator from Arizona?

Mr. MYERS. In view of the condition of the RECORD this morning, showing four pages of telegrams and petitions and letters presented by the Senator from Illinois [Mr. LEWIS], addressed personally to him, and in view of the fact that on the very day that I wanted to have this memorial printed telegrams and letters and petitions addressed to individual Senators were by the dozen put in the RECORD on that same day, without any objection, and in view of the fact that the present occupant of the chair, the Vice President of the United States, the presiding officer of this body, once ruled that a memorial addressed to the Senate is entitled to go in the RECORD, I think that my request is correct and proper. If any Senator wants to object to it, he may do so, but I say if any Senator is going to constitute himself a censor of the CONGRESSIONAL RECORD he ought to be fair and impartial and object to all requests, not object to requests from some Senators and not from others.

Of course, if it is the sense of this body or of the Committee on Printing that these things should not be printed in the RECORD, I think Senators owe a duty to obey it. But I think, on the other hand, there appears a double duty. I think any Senator who intends to constitute himself a censor of these things should be here at all times during the morning hour and object to all alike, and have fair treatment, and I will be one of the first Senators to obey that.

I do not offer such things and make such requests more than three or four times a year, and I only made this request because it is on a very important subject, it is short, and it contains some very meritorious suggestions regarding the prosecution of the war and the conduct of this country after the war. I think it is proper for the Senate Committee on Foreign Relations to consider, and I think it is of such importance that all Senators should become acquainted with the contents of it, for it makes some very rare, and I think, sound suggestions. I made the request in good faith, relying, as I understood it, on the ruling by the Vice President made about three months ago

that a document addressed to the Senate is entitled to be printed in the RECORD.

Mr. SMOOT. Mr. President, I wish to say to the Senator that neither the Senator from Arizona [Mr. SMITH] nor any member of the Committee on Printing has set himself up as a censor of the CONGRESSIONAL RECORD, but the Joint Committee on Printing, as well as the Committee on Printing of the Senate, has seen the abuse of filling the RECORD with petitions, if they can be called petitions, to such an extent that it is costing the Government hundreds of thousands of dollars at every session of Congress. This practice we are undertaking to stop.

I agree with the Senator from Montana that the petitions put in yesterday by the Senator from Illinois [Mr. LEWIS] never ought to have been printed in the RECORD. There are four pages of them. I suppose when they were offered nobody realized what they were nor to what extent they were to be printed in the RECORD.

Mr. MYERS. If the Senator will just permit me at this point, I will say that if some member of the Committee on Printing will be here at all times during the morning hour to object to all alike, I will be one of the foremost to bow most cheerfully to their will, but I do believe in equal treatment for all Senators.

Mr. SMOOT. The Senator is perfectly correct; and I was going to say that there should be no partiality shown in relation to matters printed in the CONGRESSIONAL RECORD.

I do not want to take the time of the Senate this morning, Mr. President, to call the attention of the Senate to the conditions that are existing at the Printing Office. I will simply say that I have come from a meeting of the Committee on Printing this morning, at which the Public Printer appeared before that committee, advising the committee that the situation is such and the printing has grown to such an extent that it is next to impossible for the Public Printer to get out the work that is demanded. He can not get the necessary employees at the salaries paid, and you all know the paper situation.

Mr. GRONNA. Mr. President——

Mr. SMOOT. In just a moment. The Public Printer has scoured the country from one end to the other for employees and paper, and it is an impossibility to keep up the printing of extraneous matter in the RECORD, together with the demands of the departments going on as they have been in the past. I yield to the Senator from North Dakota.

Mr. GRONNA. I trust the Senator from Utah will not let the impression go out to the country that that condition is because of the extensive printing of petitions in the CONGRESSIONAL RECORD. The Senator from Utah knows as well as I know that a lot of printing is being done by some of the departments. We receive in our mail every morning any amount of matter which is of no value to anybody. Why does not the Committee on Printing examine into that instead of censuring those who ask to have petitions printed in the RECORD? The people who send the petitions have a constitutional right to have them printed in the RECORD.

Mr. SMOOT. They have no constitutional right to have them printed in the RECORD. They have a right to send them to Congress, and under the rules of this body, of course, they are filed when received with the proper committee.

There is another thing, Mr. President, that the Senator refers to. The Committee on Printing has no power to go into the question of what the different departments print after Congress has made an appropriation for printing to them. I know the Senator is correct. There are thousands of tons of printed matter that should never have been printed. Four tons of print paper are used every day——

Mr. GRONNA. It is not used in the printing of the CONGRESSIONAL RECORD, I will say to the Senator.

Mr. SMOOT. Four tons of print paper are used every day for printing the Official Bulletin, just that one publication alone, and as I stated on the floor of the Senate the other day there are some 47 publicity bureaus——

Mr. ASHURST. Will the Senator yield to me? I do not want to be discourteous, but I promised my colleague and a large number of Senators that from now on I would always call for the regular order during the morning hour. I do not want to be discourteous and I will not do it now.

Mr. SMOOT. The Senator has a perfect right to do it.

Mr. ASHURST. I will not do it now, but as soon as the Senator takes his seat I shall call for the regular order.

Mr. SMOOT. Very well, the Senator may do it now.

The VICE PRESIDENT. The Chair feels constrained to make a statement now. That is in the regular order, I think.

It must be perfectly evident to Senators that the mass of telegrams, letters, and so forth, that come to Senators do not accomplish the purpose for which they are sent. If Senators really want to correct this evil, it can be done by returning to the ancient method of presenting petitions in the Senate of the United States, and get them in the RECORD in that way, and preserve the constitutional right of petition, and not wire in and write in everything under the sun.

Mr. SMOOT. I am not going to take any further time than to say that I wish every Senator, whether he belongs to the Committee on Printing or not, would object to the printing in the RECORD of newspaper articles and magazine articles. I wish they would object to petitions being printed in the RECORD unless they come from the legislature of a State. If we do that, petitions can be presented to the Senate and referred to the proper committee and that committee if it sees fit can act on the subject.

Mr. MYERS. May I say just a word?

Mr. SMOOT. Just a moment.

Mr. MYERS. I want to make a suggestion.

Mr. SMOOT. I will say to the Senator from Montana now, because of the fact that the RECORD upon our desks this morning is filled with petitions that never ought to have been allowed to be printed, I am not going to object to his request that the petition he sent to the desk be inserted in the RECORD.

Mr. MYERS. I merely wish to say to the Senator in reference to his remarks about the memorials of legislatures being printed in the RECORD, I have examined the rules and there is no rule permitting even the memorials of State legislatures to be printed in the RECORD.

Mr. SMOOT. I know that, but at no time have they been objected to.

Mr. MYERS. There is no more reason why they should be printed than the memorials of other bodies. If the Senator from Utah will consistently and persistently and impartially object to the publication of extraneous matter in the RECORD, I for one will cheerfully bow to the rule.

The VICE PRESIDENT. The further presentation of petitions and memorials is in order.

Mr. JOHNSON of South Dakota. I wish to say just a word in line with what the Senator from Montana has said.

The VICE PRESIDENT. The regular order has been called for, and it is not in order at all.

There being no objection, the memorial submitted by Mr. MYERS was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the Government of the United States and the Empires of Germany and Austria are at war; and

Whereas the Emperors of Germany and Austria and those under them have willfully and deliberately violated every canon of international law and every agreement of The Hague peace convention; and

Whereas they have violated their most solemn obligations and treaties; and

Whereas their word is not to be relied upon, and honor and integrity are unknown to them; and

Whereas by their conduct of the war and by violating every article of international law and by the ravishment and devastation of Belgium, the supremest crime in human history, and by the murder of innocent women and children and noncombatants and the enslaving of a free people, and by the willful and wanton destruction of churches and convents, and the willful, wanton, and frightful destruction of orphan asylums and hospitals, they have shown themselves to be barbarous savages, as savage, as ruthless, and as bloodthirsty as their forbears, the Huns; and

Whereas they have by their actions forfeited the confidence and respect of the civilized people of the world; and

Whereas their most sacred pledge and word of honor is not to be relied upon or trusted, but is a mere "scrap of paper": Now, therefore, be it

Resolved by the Missoula County American Defense Society, 1,000 strong, That we hereby petition our Senators in Congress, the Hon. HENRY L. MYERS and the Hon. T. J. WALSH, to present to the Senate and to the President of the United States our petition that no treaty of peace ever be made, signed, or ratified with a Hohenzollern or a Hapsburg, and the announcement be made that this war will not be ended and that peace will not be made until the people of Germany and Austria choose a form of government and select men to govern them whose word can be trusted and whose solemn pledge can be relied upon.

Resolved, That a copy of these resolutions be furnished to the public press of the State of Montana, with request that every patriotic society and association in the State adopt similar resolutions.

Resolved, That a copy be forwarded to our Senators in Congress for such action as to them may seem meet and proper in accordance with the petition herein contained.

FRANK T. JONES,
Secretary Missoula County (Mont.)
American Defense Society.

Mr. WILFLEY. I present a resolution adopted at a meeting of the fifth congressional district branch of the Missouri branch of the National Woman's Party, which I ask may be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolutions passed at a meeting of the fifth congressional district branch of the Missouri branch of the National Woman's Party, May 17, 1918:

"Whereas the Federal suffrage amendment has passed the House of Representatives and is before the Senate for consideration;

"Whereas the President of the United States has given the amendment his support, urging it as a measure of 'right and justice to the women of America';
"Whereas all political parties have indorsed the amendment;
"Whereas our allies—England and Canada—are enfranchising their women by national action; and
"Whereas the women of America are being called upon to bear equally with men the heavy burdens of war:

"*Resolved*, That we the members and friends of the fifth congressional district branch of the Missouri branch of the National Woman's Party at a meeting at the Mission Hills Country Club urge the Senate of the United States to take immediate favorable action on the Federal suffrage amendment, and end this delay in giving justice to the women of America; and be it further

"*Resolved*, That copies of this resolution be sent to the President and all administration leaders and to the Senators from Missouri."

Mrs. THOMAS S. MCMILLEN, *Chairman*.

Mr. NELSON presented petitions of sundry citizens of Minnesota, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a memorial of the Licensed Retail Liquor Dealers' Association of Minneapolis, Minn., remonstrating against the adoption of the so-called Randall amendment, prohibiting the use of foodstuffs in the manufacture of beverages, which was ordered to lie on the table.

Mr. WEEKS presented a petition of the executive board of the College Equal Suffrage League, of Boston, Mass., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Cambridge, Mass., praying for the enactment of legislation to provide for the drafting of aliens in the military service, which was referred to the Committee on Military Affairs.

Mr. JONES of Washington presented telegrams in the nature of petitions from the Advertising Club of Bellingham, Wash., the Union Club of Cincinnati, Ohio, and of the Hamilton County Dry Union, of Cincinnati, Ohio, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a petition of Garden City Grange, Patrons of Husbandry, of Snohomish, Wash., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Garden City Grange, Patrons of Husbandry, of Snohomish, Wash., praying for the repeal of the law providing for the free distribution of seeds, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the mayor and city councilmen of Aberdeen, Wash., praying for the enactment of legislation fixing the price on wheat substitutes, which was referred to the Committee on Agriculture and Forestry.

Mr. LODGE presented a petition of the Massachusetts Woman Suffrage Association of the nineteenth Suffolk representative district, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to which was referred the bill (H. R. 11231) to regulate the hours of duty of the officers and members of the fire department of the District of Columbia, reported it with amendments and submitted a report (No. 491) thereon.

Mr. SMITH of Maryland, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 3835) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District (Rept. No. 495);

A bill (S. 3929) for the construction of a private conduit across Michigan Avenue northeast, in the District of Columbia (Rept. No. 494); and

A bill (H. R. 10891) to amend and reenact an act for the establishment of a probation system for the District of Columbia (Rept. No. 496).

He also, from the same committee, to which was referred the bill (S. 2653) to revive with amendments an act entitled "An act to incorporate the Medical Society of the District of Columbia," reported it with amendments and submitted a report (No. 492) thereon.

He also, from the same committee, to which was referred the bill (S. 4000) to authorize corporations organized in the District of Columbia to change their names, reported it with an amendment and submitted a report (No. 493) thereon.

He also, from the same committee, to which was referred the bill (S. 3171) to amend an act entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District," submitted an adverse report (No. 497) thereon, which was agreed to, and the bill was postponed indefinitely.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FLETCHER:

A bill (S. 4681) to further regulate radio communication; to the Committee on Commerce.

By Mr. WEEKS:

A bill (S. 4682) to authorize the President of the United States to appoint William H. Armstrong a captain in the Porto Rico Regiment of Infantry of the United States Army; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 4683) granting an increase of pension to George W. Foster (with accompanying papers); and

A bill (S. 4684) granting an increase of pension to Joseph C. Patterson (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of Maryland:

A bill (S. 4685) granting a pension to Mary Waters Reeve; to the Committee on Pensions.

AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to acquire additional land at the Leon Springs Military Reservation, Tex., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

DISTRIBUTION OF AGRICULTURAL PRODUCTS.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

THE JUGO-SLAVS.

Mr. SMITH of Michigan. I have a resolution which I send to the Secretary's desk and ask to have read and referred to the appropriate committee.

The Secretary read the resolution (S. Res. 261), as follows:

Whereas the Serbs, Croats, and Slovenes, known under the collective name of Jugo-Slavs, a people inhabiting part of the southeastern region of Europe, occupying principally Serbia, Montenegro, Dalmatia, Croatia, Bosnia-Herzegovina, part of Istria, Carniola, Gorizia, southern Hungary, southern Styria and Carinthia, part of the Littoral, which for centuries past have been known as a people of culture, and one possessing all the qualities and conditions necessary for the creation of a strong state and for the realization of national progress and which, thanks to these qualities, have in the past had their own independent States; and

Whereas the Jugo-Slavs, more by intrigue and fraud than by force of arms, were subjugated by the Germans and Magyars, who still hold all the power in the Austro-Hungarian Monarchy, by which the Jugo-Slavs are economically exploited, deprived of all political rights, and culturally neglected; and

Whereas the Jugo-Slavs, through the geographical situation and the natural wealth of the countries they inhabit, and particularly through their many qualities, which prove them to be a people of great moral and physical force—as they have demonstrated in the present war—appear to be predestined to become the living wall against the Germanic invasion of the East: Therefore be it

Resolved, That the national aspirations of the Jugo-Slavs shall find not only earnest and sincere sympathy from the United States of America but also the well-deserved help in their struggle for national liberation and unification, in order that by joining the ranks of the free peoples they may become the defenders of peace and participants in its benefits, a peace which shall guarantee to all the peoples the right of national existence, freedom, and progress.

Mr. SMITH of Michigan. Mr. President, I want the RECORD to show that the resolution was offered by my colleague, Representative JAMES, of Michigan, in the House of Representatives a few days ago. I now introduce it at his request. I may say that it has my approval, and I should like to have it go to the Committee on Foreign Relations in order that it may be properly considered.

The VICE PRESIDENT. The resolution will be printed and referred to the Committee on Foreign Relations.

WITHDRAWAL OF PAPERS.

Mr. WEEKS. I ask for the adoption of the order which I send to the desk.

The VICE PRESIDENT. The order will be read.

The Secretary read as follows:

Ordered, That the papers accompanying Senate bill 3989, Sixty-third Congress, second session, for the relief of Alfred E. Smith, be withdrawn from the files of the Senate, an adverse report having been made thereon and action indefinitely postponed.

Mr. WEEKS. Mr. President, there has been an adverse report made in that case, and action has been indefinitely postponed. In this instance the man who is involved is very old and does not intend to again press the case. The papers, however, are of personal importance to him and to no one else.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the order is agreed to.

On motion of Mr. WEEKS, it was

Ordered, That the papers accompanying Senate bill 7897, Sixty-fourth Congress, second session, granting a pension to Philip H. Vose, be withdrawn from the files of the Senate, no adverse report having been made thereon.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 7th instant, approved and signed the act (S. 1549) to require numbering and recording of undocumented vessels.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of South Dakota. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of South Dakota. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of South Dakota. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of South Dakota. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of South Dakota. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT conferees on the part of the Senate.

MINERALS ON INDIAN RESERVATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. ASHURST. I move that the Senate proceed to the consideration of Senate bill 385, being a bill to provide for the mining of metalliferous minerals on Indian reservations.

The VICE PRESIDENT. The question is on the motion of the Senator from Arizona.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Mr. ASHURST. Mr. President, I ask that the bill be read in full. It is very short.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

SEC. 2. That after the passage and approval of this act, unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further*, That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

SEC. 3. That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the gross value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth,

and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their education, support, and civilization.

SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

SEC. 13. That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products, and the disposition of the proceeds thereof of any such mine by such Indians.

SEC. 14. That the provisions of this act shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma.

Mr. GRONNA. Mr. President, as one of the members of the committee having this bill under consideration I wish to make a brief statement. This bill was given very careful consideration by the committee after it came to the committee with the recommendation of the department. If there is any provision in this bill which does not properly safeguard the interests of the Indians or which does not properly safeguard or protect the interests of the Government, of course I shall have no objection to having the bill amended; but I wish to say to the Members of the Senate that this bill was not hastily considered by the committee. In every respect the committee made an effort to protect and to safeguard the interests of the Indians; and certainly, Mr. President, this is a real war measure. I believe we can find any amount of minerals necessary both in the manufacture of steel and in the manufacture of explosives in our own country and on these Indian reservations, and why should not either the Government or individuals be permitted to go on these reservations and mine these minerals, which are absolutely necessary in the manufacture of essential war materials?

Mr. President, I consider this a very important measure; I consider it a real war measure, necessary for the vigorous and for the effective and successful prosecution of the war. As I have stated, I am sure that the committee has no pride of opinion as to the verbiage of the bill, and if anything has been inserted in the bill which ought not to be in it I am sure the committee will not have any objection to striking it out; but it should not be connected with the so-called leasing bill. This has absolutely nothing to do with any leasing bill.

Mr. ASHURST. Mr. President, will the Senator pardon an interruption?

Mr. GRONNA. Certainly.

Mr. ASHURST. I am very grateful to the Senator from North Dakota, who is a valued member of the Committee on Indian Affairs. I tried to say yesterday the same thing he has just said. If the Senator will pardon me further, I should like to say to the Senators who are opposed to a landlord system I have a regard for their views, and am very largely in sympathy with their views; but this bill does not propose to lease any of the public domain. It proposes merely to lease land belonging to the Indians, which is not public land.

Mr. GRONNA. I thank the chairman of the committee for that suggestion. The only lands that can be leased under the provisions of this bill are lands sufficient to enable some one to go on to the land and mine it. It does not propose to lease any of the surface of the land.

Now, as to the percentage which is to be given to the Indians, the committee thought, after due and deliberate consideration, that 5 per cent ought to be the minimum. Personally I do not believe that that is an excessive rate or an excessive percentage. I believe that anyone who can afford to go on to an Indian reservation and engage in mining can afford to pay the Indians 5 per cent of the gross value of the output of minerals at the mine.

Mr. President, I hope that this bill can be passed this morning. I know we only have until 2 o'clock, when the unfinished business will be taken up; but I sincerely hope that every Senator will make an effort to see that this bill is passed in some form. If the form in which the committee has submitted it does not meet the approval of the Senate, then I say help us to perfect it, and I am sure the committee will have no objection to that.

Mr. LENROOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, line 8, after the word "lands," it is proposed to insert "or such portion thereof as the Secretary of the Interior shall determine," so as to read:

SEC. 2. That after the passage and approval of this act, unallotted lands or such portion thereof as the Secretary of the Interior shall determine within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States—

And so forth.

Mr. ASHURST. Mr. President, I have examined the amendment; but I wish the Senator from Wisconsin would make a short statement concerning it. It is plain enough to explain itself, but I should like to have the RECORD contain a short explanation of the amendment.

Mr. LENROOT. Mr. President, the original proposition was that by act of Congress all of these unallotted lands should be open to this mineral entry. The Secretary of the Interior suggested an amendment providing that there must first be a declaration on the part of the Secretary that the unallotted lands should be open to entry. That suggestion was made for the purpose of enabling the Secretary to withhold some of the lands, either in cases where there were claims of allotment or for other reasons, so that he might have some discretion and not be compelled to open up all unallotted lands to entry. The language in the bill as it now stands, I am afraid, does not accomplish the purpose intended. Under that language the Secretary would be compelled to issue one order declaring all unallotted lands open to entry and would not be authorized to eliminate from that order any specific lands. The amendment which I have proposed would merely enable him to declare subject to this mineral entry specific unallotted lands and thereby enable him to use his own discretion and judgment.

Mr. SHAFROTH. Mr. President, this bill which comes before the Senate is one that is very comprehensive and far-reaching, and, in my judgment, it should have been referred to the Committee on Public Lands.

Mr. ASHURST. Mr. President, will the Senator pardon an interruption?

Mr. SHAFROTH. Yes, sir.

Mr. ASHURST. Why should it have been referred to the Committee on Public Lands?

Mr. SHAFROTH. For the reason that it relates to a policy of the Government which that committee has been considering for the last four or five years.

Mr. ASHURST. Does the Senator from Colorado—who, as I said yesterday and say again to-day, is an eminent lawyer—mean to stand on the floor of the Senate and assert that an Indian reservation is "public land"?

Mr. SHAFROTH. It is in a sense public land. It is not the same as the public domain, because the rules governing the same are different; but there is one thing that is vital and important as to both Indian lands and the public domain, and that is that as long as the land remains reserved to Indians the State has no power whatever to tax a foot of the area contained therein, and for that reason it has the same principle back of it as that which relates to the public domain.

Mr. ASHURST. Mr. President, I have here a volume of "Words and Phrases," a work familiar to us all, and it refers to a wealth of decisions by all the various courts of our country—State courts, circuit courts, the United States Supreme Court—all holding that whenever a tract of land is segregated from the public domain for any purpose, such as a military reservation or an Indian reservation, and dedicated to such particular purpose, it loses its identity as public land and is

not public land any more until by act of Congress or appropriate action of the Executive it is restored to the public domain. There is not a Senator in this Chamber who would have the temerity to assert that an individual citizen may go upon a military or an Indian reservation and make the location of a mining claim, homestead entry, or any other kind of location.

Mr. SHAFROTH. I concede to the Senator that it is not in that sense public domain, because, as the Senator says, it has been set aside and reserved for Indians; but while that is true, there is the same principle underlying it as to taxation. You can not tax these lands as long as they are Indian lands. The title is still in the Government.

Mr. ASHURST. That is very true.

Mr. SHAFROTH. It is supposed that in the future at some time a large part of it will be segregated and allotted to individual Indians, who will have a fee-simple title to the same, and the balance of the land not allotted will be open to settlement under the laws of the United States.

Mr. ASHURST. The passage of this bill would in no way prevent the future allotment of the land to Indians. It simply proposes that where the land is mineral in character, sufficient to justify a reasonable man in expending time upon it, he may obtain a lease of the mineral deposits, and the right to extract ores therefrom. The land may be allotted notwithstanding such mineral entry.

I respect the views of the Senators who have spoken, and I wish to say to them that I am somewhat in sympathy with them; but there is no reason in logic, there is no reason in justice, why Senators who are opposed to leasing the public domain should oppose leasing Indian reservation lands for metalliferous mining purposes.

Mr. GRONNA. Mr. President——

Mr. SHAFROTH. I yield to the Senator from North Dakota.

Mr. GRONNA. Of course, I think the Senator from Colorado and I will agree that Indian lands are set aside for the benefit of the Indians exclusively.

Mr. SHAFROTH. Yes.

Mr. GRONNA. Now then, the Indians certainly will get some benefit if we enact this legislation, and permit the mining of manganese ore or other minerals which are absolutely necessary in the manufacture of steel and explosives and other things.

Mr. SHAFROTH. I do not think they will. The difficulty with the leasing system is that it does not produce development. We had that question up here in connection with the Alaskan coal-leasing bill. We provided for the leasing of the coal lands of Alaska, which were supposed to be the richest in the world, and people said that men were here in Washington then ready to take leases; but not a single mine has been opened in Alaska under the leasing system. The reason is that the system is not a system which will produce development; and while these lands are in the ownership of the Government now for the benefit of the Indians, yet at the same time it was never expected and never contemplated otherwise than that these lands would be subject to entry under the usual system after allotments of 160 acres each were made to the Indians. It was never contemplated that the Government for the Indians would hold in perpetuity lands in reservations, because it would deprive the State of the right to tax the same forever. The leasing system is founded on perpetual ownership by the Government.

Mr. GRONNA. Will the Senator pardon another interruption?

Mr. SHAFROTH. Certainly.

Mr. GRONNA. I want to state to the Senator, for his information, what is being done in my State, where we have perhaps the largest amount of lignite coal of any State in this Union. We have hundreds of millions of tons, and the mines are operated very successfully in my State. I could name several mines, but I am not going to take up the Senator's time to do so. I know of one mine in the southern part of our State, at Scranton, N. Dak., where the so-called Johnson Fuel Co. are making lignite coal into briquettes. They are paying a royalty of 5 cents a ton. It is a successful business.

I could name any number of places in my State where what the Senator calls the leasing system is in operation. It is not leasing of the land. It simply permits these people to go on and operate these mines; and the Senator knows that it will take very little of the surface of the land to permit these people to go on and mine this metal. It requires but a very small amount of the surface of the land. When the Senator says that these lands are not subject to taxation, he knows that when an Indian becomes competent, and when he is given a deed to his land, the land then becomes subject to taxation whether Congress takes any further action or not, and it is entirely different from other public lands.

Mr. SHAFROTH. Mr. President, this bill is one that relates to a policy of the Government with respect to the lands that are called Indian lands. These lands are scattered throughout a number of States. We have 350,000 acres in the State of Colorado. We have as much as 19,000,000 acres in the State of Arizona. This proposes to be a general leasing bill, without any right of purchase, without any right to locate for the purpose of obtaining patent to land, and applies more particularly—or at least that seems to be given prominence in the bill—to the precious metals. Let the mineral lands be sold after appraisement, if you like, so the Indians will get the full value thereof; then the State will have the right to tax the mines to support its institutions and schools. There has been a propaganda going on in the United States in behalf of leasing the coal lands, and leasing the oil lands, and leasing lands containing certain other minerals that are not of the character of the precious metals, but we have never had a discussion in this Chamber upon the question of leasing lands containing the precious metals. Those mines have never been seriously considered as those which should be the subject of leasing, and, it seems to me, the reason is very plain. Under a leasing system men will not go upon the public domain and attempt to locate mineral lands such as are referred to in this bill. This is a question that has been agitated only as to what might be termed the baser metals. Never has it been seriously considered in the Senate as a proposition to lease the precious-metal mines of the United States.

Mr. GALLINGER. Mr. President, will the Senator permit a question?

Mr. SHAFROTH. I yield to the Senator.

Mr. GALLINGER. I may be wrong, as I am not very well informed concerning the public-land question, but I have never supposed that the Indian lands were, in the broad and proper sense, public lands.

Mr. SHAFROTH. They are not, in the sense that you can locate them; of course not.

Mr. GALLINGER. Now, one other point. The Senator says that nobody will go on those lands to exploit them under a bill of this nature. If that be so, no harm will be done by passing the bill.

Mr. SHAFROTH. Why, yes; harm will be done—of course it will. It will lock up that much more of the land that ought to be open.

Mr. ASHURST. Mr. President, will the Senator permit me to interrupt him again?

Mr. SHAFROTH. I yield.

Mr. ASHURST. Will the Senator kindly suggest to the Senate in what way in the future he would proceed to get these metals out of the Indian reservations and into the channels of trade and commerce?

Mr. SHAFROTH. I will tell the Senator just how it was done in Colorado, for that is a fair question. Sell them instead of leasing them.

Mr. ASHURST. Now, just a moment. Let us bear in mind the fact that the United States of America does not own these lands or these minerals. The United States simply holds the legal title in trust for the benefit of the Indian tribe. The equitable title is in the tribe.

Mr. SHAFROTH. Yes; but it has never surrendered the right that it had to determine how these lands should be diposed of. I will explain just how it occurred in Colorado and how it has occurred up to this time in nearly all of the Indian reservations.

Mr. GALLINGER. Mr. President, I was about to ask the question which the Senator from Arizona has asked, and I shall be very happy to hear the explanation on the part of the Senator from Colorado. I had supposed that this was the only means available to get these minerals from the Indian lands, and I realize, as every Senator does, the absolute necessity at the present time of getting these minerals from some source, whether from Indian lands or from some other portion of the country. It is a fact that ought to impress itself upon the mind of every Senator that we are in dire need at the present time of some of these metals.

Mr. SHAFROTH. There is no person who desires the development of these lands more than I do. Nobody could devise a way, it seems to me, that could produce the development of them to which I would not readily assent. But, Mr. President, while these lands are not strictly termed public domain of the United States, the Government has never relinquished its right to determine in what manner these lands shall be disposed of, and in that sense it is not private land such as that which I get by obtaining a patent from the United States or by getting a fee-simple deed from a private individual.

Mr. President, the proposition that is contained in this bill is whether we are going to let the precious-metal mines of the United States be opened to a system of leasing, as contrasted with that of location and patent, under which such enormous development has taken place. We did have a leasing system as to some of the baser metals—for instance, lead and zinc—and at that time the law was put upon the statute books of the United States under the plea that we needed it for munitions of war. At that very time the questions which culminated in the war of 1812 were under discussion. The bill authorizing the leasing of lead mines came before the United States and was passed by the Congress, and from that time until the law was repealed there was continual dissent on the part of the States.

Mr. President, Thomas H. Benton, the great Senator from Missouri, objected most strenuously, and made, it might be said, more speeches upon that subject than perhaps any other while he was a Senator of the United States; and, Mr. President, in 1846, after having operated under this leasing system for 40 years, it was found that it had cost the Government in dollars and cents just $4 for every dollar of royalty that had been collected.

Mr. President, under that state of affairs President Polk advised Congress that the leasing of the public domain would not develop it. It had not developed it. It had not been remunerative to the Government, and on that account he urged Congress to repeal the act; and in 1846 it was repealed. That is the one experience that we have had as to leasing metal mines, and that experience was a complete failure, although the law was in existence for a long period of time, and it simply retarded the development of these mines on Government lands.

Mr. President, this is a question as to whether or not we are going to get development; and right here I want to draw the distinction that this land is not the same as private land. The Government of the United States has always possessed, and possesses now, the power to open up those mines for the purpose of location and patent. The only thing that it has got to be careful in doing is to see that it treats the Indians fairly.

Mr. ASHURST. Mr. President, will the Senator yield to me now?

Mr. SHAFROTH. Yes.

Mr. ASHURST. I do not believe it would be possible to enact into law—indeed, I do not believe it would be possible even to pass through either House of Congress—a bill which would open Indian reservations to such an extent that the individual could go upon the land and make locations for the profit of the individual without regard to the rights of the tribe. The Indian has been relegated to a reservation. As I said yesterday, in many, if not most, instances the reservation to which he was relegated was poor land. It has now been ascertained that a large area of the land to which he has been relegated contains metals. Is it the part of Congress, which ought to be and is the trustee for the Indians, to open that land now, so that all persons may go and locate it as they would under the general law, and the Indians receive but $5 an acre?

Since we have made treaties with him giving him the land "so long as water runs," how can we in good faith proceed to treat his lands just as public lands?

Now we find ourselves in a situation where we must have these metals. I am very sufficiently convinced that we can not, if we wished to do so, pass through Congress a bill that would give all persons the right to go upon the Indian lands and locate claims. Since we can not do that, should we deprive ourselves of the metals, especially when we have a bill, as the Senator from North Dakota has said, and other Senators, I am sure, will say, that has carefully guarded the Indians' rights and which does not commit Congress to the proposition of leasing the "public domain"?

I know, of course, what is in the Senator's fertile mind. The Senator wants to do substantial justice, but he fears that this is the insertion of the "camel's nose under the tent," and that the animal will get in completely later on; but this bill is not the setting of a precedent. If this bill were for leasing public domain, the Senator would be correct in his contention that we are setting a precedent to be pointed toward in the future, but we are not leasing public domain.

Mr. GRONNA. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. GRONNA. May I call the attention of the chairman of the committee to the fact that there is a bill before the committee now that has been pending for some time to the effect that all the lands in a certain reservation in Montana shall be allotted to the Indians. The Senator knows that the Indians on these reservations are opposed to opening up any of them for the white men to go on to and take homesteads, as was done in the past. There is not a member of the committee who does not know that it will be a difficult matter to open up any Indian reservation in the future and let settlers go there for the purpose of taking up homesteads. These lands are Indian lands. They belong to them.

Mr. SHAFROTH. Mr. President——

Mr. ASHURST. Will the Senator let me interrupt him? It must be borne in mind that 42 per cent of the State which I have the honor, in part, to represent is in reservations. Nineteen million acres in my State are Indian reservations.

My constituents write to me frequently saying I ought to be more active in trying to open all Indian reservations for the benefit of the general public. I have uniformly and constantly written them that in asking me to open all reservations they are asking an impossible task of me, first, because it can not be done, and, in most instances, it should not be done.

Mr. SHAFROTH. Mr. President, the way in which Indian reservations have been opened—and they have existed in large acreage throughout the United States—was first by treaty with the Indians. The State of Colorado had what is called the Ute Reservation, which took in, I think, probably a fourth of the State of Colorado. Those Indians, by virtue of a treaty, went to Utah and got certain reservations there. They signed a treaty to that effect. The treaty provided that the land which is opened by the Government shall be subject to entry for all the purposes that lands are opened on the public domain, and it provided that whenever lands were sold, such as the mineral lands and placer lands, they should pay the Government for the use of the Indian fund $5 an acre, and in all grazing lands the amount paid to the Government for the use of the Indians should be a dollar and a quarter per acre, which was the amount which was chargeable at that time under the preemption act. It further provided that if a railroad is within a certain distance they should get two and one-half dollars per acre. That is the manner in which we have opened lands in our State, and an enormous fund exists in the United States Treasury for the benefit of the Ute Indians by reason thereof.

Mr. CURTIS. Mr. President——

Mr. SHAFROTH. While Congress has said that these lands are reserved to the Indians, they are not reserved in the sense of an issue of patent to the Indians. I yield to the Senator from Kansas.

Mr. CURTIS. I wish to call the Senator's attention to the fact that Congress has changed that plan of opening Indian reservations.

Mr. SHAFROTH. Certainly; I was coming to that.

Mr. CURTIS. It is true that at first Congress opened up reservations under treaty and set aside a certain part for the Indians, and on opening up the balance of the reservation in many cases paid the Indians cash for the reservation opened up, and then opened it under the public-land laws or the mineral-land laws. Afterwards Congress adopted another plan, which was to allot a part of the reservation and sell the remainder for the benefit of the Indians. The sale carried with it mineral rights and all.

In the last year or two a new policy has been adopted, and that is to allot all the Indian lands to the Indians, giving each Indian his pro rata share, designating so many acres as a homestead and the balance as a surplus. But Congress in the last few years, recognizing the value of the minerals in Oklahoma, Wyoming, Montana, Minnesota, and other States, has reserved the mineral rights to the Indian tribes, and in the future those minerals must be disposed of for the benefit of the Indian tribes.

Mr. SHAFROTH. Mr. President, it was thought for a time that a treaty was the only way in which the Indian title could be extinguished, it being by their consent that the reservation was limited, but the Supreme Court of the United States has held that it is not necessary to have a treaty with the Indians; that the Government of the United States can make laws with relation to the opening up of these lands upon such terms as Congress deems just and equitable.

Mr. ASHURST. Mr. President——

Mr. SHAFROTH. I have no desire to deprive the Indian of a single dollar's worth of these lands. I would much rather have the Government make a fee-simple patent to these lands to the Indians and let them sell them for what they want to, or let them be opened if they want to under the mineral laws of the United States, and let them be sold at auction if it is necessary. What I am objecting to is the idea of injecting in all the Indian reservations throughout the United States the element of a system that has proven to be disastrous to the revenues of the Government and also to be absolutely undeveloping in its results to the States in which any public lands

are located. It is wrong by a leasing system to deprive a State of the right to tax such lands. I yield to the Senator from Arizona.

Mr. ASHURST. There are three kinds of Indian reservations—the executive reservation created by a proclamation of the Executive, a reservation created by act of Congress, and then a reservation created by a treaty. With respect to reservations created by a treaty one would assume that the United States Government would never infringe upon that treaty made with Indians. Yet whenever it has seen fit to throw open such land it has opened treaty lands by an act of Congress, and I know of one instance it was in opposition to the wishes of the Indians.

There are reservations—I can mention one in my State—where the minerals are expressly reserved to the United States. I mention the Papago Reservation in Arizona. The Members of the Arizona delegation in Congress felt that the Papago Indians ought to have a small reservation. We asked that a small reservation be created for the Papago Indians, and lo, when the proclamation was issued it was 3,000,000 acres in area, very much larger than in good faith and conscience it ought to have been. In that reservation the minerals were expressly reserved to and for the United States Government and did not pass to the Indian tribe.

Mr. CURTIS. That was an Executive-order reservation?

Mr. ASHURST. It was by an Executive order.

Mr. President, of course, if there is opposition, we can not have a vote this morning and I do not want to take up all the morning hour. Other Senators say that they have bills which they desire to bring forward. If we can not have a vote, I do not want to consume the morning hour on this bill.

Mr. SHAFROTH. I will state to the Senator that this is a new bill to me; I never read it until this morning; and I want to prepare an amendment giving the option, at least on the part of the locator, to either buy or lease if necessary.

Mr. ASHURST. Then I will ask——

Mr. SHAFROTH. I feel that there ought to be some developing clause in the bill, for I feel that there will be no development of the mineral resources of these States nor of the coal land. Here and there you might find a certain part of the land that would be worked because it is near a railroad or has some other peculiar advantage, but as a developer of the country the leasing system, I think I can demonstrate clearly, has been a failure, and will forever be a failure because it is not predicated upon right principles.

Mr. SMITH of Arizona. Is it not in fact true that this is the very best time and place to demonstrate to the satisfaction of Congress the views the Senator entertains in investigating the case, when it does not set a precedent for going on public lands at all?

Mr. SHAFROTH. Let me say to the Senator from Arizona that that is just what we did in Alaska. There was one Senator, now upon the floor, who told me that he was going to let it go through because if it killed the dog it would demonstrate that we should not adopt it, and if it did not kill the dog then we might try it ourselves. The experience has been in the years it has been upon the statute books that there has not been a single mine developed in Alaska under the leasing system, although, as a matter of fact, they were screaming that the richest coal mines in the world were there and all we had to do was to give them this leasing system and the people would rush in and develop the same.

The truth of the matter is that you can not finance a scheme and borrow money upon the mine unless you have an absolute title to the land. Take the proposition of a coal mine up in Alaska and go to New York to finance it. It takes about a million dollars to buy the modern machinery necessary for the development of a coal mine. It often takes more than that to build a railroad to the mine. They will ask, "What title have you?" "I have a lease." "Can it be forfeited?" "Yes; it can be forfeited." They will say, "We have no use for an investment of that kind." The result of it is that you can not get the loan with which to develop the mine unless you offer them a title upon which they can rely.

Mr. SMITH of Arizona. Mr. President——

Mr. SHAFROTH. I yield to the Senator.

Mr. SMITH of Arizona. That may be true; I entertain the same view, as the Senator well knows. We tried the leasing system in the Alaskan bill, and it has ended as we all anticipated it would who had some experience with that sort of a thing. Inasmuch as we have demonstrated that the leasing of coal lands in a far-distant territory, with enormous freight rates, under the leasing system is an absolute failure, can we not try it with valuable minerals where the freight rates are not so high and the products are much more valuable? If that can not be demonstrated, if the dog dies, as the Senator puts it, it will be the last he will ever hear of the leasing system, and if it proves to be a success in manganese, copper, and other things which are needed for the war we will demonstrate it in this particular bill without establishing a precedent in regard to the public domain.

Mr. SHAFROTH. It is a very dangerous thing to put on the statute books of the United States a law under the claim that we will repeal it if we find that it is not good. We put on a leasing bill for lead and zinc mines in the United States, and it took all the ability of Thomas H. Benton for 40 years to get it repealed, although as the years passed it was shown that the revenue that came to the Government by reason of it was only one-fourth of the expense that was incurred by the Government.

Mr. POINDEXTER. Will the Senator allow me just to make a statement?

Mr. SHAFROTH. Certainly.

Mr. POINDEXTER. If the Senator believes that the leasing system is responsible for the failure to develop coal extensively in Alaska, what reason does he give for the failure to develop coal there on patented coal lands? I was talking this morning with a successful business man, who has a patent to a coal claim in Alaska, on which he tells me there are 56 veins of coal, averaging about 4 feet in width and almost vertical, conditions which make the mining the most favorable possible. The Senator from Colorado, in pursuing the principle which he has so often expressed, is attributing the failure of the development of coal in Alaska to this horrible bugaboo of the leasing system; but what does the Senator say of the failure of development on patented lands?

Mr. SHAFROTH. I think the Senator will find that the patented land is very little in the Territory of Alaska, and probably it is off from the railroad. But we built a railroad up there for the purpose of opening up these lands. The excuse for two years was that those coal lands had not been leased because the railroads were not there. One of the witnesses before the Committee on Public Lands about a year ago said, "No; that will not do, because the railroad has been approaching the coal fields, and wisdom dictates getting the mines ready for leases so that coal can be shipped the minute the railroad is completed."

Mr. POINDEXTER. The Senator is very familiar with conditions in Colorado, but he is not well informed in regard to conditions in Alaska. He seems to think that the unpatented lands are on a railroad and patented lands not on the railroad. There is no such condition as that there. As a matter of fact, the patented claim which I was just referring to is on a railroad, which, however, is not completed, but is being completed. The owners are proceeding to develop a coal mine there, and the same condition, so far as transportation is concerned, exists in the unpatented district that exists in the patented area.

But the Senator is entirely misinformed in regard to the development of leased lands in Alaska. He said a moment ago that no coal mine has been developed. Several mines have been developed and over 50,000 tons of coal were shipped last year from them.

Mr. SHAFROTH. I was informed by the Interior Department within six months that no coal mines had been developed under the leasing system. Now, whether since that time one has been developed I do not know.

Mr. POINDEXTER. Of course, the development has been carried on since that time, but if the Senator will read the report of the Alaskan Engineering Commission filed a few weeks ago he will see there a detailed description of the development of coal mines in Alaska.

Mr. SHAFROTH. I will be glad to read it. I want to call the attention of the Senator to the fact that this leasing system was put forth by certain Senators as the great thing that would develop the coal regions of Alaska, and it was said that here we will get it. Previous to that time, as a matter of fact, no coal mines were being developed there. The Government started an inquiry and made such a fuss about it under the leadership of Mr. Pinchot, that the result was that everything was withdrawn and everything tied up and most of it is still reserved. There was the question of getting title, and for some of the coal lands that I understand are unquestionably good the patents have not been issued yet.

Mr. POINDEXTER. Some of the parties have been convicted of fraud.

Mr. SHAFROTH. That may be; I do not know about that. There is no question anyway that it was presented here as the great developer; the very title of the bill was for the development of coal lands in Alaska, and it has not proven a developer.

Mr. POINDEXTER. I remember the Senator from Colorado had a theory that the Government of the United States had no real interest in the lands and only held them in trust for the

States. I understand the Senator is a disciple of Thomas H. Benton upon that proposition.

Mr. SHAFROTH. I do believe the lands—and I do not refer to coal lands only, but public domain—are held by the Government of the United States in trust for the people of the United States.

Mr. POINDEXTER. That question was the pending question in the great debate between Daniel Webster and Mr. Hayne, of South Carolina, and was settled then, and it has been settled a great many time since by the decision of the Supreme Court of the United States contrary to the doctrine of Benton and the Senator from Colorado. The United States does not hold these lands in trust for the States, but it holds them in absolute fee for the benefit of the people of the United States.

Mr. SHAFROTH. Yes; but any person may go on and locate the same and pay whatever the Government says he shall pay. It was never contemplated that the Government should perpetually own lands, as that would deprive the State of the right to tax the same in order to maintain government.

Mr. ASHURST. If the Senator will yield, I have not for a long time examined the enabling acts of the other States, but I know in reference to the recently admitted States they adopted irrevocable ordinances forever disclaiming any right that the State may have had in the ungranted and unappropriated public lands.

Mr. SHAFROTH. Under the form of your enabling act it only provides that the State will never claim the right to tax the lands as long as they are in the hands of the Government. But the Government really intended to hold these lands temporarily and put them in the hands of the people whoever might want to go and develop them or reside upon the same, whether residents of the State of Rhode Island or of Arizona.

Mr. ASHURST. If the Senator will allow me, I do not wish to be so discourteous as to even suggest to the Senator to stop speaking, but I feel that we can not pass the bill this morning. That is obvious. Senators near me suggest, and properly so, that the time is being consumed without any hope of a vote, and if Senators wish to discuss the bill further I will ask that it be laid aside to be discussed later, and I shall make another "drive" at some other time.

Before the bill goes over I ask permission to include in the RECORD some excerpts, from the volume Words and Phrases, as to what is public land. May I secure that permission?

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

PUBLIC LAND.

The words "public land" have long had a settled meaning in the legislation of Congress, and, when a different intention is not clearly expressed, are used to designate such land as is subject to sale or other disposal under the general laws, but not such as is reserved by competent authority for any purpose or in any manner, although no exception of it is made. Northern Lumber Co. v. O'Brien, 139 Fed. 614, 617, 71 C. C. A. 598 (citing Bardon v. Northern Pacific R. R. Co., 12 Sup. Ct. 856, 145 U. S. 535, 36 L. Ed. 806; Wilcox v. Jackson ex dem. McConnel, 13 Pet. 498, 513, 10 L. Ed. 264; Leavenworth, L. & G. R. Co. v. United States, 92 U. S. 733, 741, 745, 23 L. Ed. 634; Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769; Doolan v. Carr, 8 Sup. Ct. 1228, 125 U. S. 618, 630, 31 L. Ed. 844; Cameron v. United States, 13 Sup. Ct. 595, 148 U. S. 301, 309, 37 L. Ed. 459; Mann v. Tacoma Land Co., 14 Sup. Ct. 820, 153 U. S. 273, 284, 38 L. Ed. 714; Barker v. Harvey, 21 Sup. Ct. 690, 181 U. S. 481, 490, 45 L. Ed. 963; Scott v. Carew, 25 Sup. Ct. 193, 196 U. S. 100, 109, 49 L. Ed. 403); Id., 27 Sup. Ct. 249, 251, 204 U. S. 190, 51 L. Ed. 438; United States v. Grand Rapids & I. R. Co., 154 Fed. 131, 136 (citing Leavenworth, L. & G. R. R. Co. v. United States, 92 U. S. 733, 746, 749, 23 L. Ed. 634; Williams v. Baker, 17 Wall. 144, 21 L. Ed. 561; Newhall v. Sanger, 92 U. S. 761, 763, 23 L. Ed. 769; Northern Pacific R. R. Co. v. Musser-Sauntry Land, Logging & Mfg. Co., 18 Sup. Ct. 205, 168 U. S. 609, 42 L. Ed. 596; United States v. Southern Pacific R. Co., 13 Sup. Ct. 152, 146 U. S. 570, 36 L. Ed. 1091; Northern Lumber Co. v. O'Brien, 139 Fed. 614, 71 C. C. A. 598; Id., 27 Sup. Ct. 249, 204 U. S. 190, 51 L. Ed. 438); Stearns v. United States, 152 Fed. 900, 901, 903, 82 C. C. A. 48; Winters v. United States, 143 Fed. 740, 748, 74 C. C. A. 666 (quoting Kinney, Irrigation, sec. 124); Scott v. Carew, 25 Sup. Ct. 193, 197, 196 U. S. 100, 49 L. Ed. 403 (quoting and adopting the definition in Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769); Morrow v. Warner Valley Stock Co., 101 Pac. 171, 182, 56 Or. 312 (quoting Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769); United States v. Chicago, M. & St. P. Ry. Co., 148 Fed. 884, 893 (quoting Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769).

The words "public lands," used in connection with entries in the land offices of the United States, if nothing be said to the contrary, relate to lands of the United States which are subject to disposition in some form under the public-land laws, and not to those which are set apart and used for some special public purpose, such as post-office sites, military reservations, and the like. Stearns v. United States, 152 Fed. 900, 903, 82 C. C. A. 48 (citing Barker v. Harvey, 21 Sup. Ct. 690, 181 U. S. 481, 490, 45 L. Ed. 963; Northern Lumber Co. v. O'Brien, 71 C. C. A. 598, 139 Fed. 614).

The rule that the words "public lands" mean such land as is subject to sale or disposition under general laws, and not such as is reserved for any purpose, though no exception thereof is made, does not conflict with the doctrine that, where it clearly appears from the statute that the term is intended to include lands theretofore reserved for a specific purpose, such intention will prevail, under the rule that a statute is to be interpreted according to the plain intention of the legislature. Union Pac. Ry. Co. v. Karges, 169 Fed. 459, 462.

The words "public land" do not include lands which are held under a live homestead entry; consequently a grant of public lands to a railroad company can not embrace lands held under any such entry, though the entry was relinquished prior to the filing of the map of definite location and survey. United States v. Oregon & C. R. Co., 143 Fed. 765, 771, 75 C. C. A. 66. See also Union Pac. R. Co. v. Harris, 91 Pac. 68, 69, 76 Kan. 255 (citing 6 Words and Phrases, p. 5693; Burlington, K. & S. W. R. Co. v. Johnson, 16 Pac. 125, 38 Kan. 142, 150; Hastings & D. R. Co. v. Whitney, 10 Sup. Ct. 112, 132 U. S. 357, 33 L. Ed. 363; United States v. Union P. Ry. Co., 61 Fed. 149; United States v. Turner, 54 Fed. 228; Whitney v. Taylor, 15 Sup. Ct. 796, 158 U. S. 85, 39 L. Ed. 906; Northern Lumber Co. v. O'Brien, 27 Sup. Ct. 249, 204 U. S. 190, 51 L. Ed. 438, affirming the same case in 139 Fed. 614, 71 C. C. A. 598).

The term "public lands," as used in act of Congress, July 1, 1862 (sec. 2, 12 Stat. 489, ch. 120), giving to certain railroad companies a right of way through the public lands, does not include a tract of land owned by the United States, but lawfully occupied by a settler who filed a declaratory statement claiming the right to it under the preemption law. Union Pac. R. Co. v. Harris, 91 Pac. 68, 70, 76 Kan. 25; Union Pac. R. Co. v. Harris, 30 Sup. Ct. 138, 139, 215 U. S. 386, 54 L. Ed. 246.

The words "public lands" describe "such lands belonging to the United States as are subject to sale or disposal under general laws." Where an indictment for conspiracy to deprive the Government of land by reason of a fraudulent homestead entry alleged that the lands sought to be acquired were public lands, and that defendants had conspired to defraud the United States out of a portion of such land, it was not demurrable for failure to alleged other facts showing that the land was in fact public land or subject to homestead entry. United States v. McKinley, 126 Fed. 242 (citing Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769).

The words "public lands" are not always used in the same sense. Their true meaning and effect are to be determined by the context in which they are used, and it is the duty of the court not to give such a meaning to the words as would destroy the object and purpose of the law or lead to absurd results. United States v. Blendaur, 128 Fed. 910, 913, 63 C. C. A. 636.

The term "public lands," when used in a grant, is to be regarded as excluding land included within prior grants. Brandon v. Ard, 87 Pac. 366, 370, 74 Kan. 424, 118 Am. St. Rep. 321.

An embankment built out in a lake, with earth from the bottom of the lake, to serve as a public levee, and still serving as such, is not subject to entry and sale as public land, though the bed of the lake belongs to the State. State ex rel. Turner v. Blanchard, 41 South. 363, 364, 117 La. 91.

Lands owned by the Province of Quebec and known as "Crown lands" correspond to what is known in this country as "public lands." Myers v. United States, 140 Fed. 648, 649.

RESERVED LAND.

The words "public lands" are habitually used in our legislation to describe such as are subject to sale or other disposal under general laws. Congressional grants of public lands are confined to those the title of which is complete in the United States. The mere selection and filing of lists of land selected by agents of the State as swamp lands, under the swamp-land grant of September 28, 1850 (9 Stat. 519, ch. 84), which had been made and filed in the Interior Department for approval subsequent to the passage of act March 3, 1857 (ch. 117, 11 Stat. 251), which approved all such selections previously made, did not operate to segregate such lands from the public lands of the United States nor prevent their passing under the railroad grant, as within an exception of "lands reserved by the United States for any purpose whatever." United States v. Chicago, M. & St. P. Ry. Co., 148 Fed. 884, 895 (citing Leavenworth, L. & G. R. Co. v. United States, 92 U. S. 733, 23 L. Ed. 634; Newhall v. Sanger, 92 U. S. 761, 23 L. Ed. 769).

By act June 8, 1872 (ch. 354, 17 Stat. 339), as amended by act March 3, 1877 (ch. 126, 19 Stat. 405), defendant, the Denver & Rio Grande Railway Co., was granted right of way over the public lands, and the right to take timber, stone, etc., from such lands adjacent to its several projected lines, one of which extended through the then existing Ute Indian Reservation, which covered a tract 125 by 200 miles in extent in southwest Colorado, and had been set apart by treaty for the exclusive use of the Indians, but with a reservation of the right by proclamation of the President to appropriate right of way for the construction through the reservation of any railroad authorized by law. Such a proclamation was issued on behalf of the defendant in 1880, and it thereafter constructed its lines through the reservation. Prior to such construction Congress had also ratified an agreement with the Indians by which their rights in the reservation were extinguished, except as to allotments in severalty. Held, that the words "public lands," as used in the grant, must be construed as including lands within the reservation, and that the act gave defendant the right to take the timber and other materials from such lands. United States v. Denver & R. G. R. Co., 190 Fed. 825, 847.

Lands in the Delaware Diminished Indian Reservation which had been assigned in severalty under the treaty of May 30, 1860, must be deemed included in the term "public lands" as used in the act of July 1, 1862, granting a right of way to the Leavenworth, Pawnee & Western Railroad Co. through the public lands, in view of the provision of that act that the United States should extinguish as rapidly as might be the Indian titles to all lands required for the right of way, and of the action of the Land Department in so interpreting the statute. Kindred v. Union Pac. R. Co., 32 Sup. Ct. 780, 781, 225 U. S. 582, 56 L. Ed. 1216.

Lands in an Indian reservation are not "public lands," within Revised Statutes, section 2448, providing that where patents for public lands are issued pursuant to any law of the United States to a person who dies before the date of the patent the title shall become vested in his heirs; nor are patents issued to Indian allottees of reservation lands issued pursuant to a law of the United States within such section. Meeker v. Kaelin, 173 Fed. 216, 220.

Public lands withdrawn from entry under reclamation act, June 17, 1902 (ch. 1093, sec. 3, 32 Stat. 388), as lands susceptible of irrigation from the contemplated works, but which remain subject to homestead entry under specified conditions, and upon which such entries have been made by entrymen who are in possession but have not yet fulfilled the conditions to entitle them to patents, are still "public lands" within the meaning of act March 3, 1875 (ch. 152, 18 Stat. 482), granting to railroads right of way through public lands of the United States, and a railroad company by complying with the terms of that act may acquire right of way through such lands subject to the possessory

rights of the entrymen, which rights in the right of way it must also acquire by contract under Revised Statutes, section 2288, as amended by act March 3, 1891 (ch. 561, 26 Stat. 1097), and act March 3, 1905 (ch. 1424, 33 Stat. 991), which authorizes any homestead settler to transfer right of way through his claim by warranty against his own acts, or by condemnation. United States *v.* Minidoka & S. W. R. Co., 190 Fed. 491, 494, 111 C. C. A. 323. See also United States *v.* Minidoka & S. W. R. Co., 176 Fed. 762, 766.

Lands withdrawn under act Congress, June 17, 1902, known as the reclamation act (act June 17, 1902, ch. 1093), for purposes of irrigation under an irrigation system constructed by the Government, which lands are subject to homestead entry under act of Congress, are public lands within act Congress, March 3, 1875, known as the railroad right-of-way act (act Mar. 3, 1875, ch. 152), giving railroads, which have complied with certain conditions, rights of way over the public lands of the United States, and such lands withdrawn are subject to railroad rights of way of any railroad company complying with the act of 1875. Minidoka & S. W. R. Co. *v.* Weymouth, 113 Pac. 455, 456, 19 Idaho, 234.

LANDS IN BLACKFEET INDIAN RESERVATION, MONT.

Mr. SMOOT. I wish to enter a motion. Yesterday Senate bill 4404 was passed by the Senate at the request of the Senator from Montana [Mr. MYERS]. In reading the RECORD this morning, I find in that bill, tucked away in one of the sections, these words:

Provided, That the lands containing said minerals may be leased under such rules and regulations and upon such terms and conditions as the Secretary of the Interior may prescribe.

In other words, the leasing system was adopted by the bill yesterday, without the knowledge of myself, I will say, and I took for granted the statement, which was made by the Senator from Montana [Mr. MYERS], that the bill was for allotting to Indians lands on the Blackfeet Indian Reservation. I know that the Senator from Montana had not studied the bill in detail from what he said to me. I did not understand that there was a leasing system provided for in the bill.

I simply desire at this time to enter a motion to reconsider the vote by which the bill was ordered to a third reading and passed, and to ask that it be returned from the House of Representatives.

The VICE PRESIDENT. Does the Senator desire an order to that effect or does he enter a motion?

Mr. SMOOT. I desire to make a motion to that effect; but I do not want to take the time of the Senate now to discuss it.

Mr. MYERS. Mr. President——

Mr. FLETCHER. I yield to the Senator from Montana.

Mr. MYERS. Mr. President, the bill to which the Senator from Utah [Mr. SMOOT] refers was taken up by motion; I made a motion to proceed to its consideration, and did not ask unanimous consent for that purpose. I had read the bill and had known of its contents. At the particular time, when I made the motion for its consideration, I did not recall the fact that it contained a section providing for a leasing system. The bill, however, was read in full to the Senate. Every Senator here had an opportunity to hear it and to know what was in it, and had an opportunity also to make known his opposition at that time to any provision of the bill.

I am not the author of the bill. All such bills have always been heretofore referred to the Committee on Indian Affairs. My colleague [Mr. WALSH] is the author of the bill and is a member of that committee, while I am not. It was at his request and the request of others interested in the bill that I moved that the Senate proceed to its consideration. While, of course, it is the privilege of any Senator to move to reconsider the vote by which the bill was passed, I should dislike to see the motion prevail. I have nothing more to say about the matter at this time.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Florida yield to the Senator from North Dakota?

Mr. FLETCHER. I do.

Mr. GRONNA. I want, in connection with the passage of the bill, simply to make one observation. I desire to say to the Senator from Utah [Mr. SMOOT] and to the Senator from Montana [Mr. MYERS] that this bill was also considered by the committee of which I am a member—the Committee on Indian Affairs. It does not contain a leasing provision for the surface of the land; the leasing applies only to the minerals. The bill provides that the land shall be allotted to the Indians; it also provides that the minerals shall be reserved for the benefit of the tribe. It provides further that the mines may be operated under a leasing system for the benefit of the tribe.

Mr. SMOOT. Mr. President, I read the language of the bill itself; it is just as the Senator from North Dakota says and just as I stated it to be.

SURVEY OF PUBLIC LANDS IN FLORIDA.

Mr. FLETCHER. I move that the Senate proceed to the consideration of Senate bill 4005. It is a bill that pertains to the survey of certain public lands remaining unsurveyed in the State of Florida. There are some small areas of public lands in the State which, because of their isolation, probably, when the other land was surveyed, have never been surveyed. This bill simply authorizes the survey of those lands. The bill has a favorable report of the committee and the approval of the Secretary of the Interior, with certain amendments, to which I have no objection.

The PRESIDING OFFICER (Mr. JOHNSON of South Dakota in the chair). The question is on the motion of the Senator from Florida.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4005) providing for the survey of public lands remaining unsurveyed in any of the surveying districts of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof.

Mr. GALLINGER. Let the bill be read, Mr. President.

The Secretary read the bill, which had been reported by the Committee on Public Lands with amendments. The first amendment was, on page 2, in line 3, after the word "said," to strike out "agent or official, the Commissioner of the General Land Office shall proceed to immediately notify the surveyor general of the application made for the withdrawal of said lands, and the surveyor general shall proceed to have the survey or surveys so applied for made, as in the cases of" and to insert "agent or official, the Commissioner of the General Land Office shall proceed to have the survey or surveys so applied for made, as in the case of," so as to read:

That it shall be lawful for the properly accredited agent or official of the State of Florida having in charge the adjustment of its school grant to apply to the Commissioner of the General Land Office for the survey of any townships or parts of townships of public land unsurveyed in any of the surveying districts of said State, with a view to satisfy the grant in aid of schools made to said State of Florida by the act of March 3, 1845, and other acts amendatory thereto to the extent of the full quantity of land called for thereby; and upon the application of said agent or official, the Commissioner of the General Land Office shall proceed to have the survey or surveys so applied for made, as in the case of surveys of other public lands, etc.

The amendment was agreed to.

The next amendment was, on page 3, line 23, after the word "reimbursable," to strike out the following proviso:

And provided further, That nothing in this act shall be construed in a manner to deprive the State of Florida from acquiring a preference right of entry or location, subject to prior valid adverse claims in satisfaction of its indemnity school grant, to any lands nonmineral in character which may hereafter be surveyed in Florida by the United States, if such application for preference right be asserted by selection prior to the filing of official plat of survey in the United States local land office in those cases where survey is not made upon request of the said State, as provided herein.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof."

PAY OF BOILER INSPECTORS.

Mr. VARDAMAN. Mr. President, I desire to call up bill S. 2104, to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, providing for an increase in the pay of boiler inspectors.

Mr. SMOOT. Mr. President, when the Senator from Mississippi [Mr. VARDAMAN] called this bill up the other day I had just received a letter from an organization of steamboat inspectors. To-day I had a couple of representatives of not only the inspectors themselves, but of other employees in the service. I did not have sufficient time to talk to them this morning as long as I desired to do so; in fact, I had to go to a committee meeting at 11 o'clock, and had but a very few minutes to devote to an interview with them. I should like very much to have the Senator from Mississippi let the bill go over to-day, as I desire to hear what these men have to say.

I will say to the Senator that I have no disposition to prevent the Senate voting upon this measure. I merely desire to obtain the information which I am seeking before the bill shall be passed.

Mr. VARDAMAN. Mr. President, it always affords me pleasure to accommodate my friend the Senator from Utah and I shall do so in this instance. I wish to say, however, that this proposed legislation ought to be enacted. I understand from the department that it is really necessary. It is one of those measures that the public interest demands. I am not, however, going to insist upon the consideration of the bill now, but I trust

the Senator from Utah may be prepared to permit us to proceed early next week. I do not desire to inconvenience the Senator from Utah at all—I am not going to do so—and it gives me pleasure to let the measure go over at his request.

Mr SMOOT. I assure the Senator that the information I wish to secure will be in hand, so that the next time the bill is called up we can proceed with its consideration.

Mr. VARDAMAN. Very well.

LANDS IN CACHE NATIONAL FOREST, UTAH.

Mr. SMOOT. I move that the Senate proceed to the consideration of Order of Business 360, being Senate bill 4103.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, to accept from the persons named below title to the following described lands, either in whole or in part, upon certification by the Secretary of Agriculture that the lands are chiefly valuable for national forest purposes and approximately equal in value to the lands to be given in exchange therefor:

C. Balling: The southwest quarter of section 15; the west half of section 22, all in township 14 north, range 4 east, Salt Lake meridian.

Ferdinand Zollinger, jr.: The south half of the north half and the south half of section 4; the south half of the north half and the south half of section 5; the south half of the northeast quarter and the north half of the southeast quarter of section 6; all of section 9; the north half of the northwest quarter of section 10; the north half of the northwest quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Conrad Alder: The south half of the northwest quarter, the southwest quarter, the south half of the northeast quarter, and the southeast quarter of section 10; the east half of the east half of section 15; the northwest quarter of the southeast quarter of section 17, all in township 11 north, range 2 east, Salt Lake meridian.

Robert Murdock: All of sections 18 and 19, township 14 north, range 4 east, Salt Lake meridian.

SEC. 2. That the Secretary of the Interior is also hereby authorized to issue to the persons named below in lieu thereof patents to the following described areas or to such parts thereof as may be found approximately equal in value to the lands conveyed:

C. Balling: Lots 1 and 2 and the northeast quarter of section 21; the west half of the northwest quarter of section 22, and the southeast quarter of section 28, all in township 15 north, range 19 west, Salt Lake meridian.

Ferdinand Zollinger, jr.: The southwest quarter and the southwest quarter of the southeast quarter of section 5; the northeast quarter of the southeast quarter of section 8; the northwest quarter of the southwest quarter, the south half of the southwest quarter, and the southwest quarter of the southeast quarter of section 9; the west half of the northeast quarter, the southeast quarter of the northeast quarter, and the southeast quarter of section 17, all in township 13 north, range 17 west; the northeast quarter of the northeast quarter of section 9; the north half of section 10; the northeast quarter of the southeast quarter, the west half of the southeast quarter, the east half of the southwest quarter, and the northwest quarter of section 11; the east half, the east half of the west half, and the southwest quarter of the northwest quarter of section 12, all in township 13 north, range 18 west, Salt Lake meridian.

Conrad Alder: The south half of the southwest quarter of section 10, the west half of the northwest quarter and the northwest quarter of the southwest quarter of section 24, all in township 4 north, range 5 east; the south half of the southwest quarter and the southwest quarter of the southeast quarter of section 26, township 5 north, range 5 east; the north half of the northwest quarter, the southwest quarter of the northwest quarter, the west half of the southwest quarter, the northeast quarter of the southwest quarter, the north half of the southeast quarter, and the southeast quarter of the southeast quarter of section 34, township 5 north, range 5 east, Salt Lake meridian.

Robert Murdock: Lots 5, 6, and 7; the southwest quarter of the northeast quarter, the west half of the southeast quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter, all in section 1, township 14 north, range 5 west; the northeast quarter of the northwest quarter and the northeast quarter of section 12, township 14 north, range 5 west; the west half of the southwest quarter of section 5; the south half of the northeast quarter, the south half of the northwest quarter, and the south half of section 6; the northwest quarter of section 7; and the east half of the northeast quarter of section 20, all in township 14 north, range 4 west, Salt Lake meridian.

SEC. 3. That the lands conveyed to the Government shall thereupon become part of the Cache National Forest and subject to all laws and regulations applicable thereto.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

Mr. UNDERWOOD. Mr. President, if the morning business has been concluded and there is no other business in the morning hour, I ask unanimous consent that the unfinished business be laid before the Senate.

Mr. GALLINGER. Pending that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Fletcher	Gulon
Bankhead	Curtis	France	Hale
Brandegee	Dillingham	Gallinger	Hardwick
Culberson	Fall	Gronna	Hitchcock
Johnson, Cal.	Myers	Sheppard	Thompson
Johnson, S. Dak.	Norris	Sherman	Tillman
Jones, N. Mex.	Page	Smith, Ariz.	Townsend
Kellogg	Pittman	Smith, Ga.	Trammell
Kendrick	Poindexter	Smith, Md.	Underwood
Kenyon	Pomerene	Smith, S. C.	Vardaman
King	Ransdell	Smoot	Wadsworth
McCumber	Robinson	Sterling	Warren
McKellar	Saulsbury	Sutherland	Watson
McNary	Shafroth	Swanson	Willey

Mr. McKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is absent on account of official business.

Mr. McNARY. I wish to announce that my colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is detained on official business.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, there is a quorum present.

Mr. UNDERWOOD. Mr. President, as the morning business is closed, I ask unanimous consent that the unfinished business may be laid before the Senate at this time.

The PRESIDING OFFICER. Is there any objection? The Chair hears none.

The Senate resumed the consideration of Senate resolution 235, proposing a limitation of debate.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent that not later than 5 o'clock this afternoon, when the Senate concludes its business, it take a recess until 12 o'clock on Monday next.

Mr. BRANDEGEE. Mr. President, what is the necessity of cutting out the morning hour?

Mr. UNDERWOOD. I think we shall probably close the session early this afternoon, at the request of some Senators, and I am trying to get that agreement.

Mr. BRANDEGEE. Mr. President, I do not think we ought to dispense with the morning hour. We can not tell what is going to arise between now and Monday. There may be some very important matter that somebody may want to bring up in the morning hour. I shall be compelled to object to the request for unanimous consent in regard to a recess.

The PRESIDING OFFICER. Objection is made.

Mr. SHERMAN resumed the speech begun by him on yesterday. After having spoken for about one hour, he said:

I doubt, Mr. President, whether I can conclude my remarks this afternoon without going on until a very late hour; and if it is desired that I should yield, I will do so at any time.

Mr. UNDERWOOD. Mr. President, I have no desire to ask the Senate to take an adjournment or a recess at this time if the Senator from Illinois desires to proceed. This being Saturday evening, and with the understanding that this matter would not be pressed to a vote to-day, a great many Senators are absent; but if the Senator desires to proceed this afternoon I have no desire to move a recess at this time. When the debate runs out, however, I shall move a recess.

Mr. SHERMAN. That is agreeable to me. I probably will be able to close this afternoon.

During the course of Mr. SHERMAN'S speech,

Mr. NELSON. Mr. President, will the Senator from Illinois be indulgent enough to allow me to offer the amendment which I send to the desk to this resolution, for the purpose of having it printed?

Mr. SHERMAN. Certainly. Does the Senator from Minnesota desire to have the amendment read?

Mr. NELSON. Oh, no; it may be printed.

Mr. SMITH of Arizona. Let it be read, Mr. President.

Mr. NELSON. If the Senator from Arizona desires to have the amendment read, I will ask that it be read, as it is very short.

The PRESIDING OFFICER (Mr. JOHNSON of South Dakota in the chair). In the absence of objection, the Secretary will read as requested.

The SECRETARY. It is proposed to amend the resolution by striking out the period and the quotation marks at the end of line 24 of the substitute and adding thereto the following:

Provided, That on an amendment embracing new or general legislation in an appropriation or revenue bill the same time of debate shall be permitted as upon any bill or resolution."

The PRESIDING OFFICER. The amendment will lie on the table and be printed.

Friday, June 7, 1918.

Mr. SHERMAN. Mr. President, I have no personal objections to the limitation sought to be placed upon the discussion of matters in the Senate, because I can always, inside of an hour, exhaust all the accurate information I may have myself on any pending subject, and I know that in the 20 minutes provided in the resolution brought in by the Senator from Alabama I can express in compact form any opinion I might have or deductions

I might wish to draw from any facts stated. It is not that, Mr. President, which leads me to oppose the resolution. I shall vote against it on other and different grounds.

Several Senators who favor the resolution have argued for it because the majority rule is one that ought to be preserved at all times and that this limitation of discussion favored such majority rule. Majority rule is something that is always very popular; but there is nothing that gives rise to more delusions in the common understanding than talking about majority rule in the United States Senate. Majority rule is a paradox in the Senate. What appears to be a majority rule in this body is in reality a popular minority rule. A majority of Senators does not mean a majority in the popular sense; it does not even mean a majority of votes, much less a majority of population. This Senate as a legislative body is peculiarly constructed when compared with other legislative bodies which are governed by ordinary parliamentary rules. It differs from the House of Lords. The House of Lords derives its authority from no popular sentiment save that of the newly-created members of that body. They are created by royal grant. The letters patent of the King issue for that purpose. Some of the members of the House of Lords have been great contractors, railroad builders; some of them have been great brewers. One of the greatest brewers of ale in England many years ago was granted a title of nobility because of the relief that he brought to the thirsty portion of England's population. Some of the great literary characters have been knighted and have been made members of the House of Lords. It is the way that that country has of recognizing preeminent ability. We have no such way here of recognizing merit.

The only way in this country that a person can have his ability sufficiently rewarded is to go into private business. That is the reason why the greater part of the superior ability of this country has devoted itself to private pursuits and concentrated their energies on the accumulation of a fortune upon building great mercantile or manufacturing enterprises or developing inventive genius of some kind making it possible for some great mechanical undertaking to be founded. I do not know of any literary character in this country who even ever got elective political honors. I have seen some of them attempt it, but with indifferent success. England, on the contrary, creates the House of Lords by the recognition in the new membership of special ability. That, coupled with the inherited title which comes down to the eldest son, so that the title is continued until the family becomes extinct, constitutes the membership of that body. It represents no popularity; population has nothing to do with it; votes have nothing to do with it. It is likely for that reason that the limitation of the tax power was during the Lloyd-George controversy of several years ago yielded so gracefully by the House of Lords giving entirely to the Commons the exclusive power to originate money bills and to pass upon the fiscal policies of Great Britain.

In this country the Senate is the only similar body, and I have often heard this branch of Congress referred to as the House of Lords. Since I have served in it I have found out how utterly inapplicable such a term is. It is oftener a term of derision by jealous critics, as a matter of fact, than otherwise. When I think, though, of the way the Senate is constituted, and especially since the seventeenth amendment has been adopted, I can fully realize that the Senate is not a popular body in the ordinarily accepted sense of that term.

When the 13 States assembled by delegates to form the present Government under which we are operating, they had to ratify—at least 9 of them had to do so—the Constitution before it became applicable even to the 9. After the 9 had ratified the Constitution others came in in due time, but even the 9 who ratified the Constitution in the first instance were induced to adopt it in their local debates in the States because it was argued—and this portion of it was referred to very frequently—that the small States had an equal suffrage with the large States. Even in writing in Philadelphia this document it was one of the arguments used in reporting it out favorably from that convention. It won many a vote from the small States that otherwise would not have been possible—that the small State was given equal suffrage with the large State.

I do not know anything else in history like the Senate, except the States-General in Holland many years ago, in the days of William the Silent, when the States there were represented by delegates who sat in the council of the States-General and represented the affairs of the entire country, not merely by the size of the States of the Low Countries but by the number of Provinces or States that were found in all the Netherlands. That was a somewhat similar instance, and we drew very largely our knowledge of some of the practical things in our present form of government from the Hollanders.

I remember reading a very entertaining book by the consul general of the Netherlands, who was in this country not very long ago—Hon. H. A. Van C. Torchiani. It was entitled "Our Indebtedness to Holland in our Constitutional Development." That matter is discussed there very ably, as well as in other places; but it shows some similarity; but outside of it there is no other legislative body of which I know in the civilized world like the United States Senate in its representation.

We do not represent population here, and it is quite familiar to everybody, so that ordinarily I would apologize even for referring to it, but on a subject of this kind I think it is entirely proper for me to incorporate much of this matter in the RECORD that it may be preserved, at least for my own protection, before this resolution shall modify the ancient rules of the Senate. The 13 States had their beginning as a Federal Union in that equal suffrage which they voted to give each State, making the 26 Members which assembled in the first Senate, the complete body.

It is said that the Senate has now grown until it has 35 additional States, calling for 70 more Senators making our present membership, so that no one remains here to listen to the debates. Well, I do not know how many remained when there were but 26 Senators. I have looked at the record of the debates of the early Senate, which is preserved here for our information, and I find they had some trouble in obtaining a quorum then; that there were calls for quorums many years ago. So it is not peculiar to our times, for when the 26 composed the membership, the whole 26 even, when they were able to be present, did not always stay in their seats, it seems, to listen to the wisdom of the one who occupied the floor.

Mr. BRANDEGEE. Will the Senator from Illinois permit an inquiry?

Mr. SHERMAN. Yes, sir.

Mr. BRANDEGEE. Does the Senator from Illinois think that any larger percentage of the House of Representatives remain in their seats to hear their debates or in the British House of Commons to hear their debates than remain in the Senate of the United States?

Mr. SHERMAN. No, sir. I have never myself been in the House of Commons, but a great many of my neighbors have gone over there—lawyers and members of various legislative bodies—and they have come back and stated that in the House of Commons, for instance, there is not a full attendance there; that the benches are empty; that their members come and go.

Mr. BRANDEGEE. Does not the Senator from Illinois know that the routine business of the British House of Commons is conducted by not more than 30 members out of the total membership, and that only upon great occasions is the entire membership present?

Mr. SHERMAN. I know it is a very small number who are ordinarily present; and I am glad to have the Senator from Connecticut state the illuminating fact that something like 30 constitute the working body.

Mr. GALLINGER. Mr. President, will the Senator from Illinois permit me to interrupt him?

Mr. SHERMAN. Yes; I yield.

Mr. GALLINGER. If the Senator from Illinois should visit the gallery of the House of Commons—and he would not get there without undergoing various trials and tribulations—and look down upon the membership there assembled during the consideration of important bills, he would think he was in the lonesomest spot on this earth. The only thing that might appeal to the Senator would be the fact that, as they were wearing their hats, if he were a member of the body he also could indulge in that privilege.

Mr. SHERMAN. I have understood that they followed that practice; but the universal rule in the House of Commons is empty benches. I thank the Senator for supplementing and strengthening my statement. In the House of Lords it is even worse. Very seldom those in authority go out to hunt up a noble lord, in whatever condition he may be, in order to bring him in, because it would be regarded there as a breach of immemorial parliamentary courtesy, to say nothing of shocking the dignities of an ancient and honorable body. I read the record at one time when I was obliged to look up an act of Parliament, which led me to the reading of biographical matter relative to a time in which Edmund Burke in his generation was a very active spirit. It was during the generation in which Burke, Fox, and Pitt, and a number of English statesmen were engaged in a great variety of remedial legislation; it also was the time when Warren Hastings was impeached, and his celebrated trial took place, lasting for several years. On a matter of legislation and subsequent litigation, I had occasion to look up the record of the libel act as administered and decided in that country. I ran across this significant fact, which

is pertinent here, that Edmund Burke was not an attractive speaker. He was somewhat labored in his delivery, but his composition, when read, was a model of the English language; it exceeds anything that Charles James Fox ever delivered, but the galleries were crowded to hear Fox. His elocution was hereditary; his diction was splendid; his imagery was attractive at all times. So the general public came to hear Fox, but few now read Fox's speeches, while not only the literary world but the entire mental empire of the English language pays tribute to the genius of Edmund Burke to this day. Still, it is said he did not hold his audience. When he arose in his place in the House of Commons to speak, it is said that members began to filter out into the cloakrooms and to get away, and uniformly by the time he was approaching the conclusion of his speech he was talking to empty benches as well as to an empty gallery. I know that in the Senate nobody can keep any Senator against his will in his seat; that is impossible; I realize that now, as will always be the case, if any Senator remains to listen to a Senator's speech, it will be his voluntary action. When running debates take place we have a full attendance, as every Senator knows, as we do when there is a unanimous consent agreement and the five or ten minute rule is applied, as the case may be.

When it is known there will be a roll call and Senators expect soon to be needed on that roll call they remain here, and when some matter involves a general discussion and more or less personal allusions, then I have many times seen this Chamber full. But outside of that no one comes here to listen to any Senator make a speech, aside from those in the gallery, except by his voluntary consent, and it is universally recognized that a Senator commits no breach of parliamentary courtesy if he retires to his office and takes care of his ordinary routine office work while some other Senator occupies the floor. I know that very often this condition chills the ardor of new Senators. I know that my colleague [Mr. LEWIS] has hardly yet become accustomed to it. He likes, as I do, to talk to a full house. I do not blame him; everybody likes that. He can hardly bear the ordinary disturbance of honorable and dignified Senators conversing while he has the floor and is animadverting in eloquent language upon various items of public interest. In such circumstances I have seen him pause. I know his habits; I have been with him a great many years, and I sympathize fully with his embarrassment in that particular. Sometimes when on the platform or in a crowded auditorium, when some ribald and irreverent gentleman would get up and go out or seek to converse with a next-door neighbor, I have seen my learned and at all times interesting colleague stop and suspend, even in the midst of the greatest flight of eloquence I have ever heard fall from his eloquent lips, until the conversation was checked, and say that it was impossible for two gentlemen to occupy the floor at the same time.

Well, we recognize that generally; but in the Senate it is a rule more honored in the breach than in the observance, because here it is generally understood that a dozen conferences may take place on the floor of this Chamber; that frivolous gossip to relieve mental tension, neighborly visits, and general office affairs are transacted; that every Senator may dive through the door to the cloakroom and return with perfect impunity after refreshing himself with newspapers and mineral waters, and that such action is not a breach of courtesy, and that it is not a reflection upon the Senator who occupies the floor if every Senator withdraws and goes about his ordinary business in his office. Will that condition be changed by the proposed new rule if it be adopted? I apprehend not.

Mr. SMITH of Michigan. Mr. President——

Mr. SHERMAN. I yield.

Mr. SMITH of Michigan. Since I have been here one of the most eminent Senators in this body, the late Senator Morgan, of Alabama, who used to sit on the center aisle, would speak with perfect ease and composure, and evidently without the slightest annoyance, if he had just one Senator sitting where the Senator from Utah [Mr. KING] is now sitting. His discourse was always luminous and informing, and it was not to the credit of Senators that they did not hear the words of wisdom which fell from the lips of the late Senator from Alabama. He had the right under the rule to address himself to any theme which inspired his heart or mind, and was as potential as almost any man in this Chamber during most of the time of his public service.

The proposed new rule is intended to curtail the individual right and power of Senators. How can a Senator represent his State appropriately in a crisis if a few Senators may decree in caucus and then absent themselves, leaving the State to its fate, shorn of the power to be effective?

I have never seen the present rule abused. I have been impatient at times with Senators, but good has come to the country in most instances as a result of our liberal latitude in debate. The junior Senator from Iowa [Mr. KENYON], who sits back of me, added to his reputation in this body and throughout the country by occupying the floor persistently from day to day until he changed the usual course here in connection with river and harbor appropriation bills. The country upheld and applauded not only his action, but the action of the former Senator from Ohio, Mr. Burton, who brought his night clothes and his bed shoes to the Chamber that he might address himself with greater comfort to a theme of which he was master to which no one was paying the slightest attention in the Senate Chamber, but which the country heard and to which it responded with a curtailment of the authority and power upon the part of the committee having in charge river and harbor appropriation bills.

I see the Senator from Arizona [Mr. ASHURST] in his seat on the other side of the Chamber, and I say to the Senator from Illinois that the Senator from Arizona would not have had a seat in this body or his State a Representative had it not been for the unlimited power of debate now sought to be curtailed by this amendment to our rules. After President Taft vetoed the statehood bill I took the floor near the end of the session and maintained it until I wrung from my colleagues a unanimous-consent agreement to submit to the Senate the bill admitting the States of Arizona and New Mexico into the Union. Much good and no harm has come from unlimited discussion here; and to curtail it and deprive ourselves of this power and privilege, it seems to me, is not called for by any situation now existing.

Mr. ASHURST. Mr. President——

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Arizona?

Mr. SHERMAN. I yield for an inquiry.

Mr. ASHURST. I have never done so publicly, and I crave the opportunity now, to thank the distinguished Senator from Michigan [Mr. SMITH], who was chairman of the Committee on Territories at the time the statehood bill was pending. I am very free to say that our entry into the Union was largely through his splendid services as chairman of the Committee on Territories. He has been a constant friend of the Southwest.

Mr. SMITH of Michigan. Yes, Mr. President; and I am obliged to the Senator from Arizona for that compliment, which will go into the RECORD. Through the long struggle for statehood in the House of Representatives and here I have been the constant friend of both those new States, and it fell to my lot to be chairman of the Senate Committee on Territories when that issue came to full fruition. I am proud of my part in that legislation and thank the Senator from Arizona for his generous words, and I wish, right alongside of that compliment, which is also a compliment to our rules, the vote of the Senator from Arizona might go in favor of maintaining the ancient, accepted, and proud privilege of a Senator in his own right to discuss important questions until a quorum is obtained and a vote can be taken.

Mr. SHERMAN. I quite agree with the Senator from Michigan, and I am especially glad that he added the particular instance to which he referred of the late Senator Morgan. In the comparatively short time that I have been here I remember a very illuminating address by the late Senator Bacon. I then was troubled with the same infirmity of hearing, although not in so marked a degree, as I am now, but I left my seat and went to the majority side of the Chamber in order that I might hear him. He spoke on a matter in connection with which he had great experience, which he had evidently investigated, and upon which he meditated at great length. I remember at that time counting the Senators who listened to his address, and there were five other Senators present in the Chamber, making six Senators present, all told. I remember once when Senator Root was making an address here on a matter involving a very intimate knowledge of the relations between the National Government and the States, as well as a discussion of the question whether the several States were amenable to the provisions contained in treaties ratified by the Senate, which thereby became laws of the United States. During that discussion I counted nine Senators present in this body. In that discussion Senator Root brought to bear all of the legal knowledge that he had accumulated in a lifetime of varied experience both at the bar and in public service. It to me was one of the privileges of my life, and I thought myself extremely fortunate that I did not follow the habit that even that early I had formed of going to my office sometimes when Senators

were engaged in making addresses. I happened to be here, and being interested in the line of discussion that he was pursuing I heard him.

I only mention these instances to fortify the very pertinent illustration given by the senior Senator from Michigan. They illustrate, though, that the mere fact that Senators may not be in their seats does not detract from the character or the high value of the discussions participated in by Senators, who in the discharge of their duties as they see it engage in debate on matters pending in this body.

Again, the publicity that is given outside by the addresses made has its value. I know that there is not very much publicity in Washington as to what takes place in Congress. The new Senators who come here may sometimes be puzzled to know why the press and the general public in Washington do not pay more attention to Congress or to what is said in Congress. The reason is that they are habituated to Congress; it is a twice-told tale; speeches here during the session of Congress are of daily occurrence. It is not like it is outside, where probably speeches are not so common, especially speeches by Members of Congress. Other communities see them only at rare intervals when they are candidates for office, and, of course, they become curiosities. They draw large crowds and entertain the public with accounts of their experiences, and especially with anecdotes about their lives in Washington. I myself have heard such anecdotes many times with great pleasure. But here in Washington nobody pays any attention to us, for which most of us are thankful, and so we find that here the general public pay little heed to congressional debates, and Senators themselves are absent from their seats and are not interested ordinarily in the discussions which take place, but the publicity that goes beyond the District of Columbia or beyond this Capitol is of value.

The local press here gives practically no reports of most of the discussions that take place in the House and in the Senate, but the general press outside, clear to the Pacific coast and up and down the Mississippi Valley, publishes very full accounts of matters that are pending here and whatever may be said on them. So that the mere fact that this body may not be fully represented in its seats is no indication that the Senate is not transacting business or that the public outside who are concerned as a matter of public sentiment in knowing what is going on, so that they may form correct opinions themselves, are not taking note of the transactions of the ordinary legislative routine here.

These matters are ones that have been used in an argumentative way for the passage of this resolution. For my part I can not see that it would change anything. If it would keep Senators in their seats and make them attentive to the speeches of others, it might be an argument to some for the passage of the resolution. So far as I am concerned I do not want the involuntary presence of anybody listening to what comments I may make. Only once in my life have I had an audience that could not get away, and I say that with no feeling of pride.

I went to the State university at one time to deliver an address. The military officer, who was a retired United States Army officer, had charge of 4,000 cadets whom he was drilling in military life. He marshaled them all into the hall, where some 6,000 people were assembled, and I noted that nobody left. It was an unusual thing in that country, because there is a considerable liberty of opinion there and of action as well. They stayed, and I commented upon the fact that nobody left during my address, which otherwise might have been cut short if I had seen indications of impatience or weariness. I was surprised. I congratulated myself upon my development. I really felt flattered. I thought that certainly I had developed better powers of holding an audience. I spoke to one of the military students who lived near my home and told him that I was flattered at the attendance and perseverance of the audience and he said: "Yes; there were 4,000 of us there, and the military officer that had charge of us was at the door where we had to go out, and we could not get past him." So I had the involuntary presence of 4,000 students once in my life when they could not get away.

Outside of that, from the stockyards clear down to the Ohio River, my audiences have always been voluntary. In the stockyards country they have many attractions outside—vaudeville shows, beer halls, and the like—so that if they stay I am sure that they are earnest seekers after truth; that they set mental attainments above mere physical enjoyment, and I flatter myself accordingly. That happens sometimes, but not often. In the excitement of a campaign sometimes you can get them to stay. Down in the Ohio River bottom you sometimes find the woodchoppers and the boatmen coming into the villages along the bank who stay quite well. Generally they are the longest audiences you find. Out in the country they meditate with more deliberation on public questions. They are possessed of a greater desire to know before they vote, and so they come and hear both sides.

Outside of that, I realize that there is no audience that can be kept together. We can not keep the Senators together by merely passing a resolution. If you put a resolution through here placing a limit of 20 minutes on any kind of discussion, that would not make Senators stay in their seats. They would still manifest the same universal tendency that they do now toward going to their offices, to their committee rooms, such as are chairmen of committees, and going about the ordinary routine of their daily lives as they are doing under the present rules. The small attendance is often caused by the frequent sessions of important committees. With all of these things in mind, it seems to me it would be wholly futile to pass this resolution, because of that reason.

We have spoken here, and I have several times heard the argument used, of the majorities that are to be represented here in these votes. The very distinguished Senator from Oklahoma [Mr. OWEN], I think yesterday, spoke of the fact that majorities ought to rule. Well, they ought to, in the House of Representatives. The House, with 435 Members, must rule by majorities; but that means, reduced to parliamentary terms, the rule of a few persons. The larger the number of men in a legislative body, the fewer the men are who conduct the actual business of that body.

I remember the controversies that swept over the country, and especially in the House, every time an apportionment bill was to be passed and a ratio was to be fixed. It will not be long before that time will be on us again. I remember when the last apportionment bill was passed. Mr. Crumpacker, a Member from Indiana at that time, was a potential character in framing and passing that bill in the House. At that time many of my Democratic brethren, and some of my Republican brethren, announced the doctrine that they believed in making the ratio low. They favored that because it would make the membership of the House large. They believed in the greatest possible number of members in a parliamentary body of that kind. It finally was settled on the basis of a membership of 435, raising the ratio of representation from the original 30,000 in the Constitution up to some 212,407, as I remember now, from memory alone. But with the membership of the House fixed at 435 Members, it is indispensable that there be some limit on debate, or nothing ever would be transacted, little even by unanimous consent, if the whole 435 had no limit upon them.

There is a vast deal of difference between a legislative body with a membership of 435 and a legislative body with a membership of 96. There is a further difference between a body of 435, based upon population, and a body of 96, based not upon population—whether it is greater or less is of no consequence—but based upon the artificial sovereignty of a State, large or small. It makes no difference how great our population may be in 1920; in 1921 an apportionment bill will come up again, and if we had 200,000,000 population in the 48 States we would still have 96 Senators, but if we doubled our population and kept the same ratio we would have 870 House Members; so we must raise the ratio to keep that number down. Here it can not be done. Artificially our number in the Senate will remain at 96 so long as there are 48 States, with an addition of two Senators every time a new State is created and admitted into the Union. That can not be changed. I state somewhat dogmatically that it can not be changed, and I will add to that that I believe it is utterly impossible to change the ratio of the Senate by anything short of revolution. There is nothing but the sword that will cut that amendment out of our present organic act.

Senators are familiar with, and all lawyers have noticed, the fact that in the article in the Constitution relating to amendments is found the purely arbitrary representation of the States in this body. It provides that each State shall have equal suffrage. Following that—and this is in the article on amendments—is the further provision that this equal representation of States in the Senate shall not be amended. Of the thirteen original States, the small ones were extremely jealous of their power in the old confederation. At that time Virginia was the first State in the Union. She had been an early settled colony. Her settlement had preceded by 13 years that of old Massachusetts Bay. These two were the large States. They had borne a considerable burden in the Revolutionary War, it is true, but the smaller States of Rhode Island and Connecticut and Delaware had borne their part; so, when it came to surrendering their power they refused to surrender it if by so doing they would lose their relative importance as States. It was compromised by giving in the House representation by population and giving in the Senate representation by States without regard to

size; so as each State has been admitted into the Union two Senators have taken their places in this body.

Texas came in, after her revolution, with two Senators. I remember reading a history of Texas at one time in my life. One of the two first Senators Texas had was Sam Houston. Sam Houston, so his biographer recites, used to sit over in the old Senate Chamber, rarely making a speech. He was a man of action, as you know, rather than mere words, having been a soldier a good part of his life, and one of the Texas liberators. His favorite occupation when he was in his seat was to have a supply of cypress shingles, and he spent his time whittling shingles with his jackknife, until there were more shavings under his seat than there are at a railroad station down in the lumber regions of Arkansas. Very often he was gone. He did not stay in his seat unless something particularly interested him. I refer to that as another illustration of a very sturdy character, who knew government in its primary, elemental stages, and who knew men, and who knew how to fight, and to point out that he himself was not present in the discussions that took place after he came to the Senate.

As a matter of fact, the small States were induced to ratify the Constitution, and bring themselves in, so that they became a part of the Union together with the original nine that put it into operation, by this very limitation. Now, that is a purely artificial representation. I refer to this without any desire to wound, and I hope I can do so without wounding, the sensibilities of any Senator representing a smaller State. I refer to this only as a matter of argument, not as any matter reflecting upon the States, that the small States have much less interests in many ways than the larger States. They have, however, an equal vote. Let me refer to States particularly.

Arizona, for instance, the first on the roll call of States, is comparatively small in population. It is very rich in mineral resources. It has a very active, well-to-do population. A good many of alien blood are found inside its borders, but it is a State. When it was admitted, with its sister State, New Mexico, it was admitted on an equal footing with the thirteen original States.

Quoting now merely from memory, in 1912, I think, Arizona voted about 21,000 votes. It will vote more now, because they have woman suffrage in that State, and approximately it would double the vote. Nevada has something like twenty or twenty-one thousand votes. Territorially those States are much larger than some other States that have much in excess of that voting population. Texas, territorially, is an extremely large State—the largest State in the Union. It has a very large population as well. New York has the largest population. Approximately 10,000,000 people—no doubt that is actually true now—if not more, are found inside the borders of that State. A large part, of course, are found in the metropolis of this country. Pennsylvania has between seven and eight million population within her borders. Illinois has about six and a half million.

The last three States have the political significance in the election of Members of the House that attaches to the increased returns in the census. The greater their population the more times the ratio is divided into their population, and correspondingly the greater the number of House Members; but it makes no difference in New York's representation in this body. Her two Senators sit here upon an exact equality with the two Senators from Arizona. As far as voting power goes, they have as much power, and no more, as the two Senators from Arizona or the two Senators from Nevada. This is an artificially created distinction. Ours is a purely republican form of government, but the Senate is no more a democratic form of government than the House of Lords in England is a democratic form of government. It represents something besides merely population. It is true that in our election districts the State is the election area, and the voters qualified under the laws of that State become the elective power; but the Senators elected represent simply an election area two in number for the entire State, whatever its size or however small it may be.

Mr. BRANDEGEE. Mr. President——

Mr. SHERMAN. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. The Senator has referred to the provision of the Constitution which provides that no State, without its consent, shall be deprived of its equal suffrage in the Senate. That appears in the last clause of Article V of the Constitution of the United States. I wanted to call the Senator's attention to the fact that, as I remember, that is the only provision in the Constitution which can not be amended.

Mr. SHERMAN. Yes, sir; the only one. Everything else is amendable. Will the Senator let me have that for just a moment?

Mr. BRANDEGEE. With pleasure. The Senator will find it on page 218.

Mr. SHERMAN. Mr. President, I know of no other provision in this organic act that is not amendable in the usual form by passing the resolution and then submitting it to the States, a three-fourths majority of which thereby ratify the resolution and make it a part of the original Constitution.

I want to read the whole of Article V, referred to by the Senator from Connecticut appropriately in this connection:

> The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution, or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes as part of this Constitution when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress: *Provided*, That no amendment which may be made prior to the year 1808 shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

I wish to comment upon those two exceptions. The one relative to 1808, and to the first and fourth clauses in the ninth section of Article I of the Constitution, refers in a euphonious way to the slave question. The word "slave" was avoided and not spoken of in the Constitution. It was a subject on which, at that time, members of the convention were somewhat sensitive—those in the New England and Middle States as much as in the Southern States. At that time there was no party division on this subject, but it was referred to in this more agreeable way—that no amendment could be made prior to 1808 that in any manner should affect the first and fourth clauses of the ninth section of Article I, which related to the slave trade. Then the second exception followed. There was a time limit on the first. No amendment could be made that would affect the slave trade prior to 1808. That was a limitation upon the power of the thirteen States. If all of them had ratified an amendment prohibiting the slave trade, it would have been inoperative, under this provision, if made prior to 1808. Now, following that, and keeping in mind that limitation on the power of amendment of the Constitution, the other may profitably be considered. I continue with this language:

> And that no State, without its consent, shall be deprived of its equal suffrage in the Senate.

There is no limit on that—not an 1808 limit. The limitation on that is forever. That applies in governmental matters so long as the political authority of the Government lasts. So this was written, and written purposely, in such a way that the rights of the smaller States might be guarded, and that there could be no amendment at any time thereafter by the larger States, who might reach out and by their influence, it was supposed, obtain the consent of smaller States and thereby deprive other and smaller States of their equal suffrage.

Mr. BRANDEGEE. Mr. President, if the Senator will allow me to interrupt him there——

Mr. SHERMAN. Yes, sir.

Mr. BRANDEGEE. I think he has made the same suggestion before, but I wish to emphasize it. It was solely because of that condition precedent, and continuing, that the States were enabled to form any constitution or government whatever; and it is a condition the breach of which would warrant the dissolution of the Union.

Mr. SHERMAN. Yes, sir; that is accurately stated. Not only does the Senator state it accurately, but the records of that time, both in the States when they were ratifying the Constitution and in the Constitutional Convention in Philadelphia, indicate that that was the reason and a condition precedent that was held out to them. It would have been impossible without this provision to have formed the Federal Union as it now exists.

That being the condition, it being a perpetual bar upon any amendment to the Constitution depriving the States, without regard to their size, of their equal suffrage in the Senate, it imposes upon the Senate the perpetual character of a body representing not merely popular numbers but representing the political entity known as a State, a sovereign in many essential particulars.

I think one of the prices we paid for the preservation of the Union was the danger we are under now of ultimately destroying utterly the local powers of the States. A tremendous swing has occurred at two intervals of our national life. One was in the Civil War, when the opposing powers of disunion sought then to destroy the Union under the assertion of the right of the States to dissolve it and withdraw at pleasure. In order to check that tendency it became necessary to wage to the end the Civil War. It became necessary to announce strong and advanced doctrine upon the absence of power by

a State to dissolve the Union, or in any manner to interfere with the Federal powers. So these precedents were builded up; but at no time or place was the essentially local character of the powers of a State destroyed by waging the war for the preservation of the Union, nor have any legislation or amendments to the Federal Constitution which have been had since then in any manner impaired them.

I remember reading, not long ago, the last address that Lincoln made on the lawn of the White House on this subject a few hours before he passed from earth. The question then in this country was how to readjust the relations between the lately revolted States and the Federal Government. As President, Lincoln had been obliged to set aside the orders of some military leaders. Gen. Ben Butler had made orders in New Orleans at one time that created a disturbance; and on several occasions an attentive reading of Lincoln's treatment of this subject indicates that he held very decided views in regard to it. I believe that the reserved powers of the States, and what were then called the Southern States, lost their very greatest ally and the greatest friend they have ever had, if they had only known it, when Lincoln died.

In this address he took up the question of what the relations were between the lately revolted States of the Union and the Federal Government. The question had often been debated, both in the Senate and in the House, of whether, when the States passed ordinances of secession, they withdrew themselves from the Union. If they had withdrawn themselves from the Union, how could they be placed back in the Union? How could they be restored? Lincoln's last address on that subject, made extemporaneously, and afterwards very little changed, his biographer says—the substance of it remains substantially as he spoke it—shows that he had a clear understanding of the situation. He said in effect: "It is not profitable to discuss the question of whether a State, by passing an ordinance of secession, can withdraw itself from the Union. That is not a practical question. The practical question is, How can we restore the normal relations between the lately revolted States and the General Government?" He followed that by saying: "Some think that the State government of Louisiana ought to be ignored.

"Some say," he continued, "that the State government of Louisiana can not be trusted in the problem of readjusting the affairs of the Union." He added further by saying:

> Louisiana has framed a State government; the members of its legislature and the members of its State government at its capital have taken the oath of allegiance to the General Government. Having done so, the practical question for me to decide is how to treat the State of Louisiana. I shall deal with Louisiana by assuming that she is a loyal government as now constituted, that she has certain reserved inherent powers under the Constitution that have not been destroyed, and those powers I propose to respect. I propose to take the State organization and the State officers and the instrumentalities presented to me by the State, and by using them to restore Louisiana in its normal relation to the General Government at Washington.

That indicated that the reserved powers of the States by him were regarded as essential to the restoration of the Union as it was before the war. It is equally important, Mr. President, now that many years since the war has ended, that we preserve the powers of the several States in this Union as referred to by the Senator from Utah [Mr. KING] to-day in his powerful discussion of the matter on another measure before this body.

Mr. President, these local powers of the State are ones that are indispensably requisite to the perpetuation of free government. If I thought that the powers of the States were to be destroyed that are essentially local in their character, that everything was to be transferred to Washington, that bureaucrats, departments, commissions, boards, executive appointees would continue to increase their influence and power, I would regard it as a calamity second only to living under the Kaiser. I trust I may never be compelled to live under a centralized autocracy that has no sympathy with affairs that belong essentially to Illinois or Alabama.

Mr. NELSON. Mr. President——

Mr. SHERMAN. I yield.

Mr. NELSON. I want to call the Senator's attention to the fact that I observed in the public press a short time ago that the new railroad administration intended in their rate making to override entirely and eliminate State rates or intrastate rates. What does the Senator think of that situation?

Mr. SHERMAN. I think that is an unwarranted invasion, Mr. President, of a purely intrastate power. For instance, in my own State—and it works just the same way in Minnesota—we had what was called a 2-cent rate that applied where the passenger rate, the initiative, and the destination was inside of our own borders. Of course, these local rates were put on roads that were a part of interstate main lines. We have very few roads that are purely intrastate.

The Interstate Commerce Commission, acting through some of the business organizations in St. Louis and certain other river towns on the Mississippi River, entertained, upon application, an order that set aside the 2-cent rate, claiming that it discriminated against St. Louis—that freight came to East St. Louis or to adjoining Illinois towns on the Mississippi River bank and stopped that otherwise would have gone across into St. Louis or some of the adjacent towns. Because of that it was said to be a discrimination.

The Interstate Commerce Commission made a ruling increasing the rate and prohibiting in fact the application of a 2-cent rate on a purely intrastate haul. There were various hearings had before Federal and State courts, and without alluding to them more than to mention them it finally came up on an appeal from an order made before the Federal court in Chicago to the Supreme Court in this city. The question was the validity of the 2-cent rate. The Supreme Court held that the 2-cent rate of the State authority made by the legislature in an act was binding upon the Interstate Commerce Commission and, in substance, that the local State rate must prevail. I think that was good law. I think it is sound under all the interpretations of the interstate-commerce clause of the Constitution and ought to be adhered to.

Mr. NELSON. Mr. President——

Mr. SHERMAN. I yield.

Mr. NELSON. I wish to say to the Senator that we had exactly the same experience in Minnesota. We had a 2-cent passenger rate, and the Interstate Commerce Commission, two years ago, I think, when they increased the rate attempted to increase our State rate also and make it the same as the interstate rate, at that time 2½ cents, I think. Our case did not go to the Supreme Court. But what I rose to call the Senator's attention to is that it is said the present railroad administration intends by its new rates to entirely override and obliterate what I call State rates.

Mr. SHERMAN. Yes, sir; it will. There is not any question about what the ultimate effect of it will be. Nearly every railroad in the Northwest has been built as a State enterprise. It is an unwarranted invasion of the local powers of the State.

Mr. GALLINGER. And, Mr. President, I assume the Senator is entirely free from doubt as to what the result will be if the Director General of Railroads orders it.

Mr. SHERMAN. Yes, sir; I have a very decided opinion on that point.

Now, take the Chicago, Burlington & Quincy Railroad—that I happen to be better acquainted with than any other railroad in the country—which runs to St. Paul now, but originally it was purely an Illinois road. It was built from Chicago to Aurora, from Chicago to Galena, and from Aurora down to Galesburg, and from Galesburg to Quincy. It was purely inside the State line and had no more to do with the interstate commerce of the Nation than a wagon road or a pike road. But after it was incorporated as the Chicago, Burlington & Quincy it reached out across the river, went over to Missouri and Iowa, acquired the Hannibal & St. Joe in Missouri, and various Iowa lines were either under traffic arrangements or by purchase of stock developed, and it went on until it was acquired by the Hill lines and its western extensions were stopped.

I am not prepared to say that it was illegal or was undesirable, even. I do not want to discuss that question; but the development stopped. However, originally all of this was a local State road and only became an interstate line many years afterwards.

That was a local road. The mere fact that the road has combined itself with other lines and has reached out until it has some 10,000 miles of operated or owned lines does not change our local rate in the State any more than taking away any other local right of ours. We ought to still have it. But the tendency is in all these things to subtract and take away the local rights of the State.

I have come to the conclusion that as far as I am concerned on these matters, whenever it comes up I shall vote against any further subtraction from the power of the State, unless it be so clearly a war matter and connects itself with the successful prosecution of the war so indispensably that the Army or Navy would be impeded if it were denied. Even the rights of the State must be obliterated temporarily in time of war in necessary military movements. But with this limitation.

What I started to say was that since the Civil War there has been a greater invasion of the powers of the States, especially since the present war broke out. Some of them I am not pre-

pared to say are not necessary as war measures, but many of them make the war a mere guise and pretense. They have invaded the State and taken away the police and other sovereign powers of the State because it is claimed they were necessary.

Before we declared war the tendency of the administration, of its departments, was to subtract unlawfully, I think, from the powers of the State. We undertook here to pass a child-labor law.

The Supreme Court not long since, by a five to four decision, has held that it was invalid. A bill is now pending to amend the Constitution by legislation and vacate the seats of the Supreme Court if they hold that an act of Congress is without constitutional authority. The Senator from Oklahoma [Mr. OWEN] will create at least five vacancies on the Supreme Court bench after his bill shall have become an act of Congress. It is a very summary way of disposing of judicial power.

I have been favored a great deal by communications from divers gentlemen over the country on this subject, largely labor unions and great constitutional authorities who get into the unions and tell them about the villainy of judicial bodies.

I read in the American Federationist for this month a statement by a very distinguished labor authority on the courts. After calling attention to the great usurpations of the Federal Supreme Court and other judicial bodies in declaring acts of Congress and of State legislatures invalid because there was no constitutional authority, he wound up by saying the moral is labor must capture the courts. They seem to have dispaired of amending the Constitution and destroying the judicial authority, so they propose to capture the courts and the personnel of the court. It was boldly avowed in the last number of the organ of the American Federation of Labor that they propose to capture the courts of this country and put men on the bench, like they did during the Populist excitement in Kansas. I remember when they elected somebody district judge in Kansas. The district court out there has general jurisdiction, unlimited, in matters of property and of persons. He was elected under the Populist craze that swept over that country. He did not know a writ of habeas corpus from a replevin writ. So, after he was elected, he was sent away by his admiring backers in the campaign for a 60 days' course in a law school to qualify him as district judge having general jurisdiction over the property and the lives of men.

That is the idea that this gentleman, in the American Federation magazine, seems to have of the capture of the courts. They have an idea that the courts make laws just because we have five-to-four decisions. Five judges thought one way on the child-labor decision and four thought the other, and five, being a mathematical majority, prevailed and made the opinion in that case.

I regret that divisions of that kind come up in judicial bodies consisting of more than one person, but, nevertheless, it happens wherever there is a plurality of numbers on the bench arriving at a joint conclusion that is inevitable. It is inevitable in all other bodies. Why should courts be condemned because they are not always unanimous? I do not know of anything in a free form of government that is unanimous. Outside of the Czar of Russia before his celebrated abdication, and outside of the Kaiser in Germany, I do not know of anybody who can make their country unanimous. How long it will continue there is unknown. Juries are not unanimous. I never saw 12 men go out and stay two or three days and nights with 1 or 2 stubborn men, or 1 or 2 sensible men and 10 or 11 stubborn men, the way they put it, that they did not think a majority of a jury ought to decide. But we have that old custom of a unanimous verdict of the apostolic 12, and we have not got away from it yet. A majority of the courts decide. Juries hang frequently and do not get a verdict at all. I see no infirmity in judicial procedure because judges, when two or more of them are on the bench, do not always agree on a mooted question.

But we have here, after this latest decision, a proposal to vacate their office. I do not know just how we would do that, just by what process, probably, we could call on the President to remove them after they had decided against the action of the sovereign Congress; but for my part I have more respect for the Supreme Court for setting aside an act of Congress every once in a while than I would have if they were of that slavish tendency that would take all our legislation here as law. It is a mark of a very healthy symptom developing itself in this country when an act of Congress is set aside because of its lack of constitutional authority. Instead of criticizing a court, I think it ought to be commended.

I had several communications from gentlemen, I started to say, that called attention to the fact that the Supreme Court had usurped this power; that it was denied them in the convention in Philadelphia when this document was created expressly denying it, they said. We have all had the same thing. I do not know how many I have had from Chicago gentlemen who have made a deep study of the Constitution during the time they have been engaged in trying to beat somebody for office because he would not vote as the labor unions told him. After they have arrived at the conclusion that they know all about the Constitution, they say that this power was denied in the convention that framed the Constitution. They are justified in saying that, because I have heard Senators say in this Chamber that the power to decide an act of Congress unconstitutional was expressly denied the Supreme Court in the Federal convention in framing and sending this instrument out for consideration by the States.

I have taken occasion, particularly since a year and a half or so ago when this charge was made, to look up the record. I have taken all the records of the Constitutional Convention in Philadelphia. I have examined the records of the several States keeping records of their ratification and the results of the convention when the Constitution was presented to them. I wish to say here once for all that the record shows flatly the contrary. It not only shows the contrary but affirmatively shows in at least nine places, to which I can refer, in the Federal convention that the power was intended to be given to the Supreme Court of the United States to pass upon the lack of authority, either in State legislative bodies or Congress itself. So it was only in pursuance of that original intention as well as the inherent judicial power of the Supreme Court itself to pass upon this question. It is inherent in sovereignty, and belongs to judicial power, and I think no criticism could be made of it because of that.

[At this point Mr. SHERMAN yielded the floor for the day.]

Saturday, June 8, 1918.

Mr. SHERMAN. Mr. President, last night I was referring to the fact that the courts have assumed the right, inherent in their judicial power, to set aside acts of the Congress, and that they have been attacked for so doing. That came in only incidentally, and I do not desire to pursue it further. It was suggested here by some matters that were drawn into the discussion somewhat collaterally.

The main point that I desire to present to the Senate in connection with the adoption of this rule, on this branch of it, is the majority rule that was offered by several Senators as an argument. The majority rule in this body, as it is constituted, as I suggested on yesterday, is not promoted by a limitation on debate. Paradoxical as it may seem, the promotion of majority rule lies in the open forum in the Senate, without limitation. There are small States—small in area, small in population, small in their material resources—that constitute a clear majority of the Senate. The larger States, both in population and in material resources, and sometimes in territory, are entirely overwhelmed by the small States. This is an incident to the conditions under which our form of government was created; but because it was an incident, and an indispensable one, it is no reason why any further advantage should be given to the small States by changing the rules of the Senate.

The rules have given an open forum in this body from its institution until a limitation was made, in a manner, without very material controversy by the Sixty-fifth Congress at the special session. It was provided then, as a limitation upon what was admitted to be a filibuster, that—

> If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and upon the ascertainment that a quorum is present the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:
>
> "Is it the sense of the Senate that the debate shall be brought to a close?"
>
> And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.
>
> Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate.

This was admittedly adopted as a remedy for confessed filibusters.

Mr. GALLINGER. Mr. President——

Mr. SHERMAN. I yield to the Senator.

Mr. GALLINGER. The amendment to the rules which the Senator from Illinois has read, and which I am very glad he

has placed in the RECORD once more, was brought about as a compromise. A great deal of agitation had been heard at varying times concerning the necessity for having some rule that would limit debate. There were those of us who did not think any rule at all was necessary. There were others who thought a somewhat drastic rule necessary. I speak now advisedly, as a member of the Committee on Rules, when I say that that rule was adopted as a compromise rule, and assurances were given that if it should be agreed to—as it was, without any controversy—it would end this matter of so-called cloture legislation. It has answered its purpose. There have been no filibusters since that rule was agreed to; and only twice, I think, has the threat of putting it into operation been made, and it was not found necessary to do that in either case.

Now, Mr. President, I will ask the Senator from Illinois, in all conscience, if he does not feel that that rule, as it stands in our code of rules to-day, is sufficient to take care of any attempt on the part of a few Senators, by what is called a filibuster—and I have been, on one or two occasions, engaged in that business myself—to prevent the passage of good legislation?

Mr. SHERMAN. Mr. President, I think it is amply adequate.

Mr. POINDEXTER. Mr. President, may I ask the Senator from New Hampshire a question?

Mr. SHERMAN. I yield.

Mr. POINDEXTER. The Senator from New Hampshire, by virtue of his position in the Senate, is better informed than most of us as to the origin of legislation here. I will ask him if he can inform the Senate as to the origin of this resolution?

I ask that question for the reason that the movement in favor of such a resolution is exceedingly surprising to me. As the Senator has just suggested, there did not seem to be any occasion for such a movement, and it was the feeling in the Senate that the matter had been disposed of and adjusted.

The rule which has just been cited had been invoked successfully. It seemed to have performed the function for which it was intended. Now this movement, with apparently strong backing and considerable standing in the Senate, with the favorable report of a committee back of it, comes out of a clear legislative sky, without premonition or warning or occasion; and I have had a great deal of curiosity to know its origin, and the forces back of it that gave it its standing in the Senate.

Mr. GALLINGER. Mr. President, if the Senator will permit me——

Mr. SHERMAN. Yes, sir; I yield.

Mr. GALLINGER. In a few words I will endeavor to answer the question propounded by the Senator from Washington.

The rule was agreed to in the Committee on Rules at a time when I was not present. I presume it would have been agreed to just the same had I been there. I think I am safe in saying that there was a divided vote on the matter, but a majority of the Committee on Rules decided to report the rule.

I wish I could state authoritatively the reason that has been advanced for this rule, if any has been advanced. The Senator from Alabama [Mr. UNDERWOOD], if I understood him correctly, and if I do not misstate his proposition, said a few days ago in debate that it was necessary for us to pass speedily the revenue bill which is impending, and that we ought to have a recess of Congress, which would give Senators and Members of the other House an opportunity to breathe the air of their native hills and valleys. That was one reason that was advanced, as I understood him. Yesterday the junior Senator from Missouri [Mr. WILFLEY] informed us that in time of war Congress ought to stop talking, and that the affairs of the Government ought to be turned over to the Executive to run at his own sweet will. I think I do not misstate what the junior Senator from Missouri said, in substance. I have not referred to the RECORD to be certain that I have stated it with substantial accuracy, but I think that is so.

Those are the two reasons that have filtered into our minds during this debate. I do not know that I ought to say that it has been privately suggested to me that the President of the United States wants this rule changed, as a war measure. I have no doubt of it, and, in my opinion, that is the origin of it and the meaning of it.

Mr. SHERMAN. Mr. President, I had understood in a general way, as the Senator from New Hampshire has stated, that the present rule on this subject has answered every purpose; that there has been no filibuster attempted here; at least, that it has not been attempted in a way that made it possible to enlist a sufficient number of Senators to make it at all likely to be considered by either the majority or the minority side of the Chamber. The present rule having accomplished the purpose of ending all filibusters for the delay of legislation, I am unable to find any adequate reason on the surface of matters at present for the sudden appearance of this proposed rule.

I might offer many conjectures which would be more or less fruitless, and, in order to round out the matter, before I conclude I shall do so in a very modest sort of way, I hope. The conjectures may be entirely groundless, but nevertheless they present to me some very disturbing features.

I do not care to discuss further the question of the adoption of this rule which I have read. The Senator from New Hampshire [Mr. GALLINGER], a member of the Committee on Rules, has very clearly stated the conditions under which it was adopted. That being considered a settlement of the question, it seems to me it is going a long way out of the ordinary course of affairs to bring in this amendment at this time, and propose now to limit arbitrarily the discussions here to 1 hour on the main question and 20 minutes upon amendments to the bill or resolution. I apprehend that this inciting motive has not come from any Member of this body. It came from the same source from which proceed all other revolutionary methods of a legislative character. For five years there have been continually brought before the House or the Senate those methods that incessantly sap the legislative independence of Congress. There has been a systematic attack from the executive department upon all the prerogatives and powers that inhere in a legislative body of this character. The attack has been upon the Senate within the last few years more than upon the House, because the House itself is well organized. It yields more promptly to Executive influence acting through its majority. It has a Committee on Rules. That committee very expeditiously reports out a special rule to cover any occasion that is necessary, whenever the executive department desires that prompt action be had upon any question. Otherwise, the rules are for the purpose of suppressing discussion, for keeping legislation in a committee. Free speech there is short in duration and seldom had.

It is generally recognized that a committee in the House, even more than in the Senae, is a mausoleum for bills. They slumber the sleep that knows no waking there in infinite numbers. That, I admit, is one of the virtues of legislation. Most of my experience has been devoted to killing bills rather than promoting them, even when I have been with the majority in control of legislative bodies. I do not think I ever introduced a bill in my life to which my name was attached, in any kind of a body, that ever passed into the statutes. There has been so much to do all the time in killing the evil measures that my small energies have been absorbed in the suppression of the malevolent things that came along; and I believe now that outside of appropriation and revenue bills, any Member of this body can do more good and serve his country better by starting out with a war club and incontinently whaling the life out of everything that is on the calendar than he can by promoting the passage of everything outside of the needed measures to which I have referred, so that I am not complaining particularly about the fact that committees are burial grounds for the fond hopes of many an ambitious statesman.

Let it be so. In the very nature of things it is much safer for the whole country to have it this way than to make an open door for the passage of everything that comes along. But when we are told that the Senate is to adopt the same rule that the House has adopted in order to suppress discussion I respectfully dissent. The House, as I said yesterday, represents population, and the greater the population the greater one of two things must be—either the ratio of representation or the number of Representatives in that body.

Mr. KING. Will the Senator yield?

Mr. SHERMAN. Yes, sir.

Mr. KING. Doubtless the Senator in his investigation of this subject has discovered that away back in 1806, when the Senate was amending its rules and there was an elaborate discussion, the question arose as to whether or not the Senate would follow the custom of the House and adopt a rule of previous question. The Senate then and there announced that it would not adhere to that rule. The Senate clearly differentiated between the Senate and the House—the duties, the responsibilities, the dignities of the Senate, and the responsibilities of the House—and affirmed the proposition then that it would not follow that rule, but that it would stand for the policy which had come down from the British Parliament, that the rules of the Senate should be, first, to secure order; second, to secure unlimited debate; and, third, to protect the rights of the minority. I think that was a good conclusion reached then and a wise one which we ought to follow now.

Mr. SHERMAN. The Senator has very compactly cited, and in a most illuminating way, the underlying reasons that support an open forum in such parliamentary body. The rule that has been adopted from early times for now over a hundred years, based upon this reason, the viewpoint of the minority side here taking the third reason the Senator from Utah gave as

the last—to protect the minority—reminds me that parliamentary law is in part created like civil government for the protection of the rights of minorities. One of the most experienced of all the English statesmen, not only in practical affairs, but in the textbooks he has left behind him, said that the whole sum of human government consisted among free peoples in the protection of the rights of minorities.

We are a minority to-day. To-morrow the Senator may be in a minority and I may be in a majority. Parliamentary rules like rules of constitutional law are not made merely to expedite the speed with which a majority may operate over the defenseless protests of a minority. These rules are made so that when I am in a majority the same rule will protect the former majority, now a minority, that when I was in the minority protected me. The whole system of parliamentary government, especially in a body like this, where it is not a large body as the House is, has been directed toward the protection of a minority.

It may be frankly admitted here that a filibuster, when entered upon by a united minority, is for its supposed protection. I never knew a minority to engage in a filibuster here where it was not practically united, if it amounted to anything. A few Members here can not carry on a filibuster. Two or three Senators can not. In fact, if there was not a considerable number, or nearly a united minority, the minority had as well not undertake to carry on the filibuster for practical results; and even then it is limited to a certain time. It is understood when the automatic adjournment comes at the closing hours of the biennial period for which we were created, then in the closing hours men may take the floor and consume the time until, automatically, final adjournment has occurred and legislation is defeated. I have known of no filibusters that succeeded in accomplishing results of any practical character outside of those periods and outside of the united opposition of a minority.

I will go further than that, Mr. President, and state that the successful filibusters have always had some sympathy of some of the members of the majority party, almost without exception. The majority party has had one to seven members since I have been here who were in sympathy with the purpose to be obtained by the filibuster, whether they took part in it or not. It is probably one of the defenses of the minority, in addition to the rules of a parliamentary character and constitutional restrictions and statutes, that even a majority party on matters that are not of a purely political character invariably have some independent thought within their own ranks.

The minority side of the Chamber here has had a very great deal of independent thought within the last seven or eight years within its own ranks, and probably the majority may now credit their administration to the fact that there was a widespread revolt inside of the Republican Party upon certain admitted matters not only of party management but upon matters of legislation and upon the general result attained by the party then in power. So the fact that there is always within the party ranks one or more members or a considerable body of voters is in itself a protection of the country against the alleged evils of a political party long continuing in power, or against what is said to be its tyranny or its improper conduct. The very fact that these divisions come gives to the minority additional protection to the rules that have been referred to.

Now, with these elemental reasons for the protection of a minority in this way, keeping them in mind, and what the Senator from New Hampshire [Mr. GALLINGER] has added as to the adoption of the rule at the special session of the Sixty-fifth Congress, I recur again to the size of the different States and the effect that they have upon the larger States. The only filibuster here that I remember that was really effective in a matter of general legislation was the shipping bill. It is true that the armed merchant neutrality act was defeated finally some time ago by certain Senators who were opposed to it by using time at the expiration of Congress that denied a roll call upon a certain matter.

I remember that I signed a round robin with a number of other Senators favoring that legislation. I was not with the filibuster on that, but I recognized that the Senators were within their rights according to the rules of the Senate in that action.

I do not care to pursue that subject; but long before we ever thought that we would declare war or that we would have any such momentous question on our hands as we have now there was an attempt made to pass a shipping bill at the end of the congressional session. At that time most Republicans regarded it as the substitute for a method of granting subsidies to merchant shipping, and many gentlemen on the floor here declared themselves in favor of a direct subsidy. We argued the question on the basis that the merchant shipping bill was itself a subsidy with some aggravated features, such as Government ownership, and that we ourselves would prefer to vote direct for a subsidy rather than the measure. I know that a good deal of argument was devoted to that phase of the question. But it proceeded in that way, and frankly the minority party, together with certain of the majority Senators who were opposed to the bill, tried to beat it by a filibuster, and finally it succeeded. The filibuster came from the minority side.

A great deal of bitter criticism went over the country, some in the press and some from those in charge of the legislation, and some came from the executive department. On that measure I made a somewhat exhaustive analysis of the effect of a filibuster on legislation. Taking this shipping bill as a matter of general legislation and a fair test, I analyzed the vote on the preliminary measures that indicated about the way the bill would have been voted on if it had succeeded in reaching a roll call.

Mr. GALLINGER. Mr. President——

Mr. SHERMAN. I yield to the Senator.

Mr. GALLINGER. At that point will the Senator permit me to suggest that in addition to the reasons he has given for the opposition of the minority, aided by a portion of the majority Senators, there was a very strong suspicion in the public mind and in the mind of many Senators that if that bill passed it would result in the purchase of the interned German ships at our ports, and that fact had very great weight in the minds of many Senators in thinking that the legislation should not be enacted.

Mr. SHERMAN. Yes, sir; the Senator is correct. That was very generally discussed even in the committee.

Mr. McCUMBER. I think the Senator might have gone a little further and stated that had an amendment which eliminated the purchase of those interned ships passed the Senate, and there was an attempt to put it through several times, there would have been no filibuster.

Mr. SHERMAN. The Senator is correct. I am sure that what the Senator from North Dakota has said was a very controlling motive here, because there was a well-founded belief based upon much accessible evidence that there was a plan on foot to purchase the interned ships.

Mr. NELSON. Mr. President——

Mr. SHERMAN. I yield.

Mr. NELSON. I wish to add to what the Senator from North Dakota has said that that bill in its original form, about the German interned ships, providing for their acquisition and payment by the Government, was prepared and recommended by one of the departments of the Government. I was opposed to it from the beginning. I thought the only way to do was to take the ships and leave the question of whether we ought to pay for them until the end of the war, and that was finally the attitude taken by the Senate. I simply rose to remind the Senator of the fact that that bill in its obnoxious form, as I call it, and as the Senator from North Dakota, too, seems to view it, was prepared by one of the departments of the Government and sent up in that form.

Mr. SHERMAN. I am glad the Senator from Minnesota added that. I did not have that information myself, and it is very useful to have it in the RECORD as an additional reason why the filibuster I referred to was undertaken.

Mr. NELSON. Mr. President, I might add one word more. That is not all, but an official of one of the departments appeared before the Judiciary Committee to advocate the passage of that bill in its original form.

Mr. SHERMAN. This adds more, and I welcome it. This was the last filibuster ever of a practical character affecting general legislation that we have had. When we take the record of what we had done, together with this amendment on the right of debate that I have already read into the RECORD, it seems to me that we have all practical measures to facilitate legislation or even to expedite the ratification of treaties in the event any should occur.

I went to some trouble after the criticism made of the filibuster referred to on the shipping bill in analyzing the effect of the cloture rule on the deliberations of this body. I came to the conclusion that the paradox I stated a while ago was literally true, that the open forum in the Senate is an ally of the majority of the people of the United States. It is an antagonist of a combination of small States to control a majority of the population of the Union.

That is literally true, Mr. President, as can be demonstrated with mathematical accuracy by the returns of the Census Department as well as by the vote taken on the shipping bill in this Chamber—that is, upon preliminary measures leading up to the shipping bill, because the vote on its passage was never taken.

Senators here, and among them the very capable Senator from Oklahoma [Mr. OWEN], with whom I agree on many things, said that they were for this amendment because it promoted the rule of the majority. I am moved to inquire a majority of what? If it promotes the rule of a majority of States, the Senator from Oklahoma is correct. If it promotes the rule of a majority of the people of the United States, he is inaccurate, because the latter is far from being the truth. It promotes the rule of the majority of the States apparently, but in fact so long as there are conferences it promotes the rule of the majority in the conference. It is much more euphonious nowadays to speak of a conference than it is of a caucus. Caucus became unpopular a good deal like a great many things that have been criticized by the public press and by magazines. People are loth to use the right names for descriptive purposes, but I see no difference between a conference now and a caucus. It possesses all the badges of authority, it contains all the stalwart binding ties that appeal to persons who desire to be regular in their party that a caucus did.

When we speak of a majority acting representing States it becomes eventually a majority of the smaller States, a combination of the Senators, and it is even worse than that. The other States can take care of themselves in many instances, but a combination that leaves out the smaller States of the Union reduces to a state of absolute impotency in this body the smaller States. They are without the ability to protect themselves unless they can join with the larger States. On political subjects they can not do so.

Therefore, when a smaller State is defeated in a conference or is ostracized in a caucus, the smaller State inside of its own party ranks becomes a victim of a brutal majority of its own party and is without a remedy, because ordinarily on political matters they refrain from joining with the other States or with the minority party in order to protect themselves. So the small State itself is interested in the open forum.

There is no other body in the United States that does not have a cloture. This is the only place left. It is also the only kind of a legislative body of this kind for the entire country. No State has any such body and no city council has it in the larger cities of the country.

The House has long since ceased to be a deliberative body. The Speaker four years ago in the House said that you could not run the House as a town meeting. Everybody knows that. But the Committee on Rules does run it to suit the Speaker. In the nature of things that must be so. But there is no essential difference to-day in the management of the House and its management when Reed was Speaker years ago. The Reed rules are equally efficient to-day. The Committee on Rules can report out anything. They can report out a rule that a measure shall be taken up at 12 o'clock noon, that it shall be discussed for one hour, that amendments shall not be offered, and that no motion shall be in order save that of laying on the table, and that a motion to commit shall not be in order or put all kinds of parliamentary essentials in the motion. There is no limit to what the Committee on Rules can do. As a matter of fact, if you search the records of the House it is found very many convenient rules of that kind have been reported and have been acted on. Legislation has been promoted, expedited in its passage, by rules of the kind I have referred to.

The House is in the same condition that the delegate from Texas was at one time in a national convention. Somebody said there was no rule for the method of selecting delegates in that way, and one very candid gentleman from over in western Texas said, "The gentleman is mistaken, because before we selected the delegates that way we passed a rule every time to authorize it." That is the way the House does. They always do it in a parliamentary way, and the rule is made to fit the emergency.

Mr. GALLINGER. Mr. President——

Mr. SHERMAN. I yield to the Senator.

Mr. GALLINGER. Doubtless it has been suggested to the mind of the Senator from Illinois that if we adopt the cloture rule which is now proposed, at some hysterical period in our history we will be asked to go as far as the House is going in the matter of reporting rules, hedged about as they are with every possible provision to prevent debate.

Mr. SHERMAN. Yes, sir. It is easy enough, if the precedent is once made, to cut it to half an hour or to prevent it altogether, to apply the previous question. When the ancient rule that has kept this as an open forum for these years has once been broken down and limitations placed on it it is a very easy matter indeed to remove the limitation, and the Senate will find itself in the same condition that the House is. When that is done it ceases to be a deliberative body. It is simply then a question of a certain number transacting the business of the Senate.

I wish to refer here to some of these combinations of States. For instance, on the shipping bill 21 States, the States of Alabama, Arizona, Arkansas, Delaware, Florida, Georgia, and, at that time, Indiana, which was represented by two Democratic Senators and was classified with this list, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Montana, Nevada, New Jersey, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia, making 21 States, were the States that furnished the great bulk of the support for the shipping bill. There are 42 Senators in the 21 States. There were 36 Democratic Senators of the majority who voted for the shipping bill in its various parliamentary stages whenever a roll call was had upon questions where a test could be taken, and there were 6 out of the 42 who voted against it. Of the 6 Senators so voting against the bill in these preliminary matters 5 of them were of the majority side of the Chamber from the normally Democratic States of Alabama, Arkansas, Georgia, Kentucky, and Mississippi, and one a Republican, from the doubtful State of Delaware. That is the first group of States—21.

I take then another group of States of 18, containing 36 Senators. The States are Connecticut, Iowa, Minnesota, New York, Pennsylvania, Vermont, Idaho, Kansas, New Hampshire, North Dakota, Rhode Island, Washington, Illinois, Michigan, New Mexico, Ohio, Utah, and Wyoming. At that time New Mexico was represented by two Republicans and was brought in the classification of the second group of 18 States just as Indiana, being then represented by two of the majority side of the Chamber, was placed in the first group of 21 States.

Of these 36 Senators from the 18 States, 30 Republicans voted against the bill in all its parliamentary stages where a roll call was had, and 4 Democrats, one each from the States of Illinois, Kansas, New Hampshire, and Ohio, all of which ordinarily are Republican States and were carried in 1914—some of them lost in 1916—voted for the bill. One from the State of Washington, which is ordinarily of the minority politics, voted against it in some of its stages.

I never felt justified in stating how the vote would have been cast if it had proceeded to a final roll call. One Democrat from the State of New York voted against the bill. This leaves 9 States in the 48—21 in the first group and 18 in the second, making 39—and, of these 9 States remaining, California, Massachusetts, Oregon, Colorado, Nebraska, Wisconsin, Maine, South Dakota, and West Virginia had 18 Senators, of whom 9 Republicans and 1 Democrat voted against the shipping bill in all the stages, as I have explained, and 6 Democrats and 2 Republicans voted for it. The 9 Republicans were from California, Maine, Massachusetts, South Dakota, Wisconsin, and West Virginia, and the 1 Democrat was from Nebraska. The 6 Democrats who voted for it were from Colorado, Maine, Oregon, and West Virginia, and the 2 Republicans were 1 each from Nebraska and Wisconsin.

For the purpose of testing the popular strength that lies back of a measure of this kind beaten by a filibuster, Mr. President, it is instructive to note the voting population of these States. I take the first group of 21 States, and for the purposes of this analysis, Indiana then being represented by its two majority Senators on that side of the Chamber, I regard certain other States as Democratic. There are eight of them, however, that are fighting ground, including Indiana—since Republican—Delaware, Missouri, Montana, Kentucky, Nevada, Maryland, and New Jersey. New Jersey is inclined to be classified now with the minority party of this Chamber based upon recent elections. Maryland shows a strong disturbing tendency toward the majority party of like kind. Indiana has ceased to afford consolation to the majority party in the last test that was made, but to say the least of it this is a very liberal classification as it is read.

The total population of these 21 States by the census of 1910 is 37,000,000 in round numbers. The total vote cast in the 21 States in 1912 was 4,314,496. The total Democratic vote cast in 1912 in these States was 2,339,191.

I take the second group of 18 States with the tabulation. I regard them as ordinarily Republican in normal conditions. The larger States of the Union lie in the second group. It is significant, too, that the four largest States of the Union are in that classification. The latter comprise the States of New York, Pennsylvania, Illinois, and Ohio. I take none of the female votes in the States where they were permitted to vote. This is entirely a classification of the male vote of the States. The total population of 18 States is 41,000,000 and over, and the total

vote cast is 7,900,000. The total Republican vote cast in the 18 States in 1912 was 4,398,000.

In the third group of States are five that elected Democratic Senators in 1914 by direct vote of the people—California, Oregon, Colorado, Wisconsin, and South Dakota. I omit any particular reference to California in view of what occurred there in 1914, as well as in 1916, because it may accurately be described as a mixed return or a mixed result. The factional differences in South Dakota, of which the Presiding Officer [Mr. JOHNSON of South Dakota in the chair] has an intimate knowledge, as well as in Wisconsin, gave the election to the Democratic senatorial candidates by pluralities, and personal popularity in Oregon elected the present Democratic incumbent from that State, while all three of the three congressional districts in Oregon elected Republicans that year.

The total population of the nine States is 13,289,000, and the total vote cast in those States was 2,729,000. The total Democratic vote was 1,104,000; the total Taft and Roosevelt vote cast in 1912 was 1,337,000.

Now, let me take the first group of Senators based on population and compare it with the second group. The 36 Democratic Senators in the first group of States voting for the shipping bill represented a population of 37,000,000, and the 30 Republican Senators and 1 Progressive Senator in the second group voting against the bill represented a population of 41,000,000; or the 30 Republicans and 1 Progressive Senator at that time of the second group voting against the bill represented a population exceeding that which the first group represented, having 36 Democratic Senators, voting for the bill, by over 4,000,000 population. That was a filibuster, and the 36 Senators out of the 42 representing the 21 States which almost solidly supported the shipping bill had 37,000,000 population, as compared with 41,000,000 population for the 30 Senators in the 18 States voting against the bill.

Can it be said that it is promoting the rule of the majority to stop in this body by a limitation upon the open floor the discussion to promote the rule of 37,000,000 people over 40,000,000? That is not the way majorities rule in democracies. I do not want to argue it entirely on the basis that we are a democracy. We are not a pure democracy. Russia is a pure democracy to-day. I do not know whether it is much of a recommendation, but the people who are active rule. Just how active a man has to be in Russia to be a majority depends upon his destructive abilities, not upon the mere matter of voting or getting out under a tree, as they did in ancient times, and making themselves heard; but a pure democracy has no restraints upon the rule of the majority. They may decide one thing to be the law to-day, or through representative bodies they may pass a certain rule to-day and to-morrow they may revoke the rule. Another majority may be in next year and it may revoke every law, every restriction upon property or personal rights or for their protection, and it may utterly destroy the rights of the former majority. Ex post facto laws, bills of attainder, the repeal of all the methods by which institutional liberty is guarded may be trampled underfoot by a victorious and aggressive majority next year. The majority of to-day next year may become the helpless victim. That is a pure democracy.

Mr. President, the total vote in the first group of States is 4,314,000; the total vote in the second group of States is 7,987,000. It comes within very nearly being double as many. If, to follow the argument of the Senator from Oklahoma, the majority means votes, then the majority by senatorial votes in this body applying a limitation upon the right of debate does not promote the rule of a majority of votes; it promotes the rule of a minority of votes; it promotes the denial of the right of a majority of votes even to be heard, much less to vote.

No complaint can be made in a parliamentary or in a legal way of this condition which we find ourselves facing now, because, for reasons indicated yesterday evening, we are so constituted in this body that that discrepancy between representation and population or vote occurs here, so that with nearly 4,000,000 of a difference in population, with nearly double as many votes in 18 States represented by the 30 Senators voting against this bill, which was killed by a filibuster, it was a decided majority of population and a much more decided majority of votes that backed the men who engaged in the filibuster in this body. So it is not a majority referred to by the Senator from Oklahoma, either upon population or votes, that conducted the filibuster here for the purpose of protecting itself against the enactment of the measure.

I will omit any discussion of the 9 remaining States. Of the third group I want to subdivide the 21 solidly Democratic States of Alabama, Arkansas, Florida—11 out of the 21—Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia—the 11 constitute a majority of the 21. They had 22 Senators out of the total of 44 on the vote I have analyzed, and under party caucus action they rule absolutely the great group of Democratic States in this body and elsewhere on legislation. Those 11 States contain a population of 22,392,414, and the total vote cast in the 11 States in 1912 was 1,540,514, or less than 7 per cent of the total population; to be accurate, it was 6.88 per cent of the population of the 11 States that voted.

If popular government is invoked to help the shipping bill, therefore, Mr. President, let me compare these 11 States with 11 other States in the Union, to wit, New York, Pennsylvania, Illinois, Ohio, Minnesota, Connecticut, Michigan, Kansas, North Dakota, Iowa, and Washington. Those are all States of group 2. They have an aggregate population of 38,819,840 to be pitted against the 22,392,414 of the 11 States in group 1. The 11 States in group 1 absolutely control in caucus action or in conference the proceedings and the deliberations of the rest of this body on the majority side.

It can not be said that the cloture rule, or a limitation upon the rule of the open forum here, promotes the rule of the majority of population if one group of 11 States is compared with the other group. On the contrary, it suppresses the rule of the majority on both the population and votes. The protection against that is the right of filibuster as it has heretofore existed and as limited by the adoption of the rule at the special session of the Sixty-fifth Congress. That limitation has practically prevented any filibuster from then up to this time. No filibuster has been carried or attempted to be carried into execution. So it seems to me that that puts the subject in a very practical way at rest.

The 11 Republican States—now leaving the population and going to the vote—cast a total vote of 7,447,089, or over 19 per cent of their total population. If it be a matter of majorities, I pit the majority of less than 7 per cent voting of the 11 States in the first group against more than 19 per cent of the 11 States in the second group voting, and I again inquire whether it promotes the rule of the majority of voters even to take away from a minority of Senators here, whether it be the minority on this side or on some future occasion the minority on the other side of the Chamber, the right to protect themselves by delay in legislation.

I can remember long before I had any practical knowledge of such matters when the then minority side of this Chamber protected themselves against many of what they considered burdensome acts of legislation by a filibuster. It was then done here repeatedly by the minority side of the Chamber. It was not seriously attempted by the majority side of the Chamber to change the rule. They knew what the rule had been from time immemorial and the reason for its adoption, which was so cogently stated by the Senator from Utah [Mr. KING] in the three propositions which he laid down. So, rather than fly to the greater evil of abolishing the open forum the majority party here abided by the right of the minority to check by filibuster the progress of legislation. So, when it comes to a question of popular government, not arguing the legal right or the parliamentary status of this body under the constitutional limitations, when it comes to a question of appeal beyond that to an outside sentiment, and saying the popular rule demands the abolition of the open forum, I reply to that, Mr. President, the open forum here is the ally and support of popular government both in the majority of population and in a majority of votes, while the cloture is an ally of minorities both on votes and population.

There is no popular majority such as the National League for Popular Government, every time they have their annual meeting, insist shall be the rule for this country. They wish a pure democracy. In that sense—and I apprehend it is in that sense that the Senator from Oklahoma spoke—there is no majority back of a limitation upon the right of debate in this body. Such a limitation becomes promotive of the rule of minorities of population and of voters.

Another feature that is incidental to this, Mr. President, is that cloture or the limitation of the right of debate in the Senate when applied to the larger States is destructive of the representation that otherwise might be had. The two Senators from a large State are equally powerful with the Senators from a small State or a number of Senators, because under the rule they can delay legislation at the end of a session. New York has something like 10,000,000 population, and it cast in 1912 1,587,000 votes. If I compare that vote, as I mentioned yesterday, with the vote of Nevada, it can be seen how much advantage the small State has in this body. If it can apply the previous question and bring the body to a vote, then the small State absolutely controls the country; there is no escape from

it. And not only that, but whenever a small State is not within the powerful circle of caucus action or conference proceedings, then the small State can be absolutely obliterated in the sum total of governmental affairs. There is no help for it; we can not change it. In order that we might escape some of these evil results, the open forum rule was adopted and has prevailed down to the time of the limitation inaugurated at the beginning of this Congress, which keeps any very obvious evil from being perpetrated.

In the scheme of the Federal Government, it being impossible except it be done by the sword to amend the constitutional provision for equal suffrage in the Senate, the filibuster was one of the methods adopted to overcome the unfair action taken in caucus proceedings. It is another method of overcoming the influence of the Executive that has, without regard to the party that is in control of that office, insidiously invaded the local province of the States for many, many years and is now making more rapid strides in that direction than at any other time in the history of the country.

There is no such thing as a pure democracy in this country outside of the States, and none of them, Mr. President, that I know of is a pure democracy unless possibly North Dakota should finally succeed in passing resolution No. 44, as I remember the number, under which it is proposed to abolish all constitutional limitations and become a pure democracy. In that event that will be the only State in the Union on the basis of a pure democracy. Even the most radical of the 48 States, where experiments in government are tried, has not gone to the limit as yet; but North Dakota threatens to do so under the lead of Mr. Townley. He would abolish the Constitution, if he had his way, and he himself would become the law of the land. It is a good deal like Jack Cade, as portrayed by the English dramatist. The first thing he proposed to do when he became the ruler was to hang all the lawyers; and the second thing he proposed to do was to abolish all the laws. He said, "Away with all the laws of the realm; my mouth shall be the Parliament of England." That is where Mr. Townley and his colaborers in North Dakota are tending. There is none elsewhere in the United States. The United States is a republic.

The difference between a republic and a pure democracy is that a pure democracy acts directly through the people and a republic acts through representatives, and limitations are imposed upon the powers of the agents representing the popular will. Those limitations ordinarily are in the form of constitutions. The old governor of Massachusetts Bay, Henry Vane, went back to England and lost his life as a sacrifice to the principle that there should be no limitation on the power of free government, so that the minority might not be oppressed or destroyed by the majority. He was sent to a dungeon by Oliver Cromwell, although Henry Vane himself was a great republican reformer of that day. He was the governor of the old Province of Massachusetts Bay, elected by the Puritans of that Colony. He afterwards went back to England and refused, in the days of Charles I, to support arbitrary power in the King. After Charles I was beheaded and Cromwell became dictator Vane refused to support absolute power in the hands of Cromwell and was put in the Tower. After Cromwell died and the restoration came, being under suspicion because he had been the supporter of republican government, Vane was taken out and beheaded by the followers of Charles II, then on the throne. So that he understood very well, and so did all his successors, the difference between a republican form of government and a pure democracy of the kind that Mr. Townley is trying to establish according to his code.

Population and votes ordinarily are the most potent of governmental force, but they are not all. They are to be first considered, but there are secondary matters that ought to be considered in the application of a limitation here on the right of debate. There are other things in a State besides people, although they are of primary importance and everything else is made subservient to their welfare.

Outside of territory, which I am not considering in this connection at all, I want to consider some of the material resources of the States. When it comes to the question of enacting revenue laws it becomes important to remember where a large part of the revenue is collected—not who spends it, but who pays it. I will only refer to that in a general way and will present no tabulations at this time.

The State of New York equals in its manufacturing resources 29 other States of the Union, according to the figures taken from the census report and footed up. Pennsylvania alone equals in its manufacturing resources 27 other States in the Union; Illinois equals 23 other States in the Union; and Massachusetts and Ohio each equals 20 and 19 other States in the Union, respectively. The relative values of the agricultural products of the States in the several groups show an overwhelming preponderance in the States whose Senators opposed the bill or went solidly against the administration in the 1914 election and some of them in 1916. Even the total cotton production coming from the 11 States referred to in the second group which I have mentioned—and I only refer to this to show that they are of the minority party—is about equaled in value by the hay crop of the United States, while the value of the corn crop of the country is double that of the cotton crop, for the export of which the shipping bill, for instance, was supposed to provide. That was one of the arguments used by the majority side of the Chamber whenever an argument was heard. The bank deposits of New York State are more than those of 33 other States combined; the deposits of Massachusetts equal those of 20 other States; and the bank deposits of Pennsylvania and Illinois each equal the deposits of 17 other States.

If the occupations followed by the people of the several States are considered, neither can the majority in the Senate fairly claim to represent the immense volume of business and productive transactions of the larger States, which are in a hopeless minority on a roll call of the Senate.

The filibuster therefore becomes an admittedly proper weapon of defense against the combinations of smaller States of lesser material resources. As it is here, taxation is imposed by the smaller States, the States of lesser resources, on the States possessing the larger resources of the country and paying practically three-fourths, in round figures, of the taxes collected.

I know that "filibuster" is an offensive epithet. It has been used in a very critical way many times, but we had just as well acknowledge that it has served some good purposes in its time. So long as Executive influence or the binding power of the caucus or conference remains, I believe the right of unlimited discussion here ought to be preserved for the purpose of neutralizing those malevolent influences.

I presume that this proposed new rule is designed in view of some emergency that is likely to arise. I find that most of the changes of existing conditions are builded upon some apprehended emergency. Just what it is I am unable to say. I do not know when a peace treaty may come before this body or the character of that treaty. It is possible that it may come sooner than is anticipated, and we hope that it may, but, for my part, now that we are in the war, I might just as well say that I want this war fought to such a conclusion that the generation on the stage after we are off will have permanent peace. I am feeling some of the burdens of this war and my neighbors are feeling them, and I would rejoice to see an honorable peace made possible by the ratification of this body, but I am not unmindful of the fact that the President himself is surrounded by many who at heart are pacifists, who are for the war simply because the Executive thought proper to come to Congress with a message and because later Congress declared war.

Many of such Executive advisers will be exceedingly unsafe to negotiate an honorable and permanent peace. A vast clamor will attend any peace treaty even if improvident and unwise. Mr. Creel and his publicity bureau would manufacture, within the limits of perverted power, public sentiment to overwhelm or awe Congress. With a parliamentary gag law in the Senate, what could be done to meet such a question? The Senate, under the open forum unlimited debate, could check final action until publicity could reach the great heart of the American population.

The bolshevist government has now or soon will have its diplomatic representatives in this capital asking recognition. Is it not a vital concern whether it be given? This socialistic caricature of popular government has liberated from Germany's east front an army to be thrown against our allies and ourselves in France. It has delayed the end of the war, multiplied our burdens, taken toll of our young lives, and added billions to our expenditures. It has set up impossible freaks as statesmen, indulged in bloody experiments, and turned back the progress of the war by many weary months or years. Before we extend our approval to such a bloody sarcasm on human government, I would myself prefer more than an hour in this Chamber for some of its Members to discuss the propriety of such recognition.

The United States Senate is the last refuge of free speech in this Republic. Creel's publicity bureau keeps its hand on the throat of the printing press. A swarm of petty Government officials and informers busily note every utterance, public or private, of individual speech. From phlegmatic apathy the administration has passed to persecuting hysteria. Its punishment is not criticized in proper cases. I rather criticize the mildness of its penalties on notorious and flagrant offenders.

With the Senate debate limited, the last stand for publicity is impossible. The Senate can as well be limited to 10 minutes' discussion as it can to 1 hour. It will apply with all its limitation to the discussion of treaties, to the confirmation of ambassadors, and our relation to governments existing or to be hereafter established in the mighty changes sweeping over the world. Why shall we close the last public forum of free speech in this Government at this time?

Mr. UNDERWOOD. Mr. President, unless some other Senator desires to speak at this time, I move that the Senate take a recess until 12 o'clock on Monday.

Mr. WADSWORTH. Mr. President, I think I shall have to object to a recess.

Mr. UNDERWOOD. I had an understanding this morning with some Senators representing the other side of the Chamber that we could proceed in this way, as they wanted to be absent this afternoon. That understanding, however, was not with all of them, and, of course, not with the Senator from New York.

Mr. WADSWORTH. I had not heard of any such understanding. In fact, I have heard several protests against taking a recess, on the ground that it would eliminate all morning business on Monday. I do not see why we can not have an ordinary adjournment, which will permit the Senate to transact the regular morning business on Monday.

Mr. UNDERWOOD. Of course I recognize the fact that the Senator from New York can force an adjournment by an objection; but there are Senators who desired to be away this afternoon, it being Saturday afternoon, some being called out of town, and some for business reasons.

For that reason I agreed that we would not press the resolution to a vote this afternoon; and it was my understanding with them that there would be no objection to taking a recess and conserving two hours on Monday to make up for the time lost this afternoon. Of course I did not have the understanding with the Senator from New York; but I thought the Senators to whom I spoke represented that side of the Chamber, and therefore I agreed to it.

Mr. WADSWORTH. I do not like to presume too much——

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. UNDERWOOD. I do.

Mr. CURTIS. I did not talk with the Senator from Alabama on this subject, but I was informed by another Senator that after the Senator from Illinois [Mr. SHERMAN] concluded his remarks there likely would be a recess until Monday.

Mr. WADSWORTH. The Senator from Alabama remembers that just before the Senator from Illinois commenced his remarks this afternoon the Senator from Connecticut [Mr. BRANDEGEE] protested against taking a recess.

Mr. UNDERWOOD. The Senator from Connecticut protested against unanimous consent being given at that time for a recess, but not against its being brought about by a vote.

Mr. WADSWORTH. Does the Senator from Alabama think that the Senator from Connecticut would have been perfectly willing to vote for a recess himself?

Mr. UNDERWOOD. No; but I think he meant that if the Senate itself voted for a recess he had no objection. I do not know; I do not speak for the Senator.

Of course, I recognize that a recess requires a quorum, and I also recognize that a quorum is not in the Capitol at this time; but I make the motion, and if a quorum is demanded, of course I shall have to fall back on a motion to adjourn, although I hope the Senator from New York will not insist.

The PRESIDING OFFICER. The Senator from Alabama moves that the Senate take a recess until 12 o'clock on Monday.

Mr. WADSWORTH. Mr. President, I do not mean to seem overinsistent on this matter; but it seems to me that the consideration of this proposed rule is not of such enormous importance as to prevent the Senate from doing any other business, and if a recess were taken it would prevent the Senate from doing any of its regular routine business. There are many bills upon the calendar which could well be taken up before the hour of 2 o'clock on Monday. I therefore shall be compelled to suggest the absence of a quorum if the Senator from Alabama makes the motion.

Mr. UNDERWOOD. It is apparent that a quorum is not in the Capitol this afternoon, and I therefore move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, June 10, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 8, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We would praise and hallow Thy name, Almighty God our Heavenly Father, for all the religions of the world which tend to exalt and ennoble mankind; especially for the Christian religion, with its hallowed associations, its marvelous precepts, and the wonderful truths it reveals; for the Christian Sunday, preeminently the Lord's day, with its quiet and rest, its comfort for the weary and heavy laden; for the opportunity it affords the devout to worship Thee in spirit and in truth; for the inspiration it affords to all mankind in the resurrection of its Founder, which proves the power of life over death.

May the day strengthen us to meet the responsibilities of life and fulfill its duties faithfully and conscientiously, that we may indeed be disciples of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

POST OFFICE APPROPRIATION BILL.

Mr. WALSH. Mr. Speaker, I desire to direct the attention of the Speaker to the conference report on the Post Office appropriation bill (H. R. 7237), which has appeared in the RECORD twice already. I am advised that the conference report, in its reference to the various amendments, refers to the House print of the bill with the Senate amendments. The conference report on any bill ought to refer to the House bill as engrossed with the Senate amendments.

The SPEAKER. The Chair will state to the gentleman that Judge MOON, the chairman of that committee, is not here at this moment. He might be able to give some explanation of it. Now, if the gentleman wishes to go on, all right.

Mr. WALSH. I am willing to defer it; but, of course, the report will be subject to a point of order when it comes up.

The SPEAKER. If that is what the gentleman is driving at, then he had better defer it.

Mr. WALSH. My idea was to get it back to the conferees so that the clerk of the conference could redraft it in accordance with the engrossed bill.

The SPEAKER. The gentleman had better wait until Judge MOON comes in. Under the special order the gentleman from Minnesota [Mr. MILLER] has 30 minutes.

HOUR OF ADJOURNMENT TO-DAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for one minute.

The SPEAKER. The gentleman asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. KITCHIN. I want to express to the gentleman in charge of the vocational rehabilitation bill [Mr. BANKHEAD]—as I understand that bill will follow the speech of the gentleman from Minnesota [Mr. MILLER]—the hope that the committee will rise about 3 o'clock, at which time I hope to make a motion to adjourn, so as to give the membership of the House an opportunity to help the Red Cross by attendance at the baseball game this afternoon.

LEAVE TO EXTEND REMARKS.

Mr. BROWNE. Mr. Speaker, I ask unanimous consent to extend my remarks on the pension bill which was passed yesterday.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks on the pension bill. Is there objection?

There was no objection.

Mr. SMITH of Michigan. I make the same request.

The SPEAKER. The gentleman from Michigan makes the same request. Is there objection?

There was no objection.

Mr. SMITH of Michigan. I would like further to say that when the vote was taken on that bill I was attending to a department call at the War Department. If I had been present, I would have voted "yea."

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4404. An act repealing that portion of the Indian appropriation act of March 1, 1907, (34 Stat. L., 1015-1035), which relates

to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana; and

S. 4108. An act to provide for the entry under bond of exhibits of arts, sciences, and industries.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 5558. An act to amend section 101 of the Judicial Code;

H. R. 9959. An act to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912;

H. R. 7796. An act to increase the salary of the United States marshal for the western district of Michigan; and

H. R. 9864. An act to amend section 111 of the Judicial Code.

THE NON-PARTISAN LEAGUE AND ITS CANDIDATE FOR GOVERNOR OF MINNESOTA.

The SPEAKER. Under the special order the gentleman from Minnesota [Mr. MILLER] has 30 minutes.

Mr. MILLER of Minnesota. Mr. Speaker, a recent movement in the Northwest, at first purely local and concerned with economic questions in which farmers were primarily interested, has, since this country entered the war, taken a new direction, extending its activities over several States, and, by reason of the character of its doctrines, requires the immediate attention of the authorities of the Nation. I refer to the Non-Partisan League, organized in North Dakota some two or three years ago.

On this occasion I shall confine myself largely to the activities of this organization in Minnesota and the situation there at the present hour. Those who organized this league were none of them farmers. They were a crowd of socialists, who succeeded in beguiling a large number of the farmers of North Dakota to follow their socialistic leadership. There can be no legal objection of any kind to a voluntary association by farmers to accomplish economic aims that look good to them. I wish it distinctly understood that a farmer has as good a right to organize for his economic betterment as any other citizen in the land. In fact, I think it is good for him to do so.

About the time the United States entered the war the leaders of the Non-Partisan League transferred their activities from North Dakota to Minnesota, and are now endeavoring to organize Minnesota and control the State. The men who have the direction of all affairs of the Non-Partisan League are socialists, and nothing but socialists. Some of them appear to be positively anarchists. As a consequence, from the beginning of these strenuous war days, the leaders of this league have given to the league a distinctly seditious direction, and the whole institution has come to be a sinister influence in our national life—a menace to all our war work. Many men have joined this league not knowing its seditious character; many have joined it who themselves have not been exactly lacking in patriotism. They have, however, at once found themselves among evil influences, and many of them have been led sadly astray. The rush to its membership comes from those of pro-German sympathies.

During recent months I have covered all sections of Minnesota delivering loyalty addresses to aid the liberty loan, Red Cross, and other war organizations. I have found the same thing everywhere. All pro-German elements in the State are either in the Non-Partisan League or affiliated with it. When a branch of the league is organized in a locality, the charter members are all the rabid pro-German members of the community. To-day it is safe to say that practically all the pro-Germans in the State are members of the league or are directly affiliated with it. The safety commission of the State and other governmental agencies have been active in their efforts to prevent the seditious activities of the league.

The State manager of the league for Minnesota is Joseph Gilbert. He has been indicted by the grand jury of Martin County for obstructing the military and naval policies of the United States. February 12 of this year he was convicted in Jackson County of the crime of unlawful assembly and sentenced. He has appealed. On May 10, 1918, he was convicted in Goodhue County of utterances tending to discourage enlistments. He has appealed from this conviction. Mr. A. C. Townley is national head of the Non-Partisan League. He has recently been indicted by the grand jury in Martin County, Minn., for obstructing military and naval policies of the United States. He was arrested February 12 in Jackson County for seditious work, and has recently been indicted by the grand jury of Jackson County, the demurrer to the indictment having just been argued. He was instrumental in having the State convention of his league adopt resolutions of which the following is a part, and has been responsible for its circulation throughout the State:

The contributory causes of the present war are various, but above the horrible slaughter loom the ugly incitings of an economic system based upon exploitation. It is largely the convulsive effort upon the part of adroit workers of warring nations for control of the constantly diminishing market. Rival groups of monopolists are playing a deadly game for commercial supremacy. * * * To conscript men and exempt the blood-stained wealth coined from the sufferings of humanity is repugnant to the spirit of America and contrary to the ideals of democracy.

An organizer of the Non-Partisan League, named F. J. Shumaker, was convicted in Blue Earth County on account of remarks he made in a local meeting of the Non-Partisan League. The State organizer is N. S. Randall. On May 3, 1918, he was convicted in Goodhue County of utterances tending to discourage enlistments. He appealed and is out on bail. Mr. George D. Brewer, a worker for the league, was convicted in Pipestone County recently of unlawful assembly and fined. Carl A. Wold, Douglas County, an active worker in the Non-Partisan League, and editor of a paper devoted to the interests of the league, was convicted in Douglas County and is out on appeal. Joseph Kolu, an organizer of the Non-Partisan League, was recently indicted by the grand jury in Crow Wing County for seditious utterances and is awaiting trial. F. A. Teigen, another organizer of the Non-Partisan League, was recently indicted by the Federal grand jury in Minneapolis for obstructing enlistments. I am mighty glad that the county which has given to this House three of its Members, Mr. VOLSTEAD, Mr. ANDERSON, and myself, has taken steps to throw these fellows out. He was working in McLeod County, which is almost solidly German. These are the men in exclusive direction of the affairs of the Non-Partisan League, and this is the kind of work of which they are guilty every hour.

Townley and his fellow seditionists are making a tremendous effort to get control of the State by electing one of their number governor. This is the important office. This is the one upon which their main effort is centered. Mr. Townley looked about to find a man exactly to his liking, one whose principles at this time accorded with his own. He soon found the man he wanted. Charles A. Lindbergh had just presented to the people of the State the principles upon which he stood and which he insisted should be put into operation. In July, 1917, he published these principles in a little book to serve as a sort of platform upon which he would go before the people of the State for political preferment. Evidently these principles are exactly to the liking of Mr. Townley and his associates, for Lindbergh was promptly picked as the man they would make governor. This leads us naturally to inquire into the character of these principles upon which Mr. Lindbergh stands and upon which he asks to be elected governor. The book is entitled "Why is Your Country at War?" and was published about the middle of July, 1917, many months after we had been at war. It is to be noted that he declines to honor this country by calling it "his" country. He does not say "my county," not even "our country," but "your country." Isolated fragments of a book can easily be misleading, but there is no question about this work. Running through it from end to end and on every page is the same state of mind, the same advocacy of doctrines, and the same expressions of thought, calculated to do deadly harm to this Nation in her hour of deep distress. In many places he informs us why this country is at war. Thus we find on page 80:

This—

Referring to the "big financiers"—

was the very same group that have been so active in these later years creating the conditions which caused the belligerents in the European war to violate some of our international rights, and it was they, primarily, who laid all the plans to bring about a condition to excite our people into a state of war fever. Their press was worked night and day at the game, to play upon patriotism, to excite it even by false statements—statements which, if they were true, would have justified extraordinary action long, long ago, on the part of the people to combat.

Again he says on page 115:

Several times their greed went so far as to nearly force us into the war on account of their selfish acts. From the very beginning the speculators sought in every way possible to work up a public sentiment that in itself should by them be converted into commercial profit, and even to the extent of bringing us into the war, if it should serve their ends best to have it done. When the big loans were made to some of the belligerents it was very clear that if the ultimate payment of those loans became endangered because of their defeat by the other belligerents, the Money Trust would seek to have us enter the war to collect their loans.

How vicious to pour such thoughts as these into the minds of those of our people whose loyalty to this country is questionable. This states the war was caused by selfish money interests who have brought on the awful conflict for sordid purposes. No more damnable doctrine than this ever fell from the lips of a man whose country's life was in danger. Again he throws out in several places a sinister suggestion that our big financiers and speculators, having loaned money to foreign governments, caused our country to enter the war, else their loans would have been lost through the failure of the allies. On page 124 we read:

Of course when the group of inner speculators framed up a plan to be done in order to make their claims good against the foreign nations they were dealing with, they did not have in mind the reform that is sure to take place. They did not realize that the war would expose their system to public condemnation. They knew that the European nations would all be bankrupt, and that, indirectly, they would need aid.

Then again, on page 126:

Suddenly Congress declared war, and of course during the war different rules govern. But before the war Congress had tied us to foreign nations by authorizing the credit of this country to be used to exploit foreign peoples as well as our own.

After throwing these two floods of poison into the souls of Americans, he deluges them with these words:

Of course, all who have examined into the conditions know that the foreign governments are bankrupt, and can never pay their debts. They may pay what they owe to our Government, but whether they will or not, if we were to be in the war under any condition, it was best to make the loans to them, since we had made them our allies.

After undermining the faith of Americans in their country and the rectitude of the cause upon which it has staked its very life, for which our millions are marching to battle, and to which our entire national wealth is dedicated, he bluntly and squarely states his proposition in language that will admit of no doubt.

Wealth saw to it that the conditions would be created that would make it practically impossible for us to keep out of the war if the world continued to follow the old practice, and it is these old practices that wealth insists on following. Wealth is so greedy that it had to build greater fortunes, even if it took the sacrifice of millions of lives and entailed suffering on more than nine-tenths of the world's population. What was its demand? It was the demand of wealth that we should prepare a great Navy and a great Army in order to enforce the existing political and economic system not only upon ourselves but upon all the world—present and future. It required that we should impress into the service of war every available man and woman at nominal pay for their time.

Again, he says:

Speaking of our own country: On the one hand we have the "war-for-profit group," which at this epoch of the so-called world's civilization is responsible for the conditions that lead to wars. It is this "war-for-profit group" that has counterfeited patriotism for commercial ends and counterfeited the flag for the same purpose—all in an attempt to perpetuate the selfish plans of that group.

While the mind is being poisoned with these words he suddenly hurled out the following:

It was indeed strange that we should have proclaimed to the world that we entered the war to establish a "world's democracy," when we ourselves have not for 50 years been a democracy except on election days.

In order that he may not be misunderstood, in order that the people may know exactly where he stands on this war proposition, he reaffirms his damnable proposition relative to the case of the war in these words, on page 86:

We did not begin the war. It was not originally our choice to go to war. We were dragged in because the "war-for-profit group" refused to sacrifice temporarily their speculations. If they had done so, they would have failed to add the several billions of profits which the war has netted to them. Rather than lose that profit they carried on a traffic which tempted the violation of the freedom of the seas as public highways by all of the belligerents.

For fear the reader may have temporarily forgotten that we are fighting in this war only to increase the profits of the rich and to protect the wealth massed by greedy speculators on page 116 he reminds us in these words:

From an economic point of consideration the speculators made us a party to the war from the very beginning, and they still believe that it is their war, and that the victory will be their victory. They are the ones who have mainly been put in the managements. If we had entered the war from their selfish standpoint, it would be most unjust, as well as certain to be disastrous, irrespective of who wins the war from a military standpoint.

And still again to make this emphatic and to give it the big place in the minds of all he says, on page 147:

We have been dragged into the war by the intrigue of the speculators. The people already understand that, and all that remains is for them to experience the terrible sacrifice and realize that if things had been done right in the first place it would have never happened, and further realize that it would have been easier and simpler to have done the right thing for the American people than it was to do the wrong thing.

Thus it is he accounted for our Nation being at war! These are the influences that brought on the war! These are the things for which our sons are dying! Not a decent thing among them! Not a single principle worth fighting for! Aye, every one that which we should fight to avoid! But Mr. Lindbergh is not content with announcing his principles as to the cause of the war. He has many profound beliefs in respect to the conduct of the war, no one of which is decent, all of which are sinister. Thus, on page 17 we read:

"Big business" washing the hands of their captains. In all issues of their big press and other publications you can read about what noble patriots (?) we have in the men who profit by the war, while it is the plain, toiling people who are really supporting the entire system, including the payment of the profits to the big fellows.

He perhaps rises to the height of his power and reveals clearly the character he would have us elect governor of Minnesota in the words he uses on page 25:

It has indeed been humiliating to the American people to see how the wealth grabbers, owners of the "big press," actually attempt by scurrilous editorials and especially prepared article to drive the people as if we were a lot of cattle to buy bonds, subscribe to the Red Cross, to register for conscription, and all the other things. The people will do their duty without being hectored in advance by the "big interest" press. What right, anyway, has the "big press" to heckle the people as if we really belonged to the wealth grabbers and were their chattel property?

According to Mr. Lindbergh nothing is right, everything is wrong. The war was caused by graft; it is being operated for graft. Thus, he says on page 22:

Take the war management, the financial end, who controls it? Not one of the plain toilers have anything important to say about it. Yet the expense of the war, as well as the men to fight it, falls mainly on them. But it is managed by the multimillionaire. Where do you suppose they got their millions to begin with? Not by being liberal with their employees and allowing them the proper measure of their earnings; no, sir; not that. Millionaires are not made in that way. Sharp and predatory practices—manipulation—make millionaires. Why then tempt these sharpers with the financial management of the war? Unless they have changed their nature and their practices both—the evidence is against it—we need not expect them to manage it free from speculation.

It would be, indeed, strange should a man who thus disbelieves everything our country stands for and can see no good in everything the American people hold dear fail to express his attitude of the selective draft. Mr. Lindbergh does not overlook this institution, not by any means. Apparently, in his opinion, this is one of the monstrous things of the age. On page 33 he says:

Strange, inconsistent, even lower than criminal is that practice of the Governments which take the lives and the liberties of their citizens to impress into war, when at the same time they pay a premium in the form of interest or otherwise for the property of the rich to be used in carrying on the war. No one with an ounce of brains, unless filled with injustice or a mere hireling, will defend such a practice, for when peace is restored the loans of the rich burden those who risked their lives and the families of those killed.

Imagine the effect of principles like this enunciated to people not clear on the facts of the war; perhaps not certain in wholehearted support of the war. Yes; enunciated by a man who has been a Member of Congress for many years and by one who aspires to be governor of a great State. The result is deadly. Mr. Lindbergh says it is a crime to send our boys to war by the selective draft while at the same time we pay interest on the money we borrow from the citizens of the land to run the war. Is it conceivable that a man who had ever had a symptom of patriotism could expound a doctrine like this? What is its purpose? Certainly not to aid the Nation in the time of war! Its only purpose can be to oppose the Nation in its life and death struggle. Naturally we will expect to find one holding these views quite stunned when he observes the centralization of power in the Chief Executive deemed wise by Congress and the people generally to secure supreme military efficiency. So we find him saying on page 42:

Nothing is more childish than to place too much responsibility on one man, no matter what his position. The press, and even the President, have criticized, properly so, the Kaiser's autocratic power. But the same press, as well as the President, not only demanded, but the President actually exercised as extensive autocratic power as any Old World ruler—the press, "standing by the President," only when the power exercised was in favor of the interests it represents—but woe be to it when not favorable to such interest.

But please note the sinister cut in these closing words, indicating that the powers conferred upon the President are being exercised in favor of special interests and money sharks.

Even the Red Cross, that institution of mercy, aiding and soothing the wounded and the suffering, and those upon whom the heavy hand of this awful war has fallen, even it is not sacred in Mr. Lindbergh's sight. On page 24 he says:

Then again came the Red Cross campaign for funds. We want our soldier boys who may be sent across the seas to fight in Europe to be cared for in the best way possible. The purpose is one of the most important. Here again the "big finance speculators" are the principal leaders. It is not probable that they have any design to cripple the work of the Red Cross or to filch from the $100,000,000 fund to which they have liberally contributed. What they want is to control the organization of the Red Cross, because it will be worth billions of dollars. They will have a powerful influence in the reorganization of Europe. Out of that reorganization the "big financiers" expect to make very many millions of dollars profit. Therefore it is easy to see why J. P. Morgan, through his chief partner, H. S. Davidson, is fitting up offices to be donated to the Red Cross for headquarters.

And, again, he says on page 25:

The Government itself, however, should have both financed and controlled the operations of the Red Cross, but this the "big financiers" opposed, and undoubtedly because of the desire to be independent in organizing the Red Cross for the advantage it hopes to get out of the organization in the reorganization of Europe.

According to Mr. Lindbergh, the Red Cross is an institution now under the control and direction of rapacious money sharks who are trying to use this heaven born and God-sent institution to plunder the helpless and the suffering and to filch more blood money from the toilers of the world when the war shall end.

Prepared as we have been by beholding these doctrines, we are not surprised that Mr. Lindbergh sticks his stiletto into the vitals of the liberty loan. On page 23 we read:

The first bond issue was called the "liberty loan bonds," a name that suits us all. Here again the finance speculators managed the sale.

But he really reaches the full expression of his views on the liberty loan on page 171, where he says:

The new liberty loan was offered in the same way and with the same idea, in the hope that the plain people would all get a little of the loan so that they would believe themselves to be interested in keeping up the system. The big interests would be willing to take every dollar of the liberty loan and several more such loans if they were sure the people would support them. By getting out in the very start a lot of the bonds in small amounts scattered amongst the plain people, they expect them all to fight for a support of the system, whereas it would be infinitely better for the people if they would pay as they go. But if they did that the big interests would be cut out of most of their speculation.

It seems incredible that any person allowed to be at large in the United States could entertain or express such a view as this. According to Mr. Lindbergh, the liberty loan is an institution devised by the money sharks for the purpose of getting a large number of common people to subscribe to the support of the Government in the hope if they invested their small savings in the Government they would contribute thereby to the support of the Government, thus making it easier for the money sharks to accomplish their foul purpose by devouring the people and their small wealth. It is stated here that the liberty loan caused opportunity for speculation to the money sharks. If this is not a direct blow against the heroic effort our Government is making to raise the funds to sustain this great war, then it is difficult to see how any words or conduct could be seditious. But Mr. Lindbergh is not content even with these expressions. On page 31 we read:

We were plunged into war with the monstrous Money Trust speculators saddled upon our backs; side by side with us they are enlisted in the fields of industry, in the military program, and elsewhere for the purpose of exploiting us in each.

It seems to be Mr. Lindbergh's thesis that the continuance of the war is in the interest of the money sharks. Thus he says on page 77:

But nothing will avail them in their adroit attempt to hide from the patriotic people the fact that at a time when the masses were being made poorer by war the old system immediately created a few billionaires and a new crop of millionaires.

And so, again, on page 133 he says:

War, we have demonstrated, is simply the result of following laws and practices that create uneconomic industry, diverting the human energies from the natural trade and commerce that should exist. It is the domination of the "privilege" that has been given to a few to make industrial slaves of the rest of us that has led us wrong.

But that passage in his book above all others dynamically charged with sedition and the one that perhaps most completely denies faith in his country and his countrymen is the following on page 37:

As things now are, the main thing aimed at by the wealth grabbers is to use us—to make of us mere machines to wear out in producing wealth for them. Our children are to be dragged into our useless places, and we dropped into mother earth—"ashes to ashes," "dust to dust," good-by.

If that is all we are for, then God bless the Kaiser, the late Czar, the kings, "big business," and all the "big boys" who caused the war. It will at least be interesting while it lasts. If we are made simply to wear out in their service, the harder and the more dangerous our occupation the sooner will our ashes be scattered to the earth and serve vegetable life better, to bud in beautiful foliage of the grasses, the trees, and the flowers.

This is the platform of the Non-Partisan League's candidate for governor. A vote for him must be viewed as an indorsement of that platform. Our country is engaged in a life-and-death struggle. This is the mightiest combat that ever called for the courage and wealth of nations. The sacred cause of humanity rests upon the strength of America's right arm. Every patriotic citizen is standing squarely for his country, exerting his influence and his effort to strengthen his country. No man whose influence is not of this kind is a patriot, and any person whose principles are those above set forth, whether he wills it or not, is an agent of the Kaiser. There are no two ways about it. There is no chance for a man to be half good and half bad. America demands full patriotism and full service from every citizen. No person who claims to be a patriotic citizen can afford to follow the leadership of men who are indicted for sedition, nor can they afford to vote for a man who asks to be elected on the platform Mr. Lindbergh has put forth. This is not a local matter. Mr. Townley claims to have forces operating in 11 different States, and he threatens to control those 11 States. Perhaps you noticed in the morning papers an item from Nebraska stating that the safety commission of that State had just demanded that the Non-partisan League cease its activities in that State at the present time, because its activities were those of treason. To-day he boasts of having 600 automobiles traveling through Minnesota alone securing members for his organization and campaigning for his candidate for governor. They have unlimited money at their command. Let no farmer be beguiled into political support of this program by reason of honeyed talk about an economic program. This Nation is at war. Every thought should be devoted to the war, every act to the successful prosecution of the war. United we will win; united we must be. Economic problems can well afford to be sidetracked until, working together, we have won the war. At the present time this organization, being directed, as it now is, exclusively by a small group of socialists, is a distinct menace to our Nation. Let every American citizen take notice and govern himself accordingly. [Applause.]

PENSIONS.

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Iowa asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. DOWELL. Mr. Speaker, immediately after the approval of the Journal yesterday, by unanimous consent the Smoot amendment to the pension bill was brought before the House and voted upon. At that hour the Senators and Members of the House from Iowa were having a conference with the Fuel Administrator, Dr. Garfield, with reference to the coal situation in Iowa. I was present at that conference. I am and have been heartily in favor of this amendment, as were the other members of the delegation. Had I been in the House I would have supported and voted for the Smoot amendment to the pension bill. [Applause.]

VOCATIONAL REHABILITATION.

On motion of Mr. BANKHEAD, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes, with Mr. HELM in the chair.

Mr. BANKHEAD. Mr. Chairman, when we made the arrangement about going into the Committee of the Whole for the discussion of this bill no agreement was reached as to the limitation of time for general debate. It was thought between Judge TOWNER and myself and other members of the committee that it might be well enough, as a matter of policy, to let general debate run along at the pleasure of the committee. It has now become evident that there is a disposition to indulge in more general debate than the members of the committee had anticipated. It occurs to me that in the general debate that was indulged in on yesterday the members of the committee had at least a fair opportunity—those who were present and manifested an interest in the measure—to become acquainted with the general policy and features of this bill. I am going to make a request for unanimous consent that general debate upon the bill be now closed; and, pending the submission of that request, I desire to make this further statement: Those of you who are familiar with the parliamentary situation next week know that unless we are able to conclude this bill to-day—and if we conclude it to-day we will have to do so by 3 o'clock—it is very probable that we will not be able to take up the further consideration of this bill, possibly, until the end of next week. I regard this as one of the most pressing humanitarian propositions that has been submitted for the consideration of this Congress. The casualty lists on foreign battle fields indicate that scores and hundreds of our young soldiers over there are being maimed. They are already coming back to this country to our improvised hospitals in large numbers, and in order to make the necessary arrangements for putting into effect the machinery of the rehabilitation provided by this bill the utmost expedition on the part of Congress is required in the enactment of this bill into law.

In view of the great emergency, and in view of the fact that all gentlemen must recognize the imperative necessity of taking care of the wounded soldiers, I appeal to the members of the committee to grant the unanimous-consent request that general debate be now closed. We will be liberal in the discussion of the bill under the five-minute rule.

Mr. TOWNER. Mr. Chairman, reserving the right to object, of course, I do not feel that I am in very good condition to make an objection, considering the fact that this side has occupied a large part of the time already consumed. However, I have requests from several different Members which would amount to an hour and a half altogether. I suppose it will be proper to say to those gentlemen that there will be liberal debate allowed under the five-minute rule.

Mr. BANKHEAD. That is my purpose. As I understood, there are only one or two distinct features of the bill not clearly understood in which there may be some effort to amend.

Mr. MONDELL. The gentleman realizes that there is quite a difference of opinion in regard to at least two sections of the bill, and in order to have the views of the committee clearly expressed in regard to those sections it is necessary to provide liberal debate on those sections.

Mr. BANKHEAD. I apprehend that there will be no disposition to oppose that.

Mr. TOWNER. In so far as I am concerned, representing the minority, I do not feel that I would be justified in raising any objection to the request of the gentleman from Alabama after his statement that liberal debate will be allowed under the five-minute rule.

Mr. MEEKER. Mr. Chairman, reserving the right to object, practically the second section of this bill must be rewritten.

Mr. BANKHEAD. I do not agree with the gentleman on that. There might possibly be one amendment.

Mr. MEEKER. That one amendment practically changes the section. It must be changed. I do not think anybody would be satisfied to let it go through as it now stands.

Mr. BANKHEAD. I think we may be able to reach an agreement on that.

Mr. MEEKER. If the chairman is willing that there shall be such an understanding, I will not object, but if not I shall ask to be heard in general debate.

Mr. BANKHEAD. Such an understanding as what?

Mr. MEEKER. That sufficient time for debate shall be allowed under the five-minute rule on the amendments.

Mr. JAMES. Reserving the right to object, I understand from the gentleman that if this bill is not finished to-day it will go over until the last part of next week.

Mr. BANKHEAD. Unless we can get a waiver on the privileged matters that are set for the early part of next week.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that general debate on the bill under consideration be now closed. Is there objection?

Mr. STAFFORD. Reserving the right to object, I understand from the gentleman from Alabama that there will be no effort to close debate under the five-minute rule if there is legitimate discussion of the amendments.

Mr. BANKHEAD. Unless it is apparent that there is an intention to filibuster.

Mr. STAFFORD. The gentleman understands that there are members of the committee who want time in general debate. The gentleman from Missouri is slated to speak for 15 minutes. He wants to discuss the measure in good faith, and all the discussion we have had so far has been in good faith. Every one recognizes the need of the passage of the bill.

Mr. BANKHEAD. What assurance does the gentleman wish me to give?

Mr. STAFFORD. That there will be no curtailment of legitimate debate under the five-minute rule.

Mr. BANKHEAD. I have already given that assurance.

Mr. GARRETT of Texas. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GARRETT of Texas. To reserve the right to object. I can not see any reason in getting unanimous consent to close general debate and then giving unanimous consent for general debate to take place under the five-minute rule. The gentlemen have got the chairman into such a position that they can run on indefinitely under the five-minute rule, and he can not object to it. Members that are going to speak under the five-minute rule are those Members who have taken all the time under general debate, and I see no reason why those of us who are ready and willing to vote on the measure should have to sit here three or four hours to hear the same men speak over again.

Mr. MEEKER. Mr. Chairman, reserving the right to object, I want to say——

Mr. GARRETT of Texas. The gentleman has no right to reserve the right to object until I am through.

Mr. MEEKER. I beg the gentleman's pardon.

Mr. GARRETT of Texas. Now, I am through, and the gentleman can reserve his right to object.

Mr. MEEKER. Reserving the right to object, I am perfectly aware that some gentlemen vote on bills that they do not know what the bills contain, but others interested in the bills wish to know what they contain. Now, if we are not going to have ample time under the five-minute rule, I shall object.

Mr. BANKHEAD. I can not give any further assurance than I have given already.

Mr. MEEKER. I am willing to take the word of the chairman rather than the gentleman from Texas.

Mr. GARRETT of Texas. I do not want the gentleman to take my word for anything. As far as voting on measures without knowing what they contain, I do not belong in that class of Members of the House that the gentleman refers to. There are some, however, who do not vote on anything, except those questions that affect their particular districts.

Mr. POU. Mr. Chairman, the gentleman from Alabama [Mr. BANKHEAD] has specifically stated six different times that liberal debate would be allowed under the five-minute rule. What different assurance could he give under the rules of the House?

The CHAIRMAN. He might swear to it. [Laughter.]

Mr. CRAMTON. Mr. Chairman, reserving the right to object, I would like to ask the chairman a question. In the contingency that the bill should be completed to-day and a roll call should be necessary, does the gentleman expect to have one to-day?

Mr. BANKHEAD. I would not insist upon that to-day. I do not believe there will be a vote cast against this bill, and, so far as I am concerned, I shall not demand a record vote upon it.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama that general debate upon the pending bill be now closed?

There was no objection.

Mr. BANKHEAD. Mr. Chairman, I ask that the Clerk read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act shall be known as the vocational rehabilitation act. That the word "board," as hereinafter used in this act, shall mean the "Federal Board for Vocational Education." That the word "bureau," as hereinafter used in this act, shall mean the "Bureau of War-Risk Insurance."

Mr. LONERGAN. Mr. Chairman, I move to strike out the last two words, for the purpose of asking the chairman of the committee a question or two. On examining the bill I fail to find any provision to the effect that those who serve and are honorably discharged from the service shall be given preference in the classified positions of the United States Government. Did the gentleman's committee give that subject consideration?

Mr. BANKHEAD. The committee did not give consideration to that subject in the preparation of the bill, but after the bill had passed the Senate, and before a meeting of the committee of the House, that question was submitted to the committee by a Member of the House on the proposition contained in a separate bill that he had introduced for that purpose. He asked whether it would be possible to secure a rule to put that on as an amendment to this bill, but the committee was of opinion that it would not be advisable under the circumstances at that stage of the proceedings to undertake to add any new features to the bill. I want to say, however, that my impression is, although I have not run down the statutes on the question, that there is an existing statute that covers that same question affecting all appointments under the civil-service regulations.

Mr. LONERGAN. Quoting from the thirty-fourth annual report of the United States Civil Service Commission, for the fiscal year ended June 30, 1917, I notice that section 1754 of the United States Revised Statutes provides that persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be referred for appointment to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of such offices. I assume that is existing law, and that that law will be operated in so far as discharged men from the military and naval service are concerned.

Mr. BANKHEAD. I was under the impression that there was a statute of that general nature. It seems to be unlimited in its terms, and it appears to me from a casual hearing of the statute, that it would apply unquestionably to those discharged from the military and naval service.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. LONERGAN. Yes.

Mr. TOWNER. Upon that proposition, there is a difference of opinion among Members as to whether or not the legislation is sufficient that now exists. The gentleman from Mississippi [Mr. HARRISON] has introduced a measure which is pending before the Committee on Civil Service Reform regarding that matter. As to whether or not it is necessary, it does not seem that the committee is satisfied as yet. However, I think I can assure the gentleman that there is a disposition on the part of the membership of the House upon both sides to see to it that legislation is enacted unless we come to the conclusion that it clearly is already in the statutes. A bill will be introduced to take care of that matter, if we conclude that it is necessary.

Mr. LONERGAN. I hope so, because I am very much in favor of it, and will offer an amendment to the pending bill, if I conclude that existing law does not cover the situation.

Mr. BANKHEAD. I agree with the gentleman in that proposition. So am I in favor of it. It is my opinion, however, that it is already covered by the statute which the gentleman has read.

The Clerk read as follows:

SEC. 2. That every person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under article 3 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, hereinafter referred to as "said act," and who, after his discharge, in the opinion of the board, is unable to carry on a gainful occupation, to resume his former occupation, or to enter upon some other occupation, or having resumed or entered upon such occupation is unable to continue the same successfully, shall be furnished by the said board, where vocational rehabilitation is feasible, such course of vocational rehabilitation as the board shall prescribe and provide.

The board shall have power, and it shall be its duty, to furnish the persons included in this section suitable courses of vocational rehabilitation to be prescribed and provided by the board, and every person electing to follow such a course of vocational rehabilitation shall, while following the same, receive monthly compensation equal to the amount of his monthly pay for the last month of his active service, or equal to the amount to which he would be entitled under article 3 of said act, whichever amount is the greater. If such person was an enlisted man at the time of his discharge, for the period during which he is so afforded a course of rehabilitation, his family shall receive compulsory allotment and family allowance according to the terms of article 2 of said act in the same manner as if he were an enlisted man, and for the purpose of computing and paying compulsory allotment and family allowance his compensation shall be treated as his monthly pay: *Provided*, That if such person willfully fails or refuses to follow the prescribed course of vocational rehabilitation which he has elected to follow, in a manner satisfactory to the board, the said board in its discretion may certify to that effect to the bureau and the said bureau shall, during such period of failure or refusal, withhold any part or all of the monthly compensation due such person and not subject to compulsory allotment which the said board may have determined should be withheld: *Provided, however*, That no vocational teaching shall be carried on in any hospital until the medical authorities certify that the condition of the patient is such as to justify such teaching.

The military and naval family allowance appropriation provided for in section 18 of said act shall be available for the payment of the family allowances provided by this section; and the military and naval compensation appropriation provided for in section 19 of said act shall be available for the payment of the monthly compensation herein provided. No compensation under article 3 of said act shall be paid for the period during which any such person is furnished by said board a course of vocational rehabilitation except as is hereinbefore provided.

Mr. TOWNER. Mr. Chairman, I offer the following committee amendment, which I send to the desk.

The Clerk read as follows:

Page 1, line 12, after the word "entitled," insert the following: "an act to amend an act entitled."

In line 14, strike out the words "September second, nine," and insert in lieu thereof the words "October sixth, nineteen hundred and seventeen"; and on page 2, line 1, strike out the words "teen hundred and fourteen, as amended."

Mr. TOWNER. Mr. Chairman, the object of that amendment simply is to make definite the reference. The bill which was passed and which is referred to in this paragraph as the paragraph stands is the original act which created the War-Risk Insurance Bureau. At that time, however, the bill only insured vessels of war. It was a very short act and there was no article 3 in the act at all. That act was amended in the Sixty-fourth Congress twice and by the Sixty-fifth Congress three different times and various repealing clauses have also been adopted. Now, as there is no article 3 to refer to it would be manifestly better for the sake of definiteness that it should refer to the particular act that we are desiring to amend, and that act is this act of October 6, 1917, which contains for the first time article 3. It is only for the purpose of making more definite the reference to that part of existing law which we desire to amend.

The question was taken, and the amendment was agreed to.

Mr. DALLINGER. Mr. Chairman, I would not take up the time of the committee and delay this bill one moment if it were not for the fact that there seems to be a great deal of misunderstanding—judging from what various colleagues have said to me—in regard to the purpose of the act, and particularly in regard to the meaning of sections 2 and 3. Inasmuch as section 2 has just been read by the Clerk, it is perhaps a good time to make a brief explanation. The underlying purpose of this bill is to rehabilitate wounded and crippled soldiers, and the bill does not apply to anyone who is not entitled to compensation for injuries received in the service under the war-risk insurance act. Now, there are two classes of wounded men dealt with by this act. The first and most important class are those who because of injuries received in the service are unable to resume their former occupations or to pursue any gainful occupation, or who, after having tried to resume their former occupations, are unable successfully to continue therein. This class is covered by section 2. The other class consists of those who are able to resume their former occupations, and section 3 simply permits these men who are earning their living to take the courses prescribed by the Federal Board for Vocational Education without any charge for tuition.

Section 2, which is the most important section in the bill, provides that those wounded and crippled soldiers who are unable to resume their former occupations, if they so desire—and Canadian and European experience shows that 80 or 90 per cent of such soldiers do so desire—may take the vocational courses prescribed by the Federal Board for Vocational Education. The section further provides that while they are taking these courses—that is, while they are being vocationally rehabilitated—they will be entitled to draw either the pay which they were getting for the last month of their active service in the Army or Navy or the compensation provided for by the war-risk insurance act, whichever is the greater; and, further, that during the time they are being so rehabilitated compulsory allotments and allowances to their families shall be paid as if they were still in service. If they choose the monthly pay, then of course the allotment and allowance is prescribed in the war-risk insurance act. If, on the other hand, they choose the compensation because it is larger, then that compensation is treated under section 2 of this act just as if it was the monthly pay in determining the family allotment and allowance. Now, while there is no compulsion in regard to taking the course in the first instance——

Mr. BARKLEY. Will the gentleman yield?

Mr. DALLINGER. Let me finish this and then I will yield to the gentleman. As I started to say, while there is no provision in the first instance to compel a man to be vocationally rehabilitated, if after he has voluntarily entered upon this course of training and is under the control of the Federal Board for Vocational Education, in order to have some form of discipline it is provided that if he is not making good, if he is not attending to his studies and doing what he is capable of doing, then the Federal board can certify that fact to the War-Risk Insurance Bureau, and that bureau purely, as a disciplinary measure, may take away from that man the whole or any part of what he himself is getting, but it is not permitted to take away from the family the compulsory allotment and allowance accompanying it. Now I will yield to the gentleman from Kentucky.

Mr. BARKLEY. I want to call the attention of the gentleman to a suggestion. Under article 3 of the war-risk insurance bill where a man is injured and is entitled to compensation, he is not compelled to allot any portion of that to members of his family. That is personal and that goes to him?

Mr. DALLINGER. Yes.

Mr. BARKLEY. But if he accepts this training and that compensation to which he would be entitled without regard to the vocational training is larger than his regular pay and he accepts that as his pay, then this law compels him to allot a certain portion of that compensation to members of his family by reason of the fact that he has taken the training. Why does the committee consider that they should compel him to allot a certain portion of it to his family by reason of taking the training any more than in section 3 of the war-risk insurance act, where he is entitled to compensation by reason of injury?

Mr. TOWNER. If the gentleman will permit, I will say under the war-risk insurance bill the disability pay which is paid to this man, and nobody except those who are disabled can secure it, is compulsory to the family.

Mr. BARKLEY. He receives it himself from the Government by reason of his injury?

Mr. TOWNER. Yes; but unless he makes a voluntary assignment himself his wife can compel payment to her of one-half of the amount which he receives.

Mr. BARKLEY. That is where he declines to use it in support of his family?

Mr. TOWNER. Yes.

Mr. BARKLEY. But in this case, although he may be willing to use all that is necessary and all that he and his wife may conclude is sufficient to support the family, if he accepts this vocational training, the law steps in and says how much of it he shall devote to the wife and children.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DALLINGER. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. DALLINGER. Now, Mr. Chairman, what I have said about sections 2 and 3 I trust may clear up some misapprehension on the part of some Members of the House.

The importance of this proposed legislation in its general scope and purpose must be apparent to every Member of this House. In the first place, the rehabilitation provided for in this bill is due to the soldiers and sailors themselves. In former wars it was thought to be a sufficient provision for crippled soldiers and sailors when they came back from the war to grant them pensions and to allow them to become more or less objects of charity. If a man lost a limb or was suffering from some permanent injury so that he was unable to resume his former occupation, we thought that was his misfortune and that nothing could be done to make him a useful member of society. In this great war, however, in common with the other allied countries, we believe that we owe something further to the wounded soldier; that we owe it to him, so far as medical science and education can do it, to make him just as good a man as he was before in the way of earning his livelihood and becoming a useful and independent member of society. Not only that, but we owe it to the country, because this war is going to tax to the utmost not only the material resources of all the belligerent nations but it is going to tax to the utmost the man power of the Nation, as we are going to have a great many of these men incapacitated.

It has been estimated that the number will be 50,000, but I am afraid that before this war is over it may be 100,000 or even 200,000. If it should happen that 100,000 of these men come back unable to resume productive employment, that will mean, assuming that each man adds to the productive wealth of the country $2,000 a year, which is what the Agricultural Department estimates to be the case in agriculture—and, in my opinion, in manufacturing it is much larger—it would mean a value of $200,000,000 a year in the production of wealth that would be destroyed, unless these 100,000 men can be vocationally rehabilitated. Two hundred million dollars is 4 per cent on $5,000,000,000. In other words, if this act does what we expect that it will, it will mean in the next two or three years the conservation of possibly $5,000,000,000 of the capital wealth of the Nation. It is certainly worth doing, and it is something that ought to be done at once. These men are entitled to it for their own sake; they are entitled to it for the sake of the country for which they risked their lives, for which they suffered permanent injuries, and for whose prosperity and happiness they as well as we ourselves have so much at heart. [Applause.]

Mr. TILLMAN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. TILLMAN: Page 2, line 9, after the word "provide," strike out the period and insert a colon and the following: "Nothing in this bill shall be construed to prohibit said board from providing for the education and training of a limited number of indigent, maimed, and helpless soldiers of the present war in the following professions, to wit, law, medicine, the teaching profession, and the ministry."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

Mr. TILLMAN. Mr. Chairman, I do not care to address myself at this time to the discussion of the point of order, but I want to talk about the merits of the amendment. I see no reason, Mr. Chairman, why there should be a discrimination against a young soldier who comes back from the front maimed and crippled and who may desire to be educated in one of the learned professions. I realize it would be a mistake to pay a large sum of money to educate a man in music or art or in a number of other things; but suppose the young soldier comes back with his eyes put out, and suppose that he had been in a theological seminary for six months when drafted and wants to continue his studies in the theological seminary; I certainly see no reason why a reasonable amount of money should not be expended in order to allow him to perfect himself in his studies in order to enter upon that profession. Or suppose a young soldier comes back with both of his arms off. He has had perhaps six months in a law school and is equipped by previous training to continue his studies. I think he should be allowed to continue. I see no reason why a soldier should be compelled to learn to set type or learn to perform in many duties of industrial and vocational labor, provided he is fitted for a profession and seeks to enter the same.

Now, this amendment is not offered for the purpose of helping the profession; it is offered for the purpose of helping the soldier. As a usual thing, those who enter medical and law schools, normal institutions, or theological seminaries are poor young men. They are unable to pay expenses and tuition. Frequently they work their way through. Suppose a young man comes from the University of Virginia, where he has been working for his board and other expenses, as often happens, taking the course in law. He is drafted. He has no money when he comes back. He has lost both of his arms, and yet there may be the talent in that young man for making a first-class lawyer.

Mr. CANNON. Will the gentleman yield?

Mr. TILLMAN. I will be glad to.

Mr. CANNON. Does not the gentleman think now that as to the people he has mentioned, who are blind or who have lost both arms, that the compensation they get would amply care for them and that they could do better really by taking that compensation and finding their own law schools and medical schools?

Mr. TILLMAN. I do not think so.

Now, the truth is that in most of the agricultural colleges a man can get a literary education or a scientific education with comparatively little cost, but he can not go to Virginia or Harvard or Yale or to law or medical schools without paying a large amount of money in the way of tuition and other expenses. A technical education like this is expensive. General education is not. No young man who comes back maimed and crippled should be denied the wish of his heart to enter a learned profession.

It should be left to the discretion of this board to determine whether or not some bright lawyer, some promising minister, some young man who would be an ornament to the teaching profession, or some soldier who might become a distinguished and able physician should be allowed the benefit of this fund as others are. To be sure, the learned professions are crowded. There are many preachers who misunderstood what the Lord said when they thought they heard Him call them to preach. There are a great many lawyers who ought to be digging zinc instead of practicing law. There are many doctors who could wield a butcher's cleaver with more effective grace than a surgeon's scalpel, and there are many teachers who ought to be students; and yet you will find many a bright young soldier coming back from France who has an ambition to become a lawyer, a doctor, a teacher, or a minister, but who will be denied that privilege if my amendment be not adopted. He may be the son of a widow; very likely poor. Certainly it would be a hardship on him to say, "You must learn to be a hewer of wood, although you fought the fiendish Hun like a hero and are blind, armless, or shot to pieces; you can get no money from your Government to prepare yourself for the profession that has been the dream of your young life." It is unfair, discriminatory, and gravely unjust.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. TILLMAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more. This is a very important question.

The CHAIRMAN. Is there objection?

Mr. TOWNER. I would have no objection whatever if the matter were not subject to a point of order. If the Chair should decide that it is in order for consideration, I would be perfectly willing that there should be a further discussion of it; but it occurs to me that it is subject to a point of order, and if that is the case it would be idle to take up further time with it.

The CHAIRMAN. The point of order has been reserved.

Mr. TOWNER. I know it has been reserved for five minutes.

Mr. TILLMAN. I shall be ready to discuss the point of order when I get to it.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILLMAN. Now, I say, Mr. Chairman——

Mr. MORGAN. Mr. Chairman, will the gentleman yield?

Mr. TILLMAN. I will, sir.

Mr. MORGAN. The gentleman's line of argument impresses me favorably in many respects, but this question occurs to me: The gentleman is talking about educating men to be preachers. Under our theory of government the church and state are separate. Would he not run into difficulties there, educating some young men to be Catholics and others as Protestants, or some Congregational ministers and some Methodists or Baptists? Would we not get into trouble along that line, using public funds to educate preachers?

Mr. TILLMAN. There might be difficulty there. To avoid that objection, all that part of the amendment touching upon the education of ministry can be eliminated. But the old idea was that public funds should not be used for any kind of higher education. When Mr. Morrill first introduced his land-grant college bill it was vetoed by President Buchanan in 1858 on the ground that it was undesirable and of doubtful constitutionality. Yet in 1862 the same bill was reintroduced and passed, and Mr. Lincoln, who was a broader statesman, signed the bill, and it is one of the most gracious acts that has ever been put upon the

statute books. I was out in the great Valhalla of the dead this morning, and I observed that the statues for Vermont are those of Ethan Allen and a person named Collamer. I wondered who Collamer was. I found out that he was a Postmaster General at one time. I regret very much that Justin S. Morrill's statue is not there in place of that of the man last mentioned. I would prefer to see his statue grace some splendid circle here in Washington rather than the bronze figures of some of the men on horseback with fewer accomplishments to their credit. It ought to be on the public grounds of every State capital in this Nation, because by reason of his land-grant college act millions of Americans have had or will have an opportunity to get an education that they could not have procured but for the legislation that he fathered.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. ROSE. Would not the same objection as that raised by the gentleman from Oklahoma [Mr. MORGAN] in regard to the ministry be raised to the subject of medicine? There are just as many schools of medicine as there are of theology.

Mr. TILLMAN. No; let the soldier select his school. There would be no objection to that, certainly.

Mr. ROSE. Would it not be required that there should be a board made up of all kinds of avocations who would decide as to these matters?

Mr. TILLMAN. Let the soldier elect what kind of a doctor he will be—homeopath, allopath, osteopath, regular, or irregular.

Mr. ROSE. I am interested in the question whether he would follow the Presbyterian or the Baptist or the Methodist or the Catholic.

Mr. TILLMAN. I admit the strength of the objection made by the gentleman from Oklahoma [Mr. MORGAN] respecting the teaching of denominational theology, under the provisions of this bill, although I can see no objection to a man going to a theological institution that is not denominational. The soldier himself should have an option of selecting the particular school he would like to go to.

Now, Jefferson was broader in that respect than a great many other men who went before him. Jefferson's idea was, in establishing the University of Virginia, that religious denominations should even have the right to build, if they saw fit, on the campus of the University of Virginia, their churches and schools and teach their religious views as well as teach theology in general. But certainly no valid objection can be urged against permitting this board to have authority to select a limited number of ambitious young men who are indigent—guarded by the word "indigent"—unable to furnish themselves with funds with which to finish their course in medicine, in law, or in normal work.

Now, Mr. Chairman, it would be a great mistake to make this discrimination. The experiment should be tried. I understand that in England and in other countries that have been using this method of rehabilitating their soldiers they perhaps have not given them, so far, the advantage of technical training in the professions, but America is broader and richer than the older countries, and less inclined to discriminate.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. STAFFORD. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Arkansas [Mr. TILLMAN] is not germane to the provisions of this bill. The bill covers solely one subject of training. It is indicated not only in the title but it is reflected throughout the various sections of the bill, and that is vocational education of our wounded and injured soldiers. The gentleman's amendment seeks to extend the scope of the bill to a different subject entirely. Instead of providing merely vocational education, which has a well-defined meaning, it seeks to extend professional educational training to certain classes of our soldier boys.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I will.

Mr. WALSH. Does the gentleman contend that a profession is not a vocation?

Mr. STAFFORD. Oh, Mr. Chairman, a profession is a vocation. It may be an avocation. "Vocation" is used in apposition to "avocation." Avocation is the pursuit of a calling on occasions, not as a continuous occupation. Vocation is generic; it includes a special calling of any kind continuously followed for a livelihood, and includes a profession. But vocational education is not professional education, and vocational education has received a well-defined meaning in this House.

Mr. WALSH. Will the gentleman yield further?

Mr. STAFFORD. Not at present. When we passed the law of February 23, 1917—

> To provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure—

It was never contended for one minute that that act would authorize the expenditure of money by the States for professional education of any character whatsoever. While the dictionary may not give a definition of the term "vocational education," nevertheless in the educational world it has a well-defined meaning. The Committee on Education of this House is a recognized authority on matters of terminology pertaining to education, and representatives of that committee stated on the floor of the House yesterday that "vocational education" refers to that character of education that is opposite to professional training and that it relates to training in the arts and industries. There would be no purpose in the amendment of the gentleman from Arkansas if it did not seek to widen the scope of the bill. I maintain that this bill is limited to one subject, that of vocational education, and you can not broaden it by including in it a distinct and separate character of training, namely, training for the professions.

Mr. WALSH. Will the gentleman yield for two questions?

Mr. STAFFORD. I yield to the gentleman.

Mr. WALSH. In the first place, does the gentleman contend that adding the letters "al" to the word "vocation" limits the scope of that term?

Mr. STAFFORD. "Vocational education," in the educational world and in the bills reported from the Committee on Education, has a well-defined meaning. That meaning was illustrated here yesterday by members of the Committee on Education. We know what it refers to. It refers to the educational training of these men for manual pursuits and not for professional pursuits. It is a term that has recently come into use in opposition to professional training, and therefore vocational education is not professional education. It is a well recognized and well defined class of training, in opposition to professional training.

You would not say that persons taking up work in the professional schools of the country were engaged in vocational education. When I interrupted the gentleman from Ohio [Mr. FESS] yesterday to ask him whether this would not provide for a national university, he said, "Why, in connection with our universities there are no schools provided for training in the manual trades," and rarely are there. It is true that there are engineering schools, but engineering is a profession; but there are no schools for training in carpentry, for the teaching of the blind to make brooms, for the teaching of injured persons to work in woodwork. That is manual as distinguished from mental.

Mr. WALSH. Will the gentleman yield for another question?

Mr. STAFFORD. I yield if the gentleman has a further question to propound.

Mr. WALSH. When I rose I asked the gentleman to yield for two questions. Now, under the gentleman's restrictions upon this term "vocational," if one of these 700,000 soldiers now in our Army who is unable to read and write, according to newspaper reports of statements made by a certain Member of this distinguished body, they could not take that soldier and teach him how to read and write, but they would have to teach him how to make harness or something like that. The gentleman says "vocational" includes manual pursuits. I notice in the list given yesterday by the gentleman from Ohio [Mr. FESS] he includes singing. That is certainly not manual. Now, what I want to ask the gentleman is, would not his definition of the term "vocational" preclude this board from teaching any of the wounded soldiers who come back here how to read or write?

Mr. STAFFORD. I hardly think so. If it would be a means toward developing their education in a line that would make them better artisans, that would be a part of their vocational education.

Mr. TILLMAN. Mr. Chairman, I have no doubt that this amendment is germane, and the only question, as I understand it, is on the proposition as to whether or not it is germane to the bill under discussion. I read from the House Manual, at the bottom of page 343:

> The test in determining what is germane is this, whether or not the proposition is on a subject different from that under consideration.

That is the test that must be applied to determine this question as to whether or not this amendment is germane. I call the attention of the Chair to the language on page 2 of the proposed act. Leaving out the first line and after the word "act" the language says:

> Who after his discharge, in the opinion of the board, is unable to carry on a gainful occupation, to resume his former occupation, or to enter upon some other occupation.

Now the term "occupation" is a very broad term. It applies to medicine and to law. Now, the public conception was very clearly stated yesterday by the gentleman from Iowa [Mr. TOWNER], who is a good lawyer, as to what is meant by vocational education. He gave the popular definition. There is a distinction between the popular and the judicially determined question of what vocational education is. The popular idea of vocational education, I know, is that which applies to agriculture and the industries; but this matter has been decided by a court of competent jurisdiction and a respectable court. I have sent for Words and Phrases, which is an acknowledged authority, quoted by the Supreme Court of the United States and other eminent courts. They say there that it has been judicially determined, and they quote approvingly that "vocational education applies to the professions the same as it does to agriculture and industrial arts." I will get this authority before I conclude and submit it to the chairman. It was read yesterday by the gentleman from Louisiana [Mr. WILSON].

Mr. WALSH. Of course the gentleman is aware, as I think the gentleman from Wisconsin is also aware, of the fact that this is not a measure providing for vocational education but vocational rehabilitation. If the gentleman's contention is correct, in order for anybody to come under the benefits of this bill they must, when they enter the military service, have been engaged in some pursuit which would not be professional. Of course that could not be the intent of the measure as framed by the committee. In other words, they did not intend to discriminate against men in the service when passing this measure for the benefit of those who are artisans to engage in manual pursuits before they went in. It is a rehabilitation bill.

Mr. TILLMAN. The language is broad. If the party after his discharge "is unable to carry on a gainful occupation." Is not law a gainful occupation? Is not medicine a gainful occupation? The Chair is bound by the language of the bill in passing on this question, and I am reading from the bill. I am inclined to believe that under the terms of the bill the board would have the authority to so use this money, but I want to clear the matter up so that there will be no question, so it will not be left to construction, so the board would have the authority if it saw fit to send a limited number of young soldiers to college in order to prepare them for a gainful professional occupation.

Mr. BURNETT. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. BURNETT. The gentleman was not present, perhaps, yesterday when Judge WILSON, of Louisiana, referred to an adjudicated case?

Mr. TILLMAN. Yes; I was, and I have referred to it.

Mr. BURNETT. That vocational referred to professions as well as mechanical occupations?

Mr. TILLMAN. Yes; I have sent for the volume of Words and Phrases. I copied what it says, and here is the definition of the terms "occupation" and "vocational education":

> The word "occupation" is a generic term, and is that to which one's time and attention are habitually devoted. Vocational calling, trade, business, and a vocation is an employment, occupation, calling, trade, including professions as well as mechanical occupation.

That cites an adjudicated case; it is from Words and Phrases, a responsible authority, quoting from a respectable court. That is the law of the land. The dictionary sustains my position also, and I submit that these authorities are more convincing than the opinion of the gentleman from Iowa [Mr. TOWNER].

Mr. RANDALL. Will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. RANDALL. I would like to give the gentleman an illustration and inquire whether he thinks the man I have in view is a professional man or a man engaged in a vocation. Take the editor of a country newspaper who writes the editorials and manipulates the Washington hand press. Is he a professional man engaged in a vocation?

Mr. TILLMAN. It is not necessary to determine that. Of course, there is a borderland between the two terms which is vague and uncertain. It would be mere speculation to go into that, and I do not care to take the time to do it. But I know that the practice of law and the practice of medicine are gainful occupations. I know the term "gainful occupation" is used in the text. Certainly the amendment is germane.

Mr. WALSH. Mr. Chairman, I desire to direct the attention of the Chair to some of the observations made by the gentleman from Wisconsin [Mr. STAFFORD] in seeking to argue that this amendment is not germane. While the administration of this act is in the hands of the Federal Board of Vocational Education, the purpose of this act is the rehabilitation of men in the military and naval service of the United States during this great crisis. If the gentleman from Wisconsin's contention is correct, the only persons who could derive benefit from this measure would be those who when they entered the service were artisans or engaged in manual pursuits. If that is not the correct interpretation, then the only rehabilitation that could be offered any man in the service would be along the lines of perfecting them in manual pursuits.

The arguments made here by gentlemen most interested and apparently most familiar with the purposes of the act and the language of the act and of its application elsewhere is directly contrary to that. They give a list of the occupations that have been trained for in other countries. The gentleman from Ohio [Mr. FESS] yesterday stated that our varied and complicated industrial life would run the list of vocations being trained for in Canada and Great Britain close up to the 400 mark. In that list in Canada we find medicine, surgery, milk inspection, music, naval architecture, pharmacy, telegraphy, singing, public-school teachers, veterinary surgeons, wireless telegraphy, and civil engineering.

It is apparent, Mr. Chairman, in the rehabilitation that is carried on in other countries these subjects are considered as within the vocational rehabilitation. It is apparent that the gentleman from Ohio is of the belief that in applying this very law we will run the list of vocations to which this rehabilitation will apply close up to 400.

To say that a man who is a blacksmith can be vocationally rehabilitated, where a man who might be a dentist could not be, seems to me to be placing a too narrow interpretation upon the word "vocational," because one is included within the other. You can not get away from it by saying that because a man's vocation is also included within a profession, he can not be vocationally rehabilitated.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. STAFFORD. Is the gentleman aware of the phraseology of the Canadian law, which authorizes professional training as well as vocational training?

Mr. WALSH. I was not aware of that; but I notice, if that be the fact, that nevertheless the professions are included within the list of vocations as given by the gentleman from Ohio [Mr. FESS].

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. CARAWAY. "Vocation" includes all kinds of employment, and a profession merely includes one class of people that falls under the general term.

Mr. WALSH. That is my understanding, that the term "vocation" includes them all, and I submit that it is unfair to discriminate against one's vocation simply because it may be known as a profession. It is none the less a vocation.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKENZIE. The gentleman from Massachusetts does not contend for a moment that there is not a distinction between vocational education or training and professional education or training?

Mr. WALSH. Oh, no.

Mr. McKENZIE. If that were true, then all of our time heretofore spent in passing laws to provide for vocational training of men has been wasted.

Mr. WALSH. We have not passed any law for vocational training, but we have passed a law for vocational education.

Mr. McKENZIE. Is it not true that if a dentist, who falls within one of the professions, goes into the Army and becomes blinded by the loss of both of his eyes, under this law he could be rehabilitated and trained in some way so that he could follow some useful occupation other than the profession in which he was engaged at the time he enlisted?

Mr. WALSH. Yes.

Mr. McKENZIE. Is not that the purpose of it?

Mr. WALSH. But suppose the dentist was not blinded and that he simply lost a foot.

Mr. McKENZIE. I would say to the gentleman from Massachusetts that if the dentist simply lost a foot, he would not need to be cared for in this class at all, because it would not interfere with the practice of his profession.

Mr. WALSH. I do not agree with the gentleman.

Mr. CARAWAY. Suppose the dentist loses his hand and he can not follow his occupation as a dentist, would you deny him the right to be educated along some other line?

Mr. STAFFORD. This bill provides for that case.

Mr. McKENZIE. That is the very point that I am trying to bring out, that the purpose of the bill is to give a man some other training.

Mr. CARAWAY. Is it not the purpose of the bill to give him the training that he could be most useful in following?

Mr. McKENZIE. I do not think so.

Mr. WALSH. Mr. Chairman, replying to the question of the gentleman from Illinois, I have no doubt that if the dentist was blind—and it ought to be so at least—that even under the provisions of this bill he might be vocationally rehabilitated so that he could carry on the practice of his profession, even though blinded, but the point that I am seeking to make is that the term "vocational" simply because you add the letters "al" to the word "vocation" does not restrict it, and simply because it includes within it certain provisions that you can not exclude them and set them up and say that if you want to take care of them you have got to pass a measure for the professional rehabilitation of those men, that the purposes of the act are such as to hold open for all the men in our military service the benefits of the law, whether they have a profession or a trade or whether they are expert in certain lines, in case through the fortunes of war they lose an arm or a leg or their efficiency has been destroyed.

Mr. TILLMAN. Mr. Chairman, in order not to complicate this amendment and to strengthen it, I ask unanimous consent to strike out all that part of the amendment which pertains to ministerial education.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to modify his amendment by striking out all that pertains to ministerial education. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 2, line 9, after the word "provide," strike out the period, insert a colon and the following: "Nothing in this bill shall be construed as prohibiting said board from providing for the education and training of a limited number of indigent maimed and helpless soldiers of the present war in the following professions, to wit, law, medicine, and the teaching profession."

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. TILLMAN. Yes.

Mr. DOWELL. The word "bill" should be stricken out and the word "act" should be inserted, I think, to perfect the amendment.

Mr. TILLMAN. I accept the amendment and ask that it be so further modified.

The CHAIRMAN. Without objection, it will be so further modified.

There was no objection.

Mr. TEMPLE. Mr. Chairman, I notice the amendment uses the word "indigent." The bill does not apply to indigent soldiers.

Mr. TILLMAN. I know, and this strengthens the amendment. The board would not be authorized then to send any man to an expensive institution which gives a technical training, and pay large sums of money unless he was unable to get the money elsewhere, and I think the word "indigent" should remain.

Mr. MONDELL. Mr. Chairman, I take it for granted that the Chair will sustain the point of order, and I only rise lest some reader of the RECORD in the future may think the gentleman from Massachusetts was talking seriously rather than in a purely facetious vein. Of course, it is very clear to anyone who has read this bill that it relates to vocational rehabilitation and training, and the word "vocational" as used in this legislation has a clear, well-defined, and well-understood meaning. Vocational education, vocational training, rather, was discussed at the time the board was created which is to have charge of this work. It has been discussed many times, and no one up to this good hour has ever suggested that vocational training was intended to include general education or training in the professions. I am of the opinion that it might be well some time, possibly might have been well in connection with this bill, to provide for the professional training and education of a limited number of those men. I am kindly disposed to that thought, but the question before us is as to whether or no the amendment proposed is in order. Clearly it is not. We set about the task of providing for the vocational rehabilitation of soldiers. Now, I am one of those who have thought the time may come when the public may properly engage in the vocational rehabilitation of those injured in the industries, but an amendment proposing to do that would clearly not be in order on this bill, because it is necessary to follow the line and legislate on the subject matter that the committee had in mind when it took the bill up and on which it has clearly and definitely legislated.

Mr. NOLAN. Will the gentleman yield?

Mr. MONDELL. I do.

Mr. NOLAN. The gentleman suggested he would be in favor of a limited number. Does not the gentleman think the language of the amendment rather limits its scope, because it provides that only indigent soldiers and sailors can get the benefit of this amendment?

Mr. MONDELL. Oh, yes; I think there are objections that could be made to the form of the amendment itself, but I am not speaking of the form of the amendment; I am speaking of its substance and clearly that sort of an amendment providing for professional training, without regard to how proper or wise it might be at some time to have that sort of thing, clearly is not in order on a bill proposing to do a certain definite, specific, well-understood thing, the facetious remarks of the gentleman from Massachusetts, because I do not think they could have been seriously intended, to the contrary notwithstanding.

Mr. TOWNER. Mr. Chairman, I think there is no escaping the logic of this situation. If under the terms of this bill professional training is included, then this amendment has no place. If it is not included under the terms of the bill, then it introduces a new element and is therefore subject to objection.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. CARTER of Oklahoma. The amendment proposed by the gentleman from Arkansas provides for the training of indigent lawyers, doctors, and so forth, and in that way it would differ from the bill.

Mr. TOWNER. Oh, yes; certainly. For that reason it seems to me, Mr. Chairman, that there is no escaping the proposition that this point of order must be sustained; that clearly the point of order must be sustained under the present form of the amendment. It is manifest to the Chair that the terms of this bill apply to soldiers and to sailors. It would be subject to a point of order for anybody to insert the word "indigent" before "soldiers and sailors" under the terms of this bill. This bill is a general bill; therefore logically the same rule would apply in this case to the amendment offered by the gentleman from Arkansas. In other words, we have before us now a new proposition, that we shall consider a different class of people and that we shall consider this class of people upon an entirely different basis. It occurs to me that ought to end the question if there is any question in the mind of the Chair. I want to say this much further regarding the definition of the phrase "vocational education." "Vocational education," "vocational training," "vocational rehabilitation" have a very well-defined meaning in the United States. There can be no question about that. Of course, when we speak about a man's vocation it may include the practice of the law or the practice of medicine. Of course, when we speak about a man's education it may include the practice of law or the practice of medicine, but when we speak about vocational education in this country it has a decided legal and well-settled significance, and that must be something separate and apart and antagonistic to the idea of professional education. No one would claim that the use of language as has been well adopted in the legislatures of the States, in the Legislature of the United States, in the references of the courts—no one would claim that vocational education would include professional education, and yet that is what is done here. We are not discussing the advisability of it; we are simply discussing the flat proposition, whether or not this amendment is germane.

The CHAIRMAN. The Chair, of course, recognizes the merits of the contention on both sides of the proposition and is unable to draw a clear, clean-cut distinction between the term "occupation," "vocation," and "avocation." They are terms, generally speaking, used interchangeably. The only guide that the Chair has in reaching a conclusion on this proposition is the context of the bill. It occurs to the Chair that the purpose of the bill is for the rehabilitation of those who are engaged in industrial occupations, and the Chair therefore sustains the point of order. It occurs to the Chair that if the contention of the proponents of the amendment are correct and are well taken they are not prejudiced by the ruling of the Chair, and for that reason the Chair sustains the point of order.

Mr. CARAWAY. Mr. Chairman, I move to strike out the word "vocational," on page 2, in lines 7 and 8, where it appears before the word "rehabilitation" in those two lines, and then the result will be the same.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, lines 7 and 8, strike out the words "vocational" where they occur in both lines.

Mr. CARAWAY. Mr. Chairman, the amendment proposed directs the board to provide for the rehabilitation and reeducation of soldiers and sailors without reference to occupation. If the word "vocation" is stricken out, the board has the power to provide for the reeducation and rehabilitation of all classes of soldiers and sailors who may have incurred their disability in

the line of duty. It seems to me a great Nation such as this certainly displays very little judgment and humanity when, to save a few dollars, it says to young men who have surrendered their opportunity to prepare themselves for a profession or calling, who have given up their ambitions to go as soldiers or sailors to defend the liberties of the people, and have been so unfortunate either by reason of wounds or disease incurred in line of duty that they are no longer able to prepare themselves for the profession or calling or occupation they had intended to follow, that "notwithstanding you surrendered your opportunity, you laid aside your ambition, and as a young man offered your life that liberty might live and that we might be secure in our rights as transmitted to us by our fathers, we deny you now the opportunity to fit yourself for that profession or calling you had intended to make your life work."

I am sure no man can wish to permit those who have stayed at home and have piled up mountains of wealth to escape taxation to the extent that our wounded soldiers and sailors may be denied this opportunity, or believes the people themselves begrudge this expense. If so, he woefully misjudges the American people. [Applause.]

Some of the ablest men professionally that this country has had, since I can remember, were men who as soldiers followed the fortunes of their respective sections of this country in the late Civil War. One of the greatest lawyers New York State has had, as a barefoot boy from my State, rode with that wizard of the saddle, Gen. Nathan Bedford Forrest, and came home afoot, without a penny's worth of property, educated himself, and became a great lawyer. Dr. Wise, who possibly was the leader of surgery in this country, was also a soldier boy. Others, many others—lawyers, doctors, preachers, editors—suffered from lack of opportunity during that war who afterwards succeeded, but were greatly handicapped.

As to these young men who now offer their lives and are so fortunate as to escape even maimed and incapacitated to earn money, unable to acquire the education necessary to fit them for their chosen profession, are we going to deny them again the opportunity? Will we offer them the opportunity only to become plumbers or blacksmiths or farmers, but reserve to the slacker the professions? Is a young man to be denied an opportunity to choose his profession simply because he was more patriotic than some other and would not stay home to take advantage of his opportunity for education, but offered himself for his country, and comes home unable to prepare for a calling or profession unless this Government steps in and educates and rehabilitates him? Are we going to refuse to make a little sacrifice, we who stayed at home while he offered himself a complete sacrifice; deny him an opportunity merely to save dollars?

Strike out these words, and you create a board with power to pass upon the application of every young man who, as a soldier or sailor, has come back to us disabled, to determine whether he is able under its provisions to acquire an education and to be rehabilitated, and to follow that calling which he himself feels that he could be most useful and most happy in following. Not to do so, you close to him the door of hope.

I sincerely trust no one will vote to deny him this small recompense for the great sacrifice he has made. The gentleman from Wyoming [Mr. MONDELL] but a minute ago expressed his sympathy for the purposes to be reached by the amendment of the gentleman from Arkansas [Mr. TILLMAN], but said that it could not be done under the provisions of this bill because of the rules. He will concede that if we strike out the word "vocational" we can reach that objection. He now can not say that he is unwilling to support the amendment because it has no standing under parliamentary law. The question is simply whether you are willing to help these boys who are so nobly helping their country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Chairman, I ask unanimous consent that the gentleman have one minute more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Arkansas have one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. HASTINGS. I made that request for the purpose of suggesting to the gentleman that the word "vocational" is also found in line 14, page 2; in line 2, page 3; and in line 21, page 3. I think perhaps he would want to include them in his amendment.

Mr. CARAWAY. I thank the gentleman. These are in the section that we are considering?

Mr. HASTINGS. In the same section.

Mr. CARAWAY. I ask unanimous consent that wherever the word "vocational" appears it shall be considered as included in the amendment.

Mr. HASTINGS. On line 12, on page 2; on line 14 on page 2; line 2, on page 3; and line 21, page 3; all in section 2.

Mr. CARAWAY. In the same section? You can not go beyond the section.

Mr. HASTINGS. They are all in the same section.

Mr. CARAWAY. I ask unanimous consent that the amendment offered shall be modified so as to include the word "vocational" wherever it appears in the section.

The CHAIRMAN. The gentleman from Arkansas modifies his amendment, and the Clerk will report the amendment as modified.

The Clerk read as follows:

Mr. CARAWAY moves to amend the bill by striking out the word "vocational" wherever it appears in section 2.

Mr. STAFFORD. Will the Clerk designate where those words are?

Mr. MONDELL. Mr. Chairman, reserving the right to object, I simply rose for the purpose of objecting to the unanimous consent.

The CHAIRMAN. The Chair understands the gentleman has the right to modify his amendment.

Mr. STAFFORD. Only by unanimous consent.

Mr. CARAWAY. I asked unanimous consent, and the Chair was putting that when the gentleman from Wyoming interrupted the proceedings.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to modify his amendment. Without objection, the clerk will report the modification desired.

The Clerk read as follows:

Mr. CARAWAY moves to modify his amendment by striking out the word "vocational" in lines 7, 8, 12, and 14, on page 2, and in lines 2 and 22, on page 3.

Mr. STAFFORD. And also in line 10, on page 3.

The CLERK read as follows:

Also in line 10 of page 3.

Mr. BANKHEAD. Mr. Chairman, I desire to oppose the amendment offered by the gentleman from Arkansas.

My friend from Arkansas [Mr. CARAWAY] has made a very sympathetic and rather ingenious appeal on the proposition that he advocated and set out in his amendment. But I want to call the attention of the committee—and this brings it properly up for consideration—to one element that has entered into all of the negotiations and discussions that have been going on for the last four or five months, which I indicated in my opening address yesterday, between those officials of our Government who are deeply and intensely interested in the carrying out of this scheme. When the question of the rehabilitation of wounded soldiers was first discussed—a discussion inaugurated by the Council of National Defense—one of the first inquiries, of course, was what governmental agency was best equipped by virtue of its organization and by virtue of the functions which have been lodged in it by law to carry out the real purposes and aims of the bill that was to be proposed.

At first the Surgeon General's office was suggested. Then it was discovered that they were without authority of law to undertake the vocational rehabilitation of wounded soldiers. Other agencies were discussed and considered to determine which one of the Government agencies now in existence was best equipped by virtue of its authority of law, by virtue of its experience, by virtue of its organization and personnel, to undertake to carry out most effectively the purposes which were contemplated in this bill, and it was finally decided by all parties in interest that the Federal Board for Vocational Education, by reason of its exercising those powers and functions and having that experience, was the only board the Government had in existence to carry out the real purposes and aims of this legislation.

Now, the purpose of this bill, as conceived by its sponsors in the first instance, those who have been giving great thought and consideration to this vital problem, was that it should not apply to those who might seek to finish their education along professional lines——

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. In a moment. It should not apply to the medical man, the lawyer, the man who wanted to take some technical course in education that would probably require three or four years to complete to any degree of efficiency or graduation. But the purpose of it was that it should be confined in its largest analysis to the activities provided in the original bill establishing the Board of Vocational Education, to wit, as set out in the bill, agricultural subjects, teachers of trades, home economics and industrial subjects, and allied arts and crafts.

Mr. CARAWAY. I wanted to ask the gentleman this question: Are you in sympathy with the idea of confining it to these questions?

Mr. BANKHEAD. I think, under the purposes and spirit of this bill as it has been framed and as it will be put into operation——

Mr. CARAWAY. That is not the question. Is the gentleman in sympathy with that construction?

Mr. BANKHEAD. I want to say to my friend from Arkansas that I do not think it would be feasible and practical for the Government, under the present conditions with which we are confronted to undertake, by any agency which we now have established in this Government and the functions which we can put into practical and immediate operation, the education of a young man for three or four years' course in medicine, or law, or technical engineering, or anything of that sort.

Mr. CARAWAY. Does the gentleman think that all these gainful occupations of that kind ought to be left for the sons of the rich, while the poor young men who go to the war and come back disabled shall only be taught to be diggers of ditches and things of that kind?

Mr. BANKHEAD. Oh, no. I think there is an unfair implication conveyed in the gentleman's question, that I am particularly interested in taking care of the rich. The purposes and objects of this bill show that it is intended to take care of the poor—the men who have formerly been engaged in the skilled arts and crafts of this country. Certainly I would not deprive the son of a rich man of an opportunity who wanted to pursue a professional avocation, or the son of a poor man, either.

Mr. CARAWAY. Would the gentleman be in favor of a law that required that the man who started out as a blacksmith should continue to be a blacksmith all his life?

Mr. BANKHEAD. Certainly not.

Mr. CARAWAY. Why, then, would not the gentleman allow the son of a blacksmith to enjoy the opportunity of acquiring some professional knowledge?

Mr. BANKHEAD. A man is not confined to his former occupation. If the son of a blacksmith——

Mr. CARAWAY. I understood the gentleman to say that if he had worked with his hands before, he should go back to that calling when he returned.

Mr. BANKHEAD. No; I did not say that.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DILL. Mr. Chairman, I want to support the amendment.

Mr. BANKHEAD. I ask unanimous consent, Mr. Chairman, to proceed for three minutes longer.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to proceed for three minutes more. Is there objection?

There was no objection.

Mr. BANKHEAD. I do not desire my friend from Arkansas or any member of this committee to rest under any misapprehension as to my position on this question, or as to the purpose and authority contained in the bill that we are considering, because it is not the purpose of the bill, as the gentleman will ascertain if he will read it, to confine a former blacksmith, after his rehabilitation, to blacksmith work. But, on the contrary, it is one of the primary objects of this bill to take a man who may have been in an occupation of that sort and by means of the machinery provided by this board, to educate him in some other line in which he might be more efficient and in which he might make a larger income.

Mr. CARAWAY. But it is the purpose of the bill to confine a man to some occupation where he will use his hands?

Mr. BANKHEAD. Not at all.

Mr. CARAWAY. Then, why do you confine it to vocational training?

Mr. BANKHEAD. The gentleman will not allow me to answer his question before he interjects another into the debate.

Mr. TILLMAN. You would not want, then, to make a lawyer or a doctor out of a man, whether he is poor or not?

Mr. BANKHEAD. I am not opposed to that on principle. I feel, as a matter of fact, that they should be given every stimulus and encouragement that the circumstances of the case will permit, but I say that under the conditions with which we are confronted in the preparation of this bill, and for the purpose of putting it into immediate and effective operation, there are no governmental agencies now in existence, and none will be provided by this amendment by the mere striking out of the word "vocational," by which that happy result could be accomplished.

Mr. TILLMAN. Then the gentleman is not in favor of providing any instrumentality by which a blacksmith's son can become a lawyer?

Mr. BANKHEAD. I do not propose to answer that question categorically in the negative.

Mr. TILLMAN. By this bill?

Mr. BANKHEAD. No; I do not think that is the natural interpretation of the term "vocational education." If the gentleman's construction of "vocational education" is correct, then it applies.

Mr. TILLMAN. The Chair has ruled that I am wrong on that. Then, I understand the gentleman is not in favor of applying this bill to educating a man in any of the learned professions, no matter how poor or worthy or deserving he may be.

Mr. BANKHEAD. That was not the purpose of the bill as it was framed, or as it is proposed to put it into operation by the governmental agencies which have instituted this matter and propose to put it into effect.

Mr. TILLMAN. And you are not willing to allow that?

Mr. BANKHEAD. I do not think that would be practicable under the bill.

Mr. CARAWAY. Will my friend yield to me?

Mr. BANKHEAD. I would like to conclude my statement. The gentleman seems to be impetuous about asking questions.

Mr. CARAWAY. If the gentleman does not want to answer questions, I do not care to ask them.

Mr. BANKHEAD. I hope my friend will not be sensitive about that remark. I do not want him to take it in that way.

Mr. CARAWAY. I am not sensitive about it. I just do not want to interrupt the gentleman.

Mr. BANKHEAD. I was attempting to make, if possible, a coherent statement of the objections upon the part of the committee to the adoption of the amendment offered by the gentleman. If we strike out "vocational" as he wants to do, it strikes at the very heart and purpose of the whole scheme of this bill as it is framed. For instance, the title of the bill itself, the very heart and head of it, so to speak, is:

An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

In view of all these facts, in view of the plan that has been agreed upon and of the purposes which we are seeking to put into effect, I hope the amendment will not be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DILL. Mr. Chairman, I rise to support the amendment of the gentleman from Arkansas [Mr. CARAWAY]. In the first place, this amendment will leave this board free to rehabilitate these soldiers in any way that they may see fit. I think they ought to have that freedom.

When I first went into the hospital at Ruehampton, England, last winter, the first thing that Col. MacLeod, who had charge of that hospital, did was to take us into the room where the records were kept. He showed us that when these maimed and wounded soldiers were brought in there only 40 per cent of them were able to tell what they wanted to do, what they wanted to learn, what they wanted to become. He said the records showed that about 30 per cent were able to choose some particular kind of work that they wanted to learn in this school, and that the other 30 per cent who came there simply drifted and finally went out without having obtained any real value from their stay there. When asked why the other 30 per cent were unable to select some kind of training, he said they could be divided into two classes: First, the class who did not want to do vocational work, and second, those who were so shiftless that they did not want to do anything at all.

If the House will indulge me for a moment, I would like to discuss certain features of the work in these hospitals or training schools. The most pathetic thing to be seen in the rehabilitation of these men is to be seen in the schools where they rehabilitate the shell-shocked men. I shall never forget the sight I witnessed the day I went into the gymnasium of the great military orthopedic hospital at Shepherd's Bush, in charge of Dr. Hill. Dr. Hill was then a major, who had been in the army and had a very perfectly organized hospital. When we went into the gymnasium of this hospital there was a man trying to walk along a strip of carpet about 4 inches wide and 20 feet long. He was moving his feet from 1 to 2 inches at a time. When he reached the end of the carpet, the doctor told him to turn around. Without raising his eyes from the floor, he moved his feet very slowly and gradually turned around. The doctor said, "Now, see if you can't move your feet just a little farther at each step," and he tried to walk back in that laborious manner. They had been working with that man for nearly three weeks. To all appearances the man was not wounded in any way. He had not been struck by any fragment of shell or bullet. His nerves had simply been broken, and his brain no longer connected with his muscles. We were informed that in many cases these men who were rehabilitated in these hospitals

were unable to do the things they had done before, and had to do entirely new things. They have to be treated sometimes by electric machinery and their nerves awakened. For this work they use women who have been specially trained in this treatment.

For these reasons it seems to me that this board ought not to be confined in their rehabilitation methods merely to vocational trades, but that they ought to be allowed every possible leeway to train these men to do anything that they can be trained to do, in order that they may again become useful citizens. While visiting these training hospitals we were informed again and again that two-thirds of the success of the rehabilitation of these men was psychological—that the first thing you had to do with a man who was brought into the hospital to train him was to get him to think that he could do something useful. We were shown men who had no legs who had been taught to walk. One man, particularly, by the name of William Houston especially attracted our attention. The colonel showed him to us as an example of what could be done. He brought him out and said to him, "Houston, here is a crowd of American Congressmen. I want you to walk down through this shop and see if they can tell which of your legs is wooden."

They were making wooden legs in that shop. He walked down and back. He bent his legs so naturally that some of us thought his right leg was wooden and some thought the left leg was wooden, and I think one Member said he did not think either leg was wooden but that the man simply had a stiff leg. The colonel said, "Now show them"; and he pulled up his trousers legs and showed us—they were both wooden. One leg was off above the knee and the other was off below the knee. He lost them in the battle at Hill 60. When he came there he was so discouraged because of his helplessness that he absolutely refused to try to learn to walk. He said, "Colonel, I can not do this. It is absolutely useless to try. I never can learn to walk. I have not either leg." He was so despondent that for 10 days they kept a guard over him for fear he might kill himself. Yet when we were there he was making a sum that in American money would amount to $26 a week. He rode a bicycle every morning two miles to his place of work, and was an expert maker of wooden legs. That is only one illustration.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DILL. I would like two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DILL. The most striking thing about this work is the ability of these men to concentrate all of their power in the learning of these trades. They keep a man in the training school 30 days, and in that time they teach him a trade. It is almost inconceivable. Col. MacLeod told us that when Mr. Barnes, the labor member of the British ministry, came there, and he showed him the machine-made tools that were made by a man after 30 days' training, Mr. Barnes said he did not think it possible for a man that was not a machinist to do it. The man had been a bricklayer. They teach them leather work, they teach them automobile work, and electrical work. There seems to be something about the condition of the men—the fact that they have been wounded and lost some parts of their body—which enables them to concentrate all their powers in the learning of a trade.

This hospital had been in operation two years, and during that time 6,000 men had been trained and sent out to make a living for themselves and their families. In the light of the great possibilities to rehabilitate these boys, after they have given themselves in this war, I think the bill should be amended so the board can teach them in any way they may desire. [Applause.]

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I am heartily in favor of this bill, but I do think that its scope should be widened. I believe that there ought to be a provision in the bill providing for the education and training of some of these men along professional lines. I think that a young man returned from this war with his arm shot off, or with the loss of a leg, or otherwise crippled, who feels that he is called to preach, ought to be aided by the Government in that work. I believe that this Government ought to have a board before which this young man could go and present his claim, or make application for entrance into a school so as to fit him for the ministry.

Why, Mr. Chairman, men will come out of this war after they have gone up against and conquered this brutal, barbarous army of Germany, fighting for the noblest principles that have ever warmed the hearts of man, fighting for Christian civilization, fighting for all that is dear in life—some of them will make such preachers as the world has never seen or heard before. I want the young men who have been through this war for liberty and humanity, and who feel that they are called to preach the gospel, to have the Government aid them in this high and holy work.

If there should come from among them a young man who feels that he wants to be a lawyer or a doctor or a chemist or a school-teacher, why not open to him the field that will fit him for that work? This bill ought not to be confined to a particular class or to a certain line of work. It ought to be open to our boys in every field of honest endeavor, because these men are entitled to the highest consideration and training.

Mr. KING. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. KING. I am in hearty accord with the gentleman, but take the case of William Houston, mentioned by the gentleman from Washington, what would be his status if he had received part of the legal education and desired to be trained by the Government? Could he get the training under this bill?

Mr. HEFLIN. I do not think that he could unless the bill is amended as suggested by the gentleman from Arkansas. I want to say this in conclusion, this is a good bill and ought to be passed. I do think, however, that it ought to have in it the provision that I have mentioned, because, gentlemen, there is nothing too good that we can do along this line for these brave men, and when they return let them seek service in the various fields. Let us make this provision, and when a man is wounded and he goes back to the hospital and reads of this action by Congress he will say, "My Government is going to see to it that I am properly cared for, not only see that I do not suffer physically, and that I will have something to eat and something to wear, but it is going to help me to equip myself for a profession if I desire it," and this I think, gentlemen, this Congress ought to do. [Applause.]

Mr. MONDELL. Mr. Chairman, we all agree with the gentleman who has just taken his seat, that there is nothing too good for the boys that will return maimed and disabled from the front, but we all realize that there are limitations to the things that can for the present be practically and well done. That was in the minds of the men who wisely drafted this legislation. They did not attempt to do so much as to risk making a complete failure of their entire scheme. They attempted to rehabilitate along certain lines—practical, useful, helpful lines. They propose the machinery through which that kind of rehabilitation can be accomplished, and they did not endanger their whole plan with the possibility of a complete breakdown by endeavoring to cover the whole field of human effort and activity.

The very eloquent address of the gentleman from Arkansas [Mr. CARAWAY] might convince us all if his premises were sound, but they are not. His premise was that we are denying all opportunity save to those who may come under the provisions of the bill.

Do we deny opportunities to prepare for and enter the professions because we make no special provision for professional education under this bill? Not at all. Opportunities are boundless in this land of ours. These are not to be the only opportunities for these returned soldiers. If they were, in Heaven's name, helpful and useful as they are, how inadequate they would be. The young man whose education before he entered the service had sufficiently advanced along professional lines or along general lines as to enable him within a reasonable time to acquire a profession could acquire it in any section of this land of ours without the aid of the Federal Government.

Mr. HASTINGS. Could not everyone else do the same thing?

Mr. MONDELL. No.

Mr. HASTINGS. Why not?

Mr. MONDELL. Because men who come back handicapped for the trades, but who must make a livelihood, if at all, with the use of their hands and feet, would be absolutely helpless unless they were given the rehabilitation and training here proposed.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CARAWAY. Is the gentleman opposed to the Government helping people acquire a professional education?

Mr. MONDELL. Mr. Chairman, I said a moment ago that not only was I not opposed to that in toto, but that I was inclined to the belief that the plan we propose in this bill of vocational rehabilitation we might eventually properly extend to the rehabilitation of those injured in the industries. But this is not the time to attempt to cover all of the fields of human endeavor and all of the possible fields of Federal help. This is the time to do something practical and useful by following on the lines that have been marked out by the men who have made a study of this work abroad, who have there performed very useful work along certain lines, and who are suggesting

that we take that work up for the benefit of our returning soldiers. It would be very easy, indeed, by striking out the words proposed to be stricken out by the amendment of the gentleman from Arkansas [Mr. CARAWAY], to make this bill practically inoperative.

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I can not yield in the time allotted me. So far as its effect on the efforts of those who planned this legislation is concerned, we might just about as well strike out the enacting clause.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ROSE. Mr. Chairman, I am not at all convinced that the wording of the bill as it is now presented to us for consideration will bring about the condition that some gentlemen seem to fear. The bill provides for a Federal Board for Vocational Education, and its purpose is to fit those who by reason of injury are unable to carry on a gainful occupation to resume the several occupations they formerly had, or place them in some occupation by which they can gain a livelihood. The board referred to will be clothed with great power and will be composed of men who have made a study of vocational matters. Any man brought under the control of the board and who is found unable to continue in the occupation followed previous to the war will find that it is within the power of the board to select an occupation for him, and one which will likely prove remunerative. It is argued that the board is limited in its scope, and that by reason thereof the real purpose of the bill will not be reached. I can not agree with those who adopt such views, for its seems to me that the very language of the second section clears up all of the difficulties to which reference has been made. I favor all legislation of the kind provided for in this bill, and since it does not prohibit the teaching or training of boys who desire to enter any of the professions—theology, law, or medicine—we can safely intrust all such matters to the board provided for in the bill. So far as I am able to judge, there is no serious opposition to the passage of the bill, as it is in line with other measures calculated to benefit those who have offered their lives in defense of our country, all of which has been favorably considered. There appears to be a wide difference of opinion among some of the members of the committee to whom the bill was referred as to the real meaning and purpose of certain parts of the measure, but I anticipate the adoption of amendments which will clarify the situation and make all of its provisions satisfactory and workable. We owe something of this nature to the soldiers of the present war, and I have no doubt that, under the terms of the present bill, those who are placed under the care of the Federal Board for Vocational Education will receive such training as will fit them to enter some gainful occupation.

Mr. RAYBURN. Mr. Chairman, I have read this bill two or three times with a good deal of care, and I want to say for the committee that reported it that I believe it is the best first draft of a bill that I ever saw, in so far as the mechanical part of it is concerned and the provisions of the bill and what it is supposed to do. When we passed the war-risk insurance act in 1917 we provided in one section for training along this line. I trust that this House will not, as it has been on former occasions, be swept off its feet because of sentiment. We, of course, think kindly of and all love dearly all of the men who go forth to fight our battles for us, and we can not do too much for them; but we must stop somewhere. Some men might say that in giving men insurance you ought to give them a $5,000 paid-up life insurance policy, others would say $10,000, others $15,000, and some would say that there should be no limit, and that no premium should be charged, because the man had made the supreme sacrifice of offering his life for his country, and that therefore his country can not do too much for him. I believe the provisions of that bill are the fairest and most liberal ever passed. There are some things, however, that his country can not do for him. I think that it would be the greatest mistake this House could possibly make to adopt the pending amendment. My idea about this bill is that if you adopt the amendment pending and strike out the words that are sought to be stricken out of the bill you would go in the very teeth of the genius of this legislation and the idea it is intended to carry out. You might just as well say that you have taken these young men away from their chosen vocations, that you have taken them out of school and kept them in the Army of the United States for three or four years, and that, therefore, when they come back, whether they have been wounded or not, whether they have been shocked, you ought to give each and every one of them a finished education, no matter what his former position was. When we have offered the benefits of this bill to him he will be satisfied and grateful to this Government.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. RAYBURN. Mr. Chairman, I ask unanimous consent to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RAYBURN. That is the way I look upon this. My opinion of this legislation and the legislation in other countries upon this subject has been that it is to rehabilitate—to prepare a man mechanically, as near as we can, to what he was before—and not go into all kinds of professions, not try to teach a man to be a doctor or a lawyer or a preacher, something that will take three or four or more years out of his life, and probably will not be according to the idea we are trying to put into this legislation. It is rehabilitation and reeducation, not to start out and teach professions of one kind and the other—to make him independent and self-sustaining, if possible. I think if Members of this House will read and study this bill carefully they will find that they can not do better than to follow the recommendations of this committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BANKHEAD. Mr. Chairman, I move that the committee do now rise.

Mr. LONERGAN. Mr. Chairman, if the gentleman will withhold that motion for a moment, I desire to ask unanimous consent that I may have inserted in the RECORD an amendment which I propose to offer later on to the pending bill.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to print in the RECORD an amendment which he proposes to offer later on. Is there objection?

Mr. MONDELL. Mr. Chairman, reserving the right to object, is it an amendment to the pending section?

Mr. LONERGAN. No; it is not, but I would like to have it inserted in the RECORD.

Mr. MONDELL. I shall have to object.

Mr. LONERGAN. I wish the gentleman would not.

The CHAIRMAN. The gentleman from Wyoming objects.

Mr. BANKHEAD. Mr. Chairman, I renew my motion.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HELM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 4557 and had come to no resolution thereon.

ADJOURNMENT.

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 55 minutes p. m.) the House adjourned until Monday, June 10, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Interior, transmitting original papers relating to the pension of Henry Pickle, now of Easthampton, Hampshire County, Mass. (H. Doc. No. 1153), was taken from the Speaker's table, referred to the Committee on Invalid Pensions, and letter only ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes, reported the same without amendment, accompanied by a report (No. 645), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. IGOE, from the Committee on the Judiciary, to which was referred the bill (S. 3475) to prescribe the requisite form of proof of death under policies or contracts of insurance covering the lives of persons in or serving with or attached to the military forces of the United States, and for other purposes, reported the same with amendment, accompanied by a report (No. 646), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 8802) granting a pension to Sylvia Ferington, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ZIHLMAN: A bill (H. R. 12427) to amend section 4414, Revised Statutes of the United States, to classify and to provide salaries for clerks in the Steamboat-Inspection Service; to the Committee on the Merchant Marine and Fisheries.

By Mr. CARAWAY: A bill (H. R. 12428) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on the Public Lands.

By Mr. HUDDLESTON: A bill (H. R. 12429) to authorize the health officer of the District of Columbia to permit the disinterment of the bodies of Eliza Hill Bowles, and Bernice Worthen Bowles, and Bessie Vivian Bowles; to the Committee on the District of Columbia.

By Mr. McLEMORE: Concurrent resolution (H. Con. Res. 46) for the appointment of Arthur MacDonald as statistician of Congress; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 12430) granting an increase of pension to Thomas Anderson; to the Committee on Pensions.

By Mr. DENTON: A bill (H. R. 12431) granting a pension to Matilda J. Woolsey; to the Committee on Invalid Pensions.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 12432) for the refund of duties paid on materials destroyed by fire; to the Committee on Claims.

By Mr. FIELDS: A bill (H. R. 12433) granting an increase of pension to James F. Scott; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 12434) granting a pension to Amelia Erdman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12435) granting an increase of pension to Joseph Freeman; to the Committee on Invalid Pensions.

By Mr. LOBECK: A bill (H. R. 12436) for the relief of Samuel Friedman; to the Committee on Claims.

By Mr. RUBEY: A bill (H. R. 12437) granting a pension to Mrs. Sarah Cox; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARTER of Oklahoma: Memorial of the Oklahoma City Chamber of Commerce indorsing a resolution of the Chamber of Commerce of the United States of America relative to the coordination of all the means of transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Pennsylvania: Petition praying for the repeal of the "zone postal law," signed by the following members of the Altrurian Circle: Mrs. McCord B. Moorhead, Mrs. L. H. Parker, Mrs. W. E. Marshall, M. Alice Griffin, Mrs. J. Y. Moorhead, Mrs. H. J. Wheeler, Mrs. Blanch A. Ricart, Mrs. J. B. Harrison, Mrs. F. W. Haskell, Mrs. C. E. Leet, Mrs. W. T. S. Lindsay, Mrs. Elmer Eades, and Mrs. J. M. Moorhead; to the Committee on Ways and Means.

Also, petition from citizens of the city of Corry, Pa., in mass meeting, and signed by Mrs. F. C. Fields, Mrs. Tozer, and Mrs. W. L. Durham, praying for the adoption of a resolution to amend the Federal Constitution to prevent polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. ESCH: Resolution of the Wisconsin State Council of Defense, protesting against that portion of the war-revenue act which increases the postal rates on periodicals and urging its repeal; to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of the State of New York, protesting against Senate bill 4426, guaranteeing bank deposits; to the Committee on Banking and Currency.

Also, memorial of the Vernon County (Wis.) Council of Defense, relative to granting the free use of the mails to councils of defense; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of Bratton C. Hardin, editor and owner of the Express, of Rochester, Tex., favoring the enforcement of the zone-postage rates of the war-revenue act; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Resolution adopted at a public meeting held in the city of Jamestown, N. Y., favoring the adoption of an amendment to the Constitution which will prohibit the practice of polygamy and polygamous cohabitation; to the Committee on the Judiciary.

Also, petition of the Woman's Christian Temperance Union of Chautauqua County and a resolution of the Woman's Christian Temperance Union of Niobe, N. Y., favoring the enactment of war-prohibition legislation; to the Committee on the Judiciary.

By Mr. RAKER: Resolution adopted by the California Congress of Mothers, indorsing House bill 5407; to the Committee on Military Affairs.

Also, petition of Miss Emma Masten and others, of Fairplay, Cal., protesting against the zone system and asking for its repeal; to the Committee on Ways and Means.

By Mr. TEMPLE: Resolution adopted at a public meeting held in Claysville, Pa., June 2, 1918, favoring the adoption of an antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WALDOW: Petition of James B. Stafford, deputy United States food administrator for Erie County, N. Y., favoring the coinage of a half-cent piece; to the Committee on Coinage, Weights, and Measures.

SENATE.

MONDAY, *June 10, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we remember at the beginning of this session of the Senate that the things which are worth while are spiritual; that the fate of government, the measure of the power of an army, the probabilities of success arise out of spiritual things. We pray Thee to breathe upon us this day and put us in harmony with the great vital forces that Thou art using in the world to establish peace and righteousness among men. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Page	Smoot
Baird	Jones, Wash.	Phelan	Sterling
Beckham	Kendrick	Pomerene	Sutherland
Borah	Kenyon	Ransdell	Swanson
Brandegee	King	Reed	Thomas
Chamberlain	Knox	Robinson	Thompson
Culberson	McCumber	Saulsbury	Tillman
Cummins	McKellar	Shafroth	Trammell
Curtis	McLean	Sheppard	Underwood
Dillingham	McNary	Sherman	Vardaman
France	Myers	Simmons	Warren
Frelinghuysen	Nelson	Smith, Ariz.	Watson
Gallinger	New	Smith, Ga.	Weeks
Gronna	Norris	Smith, Md.	
Gulon	Nugent	Smith, Mich.	
Hale	Overman	Smith, S. C.	

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent on account of illness.

Mr. BECKHAM. I wish to announce that my colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. ROBINSON. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family. I wish also to announce that my colleague [Mr. KIRBY] is detained on official business.

Mr. TRAMMELL. My colleague, the senior Senator from Florida [Mr. FLETCHER] is detained by illness.

Mr. McKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on official business. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. SHEPPARD presented a telegram in the nature of a memorial from the Women's Clubs of Laredo, Tex., and a telegram in the nature of a memorial from sundry citizens of

Dallas, Tex., remonstrating against the delay of the Senate in the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. ASHURST presented a telegram in the nature of a memorial from the Arizona Bankers' Association, of Prescott, Ariz., remonstrating against the enactment of legislation to guarantee certain bank deposits, which was referred to the Committee on Banking and Currency.

Mr. JONES of Washington presented a petition of the City Council of Seattle, Wash., praying for the fixing of prices on wheat substitutes, which was referred to the Committee on Agriculture and Forestry.

Mr. PHELAN presented a petition of the Medical Association of Los Angeles, Cal., praying for the establishment of an Army medical museum, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a petition of the Second Middlesex Representative District Organization of the Massachusetts Woman Suffrage Association, and a petition of the Equal Suffrage League of Norfolk Center, Mass., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. ROBINSON presented a petition of sundry citizens of Stephens, Ark., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. McLEAN presented a petition of the Christian Endeavor Union of the South Baptist Church, of Hartford, Conn., praying for national prohibition as a war measure, which was ordered to lie on the table.

He also presented a memorial of the Loyal Order of Moose, No. 289, of Bridgeport, Conn., remonstrating against the adoption of the so-called Randall amendment prohibiting the manufacturing of beverages, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union of Middletown; of the American Red Cross of Deep River; of the Theosophical Society of Hartford; of the Christian Science Church of Willimantic; of the Christian Endeavor Union of Willimantic; of the deacon's board of the Calvary Baptist Church, of Willimantic; of sundry citizens of Union City; of the Teachers' League of New Haven; and of the Elizabeth Seton Guild of Bridgeport, all in the State of Connecticut, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Connecticut, praying for the repeal of the present zone system of postage rates on second-class mail matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Firemen's Protective Association, of Hartford, Conn., praying for the enactment of legislation to regulate the hours of duty and pay of officers and members of the fire department of the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Chamber of Commerce, of New Britain, Conn., praying for centralized Federal authority to determine the highway policy of the United States, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Lieut. N. W. Bishop Camp, No. 3, United Spanish War Veterans, of Bridgeport, Conn., praying for the enactment of legislation granting pensions to disabled soldiers and sailors and to widows and dependent parents of such soldiers and sailors of the Spanish-American War, the Chinese or Philippine insurrection, which was referred to the Committee on Pensions.

Mr. SMITH of Arizona. I present a memorial from the Legislature of the State of Arizona, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs. Being a memorial from the legislature of a State, it has the right to be printed in the RECORD.

There being no objection, the memorial was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

STATE OF ARIZONA, OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arizona, ss:

I, Sidney P. Osborn, secretary of state, do hereby certify that the within is a true and complete transcript of senate joint resolution No. 3, "Pledging all the resources of the State of Arizona to the vigorous prosecution of the war," all of which is shown by the original on file in this department.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, Ariz., the capital, this 1st day of June, A. D. 1918.

[SEAL.] SIDNEY P. OSBORN,
Secretary of State.

Senate joint resolution 3, introduced by Senator Rutherford.

Whereas the most important task before the United States is to win the war; and

Whereas the war will not be won until the peaceful development of all free peoples is guaranteed by the strength of their own will: Therefore be it

Resolved by the Legislature of the State of Arizona (both houses concurring), That the State of Arizona pledges all its resources to the vigorous prosecution of the war until Prussian autocracy has been defeated; and be it further

Resolved, That certified copies of these resolutions be sent by the secretary of the State to the President and to the presiding officers of both branches of Congress and to each of the Senators and Representatives from Arizona.

Passed by the senate May 25, 1918, by the following vote: Eighteen ayes, no nays, none absent, one excused.

Passed by the house May 28, 1918, by the following vote: Thirty-one ayes, no nays, two absent, two excused.

D. H. CLARIDGE,
President of the Senate.
A. A. JOHNS,
Speaker of the House.

LETTER FROM THE SECRETARY OF THE INTERIOR.

Mr. TILLMAN. Mr. President, I have received a letter this morning, which I ask unanimous consent may be printed in the RECORD without reading. If Senators would pay any attention to it, I should like to have Senators hear it read, but usually they are busy with other things, and I think printing in the RECORD will be sufficient. However, I wish to impress upon the Senate that it is a matter of vital importance.

Mr. SMOOT. From whom is the letter?

Mr. TILLMAN. From Franklin K. Lane.

Mr. SMITH of Arizona. I object.

The VICE PRESIDENT. There is objection to the request.

Mr. GALLINGER. What is the request?

The VICE PRESIDENT. To print in the RECORD a communication.

Mr. GALLINGER. What is the paper?

The VICE PRESIDENT. A letter from the Secretary of the Interior.

Mr. TILLMAN. My friend from Arizona on my left, who has become the guardian of the Treasury, tells me that there is no paper on which to print anything. Therefore I ask that the letter be referred to the Committee on Printing.

Mr. SMITH of Arizona. The committee will be glad to give it attention, and if it is important, as the Senator thinks it is, it can be printed as a document.

The VICE PRESIDENT. The letter will be referred to the Committee on Printing.

Mr. McCUMBER. Mr. President, I have a letter from the Secretary of the Interior which deals with the preparation of land in providing an opportunity for our soldiers returning from the war. It is a timely topic, and I ask that it may be printed as a public document.

Mr. SMOOT. What is it?

Mr. McCUMBER. It is a letter from the Secretary of the Interior.

Mr. SMOOT. That is the same as the letter presented by the Senator from South Carolina.

The VICE PRESIDENT. It is the same letter, and it will go to the Committee on Printing, without objection.

Mr. TILLMAN. If I may interrupt the gentleman, I should like to call attention to the letter I just offered and asked to have printed in the RECORD. Everyone says he has already received a copy. It does not relate to concrete ships at all, but is providing for soldiers after their return from the war.

Mr. UNDERWOOD. I have not objected to that.

Mr. TILLMAN. I know you have not objected, but I want to call the attention of Senators who have received a letter similar to the one which I asked to have printed in the RECORD. I hope they will read it.

The VICE PRESIDENT. The letter has gone to the Committee on Printing.

Mr. McCUMBER. I ask that the letter I submitted be referred to the Committee on Public Lands instead of to the Committee on Printing.

The VICE PRESIDENT. That action will be taken. One will go to the Committee on Printing and the other to the Committee on Public Lands.

EDWARD W. TERRY.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 2788) for the relief of Edward W. Terry, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

HEARING BEFORE THE COMMITTEE ON IMMIGRATION.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably Senate resolution 260, and I ask for its immediate consideration.

Mr. SMITH of Arizona. What is the request?

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. HARDWICK on the 7th instant as follows:

Resolved, That the Committee on Immigration, or any subcommittee thereof, be authorized to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, and that expenses contracted hereunder shall be paid out of the contingent fund of the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. UNDERWOOD. I have no objection to the resolution reported by the Senator from Kansas, but I shall be compelled to ask for the regular order, in order that we may expedite the unfinished business.

Mr. THOMPSON. The resolution will not lead to any discussion.

Mr. UNDERWOOD. I am sure of that, but if I were not to ask for the regular order now I would get myself in serious trouble. It can come up in the morning hour to-morrow.

Mr. THOMPSON. It is a resolution which was introduced by the junior Senator from Georgia [Mr. HARDWICK].

Mr. UNDERWOOD. I have no objection in the world to it, except that I must call for the regular order.

Mr. SMITH of Michigan. Let me ask the Senator if this is not the regular order.

Mr. GALLINGER. It is the report of a committee.

Mr. UNDERWOOD. It is not the regular order.

The VICE PRESIDENT. It is a report of a committee, and if there is objection to its present consideration it goes to the calendar.

Mr. UNDERWOOD. That is why I demanded the regular order.

The VICE PRESIDENT. The resolution goes to the calendar.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 4686) authorizing the Director of Aircraft Production to form a corporation, or corporations, to facilitate and expedite the production of aircraft, aircraft equipment, or materials therefor; to the Committee on Military Affairs.

By Mr. KING:

A bill (S. 4687) to amend further an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, as amended, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON:

A bill (S. 4688) to provide allowances for mothers with children under 16 dependent upon them for support in the District of Columbia; to the Committee on the District of Columbia.

By Mr. PHELAN:

A bill (S. 4689) granting a pension to Mary E. Turner (with accompanying paper); to the Committee on Pensions.

AMENDMENT TO ARMY APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment proposing to insure the secrecy of military dispatches, information, and correspondence, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

DISTILLED SPIRITS FOR BEVERAGE PURPOSES.

Mr. JONES of Washington. Mr. President, a few days ago I presented an amendment intended to be proposed by me to a certain bill (H. R. 11945) which came from the House. My amendment prohibited the use of fruit, vegetables, and foodstuffs in the manufacture of vinous and malt liquors. Since the amendment was introduced letters have been read into the RECORD from the President and Mr. Hoover that I construe to be practically an invitation to Congress to enact general war prohibition. So in lieu of the amendment I presented the other day I submit an amendment which I ask may be printed and referred to the Committee on Agriculture and Forestry. I would ask that it be printed in the RECORD, but as paper is very short I shall not make the request. I may say, Mr. President, that this amendment presents in a general way my own ideas as to what ought to be done and not the formulated views of any temperance organization.

Mr. GALLINGER. I ask that it be read.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 5, line 5, after "$6,100,000," strike out the remainder of the paragraph and insert the following:

Provided, That from and after the date of the approval of this act and during the continuance of the present war it shall be unlawful to sell, furnish, or transport distilled spirits for beverage purposes, and no distilled spirits held in bond at the date of the approval of this act shall be removed therefrom for beverage purposes, and from and after 30 days from the date of the approval of this act no food, fruits, food materials, or feeds shall, during the continuance of the present war, be used in the production of malt or vinous liquors for beverage purposes; and the President is hereby authorized and directed to prescribe any and all rules and regulations deemed necessary to carry the foregoing provisions into effect, and anyone who willfully violates any of the foregoing provisions, or any rule or regulation made to carry the same into effect, shall be punished by a fine not exceeding $5,000 or by imprisonment for not more than two years, or both. The Commissioner of Internal Revenue and all other officers of the United States shall have all the power for the enforcement of the foregoing provisions which is conferred by law for the enforcement of the existing laws relating to the manufacture, sale, or transportation of intoxicating liquors under the revenue laws of the United States or otherwise.

WITHDRAWAL OF PAPERS.

On motion of Mr. JONES of Washington, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill (S. 1182, 65th Cong., 1st sess.) granting a pension to Charles B. Syphert, no adverse report having been made thereon.

On motion of Mr. JONES of Washington, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill (S. 1172, 65th Cong., 1st sess.) granting an increase of pension to John Zellers, no adverse report having been made thereon.

GERMAN MILITARY POWER IN RUSSIA.

Mr. KING submitted the following resolution (S. Res. 262), which was referred to the Committee on Foreign Relations:

Whereas the people of Russia, after centuries of political servitude, are finally about to realize their aspirations for liberty and the constitution of a federal republic; and

Whereas the innate sense of justice, desire for public order, and the community life of the Russian people promise a sound moral basis for the institutions of liberty and the equal rights of men under the law as incorporated in a republican form of government; and

Whereas it is the traditional policy and the interest of the United States of America to promote and protect the progress of liberty and the principles of democracy as incorporated in republican institutions; and

Whereas the people and the Government of the United States hailed with great and sincere good will the prospects for the establishment of these principles in the great domains of Russia for the permanent welfare, political dignity, and beneficence of the Russian people; and

Whereas the Imperial Government of Germany, by intrigues and propaganda, and in perfidious violation of the pretended peace with Russia, designs to destroy the Government of Russia and the unity and nationality of the Russian people, and for this purpose is attempting to separate Russia into small vassal states in order to more effectually bring the people, territory, and resources of Russia within the German power; and

Whereas, in the pursuit of this perfidious purpose, Germany is now subjecting Russia to industrial and economic servitude and is attempting to recruit troops from among the people of Russia to replenish her depleted armies and to promote her felonious purpose in the world; and

Whereas the Russian people desire to establish a republican form of government and are in sympathy with the cause of the United States of America and of the allies, and would welcome assistance in neutralizing German intrigue and propaganda and in repelling the intrusion of German power; and

Whereas German troops are now operating in Russia and are making advances with a view to taking possession of Russian territory, including Siberia, and subjecting the same to political domination and industrial servitude; and

Whereas the cause of the allies and the principles for which they wage war are thus placed in jeopardy: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that a commission be sent to Russia to cooperate with the American ambassador and other representatives of our Government to overcome and neutralize German propaganda in Russia and to aid in Russia's economic, industrial, and political freedom; and be it further

Resolved, That it is the sense of the Senate of the United States that a military expedition be organized and sent by the United States of America in conjunction with its allies, including Japan and China, to cooperate with the armies of the Russian people to repel the advance of German arms and to expel from Russia German military power and establish therein the authority of the people and Government of Russia.

WOMAN SUFFRAGE.

Mr. WATSON. May I be allowed to present a petition?

The VICE PRESIDENT. That seems to be always in order.

Mr. WATSON. It is a petition in regard to woman suffrage, very short, signed by 10 leading citizens of Indianapolis. I should like to have it printed in the RECORD without reading.

The VICE PRESIDENT. Is there objection?

Mr. UNDERWOOD. What is the request?

Mr. WATSON. That it be printed in the RECORD without reading. It is very short.

Mr. SMITH of Arizona. From whom is the petition?

Mr. WATSON. From 10 of the leading citizens of Indianapolis.

Mr. SMITH of Arizona. I object.

Mr. WATSON. Then I will read it.

Mr. SMITH of Arizona. You will not in this hour. I ask for the regular order.

Mr. WATSON. I will read it in some hour.

Mr. SMITH of Arizona. Very well; it can be read in some hour.

Mr. WATSON. I can find time to read it.

Mr. SMITH of Arizona. I ask for the regular order.

DATA RELATIVE TO PROFITEERING AND THE REVENUE.

Mr. BORAH. I desire to call up a resolution, coming over from a previous day, which is on the table. It is Senate resolution 255. I do not think it will take any debate, because it is the same resolution, only addressed to another department of the Government, which was passed upon last Friday. I ask for its present consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read Senate resolution 255, submitted by Mr. BORAH on the 31st ultimo, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby, directed to furnish the Senate with the following information:

"Any and all facts, figures, data, or information now in possession of the Federal Trade Commission relative to profiteering which would in any way enable Congress to deal with the matter either through the present proposed revenue legislation or through enactment of more effective criminal statutes."

Mr. UNDERWOOD. Is this the introduction of the resolution?

The VICE PRESIDENT. No; it is regularly before the Senate. The question is on agreeing to the resolution.

The resolution was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed the following acts:

On June 8, 1918:

S. 3799. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

On June 10, 1918:

S. 1544. An act to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The VICE PRESIDENT. The morning business is closed.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of Senate resolution 235.

The motion was agreed to, and the Senate resumed the consideration of Senate resolution 235 proposing to amend the rules of the Senate by providing for the limitation of debate.

MINERALS ON INDIAN RESERVATIONS.

Mr. ASHURST. Mr. President, it was my intention this morning at the close of the morning business to move that the Senate proceed to the consideration of Senate bill 385, the same being the bill providing for metalliferous mining on Indian reservations. I have not directly said that this bill is a "war measure," but it must be obvious that it is. It certainly must address itself to the Senate that this is as nearly a war measure as any measure can be, as it proposes to provide for the extraction of metals that we require and which we can not otherwise easily obtain. I feel, however, that if the bill were laid before the Senate now the morning hour would be consumed and no vote would be reached; that two hours would be lost, just as one and one-half hours were lost on last Friday morning and a like period of time on Saturday morning. Hence I am not going to move that the Senate proceed to the consideration of the bill, but I now give notice that at the appropriate time—I do not desire to displace the unfinished business—I shall crave and seek, and I think obtain, permission from the Presiding Officer to move that the metalliferous-mining bill be made the unfinished business.

There is no disposition on my part to hurry this legislation. It has waited for a couple of years; it has passed the House and been twice reported favorably by the Senate Committee on Indian Affairs. A number of Senators have requested me to move that it be made the special order. The objection to making it a special order is that if it be not completed on the day for which it is made a special order it goes to the calendar of special orders, which is a sort of mausoleum from which measures there interred are never resurrected.

I should like now to ask the senior Senator from Utah [Mr. SMOOT] and the junior Senator from Colorado [Mr. SHAFROTH], they being the leading opponents of this bill, if I may have their cooperation in the matter of making the bill the unfinished business after the present unfinished business shall have been disposed of?

Mr. SHAFROTH. Mr. President, I believe that instead of the Senator from Arizona pressing this bill for consideration every morning it would be better to make it the unfinished business after what is known as the Underwood resolution has been disposed of. I have no disposition to unduly delay the bill; I do not desire to filibuster upon it. I believe that the bill is wrong, but the Senator from Arizona thinks it is right. If we may have a good, fair discussion of the bill and then submit the question to the Senate, I shall be content.

Mr. ASHURST. I thank the Senator from Colorado. He has made a very fair statement.

Mr. SMOOT. Mr. President, I shall not in any way attempt to delay the consideration of the bill referred to by the Senator from Arizona [Mr. ASHURST] and shall content myself simply by saying that, if we can get a fair hearing before the Senate and Senators can understand what this bill really means, I believe the bill will be defeated. I think in my opposition to the bill I am serving the people of Arizona and of the Western States generally in the best possible way that I can. I am sincere in my opposition to the measure; I think it bad legislation; I think if passed it would be pointed to in the future as a precedent, and that it would bring untold harm to the mining interests of the West.

Mr. ASHURST. Mr. President, of course the Senator from Utah is entitled to his opinion, and he need not say that he is sincere in his opposition to the bill. He is a sincere man. Nobody has questioned his sincerity. I shall feel content if the bill be made the unfinished business so soon as the present unfinished business shall have been disposed of. With that understanding——

Mr. GALLINGER. Mr. President, the Senator from Arizona does not mean to say that there is an understanding to that effect, does he? There may be some other matters that some of us might think of more importance than this bill.

Mr. ASHURST. Of course, if there be a matter more important than securing platinum, if there be a matter more important than securing manganese and other metals needed in the manufacture of ordnance, I will withdraw the request for the consideration of the bill.

Mr. GALLINGER. Mr. President, the Senator from Arizona must not understand me as saying that I know of any other bill that is more important than the one to which he refers; and yet we can not farm out the business of the Senate and agree that after one bill has passed the Senate another bill shall take its place. We can not do that.

Mr. ASHURST. The Senator from New Hampshire is correct, but, if he will pardon me, I am not trying to commit the Senate.

Mr. GALLINGER. That is the only point I was trying to make.

Mr. ASHURST. I am not trying to commit the Senate. I simply want to draw attention to the fact that this bill has twice been favorably reported by the Senate committee; that it has been pending a year and a half or more; that it has passed the House of Representatives, and that it ought to be, as the Senator from Colorado [Mr. SHAFROTH] has said, discussed on its merits, and either voted up or voted down. I have no pride of authorship, no pride of expression regarding the bill. I would gladly consent to any amendment that would really improve the bill.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing a limitation of debate.

Mr. VARDAMAN. Mr. President, in the discussion of the question before the Senate I shall observe the rule sought to be invoked, and in this instance shall do the thing which others pray.

Mr. President, the present world-wide emergency calls for sober thought, a comprehensive understanding of national issues, and prudent action on the part of the Members of the legislative department of this Republic. "O, that grave speech would cumber our quick senses" and that substance, rather than the shadow of things, might lead us on. If I had the remotest idea that the adoption of this resolution would result in hasty or immature legislation, limit or curtail necessary debate, and prevent full discussion, I should oppose it with all the vigor of mind and fervor of soul of which I am capable.

In times like the present, I repeat, when the typhoon of war is sweeping over the unhappy world and the reason of man is twisted and toppled like frail structures in the wake of a "Kansas zephyr," everything possible should be done to encourage serious independent thought, calm deliberation, and exhaustive study of the questions that come up for legislative determination. We need also a little independent action as well as

courageous and fearless thinking. We are all mindful of the fact that that which we shall do to-day will affect not only the present generation, but the consequences of our deeds here will be far-reaching, almost infinite in their influences upon the weal or woe of the generations yet unborn. The things we do and the questions we decide can be decided but once. The influences thus put into operation will go on and on like the waves upon the heaving bosom of the restless ocean until at last they wash the remotest shores of time. Therefore it behooves us to be circumspect and cautious.

Mr. President, the resolution presented by the able Senator from Alabama [Mr. UNDERWOOD], which is now under consideration, does not, as I understand, seek to interfere with, prescribe, or in any way limit the scope of study, thought, and investigation by Senators, but it rather encourages investigation, stimulates thought, and promotes mature consideration of all public questions. It is my opinion that if this resolution shall be adopted Senators will prepare themselves better; they will supply their minds with pertinent material facts; they will assimilate and condense the information accumulated by them in order that their speeches may come within the time prescribed by this rule. They will not, "like the bells, waste the moment with their loudness," but confine themselves to pertinent issues and see to it that substance shall take the place of sound. This rule will put a stop to impertinent interruptions and superfluous questionings of a Senator, which always destroy the logical force of his argument and the symmetry of his discourse without adding anything to its cogency.

The Senator "who draweth out the thread of his verbosity finer than the staple of his argument" often becomes, in the estimation of his auditors and of his affectionate colleagues, a most respectable, sometimes delightful, but always a parliamentary nuisance. Put this rule in operation, and the thin, watery stream of unlimited debate, from which always emanates the obfuscating vapor of verbigeration, will give place to a pellucid current of deep thought, boiled down to the spissitude of intellectual and logical consistency. It will also economize time, save space in the RECORD, and, I might add, prevent nervous exhaustion both to the auditors and the orator. If a speaker, whether he be a Member of this honorable body or of any other body, would be pungent, pointed, and pertinent in his observations, he must necessarily be brief, for "it is with words as with sunbeams; the more they are condensed the deeper they burn."

I submit, Mr. President, that this resolution will not deny the Senate a single essential truth, but it will save time, avoid delays, and promote the business of Congress and the country. Now, I want to state emphatically, for I do not want anybody to misunderstand me, that I am not voting for this resolution as a war measure purely, nor am I taking orders to do that which I shall do, as has been suggested on this floor, from any extraneous or occult sources.

My vote on this resolution is but the expression of conclusions reached after years of serious thought on the subject, and observations taken since I became a Member of this body. I entertained the same views on the subject of limiting debate when I came to the Senate that I maintain to-day. Experience has only served to deepen my conviction of the correctness of my original views and the prudence of my present determination.

I believe, however, that the amendment offered by the able Senator from Iowa [Mr. CUMMINS], extending the time to an hour and thirty minutes, would probably be preferable to one hour. While I desire to limit debate, I do not wish to go to extremes. As I have heretofore stated, I think it will be a distinct advantage to encourage Senators to distill, as it were, digest, arrange the facts, and mature their thoughts before they come to utter them upon this floor. There is much looseness in debate in this body, unimportant diversions, superfluous questionings, which we could well afford to get along without. An hour and thirty minutes ought to be sufficient for any Senator to say all that he knows upon any question which will be of advantage to his colleagues and the country. But if there are extraordinary cases where a Senator desires more time than one hour and a half, the Senate ought not to tie itself by a rule which will prevent the Senate from extending that privilege to a Senator.

The suggestion made by the Senator from Oklahoma [Mr. OWEN] and embodied in the amendment offered by the Senator from Iowa [Mr. CUMMINS] in regard to amending the proposed new rule so as to permit the majority of the Senate, rather than by unanimous consent, to extend the time of a Senator, is wise and provident. The Senate should always remain in easy control of its own deliberations; and I hope the Senator from Alabama will accept the amendment offered by the Senator from Iowa, and also agree to the suggestion made by the Senator from Oklahoma.

Mr. UNDERWOOD. Mr. President, I will say to the Senator from Mississippi, if he will allow me to do so, that I have consulted the members of the Rules Committee who voted in favor of reporting the proposed new rule, and I find, after collaborating with the Senator from Iowa [Mr. CUMMINS] on the subject, that we are united in support of the changes proposed; that is, that the time be extended from an hour to an hour and a half, and that the Senate, without debate, may have the privilege of extending the time of any Senator if it so desires. I think, so far as I am concerned, I shall ask that the Senate agree to the proposed amendment of the resolution when the time comes, and I hope that all those who favor the resolution will support the amendment and take that as the final solution of the problem.

Mr. VARDAMAN. I am glad to know that that understanding has been entered into, and I sincerely hope that the Senate may agree to it. I think it is a very wise and provident change in the proposed rule, and it seems to me that it should remove all objections to the passage of the resolution.

Mr. SMITH of Michigan. Mr. President——

Mr. VARDAMAN. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. The Senator says that he thinks an hour and a half ample, that such a limitation will tend to more cogency and directness in debate. Of course, that goes without saying. I have seen, for instance, the leader of the House of Representatives, at that time Nelson Dingley, beg for two minutes' time in the House of Representatives, and in that two minutes he said a great deal that was of value, and would have said more. But the Senator from Mississippi is overlooking, from my point of view, the most valuable right that he has under the present rule. Suppose there was some measure here affecting vitally the interests of Mississippi, what Senator on the other side is concerned in the domestic interests of Mississippi, except the distinguished Senator who now occupies the floor and his colleague?

Mr. VARDAMAN. Mr. President, if the Senator will pardon an interruption there, I can not conceive how any measure affecting the people of Mississippi or the people of Michigan can be a matter of indifference to any Senator who occupies a seat in this Chamber. I should regret very much if anybody should think that I represented alone the State of Mississippi in this Chamber, and that my interest in the affairs of my fellow countrymen was limited to the geographic lines that mark the State of Mississippi on the map.

Mr. SMITH of Michigan. Well, I will tell the Senator how it can. Take the force bill, which occupied the attention of the Senate for a considerable period, and of the House of Representatives as well. Suppose the rule for which the Senator is now contending had been one of the rules of the Senate and that a Republican caucus had decreed that that measure was to pass, does the Senator think that his State would have been properly protected by a fulmination of an hour and a half upon his part?

Mr. VARDAMAN. Well, I trust I never will be guilty of fulminating in this Chamber for any purpose.

Mr. SMITH of Michigan. I do not use that term in the sense of criticism; I use it in its broadest sense.

Mr. VARDAMAN. I wish to say to the Senator that while I think the force bill and its purposes were infamous, thank God the spirit which animated the proponents of that measure does not exist in the minds and hearts of the American people to-day; but if that infamy had been inflicted upon the people of the South, it would only have brought that great question to an issue and probably would have hastened the solution of the problem which presses upon us so heavily, upon the people of the South, to-day. Congress could have put that measure through, anyway, if it had so desired.

Mr. SMITH of Michigan. It could not have put it through under the rules.

Mr. VARDAMAN. If that be true—if the privilege of unlimited debate is to be prostituted for the purpose of defeating the public will or the will of the majority—then I can not subscribe to it.

Mr. SMITH of Michigan. No; neither could I; but I want to say to the Senator that the public will was not defeated, according to every Senator on that side of the Chamber who spoke on the force bill, and the public will was not outraged when the former Senator from Ohio, Mr. Burton, and the distinguished Senator from Iowa [Mr. KENYON] consumed an extraordinary amount of time on the river and harbor bill. The country was not outraged when I took the floor and, in the exercise of my right under the rule, prevented the culmination of a program parceling out all of the balance of the days of that session until the Senate consented to vote upon the bill to admit the Territories of Arizona and New Mexico as States of this Union. I say to the Senator—and I do not want

to take up too much of his time, but I know he is conscientious and able and wants to do the right thing—that the instances where this rule of unlimited debate has been abused and has worked to the disadvantage of the Government are very rare indeed and the cases where it has been of tremendous advantage to the Government and to the people of the United States can be counted by hundreds and hundreds.

Mr. VARDAMAN. The Senator does not think unlimited debate, as the term is employed by him, is necessary in order to convince the Senate, does he?

Mr. SMITH of Michigan. Yes; I think it is.

Mr. VARDAMAN. In the instances used by the Senator, unlimited debate was simply a means of killing time, and defeating the rule of the majority, which is contrary to the very genius of our Government.

Mr. SMITH of Michigan. No; unlimited debate, as I define it, was such a protracted and prolonged discussion as to bring acutely to the minds of Senators the necessity of composing that particular situation.

Mr. VARDAMAN. The Senator is using the term "unlimited debate." I think a better term for him to employ would be "filibuster." The purpose of discussion is to illuminate, to give to the Members of this body all of the facts and reasons for the measure. That is the purpose of debate. It is not to kill time; it is not to defeat a measure; it is not to bring about the passage of a measure. It is to give the Senate the benefit of what the Senator knows; and I hold that there is not a Senator in this Chamber who can not pretty well empty his mind upon any subject, if he is careful in his arrangement of the facts, in an hour and 30 minutes.

Mr. SMITH of Michigan. I agree with the Senator; and yet, as I said last Saturday standing at the desk where the Senator from Virginia [Mr. SWANSON] now is, I have heard the late Senator from Alabama, Mr. Morgan, discourse by the hour intelligently and instructively in this Chamber; and his words of wisdom have been followed by men who were not at that time under the spell of his eloquent voice.

Mr. VARDAMAN. Yes; I understand that the Senator from Alabama, Mr. Morgan, could talk about any thing or subject from a pebble to the stars, entertainingly and instructively; but I am quite sure that the erudite Senator talked about a great many things in those long discourses which were not pertinent to the question before the Senate. Now, I have no objection to a Senator giving me the benefit of his information—really, I covet it—but I do not think it is necessary for him to consume more than an hour and a half in doing so; and if the Senate wants to hear him further, if the Senate is not ready to act upon the matter, if it needs more facts, if it desires the subject reasoned out further, the Senate will always extend to such Senators as the late Senator Morgan, for instance, time to give the Senate the information which is in their possession.

Mr. SMITH of Michigan. I do not want to trespass upon the time of the Senator; but out of my experience and observation, covering a great many years, I have seen some marvelously wise changes of public sentiment affecting national policy. For instance, when we first began discussing the canal across the Isthmus, with a view to its construction, the Senator from Alabama and myself I think both voted for Nicaragua when the matter came up in the House of Representatives; and yet over here, under the wider latitude of discussion, under the greater power of the individual Senator to force his views upon his colleagues, even at the expense of a prolonged discussion, that whole plan was changed and the canal across the Isthmus at Panama resulted.

Mr. CUMMINS. Mr. President——

Mr. VARDAMAN. I yield to the Senator from Iowa.

Mr. CUMMINS. For information, may I ask whether Mr. Morgan was in favor of the Nicaragua route or the Panama route?

Mr. SMITH of Michigan. He was in favor of Nicaragua, I think, at the time.

Mr. CUMMINS. And his long speaking, therefore, did not accomplish very much in that direction.

Mr. SMITH of Michigan. No; I did not say that his speaking at that time had accomplished very much; but I do remember what was accomplished on this side by the late Senator Hanna and Senator Spooner and others who forced their arguments upon the Senate to the point where it was willing to consider the practical aspect of a canal across the Isthmus of Panama.

Mr. CUMMINS. And I beg to remind the Senator from Michigan that the Senator from Ohio, Mr. Hanna, who probably was the determining influence in the change, never occupied a single hour in continuous speech upon the subject in the Senate.

Mr. SMITH of Michigan. Oh, Mr. President, I think the Senator is mistaken; there was much discussion and no caucus could decree that they should act. If this amendment to the rules is adopted, I want to say to the Senator from Iowa and the Senator from Mississippi that it will result in the crowning of King Caucus in this Chamber, a thing that now can be forbidden and thwarted. The caucus decrees will take the place of the individual power of Senators in the determination of public questions.

Mr. VARDAMAN. Mr. President, I hope the Senator from Michigan speaks out of the warmth and enthusiasm of the moment and that he may not prove, by the statement he has just made, a correct prophet.

Mr. SMITH of Michigan. I hope so, too; but I think my statement is correct, nevertheless.

Mr. VARDAMAN. Mr. President, while the question is not before the Senate at this moment, I trust I may be permitted, without offending against the rules of the Senate, to express my approval of the amendment offered by the able Senator from Idaho [Mr. BORAH] providing for open discussion of treaties, and so forth.

I listened to the great speech delivered by the able Senator from Idaho in this Chamber a few days ago in support of that amendment, and I want to take this occasion to pay to him the tribute of my respect, admiration, and gratitude for the irrefragable argument and the unanswerable logic presented in that address. Mr. President, I am unalterably opposed to the performance of any official function behind closed doors. I despise everything that scents of a secret caucus or a star-chamber proceeding. They are unholy and obnoxious memories. No good deed ever sought the shadow, and the man whose acts are commendable does not object to the sunlight of publicity. I do not want any secret diplomacy or any other sort of secrecy in the performance of a public function. Rather do I prefer that the blessed sunlight of publicity shall shine in upon every congressional discussion and official act performed by a Member of Congress or an officer of the United States Government. There is no influence quite so potential for good, so corrective of evil, so stimulating to do the right thing, as publicity. Next to the all-seeing eye of Infinity, the sleepless watch of an intelligent constituency will serve to keep the Congressman in the straight and narrow path of duty. There is a world of wisdom in the advice of Robert Burns to his young friend, Andrew, embraced in the lines:

The fear o' hell's a hangman's whip
To haud the wretch in order;
But where ye feel your honour grip,
Let that ay be your border;
Its slightest touches, instant pause,
Debar a' side pretences;
And resolutely keep its laws,
Uncaring consequences.

The pernicious custom of considering treaties and doing other official things in secret comes down to us through the lapse of ages, from the time when men ruled by "divine right" and perpetrated a fraud upon God Almighty and humanity by the exercise of usurped authority. The custom was born of a lack of confidence in the intelligence and patriotism of the people. It was first practiced by those who held the people as their chattels and committed every damnable deception which they thought necessary to work their scheme and machinations by keeping the people in ignorance of their methods. I have never known a question considered by the Senate since I became a Member of this body which I thought the exigencies of the case made it necessary to conceal from the American people the truth. The people whose toil produces the money with which the taxes are paid, whose earnings maintain the Nation's commerce in time of peace, and who shed their blood in defense of the flag in time of war are entitled to the truth. They are entitled to know everything that their representatives do, their reasons for doing it, and their methods of doing it—in a word, they are entitled to know all about their Government. This Government belongs to the people; the Members of Congress are but the hired public servants, commissioned to perform a definite function for a fixed salary and for a certain length of time. The people understand what is necessary to be done to make their Government responsive to their wants and their necessities; and the sooner Representatives in Congress recognize the capacity of the people for self-government and by their acts show that they understand also their proper relation to the people and the Government, the better it will be for all concerned. I would rather trust the feelings and the composite good judgment of the masses than the logical processes of any man or small coteries of men in authority. No Republic ever perished from the earth that drew its strength from the people; no democracy ever died whose just powers of government were derived from the consent of the governed. Republics fall and upon their ruins are erected autocracies when the representa-

tives of the people fail to respond to the wishes of the people and refuse to do the bidding of their masters, the people.

Mr. LODGE. Mr. President, I desire to speak briefly in regard to the pending rule.

The amendment which, I understand, was accepted by the Senator from Alabama, prepared by the Senator from Iowa [Mr. CUMMINS], of course, very greatly improves the rule as originally reported, in my judgment; but my objection to the rule is as a matter of principle. This is not a question of cloture. We have a cloture rule which has been adopted by general assent, and which, in my opinion, has shown itself entirely sufficient to prevent anything that is known as filibustering. Three times here we have secured the necessary number of signatures for the imposition of the cloture rule, and in every case it brought an immediate agreement to take a vote. This is something entirely different. This is a general rule to limit all debate, indiscriminately, on every measure, whether trifling or of the gravest importance, affecting the Constitution, the welfare of the entire country, or the interests of a section of the country, or what may be the vital interests of a single State. Mr. President, I believe that a rule of that kind is thoroughly unsound in principle, and I think we ought to retain in the Senate the general debate and the latitude of debate which we now have.

The case for free debate in the Senate has never been better stated than in a paragraph I am about to read from a well-known book. It is there said:

> It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function. The argument is not only that discussed and interrogated administration is the only pure and efficient administration, but, more than that, that the only really self-governing people is that people which discusses and interrogates its administration. The talk on the part of Congress which we sometimes justly condemn is the profitless squabble of words over frivolous bills or selfish party issues. It would be hard to conceive of their being too much talk about the practical concerns and processes of government. Such talk it is which, when earnestly and purposefully conducted, clears the public mind and shapes the demands of public opinion.

That, Mr. President, is taken from Congressional Government, pages 303 and 304, written by the present President of the United States, and I think it would not be easy to find a more powerful exposition of that necessity for debate which, I think, is infringed on by this proposed rule.

I do not care to argue the principle further. I think it is wrong, and I shall vote against the rule on that account. I shall also vote against the rule because it is both needless and pointless. I say it is needless. Mr. President, there has been no delay by debate on any war measure since the war began. I think that is admitted. There has been no attempt to hold up by parliamentary obstruction any measure.

I have been looking over some accounts of the bills in "The first session of the war Congress" and I have selected only the most important bills as I ran my eye over it, to give an idea of the absolute groundlessness of any possible suggestion that war measures have been delayed in this body; still less have they been delayed in the House. I take a few examples.

The first bond-issue act, a bill of the utmost importance, authorizing a great loan of $4,000,000,000, as I remember, was reported in the Senate on the 16th of April. It, of course, went over one day under the rule. It was passed on the 17th.

The Army appropriation act for the fiscal year ending June 30, 1918, was reported in the Senate on April 9 and passed on the 11th.

Now, where did the delay come? The conference report was not accepted until May 8, 19 days in April and 8 in May, making 27 days in conference.

Mr. SMITH of Michigan. And this rule would not apply to conferences.

Mr. LODGE. I am going to develop it a little more fully as to where the real delays come.

The resolution to authorize the President to take over enemy vessels was reported in the Senate April 30 and passed the same day and by a viva voce vote. There was no conference.

The Army conscription act is a bill which involved a subject of very great debate, on which there were very earnest differences of opinion. It was reported in the Senate on the 28th day of April and passed on the 1st day of May. There had been some previous debate on a similar measure, a Senate bill, which was taken up in the Senate April 21. Allowing debate on both bills, from April 21 to May 1, there were 10 days. The conference report was accepted on May 18. It was 17 days in conference.

Mr. BORAH. Does the Senator recall how long the conscription act was before the Parliament of Canada?

Mr. LODGE. I do not. It was before the Parliament of Great Britain for three years.

Mr. BORAH. Yes; and it has been before the Parliament off and on in Australia for the last four years.

Mr. SMITH of Michigan. It is there yet.

Mr. LODGE. It was the subject of a popular referendum, if I remember aright.

Mr. SMITH of Michigan. It is there yet. It has never been enacted.

Mr. LODGE. But we passed it in the Senate in 10 days.

Now, take the sundry civil appropriation bill last year, the great appropriation bill. I am giving just a few appropriation bills as an illustration, because if there was any purpose of delay there is nothing so pertinent as delay on an appropriation bill properly or improperly used. It was reported to the Senate on the 9th of April and passed on the 11th. Of course, reported on the 9th it was not taken up until the 10th. It was reported the following day.

Mr. GALLINGER. And appropriated a billion?

Mr. LODGE. No; I refer to the regular bill of last year. It carried $147,000,000 only; it was a small bill. That went into conference. It passed the Senate April 11, and went into conference and the conference report was accepted on the 7th of June. It was, I think, 26 days in conference.

The war appropriations act which carried $3,281,000,000 was reported in the Senate May 15, taken up on May 16, and passed May 19, in three days. It went into conference. It was there 12 days in May and 13 days in June. It was 25 days in conference.

Mr. BORAH. The longest delay in the Senate has been over the river and harbor bills, about which there seems to be more sensitiveness than any other measure.

Mr. LODGE. I was coming to the river and harbor bill later.

The espionage act, a very important bill, which gave rise to many questions, the House bill was reported in the Senate on the 9th day of May. There had been some debate preceding that on the Senate bill. It was passed May 14, 5 days after it reached the Senate. It was then in conference for 27 days.

The aviation act was reported in the Senate July 17 and passed July 21, and there was no conference. It carried $640,000,000. I trust I shall not be regarded as making a treasonable remark by stating that there has been some delay in getting airplanes for fighting on the line. Nearly a year elapsed before we got any at all. I do not know that we have many on the line now, but the delay was not in the Senate. It was brought into the Senate July 17 and passed July 21 by a viva voce vote. It was in the Senate only four days. I do not know how much debate there was. I think it was not taken up until the day it passed.

Mr. REED. Mr. President——

Mr. LODGE. I yield to the Senator from Missouri.

Mr. REED. I happen to recall about that bill that it came very nearly passing within 20 or 30 minutes after it was submitted to the Senate. One Member objected and asked that it go over until the next day. The next day and the day succeeding the Senate was engaged on other business. Then perhaps after 20 minutes' talk when the bill was called up it was passed. It actually did not receive the attention of the Senate over 30 or 40 minutes altogether.

Mr. LODGE. Now, I come to the food-survey act, which aroused a good deal of debate, and justly. It affected the people of this country and their daily lives in every way. It was reported in the Senate on the 29th of May and passed on June 2, three days' debate. Is that too much? Is that delay? But the conference report was accepted on August 8. It was 37 days in conference.

Mr. SMITH of Michigan. If the Senator will allow me, I think most of the time of the discussion was taken up by the Senator from Missouri [Mr. REED].

Mr. LODGE. No; I am coming to his bill.

Mr. SMITH of Michigan. Anyway, he discussed it, and I wish he had been discussing it yet. We should have legislated much more intelligently than we did.

Mr. LODGE. I am coming now to the more important one—the food-control act.

Mr. GALLINGER. If the Senator will permit me——

Mr. LODGE. Certainly.

Mr. GALLINGER. I think it may be well, inasmuch as this proposed amendment to our rules comes from the majority side of the Chamber, to take note of the fact that the conferees of both Houses had a majority of Democrats, so that the delay in the conferences could not by any possibility be attributed to the minority side.

Mr. LODGE. That is undoubtedly true. The conferences are not in control of the minority.

The food-control act, that went much further than the food-survey act, was of very serious nature indeed. I remember hearing something at the moment to the effect that there was delay. I think possibly it was suggested that the Senator from Missouri [Mr. REED] delayed it, but I make no objection to his discussing it thoroughly or what he did, because I think he did great good by doing it. It was reported in the Senate June 27. It was passed in the Senate July 21—24 days. That was a bill of very great moment. I do not think the debate was too great.

Mr. REED. And during that interval, if the Senator will pardon me, the Senate conducted its other usual business, and I think passed a large number of other bills.

Mr. LODGE. Undoubtedly. All that time was not given to that bill.

Mr. SMITH of Michigan. That bill also dealt with the fuel question, did it not?

Mr. LODGE. It did.

Mr. SMITH of Michigan. It vested great powers in the Fuel Administrator?

Mr. LODGE. It did.

Mr. SMITH of Michigan. And I think it is the general consensus of opinion in this Chamber that if the bill had been still under discussion we would have had more coal last winter to keep us from the cold than we had.

Mr. LODGE. I wish to avoid these burning questions.

Mr. REED. But it is proper to say that the very important amendment relating to taking possession of coal mines and of the coal business was developed in the Senate. One of the committees of the Senate during the pendency of debate brought it in and added it to the pending measure, so that the Senate not only had to consider the bill that came to it, but had to create a bill during the period of time referred to.

Mr. LODGE. I think the debate was well spent. It was not given to that bill all of that time. The bill was subsequently in conference for 18 days.

The second bond issue, carrying $4,000,000,000, was reported in the Senate September 13 and passed September 15.

I now come to the bill which, I believe, is proposed as the official cause of this rule, and I think it is worth examining. That is the revenue bill. A bill for raising revenue, which includes, of course, tariffs as well as taxation, as far as my experience goes, and I think I have been taking part in framing something like seven or eight, always takes a longer time, both in the House and in the Senate. It is inevitable that it should. It is composed of a multiplicity of items, and whether it is to raise revenue by duties on imports or by taxation, it affects all the business of the country, and every business has a right to protest if it thinks that it is discriminated against or unfairly affected.

This revenue bill differed in no respect from others. It took a long time to get it through both Houses and turn it into law. As we are told that this is needed in order to shorten debate, especially on that bill, I want to analyze the time occupied in that bill.

It was taken up by the subcommittee of the House, as nearly as I can get the exact date, on the 15th of last April. It was taken up by the full committee on May 1. It was reported to the House on May 9. It was 24 days in the House committee. It was 14 days in the House. It then came over to the Senate on the 23d day of May. It was 74 days in the Senate committee. I can testify as a member of that committee that no time was lost, and no committee within my knowledge ever did harder or more incessant work than they did on that bill.

The House had had no hearings, and the result was that everything was pressed upon the Senate committee. The Senate committee had the great pleasure and privilege of having all its colleagues here in session at the same time, and almost all of them felt that they ought to be heard. That, of course, was something the committee could not refuse. They brought, as they had a right to do, their constituents before the committee, and by the hardest possible work—and that includes the time when the bill was recommitted—74 days were taken by that committee.

Mr. SHERMAN. Mr. President, will the Senator permit an inquiry? Where is the $2.50 wheat bill now?

Mr. LODGE. I have not forgotten it. I shall call attention to it in a moment.

After 74 days in the committee the bill came to the Senate and was 35 days before the Senate—more than a month. That seems a long period of debate. I had charge once here of a bill which was the organic act of the Philippines. It was seven weeks before the Senate. It was a very important measure, but I was in charge of the bill, and I thought it took a long time. People in charge of a bill usually do. It was before the Senate for 35 days. It was 31 days in conference. In debate in the two Houses on that bill 49 days were occupied, and in conference and in committee 129 days were occupied. Is it any wonder I say this is utterly needless?

This is not the place where the delays come. I look at this history of appropriation bills on the back of the calendar. The legislative, executive, and judicial bill was reported to the Senate on the 9th of April last. It was not taken up for several days, because my memory is that it passed in two or three hours one morning. At all events, it went out of the Senate on April 16 and went into conference April 19. Where is it? It has stopped where? Has the delay on that bill occurred in this body? I am not blaming the conferees of either House. I am showing the utter needlessness of this rule.

There is the Agricultural appropriation bill, to which the Senator from Illinois [Mr. SHERMAN] referred. It went to conference on the 5th day of April. I think it is still there. That was a bill which had been well debated here, and yet it has been in conference, as I have stated, ever since the 5th of April; that is, two months. The legislative and executive appropriation bill has been in conference for nearly two months.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Massachusetts yield to the Senator from Illinois?

Mr. LODGE. I yield.

Mr. SHERMAN. If the Senator will permit me, I desire to inquire who controls conference committees, with absolute secrecy, and, as a rule, without any publicity to the people at large?

Mr. LODGE. Mr. President, I do not desire to make any partisan remark at all of any kind; but I will say that conference committees are controlled by their several majorities. They vote, of course, as Houses; but the conferees of each House are controlled by their majorities. I make no party allusion in respect to it, because I do not think this rule is the product of party. There is no party gain of any sort or kind to be had by this rule. This rule is an administration measure. We all know it.

Now, I come to what I say makes the rule entirely pointless. If it could be arranged to have bills prepared in the departments and brought in here and passed as they are passed in the Mexican parliament—which some of the older Senators here have heard the late Senator Bacon, of Georgia, describe with great picturesqueness—if bills could be prepared in the departments and sent in here, and passed without any debate at all, I could understand the reason for the administration desiring this change of our rules. It is something new, however, for the administration to change the rules of either body, but we have so many new things that it is not worth while to dwell on that. But nothing will be effected by it. There will be plenty of opportunity, even under this restricted debate, to bring out any truths that it may be thought desirable to bring out, whether they are unpalatable truths or agreeable truths. There is abundant opportunity for criticism, if any one chooses to make it.

So far as delay goes, the Senator from Alabama [Mr. UNDERWOOD], who is in charge of the resolution and who is very familiar with the parliamentary procedure of both Houses, knows as well as I do that anyone who wanted to conduct parliamentary obstruction—which no one does—could do it under this proposed rule just as easily as under any other.

Mr. SMITH of Michigan. Mr. President, let me ask the Senator from Massachusetts if, in his opinion, this new rule would not give cogency to the decree of the party caucus?

Mr. LODGE. Why, Mr. President, it would check debate and would hasten the enactment of party measures I suppose, but the point I was trying to make was that I had shown, I think, conclusively, that it is needless. Since the war began there has been absolutely nothing in either House to justify the cutting off of debate. I have also shown that it is pointless and ineffective for the purposes, as I understand them, of the administration, which is behind the rule.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from New Hampshire?

Mr. LODGE. I yield.

Mr. GALLINGER. If the Senator will permit me, I desire to ask if the Senator can devise a better method for prolonging debate than is contained in this very proposed rule, which provides for 20 minutes' debate on every amendment? Now, we will take any appropriation bill, or the revenue bill, and we may legitimately offer a thousand amendments to any one of those bills, if we desire to filibuster or prolong debate. Is not that true?

Mr. LODGE. That is absolutely true, Mr. President.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. LODGE. I yield.

Mr. THOMAS. Mr. President, I only returned to the Senate this morning——

Mr. LODGE. That makes it a greater pleasure for me to yield to the Senator.

Mr. THOMAS. Well, the Senator from Massachusetts always yields to me very gracefully. My purpose in interrupting the Senator was to inquire by what authority he made the statement, which he did a moment ago, that the proposed amendment to the rules was an administration measure? I ask the question because I have been out of the city, and I should like to know what there is to that statement.

Mr. LODGE. That is merely my opinion from the observation of actions and conditions.

Mr. THOMAS. It is the Senator's conclusion, then, from the conditions which he regards as convincing, although circumstantial?

Mr. LODGE. I am perfectly satisfied that Senators of the majority would not of their own motion have produced this rule, and I see a zeal in its support which I think comes from only one source.

Mr. OVERMAN. If the Senator will yield to me, I think the Senator from Massachusetts is wrong so far as the chairman of the Committee on Rules is concerned. The Senator from Alabama has been pressing for a year or more a rule similar to this one; this is really a compromise on the rule which he has been pressing from time to time. So far as it being an administration matter, I do not think there is anything in that statement.

Mr. LODGE. I know nothing about that; but if it existed it was a gentle pressure.

Mr. OVERMAN. I never heard of any pressure from any source.

Mr. LODGE. It was a gentle pressure from the Senator from Alabama, and was born in the absence of any comparative harm.

Mr. THOMAS. The Senator will recall that, so far as I am individually concerned, I have been the advocate of some sort of a cloture rule ever since I have been here, and that without any administrative or other pressure.

Mr. LODGE. Well, the Senator's wishes have been complied with, and I hope he will not find the personal sacrifice too heavy.

Mr. THOMAS. There will be none whatever. The sacrifice will come in the probable defeat of the rule.

Mr. LODGE. However that may be, it seems to me to be pointless for its purpose, and is wholly needless to begin with.

My objection to it, however, is an objection of principle. I do not like to see this attempt to break down the freedom of debate in the Senate, which, whatever its defects may be at certain moments, in the main is, I think, extremely important to the country, and which certainly since the beginning of the war, as I have demonstrated by the time spent in debate, has produced no harm whatever and been no cause of delay. I relieve the majority of responsibility, because I can not see that they have the slightest gain to make by it; and I have not observed any greater reluctance to take time on the other side of the Chamber than on this.

Mr. President, I have said all I care to say. I am against the resolution on principle. I repeat, that I think it is needless, pointless, and ineffective; and it only remains for me to say a single word as to the amendment offered by the Senator from Idaho [Mr. BORAH]. With that amendment I can not agree. It is wholly in the power of the Senate by a majority vote at any time to discuss any treaty in open session. I think that is a sufficient protection to the country, if there is any reason why a treaty should be discussed in the open; but, as a question of principle, it seems to me very undesirable to adopt a rule requiring all treaties to be discussed in open session.

The present rule is founded on good sense; which is that in the free discussion of a treaty it is almost inevitable that things may be said in debate which might have a very prejudicial effect upon our international relations. It is no answer to say that what is done here in executive session gets out. What is done does get out, but very little of what is said is divulged. Moreover, what is said is not a matter of record; and that is all-important when dealing with foreign relations.

I am no lover of what is ordinarily known as secret diplomacy. I think the day is past when secret treaties can be made by a few men sitting behind closed doors, and secret articles inserted which never come before the parliamentary bodies or the public in any way.

Mr. McLEAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Connecticut?

Mr. LODGE. I yield.

Mr. McLEAN. I should like to ask the Senator if the United States has with any foreign power any secret treaty?

Mr. LODGE. None; we can have none; they are impossible under our Government; no treaty can be made which binds the United States which has not been ratified by the Senate. Therefore, secret treaties, in the ordinary sense of the word, can not exist in this country.

Mr. POMERENE. Mr. President——

Mr. LODGE. I yield.

Mr. POMERENE. The Senator from Idaho [Mr. BORAH] the other day discussed the subject in a very able way, but I was impressed with the fact, as it appeared to me, that the evils of which he complained were due to secret treaties, and not to the fact that discussions concerning them were in secret.

Mr. LODGE. Undoubtedly. I think, Mr. President, that there is not the slightest danger in connection with any treaty of great importance to this country that there should ever be a failure to have ample information about it given to the public; but I am old-fashioned enough to believe that better treaties are made by trained and experienced men whose debates from day to day are not public than by public treaty making. We have had a specimen of public diplomacy, if it may be so called, in the treaty of Brest-Litovsk, and somehow or other it has not created a feeling of confidence about that method of making a treaty. Russia sent three totally ignorant men to meet some of the ablest men of Germany, and the result is before the world. I do not think that open diplomacy, of which, as I recall, the President in one of his messages spoke not unfavorably, had a very good first result. But open diplomacy is a very different thing from secret articles and secret and unknown treaties, which can not be made here.

On the other hand, some care is necessary in grave international controversies and agreements, and I think that they can be best dealt with under the system which has always been pursued in the Senate. Therefore, Mr. President, it is impossible for me to vote for the amendment. It is also impossible for me to vote for the proposed rule in any form. It is improved by the larger latitude given by the Cummins substitute, but the principle remains the same, and I do not believe in putting that general fetter on debate in the Senate. I think it is wrong in principle, and I shall vote against it.

Mr. HARDING. Mr. President, I wish to speak for a few moments at this time because I was very greatly impressed with the record presented by the Senator from Massachusetts [Mr. LODGE]. While he was reading from the record I turned to the calendar on my desk.

Mr. LODGE. If the Senator will allow me, I took two examples from the calendar.

Mr. HARDING. I probably missed those examples.

Mr. LODGE. I read from the calendar of appropriation bills on the back page of the calendar, which is very instructive.

Mr. HARDING. I find by reference to the "History of bills," as printed on the back of the calendar, one or two points of very considerable significance to me, in view of the fact that we are led to understand that the Chief Executive is back of this proposed change in the Senate rules. It is rather interesting to note that the Agricultural appropriation bill, which came to the Senate on February 11 and passed this body on April 4, has not yet been agreed to in conference. The Indian appropriation bill, which came to this body in February and was passed on March 28, was sent to conference on April 4, and the conference report agreed to on May 17; but the bill has not yet been approved by the Chief Executive. A similar story can be told of the legislative appropriation bill, and the Military Academy appropriation bill which came to the Senate on May 22, was passed on May 23, and sent to conference on May 31.

There is rather an astonishing record, Mr. President, regarding the Post Office appropriation bill, a measure which might well have excited considerable controversy in the Senate. It was reported to this body on April 2; it was passed on May 16, and is still lacking the sanction of a conference committee. A more striking story is made manifest in the second urgent deficiency appropriation bill, which this body had but 8 days until it gave its sanction, and it required 12 days thereafter for the same measure to secure the approval of the Chief Executive.

I speak of that because I should think it would be an impertinence and an affront on the part of the United States Senate to tell the Chief Executive within what length of time he must give his approval to a measure which has had the sanction of Congress, and if that be true, the converse is true; and I have

no hesitancy in saying to this body that I consider it none of the Chief Executive's business as to what rules shall govern the processes of legislation and debate. I know, Senators, that that is rather an impolitic thing to say in a time like this, but I am speaking without any personal or political feeling in the matter. In the first place, I am not personally pinched by the rule proposed.

I do not know that there is any record, save one, that I ever made a speech of more than an hour in my life. On that occasion I was commissioned by a late and greatly honored Member of this body to speak for an hour on a political platform at a time when he was addressing a great overflow meeting, and he required 30 minutes to do that, and then, because of the state of his health, he required 30 minutes' respite before he could resume. I refer to the late Senator Hanna. I was young in politics at that time and rejoiced at the opportunity thereby afforded me, and in my enthusiasm I spoke for an hour and 10 minutes. When I took my seat, amid some manifestations of success in my endeavor, I rather ostentatiously asked how long I had spoken, and the chairman of the meeting said, "An hour and 10 minutes," and with a modesty that I think ought to have been becoming, I said, "Well, that is too long," whereupon a very dear old superannuated minister, who had been on the stage for about two hours and a half waiting to hear the then distinguished Senator from Ohio, ripped out his comment, and he said, "Yes, sir; an hour too long." [Laughter.] From that day to this I have been rather cautious as to the time consumed in speech making.

I think, Senators, that an hour is ample time for essentially any address worth while; but there is a very marked distinction between a speech or an address on a fixed topic, for a fixed occasion, and illuminating and helpful and thorough debate. It is very easy for me to understand how a man who has his subject well in hand, who knows about what he is talking, and is impelled by a real purpose to add some illuminating information to discussion, can consume more than an hour.

I understand very well that the proponents of this change of rule say that any man who has a real message, and who has real occasion to speak more than an hour, can secure permission to do so by the unanimous consent of the Senate; but I warn you now that if anyone on the majority side seeks to limit such discussion or debate, or any man with a personal grievance desires to do the same thing, one objection makes unanimous consent impossible. While I never expect to find myself called upon to ask unanimous consent to continue a speech in this body, nevertheless I am protesting now against the surrender of the privilege of full and free debate; and I warn you, Senators on the majority side of this Chamber, that if you adopt this rule you will regret it so long as the present majority party survives.

I dislike very much to disagree with the eminent men who are the sponsors for and supporters of this rule, but I object to it for several reasons. In the first place it is absolutely unnecessary. I have been hearing about the reformation of the Senate since I first entered politics; and it was rather an ironical thing the other day that one of the most emphatic speeches made in favor of the adoption of this rule was uttered by the very latest arrival in this body.

I have been observing the Senate at close range now for three years. I came with the notion that the Senate "fiddled" away a great deal of valuable time in debate, and I am still of that opinion; but the debate that needlessly consumes the time of the Senate is not reached by the proposed rule. If there is any practical way of getting at it, I should like to support a revised Senate rule that would confine Senators to discussion germane to the pending question; and if I had my way in the Senate there would not be so much promiscuous talk on every subject under the sun during that morning hour.

Why, it was only the other morning when the very interesting and sometimes startling Senator from Oklahoma [Mr. OWEN] intruded his personality and his hobby while the pending measure was before the Senate, and discussed the elimination of the Supreme Court from the Government of the United States by congressional action. It is a ridiculous thing, I admit, that the practices of the Senate will permit such a thing. I do not think that ought to be; but so long as a Member of this body is addressing himself in sincerity and earnestness to a pending question there is not a reason in the world why he should not have all the time that any conscientious man asks to devote himself to that subject.

Mr. President, this is a great body for debate. I started to phrase my sentence a little differently. I started to say it is a great debating body. It is not always great. It is often petty. It is often exceedingly small, and sometimes insincere. Why, I have seen more time wasted in the United States Senate over a question of parliamentary procedure than over some great measure of infinite national importance. I do not wonder sometimes that people are led to criticize on that account. But the proposed rule is not going to modify that, and the proposed rule is not going to cut off a single Senator from debate, if he has the determination to talk. It only makes him resort to trickery.

Some one has said that the administration wants this rule adopted in order to accomplish the speedy passage of the revenue bill. Why, Mr. President, I can assert my senatorial privilege and sit at my desk and write 100 amendments and send them to the desk and ask that they be printed, and under the privileges granted by this rule, and if I am then so lacking in conscience in the exercise of my senatorial privilege I can talk for 20 hours under the very rule proposed, and there is no one in the Senate who can stop me. You can not expect the Senate to limit its debate by an arbitrary rule. This body, like every other American institution, can only be governed by conscience and intelligence; and I say to you frankly that in the three years I have been serving in this body I have yet to see but one harmful violation of the decencies of the privilege of debate, and that one instance was so timed that it came at the enforced or constitutional adjournment of Congress, the only time when such an abuse could be made possible; and that one abuse has been so regretted from that time to this that it is never likely to occur again.

I think there are times, Mr. President, when a filibuster may be justified, but there never will be a filibuster again in the United States Senate that will be harmful to the best interests of the United States of America. If it is desired to delay legislation at any time, it can be accomplished under the rule proposed; but that, Mr. President, is not a satisfactory way to arrive at things. I want to feel that the Senate still controls its own destinies. Moreover, the new cloture rule is ample. I am opposed to the so-called reformation of the Senate in the name of a war measure.

I have the conviction that American intelligence is getting a little weary itself about this everlasting proposition to do things in the name of the war. The modification of the rules of the Senate has nothing to do with the war, and the delay incident to Senate debate has never been applied to a single war measure that was necessary to add to American efficiency in war.

We have heard much about the reformation of the Senate. We had the proposition for the popular election of Senators as one method of bringing this great body a little closer to the people and as another means of eliminating wealth in its influences to elect men to office. I do not hesitate to stand here now and say to the country that the popular election of United States Senators has added ten times to the expenditures connected with sending men to the Senate which were practiced prior to the adoption of the constitutional amendment. I am pretty familiar with some of those things in the history of the country in the last 25 years. My honored colleague [Mr. POMERENE] was the last man, if I remember correctly, elected from the State of Ohio by the legislative ballot, and he has his place along the line with such distinguished Ohioans in his party as the noble old Roman, Allen G. Thurman, and George H. Pendleton. Nobody in all the world ever questioned the election of any of these men on the ground of the application of financial force; and on the Republican side we had some of the most distinguished men who ever served the Nation in a legislative capacity, who honored themselves and the State and the Nation and this body, and they were elected to this place and commissioned almost without the expenditure of a dollar under the old established system of senatorial elections.

There were occasional abuses, to be sure, and out of charity I make no allusion to them; but I do say that the popular election of United States Senators has led to a much heavier expenditure of money in political campaigns than ever existed before, and in addition to that it has attuned the senatorial ear to that ephemeral popular sentiment which is not always a safe guide for a man in public service.

Beyond that, we took the further step of nominating men by popular primaries, to reform the Senate. I have no prejudices on the subject, because I am the first beneficiary of it in the State of Ohio, and I speak absolutely without feeling in the matter; but I do not hesitate to say that popular nominating primaries have added 500 per cent to the expense of men who seek to enter upon a political career. If you are confident that it has elevated the standard of the Senate, I yield to the impression, because, not having served here before I am not fully competent to judge.

But the reformation of the Senate has long been a fad. I came here myself under the impression that there ought to be cloture and limitations on debate; and the longer I sit in this

body, the more convinced do I become that the freedom of debate in the United States Senate is one of the highest guaranties we have of our American institutions.

Why, Mr. President and Senators, I challenge anyone on either side of the floor of this body to say that universal military service, the so-called draft act, would have been adopted by the Congress without the extended debate that we had on that subject. Under the limited rule proposed in this resolution, if literally enforced, we would have had our armies to-day under the volunteer system, when everybody is agreed to acknowledge now that compulsory universal military service in this country is the finest manifestation of the American spirit developed by the war.

There is another very interesting illustration. I am sorry that the chairman of the Senate Finance Committee is not on the floor. I listened to the Senator from North Carolina [Mr. SIMMONS] on the revenue bill passed last year, and heard him in two full afternoons of illuminating debate. I think he presented his case with ability. At any rate, he was so forceful that the Senate came to his point of view, and gave its sanction to the bill he reported; and yet the chairman of the Finance Committee, with the necessary references he was obliged to make, consumed not less than eight hours in debate before this body. I heard no one complain at the time.

There was not any occasion to complain. The man who serves in this body and is not in touch with the reporting committees needs the debate. He needs it to inform him, and I will say to you, Mr. President, though I may be very much of an exception, that I have had occasion to change my mind through an interested hearing of senatorial debates. I do not suppose that happens very often on the majority side of this Chamber. Perhaps it would not happen with me if I were on the majority side, where the legislative program is fixed, but I am speaking now for the minority, and in the name of the minority I protest—though I do not pretend to include them all—against the modification of a Senate rule which has permitted that freedom of discussion and that expression of thought which has been responsible for intelligent American public opinion. I tell you now, Senators, that dependable, intelligent public opinion is the law of the Republic, and the man who expects to ride himself to popularity and distinction on the ephemeral whims of the moment will come to failure.

Mr. President, one is a little reluctant, I am at least, to speak in opposition to a proposition which comes from the Chief Executive in this hour of the Republic's anxiety, and I make allusion to it because it has quite become the custom of the country, so soon as a Member of this body does dispute the mandate of the Chief Executive, to proclaim him as opposed to the war and hampering its successful progress. I want to take this occasion to say that I do not think an American patriot has to be repeatedly proclaiming himself. It may be that I am just a little bit sensitive about those things, but I never thought that the purchaser of a liberty bond had to wear a button to be square with his conscience. I have no objection to those things. I love to salute the service flag in the window of an American home; I think that is eminently befitting; but it has never occurred to me that I must everlastingly be proclaiming myself in favor of winning the war nor that I must go about on the house tops shouting my support of the President when the record of votes in the United States Senate is ever much better authority. Yet it is quite the custom nowadays, and a very unfortunate indication of the trend in the Republic, to proclaim a man against the war and untrustworthy and out of sympathy with American desires if he does not blindly follow the Chief Executive in everything proposed.

I am not called upon to speak on this particular phase of the situation very often, but lest some one misunderstands and lest some one succeeds in his misrepresentation, I want it written in the record of this discussion, in my open and insistent opposition to the Chief Executive in demanding this change of rule, that I am for every war measure that is necessary to wage it until Germany is humiliated and brought to terms. I am willing to vote to consecrate and devote the last American breath to bring about the necessary triumph of this war in behalf of our American ideals of civilization. So let us have no doubt about that. But I feel that I should be surrendering some of my obligations as an occupant of the United States Senate if I did not have some ideas of my own as to the rules of this body and some of the measures not directly concerned with war.

If the Chief Executive of the United States sincerely believes that it is for the good of the country and necessary to the winning of the war that we modify the rules of the Senate, I ask him now, I ask you Senators now, why does he not employ the accepted practices of the Chief Executive and come and state his reasons to this body, as he has been doing, and has done repeatedly—and with my entire approval, I may say—and share with the Senate the responsibility of changing these time-worn and long-established rules? If the Chief Executive will stand on the rostrum of the Senate or the platform of the House and say to the people of the United States of America that he believes it is absolutely essential to the effective legislative program for the war to modify the rules of the Senate, which have been in existence since the establishment of this body, and that he speaks for the American people in wishing a modification, I believe, under those circumstances, I would surrender much of my individual conviction on the subject, because I am a cordial believer in American harmony and universal confidence necessary for the winning of the war.

But, Mr. President and Senators, the Chief Executive never comes to Congress to advocate anything but the obvious things. When he wants a modification of the rules we get the word indirectly that this is the desire of the Executive. Let it be so. Let us have a desire of the Senate. I think it is no more the business of the Chief Executive what the rules for the procedure of the Senate are than it is the business of the Chief Executive to tell the United States Supreme Court what the rules of procedure shall be before that body.

I think the Chief Executive is going just a little bit far when, as a war proposition, the United States Senate is asked to surrender its notion of rules of procedure and, as a war measure, put a limitation on debate.

It has been said before in this body, and I delight to repeat it now, if this rule is a good thing in time of war, it is an infinitely better thing in time of peace, because, Mr. President, under the stress and strain and the modifications of war there are more important questions coming up in the Congress of the United States than the Republic ever faced—more important than it ever was called upon to solve heretofore. I want ample time for discussion in this period of evolution and alteration in the government of the Republic.

We have been discussing at times some of the changes made. Everyone is agreed that we are getting away from the form that was intended by the founding fathers. We are likely to have an altered economic system. We are undoubtedly changing and transferring from the legislative branch to the Executive enormous grants of power. No one pretends to dispute that we have to-day the most autocratic power in the hands of the President that any ruler ever held since civilization has known of rulers of nations. I am not objecting to that, Mr. President. Much of it seems necessary. I only object to some of the grants that I do not think are necessary to the winning of the war. I want the President of the United States to have every grant of power he needs to concentrate and consecrate all of American energies and power and intellect and patriotism to the winning of this war. I am not finding fault about that; but the President does not need to modify the rules of the Senate.

Mr. SMITH of Michigan. Will the Senator permit an interruption?

Mr. HARDING. Certainly.

Mr. SMITH of Michigan. I do not know that the Senator heard the very cogent and important suggestion made by the President and read by the Senator from Massachusetts [Mr. LODGE]——

Mr. HARDING. I did.

Mr. SMITH of Michigan. When he said that it was vastly more important to have discussion in a legislative body than legislation.

Mr. HARDING. I am glad to have the Senator from Michigan call my attention to this expression from the President. I sometimes think on these problems not related directly to the activities of the war I had rather take the judgment of the President as a student of the affairs of the Republic than I would his judgment as an Executive in a time of stress and anxiety and some of the unavoidable prejudices of partisan alignments.

I think very highly, Senators, of the President of the United States. I am not jealous as a partisan of his eminence as a leader in the affairs of the world to-day. I am mighty proud that an American has taken the position that President Wilson has without any of the petty jealousies and the lack of devotion that are sometimes shown to one of the opposite political party. I wish the President could be as generous in putting aside his partisanship as I feel at all times.

However, Mr. President, I will not venture on that field of discussion lest I say something that I have it not in my heart to say at this time. I do not want to make any partisan appeal either to the Senate or to the country. We have gotten quite beyond that now. The big thing is the winning of the war, on the one hand, and the preservation of the American Republic,

inherited from the fathers, on the other. While we have not done so much as some of us have wished toward the winning of the war, there is an accumulating endeavor in that direction and growing preparation; and I have every confidence in my heart that America, having already given a very creditable account of herself, is going to give a vastly more creditable account of herself only a little later on. I have not the slighest doubt about the outcome of the war, Mr. President. I pity him who calls himself an American and has a single doubt about the outcome of this world conflict. If I believed it were possible for the barbaric Hun to win this conflict, I would say God is no more and civilization is dead. There can be no other outcome, and personally I have rejoiced that that barbaric enemy sent his sneaking undersea boats to the Atlantic coast.

I am sorry, of course, for the loss of the lives connected with that visit, and I regret the loss of the tonnage and the cargoes which were wasted in a time when the world is anxious about its supplies; but the Kaiser never did a better thing for America than to send that murderous expedition over here, because it brought those of our country who are not yet fully committed to the war to understand just how great and necessary a task we of America have assumed. It has brought our people to understand that, whether we would have willed it or not, it was inevitable that we were to be drawn into this great struggle, and America would not be worthy of its boasted name and would not be fit to survive if we had not cast our resources and our energy and all that we have into this tremendous conflict to save might and fright from the domination of the world.

It has been good for us that we had that visitation. How my heart rejoiced to read the story of the men flocking to enlist at the stations of the Marines and the Navy after that Hun visit! Nothing was ever more illustrative of that latent American enthusiasm and determination which we have only to command to demonstrate our forcefulness. There have been, of course, some single instances that appealed to our sentiments very beautifully. I remember one out in a town in Ohio when the torpedo-boat destroyer *Jacob Jones* was sent down by a submarine in British waters and most of her crew was lost. One of them had been a young schoolboy in Newark, Ohio. Of course, his sacrifice was no more important than a million others, but the loss of that young American on the *Jacob Jones* appealed to his chums and associates of Newark, and the next day 17 of them were on hand to enlist for service in the American Navy to avenge his death. Do you tell me that a Republic inspired by that spirit, with our resources, can lose in the end of such a conflict? Impossible, Mr. President.

It may be delayed, but, Mr. President, the seriousness and solemnity of the situation does not demand the abdication of the United States Senate, and until somebody rises on this floor and points out an essential war measure that has been delayed by the Senate practices of debate there is not an excuse for the change of the rules that you can take to the country and enlist popular approval.

I say that, Mr. President, to the distinguished Senator who is in charge of this proposed change, because I hold him in as high esteem as a Member of this body can have for any big and able servant of the American Republic, and I marvel that UNDERWOOD, of Alabama, leader that he is, would be willing to surrender the Senate's right of full and complete debate.

Why not address ourselves to the more practical things? I suppose the Members of this body are reluctant to put excessive power in the hands of the Presiding Officer. I can understand that presiding officers, since conventions and mass meetings were first instituted, since assemblies were for the first time gathered together, have been possessed of exceptional power and often abuse it, and the man who wields the gavel and is not just in his decisions can work many an injustice; but I should not be very much afraid to clothe the Presiding Officer of this body, it little matters who he may be, with authority to require Senators to address themselves to the pending question. If you will do that and then insist that Senators shall not drag before this legislative body every public topic for discussion, and read every sensational editorial that is printed anywhere in the country, and follow that up with discussions about telegrams and letters which have no place in this body and ought to have their responses made from the senatorial offices; and then, if in addition to those things you will only persuade the Senators on the majority side of this body to do their work, there will not be very much hindering promptness in the Senate.

The Senator from Nebraska [Mr. NORRIS] looks upon me in a questioning way, and I venture to tell him that I have served on some three or four committees in this body where all the work except presiding is done by the minority side. I have had occasion not once but many times to spend many hours in the consideration of measures which were to be brought before this body and the only working factor of the committee in charge from the majority side was the chairman.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER (Mr. KENDRICK in the chair). Does the Senator from Ohio yield to the Senator from Nebraska?

Mr. HARDING. Certainly.

Mr. NORRIS. Does the Senator mean by his reference to me, listening to his very interesting remarks, that that reference has any connection with my belief to the contrary of what he is asserting upon the minority doing the work? Does he refer to me and then to that fact as in any way intimating that I have been disputing it?

Mr. HARDING. No, Mr. President. I will say to the Senator from Nebraska that I only wanted to elicit his confirming testimony, as I knew I would by making such a reference. More than that, Mr. President, I had at one time in mind to allude to several of the Senators who are honoring me with their attention in order to put into the RECORD that they were present. It is an interesting thing, and I do not allude to it from any sense——

Mr. NORRIS. If the Senator will permit me, he certainly could not do that without shortening his speech very much. He would not even consume as much time as the proposed rule would give him.

Mr. HARDING. The Senator does me too much honor.

Mr. KING. Will the Senator yield?

Mr. HARDING. Certainly.

Mr. KING. The Senator was speaking a moment ago in regard to conferring the power upon the Presiding Officer and the jealousy with which that question was guarded. The Senator will remember perhaps that many years ago a resolution was offered to confer upon the Presiding Officer, the Vice President, or to the President pro tempore, the power to determine whether a speech which was being delivered was germane to the subject or whether the debate was reasonable.

Randolph and other great Democrats denounced such a plan, insisting that the power of debate should not be restricted either by conferring the authority upon the Presiding Officer or by any rule, and that in this forum there should be free and unlimited debate, not only to protect the rights of the States but to protect the rights of a minority.

Mr. HARDING. I am glad to have the Senator from Utah make that interruption. I was not familiar with the movement made to change the rule. I think I should very much dislike to have an arbitrary man in the chair who would be empowered to pass upon the appropriateness of any remarks I might be making to the subject then pending, yet I can see that such a rule would be a very healthful cure of the situation against which we complain.

When interrupted, Mr. President, in perfect good humor and with no desire to criticize, I was making allusion to one of the difficulties in speeding matters up in the Senate. I suppose, under the existing circumstances, when the Executive assumes so much of authority, it is perfectly proper for the majority side to just let things run and know they will come out all right. But note the impressions one must gather to-day, for example. Here is the proposal of a rule which, if in effect 20 years ago, would have permitted the enactment of the force bill which was intended to make effective the amendments to the Constitution. Very naturally there was filibuster and unending debate to prevent the enactment of such a measure. Yet to-day, when the question of changing the rules and overturning an institution inherited from the fathers is before the Senate, there are six members of the majority present, not including the distinguished Presiding Officer [Mr. KENDRICK in the chair]. I rather think that if I belonged to the majority responsible for the record this body is making when so marked change is proposed I would be on the job. It only illustrates one thing—that the Senate is surrendering its participation in the responsibilities of government, and we are drifting all along to leave it to the Executive, and we are leaving it to him.

Mr. NORRIS. If the Senator will permit me, I wish to ask him in regard to the proposed change. I concede that according to my judgment, if the thing were practicable, it would help matters a great deal. The Senator proposes that we shall give a power to the Presiding Officer of the Senate to confine all debate to the subject pending. I want to ask the Senator if the very suggestion of that change does not presuppose that in his own mind there is an evil here that ought to be remedied?

Mr. HARDING. I grant it.

Mr. NORRIS. Then we are seeking to remedy what I presume is conceded to be an evil, and the only thing is how it should be done. Does the Senator think that the granting of that power to the Presiding Officer would cure the evil? Then,

if it would, what would the Senator say in regard to the danger that I think he, thinking man that he is, has to concede the abuse of such a power might bring on? I think the Senator can remember a good many instances where under that rule an arbitrary presiding officer might have absolutely thwarted the will of the Senate very easily by a technical and arbitrary ruling, ruling men out of order without a sufficient reason.

Mr. HARDING. I am well aware that the Senator from Nebraska raises a very interesting question and points out a very probable danger. After all, about the safest guaranty of the righteousness of men in public service is the conscience of the men. I have thought that the abuses in the Senate which are incident to the freedom of debate ought in all reason to be corrected by the convictions of the men who constitute this body. I do not arrogate to myself any exceptional qualifications, but I know the Senate record will bear me out when I say that I have trespassed very little on the time of this body. It may be that I did not know enough about pending questions to presume to ask time, but I am very sure that I have never dragged in extraneous matter and consumed the time of the Senate in that way. Unless I be offending now, I think I have a reasonably clean bill.

I can see, Mr. President, how an arbitrary Presiding Officer could very offensively impose on this body under such a rule as I have suggested about the insistence upon the appropriateness of discussion to the subject pending—the measure pending.

Mr. NORRIS. I agree, of course, with the Senator, that he has not trespassed and that he has done just what he has said he has, and yet I want to ask the Senator, taking his own remarks to-day—and they have been exceedingly interesting and enlightening—but taking his own remarks on the question now pending, which is the amendment of the Senator from Idaho [Mr. BORAH], that treaties shall be considered in the open Senate, does not the Senator think that a Presiding Officer who was inclined to be arbitrary might have kept the Senator himself from saying a great deal that he has so well said to-day?

Mr. HARDING. The answer is simple to that question. That would be quite true if the rules were being literally enforced. I should have been called upon to reverse my order of speech, and I might have made some remarks on the so-called Borah amendment and postponed my remarks on the main resolution until a fitting time. There is not any doubt in the world that an arbitrary Presiding Officer, under the proposed rule limiting Senators to discuss germane to the pending question, could restrict Senators in a very disagreeable way and could many times cut off discussion that might be very essential to the pending subject. I am only alluding to that rule as a possible cure of some of the evils of the Senate. I think one of the most helpful cures that we could possibly have would be to cut out discussion that has nothing to do with any pending measure; which no one intends to have anything to do with the pending question. I used an illustration, occurring early in my remarks, when I called the attention of those who honor me with their attention to the speech the other day of the Senator from Oklahoma upon a subject that was in no wise before the Senate. I am frank to say that I think there ought to be a rule to hold the Senate to the discussion of the question which is officially before it. Of course, there have been some good results, I must admit, out of discussions before this body that were not upon formally pending questions.

There has been rather an interesting evolution or transformation, Mr. President, since we entered the war. When we started out in this tremendous undertaking there seemed to be a fixed policy of dealing with the enormous problems of production and preparation under the leadership of a charming lot of theorists, who had never done anything in all their lives except to theorize and to proclaim. The investigations of the Senate, which have brought forth debate on this floor from time to time, have resulted in an entire change of policy, which has been mightily helpful to the country. Some Senator called my attention a while ago to the fact that we never would have had Mr. Schwab at the head of the ship production of the country at this time if it had not been for debate upon the floor of this Chamber. I do not know whether or not that is exactly true, but it is very certain that we would not have had the ship-production program speeded up and made efficient if we had not had investigation and discussion.

I know, Senators, that there has not been one single thing to whip the productive energy of this country into great and effective preparations for war except the investigations of the Military Committee of this body and the attendant discussion upon the floor of the Senate. Suppose we do waste an hour, or two hours, or four hours, or days—and the Senate does waste days—what is that if the freedom of debate brings to light the real truth concerning any great pending question?

Senators, if you wipe out the freedom of debate in the Senate, where does it remain in the United States of America? Mr. President, I suggest a little more limitation of debate on the soap boxes of this country, where they are preaching the destructive anarchy which made Russia an impotent and pitiable spectacle, and a little more freedom of discussion on the floor of the United States Senate on the part of the men who are charged to speak for the American Republic.

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Illinois?

Mr. HARDING. Certainly.

Mr. SHERMAN. If the savants of the dry-goods boxes are in favor of the governmental policies, drifting toward a universal power in this administration over everything in private life, there is no restraint, let me say to the Senator, because they are convenient instruments of the administration; but I wish to inquire of the Senator further, after making this preliminary statement, if he is not aware that this limitation of debate proposed in the Senate is part of a general conspiracy fitting in with George Creel and the amendment to the espionage act, by which the freedom of the press is now limited to the judgment of George Creel, and the free speech of the Senator and of myself and of other Senators, as well as of other citizens of the United States, is now limited by the petty despots in the shape of deputy marshals who are rambling about over communities? I should like the Senator from Ohio to elaborate upon the question that freedom of speech is dead in this country in so far as the administration can strike it down; that freedom of the press is in the same lamentable condition; and that it is sought further to hamper and destroy the freedom of debate in the Senate by just such measures as this. This is the only place left where there is any freedom of discussion.

I should like for the Senator, at least before he takes his seat, to elaborate somewhat upon this question. I think it is a part of a general conspiracy to destroy the freedom of discussion in this country. I do not charge that against the Senator who proposes the rule or to others who support it; but I do charge it, as the deliberate intent of the administration and of the head of the Executive department that he does not court discussion and is restless under any speaking of the truth. If he had his way about it there would be no discussion in the Senate to-day, and there will be less in it under the administration if the President can limit it.

I repeat, there is no freedom of the press left in this country, and much less freedom of speech, unless it is secured as the result of a writ of habeas corpus in this Republic. I propose to see just how far it will go outside of this Chamber; and I challenge the administration to a test of the constitutional principles before the Supreme Court as well as the trial courts.

Mr. HARDING. Mr. President, I do not know that I am a fitting spokesman to make an extended answer to the very interesting inquiry of the Senator from Illinois. In the first place, the Senator has rendered me a very great service, and has added emphasis to the argument which I have been trying to make, in this rambling way, because he has just now introduced a very interesting phase into the discussion; and I find I have already talked more than the time proposed in the new Senate rule. If the rule were in vogue or in enforcement at this time, I should be obliged to take my seat.

Mr. GALLINGER. Oh, no, Mr. President; the Senator from Ohio would not be obliged to take his seat. I could ask for the Senator, or the Senator could ask for himself, the privilege of continuing, when the request would be submitted to the Senate, and if a majority concluded he could go on, he could do so.

Mr. HARDING. I quite agree with the Senator from New Hampshire, who always has the right explanation; but the Senator from New Hampshire, if he had been content to complete his illumination, might have said that any individual Senator in the Senate Chamber could prevent my going on.

Mr. GALLINGER. No, Mr. President; it would take a majority vote to do that, under the amendment submitted by the Senator from Iowa [Mr. CUMMINS], which has been accepted by the Senator from Alabama [Mr. UNDERWOOD].

Mr. HARDING. Mr. President, I acknowledge my failure to have kept in touch with all of the proceedings. I am not aware when the amendment to which the Senator from New Hampshire refers was adopted.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Michigan?

Mr. HARDING. Certainly.

Mr. SMITH of Michigan. But, Mr. President, by the time the Senator from Ohio had been accorded the unusual privilege of speaking more than one hour, he would have entirely gotten

out of the warmth and interest which attends his speaking now. A Senator may speak on an amendment, but not continuously. The Chair may recognize any other Senator for an amendment and the Senator from Ohio could not then complete his speech until late in the afternoon. That, however, is not the point. The proposed rule would abridge the rights of Senators and reestablish the dominance of the caucus.

Mr. HARDING. Mr. President, if I may get away for a moment from the inquiry of the Senator from Illinois [Mr. SHERMAN] to answer the Senator from Michigan [Mr. SMITH], I will say that I quite agree that the Senator from Michigan states the point. I want the freedom of the Senate.

Mr. President, I do not believe Ohio is greatly different from other States of the American Union. You may think so from the representation of the minority side of the Chamber, but really in Ohio we think a place in the Senate is of considerable importance and a very great honor to bestow on a citizen, no matter how occasionally an unworthy one may come. We have thought that the Senate was a fitting place to send men of known integrity and of suspected capacity and reasonable reputation for doing things. I know that is not always the rule, but in the State of Ohio we still feel that the Senate is a body of some importance and that it has something to do with the Government of the United States, and is not merely a collection of automatons, where, by playing on the keys, some greater intellect shall register his will and proclaim it through this medium and transmit it to the people of the Republic.

Mr. President, the Senator from Illinois [Mr. SHERMAN] has raised a very interesting question. I do not know how much design or intent there is to limit discussion, to abridge the right of freedom of speech and our boasted freedom of the press. Confessedly we have enacted measures to place limitations on both the right of utterance and the right to print. I am not sure but some of those abridgments have been necessary in this emergency. America found itself in the beginning of the war in a condition that no other country on the face of the earth had experienced. We were honeycombed throughout the Republic with disloyalists; we were not strictly an American people; and, thank God, Mr. President, the correction of that is the great compensation of this war, for when it is done we shall have burned the dross from this collection of so-called American citizenship, and when that is done we shall have the pure gold of a truly patriotic American people in this Republic. That is our great compensation, and if we got nothing else it would be worth the billions expended and the lives sacrificed of those who have come so patriotically to the service of this country.

We entered the war with a mixed and unconsecrated citizenship and with a large percentage seeking to undermine our efforts and rend our concord. This endeavor was founded on prearranged plans. Nobody was more surprised than Germany when there was not an uprising in this Republic to stay our hands against participation in the war. There could be some very interesting testimony, Mr. President, from high places along that line; but we met the situation with such practicability as we could.

I quite agree with the Senator from Illinois [Mr. SHERMAN] that there has been a very dangerous trespass and a very threatening restriction of boasted American liberties. I am not going to grieve if these restrictions in the end contribute to American good, but the Senator raises what is to me a more important question. How shall I answer it, Senators? I am infinitely more concerned about the aftermath than I am about the winning of the war. I am so close to an important subject that I do not believe I will speak, Mr. President, without more deliberation; but there are men in power in this Republic who ought to have no instrumentality of power in their hands; there are men in this Republic to-day who are holding positions of influence and have at their command channels that are reaching every American activity who would completely destroy this representative American Republic. They are like the Russians, who want to establish a complete and pure democracy; and I tell you, Mr. President, that I choose to go on record as saying that when the day of pure democracy comes for the United States of America the Republic will end and popular rule will end. A pure democracy has not survived since the beginning of civilization. We Americans, through the wisdom and the inspiration of the founding fathers, inherited a representative Republic, and, Mr. President, I fear very much that through the agitation we have had and the trials we have suffered we Americans have not yet come to have the sense of appreciation to preserve this representative form.

I tell you now, Senators, that you are undermining it every minute of this great world war, and you are undermining it in the name of war; that is the pity. When we shall have won, as we will win, this great conflict of the world, we still will have the larger task on our hands of reestablishing the inherited American Republic, representative in type, just as the Senate was intended to be; and, though he may be mightily sincere in his purposes, the man who advocates a pure democracy for the United States of America is as great an enemy to the Republic as the German who would undermine our institutions. Yet in power everywhere in our governmental institutions are the advocates of this fundamental change, and there is not a single thing proposed that will have more to do with the completion of the change than the muzzling of debate in the United States Senate. Mr. President, while I am willing to vote everything that genius can suggest in the way of legislation to make us effective in the war—and I am willing to do it with that necessary degree of patriotic blindness which will speed its passage, I want to say now and on this occasion that, for one, I demand full freedom of debate for the problems that are before us.

Mr. President, referring for a moment to an inquiry of the Senator from Nebraska [Mr. NORRIS] relating to the Borah amendment, if this new rule is to be adopted, it ought to carry the Borah amendment, although ordinarily I should not be in favor of it. I am in favor of sufficiently open diplomacy, but I myself very much doubt the wisdom at all times of discussing treaties in open session of the Senate. I can understand why that might be a doubtful policy; and I had much rather retain the rule as it is, and open the doors when they ought to be open, or open the doors when it is perfectly consistent to open them. I would rather have the rule right, and make the exception to meet such necessities as may arise.

Some Senator has argued that we could adopt this rule and change it later on. Mr. President, we are not making any changes in war that will be altered later on. That is the trouble. Patriotism will pass every necessary bit of legislation now unquestioningly. There is not the slightest argument—and I challenge the utterance of such an argument—that can be made for the passage of this rule as a war measure. I call upon its supporters to stand upon this floor and give me one good reason why we should alter the rules of the Senate as a means for furthering our effectiveness in war. It can not be done, Mr. President. But if any can assert such a reason, then I shall turn right around and declare that if there is a single argument for its adoption now, there is five times as much argument for its continuation after the war is over.

Mr. SHERMAN. Mr. President, will the Senator permit an inquiry?

Mr. HARDING. Certainly.

Mr. SHERMAN. Would it not be a very convenient rule to have in case the undiplomatic Col. House negotiates a treaty and thrusts it in here for ratification?

Mr. HARDING. Ah, Mr. President, perhaps the Senator from Illinois has not heard me. I said that, if this rule is to be adopted, I want the Borah amendment also adopted, so that what little discussion we do have relating to treaties shall take place in the open forum. I am not going to discuss the minister extraordinary and personal, Col. House. I do not know what possible arrangements will come at the end of this war, and I am not concerned about any, I will say to the Senator from Illinois, save one—Germany brought to terms; and then the conscience of the civilized world can arrange a suitable treaty of peace. Nothing less than that will do. I can state my terms for this war to the world: Germany humiliated and made to surrender; peace, with victory over the Hun. You can make that your platform, and the American people will be back of it.

Mr. President, I ought to apologize for consuming so much time. It is one of the misfortunes of a man who undertakes to express himself as to some of the things that he has been mulling over in his mind without preparation that he consumes a great deal of time and rambles and touches upon a little of everything; but, on the whole, that is one phase of Senatorial debate that is very interesting to me. I have seen discussions start out here along particular lines in connection with which inquiry and interruption have brought out the very things that we needed to hear. It has been the one great, helpful thing in debate; and I tell you, Mr. President, you can not have unlimited debate in the Senate attended by interruptions without time for such discussion. I can get up here and read an essay or read a speech, call it what you will. I am a newspaper man by occupation; I do not read well, but I can write voluminously; and in an hour I might read a speech that would cover the subject more fully than I have even attempted to do to-day, because under the process of writing without interruption I will stick to my line of attack; but, Mr. President, I am very much afraid if I should read it in this body I would have to corral the Sergeant at Arms and request him to save me enough pages to accord me a hearing.

Mr. President, before I take my seat I wish to say that the length of a speech is not the measure of its merit. More often than otherwise extreme length of speech is a certificate of its lack of merit; but, nevertheless, there are themes and there are times and there are inspirations when a speech in debate may well run over two, three, four, or five hours; and I charge you, Mr. President, that there will be speeches of that sort ere long. While the Senate may not listen, because the Senate does not listen very attentively to anybody, I discover, though Congress may not be apparently concerned and though the galleries of this body may not be filled to add their inspiring attention, I charge you now, Mr. President, that the people of the United States of America will be listening. This is the one central point, the one open forum, the one place in America where there is freedom of debate, which is essential to an enlightened and dependable public sentiment, the guide of the American Republic.

I charge you, Senators, let us not because of an insincere claim that it is a war measure, let us not, even at the behest of the Chief Executive, who has not yet seen fit to come and ask it of us in an open way and take his share of responsibility, fling away freedom of debate, but let us rather look for the correction of the abuses of the Senate to the conscience of the men who hold seats in this body, Americans all, who are ready to support every measure necessary for the winning of the war and then turn to the still mightier problems of peace, looking forward to the fullness of debate and the freedom of expression for that illumination of great subjects which ought to be the guiding light to the actions of this Chamber.

Mr. SHERMAN. Mr. President, before the Senator concludes I should like to ask him if he will not comment briefly on this phase of the intellectual composition of the human mind? I know that seems to be a contradiction, but it has various phases. Our physical anatomy requires about so much roughage——

Mr. HARDING. Well, the Senator has had his share to-day, I hope. [Laughter.]

Mr. SHERMAN. No, sir; I do not wish to denominate what the Senator has said in that way. He has in a manner deplored the fact that he has not had time to prepare and digest in a more condensed form what he has had to say on the question, and has declined to enter upon other interesting discussions, because, perhaps, he was not prepared to deal with them in that form; but I wish to ask the Senator further on this subject if running discussions, in what may be called the unprepared debate, growing out of inquiries and the quick give and take among Senators who may have different opinions, do not develop more of real value than all the polished, documentary, tabloid essays which are delivered to empty seats and which produce mental dyspepsia?

Mr. HARDING. Mr. President, I have no license to become a doctor of mental dietetics. I think the Senator from Illinois [Mr. SHERMAN] is quite right in his statement that we need roughage. I know he is right in his statement that in the rough and tumble, easy-going debate we develop a great many things here that we otherwise would not have.

I will say to the Senator from Illinois that I am a great believer in the prepared speech. I think a man never does himself justice unless he prepares a speech in studious deliberation. I wish I could do it. I have attempted it here and failed. I want to make this clear: I like the prepared speech that is brought to the Senate Chamber in the expectation of appealing to those who hear it, and to those of the Senate and the Congress who read it in the RECORD. I must say, Mr. President, at the risk of being misunderstood, though I am sure I mean to be as generous as one need be, that I have not very much use for the speech delivered in the Senate for home consumption—I mean, if I must be more specific, the carefully prepared speech which is to become a campaign document—because I think that is a waste of the time of the Senate and the printing facilities which this body commands. However, much that ought to be said can be said more succinctly, more directly, more forcefully in the prepared speech than in the open debate; and yet I want the Senator from Illinois to understand that in this fullness of discussion and the interrogation and the reply and sometimes the irritation that obtains, we get information in the debates of the Senate that we otherwise would never possess.

Mr. KELLOGG. Mr. President, I shall not take the time of the Senate now to discuss the main resolution, but I wish to say a few words on the amendment of the Senator from Idaho [Mr. BORAH].

I agree with the Senator from Ohio [Mr. HARDING] that if this resolution is to pass it should contain the Borah amendment or the substance of it. We ought not to go on record now in favor of the secret making of treaties.

Mr. President, after the very able speech of the Senator from Idaho it would be presumptuous for me to discuss at length the amendment offered by him providing for consideration of treaties in open session of the Senate. But I am not willing to let this resolution come to a vote without briefly stating my position. Mr. President, with this appalling world calamity, brought on by the sordid ambitions and secret machinations of the German ruling dynasty, with all our pretenses about publicity, I am not willing to cast my vote in favor of a system which is to-day receiving the condemnation of the civilized world. The eyes of all nations are now turned toward this country. There never has been a time when our action would have had as much influence in shaping the destiny of nations as at present. It is unnecessary for me to refer to the pages of history for confirmation of the statement which has been made that many of the wars which have afflicted mankind all down through the ages have been brought on by the plottings and schemes of ruling powers of nations, by secret diplomacy, in which the people had no part and of which they were not informed.

The history of the Hohenzollern dynasty is one long record of concentration of power, of secret plotting to extend dominion, of perfidious violation of the most sacred promises and the ruthless disregard of people's rights. This has been the history since the days of the Marks of Brandenburg. The great Frederick, who is to-day held up as the Hohenzollern ideal, bound himself and his country by the most solemn secret agreements; violated them with impunity before the ink was dry; engaged in the most corrupt system of diplomatic intrigue and bribery which, even then, in the low stage of public morals, shocked the courts of Europe. But his standard has been the ideas toward which Prussia has struggled from that day to the present time. We know the great Bismarck brought on the Franco-Prussian War through his schemes for aggrandizing the Prussian power, even going to the extent of altering a telegram of his master, the King of Prussia, to precipitate hostilities. We know that the slimy trail of Germany's corrupt intrigue, perfidy, bribery, espionage, and crime, unparalleled in the annals of civilization, has been for years, and is to-day, reaching every country, neutral and belligerent, and threatening the stability and integrity of honest government. We have seen its effect in Russia, in Turkey, in Mexico, in Italy, and even in England, France, and our own country. It is a notorious fact that the Turkish people, so far as they were permitted to express an opinion, were proally; that German intrigue, bribery, and corruption accomplished more there than German militarism. We know that the consequences of this policy nearly wrecked the cause of Italy and submitted her fair lands to brutal invasion. What would have been the effect upon the German people had that nation known of the secret agreement between Austria and Germany, had they been informed of the real cause of the war, had they been familiar with the negotiations of Count Lichnowisky, the German ambassador in England, at the time the war broke out? If any confirmation is needed that the cause of this war was the brutal, unbridled greed and ambition of Germany, he has candidly furnished it in his private memoranda, which were published within the last 60 days. This startling document should be read by every German citizen and every American citizen. I quote some of the statements which show that the German people were kept in entire ignorance of the cause of the conflict into which they were blindly led:

> Sir Edward Grey went through the Serbian answer with me and pointed out the conciliatory attitude of the Belgrade Government. We even discussed his proposal for intervention, which should insure an interpretation of these two points acceptable to both parties. With Sir Edward Grey presiding, M. Cambon, the Marquis Imperiali, and I were to meet, and it would have been easy to find an acceptable form for the points under discussion, which were mainly concerned with the part to be taken by Austrian officials in the inquiries at Belgrade. With good will all could have been cleared up in two or three sittings, and a simple acknowledgment of the British proposal would have brought about a détente, and further improved our relations with England. I therefore urged it forcibly, as otherwise a world war stood at our gates.
>
> In vain. It would be, I was told, wounding to Austria's dignity; nor would we mix ourselves up in that Serbian matter. We left it to our allies. I was to work for the localization of the conflict. It naturally needed only a hint from Berlin to induce Count Berchtold to content himself with a diplomatic success and put up with the Serbian reply. But this hint was not given. On the contrary, we pressed for war. What a fine success it would have been.
>
> WE INSISTED UPON WAR.
>
> After our refusal Sir Edward asked us to come forward with a proposal of our own. We insisted upon war. I could get no other answer (from Berlin) than that it was an enormous "concession" on the part of Austria to contemplate no annexation of territory.
>
> Thereupon Sir Edward justly pointed out that even without annexations of territory a country can be humiliated and subjected, and that Russia would regard this as a humiliation which she would not stand.
>
> The impression became ever stronger that we desired war in all circumstances. Otherwise our attitude in a question which, after all, did not directly concern us was unintelligible. The urgent appeals and definite declarations of M. Saonoff (Russian foreign minister), later on the positively humble telegrams of the Czar, the repeated proposals of Sir Edward, the warnings of San Giuliano (Italian foreign minister), and of Bollati (Italian Ambassador in Berlin), my urgent advice, it was all of no use, for Berlin went on insisting that Serbia must be massacred.

The more I pressed, the less willing they were to alter their course, if only because I was not to have the success of saving peace in the company of Sir Edward Grey.

So Grey on July 29 resolved upon his well-known warning. I replied that I had always reported that we should have to reckon upon English hostility if it came to war with France. The minister said to me repeatedly, "If war breaks out, it will be the greatest catastrophe the world has ever seen."

SIR EDWARD GREY STILL SOUGHT PEACE.

After that events moved rapidly. When Count Berchtold, who hitherto had played the strong man on instructions from Berlin, at last decided to change his course we answered the Russian mobilization—after Russian had for a whole week negotiated and waited in vain—with our ultimatum and declaration of war.

But I did not intend to make a speech upon the subject of secret diplomacy. No one claims that the executive agents in negotiating a treaty should daily publish to the world all of their conversations and arguments, pro and con, in arriving at an agreement, although if on great vital points it might be advisable to do so.

The senior Senator from Massachusetts cited the Bolsheviki treaty of Brest-Litovsk as a pernicious example of open diplomacy. I believe it to have been a very fortunate occurrence that when this treaty was negotiated all the circumstances surrounding it were made public and held up to the derision of the world. No one claims that the Senate should entirely disqualify itself from considering some treaties or some phases of a treaty in secret if cogent and convincing reasons at the time should so dictate. I think it would be well for the Senator from Idaho to accept an amendment that the Senate could at any time upon a two-thirds vote, the same vote required to suspend a rule, and perhaps upon a majority vote, go into executive session on any treaty. But what I do claim is that the Senate of the United States, the coordinated treaty-making power of this Nation, can not afford at this time to go on record before the world in favor of secret diplomacy. But it is said that the open consideration of treaties in the Senate might offend foreign powers. So long as the system of secret negotiation of treaties is continued, foreign powers may have some ground for complaint if we consider ours in the open. But what we should aim to remove is the system, and foreign powers will be more cautious in making their treaties and more scrupulous in their maintenance if they are made in the light of the world, where the reasons therefor are understood by the people of the several countries; and I believe the danger of offending foreign countries is small. A frank and open discussion of the differences between nations is as beneficial as the frank and open discussion of the differences between individuals.

Senators, do you not believe it would have accomplished a good purpose if the plottings of Germany in this country from 1914 to 1917, which I believe were well known to many of our officials, had been made known to the world, and the American people had understood their full import?

Treaties are a part of the law of the land. They are the highest authority controlling the action of nations. They are made for the benefit of the people. They should be made in the light of the open. We should trust the people and they will trust us. A treaty made in this way will be a more solemn, binding agreement and the Nation will be more ready to demand its enforcement than if they feel it was made without their knowledge and participation. Of course, I do not advocate submitting a treaty to a vote of the people. This is a representative Government, and the duty of making treaties is delegated to the President and to the Senate. But the system of secret negotiations and ratifications of treaties tends to undermine the confidence of the people in their representatives and is now leading to impractical socialistic moves of the direct management of foreign relations by the people as a whole. Let us not, by any action of ours, encourage this growing sentiment, but let us rather strengthen the hands of representatives.

Mr. President, as has been said by the Senator from Idaho, at the close of this war there must come a day of settlement, when most of the nations of the world will gather around the council table to seek to adjust differences, bind up the wounds of war, and start again on the pathway of world peace. A mere glance at the vast gulf of discord now existing between nations, peoples, and races is sufficient to impress us with the magnitude of the task. Our soldiers are now fighting upon foreign soil, fighting for the freedom of the seas, for the right to govern ourselves, for the protection and perpetuity of our institutions against the boldest assault since Alexander attempted to subjugate the world. Whether we wish or not, we can not escape the consequences of the war or of a final adjustment between the contending nations.

Of surpassing importance to us are the principles on which the conflict is waged and upon which peace shall be finally restored. Let not only the terms of that settlement, but the impelling reasons therefor, be known to the world and sanctioned by the people of all nations. No treaty which has ever been made since man recognized government authority has been so far-reaching in its effect, of such importance to the welfare of nations, as the one that must come with the close of this war. I for one am not willing to indicate now by my vote that that treaty shall be made in secret.

Mr. BRANDEGEE. Mr. President, the Senator, as I understood him, advocated publicity in both the negotiation and the consideration of the ratification of treaties.

Mr. KELLOGG. No.

Mr. BRANDEGEE. I understood the Senator to use the expression "negotiation of treaties."

Mr. KELLOGG. I said that no one claimed that all the discussion in the negotiation of a treaty by the executive agents should be published from day to day. I said that if some of the questions were of very great importance it would be well to make the substance of them public, but no one claims that every executive agent must publish everything he says across the council table in discussing a treaty. But the ratification of the treaty in the Senate is a discussion of the principles involved in the treaty and the reasons why it should be made, and at the close of this war those reasons are going to be of surpassing importance to the American people, and why should they not be discussed in the open? That was the point I wished to make clear.

Mr. BRANDEGEE. I think the Senator is perfectly correct when he says that no one claims that all the conversations to and fro across the table where a treaty or the protocol of a treaty is being formulated should be made public, but what I meant to suggest by the question that I asked the Senator was this: There is no way in which Congress can provide that the beginnings of the formulation of a treaty can be controlled by Congress, is there?

Mr. KELLOGG. Not at all; of course not.

Mr. BRANDEGEE. And it is so, if I correctly understand the situation, that whatever undesirable provisions are put into treaties are largely put there by diplomatic officers appointed by the executive branch of the Government, and there is no publicity whatever about that. There is where the great damage is done, if there is any damage. The country does not necessarily know that the Executive is negotiating with anybody about any treaty. The Executive simply instructs the foreign ambassador, or appoints an unofficial paramount representative, responsible to nobody, to go over and discuss matters and have what they call pourparlers about things.

The President does not even consult the Senate, the other half of the treaty-making power. He can, out of his own mind and for his own purposes, without representing anybody, start in to negotiate a treaty and perfect the negotiation of the treaty with any nation or group of nations in the world that he pleases, and every foreign ruler may do the same, as I understand the situation. There, in my opinion, is the danger of secret diplomacy. The mere debate upon the terms of the treaty after one has been sent here seems to me to be not nearly so essential as the publicity of what has gone before.

I believe we have amended treaties, though that is not a proper phrase to use, because we can not amend one; we can only suggest amendments to the other party. There is no specific power given to us by the Constitution to do that, so far as I am aware, but it is a matter of custom and usage, as a mere suggestion that if the other party to the treaty shall agree to the suggestions made by the Senate, then the chances are that the Senate will ratify the treaty; but even that does not necessarily follow, because I think it is a fact that when the suggestions of the Senate have been agreed to the composition of the Senate has sometimes changed meantime, and then the treaty was not ratified.

All I meant to suggest was that nine-teaths, if not ninety-nine one-hundredths, of the objectionable secrecy in treaty making is in the negotiation of the treaty and not in the fact that the treaty is considered behind closed doors in the Senate and then immediately made public.

Mr. KELLOGG. Mr. President, it is true that the agent who negotiates a treaty is a purely executive officer, and we have no power over him. If he is one of the diplomatic representatives of this country, he has been confirmed by the Senate, but frequently he is not a diplomatic representative of the country. He is generally a special agent appointed by the President to negotiate a treaty. It is true, also, that many of the mistakes may occur in the negotiation of the treaty in the first instance, and it is also true that with most foreign countries they do not require a ratification of a treaty to make it binding upon their country, but it is not so here. After the treaty is negotiated, and the form of it submitted to the Senate, it is well understood

by all foreign countries that it is not yet binding upon this country.

I believe on questions of such far-reaching effect and great importance, which must be settled at the close of this war, which now involves nearly all the civilized world, it is even more essential than ever that before that treaty becomes a binding agreement upon this country the reasons for its execution and the reasons for its negotiation should be made known to the American people in discussing it in open session of the Senate, and I shall favor that policy.

The PRESIDING OFFICER (Mr. PHELAN in the chair). The question is on the amendment proposed by the Senator from Idaho [Mr. BORAH].

Mr. GALLINGER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	New	Smith, Md.
Bankhead	Johnson, S. Dak.	Norris	Smith, S. C.
Beckham	Jones, N. Mex.	Nugent	Smoot
Borah	Jones, Wash.	Overman	Sterling
Brandegee	Kellogg	Page	Sutherland
Chamberlain	Kendrick	Phelan	Thomas
Culberson	Kenyon	Poindexter	Townsend
Cummins	King	Pomerene	Trammell
Curtis	Kirby	Reed	Underwood
Dillingham	Knox	Robinson	Vardaman
Fall	Lenroot	Saulsbury	Warren
France	McCumber	Shafroth	Watson
Gallinger	McKellar	Sheppard	Willey
Gronna	McNary	Sherman	
Harding	Martin	Simmons	
Hitchcock	Myers	Smith, Ariz.	

Mr. McKELLAR. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. SHIELDS].

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, there is a quorum present. The question is on the adoption of the amendment proposed by the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Upon that I ask for the yeas and nays.

Mr. STERLING. I offer an amendment to the amendment of the Senator from Idaho. The amendment is to strike out the word "four-fifths," in line 3, and substitute the words "a majority" in lieu thereof.

Mr. BORAH. If the Senator will change that to three-fourths I will accept it, for I do not think it is a fair test of the situation to have simply a majority control the rule. I would accept, however, an amendment which provided for three-fourths.

Mr. BRANDEGEE. Mr. President, I rise to a point of order. I do not think the amendment of the Senator from South Dakota is in order at this time. As I recall the parliamentary situation, the resolution is an amendment itself and the Senator from Idaho has offered an amendment to the amendment. This would be an amendment in the third degree. Of course, the Senator from Idaho can modify his amendment if he desires to do so.

Mr. STERLING. I did not understand that to be the parliamentary situation. In lieu of the resolution I suppose the amendment of the Senator from Idaho was offered, and I have suggested an amendment to it.

Mr. BRANDEGEE. The resolution itself is a committee amendment.

Mr. BORAH. The Senator from Connecticut is correct about that.

The PRESIDING OFFICER. The Chair is prepared to rule on the point of order. The Chair rules that the point of order is not well made under Rule XVIII.

Mr. BRANDEGEE. As I remember, the President of the Senate ruled when the Senator from Idaho offered his amendment that it was an amendment in the second degree.

Mr. BORAH. That was the statement which the Vice President made at the time.

Mr. BRANDEGEE. That was the ruling of the Chair, and very clearly an amendment to the amendment of the Senator from Idaho would be an amendment in the third degree.

The PRESIDING OFFICER. The Secretary will read Rule XVIII.

The Secretary read as follows:

> But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question.

The PRESIDING OFFICER. This seems to be a question to strike out and insert.

Mr. BORAH. The amendment of the Senator from South Dakota is to strike out and insert, but mine is not. Mine is an amendment to an amendment.

Mr. BRANDEGEE. The committee amendment is an amendment to strike out and insert.

Mr. BORAH. But mine is not.

The PRESIDING OFFICER. The rule seems to be as interpreted by the Chair—

> But pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question.

Mr. STERLING. That being the rule, my amendment to the amendment of the Senator from Idaho must be in order. The original resolution, together with the resolution in lieu thereof, constitute one question, the amendment of the Senator from Idaho another, and my amendment is an amendment to the amendment of the Senator from Idaho.

The PRESIDING OFFICER. That is what the Chair holds. The amendment of the Senator from Idaho is an amendment in the first degree and the amendment of the Senator from South Dakota is in the second degree, and therefore in order. The question is on the adoption of the amendment offered by the Senator from South Dakota [Mr. STERLING].

Mr. BORAH. Do I understand the Senator from South Dakota does not desire to change it to three-fourths?

Mr. STERLING. I can hardly agree to change it to three-fourths, I will say to the Senator from Idaho.

Mr. BORAH. If the Senator desires to debate it, I will take my seat.

Mr. STERLING. Will the Senator from Idaho agree to a two-thirds majority?

Mr. HITCHCOCK. I hope the Senator will not make any agreement of that sort. It certainly is proper to give the Senate an opportunity to say whether it will permit a majority to decide when we shall go into executive session and when we shall be in public session.

Mr. STERLING. I have not yet made the agreement. I propounded the question to the Senator from Idaho, and I should like to submit just a few remarks relative to the amendment which I proposed.

Mr. BORAH. May I have the attention of the Chair for a moment? I desire, before the Senator from South Dakota urges his amendment, to perfect my amendment, as I have a right to do under the rule. I ask to strike out the word "four-fifths," in line 3, and insert "two-thirds."

Mr. STERLING. Then my amendment would be to strike out——

Mr. BORAH. Let the Secretary state my amendment.

The SECRETARY. In line 3 of the proposed amendment, strike out "four-fifths" and insert in lieu thereof "two-thirds," so as to read:

> That all treaties shall be considered and acted upon by the Senate in its open or legislative session unless two-thirds of the Members of the Senate, by yea-and-nay vote, shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.

Mr. HITCHCOCK. Let me ask the Senator from Idaho a question. Does he mean two-thirds of the Members of the Senate or two-thirds of those present?

Mr. BORAH. I mean two-thirds of the Members of the Senate. According to the language which is incorporated in the amendment, I say two-thirds of the Members of the Senate. I put that in purposely, although, if the Senator feels disposed to support the amendment, I might change it to two-thirds of those present.

Mr. HITCHCOCK. I wanted to ascertain to what extent the Senator proposed that the Senate should control it. Under the Senator's construction, then, it will require 64 votes in the Senate in order to go into executive session.

Mr. BORAH. No; on a treaty.

Mr. HITCHCOCK. On a treaty it would require practically all of the votes generally present at a session to go into executive session.

Mr. BRANDEGEE. Will the Senator permit a suggestion from me? I notice the language of the Senator's amendment is "shall be considered by the Senate in its open or legislative session." I think the words "or legislative" had better be omitted and that it should read that it shall be considered "in open session" or "open executive session." I hardly think we can consider a treaty in legislative session.

Mr. BORAH. I followed the language of the rule with reference to considering Indian treaties, where it says "in open or legislative session." I assumed there was some reason for using the term "open or legislative session." When the resolution was first offered in the Senate, some months ago, I used the term "open executive session," but in view of the fact that the rule with reference to considering Indian treaties provided for an open or legislative session, I concluded perhaps it would

be better to use the language already incorporated in the rule. That is my reason for doing so.

Mr. NORRIS. I should like to make this suggestion to the Senator, and I do it, as he knows, as a friend of his amendment, because I am very much in favor of it. I think we ought to provide that it may be done by two-thirds of the Senators present instead of putting in a provision that would require two-thirds of the membership of the Senate. It seems to me we ought to do that in order to make it possible for the amendment to be adopted.

Mr. BORAH. The only reason why I am making this amendment at all is with the hope of getting some help, because I relied——

Mr. NORRIS. I am satisfied a great many Senators who would vote against it in the other form might be induced to vote for it if two-thirds of the Senators present were to decide the question. Of course there would have to be a quorum voting in either case.

Mr. BORAH. I move, then, to strike out in my amendment the words "of the Members of."

Mr. NORRIS. Would not that be the same thing?

Mr. BORAH. No; two-thirds of those present, a majority being present, which is the Senate for the purpose of legislation.

Mr. BRANDEGEE. I do not think so; but why would not the Senator be willing to put it beyond a doubt by saying "two-thirds of the Members present," if that is what he thinks it means?

Mr. BORAH. Then you have got to come back to the other proposition. I would not want two-thirds of those present to decide unless there was a quorum.

Mr. BRANDEGEE. Two-thirds of those present, a quorum being present.

Mr. BORAH. Assuming that the Senator from Connecticut is friendly to the amendment——

Mr. BRANDEGEE. I do not think the Senator can safely assume that.

Mr. BORAH. I offer the amendment, then, in this form: Strike out the words "of the Members of the Senate" and insert "of the Senators present."

Mr. GALLINGER. I notice in another legislative body the phrase is often used "of those present and voting." The fact that they are voting carries with it the presumption that there is a quorum, because they could not do business without a quorum. I suggest "those present and voting."

Mr. BORAH. Very well; I will accept the amendment of the Senator from New Hampshire.

The VICE PRESIDENT. Let us see how it reads now. The Secretary will read.

The SECRETARY. In line 3 strike out the words "four-fifths of the Members of the Senate" and insert "two-thirds of the Senators present and voting," so as to read:

That all treaties shall be considered and acted upon by the Senate in its open or legislative session, unless two-thirds of the Senators present and voting by a yea-and-nay vote shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.

Mr. STERLING. My proposed amendment is to strike out the words "two-thirds" in the amendment of the Senator from Idaho and substitute in lieu thereof the words "a majority," so that the amendment will read:

That all treaties shall be considered and acted upon by the Senate in its open or legislative session unless a majority of the Members of the Senate present and voting by a yea-and-nay vote shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.

Mr. BORAH. Is the Senator through?

Mr. STERLING. I am not quite through. I wish to submit a few remarks.

The VICE PRESIDENT. The Senator from South Dakota will proceed.

Mr. STERLING. Mr. President, it will be observed, of course, that this reverses a standing rule of the Senate—one that has been the standing rule from the beginning—the rule requiring that treaties should be considered in secret session. I am in favor of the rule of the open session. I for a long time have been in favor of a rule providing for an open session for the confirmation of nominations. It has seemed to me somewhat absurd, as we have met in executive session time after time to consider nominations to have the order made for the clearing of the galleries and the closing of the doors when there is no disputed question or disputed nomination before the Senate. I venture to say that in nine hundred and ninety-nine cases out of every thousand of confirmations here by the Senate in secret session there is no dispute in regard to the confirmation of any. The confirmations have in most cases been made pro forma and as a matter of course. So I am decidedly in favor of a change of the rules in regard to confirmations, and, after reflection, I have concluded that a rule for the open session for the consideration of a treaty will be, on the whole, a beneficial rule.

But, Mr. President, I think the rule should be subject to change by a vote of a majority of the Senate and that no two-thirds or other majority in excess of a bare majority should be required for a secret session. I call the attention of the Senate to paragraph 3 of section 5 of Article I of the Constitution:

Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy.

Of course, that relates to and covers the secret session, for the Journal may not be secret unless it is made in a secret session of the Senate. But those parts of the Journal shall be published from time to time "excepting such parts as may in their judgment"—that is, the judgment of the Senate—"require secrecy."

The inquiry is, How does the Senate manifest or express its judgment in all cases except in, I believe, four cases provided for in the Constitution? One is on a vote to override the veto of the President, in which a two-thirds vote is required. Another is the expulsion of a Member, when a two-thirds vote is required. Another is the ratification of a treaty, in which a two-thirds vote is required. Another is—

Mr. McLEAN. The submission of a constitutional amendment.

Mr. STERLING. Another is the case of the submission of a constitutional amendment; and there is still one other, which I do not recall just at this instant. Altogether, I think there are five instances, since the Senator from Connecticut has called my attention to this one, in which a two-thirds vote is required; but in each and every other case of action or of legislation, let it be by Senate resolution alone, let it be by joint resolution or by bill before the Senate, either of which must pass both Houses of Congress, the judgment of the Senate on any of them and on the most important and far-reaching and vital matters is expressed by a majority vote, and this under the Constitution.

Why, then, in the very rare case of the ratification of a treaty should more than a majority of the Senate be required to express the judgment of the Senate, not upon the treaty but as to whether the treaty shall be considered in secret or in open session?

Mr. President, I am inclined to think that as a general proposition most of the treaties considered by the Senate will be considered in open session under the proposed new rule, but there will be the rare case where the international relations are such and the dangers of international complications if the terms of the treaty should be known are such that it would be advisable, and it will so appeal to a majority of the Senate, that that particular treaty should be considered not in open but in secret session. Hence, in this as in nearly all legislation, first the judgment of the majority ought to decide one rule of procedure as to whether or not the treaty should be considered in open session or in secret session.

Mr. KELLOGG. Mr. President——

Mr. STERLING. I yield to the Senator from Minnesota.

Mr. KELLOGG. Does not the Senator from South Dakota think that if the knowledge of the terms of the treaty, being made public, would bring on serious international complications those complications had better be brought on before the treaty was ratified and made a binding agreement?

Mr. STERLING. Certainly; but how does that interfere with or affect the procedure in the Senate? I suppose that in nearly all cases the subject of the treaties to be considered here will be popularly and generally understood. The people of the country will understand as to the subject concerning which negotiations between our Government and any foreign power are being had, and the people will have discussed them and known about them before they come to the Senate for discussion.

But, on the other hand, Mr. President, there are treaties which should not be the subject of public discussion, either before their negotiation or at the time of their negotiation or perhaps until they are consummated and ratified. You may take the case, and I do not think it is a very remote one or far-fetched, of the endeavor on the part of a great foreign government to seek the acquisition of territory near American shores that will give that great foreign government a naval base that will be a constant menace to our interests.

In order that our Government may acquire that territory in advance of the Nation seeking to get it for such a purpose, the negotiations with the mother country, the owner of the insular possessions, must be carried on in secret, and the discussion here must be in secret. There are cases of that kind involving grave, delicate, and difficult international relations where it

will be obvious to a majority of the Senate that the treaty should be considered in secret session, and a majority ought to decide.

Mr. President, it seems to me that any other rule than the rule of the majority, which governs everywhere else and in the most important legislation, is as much as to say we are afraid to trust the judgment of the Senate as manifested in the ordinary and the usual way, namely, by a majority vote.

I am in favor of the rule as propounded by the Senator from Idaho with this modification, namely, that a majority may determine whether we shall go into secret session or not.

A great deal has been said here in regard to the evil effects of secret negotiations between great powers, negotiations carried on without any knowledge on the part of the people of the States or governments affected, and conclusions have been drawn with regard to what might have happened had the German people known, for example, of the intentions of the Imperial German Government prior to the breaking out of the war.

Mr. President, I think the German people knew fairly well the ambitious designs of that Government, and shared and participated in them, and that any secret treaty or understanding between the Imperial German Government and Austria was not a surprise to the great mass of the German people. I beg to quote a passage here showing the attitude of the German mind. Under the title of "The Causes of German Aggression," I read:

Many people have hugged to themselves with glee the "secret" information that the officers were drinking to the day when war should be declared against England, but few indeed seemed to have realized the splendor of the vision now before German eyes, or the ideas of the international situation which makes victory seem so near as to send German blood coursing swiftly in the anticipation of triumph. The Germans—

Not the German Imperial Government, but—

The Germans aim at nothing less than the domination of Europe and of the world by the Germanic race. One of the fundamental errors, of which idealists and advocates of peace have been often guilty, is to treat this vast project as an unreality. In fact, it is already half accomplished.

This book was published in February, 1913. It is the book of Mr. Usher on "Pan-Germanism."

An equally mistaken view declares it the conception of an individual which chances to find for the moment a response in the German people, or a scheme which depends for its existence upon the transient personal influence of a few men. No doubt, a few men only know the full details of the plans for the realization of this stupendous enterprise, but the whole Nation is none the less fired by their spirit and is working as a unit in accordance with their directions. It is literally true that Germany has "become Bismarckian. His heavy spirit has settled upon it. It wears his scowl. It has adopted his brutality, as it has his greatness. It has taken his criterion of truth, which is Germanic; his indifference to justice, which is savage; his conception of a State, which is sublime." "This nation has forgotten God in its exaltation of the Germanic race."

I now call the Senate's attention to this particular quotation:

Mr. Hurd quotes the following sentences from the speech of the Imperial Chancellor in the Reichstag on November 10, 1912:

"For months past we have been living, and we are living now, in an atmosphere of passion such as we have perhaps never before experienced in Germany. At the root of this feeling is the determination of Germany to make its strength and capability prevail in the world."

Mr. President, this is the feeling and the sentiment that is shared in by the German people, and any secret negotiations between the Imperial German Government and the Government of Austria were no surprise, no disappointment to the German people after the long system of training and education from the time of the Franco-Prussian War down to the days of 1914, when this terrible war was begun. So I think, Mr. President, too much stress has been laid upon the proposition that people have been wronged by the secret negotiations of those who represent them or that they have suffered because of their ignorance of the secret negotiations. We may grant indeed that the German people have been wronged, but in the estimation and belief of the people themselves they were not wronged. They were ready and prepared for the war which followed.

I recall the colloquy that occurred when the Senator from Idaho [Mr. BORAH] was delivering his most able and interesting speech the other day, between himself and the Senator from Utah [Mr. KING]. It referred to the Jay treaty of 1794. The inference to be drawn from the colloquy was that had the people known that such a treaty would have been negotiated they would have rebelled against it. But, Mr. President, the various subjects which brought about the negotiation of the treaty were well known to the people of the United States at that time.

The impressment of American seamen; the paper blockades; their refusal to pay for negroes taken from New York City at the time of the evacuation in 1783; the delimitation of the northeastern boundary—all these and others were questions that were to be discussed by the negotiators of the Jay treaty.

But there was a party in the United States at that time, Mr. President—the then Republican Party—which hoped that the negotiations would fail and that, as the result of the failure of the negotiations, there would be war between this country and England. Love of France on the part of the Republicans of that day and hatred by them of England engendered that feeling in regard to the treaty. That is what they desired to bring about—not that the negotiations were secret; not that the subjects of conroversy were not known to the people of the United States, but the inference was drawn, I think, from the debate and the colloquy that because of secrecy in regard to the subject matter an altogether different result was effected than would have been had—the negotiation and the terms of the treaty had all been known to the people of the United States.

Mr. President, I see no reason why, when we come to reverse this rule, to put it the other way, requiring a session which considers a treaty to be an open executive session, a majority of the Senate should not decide and render judgment as to whether or not the session should be a secret session. Otherwise, it looks as though we were afraid to trust ourselves; as if we were afraid to trust the good sense and judgment and discretion of a majority of the Senate.

Mr. President, I wish to say a few words in regard to the resolution itself. A few weeks ago the Senate had before it a very important bill, which brought out a great deal of discussion. Not only here in the Senate was it discussed vigorously, but in the Committee on the Judiciary as well—the so-called Overman bill—granting such vast and comprehensive powers to the President of the United States. I have sometimes thought that we did not all appreciate the tremendous powers there conferred. It might be said that it is well enough to let bygones be bygones, and not to have anything to say about that bill at the present time, but from what I have heard on the floor, from time to time in the discussion of this resolution, there must be some significant relation between that bill and this resolution. In that bill we conferred upon the President the power to redistribute all of the functions and powers of the several executive departments of the Government. What can be done under it? By the very terms of the bill the President can go to the Secretary of the Treasury and say, "It is my desire now to transfer all of the functions and powers of this great Department of the Treasury, which has existed from the beginning of the Government down to the present time and carried on the business of the Government, to the Department of War, to the Department of Labor, to the Department of the Interior," or to any other department. That is the power which is granted under the very terms of the bill. No compromise or amendment would be tolerated at all.

It was thought that all the President desired might be easily accomplished by a bill not granting such comprehensive powers—such awful powers, I may say—as the Overman bill grants, but no amendment received any favor here upon the floor. Mr. President, the only shield between that power upon the part of the President and its exercise is the good sense of the Prseident—the power is there—in understanding and appreciating the will of the people of this great country. They would not tolerate the exercise of the power, and we rely on the good judgment of the President himself to see that it is not exercised to the extent granted. He will see there is no need. The amazing thing is that nothing less than the full grant of power made would satisfy.

What bearing has this upon the present discussion? It has just this bearing, Mr. President: It has been stated so many times on this floor that I have come to believe it must be true, although loath to believe it, that it is an administration measure; that the administration is behind this resolution, which provides that debate shall be limited to one hour on the main question and to 20 minutes on each amendment.

What does this signify? It seems to me that the two together, if they do emanate from the source mentioned, are the greatest manifestations of the aggression of executive power known in our history—something that we could not have dreamed of, say, two years ago, or before we entered this war. We could not have dreamed then that it was possible. Now, the proposition is to limit debate to one hour in this body. The rule has been until the recent cloture rule was passed—a very reasonable and liberal rule—unlimited debate.

I glance back over our war legislation from the 2d day of April, 1917, when the President appeared before the two Houses and delivered that splendid message, and I venture to say that no parliamentary body, no legislative body, in the history of the world has a record like that of the Congress of the United States in passing great, numerous, and far-reaching war legislation. They have done it with a promptitude, too, unexcelled in legislative annals; and yet, when there is no occasion for it

and no necessity for it, this new revolutionary plan in Senate procedure is proposed for our adoption.

Mr. President, it is interesting sometimes to know how different situations and different environments provoke different sentiments. I quote from the book entitled "Congressional Government," by Woodrow Wilson:

Of course, however, there is less temptation to such speech making in the Senate than in the House—

The Senator from Massachusetts this morning quoted from another part of this book; I quote from that part relating particularly to the Senate—

The House knows the terrible possibilities of this sort in store for it, whether to give perfect freedom of debate to its 325 members—

Now 435—

in these days when frequent mails and tireless tongues of telegraphy bring every constituency within easy earshot of Washington; and it therefore seeks to confine what little discussion it indulges in to the few committee men specially in charge of the business of each moment. But the Senate is small and of settled habits, and has no such bugbear to trouble it. It can afford to do without any cloture or previous question. No Senator is likely to want to speak on all the topics of the session, or to prepare more speeches than can conveniently be spoken before adjournment is imperatively at hand. The House can be counted upon to waste enough time to leave some leisure to the Upper Chamber.

Further:

Still, though not much heeded, the debates of the Senate are of great value in scrutinizing and sifting matters which come up from the House. The Senate's opportunities for open and unrestricted discussion, and its simple, comparatively unincumbered forms of procedure, unquestionably enable it to fulfill with very considerable success its high functions as a Chamber of revision.

The author of this book, in commenting upon an attempt once made to change the rules, in a footnote says as follows:

An attempt was once made to bring the previous question into the practices of the Senate, but it failed of success, and so that imperative form of cutting off all further discussion has fortunately never found a place there.

The whole discussion of the author, Mr. President, reflects a belief and a confidence in the principle of unlimited debate here in the Senate and the good that results from that unlimited debate.

Why, Mr. President, how will the chairman of a committee, having a great revenue bill in charge or a tariff bill or other tax bill, such as will be proposed here at this session, complete his presentation of the subject in an hour or even in an hour and a half? The chairman of the Committee on Finance [Mr. SIMMONS] sits here in the Senate Chamber now. How could he have presented the last war-revenue bill in one hour, subject, as the chairman of that committee is, and as the chairman of any committee presenting a less important bill than a revenue bill or a tax bill is, to frequent interruption and to colloquies that stimulate thought and bring out the facts and that information which enables Senators to discuss and vote intelligently upon these vital questions? It is impossible, Mr. President.

A Senator may rise in his seat to take part in the discussion, and he be interrupted to such an extent that he can not finish his discussion in an hour or in an hour and a half, because he is not permitted to continue consecutively, and he needs two and mayhap three hours, but all the time the discussion proceeds in this interesting and wholesome way, the Senate is getting information, and the Members are deciding in their minds as to how they shall vote when the proposition is finally submitted by the Chair.

Mr. President, it seems to me that now, when it is shown that during the war we have transacted business with extraordinary dispatch and made the record we have, there can be no necessity for a rule of this kind, and I hope it will not prevail.

How long and how often shall we be presented with these questions, these issues, that demand a surrender of long-cherished rights and privileges? First, the Overman bill authorized the President to undo what Congress has been doing for 130 years; and, as I have said, the only protection is his good sense in doing what is for the public good and his appreciation of what would be the will of the people in that respect; and now comes this resolution.

Mr. President, if this resolution was submitted as a matter of unanimous agreement, if Senators were asked to consent to it and to join in harmony to meet a believed-to-be emergency, I would not hesitate for one moment in saying "Yes; let us consent that no Senator shall occupy more than one hour in debate." I would agree to that if I thought that there was any emergency whatever that required it, and I would forego and waive some of my beliefs in regard to what might constitute an emergency in order to bring that about; but, Mr. President, to have this resolution brought here with the assertion that the administration is for it and is insistent on its being passed in the face of the record this Senate has made stirs me to revolt. I can not support such a proposition.

Oh, Mr. President, it is urged again and again that all these things are necessary for the winning of the war. No one wants to win this war more than I myself do. As I had occasion to say once before, when the last German soldier is back on original German soil and Europe is freed from the scourge of the Hun, when the representatives of the allied powers are free to sit down at the peace council table and dictate the terms of a righteous, just, honorable, and lasting peace, and not until then should the war cease; until then there will be war for victory for the allies, for ourselves, and for the cause of freedom the world over.

Mr. President, American boys are there now doing their brave part on the western front. By their behavior and their gallantry at Cantigny, the Marne, and other points where the fighting is desperate, they have given hope and courage to our allies, and they have given deep anxiety to our enemies. We will win the war; there is no doubt about that; but, Mr. President, when these boys come marching home, I want that they should come back to what is still the land of the free, and, as they look upon the record made by Congress in its war legislation, I want it to be a record which shows no surrender and no destruction of any of the old familiar landmarks of liberty.

Mr. KNOX. Mr. President, I regret that I have not been able to hear the debate upon the pending resolution, although I have followed it with sufficient closeness to have reached and formed a conclusion in opposition to its adoption. I particularly regret that I was not present to hear the Senator from Idaho [Mr. BORAH] present his views upon the amendment which he has offered to the resolution, because it seems to me that that amendment loses sight of the true nature of a treaty and the process through which it must pass before it becomes a contract between nations.

The amendment, stated in a sentence, is that all treaties shall be considered and acted upon in open session. I believe I quote the exact language of the amendment, except there is a provision that treaties may be considered behind closed doors if so ordered by a four-fifths vote of the Senate.

I have not the slightest objection to acting upon a treaty in open session, but, to my mind, at least, there is a difference between making the result of negotiations public—that is, making a treaty public—and making the negotiations themselves public; and it must be remembered, Mr. President, that the Senate of the United States performs functions of negotiation in connection with a treaty. A treaty may not inaptly be described as having these several stages: First come the pourparlers, or the conversations between the representatives of the different governments. Then come the actual negotiations, in which the governments undertake to formulate the views that they entertain upon the subject negotiated about. Then comes finally the drafting of the treaty and then comes the signing of the treaty. Then comes almost the last act in the negotiation or making of the treaty, and that is the ratification of the treaty, which in this country must be done by the Senate of the United States; in other countries by the king, or the emperor, or whoever may be in supreme executive authority. Then comes the exchange of ratifications, and the treaty does not become a contract or agreement between the powers until these ratifications are exchanged.

During the earlier processes, a treaty being but a contract between nations, nations proceed as individuals do, each seeking to obtain for his own country the greatest advantage that is possible in conscience in relation to the transaction. After the State Department in the United States has completed its negotiations with a foreign power, and after those negotiations have been reduced to a draft treaty, they are then sent, after signature, to the Senate of the United States, and then the negotiations may be reopened, because this body has the power to amend, and the power to amend means only this: The Senate has the power to present a different or a modified proposition, not acting upon or being satisfied with the proposition as it receives it from the hands of the State Department.

Mr. President, for us to sit here in solemn session when we are negotiating a treaty with Great Britain or any other country and say that we could have obtained better terms; that we should have this or that additional condition written in the treaty because individual Senators who may advocate such propositions may have within their personal knowledge reasons for thinking that those additions can be made to the treaty; to have a man who asserts that the particular country with which we are negotiating will do more, say, so openly, so that Great Britain may be just as well informed as the Members of the Senate as to what the discussion is about, seems to me as impractical as though the board of directors of a corporation should hold a meeting in a town lot while they were discussing a contract that they were proposing to make with another corporation.

Mr. BORAH. Mr. President, does the Senator regard the Senate of the United States, acting as the representatives of the people, in the same light that he does a board of directors representing stockholders?

Mr. KNOX. Mr. President, I regard the question as wholly immaterial to anything that I have suggested and hardly worthy of a reply. That was only used as an illustration, to show that there is a distinction between negotiation and the pronouncement of the result of negotiation. As I said when I opened my remarks, I am just as much in favor as the Senator from Idaho himself of making every treaty public, so that there shall be no such thing as secret diplomacy.

Mr. BORAH. Mr. President, I assumed the Senator from Pennsylvania to use the illustration of the relationship of the board of directors to the stockholders for some purpose.

Mr. KNOX. I used the illustration in these words: I said that it seems as impractical for us to openly propose and discuss modifications that we desire to have inserted in a treaty as it would be for the board of directors of a corporation to publicly discuss the terms upon which it wished to agree with its adversary.

Mr. BORAH. Then the Senator must consider that there is some relationship in the way of illustration between the Senate of the United States, representing the people, and the board of directors, representing the stockholders.

Mr. KNOX. Mr. President, I am perfectly willing to let the Senator from Idaho draw any conclusion or take any comfort from such statements as he may think I have made.

Mr. BORAH. I assure the Senator that I was not seeking to draw an embarrassing conclusion, but I wondered where the simile came in and just what purpose it served in the argument.

Mr. KNOX. I have no purpose except to try to make known to the Senate the distinctions that I draw in my own mind between the processes of negotiation and the publication of the results of negotiation; and I am perfectly frank to say to the Senator from Idaho that if he would insert in his amendment an exception in the case where amendments to treaties were being proposed, I would be entirely willing to vote for his amendment. So that all I desire to protect is the Senate as a negotiating power, because I contend that any body or any individual that sustains such a relation to a contract as that he may introduce new elements into the contract is part of the negotiating power. For this reason, unless the Senator from Idaho would be willing to make the exception, I feel that it is a very injudicious thing to do.

On the other hand, Mr. President, what is the reason for this rule at the present time? The Senate at any time, by a vote, may declare that any specific treaty shall be discussed in the open. Therefore, the Senate holds in its hands at all times the power to make even the negotiating period open, so that the public may have the benefit of the discussion of proposed amendments.

Mr. HITCHCOCK. Mr. President, I desire to add a word to what the Senator from Pennsylvania [Mr. KNOX] has said, and to call attention to some of the safeguards that have been thrown around the making of treaties that I believe have not yet been mentioned.

First, so far as I know, this is the only great country in the world which requires two official authorities to participate in the making of a treaty. Our Constitution provides that the President, by and with the advice and consent of the Senate, shall make these treaties; and, so far as I know, this is the only country which provides that safeguard. Then, in the second place, the Constitution provides that every such treaty brought into the Senate can not be ratified until it receives a two-thirds vote of the Senators present and voting. The rules of the Senate go further, and provide as follows:

> When a treaty shall be laid before the Senate for ratification it shall be read a first time, and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, to remove the injunction of secrecy, or to consider it in open executive session.
>
> When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise direct, lie one day for consideration.

And still other safeguards follow.

In view of the fact that our forefathers carefully considered the danger of hastily entering into treaties which would bind the country and be, in fact, law, and made the safeguard of providing that the Senate must consent and advise in the making of a treaty, and this consent and advice of the Senate must be by a two-thirds vote, it seems to me we ought to be able to consider that sufficient safeguards have been thrown around treaty making.

Mr. President, I think the Senator from Idaho [Mr. BORAH] has strangely mixed up in this debate the allegation of the evils of secret diplomacy as they afflict the countries of the Old World, where treaties are not only made in secret but where they are kept in secret, with the condition in the United States, which is not parallel in any respect whatever. This country has never suffered from secret diplomacy. The Senate on a number of occasions since I have been a Member of it, has decided to debate treaties in public; and, as a rule, I have been in favor of any motion to debate a treaty in public where no public injury could arise from such debate. Under the present rule the Senate possesses the power to do this thing. Why, then, bind ourselves, as proposed by the Senator from Idaho, by a rule under which 32 Members of the Senate could compel a treaty to be debated in public, even though a majority felt that the interests of the country required it to be first considered in secret session? Can we not trust the Senate of the United States? Has it come to this: That the Senator from Idaho is afraid to leave to a majority vote of the Senate the decision of the question whether a treaty already negotiated by the President, already referred to the Senate, already passed upon by a committee of the Senate, is a proper treaty to be considered in open or in executive session? Must we bind and shackle the Senate so that a majority can not decide what it considers best?

Mr. BORAH. Mr. President, I am rather surprised to hear the Senator from Nebraska talk about shackling the Senate, when that is what this controversy is about. That is the purpose of the resolution which comes from that side of the Chamber. It is not to permit the Senate to indulge in its discretion with reference to the presentation of questions, but to put upon us a limit which will preclude that very thing.

Mr. UNDERWOOD. Mr. President, will the Senator from Idaho allow me to interrupt him for a moment to make a suggestion?

Mr. BORAH. Certainly.

Mr. UNDERWOOD. The suggestion I desire to make is that the original rule tends to give latitude to the Senate, although it may limit the power of a particular Member. The amendment offered by the Senator from Idaho seeks to control the power of a majority of the Senate, which is the Senate itself, and does give latitude to the minority. The two propositions are entirely different.

Mr. BORAH. If the Senator's resolution should be adopted, it would take unanimous consent for any Senator to express himself more than 20 minutes upon an amendment, although that might be an amendment such as the amendment to the last revenue bill, which is really the vital question.

Mr. UNDERWOOD. The Senator was not here this morning when I stated that, representing those members of the committee who reported the resolution, I was prepared to agree to the amendment offered by the Senator from Iowa allowing a majority of the Senate at any time to extend the time.

Mr. BORAH. I am aware that the Senator from Iowa has an amendment on that subject, and I hope it will be adopted. I was speaking of the resolution as it now exists.

Mr. UNDERWOOD. I will say that the Senator from Iowa and myself and other members of the Committee on Rules who are in favor of this resolution have conferred about the matter, and we are agreed on that point; so that I did not want the Senator to be misled in his argument by thinking that it would require a two-thirds vote.

Mr. BORAH. Very well; but, Mr. President, fundamentally it is the same proposition with reference to putting some kind of a limitation upon the Senate. I think I have as much confidence in the Senate of the United States as any other Member here, and I am sure that I hold my colleagues in quite as high esteem as any other Member; but in my judgment that question is not presented by the proposition which I am now urging.

I believe in publicity with reference to these negotiations and with reference to the consummation of the negotiations, which is in the form of a treaty. I think it just as essential to have publicity in regard to those matters as it is to have publicity in regard to any other matter with which the Senate of the United States is dealing. I am unable to see any distinction, except the distinction in favor of the position which I take, if any at all, between the presentation here of a revenue bill which we discuss in the open and a treaty proposition which may involve vastly more to the people of the United States than any revenue bill could possibly involve.

I know that coming down from long-past ages is this suggestion of the delicacy of the negotiations, and seeking to get all the advantage you can of the negotiators, and that you can do it better in the dark than you can in the light, and so forth. But, Mr. President, experience has shown that while there are inconveniences and perhaps evils of a minor nature associated with an open negotiation, the inconveniences and the evils which result from a secret negotiation are infinitely more, and

we as men must, in legislating and weighing measures, weigh the good against the bad and undertake to discriminate as to where the greatest evil lies, and in my judgment it lies upon the side of secrecy.

Mr. President, the Senator from Nebraska [Mr. HITCHCOCK] has called attention to the fact that it takes a two-thirds vote to ratify a treaty; that it must lie over a certain time; that it comes from the President to this body for consideration, and he has narrated the different steps which are necessary to the complete negotiation of the treaty, just as the able Senator from Pennsylvania [Mr. KNOX] has done.

But, Mr. President, that has very little bearing upon the proposition which I am urging, because none of those steps are in the open. Even if you were not permitted to pass upon the treaty for a month, and even if it took four-fifths instead of two-thirds, yet every single step, from the first negotiation to the final consummation, may be in absolute secrecy. That which interests and concerns the American people, which may involve their nationality, which may involve them in war, is not known to them nor permitted to be known to them until we see fit to release it to them; and that is after they are bound, after the people have been practically precluded from passing judgment upon the matter. I repeat it is a piece of grim humor to say that after the contract is made and effective and binding upon the Nation, then you may release it to the consideration of the people, and that they may have judgment in regard to it after they are powerless to effect any change.

Mr. President, I know it is said that the United States will not suffer from secret diplomacy—and when I say "secret diplomacy," I include all those steps from the first negotiation until it finally becomes a binding contract—because no treaty is binding until we pass upon it. That may be true. Let us consider, in the first place, the moral effect of this in countries where it is of vital moment. There is not a particle of doubt but that this war being waged now was effectuated through and by means of the combinations and machinations which were put up in secret. It could never have ripened into so perfect a conspiracy had it had to ripen in the open light of day. The combinations which the Kaiser has been making, especially from 1904 until this hour, until the latest enunciations of his activities, show how much he regards of worth to him the power to negotiate in secret.

Why, Mr. President, if the secret treaty which the Kaiser made with Russia on the 24th of July, 1905, had been exposed to the world at that time it would have been of tremendous effect in preventing the final consummation of the great affair in which we are now engaged. Why was it when the Czar and the Kaiser met in 1905 and pledged themselves to secrecy, cut out their foreign ministers, precluded anybody—witnesses or stenographers or anyone else—from being present, and entered into that combination which resulted in a treaty between the Czar and the Kaiser? Why did they keep it from their own people? They knew the effect that public discussion would have upon the transaction, and they knew the beneficial effect of keeping it absolutely secret from them, and they did so.

When we know that every boy who leaves his home and goes to a foreign clime to sacrifice his limb and life in this controversy is to some extent a victim of secret diplomacy, do we want to take a stand in favor of such a proposition or will the Republic of the United States throw its moral influence and its moral power upon the side of breaking down a system which, though it operates principally in Europe, finally results in pulling the United States into this controversy?

Mr. HITCHCOCK. Mr. President, will the Senator yield for a question?

Mr. BORAH. I yield.

Mr. HITCHCOCK. Does the Senator think that any such evils as have come from secret diplomacy in Europe could have come if the treaties by European countries had been made and published as they are in the United States?

Mr. BORAH. I think so.

Mr. HITCHCOCK. Has not the vice of the European secret treaty been the fact that it was made in secret and remained secret and was not known to the people?

Mr. BORAH. Mr. President, as I said the other day, there are undoubtedly some advantages to be had from publishing the treaty after it has been made; but let me ask the Senator what advantage can come to the people of the United States from exposing a treaty after it is made unless you assume that you are going to have the entire controversy reopened, and that the treaty which you have solemnly entered into is going to be abrogated through another power in the Nation than that which made it, the people? If the people are to effectuate anything in an orderly and proper way they must be let in on the facts and the conditions of the treaty in the making.

Mr. HITCHCOCK. I can answer the Senator's question. It is not reasonable to suppose that a Senate, knowing that as soon as it puts its stamp of approval upon a treaty it will be made public, will enter into a treaty which the country will not accept. The very fact that the Senate knows that it is to be made public, that it is to be submitted to the test of public opinion for criticism, would restrain any Senator, if it were necessary, from entering into a treaty which would not be proper.

Mr. KNOX. Mr. President, may I suggest that this thought ought to be taken into consideration: That although it takes two-thirds of the Senate to ratify a treaty, if the people do not like the treaty the very next day a majority of the House and a majority of the Senate can abrogate the treaty?

Mr. BORAH. Precisely; but does the Senator from Pennsylvania think that it is an orderly procedure or a logical procedure to first conclude a matter in secrecy and then submit it to those who openly may review the action of the Senate and perhaps offend a foreign nation by abrogating the treaty after it has already been considered by the treaty-making power. The Senator says that the effect is to deny any consideration upon the part of the public at all.

Mr. KNOX. My answer to that is that if I advocated openness of negotiation, I would begin at the fountainhead, and have the Secretary of State and the foreign ambassador negotiate in the open, so that we might have the advantage of it all along the line before it became crystallized into the form of a contract.

Mr. BORAH. Will the Senator from Pennsylvania answer my question? Does he think it wise or logical for the Government, first, to conclude a treaty and then to submit it, with the view that it may be abrogated if the people do not think it is wise?

Mr. KNOX. Certainly not; and no such treaty would be ratified with that view. I was simply trying to answer the hypothesis of the Senator from Idaho that under the present plan some dreadful treaty might be put over on the American people, of which they could not rid themselves.

Mr. SMITH of Michigan. Mr. President, if the Senator from Idaho will permit me, suppose the treaty should be ratified on the 3d day of March, and Congress the next day went into vacation until the following December: Then the plan of the Senator from Pennsylvania would hardly work out.

Mr. KNOX. I can not anticipate that the Senate of the United States would, on the 3d day of March, ratify a treaty that would result in such criticism that the country would suffer between that time and the assembling of Congress in December.

Mr. SMITH of Michigan. Perhaps not; but I think, in view of the experience of the Senator from Pennsylvania and myself, that treaties have been ratified on the morning of the 4th of March, between the hour of assembling and the adjournment sine die. I think the Senator recalls one very vividly. I have no doubt he does. I do, because I had part in it.

Mr. KNOX. That is very true, Mr. President; but I have never known of any such treaty placing such a burden upon the people of the United States that they wanted it abrogated between that time and the next December.

Mr. SMITH of Michigan. I am not suggesting to the Senator from Pennsylvania, if I may be permitted, that the Senate would do anything that was unpatriotic or unwise; but it could not have the machinery of reconsidering a bad move in the course of nine months if it happened to ratify the treaty at the end of the session.

Mr. BORAH. Mr. President, it certainly would be a most illogical course of procedure—it does not make any difference whether it happened on the 3d or the 4th of March, or at any other time—to have a review board in the nature of a popular demonstration against a treaty after it had been negotiated and completed by the Government. If the people of the United States are to be consulted at all, if the public opinion of the United States is to have any effect, or if these measures are to be passed upon in any way, shape, or form by anyone other than the Government agents, it ought to be at a time when, in an orderly way, the effect of it could be had in the completion of the treaty or in the consummation of the treaty.

I do not agree with the proposition that the United States has not put over any treaties which are not for the benefit of the people of the United States. I think treaties have been ratified here in secret session which never would have stood the test of public opinion, and I think they have been most unfortunate, and calculated to embroil this country in the future; and, while it is not necessary to go into a discussion of them at this time, it is by reason of some of these treaties that I have been interested in the question of publicity of treaties before their consummation.

Mr. SMITH of Michigan. Mr. President, will the Senator allow me to interrupt him again?

Mr. BORAH. Yes.

Mr. SMITH of Michigan. I desire to call attention to what is known as the Rush-Bagot treaty, where a simple exchange of notes has bound our Government for more than 50 years to a line of policy which has been inimical to the interests of all of the States bordering upon the Great Lakes. I recall very distinctly that in the administration of Mr. Cleveland shipbuilders on Lake Michigan undertook to bid on gunboats that the Government was then needing, and Mr. Cleveland set the bid aside, because he said that in the exchange of notes between Mr. Rush and Mr. Bagot it was not possible for them even to consider a bid to build any character of warship on the Great Lakes, although we had the iron, and we had the timber, and we had the labor.

While the great cities of Detroit and Chicago and Cleveland were not then in existence, yet that inhibition has rested upon the officers of the United States from that moment to this; and Mr. Lincoln once considered the idea of abrogating that treaty under the power to give six months' notice, but it was not done. The notice was given but the treaty was never abrogated; and I say that occasionally great harm does come from a loose ratification of treaties.

Mr. BORAH. Of course, Mr. President, we are all going to concede that the Senate of the United States is a conscientious body and discharges its duties in accordance with what it thinks is right and proper. That is a rule which applies with reference to all other procedures, so far as that is concerned. Distrust or want of confidence in the Senate of the United States really has nothing to do with this matter, because of the fact that you might just as well close the door with reference to our legislation and say that you can trust the Senate of the United States to do the proper thing, and that if the people do not like it they can reverse it at the next election.

The point is this, that here is a matter of public concern. It is a matter of tremendous moment to those whom we represent, and there is no possible reason, it seems to me, why they should not be informed of the different subjects which lead to the consummation of the contract by which they are bound. We are here only for a short time. We are passing in and out of the Chamber very rapidly. The contract which we make binds the people of the entire United States, and the people are here all the time. There is no change of situation until the treaty is abrogated through some act on the part of their representatives, and there is no more reason to argue for secrecy with reference to that treaty than there is with reference to many other subjects which no one would contend ought to be considered in secret.

The Senator from Pennsylvania suggests that certain steps in negotiations must necessarily be secret. We have nothing to do with that. In this particular instance all I am asking for is a rule which will require the consideration of that contract which is finally to become binding in public before it is made binding. If some particular step is necessary upon the part of the Secretary of State, or some particular feature of the transaction is to be had in secret, and he so determines the matter, that is a thing which is not touched by this proposed rule at all, but after the matter has been shaped and crystallized and formed so that it becomes a binding contract if ratified I say the consideration of it should be in the open and before those who must be bound by it.

Mr. KNOX. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. KNOX. May I ask the Senator this question? Is that finally consummated until all the amendments have been agreed to? I quite agree with the Senator that when a contract—to use the Senator's own language as nearly as I can—is consummated and it is proposed to act upon it the people of the United States should have the opportunity to know what the contract is, but suppose we are considering a treaty here to-day in executive session. As it comes from the executive department, the Senator from Idaho is not satisfied with it. He thinks it does not do justice to our country, that we are proposing to do more or asking for less than under the circumstances we should do, and then he proposes to give the reasons and to fortify them with the information he may have on the subject. I think it would be extremely harmful, that being a process of the negotiation, to make that public.

That is the reason why I suggested in my observation a few moments ago that I would be perfectly content to vote for this amendment if you would make the exceptions that when a proposed amendment to the treaty was under consideration it should not apply, but when all the amendments have been disposed of to open the doors and discuss the treaty as long as you please, and let the public have the fullest information.

Mr. BORAH. That would necessarily expose all the different steps in the procedure within the Senate if the discussion once began. In other words, if the treaty is formed into a final instrument and the doors are thrown open and you begin discussion, you will not confine yourself in all probability to the form in which it has taken shape. You will undoubtedly review the different reasons for the different parts of the treaty and why they were inserted, and the facts upon which the different amendments were based. I do not see that we could get anywhere as a practical proposition. But I should like to ask the Senator now, as he is very familiar with the diplomatic history of this country, what treaty since 1794 has ever been negotiated by the United States that it would have been ill advised for the people to have been informed as to the contents as the negotiations proceeded?

Mr. KNOX. Of course, I am not familiar with the negotiations of any treaties except those that I negotiated myself, but I can imagine cases and I know of treaties—I am not at liberty to state the instances—in which if the process of negotiation and the propositions, counter propositions, modifications, and amendments that were made from time to time had been discussed in the open I do not think any conclusion would have been reached.

Mr. BORAH. The Senator speaks in general terms. I do not know what particular treaty nor do I know what particular facts are in his mind, but I can not recall any treaty or the history connected with any treaty in which the United States would have suffered by reason of a public discussion of the treaty. I can recall treaties in which, in my judgment, the United States would have been greatly benefited by a public discussion of the treaty.

We are not supposed to have very many secrets as between ourselves and those whom we represent with reference to those matters in which they are interested.

Mr. KELLOGG. Mr. President——

Mr. BORAH. I yield.

Mr. KELLOGG. I should like to suggest to the Senator from Pennsylvania that if the negotiations which did not result in a final treaty between Colombia and the United States had been made public the last treaty which was submitted to the Senate would never have been made.

Mr. BORAH. Mr. President, when we make a treaty here, if any provision of that treaty is violated and it becomes necessary to sustain it on the part of the United States, we call upon those to sustain it who have not had one word to say with reference to its formation. If we make a treaty of permanent alliance with some European powers when this war closes and close it up here in secret session and it leads to difficulties with other foreign powers, we are not called upon to sustain it; we have very little to do with it. We remain here and vote conscription laws and revenues and call upon the man out in the street and in the factory and on the farm to sustain it who were never consulted with reference to its terms.

Mr. KNOX. If I may be permitted a word, I do not like to take so much of the time of the Senator from Idaho, but he has missed my point. I am not interested in keeping the process of negotiation from the American people for any purpose except for the purpose of keeping it from the other Governments for the time being. The American people are bound to know the result of the treaty. Take the instance of this country when this war ends. There must be treaties of peace. A treaty of peace must be submitted to the Senate of the United States for its ratification or approval. Perhaps every Senator who will be here when those treaties come up for consideration will have his own notions about what the treaty should contain. Having those notions as to what concessions should be made by a particular power, as to what demands are made by some power are overdemands and what demands perhaps by other powers are underdemands, would it not be extremely harmful to have it go out that 30 or 40, half of the Senate, perhaps almost a majority of the Senate, had agreed with this power as to its demand and disagreed with the other power as to its demands, or had this or that particular notion as to how the adjustment should be made? Would it not be infinitely better to have this question settled here by ourselves and let us ascertain what our own mind is before we disclose that mind to the public?

Mr. BORAH. I differ with the Senator on the proposition. I believe that there is outside a tremendous mind which constitutes the public mind. I am of the opinion that it would be just as sane and wholesome a mind with reference to what that treaty should contain as that of the particular 96 men who happen to sit here. I think that those who have fought and made it possible to have a treaty of peace—that class of people who have sustained the burden that it may be consummated—are quite as capable of passing upon its saneness and equity and courtesy to other nations as the 96 men who sit here in the Senate. That

is just the difference between the Senator from Pennsylvania and myself.

Mr. KNOX. I beg the Senator's pardon. If the Senator from Idaho had listened to what I said I do not think he would have found it necessary to invoke that argument.

Mr. BORAH. The Senator will admit this proposition, that if we consummate that treaty of peace there will come a time when the doors are thrown open and there is no remedy on the part of the people except an election and a change of the Senate. There must be a complete abrogation through other agents than those who consummate it, and when the other agents come here they sit down in secret and close another transaction. Now, the power of public opinion effectuates its result by operating upon the transaction at the time the transaction is being consummated, and not after it is closed. It can not do so effectively.

Mr. NORRIS. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. NORRIS. I wish to suggest to the Senator also that if, for the sake of the argument, we assume the Senators who had debated it and considered it in secret were right in the conclusion they reach, would it not help to unite the country behind them by permitting the country to read and hear their arguments as they are made and listen to all the discussion that had taken place?

Mr. BORAH. I think, as I said the other day, that one of the great advantages is open discussion on this matter. The people are prepared either to reject it or with knowledge to approve of the relationship of their Nation to other countries as it has been consummated or arranged by treaty. The Senator from Pennsylvania knows that from the beginning of this war there was not a single people engaged in the war or going to be engaged in the war who had any knowledge whatever of the relation of themselves to the other nations of the earth concerning those transactions out of which the war grew. The people who were called upon to sustain the war had no knowledge whatever of the relationship of their own countries to the other countries with which they were about to engage in conflict or with whom they were about to ally. They were called upon to sustain a proposition concerning which they had no information whatever. That may be an effective kind of a government, but it is not a popular government. It is not a free government. A government which binds hand and foot and shackles the people to a contract, calls upon them to support it, and compels them to support it, without any knowledge whatever in its formation or without any knowledge even with reference to the facts which constitute the violation of the contract, is not a representative government.

It is not a democracy. It is precisely what the Czar and the Kaiser had—a personal Government; an autocratic Government; a Government which binds the people without their consent; which compels them to act without knowledge.

That is precisely what happens here when we make a treaty. We will assume, for the sake of the argument only, that we make a treaty which is an unfortunate treaty, which is an unwise treaty, yet the moment we put our ratification upon it and it is exchanged it is binding upon us, and perhaps nothing but war will relieve us from it.

Now, who has been consulted in regard to it? Has the democracy been consulted? Have the people who support the Government been consulted? No; their agents have bound them to a proposition which they must support, regardless of whether it is satisfactory to them, or they must be in a position where they are charged with repudiating the treaties of their Government.

Mr. STERLING. Will the Senator permit me a question?

Mr. BORAH. Certainly.

Mr. STERLING. Would the Senator in all cases have published a treaty, assuming it was negotiated by representatives of different powers?

Mr. BORAH. I would.

Mr. STERLING. Might it not happen that the publication of a treaty as soon as it was negotiated, before ratification, would destroy the very purpose for which it was negotiated?

Mr. BORAH. I can not imagine how it would do so, unless there was, as has been the case so often, some crooked or sinister proposition tied up in the treaty. If it is a wise treaty, if it is founded in justice, there is no reason to assume that the American people are going to act other than in harmony with the motives of it.

Mr. STERLING. But a deprivation of the purposes of the treaty might result from the action taken by the other power which was a party to the treaty or negotiation. The practical phase suggests itself to my mind of our acquisition, for example, of insular possessions necessary for our national welfare, which another power might seek to acquire for the purpose of a naval base close to our shores. Would the Senator from Idaho say it was advisable that a treaty like that should be published as soon as it was negotiated with a foreign power, and thus let the power that was trying to acquire that possession know what we were doing and be able to circumvent the acquisition if possible?

Mr. BORAH. Of course, these real estate deals which go on between the different powers of the world are the most delicate subjects they have to deal with. I assume that when it comes to a common ordinary real estate deal, such as are constantly being made in secret, it is a very delicate subject. But you had better let the people know of it while it is going on than to let them know of it after it is made, as in the instance of Russia. When I hear Senators suggest that the people of the United States are incapable of acting wisely or courteously in regard to such matters I conclude that it is a soft impeachment of the capacity of the people for self-government.

I am assuming, Mr. President, that if the United States does its part in regard to this matter there will be a coming up to this proposition upon the part of all the nations of the earth with whom we shall have to deal. It will not be very safe for the United States to enter into any treaty at the close of this war with any power in Europe which is not subject to public inspection and consideration from the first step to the close. It will not be a basis of permanent peace if we undertake to enter into negotiations which the people themselves of all the countries interested could not approve. If you are going to have a permanent peace, you must have it based upon propositions which are entirely satisfactory to the people of the different nations of the earth. If you are simply going to have a patched-up peace, based upon some advantage here or there, or some balance of power which may be hatched up in the chanceries of Europe; if you are going to rely upon that kind of peace, you can undoubtedly get it better and quicker and more expeditiously by secret negotiations; but if you are going to have a permanent peace, a peace which satisfies the minds of the people of the different nations, if you are going to have a peace which brings contentment to those who are most concerned, you must have a peace based upon treaties with which they are entirely familiar from the first step to the close.

I venture to say that, while this resolution may be voted down to-day, as the war draws more nearly to a close and the great questions growing out of the war come more nearly to us for solution we will of our own motion see the impropriety and the injustice of imposing anything upon those who have fought and won the war with which they are not entirely familiar.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. STERLING].

Mr. STERLING. I ask for the yeas and nays.

Mr. SMITH of Michigan. Mr. President, is it possible that we are ready to vote without any cloture, with no modification of the rules, and yet we are ready to vote on a proposition of such transcendent importance as this? I had been led to believe by Senators on the other side of the Chamber that it was impossible to get a prompt vote here under the rules as they now exist, and yet debate on the amendment of the Senator from South Dakota has now been exhausted.

But, Mr. President, I want to say a word on the practical side of this question, and that is all I am going to say. We have 96 Senators here. Forty-four of them are Republicans and 52 of them are Democrats. Twenty-seven would be sufficient to conduct the Democratic caucus, and 14 would be a majority of that caucus. Yet we are going to pass the entire question of what legislation we should exact and the debate over to 14 members of the majority party; this is tyranny, not cloture.

Mr. CUMMINS. That is not what we are about to vote on.

Mr. SMITH of Michigan. No, Mr. President; it is not what we are about to vote upon, but it is the first step in that proceeding, and this vote on the amendment of the Senator from Idaho will make the next vote easier, and it is to the main question that I desire to address the Senate.

This proposed rule is revolutionary and not in the interest of orderly procedure and in accordance with the faithful and intelligent conception of our duty to our States and the country, or I mistake the purpose of the founders of the Government and those who have served it faithfully up to this hour in this Chamber.

This proposed change in the rules will reestablish "King Caucus" in the Senate as it has never existed before. Senators may think they will get an hour on the main question and 20 minutes on each amendment, but it will rest with the Presiding Officer to determine whom he shall recognize to offer an amendment. Perhaps the day will go as this day has gone, every one being anxious to vote, as Senators are now anxious

to vote; and yet the principle of unbridled conduct which we have cherished and maintained for a century upon both sides of the Chamber is to be superseded and wiped out by this amendment.

I have seen too much good come to the country from the power residing in the individual Senator to delay proceedings until the Senate's mind could be focused upon the importance of the controversy to yield willingly to this proposed innovation. There is no occasion for it. I say, for one, to the Senator from Alabama, that if he is urging this resolution in order to have a prompt vote on the revenue bill, I will sign a request now to bring the revenue bill to a prompt vote under the present rules of the Senate, and I dare say many Senators on this side of the Chamber will do likewise.

There is something else behind this. Senators do not willingly change their minds in regard to a power so valuable as is the power of unlimited discussion in the Senate, subject to the latest modification of our rules. I could recount innumerable instances where this latitude has been wholesome and helpful to an intelligent understanding of measures pending. The whole country, as I said on Saturday, when interrupting the Senator then having the floor, applauded the Senator from Ohio [Mr. Burton] and the Senator from Iowa [Mr. KENYON] in their filibuster against the river and harbor bill.

The press of the country thanked the Senate for maintaining the unlimited right of public discussion. I have seen it practiced over and over again to the advantage of the country. The force bill was beaten in this body because certain southern Senators would not subscribe to it and had the power through discussion alone to defeat it. If we were to seek to put an amendment on the revenue bill to fix the price of cotton, some of the Senators from the cotton States would regret very much having waived this power which now resides in the senatorial office to force a patient consideration of that question. If you limit the right of discussion here you will find that a few men, constituting a majority of the majority side, whether upon the other side of the Chamber or upon this side, will absolutely control the deliberations of this body.

I once had occasion to put into my pocket a treaty known as the fisheries treaty, negotiated and about to be ratified here, when I got my hands on it, and I discovered for the first time that the rights of my State, lying along the Canadian border, had not been properly respected. I kept it there until the majority of the Senate were informed and willing to be just to Michigan as well as Canada and the United States as a whole.

Mr. POMERENE. Mr. President, may I ask the Senator from Michigan a question?

Mr. SMITH of Michigan. Certainly.

Mr. POMERENE. I desire to ask the Senator if he secured the rights of his State by reason of the fact that he had the right of unlimited debate or because he had that treaty in his pocket?

Mr. SMITH of Michigan. Well, Mr. President, my pocket was not so capacious, but the power that I had, and which the Senate knew I had, helped me rewrite the treaty. This proposition will come back to plague every Senator in this Chamber. We are about to vote on an important matter. I do not believe there is a Senator in the Chamber who knows just how the vote is going to go, but we are about to vote upon it after a very brief discussion and without cloture—how amazing.

Mr. SMITH of Arizona. Will the Senator permit me to interrupt him?

Mr. SMITH of Michigan. Yes; certainly.

Mr. SMITH of Arizona. Is not the Senator's statement tantamount to the assertion that any three or four men in the Senate, if they are not satisfied with the legislation which is favored by, say, four-fifths of this body, should have the right absolutely to nullify the will of the remainder of the body?

Mr. SMITH of Michigan. Mr. President, I want to answer the question, for it is a fair one. It comes from a Senator representing in part the State of Arizona, which fronts on the Mexican border. I want to say to the Senator from Arizona that if, in the ordinary processes of our relations to Mexico or other Governments, the State of Arizona should be discriminated against there is not a Senator in this Chamber who would take the floor more quickly than would the Senator from Arizona to defend his State, and our present rules would help him, and by the exercise of every right he has he could hold the floor until he could focus the attention of his colleagues upon the injustice sought to be done to his State.

Mr. SMITH of Arizona. That is unquestionably true, and I thank my friend from Michigan for the compliment involved in his statement; I believe it is likewise true of every Senator on this floor; but that does not reach the question. If three-fourths or four-fifths or five-sixths of the Senators want to get results on proposed legislation, which they think is of more importance than the mere ground of my objection, shall I be clothed with the power, with three or four other Senators helping me, to nullify any proposed action of this body, when all other Senators are in favor of it?

Mr. SMITH of Michigan. Oh, Mr. President, one moment. The Senator either has overlooked the present rule or he has not considered it. We can bring any pending question to a vote here when two-thirds of our membership desire to do so.

Mr. SMITH of Arizona. Does the Senator from Michigan refer to the last rule?

Mr. SMITH of Michigan. I do.

Mr. SMITH of Arizona. That has not yet been invoked.

Mr. SMITH of Michigan. Yes. I have signed a petition to invoke that rule, as other Senators have done, once or twice when some great question was at issue, a question incident to war. I know that a petition was circulated around the Chamber in the small hours of the morning during one of our all-night vigils, and we signed it. I was rather reluctant to sign it, but I yielded to the wishes of my colleagues. There is a way to get a vote here speedily if earnestly desired.

I have never seen the public interest suffer by reason of the power of unlimited discussion residing in Senators. It is the one thing which distinguishes us from the House of Representatives, in which I served with my honored friend from Arizona for many years. I have seen great men in the House of Representatives beg for a moment's time and unable to get it; bills are debated here. I once saw the Senator from Alabama, who has charge of this resolution, turned out of the House of Representatives by caucus decree under practical cloture.

Almost every Senator when he becomes a Member of this body does so with the idea that he wants to get results and get home; but it is far more important to get the proper results than it is to get home.

I remember very well the legislation with reference to Porto Rico, and I remember the great Senator from Ohio, the late Senator Foraker, standing in his place and forcing the Senate to a correct attitude toward Porto Rico. I saw another great Senator from Ohio, the late Senator Hanna, make the longest speech in his life in this Chamber in order that he might influence public sentiment from the Nicaragua Canal to the Panama Canal, the House having passed the former bill hastily. Who is to say that that was not wise?

Mr. KING. Mr. President, will the Senator yield to me for a moment?

Mr. SMITH of Michigan. Certainly.

Mr. KING. Apropos of the suggestion made a moment ago by the Senator in regard to the force bill, the Senator will remember that a number of years after that bill was defeated Senator Hoar publicly stated upon the floor of the Senate that if the bill had been forced to a vote under a cloture it would have passed by 15 majority; but, because of unlimited debate, the people of the United States became so aroused against it that it was defeated.

Mr. SMITH of Michigan. Mr. President, I thank the Senator from Utah. The force bill was put through the House of Representatives under their cloture rule, by which Democrats were throttled, and now it is proposed to put the enactment of such a measure in the power of a bare majority of the Senate.

Why, what strange times have we come upon when it is proposed to delegate 14 Senators, constituting a quorum of a majority of the Democratic membership, the right to pass upon any program and bring it in here and put it through by the aid of cloture? I warn you on the other side that, if adopted, this new rule will come home to plague you. You hold your majority by a very slender tenure; you are at this moment deeply concerned whether you will have a majority after the November elections. I myself do not think you will have a majority; but why put in the hands of the majority, upon either side of the Chamber, the power to put through immature legislation which ought not to be passed? There is no occasion for this proposed new rule.

I wish to reecho what the Senator from Ohio [Mr. HARDING] said this morning about the Senator from Alabama [Mr. UNDERWOOD]. No one in this Chamber has a higher opinion of that Senator than I have. I served with him in the House of Representatives for many years; I served with him upon the Committee on Ways and Means of that body; I know the character of the man, his mind, and the inclinations of his heart; but he was turned out of the House of Representatives under cloture rules.

Mr. CUMMINS. What does the Senator mean by "turned out"?

Mr. SMITH of Michigan. I mean that a majority of the House of Representatives, acting under a cloture rule, scarcely giving him an opportunity to be heard, decided that he was not legally elected to the House, and he was deprived of his seat. I voted to put him out. I did not know him as well then as I do now or I would not have voted to do it. I do not think we made any special improvement by the change; but it only goes to show that when a fair-minded man like myself can be carried along by King Caucus and forced to do a thing that he would not with more deliberation be willing to do, that other men, like my friend from South Carolina [Mr. SMITH], not so free from prejudice [laughter] are apt to proceed perhaps to even greater lengths under the guidance of a party caucus.

I do not know and can not understand what you are aiming at. You are not aiming at me, because I do not offend against the proprieties of the Senate. The longer I stay here the less I speak. Some of the best men who ever served in this body have grown to dislike verbal controversy. A man who sat right there [indicating] for 30 years, one of the best public speakers of his time, a great legislator, a statesman, and a parliamentarian, Mr. Frye, of Maine, scarcely ever spoke in the Senate in later years. Men get over the fascination of their own speech; but if the occasion should require or if some injustice was sought to be done, unlimited debate would be a very desirable and potential weapon to reside in the senatorship.

I have seen contests for seats in this body two or three times since I have been here. I will never forget the argument of the great Senator from Texas, Mr. Bailey, who, on constitutional grounds, made use of every privilege and power he possessed to save a State from being deprived of representation in the Senate. So much good has come of unlimited debate that I marvel that Senators can accept a change in that rule with so much indifference. It is not that a Senator wishes to be heard at great length; it is the power to defend his State, which you are attempting to curtail. No Senator in this body cares anything about the internal affairs of Michigan save the two Senators from that State, and when her rights are impinged, every power that goes with the senatorial office should be used to prevent the injustice. The full knowledge of this fact may come home to you in the near future. Take away the right of unlimited debate and you take away the one great distinguishing characteristic of senatorial procedure.

Let us not do this thing hastily and without proper consideration. I do not wish to keep Senators here against their will, although I have not half finished what I desire to say. I should like to recount a few incidents other than those I have mentioned where this power has worked to the advantage of the Government, and I defy any Senator on the other side of the Chamber to tell me a single instance where it has worked to the disadvantage of the Government.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. STERLING], upon which the yeas and nays have been requested.

Mr. SMITH of Michigan. Mr. President, I think we should first ascertain whether we have a quorum present.

SEVERAL SENATORS. Oh, no!

Mr. SMITH of Michigan. Well, why not? Why do we want to vote so hurriedly? I should like to have a quorum, and I make the point of no quorum.

Mr. UNDERWOOD. Mr. President, I will say to the Senator from Michigan, if it is agreeable to him, before he makes the request, that if we can have a vote on the so-called Sterling amendment to-night, my purpose after that is to move an executive session.

Mr. SMITH of Michigan. If that is the case, I will withdraw my request.

The VICE PRESIDENT. The yeas and nays have been requested. Is the request seconded?

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withhold my vote. Were I at liberty to vote, I should vote "nay."

Mr. JOHNSON of South Dakota (when his name was called). I have a pair with the senior Senator from Maine [Mr. FERNALD]. Not knowing how he would vote on this question, I withhold my vote.

Mr. SAULSBURY (when his name was called). I transfer my general pair with the senior Senator from Rhode Island [Mr. COLT] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. CURTIS (when Mr. WADSWORTH'S name was called). The senior Senator from New York [Mr. WADSWORTH] is unavoidably detained from the Senate. He has a pair with the junior Senator from New Hampshire [Mr. HOLLIS].

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "yea."

The roll call was concluded.

Mr. BRANDEGEE (after having voted in the affirmative). I am paired with the senior Senator from Tennessee [Mr. SHIELDS], but before he went away he told me he was opposed to the Borah amendment, and that I might vote on that; and I have no doubt that he would vote the same way that I have voted on the Sterling amendment. Therefore I will allow my vote to stand.

Mr. McKELLAR. I desire to announce that my colleague [Mr. SHIELDS] is unavoidably detained on business of the Senate.

Mr. OVERMAN (after having voted in the negative). I transfer my general pair with the senior Senator from Wyoming [Mr. WARREN] to the senior Senator from Nevada [Mr. PITTMAN] and will let my vote stand.

Mr. SMITH of Georgia. I have a general pair with the senior Senator from Massachusetts [Mr. LODGE]. I transfer that pair to the junior Senator from Nevada [Mr. HENDERSON] and vote "yea."

Mr. TRAMMELL. I desire to announce the unavoidable absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. GUION. I desire to announce the unavoidable absence of the senior Senator from Louisiana [Mr. RANSDELL].

Mr. KIRBY. I wish to announce that the Senator from Mississippi [Mr. VARDAMAN] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from New Hampshire [Mr. GALLINGER] with the Senator from Florida [Mr. FLETCHER]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 27, nays 37, as follows:

YEAS—27.

Beckham	Harding	Myers	Sterling
Brandegee	Hitchcock	New	Sutherland
Chamberlain	Johnson, Cal.	Pomerene	Swanson
Dillingham	King	Simmons	Tillman
Fall	Knox	Smith, Ariz.	Trammell
Frelinghuysen	McLean	Smith, Ga.	Watson
Hale	McNary	Smoot	

NAYS—37.

Ashurst	Kellogg	Nugent	Smith, Mich.
Baird	Kendrick	Overman	Smith, S. C.
Bankhead	Kenyon	Phelan	Thomas
Borah	Kirby	Reed	Thompson
Cummins	Lenroot	Robinson	Townsend
France	Lewis	Saulsbury	Underwood
Gronna	McCumber	Shafroth	Willey
Guion	McKellar	Sheppard	
Jones, N. Mex.	Martin	Sherman	
Jones, Wash.	Norris	Smith, Md.	

NOT VOTING—32.

Calder	Goff	Lodge	Shields
Colt	Gore	Nelson	Vardaman
Culberson	Hardwick	Owen	Wadsworth
Curtis	Henderson	Page	Walsh
Fernald	Hollis	Penrose	Warren
Fletcher	James	Pittman	Weeks
Gallinger	Johnson, S. Dak.	Poindexter	Williams
Gerry	La Follette	Ransdell	Wolcott

So Mr. STERLING'S amendment was rejected.

EXECUTIVE SESSION.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 55 minutes p. m., Monday, June 10, 1918) the Senate took a recess until to-morrow, Tuesday, June 11, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 10, 1918.

APPOINTMENT IN THE ARMY.

CAVALRY ARM.

Gibbes Lykes, of South Carolina, to be second lieutenant of Cavalry with rank from November 14, 1917.

PROMOTIONS IN THE NAVY.

Pay Director Samuel McGowan to be Paymaster General and Chief of the Bureau of Supplies and Accounts, in the Department of the Navy, with the rank of rear admiral for a term of four years from the 1st day of July, 1918.

First Lieut. John W. Hingle to be a captain in the Marine Corps, for temporary service, from the 15th day of December, 1917.

Second Lieut. Vernon R. Buxton to be a first lieutenant in the Marine Corps, for temporary service, from the 28th day of August, 1917.

The following-named temporary second lieutenant to be a second lieutenant in the Marine Corps for a probationary period of two years from the 1st day of June, 1918:

John Kaluf.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 10, 1918.

PROMOTION IN THE NAVY.

Pay Director Samuel McGowan to be Paymaster General and Chief of the Bureau of Supplies and Accounts, Navy Department, for term of four years, with rank of read admiral.

UNITED STATES MARSHAL.

William Hickey to be United States marshal, district of South Dakota.

POSTMASTERS.

MISSOURI.

Roy Cable, Doniphan.
Wendell L. Smith, De Soto.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 10, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we come to Thee in all the simplicity and confidence of children dependent upon Thee for life and all that makes it worth living. We are weak, but Thou art mighty. Forsake us not in this hour of trial and distress.

Impart unto us, we beseech Thee, wisdom, strength, courage, sufficient unto our needs.

Let Thy blessing descend upon our soldiers and their allies now engaged in a terrific struggle for liberty and justice against a relentless foe who would crush liberty and make freemen subject to their will.

The dastardly acts which have followed in their wake are but warnings of what would follow in a victory to their arms.

Be with us, we pray Thee, to uphold, sustain, and guide us in all our undertakings in consonance with Thy will, and all praise shall be Thine, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, June 8, 1918, was read and approved.

MEN OF DRAFT AGE IN ARMY AND NAVY DEPARTMENTS.

Mr. MADDEN. Mr. Speaker, I ask for the present consideration of a privileged resolution, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 390.

Resolved, That the Secretary of War and the Secretary of the Navy be requested to report to the House of Representatives the number of men (with the name and home address of each) who, on June 5, 1917, were between the ages of 21 and 31 years, and who since that date have been commissioned or enlisted either in the active or in any of the reserve forces of the Military or Naval Establishments and assigned to clerical work in their respective departments, or in offices elsewhere, where such service is not directly rendered to and as a part of units of the Army and Navy employed in active or field operations, and who have received deferred classification by reason of being already in the military or naval service of the United States.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

POST OFFICE APPROPRIATIONS.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. WALSH. Upon the point which I raised the other day with reference to the conference report on the Post Office appropriation bill (H. R. 7237). I spoke to the gentleman from Tennessee [Mr. MOON], the chairman of the committee, and he agreed with me that the references in the conference report are erroneous, and, of course, the report would be subject to a point of order. I desire to say I do not wish to press the point of order, but I wish to ask unanimous consent that without withdrawing the conference report the conferees be permitted to correct the erroneous references in the report, and have them referred to the engrossed bill with the Senate amendments, and that the report with the corrected references may be printed.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the conferees be permitted to make the references to the House engrossed copy——

Mr. MOON. Mr. Speaker, the clerk making the report in the Senate made that incorrect reference. I think the motion of the gentleman from Massachusetts [Mr. WALSH] is altogether proper.

Mr. STAFFORD. Should not the report be withdrawn? Here is a report signed by the conferees; it contains references to a bill that is not the engrossed copy. Should not the conference report be withdrawn and have the report presented in regular order? When conferees agree to a report, that is their report. That is what the papers in the possession of the House show. Now, there ought to be unanimous consent asked to have the report withdrawn, and then the gentleman can present another report to conform with the engrossed copy.

Mr. CAMPBELL of Kansas. Mr. Speaker, can the conferees act on this report as suggested by the gentleman from Massachusetts without having possession of the conference report?

The SPEAKER. The Chair thinks not.

Mr. JOHNSON of Kentucky. And without the concurrence of the Senate, too.

Mr. CAMPBELL of Kansas. And without the concurrence of the Senate, too?

The SPEAKER. The right thing to do is to withdraw the report, and if some gentleman will make the motion the Chair will put it.

Mr. MOON. Mr. Speaker, I ask unanimous consent to withdraw the report.

The SPEAKER. The gentleman asks unanimous consent to withdraw the conference report on the Post Office appropriation bill and refer it to the conferees. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had insisted upon its amendments to bills of the following titles, had agreed to the conferences asked by the House, and had appointed Mr. JOHNSON of South Dakota, Mr. HOLLIS, and Mr. SMOOT as the conferees on the part of the Senate:

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 4005. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof; and

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representative to return to the Senate the bill (S. 4404) entitled "An act repealing the portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 1035) which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana."

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4108. An act to provide for the entry under bond of exhibits of arts, sciences, and industries; to the Committee on Ways and Means.

S. 4404. An act repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana; to the Committee on Indian Affairs.

S. 4005. An act providing for the survey of public lands remaining unsurveyed in the State of Florida, with a view of satisfying the grant in aid of schools made to said State under the act of March 3, 1845, and other acts amendatory thereof; to the Committee on the Public Lands.

S. 4103. An act to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto; to the Committee on the Public Lands.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9959. An act to amend an act entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the Civil War and the War with Mexico," approved May 11, 1912;

H. R. 5558. An act to amend section 101 of the Judicial Code;

H. R. 7796. An act to increase the salary of the United States marshal for the western district of Michigan; and

H. R. 9864. An act to amend section 111 of the Judicial Code.

EXTENSION OF REMARKS.

Mr. KETTNER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KETTNER. I ask unanimous consent to insert a letter from the Secretary of the Interior regarding homes for returning soldiers.

The SPEAKER. The gentleman from California asks unanimous consent to insert a letter from the Secretary of the Interior concerning homes for returning soldiers. Is there objection?

Mr. WALSH. Reserving the right to object, that is the letter that we all received, I assume. At least, I received a copy this morning. It contains some very interesting views from the Secretary of the Interior, and it is apparently intended to direct the attention of Congress to the situation existing and to the advisability of doing something. Now, I can not see any advantage in extending at length that letter in the RECORD.

Mr. MADDEN. Every Member has it.

Mr. WALSH. Well, I will not object.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object, I would like to ask the gentleman, the Secretary of the Interior having been absent from Washington and from the continent for some time, whether he has information as to whether the Secretary knows anything about this letter?

Mr. KETTNER. Mr. Speaker, I think the Secretary knows all about it, and I think it is so full of valuable information that people, especially in the Middle and Western States, would be very greatly interested in the letter.

The SPEAKER. Is there objection?

Mr. JOHNSON of Washington. I object.

Mr. CALDWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CALDWELL. Mr. Speaker, I would like to ask unanimous consent to insert in the CONGRESSIONAL RECORD a letter that I have written to accompany my speeches when they are sent out.

The SPEAKER. The gentleman from New York asks unanimous consent to insert in the CONGRESSIONAL RECORD a letter that he has written to accompany his speeches when he sends them out. Is there objection?

Mr. BARNHART. Reserving the right to object, is that not an unusual proceeding?

The SPEAKER. It is unusual; yes. Is there objection?

Mr. STAFFORD. I think that practice should not be established in this House.

Mr. CALDWELL. I withdraw it, Mr. Speaker.

The SPEAKER. The gentleman withdraws his request.

Mr. CANDLER of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for two or three minutes. I want to read a letter from the President.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to proceed for two or three minutes.

ORDER OF BUSINESS.

Mr. BANKHEAD. Reserving the right to object—and I do not propose to object—I will ask my friend if he will kindly withhold that request until the gentleman from Kentucky [Mr. JOHNSON] can submit a unanimous-consent request?

Mr. CANDLER of Mississippi. I will do that.

Mr. JOHNSON of Kentucky. Mr. Speaker, under the rules this is District day. Upon the request of the majority leader, the gentleman from North Carolina [Mr. KITCHIN], I ask that the bill which was under consideration on Saturday be considered again to-day, and that to-morrow be District day instead of to-day.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to substitute to-morrow for to-day as District day. Is there objection?

Mr. WALSH. Reserving the right to object, how about the gentleman from Missouri [Mr. ALEXANDER]? He has two bills which were made privileged, and which he anticipated would be taken up following the consideration of the rehabilitation bill.

Mr. ALEXANDER. It was understood that District day should intervene. That was agreed to.

Mr. MADDEN. This is District day, anyway.

Mr. GARNER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kentucky whether he knows if his colleague, Mr. SHERLEY, will report the sundry civil bill to-day? It was my understanding last week that the sundry civil appropriation bill would be reported to-day and considered to-morrow. Has the gentleman any information as to that?

Mr. JOHNSON of Kentucky. I have no information on the subject.

Mr. GARNER. If it is to be reported to-day, I think it should be considered first.

Mr. STAFFORD. Why not ask that it be taken up after the sundry civil bill?

Mr. GARNER. I do not want to do that; but I do know that it is the purpose of the gentleman from North Carolina [Mr. KITCHIN], expressed to me Saturday, that he believed the sundry civil bill would come in to-day, and that we would be able to pass it this week.

Mr. JOHNSON of Kentucky. I know, Mr. Speaker, that I am acting under the request made by the gentleman from North Carolina [Mr. KITCHIN] and the gentleman from Alabama [Mr. BANKHEAD] on Saturday.

Mr. GARNER. Under that statement I will not object.

The SPEAKER. Is there objection?

Mr. STEENERSON. Reserving the right to object, Mr. Speaker, I want to inquire whether this consent will interfere with the consideration of conference reports?

The SPEAKER. It leaves it exactly where it would have been if the request had never been made, and it leaves it in the discretion of the Chair to-morrow to recognize somebody to call up the appropriation bill even if this order is made. In its present form it is subject to the consideration of conference reports and appropriation bills and privileged matters.

Mr. GILLETT. I presume that to-morrow, if the House should prefer to take up the sundry civil bill or the business in order on District day, it could by a vote so determine.

Mr. JOHNSON of Kentucky. There is no doubt about that.

The SPEAKER. That is so. There is no question whatever about it. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

FIRST MISSISSIPPI CONFEDERATE COMPANY, AT ABERDEEN, MISS.

Mr. CANDLER of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for two or three minutes.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to proceed for two or three minutes. Is there objection?

Mr. WALSH. What about?

Mr. CANDLER of Mississippi. I made a speech the other day about Confederate soldiers tendering their services to the

President, and I have a letter from the President of the United States I want to read.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANDLER of Mississippi. Mr. Speaker, on May 14 last I discussed in a short speech in the House of Representatives the organization on May 3, 1918, of the First Mississippi Confederate Company at Aberdeen, Miss., composed of Confederate veterans, of which Mr. J. W. Howard was elected captain, and the passage by the members of the company unanimously of a resolution tendering their services to our great Commander in Chief, President Woodrow Wilson, to be used in winning the war. In accordance with their expressed request to me as their Representative in Congress I made formal tender to the President of their services by letter, inclosing the proceedings and the resolution, with the request that he make reply to Capt. J. W. Howard. On June 7 I received the following letter:

THE WHITE HOUSE.
Washington, June 7, 1918.

Hon. E. S. CANDLER,
House of Representatives.

MY DEAR MR. CANDLER: The President has been glad to comply with the request in your letter of June 6 and would be glad to have you forward the inclosed letter to Capt. Howard.

Thanking you for bringing the matter to our attention, I am,

Sincerely, yours,

J. P. TUMULTY,
Secretary to the President.

The letter inclosed to me by his secretary, Mr. Tumulty, was signed by the President himself and is as follows:

THE WHITE HOUSE.
Washington, June 7, 1918.

Capt. J. W. HOWARD,
First Mississippi Confederate Company,
Aberdeen, Miss.

MY DEAR CAPT. HOWARD: I have learned with the most genuine appreciation of the action of the First Mississippi Confederate Company, of which Mr. Condie Tubb apprised the Hon. E. S. Candler in a letter dated May 11, and I want to beg that you will convey to the members of the company an expression of the pleasure their offer of services has given me. Such evidences of devotion and of willingness to make every sacrifice are in the highest degree delightful and encouraging, and you may be sure that if it should turn out at any time to be possible for the Government to avail itself of this offer it will not hesitate to do so.

Cordially and sincerely, yours,

WOODROW WILSON.

[Loud applause.]

I am very happy and I know Capt. Howard and every member of his magnificent company, composed of true, loyal, and brave men, will be delighted to receive this splendid response from President Wilson, the Commander in Chief of the Army and Navy of the United States of America. I am glad he said to them, "You may be sure that if it should turn out at any time to be possible for the Government to avail itself of this offer, it will not hesitate to do so." Capt. Howard and his company are honored in receiving this letter, but would feel more highly honored in receiving an official order assigning them to duty in the American Army, now fighting for the preservation of our liberties, the glory of our flag, and the perpetuity of this Republic. Yes; at this very moment fighting in the sacred cause for righteousness, truth, justice, and democracy, and for the destruction of oppression, brutality, barbarism, and autocracy, that civilization may survive and the Christian religion be supreme in the Nations of the world. If given the chance, these chivalrous and brave heroes composing this company would press forward with intrepid step and flashing eyes, beaming with loyalty and patriotism, beneath the Stars and Stripes, the most beautiful flag of the grandest Nation on earth, with their comrades in arms to a glorious victory which would secure democracy and universal peace. [Great applause.]

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
Wednesday, June 19, 1918.

Mr. BARNHART requests leave of absence for Gen. I. R. SHERWOOD, on account of advice of his physician that he go home and recuperate from injuries received in a street car accident in which he was injured.

HENRY A. BARNHART.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

VOCATIONAL REHABILITATION.

Mr. BANKHEAD. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of Senate bill 4557.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 4557, with Mr. HELM in the Chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 4557, which the Clerk will report by title.

The Clerk read as follows:

A bill [S. 4557] to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

The CHAIRMAN. When the House rose on Saturday, the amendment of the gentleman from Arkansas [Mr. CARAWAY] was pending.

Mr. BANKHEAD. Mr. Chairman, I would like to see whether or not any gentleman, a member of the committee, desires to speak in favor of the Caraway amendment. I would like to make some arrangement, if possible, for closing debate on that proposition.

Mr TOWNER. The gentleman from Arkansas [Mr. CARAWAY] is here. The gentleman might ask him.

Mr. CARAWAY. I understand the gentleman from Utah [Mr. MAYS] desired to speak.

Mr. BANKHEAD. If any other gentleman desires to speak, I would like to make some arrangement with him. I ask unanimous consent, Mr. Chairman, that the debate on the Caraway amendment, which is now pending before the committee, be closed in 25 minutes.

Mr. TOWNER. I do not know whether anybody desires to speak on this side or not.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama that the debate on the Caraway amendment be closed in 25 minutes?

There was no objection.

Mr. BANKHEAD. I yield five minutes to the gentleman from Utah [Mr. MAYS].

Mr. MAYS. Mr. Chairman, I had not intended to say anything in regard to this amendment, but since the opportunity has offered perhaps I had better accept the chance.

I am in favor of this bill. I believe that it is about the most important bill, from the humanitarian standpoint, that we have considered at this session. I am in favor also of the Caraway amendment, because I believe that those who are to administer upon this bill should not be too much restricted in its operation. It has been stated here that vocational training is a very narrow term, that it applies entirely to work with the hands or feet. I think that the gentlemen who are to administer this bill should not be so restricted. They should be permitted to rehabilitate these wounded soldiers to the status that they had formerly occupied as nearly as possible.

The Standard Dictionary states that rehabilitation is "to restore to former status, capacity, right, rank, or privilege." I have in mind the story of a young man as he related it to me the other day, who was a student of the law. He had spent some years in preparing himself to enter the profession of the law, when he was accidentally blinded by an electric shock which destroyed his eyesight entirely.

He felt like committing suicide. He was married, had a wife and one or two children. He consulted with his wife on the subject of going ahead with his studies in the law. She told him she would be his eyes, that she would help him all she could. He continued his study of the law, and since then through the profession of the law has made a competency for his wife and children and for himself, and has been elected a Member of this body. Now, suppose that injury had occurred while he was a soldier. Perhaps he would not have been fitted for working with his hands. He might not have wanted to go into the business of blacksmithing or farming or carpenter work; but instead of that he might have desired to go ahead with his studies in the law.

I think the rehabilitation board, who will undoubtedly be men of experience and good judgment, should be allowed to exercise some discretion in determining whether a young man who leaves the study of the law or medicine, dentistry or the ministry, goes to war, and is wounded and disabled shall be compelled to go into carpenter work, blacksmithing, or some other vocational occupation, or whether he may be allowed to continue his life work. The board may prescribe the course. Why too much restrict them?

I notice that in 1916 we appropriated $101,000 for the support of Howard University out here for the education of negroes.

They are not restricted to vocational work. They are permitted to take up dentistry, the law, or medicine, or theology, or engineering, or other polite professions. Are not the young men who have been wounded, and who are to be wounded, in this war as deserving of our attention as these negroes out at Howard University? I think a good work is done there. I should vote for an appropriation of that sort, but I do not believe we should too much restrict the work to be done under this bill, but that we should give to the people who are to administer it the right to say whether a man is best fitted to go into some learned profession rather than to go into something for which he is not fitted. Therefore I think this Caraway amendment ought to pass; that we ought to strike from this bill the word "vocational" and leave to the judgment of these men who are to administer this law full discretion in its operation.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. MAYS. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Under the definition that the gentleman has just read from the dictionary, "rehabilitation" means to restore to a former status. Does the gentleman think that would be contemplated by a proposition to educate a young man entirely along professional lines?

Mr. MAYS. I think perhaps not, but they ought to be permitted some discretion in the matter, and the point I am trying to make is that a boy who leaves in the midst of his professional studies ought to be allowed to complete them if he is disabled while fighting for his country. My two boys were studying law when they went into this war. They may be wounded. If they are, I myself shall undertake to educate them and continue them in the work of the law if they are able to pursue it, but some fathers may not be able to continue the boys in the line they have chosen and for which they seem best fitted. Therefore discretion should be given this board who are to administer this law as to whether or not a man shall be restricted to hand work or bodily labor, although he may be better fitted for theology or the law or medicine or something of that character. [Applause.]

Mr. TOWNER. Mr. Chairman, I should like to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. TOWNER. Mr. Chairman, I understand how gentlemen taking up the abstract proposition whether a man ought not to have a chance of going to a professional school when he returned from the war would find that proposition appealing to them. I understand how generally that would receive an affirmative response in the mind of every generous and patriotic citizen. But we should understand, gentlemen, that that is not the object and purpose of this bill. It does not propose to give men a general education or to cover every possible case or condition. It was not organized, formulated, or initiated for that purpose. Let me say, gentlemen—and I desire to say this especially to gentlemen on the other side of the aisle—that this is preeminently a war measure and an administration measure. It is a war measure because of the fact that the wounded soldiers are returning from France on every available transport. Already over 4,000 of our boys, soldiers of the Union, have been wounded on the battle fields of France. Many of them have been able to go back again into the ranks. Many of them have been sent here entirely incapacitated to return. Almost any day we may expect them to come in, not by units, or by tens, or by hundreds, but by thousands. If 200,000 of our boys shall be engaged, as is not at all unlikely, as is indeed very probable, in a great offensive or counteroffensive that may come at any time, it is not at all unlikely that 10,000 of them will be sent back here wounded and disabled. So this is imperative legislation. Some of these boys are here now. They demand attention at our hands. We are doing what we can for their physical and mental restoration. We have them now under treatment in the hospitals, and as an incident of their mental and physical restoration they are to some extent now being given, without authority, a little vocational training. But the experience of this war has demonstrated the fact that it is a great, a serious, an imperative responsibility on the Nation to provide for these returned soldiers just as soon as possible to give them such training as will restore them both functionally and vocationally, give them such training as they may need to make them independent and self-respecting citizens of the community. So all the nations engaged in the war—the allies and their enemies—are taking up this vocational educational proposition.

I will say to gentlemen that none of these nations has considered the question of educating men professionally. Over here it was discussed for a while, but it was soon ascertained that it was entirely unnecessary; that it would complicate matters; that vocational education was a separate proposition; that professional education was one thing and vocational education was another. Professional education is open to any returned soldier to-day without cost to him. Every college in the United States opens its doors without cost to the soldiers. We are now giving every disabled man, and this treats only of disabled men, an amount that may help him while engaged in studies in the schools, if he desires to pursue such course.

Mr. MAYS. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. MAYS. Is it true that the schools are offering to educate soldiers free?

Mr. TOWNER. Yes; everywhere. I will venture to say to the gentleman that he can not find a law school or a medical school in the United States to-day that does not do that. I do not know about the theological schools.

Mr. MAYS. Including board?

Mr. TOWNER. No; not to that extent.

Mr. MAYS. Simply tuition?

Mr. TOWNER. Yes; and the gentleman will understand that we give a very liberal allowance to the soldier that would assist him in taking care of that. It was for that reason that they did not include professional education in this bill.

Now, let me say a word as to how this bill originated. This bill originated in the Council of National Defense as a war measure. The Council of National Defense is composed, as you know, of the Secretary of War, the Secretary of the Navy, and other Secretaries in the Cabinet. They called together the experts from every department into conference, 50 or more in number, and they appointed a subcommittee for the special consideration of this legislation, and the only and sole purpose of it all was to formulate a plan for vocational education.

After they had considered it these gentlemen appointed a special board for the purpose of formulating the necessary legislation. That board consisted of the Assistant Secretary of the Navy, Mr. Roosevelt, a representative of the War-Risk Insurance Bureau, a representative of the Interior Department, a representative from the Surgeon General's Office, and one from the Federal Board of Vocational Education, together with Dr. Gifford, the secretary of the Council of National Defense. That board formulated a plan and submitted it to the respective committees of the House and the Senate. The only thing that they considered, the only thing they recommended, is this bill for vocational rehabilitation. So this bill is an administration measure if there ever was one. Gentlemen who desire to support the prosecution of the war, and the administration in the prosecution of the war, ought to hesitate long before they attempt to change the object and purpose of the bill to something entirely different.

Now, what does this motion mean? It means to strike out the word "vocational" from rehabilitation. The word "rehabilitation" is used throughout the bill, in the same manner and correlatively with "training," so that it means vocational training. Some of us thought it would have been better to omit the word "rehabilitation" and keep the word "training" all the way through. But what it meant and what we propose to give them is vocational training, and that is all. We propose to give them under the operation of the bill vocational training. We have provided already for the rehabilitating of the soldiers and sailors physically and mentally; that is, take care of all by the provisions of the law under which the surgeons and the medical officers of the Army and the Navy care for these men in the hospitals.

They restore them; they rehabilitate them, physically and mentally; and this bill undertakes to restore them and make them independent vocationally. When you strike out the word "vocational" you change the purpose of the bill entirely. You say to this educational board to which we have committed this vocational training, "We also commit to you the physical and mental and every other kind of rehabilitation you can think of." That never was intended by the administration nor imagined possible by anyone connected with the making of the bill.

I say to you gentlemen that, in my judgment, if this amendment is adopted you will either kill the bill or delay its passage indefinitely. Do you suppose in the Senate those who have considered and discussed the bill critically for three days and have determined upon its plan and scope and purpose; do you believe the sponsors of the bill for vocational rehabilitation; do you suppose the administration will be with you, when you change the entire character of the bill? That is the responsibility you gentlemen take if you strike out the word "vocational." I hope there is not a man on this side of the House, and so far there has been no man on it, that will delay the passage of this war legislation that is imperative now by a single hour or a single day. [Applause.]

The CHAIRMAN. The time of the gentlemen has expired.

Mr. TOWNER. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TOWNER. Now, gentlemen, will you on the other side of the House, knowing as I do your desire to assist the administration in carrying on this war, will you complicate this situation by delaying this legislation? There is not a single man of you but knows that if you send the bill back to the Senate changed as it will be, fundamentally and radically, from something that they have not had under consideration at all—there is not a man but that will hesitate to do that. I ask you as the earnest supporters of war legislation, as the earnest supporters of the administration, not to take this responsibility. I think you will hesitate long before you will do such a thing as that.

Ah, gentlemen, this is too important now. There is not a single member of the committee who has not thought that he would like to see some changes made in the bill. I have believed that some changes ought to be made in the bill, but they are unimportant, and I am willing to let them go, because we need this legislation, and we need it now. But this change, this vital, fundamental change ought not be made, because it will imperil the bill if it is made and because it will delay the bill inevitably. So I ask gentlemen, with all respect for those who are honestly endeavoring to enlarge the scope of the bill, not to insist at this time upon this amendment.

Mr. MAYS. Would not the gentleman's argument prevent the amendment of any bill?

Mr. TOWNER. Yes; if such amendment would change the entire character of the bill and make it something entirely different from the proposed legislation. This bill has been presented as a plan for vocational education for our disabled soldiers and sailors. As such it has been approved by the administration, unanimously indorsed by both Senate and House committees, and passed by a unanimous vote of the Senate. To now entirely change the character of the bill would have the effect to defeat the legislation as it was intended.

Mr. MAYS. That, however, should not prevent amendment.

Mr. TOWNER. It should prevent the killing of the bill or the delay of the bill, and that is what will happen if this amendment is adopted.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. CANNON. Mr. Chairman, I have been out of the House, and I would ask how much debate there is upon this.

The CHAIRMAN. There is 10 minutes remaining.

Mr. CARAWAY. Mr. Chairman, will the gentleman from Illinois yield for a parliamentary inquiry?

Mr. CANNON. Yes.

Mr. CARAWAY. Mr. Chairman, was it not 25 minutes? Five or six minutes have been granted to the Members by unanimous consent, and in that way the committee has extended the time.

Mr. MADDEN. Mr. Chairman, I think, with the gentleman from Arkansas [Mr. CARAWAY], that the importance of this amendment justifies having at least an hour's debate upon it.

Mr. CARAWAY. I have 5 minutes in the 25 minutes.

Mr. MADDEN. I ask unanimous consent that the time be extended to an hour, instead of 25 minutes.

Mr. BANKHEAD. Mr. Chairman, I do not think that gentlemen desire to discuss the matter to that extent, and I am anxious to be as expeditious as possible. As I stated on Saturday, when we went into this agreement, I am going to be as liberal under the circumstances as the circumstances will justify, but I do not think we ought to unnecessarily extend the limit of debate upon this amendment.

The CHAIRMAN. The time has been limited to 25 minutes by unanimous consent.

Mr. WELLING. Mr. Chairman, a parliamentary inquiry.

Mr. MADDEN. Mr. Chairman, I withdraw my request.

Mr. WELLING. Is it not a fact that only 10 of those minutes have been consumed? As I understand it, the time of the gentleman from Iowa was extended for 5 minutes by unanimous consent.

The CHAIRMAN. He was recognized for 10 minutes and then was granted an extension of 2 minutes.

Mr. WELLING. As I understand it, he was recognized for only five minutes.

The CHAIRMAN. And the gentleman from Utah occupied five minutes of time and had an extension of two minutes.

Mr. WELLING. But the time extension of both these gentlemen was by unanimous consent, that time not to be subtracted from the 25 minutes.

The CHAIRMAN. The Chair does not think that is the general practice of the committee.

Mr. CANNON. Mr. Chairman, I could not say in five minutes that which will contribute very much to the consideration of the matter before us. I have some hesitation in rising at all because I have not given that attention to the bill that I would have been glad to give if I had had more leisure. I call attention to the fact that never in the history of any country on earth have such provisions been made for injury compensation, so called, practically pensions, for insurance, for pay, for maintenance of dependents, and so forth, as have been made by legislation in this Congress up to this time. I am heartily in favor of this bill as it is written, as I have read it and given as much attention to it as I could. I am not in favor of this amendment. A man with both arms off, with both legs off, has a compensation of $100 a month. The man who wants to become a minister or a lawyer or a doctor will get along very well, so far as that is concerned, and perhaps he would not come under the bill at all upon his own motion, and of course he could not be forced under it. But a small percentage of people compared with the number of our soldiers of this war will come under the bill, if it passes as it is now. Men so badly injured that something more in the shape of vocational training seems to be necessary will come under the provisions of this bill if they so elect, and this seems to be the trend of general public sentiment. In the Civil War the number of men who were severely wounded, who had legs off or arms off, who were incapacitated, were comparatively small with respect to the whole number engaged, and let me say to you, North and South, those men took possession of the politics of the country and the policies of the country at the close of the war. If you will just draw on your recollection for a moment, you will bear me out in stating that they came to Congress, that they were in the State legislatures, that they held county offices, and that they shaped and molded public sentiment North and South after the close of the war. We still have some of them with us and worthily so.

Take it, North and South, I say again, they became in the development of this country the great controlling factors, not only in what we ordinarily call politics but in broader fields than that. They were found as engineers, they were found as doctors, they were found as lawyers, they were found as politicians, they were found as ministers and professors and teachers, and, Mr. Chairman, we ought not to forget that when the boys come home at the close of this war, at a time when I shall be wearing, I suppose, an asbestos halo, they will take possession and direction, and worthily so, of the affairs of government, because they will have that rare experience and rare patriotism that will come from their service. [Applause.] So that if a boy wants to be a minister or a lawyer, if he has both legs off, if he is blind, if he shows a capacity along that line, all of the colleges are open to him and he will be preferred. It is the young man who goes in and who comes back blind or with his legs off or his arms off or mentally impaired that will be required to be restored.

Now, we can take and do this worthy service; the professions will take care of themselves as to those who are competent and desire to enter the professions. I listened with much interest to the closing remarks of the gentleman from Iowa [Mr. TOWNER], and I agree with them heartily, and I hope the amendment will not prevail. [Applause.]

Mr. CARAWAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CHAIRMAN. Under the agreement I had five minutes' time.

Mr. BANKHEAD. Mr. Chairman, when I took count of those who desired to speak I thought I could cover the time in 25 minutes, and I assured the gentleman from Arkansas [Mr. CARAWAY] that he would have five minutes of that time. He has offered the amendment, and I think it is nothing but right that he should have at least five minutes. Therefore I ask unanimous consent on account of this peculiar situation that the time be extended five minutes in order that that amount of time may be yielded to the gentleman from Arkansas.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time for general debate be extended an additional five minutes to be allotted to the gentleman from Arkansas [Mr. CARAWAY]. Is there objection? [After a pause.] The Chair hears none.

Mr. FESS. Mr. Chairman, let me ask what time have I?

The CHAIRMAN. Two minutes.

Mr. FESS. Would the gentleman modify his request on the same basis so that I may at least have five minutes?

Mr. CARAWAY. I will yield part of my time so as to apply seven minutes between us.

Mr. FESS. Mr. Chairman, call me at the end of three minutes and give the gentleman from Arkansas [Mr. CARAWAY] four minutes. [Applause.]

The CHAIRMAN. The gentleman is recognized for four minutes.

Mr. FESS. Mr. Chairman, I should like to have the attention of every member of this committee to the amendment that appeals to all of us, but I am afraid that we are making a mistake by allowing sentiment to control what we do here. Especially I want to call attention of Members from the Democratic side of the House that this bill has to do with vocational training, the management is by the vocational board, and if you go into professional training I should like to have you note what you are embarking on. If you want to take these boys and give them their training you must understand that under our present drift the boy must be a college-bred boy in order to get into a first-class law school. That means that he must have had a high-school training, a four years' course in college, and then he can enter the law school or the school of medicine, and if you propose to embark upon the scheme of giving professional education to the boys who come back here you are starting on a Federal scheme of education that applies to education under the Federal Government instead of under the State government, as is always the case, and I should think that is a pretty serious move to make at the present time.

This bill is not to give professional training of four years or of three years to some one who is going to take up a profession, who has already had a college education in order to take a profession, but it is to take a boy who is crippled and give him an opportunity to resume the work that he was doing before he was crippled, or if he could not do that to take up some new work, or if he had never taken up any work to embark upon some method of making a living. It is not intended that the Government should educate him for some profession that he is already prepared for, and while it appeals to me wonderfully personally, because those of my home who are in the service are college-bred men and look to something besides vocational training, I do not think that the Government ought to take them and prepare them for a profession. That is not the purpose of this bill. As I said before, it is a very serious embarkation you are launching on if you start in on professional training here instead of vocational training. It rearranges all the plan, and I hope that the amendment will not be carried by sentiment but will be voted down. [Applause.]

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I have seen a great many good amendments defeated in this House upon the theory that it is our duty to surrender our judgment and follow the committee. If that rule is to prevail at all, it ought to prevail in its fullest extent, and therefore when a bill has been reported by a committee the House ought to be compelled to accept it without the dotting of an "i" or the crossing of a "t." If you do not go that far, you ought not to urge that course at all, because that is the legitimate and obvious end, of course. I do not blame gentlemen for having pride in their committee work, and yet I do not think they ought to carry it to the extent to which they say: "If you do not agree with us, your effort will result in the defeat of the measure." With all due deference to those who differ from me in this matter, I assert that the only question involved is the question of costs. It costs more possibly to give young men professional training than vocational training. If you decide that your Government ought not to be generous—no; not generous but just—in dealing with these boys who go out and are maimed defending your Government, fighting that our people may live the life they choose, vote against this amendment, and by that vote you say, "I deny to you the right to follow out your destiny." And that is what you do if you vote against the amendment. Under this bill, in line 16, page 4, the board will have the power when it is created to prescribe the course that must be followed by maimed soldiers and sailors who are to be rehabilitated. It can say what he must follow in its prescribed course, and in the event he refuses to do it another provision of the bill gives the board the power to withdraw from him all assistance of the Government until he surrenders his individual choice and accepts the dictation of this board. If you want to do that, if you want to say to the young men of this country, "If you are ready to be bakers and candlestick makers when you come back maimed for life, we will help you to do that, but all other callings are closed against you," shall we accept their sacrifice and deny to them choice of calling when wounds render them unable to serve us longer? We by our votes in Congress, if we defeat this amendment, will have said, "We reserve for us and our sons the right to choose a calling, but we give to you the opportunity of having your hands trained, nothing more." Can we afford to do this? The gentleman from Iowa thought it wrong to talk about this House bettering the bill.

If it is true, if the Senate has said to us—and I presume it has spoken through the gentleman from Iowa [Mr. TOWNER], because I assume he would not make the assertion without authority—and if the Senate has said to him and authorized him to say to this House that "If you cross a 't' and dot an 'i,' the legislation will die," the responsibility is with the Senate and not with us. I am not going to abrogate my right to pass upon the justness of legislation under such threat. [Applause.] I am supporting this bill, and I have done so and I am going to do so. I am wedded to its aims, but I wish to go further and do as full justice as we can to these unfortunate boys, and that this would kill the bill is absurd. It will cost more money; that is all. If you think they do not deserve so much, vote against the amendment. Dollars will be saved and lives embittered; that is all. The gentleman from Iowa assures us the administration would oppose the amendment. By what authority does he speak? I question his authority. I refuse to believe our President would want to do an injustice to these unfortunate boys who now so freely offer their lives that human rights may live. Of course the amendment would neither kill nor delay the bills passage, because, the gentleman's proposition is true and the universities and schools are open to the boys, all you have to do is to supply them the means; and that is all we ask you to do in this amendment.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. MASON. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MASON. I ask unanimous consent to proceed for two minutes in favor of the amendment.

Mr. BANKHEAD. Mr. Chairman, I will have to object to that. We have had a thorough understanding. I regret very much to do it, but I will have to.

The CHAIRMAN. The gentleman from Alabama objects. The question is on the amendment of the gentleman from Arkansas [Mr. CARAWAY].

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. CARAWAY. Division, Mr. Chairman.

The committee divided; and there were—ayes 9, noes 59.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. That the courses of vocational rehabilitation provided for under this act shall, as far as practicable and under such conditions as the board may prescribe, be made available without cost for instruction for the benefit of any person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under Article III of said act and who is not included in section 2 hereof: *Provided*, That no monthly compensation, family allowances, or expenses as provided by this act shall be paid on account of any such person availing himself of the courses under this section: *And provided further*, That nothing in this section shall deprive any such person of the benefit of the provisions of said act.

Mr. BANKHEAD. Mr. Chairman, I desire to offer a committee amendment.

The CHAIRMAN. The gentleman from Alabama offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 4, line 6, strike out all of lines 6, 7, and 8 and all the words in line 9 preceding the word "that" in said line.

Mr. BANKHEAD. Mr. Chairman, after a consultation with members of the committee and others who have given careful scrutiny to the purposes of the bill in connection with the phraseology here used, we have decided it was not necessary to prohibit the allowance of monthly compensation, family allowances, or expenses, and so forth, as set out, and these words should be struck out. I do not think it requires any further argument. It is a committee amendment that I ask you to adopt.

The CHAIRMAN. The question is on the adoption of the amendment of the gentleman from Alabama.

Mr. FESS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FESS. To propound an inquiry to the chairman of the committee. We are leaving in the bill that second proviso:

That nothing in this section shall deprive any such person of the benefits of the provisions of said act.

I would like to ask my friend whether he now feels perfectly satisfied that that does carry with it the family allowance?

Mr. BANKHEAD. That last provision?

Mr. FESS. It says everything in the said act, which is the war-risk insurance provision, and here is the thing that has been raised in my mind after studying over the thing last night, and I would like to have the chairman's opinion on it. When the soldier is discharged the family allowances stop?

Mr. BANKHEAD. Yes.

Mr. FESS. Now, by striking out that proviso——

Mr. BANKHEAD. You mean the proviso?

Mr. FESS. I mean striking out lines 7 and 8, which is a prohibition of any compensation and family allowance, and leaving the provision as it is written, "That nothing in this section shall deprive any such person of the benefit of the provisions of said act," which is the war-insurance act. There is no benefit under the war-insurance act, under family allowance, when the soldier is discharged. I fear he is not getting the family allowance under the wording of this.

Mr. BANKHEAD. I will say to my friend from Ohio that that had very careful consideration, and it was the consensus of the opinion of the members of the committee that the situation was taken care of. If there was any question about it we would not offer that amendment, but, in our judgment, we think the other sections of the bill take care of the family-allowance provision, and that is a provision as to the payment.

Mr. FESS. I will say this to my friend, that leaving it as the amendment proposes will at least do less harm than to leave the inhibition in it. We are sure of that, but as to whether or not this is giving precisely what the Member wanted, namely, the family allowance, to be continued while he is in the service—which would be true in section 2, but I doubt very much as to section 3—I doubt very much if that will be true without putting an express provision in it excepting family allowances. If we should say "No monthly compensation or expenses are provided by this act except family allowances," then we would know it would go in. But I am not raising any question, except one of doubt in my own mind.

Mr. BANKHEAD. We were of the opinion it would be covered by other sections of the bill after the elimination of the language by the amendment I have suggested. I will say to my friend from Ohio that the members of the committee had some consultation about it during his absence and that we reached that conclusion.

Mr. FESS. All right. I will not make any objection.

Mr. HICKS. Mr. Chairman——

Mr. BANKHEAD. Has the Chair submitted the negative vote on the amendment?

The CHAIRMAN. The Chair has not. The gentleman from Ohio asks for recognition.

Mr. IGOE. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Missouri rise?

Mr. IGOE. Mr. Chairman, I was somewhat surprised at the speech of the gentleman from Iowa [Mr. TOWNER] a few moments ago, in which he took to task somewhat those who tried to amend this bill.

I think this is one of the most important bills that has come before this Congress, and I am heartily in favor of doing everything possible to provide a complete and thorough system for the rehabilitation of the soldiers who may be disabled. To me it seems it is absolutely necessary that this rehabilitation should be provided in such a way as to appeal to the men.

I am afraid that the Members who have had charge of the preparation of this bill have not done a good work in the compensation features and in the allotment and allowance features, and I predict that unless these features are changed it will be in utter confusion from the very day it is passed.

Now, under section 2 what is the compensation that is to be paid these men under this act? I have read it carefully and have spoken to some of the members of the committee, and I understand it is their intention to confine the compensation to what the soldier would have received under article 3 of the war-risk insurance bill where his Army pay does not exceed that amount. But this act goes further and says that under this act his compensation shall be, first, the pay that he received in the last month of his service, or, second, an amount equal to the amount to which he would be entitled under article 3 of said act, whichever amount is greater.

Now, I contend that the wounded man is entitled to what he would have received under article 3, without regard to this act. It is given to him by the war-risk insurance act. Therefore, under this bill he will receive, in addition to that, his monthly pay, provided it exceeds what he would receive under article 3, and if it does not exceed what he would receive under article 3 he receives as much again as he would receive under article 3. Now, then, when they go on further and provide for the allotment, they restrict it absolutely to the wife and children, and they base the allotment upon the monthly compensation. If it was their intention not to pay the man anything more than he got under article 3, then, he does not get any compensation under this act, if their interpretation of their language is correct. But no lawyer reading it can come to any other conclusion than that he receives under this act an amount equal at least to what he would receive under article 3 of the war-risk insurance act.

Why should the allotment and allowance be confined to those who have wives and children? Will not these men who come back, who have dependent parents and dependent brothers and sisters, be anxious to get back home to earn something for their families? And if you are going to permit this allotment why not allow those men who have gone into the service with dependent fathers and mothers, brothers and sisters to take advantage of the allotment and allowance provision of the war-risk insurance law while they are undergoing this course of rehabilitation?

I submit that there is no answer to that objection, except that they should have the right. But under this law they can not do it, and the men who have dependent fathers and mothers, in order to provide for them, will not take advantage of this, perhaps, but will want to go back to the ready employment which, everybody knows, these men will be able to find from patriotic citizens who are anxious, immediately after the injury has been received, to aid them. Again, under the bill as written there is not any doubt in the world but that if a man starts to take a course of rehabilitation and does not continue it he can be deprived of every cent of compensation not only for a month or two, but forever.

And so I hope that the members of this committee will consider it between now and the time this bill passes the House, because it is a Senate bill, and if sections 2 and 3 are not amended now before it is passed I predict that there will be much confusion from the day the bill is signed, and those who administer it will never be able to interpret it in the way the members of the committee wish it interpreted. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. HICKS. Mr. Chairman, I move to strike out the last word, for the purpose of propounding a general inquiry to gentlemen of the committee. As there has been some uncertainty in the minds of many of us regarding this very important bill, I take the liberty of stating my understanding of it, and I will be very glad to have the members of the committee correct me if I am in error.

The underlying purpose of this measure, as I read it, is the rehabilitation of persons disabled in the service of their country, and it does not apply to anyone who is not entitled to compensation under the war-risk insurance act for injuries received in line of duty.

Mr. BANKHEAD. That is correct.

Mr. HICKS. Upon discharge from the military or naval hospitals, it is entirely optional with the men to avail themselves of this vocation training. There is no compulsion, and even the choice of a trade course is optional. If the men elect to take the training they will be graded into two classes. Class 1 will be composed of men whose injuries prevent them resuming their old occupations or engaging in any gainful trade. These men are dependents. Section 2 provides for this class.

Mr. FESS. That is right.

Mr. HICKS. Then class 2 will be composed of men who are able to resume their old occupations or enter new ones. These men will be self-supporting but desire to perfect themselves, and will be permitted to take the courses prescribed by the Board for Vocational Education free of cost.

Men who are in class 1 will have the option, while they are taking the courses, of continuing to accept the compensation they are entitled to receive under the war-risk insurance act or to draw pay based on the salary received the last month they were in the service.

Mr. BANKHEAD. That is correct.

Mr. HICKS. There has been some confusion on that point, and I am glad my understanding of the provisions is correct. In other words, the men may choose either the pension plan or the pay plan, whichever is to their advantage, but in either case provision is made for compulsory monthly allowances or allotments to the family.

If they elect to accept the salary compensation plan, they must, while in training, relinquish temporarily, compensation under the war-risk insurance act. In this case family allowances will go on as prescribed by existing law. If they elect to continue compensation under the war-risk insurance plan,

then their families will receive allotment payments based on this compensation, as provided for in section 2. If the men are in class 2, they will receive their education free, but will not be permitted to draw any compensation under the pay plan, but, of course, they will receive compensation under the pension or war-risk insurance plan. Is that correct?

Mr. BANKHEAD. That is correct.

Mr. HICKS. That is the point in dispute. I thank the gentleman from Alabama for his courtesy, and congratulate him for his able work on this measure.

I thoroughly believe in the principle of this bill. We owe it to the sailors and soldiers themselves to leave nothing undone which will promote their welfare and advance their interests. They have made the sacrifice, and it is our duty to provide for them to the utmost of our ability. A pension is not sufficient; we must make them useful and independent factors in our economical life. We owe it to society and to the future of our Republic to rehabilitate these men and restore them to industrial pursuits in order to conserve the man power of our country and assure the advance of the Nation in industrial progress and the continuous development of our resources. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, there are three classes of heroes who excite our admiration. One is the man who enlists in the service of his country and dies in its defense. Another is the man who enlists and comes back from the wars wounded and maimed. The third is the man who carries on a successful war and returns to us uninjured, but having done his full duty. I feel that we can not too highly commend them all. Of course, the man who dies can not come back to tell of his valor. The man who is maimed may come back, but he comes inviting our sympathy along with our praise. We should give to him the best care and attention that is possible, and for that reason I am in favor of the passage of this vocational-training bill.

I have been making inquiries recently in regard to the men who die in the service abroad, with a view of having their bodies preserved and brought back, so that their relatives may have the privilege, if they desire, of giving them decent interment in their native land. The matter has been brought to the attention of the House through communications of the Secretary of War. I am in a position now to report from the War Department the final conclusion that it has reached upon this question. It arises in a case brought to the attention of the department some time ago, and is embodied in the letter which I send to the Clerk's desk to be read.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, June 5, 1918.

Hon. J. HAMPTON MOORE,
House of Representatives.

MY DEAR MR. MOORE: Receipt is acknowledged of your letter of May 28, 1918, inclosing copy of a letter to you from Mr. Henry Clair, father of Capt. Frederick David Clair, United States Medical Corps, who was killed in France a few days ago, requesting your assistance in having the body of his son returned to this country for interment.

The question of returning the bodies of soldiers who are killed or die on foreign service has been considered by the War Department and the Navy Department in conjunction. The committee considering this matter went into the case in all its aspects and it has been decided that the bodies of our soldiers, sailors, marines, and civilian employees who are killed or die in France can not be returned to this country for interment until after the close of the war. Gen. Pershing has arranged with the French Government for sections of the country to be used as military cemeteries, and the Quartermaster Corps has organized and are now operating in France certain organizations called Grave Registration Units. These units are charged with the duty of burying the dead, caring for the cemeteries, and the identification records of those buried. This is done in such a manner that there will be no confusion or doubt as to the identity of any soldier now buried when his body is taken up to be transported home after the war. For obvious reasons no other conclusion could be arrived at under existing conditions, the main feature being that of ocean transportation. The department regrets that it is unable to comply with the request of Mr. Clair.

Sincerely, yours,

F. P. KEPPEL,
Third Assistant Secretary of War.

Mr. MOORE of Pennsylvania. Mr. Chairman, many Members have received inquiries concerning the return of the soldier dead, and I desired to have this letter read for their information.

The CHAIRMAN. Without objection, the pro forma amendment heretofore offered will be withdrawn.

Mr. VESTAL. Mr. Chairman, I offer a substitute for the amendment.

The CHAIRMAN. The gentleman from Indiana offers a substitute for the committee amendment. The Clerk will report it.

The Clerk read as follows:

Mr. VESTAL, of Indiana, offers the following substitute for the committee amendment: Page 4, line 6, after the word "that," strike out "no monthly compensation," and change the word "or" after "allowances" to "and"; and in line 7, after the word "expenses," insert the word "only."

Mr. VESTAL. Mr. Chairman, I have offered this substitute for this reason. I can not understand why a man in the class mentioned in section 3 of this bill who is able to follow his former occupation but can not produce to the maximum, who desires to take this course, and the board permits him to take the course—I can not understand, I say, how his family is in any better condition than the family of a man mentioned in section 2, unable to follow any vocation who takes this course. That is to say, the family of any of these soldiers taking the course of vocational education should have the family allowance. The amendment offered by the gentleman from Alabama [Mr. BANKHEAD] cuts out the family allowance to this class, and provides a compensation and family allotment provided for under the war-risk insurance act.

My amendment proposes to give them a family allowance as provided for in this act, together with compensation and allotment provided under the war-risk insurance act, while taking this course of vocational education. I can see no difference between the families of the two different classes. I think the young man who is able to partially provide for his family but who can not produce to the maximum, who elects to take this course, while he is taking the course, if he has a wife and children, that wife and children should be cared for, and I think the Government ought to care for them by giving them a family allowance while he is taking the course.

Mr. FESS. Mr. Chairman, I should like to state to the committee that the purpose of excluding compensation and family allowance as provided under the war-risk insurance bill to these soldiers who are disabled, but who are able to resume their work and carrying it on successfully, was written on this basis: That if the soldier coming back disabled could go on with his work successfully, it would be a question of his disability under the war-risk insurance act. It certainly would not be total, and it is a question whether it would be partial. The war-risk insurance act makes this provision:

If and while the disability is partial, the monthly compensation shall be a percentage of the compensation that would be payable for his total disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent.

If he has resumed his position when he came home, the question is whether he is partially disabled, not certainly in earning capacity, because he has resumed his work. Therefore this bill omitted, in the case of the man who could resume his work, all the provisions of the war-risk insurance act, omitted compensation, and it is a question whether they would get it anyway if their disability was not sufficient to resume their earning capacity. They also omit the family allowance. There was a strong sentiment in the committee that there ought to be a family allowance to the boy who, after having come home and resumed work, wanted to do better work, and desired to come and take the training, that his family ought to have advantage of the compulsory allowance. However, I felt from the beginning that it would be best not to open the Treasury of the Government to those who had resumed the work and are successfully carrying it on. You do not know where the limit would be, and therefore I have been from the beginning inclined to omit the compensation and family allowance to this class in section 3. However, I am not going to worry over giving them a family allowance which is provided by the amendment.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Indiana [Mr. VESTAL] for the amendment offered by the gentleman from Alabama [Mr. BANKHEAD].

The question was taken; and on a division (demanded by Mr. VESTAL) there were 11 ayes and 13 noes.

So the substitute was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Alabama.

At the request of Mr. DALLINGER, the amendment was again reported.

The question was taken, and the amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 4, line 2, after the word "disabled," strike out down to and including the word "hereof" in line 5, and insert in lieu thereof the following: "by reason of service in the military or naval forces of the United States from pursuing a suitable vocation."

Mr. GREEN of Iowa. Mr. Chairman, I have offered this amendment not with any expectation that it would be adopted,

because it so seriously changes the bill passed by the Senate and now being considered. I expect to withdraw it after I have said what I wish to say. I merely want to call the attention of the committee to a very serious situation which is not provided for in this bill or in any other way.

I find that a large number of soldiers are being discharged by reason of disability and yet are allowed no compensation, although their health was considered good enough to take them into the Army. They passed all physical requirements, but are discharged by reason of physical disability, and yet it is claimed that that physical disability under which they are discharged originated in some way before they entered the service.

One hundred years ago the traveler in England, in London, perhaps, noted sitting in the shadow of the Nelson Monument old sailors and soldiers, heroes of Trafalgar or Waterloo, maimed and disabled, begging, asking that somebody give them a farthing with which to buy food. At the same time Wellsley had been made a duke and Nelson a viscount, and both of them had received large grants of money. The custom seems to have been at that time to reward those who least needed reward and who had already been rewarded by the positions which had been given them in the army or the navy. At this time another spirit prevails. The old methods are gone. The world has moved. It has become more charitable, more kindly, more considerate. An example is found in this bill, where it is sought to care for those who can least care for themselves, and I am heartily in favor of its provisions.

This is, perhaps, the highest example of this forward movement which has gone over the world during the present war in the way of caring for the maimed soldiers who have been disabled in carrying on their country's flag. But now, under the circumstances that I have mentioned, there are being discharged from many of our hospitals men who shortly after they entered the war were found to have developed tuberculosis, and they are allowed nothing under the compensation act and they can get no benefit under this bill. They are absolutely disabled from carrying on their former vocations. They are passed out as derelicts upon the world. It has sometimes been said that republics are always ungrateful, but this bill is an example that this is not the case. Yet it is an example of how we are inclined to overlook some of our beneficiaries because they do not belong to a numerous class, and yet are numerous enough so that they ought to have some attention. We are careless, likewise, about those who are in our hospitals, and in this respect I am not finding fault with the Medical Department; but somehow, because there is not proper provision made for their care, young men suffering from rheumatism or tuberculosis are having their young lives burned out in some pesthole or hospital located in a swamp camp in the South—young men who were brought from northern regions, who never had seen a hot day until they went South, and never knew what it was to feel the heat.

Mr. HICKS. Did they come from Iowa?

Mr. GREEN of Iowa. Not from Iowa, but from other regions. There is heat enough in Iowa at times—from Idaho, from Colorado, from other States that I could mention.

Mr. HICKS. And from Long Island?

Mr. GREEN of Iowa. No; not from Long Island. They know something about heat there. I am sorry to see that gentlemen are not inclined to take this thing seriously. It does seem strange that cases of what amount to heartless cruelty are not received with seriousness by the House.

Mr. FARR. Does the gentleman mean to say that the case that he described will not come under the compensation law?

Mr. GREEN of Iowa. No; I do not, so far as those confined in the hospitals are concerned. I am speaking of the fact that the compensation law has simply jumped over their heads in making no provision to give them proper care.

There are, however, many discharged on account of disability who receive no benefit from the compensation law and are unable to take care of themselves.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. The compensation law, while caring for a large class of our young men who need relief, has overlooked a smaller and possibly an even more deserving class that have not been cared for, and in the instances I mentioned would have to be cared for by a bill of an entirely different nature. It also overlooks a small class of those who do not come under the compensatin act at all, but who nevertheless have been disabled by reason of their service in the Army or the Navy—men who went in, as I know, men from my own district, who were able to do a good solid day's work on a farm before they went into the Army, and who now are not able to take care of themselves and yet are receiving no benefit under the compensation act and can receive no benefit under this bill. It is a matter that ought to be considered.

Mr. FARR. Would these men be precluded from getting a pension?

Mr. GREEN of Iowa. They would get one only by a special act.

Mr. FESS. This bill limits its operation entirely to the beneficiaries of the war-risk insurance.

Mr. GREEN of Iowa. Yes.

Mr. FESS. I think the war-risk insurance act ought to be amended to cover those people. If it were so amended, then this bill would cover them also.

Mr. GREEN of Iowa. The gentleman from Ohio suggests a remedy, and quite a proper one, that I hope will be adopted. I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Without objection, the gentleman will be permitted to withdraw his amendment.

There was no objection.

Mr. DALLINGER. Mr. Chairman, I move to amend the section by striking out the second proviso on page 4.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment which the Clerk will report.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Strike out of lines 9, 10, and 11, page 4, the following language: "that nothing in this section shall deprive any such person of the benefit of the provisions of this act."

Also, strike out the word "provided" in line 5, page 4.

Mr. DALLINGER. Mr. Chairman, I simply wish to call the attention of the committee to the fact that this second proviso was added to qualify the first proviso, and now that we have stricken out the first proviso by the adoption of the committee amendment offered by my colleague Mr. BANKHEAD, of Alabama, this second proviso is nothing but surplusage, because the only people under section 3 of this act who are entitled to avail themselves of these vocational courses are soldiers and sailors who are disabled under circumstances entitling them after their discharge to compensation under article 3 of said act, which means the war-risk insurance act. It is manifestly surplusage to add that nothing in this act shall prevent them from getting the compensation to which they are already entitled under that act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the question was agreed to.

The Clerk read as follows:

SEC. 5. That it shall also be the duty of the board to make or cause to have made studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placement in suitable or gainful occupations. When the board deems it advisable, such studies, investigations, and reports may be made in cooperation with or through other departments and bureaus of the Government, and the board in its discretion may cooperate with such public or private agencies as it may deem advisable in performing the duties imposed upon it by this act.

Mr. LONERGAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LONERGAN: Page 5, line 8: At the end of line 8, insert "persons honorably discharged from the military or naval services of the United States by reason of disabilities resulting from wounds or sickness incurred in line of duty shall be preferred for appointment to offices or places of employment under the United States Government whenever the board shall certify they are qualified to perform the duties of said office or employment, existing law or laws and rule or rules of the Civil Service Commission notwithstanding.

Mr. BANKHEAD. Mr. Chairman, I reserve the point of order against the amendment if the gentleman from Connecticut desires to discuss it.

Mr. LONERGAN. Mr. Chairman, an examination of existing law leaves the impression that it does not cover present conditions. We are giving to the vocational board unlimited powers in the training of men who meet with injury in the service, and in section 5, among other powers, we propose to give to this board the authority to place these men in positions when they are trained. Now, I appreciate that the Civil Service Commission does not want to have its powers encroached upon or curtailed in any way, but if we give the powers—almost unlimited powers—to the vocational board to train the men who are to be under its direct supervision, why is not that board the proper one to state whether or not a man is qualified to fill a certain governmental position, and the man injured in the service certainly ought to have a preference in so far as

Government positions are concerned. If men injured in the line of duty are compelled to enter into competition with boys fresh from the high school, boys who have formed habits of study, the chances are that those men who have been out of school for many years will not be able to compete with those young men, and yet they will be competent to fulfill the duties of the positions which they seek after their years of experience in the world, and those years of experience plus their services to their country and plus the training that they will receive under this vocational board ought to make those men preferred. The men best fitted to determine whether or not they are competent to fill those positions are the members of the vocational board, under whose guidance they are to receive this training. I think this is a matter worthy of our attention, and the amendment worthy of adoption, and I hope that the members of the committee will take that view of it.

Mr. BANKHEAD. Mr. Chairman, I want to say I do not think it is necessary to discuss the merits of the point of order which I shall make in just a moment, but before doing that I desire to say that I am sure every member of this committee and the House is in full sympathy with the purpose sought to be reached by the amendment of the gentleman from Connecticut, and, as has been stated heretofore in discussions upon this bill, there is now pending before the Committee on Civil Service Reform at least one bill by the gentleman from Mississippi [Mr. HARRISON] to clear up any doubt there might be in reference to the applicability of the general statute on this question as affecting disabled soldiers of the present war, and I feel sure that in due course and before the adjournment of this Congress that that bill will be favorably reported by that committee and receive a unanimous vote upon both sides of the House. But the committee considered that phase of the case at an informal session and it determined in view of the parliamentary situation and the general agreement to make an effort to expedite the passage of this bill without serious amendment, that we could not accept it under the circumstances. Now I make the point of order that it is new legislation, that it affects existing law, and that it is not germane to the bill under consideration.

Mr. LONERGAN. Mr. Chairman, just a word on that. If the Chair will look in line 8, I call attention to the word "placement." It says:

That it shall be the duty of the board to make, or cause to have made, studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placement in suitable or gainful occupations.

I maintain that it is germane at this place in the bill.

The CHAIRMAN. The bill under consideration is a bill to provide for vocational rehabilitation. The amendment proposed by the gentleman from Connecticut is an amendment specifying the qualifications of certain persons to hold places and to give them a preferred status. The bill does not relate in any of its essential features to the appointment or qualification of officers, and it seems to the Chair that the amendment is not germane to the bill, and therefore the Chair sustains the point of order.

The Clerk read as follows:

SEC. 6. That all medical and surgical work or other treatment necessary to give functional and mental restoration to disabled persons prior to their discharge from the military or naval forces of the United States shall be under the control of the War Department and the Navy Department, respectively. Whenever training is employed as a therapeutic measure by the War Department or the Navy Department a plan may be established between these agencies and the board acting in an advisory capacity to insure, in so far as medical requirements permit, a proper process of training and the proper preparation of instructors for such training. A plan may also be established between the War and Navy Departments and the board whereby these departments shall act in an advisory capacity with the board in the care of the health of the soldier and sailor after his discharge.

The board shall, in establishing its plans and rules and regulations for vocational training, cooperate with the War Department and the Navy Department in so far as may be necessary to effect a continuous process of vocational training.

Mr. IGOE. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee the purpose of the language on page 6, line 3, where it says the War and Navy Departments shall act in an advisory capacity.

Mr. BANKHEAD. Where is that?

Mr. IGOE. Page 6, line 3. It is provided:

A plan may also be established between the War and Navy Departments and the board whereby these departments shall act in an advisory capacity with the board in the care of the health of the soldier and sailor after his discharge.

Mr. BANKHEAD. Well, I will state to the gentleman from Missouri, that the features of this whole section are the result of a series of compromises between the vocational board and the Surgeon General's offices of the War and Navy Departments.

Mr. IGOE. Why not——

Mr. BANKHEAD. The gentleman has asked me a question——

Mr. IGOE. I beg the gentleman's pardon.

Mr. BANKHEAD. The purpose is, if the gentleman will note, the first part of the section bestows absolute control and jurisdiction upon the Medical and Surgical Departments of the Army and Navy to have control of the man during his functional or physical restoration.

Mr. IGOE. I understand that.

Mr. BANKHEAD. It provides that they work out a plan between them and the vocational board and that the representative of the vocational board may go in a hospital for the purpose of acting in an advisory capacity only, and he suggests what avocation or work this man shall follow when finally rehabilitated. This was agreed upon as a feasible practice and desirable.

Then it was thought that after the man had been discharged from the hospital sufficiently restored to be prepared for some vocational trade, it might be well for the representatives of the surgical department of the Army and Navy, in an advisory capacity merely, to follow the man up and say whether or not they could render any advice or suggestion that might be helpful to him along lines not only of the continuation of his health, but with reference to the vocation he was being taught to follow.

Mr. IGOE. Take, for instance, the case of a man after he is out of the jurisdiction of the War or Navy Departments and under the jurisdiction of the board, and it should develop that medical or surgical treatment was necessary, if you limit under this section the War and the Navy Departments to advisory capacity, will they be able to take such men into the Army or Navy hospitals, no matter how numerous those hospitals may be or how well equipped or supplied with attendants?

Mr. BANKHEAD. It was not, as I understand, the purpose of that provision. You understand he is discharged from the Army——

Mr. IGOE. I understand that; but why not permit an arrangement to be made between this board and the War Department and the Navy Department whereby, if they can agree upon it, the Army or Navy hospitals and the surgeons might be used to give necessary treatment to these men?

Mr. BANKHEAD. I do not think that is prohibited at all.

Mr. IGOE. It is if you limit it to an advisory capacity. Why is it not? Under the law now if men are discharged they can not receive treatment in the hospitals of the Army and Navy.

Mr. TOWNER. If the gentleman will yield——

Mr. IGOE. Yes. I am trying to get the information.

Mr. TOWNER. Yes; that is all right, and it is a question, perhaps, that was discussed more in the Senate than any other one question. Now, this section, not very clearly but satisfactorily to those who have opposing views in the Senate, is intended to carry out this kind of an arrangement. If a man is injured, for instance, by losing an arm or a leg, then he does not need very much surgical and medical attention. He is soon discharged, and he goes out, and it is not necessary that he should receive any vocational instruction while he is in the hospital. But you take a man that is injured by shell shot, which paralyzes him, sometimes both arms and both legs, and sometimes the arms and sometimes the legs——

The CHAIRMAN. The time of the gentleman has expired.

Mr. TOWNER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Missouri be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. TOWNER. If he is suffering from shell shock, then a different condition ensues. The man has to be very largely treated vocationally. So they take this man and in order to enable him to use his arms and fingers they teach him, for instance, to be a typewriter operator. Now, then, the object is that the vocational board shall cooperate with the surgeons and medical officers while the patient is in the hospital and before he is discharged from the Army. Now, then, the medical and surgical officers finally agree that the board may cooperate, in an advisory capacity only, with them.

Mr. IGOE. I can understand that, but——

Mr. TOWNER. I am coming now to the point you raise. Now, the medical and surgical officers wanted the authority to advise and, in fact, treat——

Mr. IGOE. The gentleman says "treat." That is the point I want to get at.

Mr. TOWNER. That is just exactly why this clause was introduced by the friends of the surgeons and medical officers of the Army and Navy—for the very purpose of giving them the

authority to act in an advisory capacity after the man had been discharged from the service. Of course, they would have no authority unless it was under the terms of this bill. So you have this condition, that up until the time when a man is discharged he is under control of the Army and Navy officers, the board having the right only to act in an advisory capacity. But the Army and Navy officers lose their authority when he is discharged from the Army, and the board then is the supreme authority, and the Army and Navy officers only have advisory authority.

Mr. IGOE. If the gentleman will pardon me, I think it proper that the Army and Navy should have control of him when he is in the hospital and that the board should have charge of him after that, but what I am anxious to know is this, whether by the insertion of the words "in an advisory capacity" you do not limit the work that the War and Navy Departments may do—for instance, in permitting the use of hospitals by these patients and their treatment by Army and Navy surgeons? If that treatment is necessary, why should they not be permitted to take advantage of it?

Mr. TOWNER. That is exactly what would happen. If the Army and Navy officers advised him to go back for treatment——

Mr. IGOE. What authority of law is there for it now?

Mr. TOWNER. There is no authority of law for it.

Mr. IGOE. If you take out "in an advisory capacity" it would enable the War and Navy Departments to agree with the board on a plan for the treatment and care of the health of the soldier after discharge.

Mr. TOWNER. That is true, because the Army and Navy officers could not have anything except an advisory capacity, and they might advise that he should go into the hospital.

Mr. IGOE. Does the gentleman think as it is worded now that after the discharge of the man from the Army or Navy the War Department or the Navy Department might be permitted to treat one of these men in the hospitals in the Army?

Mr. TOWNER. Send them back to hospitals? Certainly. There is no question about that.

Mr. IGOE. If that is so——

Mr. TOWNER. That is the situation. Suppose a man goes into a factory to work, and he develops a condition necessary for hospital treatment? That is what this is for, so that the Army and Navy officers could send him back there for treatment.

Mr. IGOE. If the gentleman will pardon me, when you say their authority is limited to an advisory capacity, unless there is some other provision under which they can permit the soldier or sailor to enter the hospital, does not that limit it to just what it says, namely, "advisory capacity," and they can not use the funds of the Army or Navy for the treatment of men who have just been discharged?

Mr. TOWNER. Does not the gentleman know that if the surgeons or the medical officers advise the man to go to a hospital he would do it?

Mr. IGOE. Yes; but they have no authority of law for using the money now for treating discharged soldiers and sailors. That is what I am talking about. I have had experience in trying to get treatment for men discharged. But I am afraid that you can not do it when you insert the words "in an advisory capacity."

Mr. WALDOW. Mr. Chairman, one of the great problems the Congress of the United States will have to consider in a wise and careful manner is the rehabilitation and return to civil employment of our soldiers and sailors who may be wounded fighting upon the battle fields of France and the high seas, and any legislation providing for the welfare of our soldiers and sailors will always have my unqualified support.

My colleagues will recall my efforts in behalf of the soldiers in endeavoring to assist them in securing free transportation upon the railroads when going home on a furlough. You will also recall my attempt to have the war-risk insurance act amended to protect all soldiers and sailors from the time they are placed upon the trains at their home cities until they have had an opportunity to avail themselves of the provisions of the war-risk insurance act.

I also believe every citizen of this Republic—no matter what his station in life may be or his occupation—owes certain duties and obligations to this country in payment for the many blessings and privileges he has enjoyed under the Stars and Stripes.

Gentlemen of this Congress, when I voted in favor of the resolution declaring war upon the Imperial German Government, I believed that the time had arrived in the history of this Nation to once again assert to all the world that the United States of America was ready to safeguard the lives and property of its citizens and that an American's life was sacred and would be protected; and the fortitude and courage that has been shown in the homes of this Nation by sending more than two and one-half million of the very bravest of our men, who are under arms at the present time, to defend our country and its people from the terrible ravages that have taken place in Belgium, France, Russia, Italy, and Poland, proves beyond a doubt that the people of this Nation are determined to preserve their liberties and our Nation's ideals of democracy.

In return for the sacrifices our men are called upon to endure the United States of America, as a matter of simple justice, owes to our crippled soldiers, in so far as medical science and education will assist, to make them as perfect and capable as they were before leaving home. These men, Mr. Chairman, have been called from every walk of life—from the factories, the great business institutions, the banks and office buildings, many from the so-called idle class, and from the farms.

May I digress for a moment to state that I believe it is unfortunate that so many men were taken from the farms, resulting in such an acute shortage of labor that many of our farmers will be unable to produce the food that is so essential in winning this war. I am not advocating exemption for the farmer, but I believe more of them should have had furloughs to return home from time to time to assist in the planting and harvesting.

As I was saying, these men have been taken from their homes, trained to forget everything they were formerly concerned with, and will do nothing perhaps for three or four years except those things that are in keeping with the life of a soldier.

The men who come home safe and sound of limb will find it a considerable task to adjust themselves to their former prewar conditions. That being true, we may to some extent realize the difficulties of rehabilitation for the man who has been injured or crippled and the urgent need for his early education. He perhaps was wounded in the front-line trenches and has endured every hardship and discomfort a mortal can think of. Surely, my colleagues, we are all ready to assume the burden of his reeducation. We want him and his family to receive all the benefits from his war-risk insurance, and I know that he will want his Government to assist and educate him in some manner so that he may again become a useful and independent citizen.

In former wars it was thought sufficient to grant pensions to our crippled soldiers and sailors. In many cases, as the pension was insufficient to support him and owing to the character of the injury he was unable to secure employment at his former occupation, and in consequence thereof was often an object of charity.

Fort Porter, in my district, is now being utilized as one of the 17 temporary rehabilitation hospitals or schools that this bill provides for; and in talking to a physician a short time ago, I was informed that they have a number of soldiers stationed there who are actually being built over or reconstructed, so to speak, and I was told by the surgeon that the plan is not to release the soldier until he has been made a new man. If he has lost both legs, they are going to put two new legs on him and train him thoroughly to walk and to use those legs. If he has lost both arms, they are going to put new arms on him and train him thoroughly to use them.

This physician also related a very interesting story of a soldier in an English hospital who had both legs amputated, one hand entirely gone, and all the fingers gone from the other hand. He assured me it was almost impossible to detect the fact that this man had been injured.

I do not believe it is generally known that we are bringing our wounded and crippled soldiers back in considerable numbers at the present time. Our large casualty list for the past few days will add very rapidly to the number of men in our hospitals, and I know every Member of Congress is prepared to vote for this bill and to give the Government the necessary funds and power to carry out the provisions of this legislation.

Mr. HICKS. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from New York moves to strike out the last three words.

Mr. HICKS. I do so in order to ask another question of the chairman in charge of the bill, and I hope he does not think I am inflicting myself too much on the committee.

Mr. BANKHEAD. I am very sure that any information I can give will be gladly given.

Mr. HICKS. I thank the gentleman. I notice running all through this bill that the masculine gender is used, and reference is continually made to "him" and "his." I have no doubt the committee has investigated this subject, but I want to call attention to it in case they have not. In the Navy to-day we have probably a thousand women enlisted as nurses. Assume, for instance, that some of these women are injured in their hospitals and that they can no longer carry on their work as nurses. According to the wording of this bill those women, I

take it, would not be allowed to take this training, since by the words "him" and "his" only men come under the purview of this bill.

Mr. BANKHEAD. Has the gentleman in mind the women who are in the Army and Navy service who may receive the benefits of the war-risk insurance act?

Mr. HICKS. Exactly so.

Mr. BANKHEAD. If that is true, undoubtedly they would come within the purview of this bill. It says "any person."

Mr. HICKS. I understand that definition is used in the first part of the bill, but later "him" and "his" are used, and I do not want women in the service excluded from the benefits of this bill.

Mr. BANKHEAD. In legal construction the word "he" covers both male and female.

Mr. HICKS. Remember the comptroller is very technical. Here is another thing to which I would like to call attention. On page 6, line 4 the term "soldier and sailor" is used. The question in my mind is whether or not that would confine the operation of this bill to soldiers and sailors exclusively and would prevent women nurses and men in the Coast Guard from taking the training. I do not know. Of course, if those words are used generically it would meet the objection, but as the gentleman knows, we have in the armed service of the United States members of the Coast Guard, men who are technically neither soldiers nor sailors, yet fighting under the flag. Would they come within the purview of this bill?

Mr. BANKHEAD. Do they come within the purview of the war-insurance act?

Mr. HICKS. Yes.

Mr. BANKHEAD. Then, in my opinion, they would come within the purview of this bill, because this bill, as you will see if you will look at the beginning of it, provides "that every person who is disabled under circumstances entitling him, after discharge from the military or naval forces of the United States, to compensation under article 3 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,'" and so forth. After they are discharged they are eligible to receive this treatment.

Mr. HICKS. I read that, and I imagined that that would answer the point I brought up, but I wondered why it was that the specific term "soldier and sailor," instead of the general term "enlisted man," was used. But so long as the point is covered and the Coast Guard is included, I have no further inquiry to make.

Mr. BANKHEAD. If they are covered by the provisions of the war-risk insurance act, they are covered by this bill.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. ROBBINS. I notice in this war-risk insurance act, in article 3, page 8, provision is made for any member of the Army Nurse Corps, "female" in brackets, or of the Navy Nurse Corps, "female" in brackets. Now, what I have in mind is, will this cover the class of women known as "yeomen," or "yeowomen," enlisted women in the Navy? There are a lot of them.

Mr. BANKHEAD. I will say to my friend that I am not familiar with all the details of the war-risk insurance act so as to know whether yeowomen would come under this provision or not.

Mr. McKENZIE. They are clerks.

Mr. ROBBINS. If these yeowomen are clerks, of course they would be exposed to danger and they might lose their lives in the service of their country in line of duty, just as men might lose their lives on a torpedoed ship.

Mr. McKENZIE. Is it not a fact that no woman is permitted to go on a battleship at any time, and that these yeomen or yeowomen in the Navy are women employed in clerical positions in the city of Washington and roundabout the navy yards of the country?

Mr. ROBBINS. I am not able to answer that question. That is the reason why I asked the question of the chairman of the committee.

Mr. BANKHEAD. Is the gentleman's question whether or not these yeowomen would be covered by this provision in the vocational training bill?

Mr. ROBBINS. That is what I wanted to know.

Mr. BANKHEAD. I will say that if the war-risk insurance bill covers the yeowomen they would be included in this bill. Otherwise this bill applies only to those, male and female, who are entitled to the benefits of the war-risk insurance act.

Mr. ROBBINS. It applies to the Nurse Corps.

Mr. LONERGAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last two words.

Mr. COOPER of Wisconsin. Mr. Chairman, just before coming to the House to-day I received a letter from the Secretary of the Interior, relating to the general subject of preparation of plans to provide opportunities for soldiers returning from the war; and I ask unanimous consent to read the letter at this time, because, in a measure, it relates to the subject matter of the bill now before us.

Mr. BANKHEAD. Does the gentleman mean to read all of that letter that we all received this morning from the Secretary?

Mr. COOPER of Wisconsin. Not all have received it. I have asked a number of Members and each said that he had not received a copy.

Mr. BANKHEAD. I think every Member has received a copy. It is rather lengthy. I would be glad to have it published in the RECORD, but it is rather lengthy.

Mr. HENSLEY. It is already in the RECORD.

Mr. DUPRÉ. No. The gentleman from Washington [Mr. JOHNSON] objected.

Mr. HASTINGS. Yes; the gentleman from Washington objected to it.

Mr. STAFFORD. Mr. Chairman, the Secretary of the Interior, in the letter referred to by my colleague, speaks of a survey. If there is any objection to the gentleman proceeding, I may say that in the consideration of the sundry civil bill the matter will be strictly pertinent.

Mr. COOPER of Wisconsin. Of all the bills which have come before Congress since this war began none has had a nobler purpose than that of the pending measure. Indeed, the only other bill which in that respect could be compared with the pending measure is the one to establish war-risk insurance. Although this bill contains features to which gentlemen object, yet it will, of course, pass without opposition.

I ask unanimous consent to extend my remarks by inserting in the RECORD a letter concerning the preparation of plans for providing an opportunity for our soldiers returning from the war—a letter addressed to me by the Secretary of the Interior. It is a thoughtful, statesmanlike production.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letter is as follows:

"THE SECRETARY OF THE INTERIOR,
"*Washington, May 31, 1918.*

"MY DEAR MR. COOPER: I believe the time has come when we should give thought to the preparation of plans for providing opportunity for our soldiers returning from the war. Because this department has handled similar problems I consider it my duty to bring this matter to the attention of yourself and Congress.

"Every country has found itself face to face with this situation at the close of a great war. From Rome, under Cæsar, to France, under Napoleon, down even to our own Civil War the problem arose as to what could be done with the soldiers to be mustered out of military service.

"At the close of the Civil War America faced a somewhat similar situation. But fortunately at that time the public domain offered opportunity to the home-returning soldiers. The great part the veterans of that war played in developing the West is one of our epics. The homestead law had been signed by Lincoln in the second year of the war, so that out of our wealth in lands we had farms to offer the millions of veterans. It was also the era of transcontinental railway construction. It was likewise the period of rapid, yet broad and full, development of towns and communities and States.

"To the great number of returning soldiers land will offer the great and fundamental opportunity. The experience of wars points out the lesson that our service men because of army life, with openness and activity, will largely seek out-of-door vocations and occupations. This fact is accepted by the allied European nations. That is why their programs and policies of relocating and readjustment emphasize the opportunities on the land for the returning soldier. The question, then, is, 'What land can be made available for farm homes for our soldiers?'

"We do not have the bountiful public domain of the sixties and seventies. In a literal sense, for the use of it on a generous scale for soldier farm homes as in the sixties, 'the public domain is gone.' The official figures at the end of the fiscal year, June 30, 1917, shows this: We have unappropriated land in the continental United States to the amount of 230,657,755

acres. It is safe to say that not one-half of this land will ever prove to be cultivable in any sense. So we have no land in any way comparable to that in the public domain when Appomattox came, and men turned westward with army rifle and 'roll blanket' to begin life anew.

"While we do not have that matchless public domain of 1865, we do have millions of acres of undeveloped lands that can be made available for our home-coming soldiers. We have arid lands in the West; cut-over lands in the Northwest, Lake States, and South; and also swamp lands in the Middle West and South which can be made available through the proper development. Much of this land can be made suitable for farm homes if properly handled. But it will require that each type of land be dealt with in its own particular fashion. The arid land will require water, the cut-over land will require clearing, and the swamp land must be drained. Without any of these aids, they remain largely 'no man's land.' The solution of these problems is no new thing. In the admirable achievement of the Reclamation Service in reclamation and drainage we have abundant proof of what can be done.

"Looking toward the construction of additional projects, I am glad to say that plans and investigations have been under way for some time. A survey and study has been in the course of consummation by the Reclamation Service on the Great Colorado Basin. That great project, I believe, will appeal to the new spirit of America. It would mean the conquest of an empire in the Southwest. It is believed that more than 3,000,000 acres of arid land could be reclaimed by the completion of the upper and lower Colorado Basin projects.

"It has been officially estimated that more than 15,000,000 acres of irrigable land now remain in the Government's hands. This is the great remaining storehouse of Government land for reclamation. Under what policy and program millions of these acres could be reclaimed for future farms and homes remains for legislation to determine. The amount of swamp and cut-over lands in the United States that can be made available for farming is extensive. Just how much there is has never been determined with any degree of accuracy. Practically all of it has passed into private ownership. For that reason, in considering its use, it would be necessary to work out a policy between the private owners and the Government, unless the land was purchased. It has been estimated that the total area of swamp and overflowed lands in the United States is between seventy and eighty million acres. Of this amount, it is stated that about '60,000,000 acres can be reclaimed and made profitable for agriculture.' The undeveloped swamp lands lie chiefly in Florida, in the States along the Atlantic and Gulf coasts, in the Mississippi Delta, and in Missouri, Indiana, Michigan, Minnesota, Wisconsin, and California.

"What amount of land in its natural state unfit for farm homes can be made suitable for cultivation by drainage only thorough surveys and studies can develop. We know that authentic figures show that more than 15,000,000 acres have been reclaimed for profitable farming, most of which lies in the Mississippi River Valley.

"The amount of cut-over lands in the United States, of course, it is impossible even in approximation to estimate. These lands, however, lie largely in the South Atlantic and Gulf States, the Lake States, and the Northwestern States. A rough estimate of their number is about 200,000,000 acres—that is, of land suitable for agricultural development. Substantially all this cut-over or logged-off land is in private ownership. The failure of this land to be developed is largely due to inadequate method of approach. Unless a new policy of development is worked out in cooperation between the Federal Government, the States, and the individual owners, a greater part of it will remain unsettled and uncultivated. The undeveloped cut-over lands lie chiefly in the Pacific Northwest, particularly in Washington and Oregon; in the Lake States, Minnesota, Michigan, and Wisconsin; and in the South Atlantic and Gulf Coastal States, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas.

"Any plan for the development of land for the returning soldier will come face to face with the fact that a new policy will have to meet the new conditions. The era of free or cheap land in the United States has passed. We must meet the new conditions of developing lands in advance; security must to a degree displace speculation. Some of the defects in our old system have been described by Dr. Elwood Mead in these words:

"Science [should] have gone hand in hand with the settlement of the arid and semiarid country, and all that science could give would have been utilized—first, in the creation of the conditions of settlement, and then in aiding the settler in difficult tasks. Because nothing was done, these heroic but uninformed souls were bedeviled by the winds, cold, drought, and insect pests. They wasted their efforts, lost their hopes and ambitions, and a tragic percentage left, impoverished and embittered. The tragic part of this history is that nearly all this suffering and loss could have been avoided under a carefully thought-out plan of development.

"There are certain tendencies which we ought to face frankly in our consideration of a policy for land to the home-coming soldier: First, the drift to farm tenancy. The experience of the world shows without question that the happiest people, the best farms, and the soundest political conditions are found where the farmer owns the home and the farm lands. The growth of tenancy in America shows an increase of 32 per cent for the 20 years between 1890 and 1910. Second, the drift to urban life. In 1880, of the total population of the United States, 29.5 per cent of our people resided in cities and 70.5 per cent in the country. At the census of 1910, 46.3 per cent resided in cities and 53.7 per cent remained in the country. It is evident that since the war in Europe there has been a decided increase in the trend toward the city because of industrial conditions. The adoption by the United States of new policies in its land-development plans for returning veterans will also contribute to the amelioration of these two dangers to American life.

"A plan of land development, whereby land is developed in large areas, subdivided into individual farms, then sold to actual bona fide farmers on a long-time payment basis, has been in force not only in the United States under the reclamation act, but also in many other countries for several years. It has proved a distinct success. In Denmark, Ireland, New Zealand, and the Australian Commonwealth it has completely changed the land situation. One of the new features of this plan is that holders are aided in improving and cultivating the farm. In a word, there is organized community development. Its beneficial results have been well described by the Canadian commission which was appointed to investigate its results in New Zealand, in this these words:

"* * * the farmers have built better houses or remodeled their old ones, brought a larger acreage of land under cultivation that would otherwise be lying idle; have bought and kept better live stock; have bought and urged more labor-saving machinery on the farms and in the houses * * *. They keep more sheep and pigs, and have so largely increased the revenue from their farms that they are able to meet the payments on the mortgages and to adopt a higher standard of living, and a better one. Throughout the country a higher and better civilization is gradually being evolved; the young men and women who are growing up are happy and contented to remain at home on the farm and find ample time and opportunity for recreation and entertainment of a kind more wholesome and elevating than can be obtained in the cities.

"It may be said that this country outside of Alaska has no frontier to-day. Of course, Alaska will still offer opportunity for a pioneer life. And, of course, Alaska likewise has yet unknown remarkable agricultural possibilities, but unless we make possible the development of this land by the men who desire their life in that field, we will lose a great national opportunity.

"This is an immediate duty. It will be too late to plan for these things when the war is over. Our thought now should be given to the problem. And I therefore desire to bring to your mind the wisdom of immediately supplying the Interior Department with a sufficient fund with which to make the necessary surveys and studies. We should know by the time the war ends not merely how much arid land can be irrigated, nor how much swamp land reclaimed, nor where the grazing land is and how many cattle it will support, nor how much cut-over land can be cleared, but we should know with definiteness where it is practicable to begin new irrigation projects, what the character of the land is, what the nature of the improvements needed will be, and what the cost will be. We should know also, not in a general way but with particularity, what definite areas of swamp land may be reclaimed, how they can be drained, what the cost of the drainage will be, what crops they will raise. We should have in mind specific areas of grazing lands, with a knowledge of the cattle which are best adapted to them, and the practicability of supporting a family upon them. So, too, with our cut-over lands. We should know what it would cost to pull or 'blow out' stumps and to put the lands into condition for a farm home.

"And all this should be done upon a definite planning basis. We should think as carefully of each one of these projects as George Washington thought of the planning of the city of Washington. We should know what it will cost to buy these lands if they are in private hands. In short, at the conclusion of the war the United States should be able to say to its returned soldiers: 'If you wish to go upon a farm, here are a variety of farms of which you may take your pick, which the Government has prepared against the time of your returning.' I do not mean by this to carry the implication that we should do any other work now than the work of planning. A very small sum of money put into the hands of men of thought, experience, and vision will give us a program which will make us feel entirely

confident that we are not to be submerged industrially or otherwise by labor which we will not be able to absorb, or that we would be in a condition where we would show a lack of respect for those who return as heroes, but who will be without means of immediate self-support.

"A million or two dollars, if appropriated now, will put this work well under way.

"This plan does not contemplate anything like charity to the soldier. He is not to be given a bounty. He is not to be made to feel that he is a dependent. On the contrary, he is to continue in a sense in the service of the Government. Instead of destroying our enemies he is to develop our resources.

"The work that is to be done, other than the planning, should be done by the soldier himself. The dam or the irrigation project should be built by him, the canals, the ditches, the breaking of the land, and the building of the houses should, under proper direction, be his occupation. He should be allowed to make his own home, cared for while he is doing it, and given an interest in the land for which he can pay through a long period of years, perhaps 30 or 40 years. This same policy can be carried out as to the other classes of land. So that the soldier on his return would have an opportunity to make a home for himself, to build a home with money which we would advance and which he would repay, and for the repayment we would have an abundant security. The farms should not be turned over as the prairies were—unbroken, unfenced, without accommodations for men or animals. There should be prepared homes, all of which can be constructed by the men themselves and paid for by them under a system of simple devising by which modern methods of finance will be applied to their needs.

"As I have indicated, this is not a mere Utopian vision. It is, with slight variations, a policy which other countries are pursuing successfully. The plan is simple. I will undertake to present to the Congress definite projects for the development of this country through the use of the returned soldier by which the United States, lending its credit, may increase its resources and its population and the happiness of its people, with a cost to itself of no more than the few hundred thousand dollars that it will take to study this problem through competent men. This work should not be postponed.

"Cordially, yours, FRANKLIN K. LANE.

"Hon. H. A. COOPER,
"*House of Representatives.*"

The Clerk read as follows:

SEC. 7. That the board is hereby authorized and empowered to receive such gifts and donations from either public or private sources as may be offered unconditionally. All moneys received as gifts or donations shall be paid into the Treasury of the United States, and shall constitute a permanent fund, to be called the "Special fund for vocational rehabilitation," to be used under the direction of the said board, in connection with the appropriations hereby made or hereafter to be made, to defray the expenses of providing and maintaining courses of vocational rehabilitation; and a full report of all gifts and donations offered and accepted, and all disbursements therefrom, shall be submitted annually to Congress by said board.

Mr. LONDON. Mr. Chairman, I move to strike out the section.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LONDON moves to amend by striking out all of section 7.

Mr. LONDON. Mr. Chairman, during the general debate I indicated my opposition to this section. This bill is one of the most beneficent measures ever proposed. It admits the obligation of the Nation to its defenders, to those of them who may become incapacitated in the course of their service. The bill proposes to put them as far as is humanly possible in a position where they may be able to support themselves and become independent of charity.

It is doubtful whether the practice of charity in an organized form is a virtue. Organized charity usually presupposes the existence of a helpless mass of people and of other people who by reason of larger worldly possessions are able to throw a sop to their own consciences by giving something to charity, and with their consciences thus appeased continue all sorts and forms of exploitation. However, that is not to the point, and I have no time to go into that. This section, which I want to see stricken out, permits the acceptance of private gifts. What interests me now is that this fund, which is to be the reservoir of the conscience of the Nation, this appropriation which represents the expression of the will of the people that those who have suffered in defense of the country ought to be compensated out of the General Treasury, should not be replenished through private charity. I am opposed to the acceptance of private funds as contributions. I am opposed to the Rockefeller Foundation or the Carnegie Foundation or any other large charitable organization claiming any share in the direction of this work by reason of a large contribution.

Mr. FESS. Will the gentleman yield?

Mr. LONDON. I do.

Mr. FESS. There will be offered to the Government some hospitals already built.

Mr. LONDON. These hospitals already built should be accepted. They can be accepted in spite of the striking out of section 7 by paying a nominal consideration, just as we have accepted the services of men who are considered valuable by offering them a nominal compensation of $1. If you can accept the services of a valuable man by paying him a nominal consideration, you can accept a hospital worth millions of dollars by paying a nominal consideration.

Mr. FESS. There will be an altruistic movement started in the cities, which will also call for contributions.

Mr. LONDON. I understand all that; but does not the gentleman see the principle of my objection? This is in the form of a national payment, is it not?

Mr. FESS. Yes.

Mr. LONDON. This bill contemplates a method of restoring to their former physical capacity the men who may be disabled in the course of fighting for the country. Why should the man who obtains support from that fund have to look to some individual millionaire contributor as his benefactor?

Mr. FESS. Why not accept the contribution if it is given unconditionally?

Mr. LONDON. And why should that millionaire claim a share in something which is the Nation's obligation?

Mr. FESS. If he wants to make the contribution, I do not see why we should not accept it.

Mr. LONDON. Does not the gentleman realize that some of these individuals who contribute large sums of money will necessarily be in a position to exercise some influence over the administration of that fund?

Mr. FESS. Would the gentleman offer the same objection to contributions to the Red Cross?

Mr. LONDON. We will suppose that the gentleman from Ohio [Mr. FESS] contributes $5,000,000 to this fund.

Mr. FESS. Please do not embarrass me. [Laughter.]

Mr. LONDON. Now, the gentleman comes to the chairman of the board that is charged with the administration of this work. Immediately it will be said, "Why, this man has contributed $5,000,000." Of course the gentleman's word will go, particularly when it comes to the placement of people in various employments, as is provided in another section. We do not accept contributions to the pension fund and we do not accept contributions to the war-risk insurance fund, which is a modern adaptation of the principle of pensions, a modification in the light of modern knowledge of the principle of pensions. Now, this is a still further extension of the principle of compensation. It is really an extension of the principles of pensions and of war-risk insurance. If you do not accept private funds for pensions and if you do not accept private contributions to the war-risk insurance fund, there is no reason in the world why you should permit this sacred fund to be dominated by private contributions.

Mr. BANKHEAD. Does the gentleman think the Red Cross is dominated by private contributions?

Mr. LONDON. No; the Red Cross fund is one of those things that appeals to the great masses of the people. As I indicated during my remarks in the course of the general debate, the principal work of the Red Cross will be the restoration of the devastated sections of France, Belgium, and Serbia that have been almost annihilated, and that work of the Red Cross will go far beyond the efforts of individuals, and will have to be undertaken as an obligation of the nations and of the governments.

Mr. McKENZIE. I assume that the gentleman from New York takes the position that the man with a large fortune has probably accumulated it at the expense of the masses of the people and therefore in a sense his money is tainted. Now, I want to ask the gentleman from New York which he would prefer, that that money accumulated by this gentleman who in a sense must be a bad man, should be given to a great cause like this, or that it should be handed down to his children, who might emulate the exemple of their father?

Mr. LONDON. I do not proceed on the theory that the rich man's money is tainted. The trouble is that among the common folks there are as many stupid and wicked men as among the rich. The rich man is simply utilizing the opportunities furnished him by existing laws and existing institutions. It does not follow that he is a bad man. The mere fact that he has millions does not indicate that he has acquired his money in

a dishonest way, particularly when the generally prevailing code of morality permits it.

Mr. MONTAGUE. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MONTAGUE. What does the gentleman mean by the accumulation of these men constituting contaminated money?

Mr. LONDON. Perhaps I used that expression, but let me say in what sense I used it. We have an extensive system of pensions. It is the recognition of the obligation of the Nation toward the individual. The gentleman must realize that in the matter of war the individual does not count at all. It is the people collectively. The Government does not consult the individual as to his desire or his opinion; it gets hold of him and says we need you in the service of the Nation. But if you are wounded, crippled, or disabled we will take care of you and your family. Very well. If you are incapacitated physically we will try to restore you to your former capacity. That is a national obligation. It is an extension of the pension system.

Mr. MONTAGUE. Is it not also an extension of the principle of the Red Cross system?

Mr. LONDON. It is an extension of the principle of the pension system.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LONDON. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONDON. The war-risk insurance act is further extended in principle by providing compensation to the family. I contend that the very same principle should prevail here. Gentlemen forget that there is always plenty of room for the exercise of charity and kindness, and there will always be plenty of room for it.

Mr. HASTINGS. Would not there always be the same objection to it as contributing to this fund?

Mr. LONDON. Not at all; that kind of kindness which consists in warming one man's heart by another can not be adopted in or engrafted upon any resolution or a charter of a charity organization. There will always be room for genuine charity.

Mr. NOLAN. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. NOLAN. I wish to say that this act gives authority to the vocational education board to utilize the State organizations. No principle of the war insurance act or the pension laws is followed; it is entirely national in character. One feature of this act provides that all existing institutions that may be in a position to assist in the rehabilitation of the soldier must be taken into consideration, and if they are we do put into this measure an entirely different principle in which we reach out to get that assistance. Why is it not proper to take an educational institution and take gifts of all kinds?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LONDON. I ask for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NOLAN. I am asking a question and perhaps arguing it at the same time. I want to differentiate between this act and the war insurance act and the pension laws.

Mr. LONDON. Those who drafted this bill evidently had in mind the fact that some institutions are in the process of construction and organization, some are now being formed, and they did not want to exclude them and did not want to prevent the board cooperating with them. But take this illustration: You have a man wounded, and instead of receiving the aid and compensation from the Government he will be placed in an institution maintained from the beginning to the end by the Rockefeller Foundation or the Carnegie Foundation. What will be the result? The result will be that the soldier will be maintained by a private institution and will feel that he is the beneficiary of that private institution, notwithstanding the fact that the Government is cooperating with the institution. It is this humiliating feature, this contaminating feature, that I desire to avoid. That is what is in my mind.

Mr. ROBBINS. Mr. Chairman, I want to oppose the proposed amendment. I do not agree at all with the gentleman from New York about section 7 of the bill. The whole bill is a temporary arrangement. We propose to take the soldiers when they come home from war; those that can be rehabilitated and those that wish to return to vocations they followed before they were wounded will be so returned to those employments, and if unable to do that kind of work like a man on the farm with the loss of both arms, they will put them into some other vocation by which they can make a living. Those that are so badly wounded that they can not be rehabilitated, those who are permanently incapacitated from self-support, must be maintained under the war-risk insurance bill.

Now, if you strike out section 7, which would prevent the contribution of any private fund or any public charitable fund, if you regard the Carnegie and Rockefeller Foundations as public charitable funds or the loaning of institutions—and in Pennsylvania we have 11 normal schools, and I imagine the State will be glad to voluntarily loan some of these to be used for this purpose. These buildings are equipped for this work to an admirable extent. In Pennsylvania we also have a lot of tuberculosis hospitals built on the mountains for the rehabilitation of those suffering from tuberculosis, and some of our soldiers will come home suffering from tuberculosis, and they can be put into these institutions at the expense of the State and rehabilitated in a manner that they could not be in any other place in the United States, or at least in any other place in our State.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. FESS. It might be of interest to the gentleman to know that already representatives of various charitable and what we might call altruistic institutions have been to Washington and tendered their institutions to the Government.

Mr. ROBBINS. I so understand, and I was citing these instances because of such information, and if this motion prevails those offers could not be accepted, because there is now no authority of law for accepting them, and would be none under this act with paragraph 7 omitted.

Mr. POU. When the Government does what it deems to be just, as it is doing in this case, can the gentleman think of any reason why the private individual should not contribute and thereby enable the Government to be generous?

Mr. ROBBINS. None at all; and, moreover, there will be instances in this war where men of great wealth who have lost their lives will have willed their fortunes to the benefit of the soldiers who, while crippled, survive. I have heard of several such instances, and all such legacies would lapse with this provision stricken from the bill——

Mr. TOWNER. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. TOWNER. There are other propositions where wealthy men who have lost a son, say, are anxious to establish perpetual scholarships——

Mr. ROBBINS. I think that would hardly come under this provision. I think this means contributing to the work to be carried on by the Government under this act. Those outside charities, happily, will always exist. The great thing in this section is that the charitable uses or the charitable funds that are contributed—the charitable object to be obtained—are all "unconditional," as provided in line 12, page 6; yet these will always be under the control of the Government and not maintained as a separate charity. It will be a governmental matter all the time.

Mr. JUUL. The gentleman from New York [Mr. LONDON] seems to think it would be wiser to let people continue to suffer from the hookworm because Rockefeller has had something to do with the removal of it.

Mr. ROBBINS. I think it would be very wise to accept such charity. Furthermore, I hope the amendment of the gentleman from New York will not be adopted, because to my mind it would weaken this bill. Charity is the one thing that we all love and admire. St. Paul said it is the greatest of all virtues.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. The purpose of this bill, in addition to being a charitable measure, of course, is to carry out what we believe to be just in the rehabilitation of these veterans themselves. It is a new scheme, and while it is true that Canada has adopted it, we are going to adopt it on a grander and better scale; we are going to place it on a higher and nobler plane, where it will absolutely and completely care for our men during the period when they are helpless and while rehabilitation may be effected.

The bad effect of this amendment, if adopted, would be to prevent the acceptance by the United States Government of any assistance from any gift of money or of any donation or of using any hospital or building of any kind for the rehabilitation of the wounded soldiers of this war, and the reason assigned for striking out the paragraph offered by the gentleman from New York is that any money that would be contributed by individuals would be regarded as "tainted money" and "that would taint the whole Government fund." He suggested that probably the Rockefeller Foundation or Carnegie Foundation would con-

tribute money to this great beneficent purpose. I can see no reason why such gifts would not be in line with the great and good works these two splendid charities have carried on before and since war began. When this war is over, if conditions as it now appears prevail, charitable funds will not be as abundant as they have been in the past. We will have a great national debt and our taxes will be high. Our rich people will have already contributed largely of their funds to the Red Cross and Y. M. C. A. for charitable work, and there will be doubtless a large surplus in the hands of these two organizations that could be contributed to this purpose. Moreover, I believe that many wealthy individuals will be willing to contribute of their funds to assist our Government in this great work. It may be possible that some special lines of work could be carried on in different locations where suitable institutions could be secured by the expenditure of some additional money that would rehabilitate or relieve the suffering of many wounded soldiers who have ventured and given their all to the defense of our country. It would be a great misfortune for our Government's hands to be tied and these sources of additional revenue closed and this ability to serve these brave men taken away.

We are only appropriating by this bill about $4,000,000 to carry on this enormous work; at the same time we are sending millions of men to the trenches. This sum is totally inadequate, and if not increased by subsequent appropriations or by charitable gifts it will be grossly insufficient for the vast work that is to be performed.

No, Mr. Chairman, this amendment is wrong in theory, wrong of purpose, wrong in practice. It ought to be rejected.

This is the most beneficent bill that has been before Congress and is the one great piece of legislation that completes and rounds out our noble work for the soldier. We have drafted them into the service. We have doubled their pay while in active service, with 10 per cent additional when serving abroad.

We have provided in the war-risk insurance act for a liberal payment to their dependents, and in case of death for insurance covering a period of years, to be payable to their beneficiaries, and now, by this bill, we propose to aid those who return disabled from wounds or disease by the employment of skillful and careful doctors and teachers to rehabilitate them and make them self-supporting, so that life will hold for them something of interest and their suffering and deformity will, in a manner at least, be alleviated and removed. I support this bill most earnestly and enthusiastically, believing it to be right and just, and it can not be enacted too promptly, for the wounded are now coming back and demand our earnest and immediate attention.

Mr. BANKHEAD. Mr. Chairman, I ask for a vote.

Mr. AUSTIN. Mr. Chairman, I rise to oppose the amendment of the gentleman from New York [Mr. LONDON].

Mr. BANKHEAD. I ask unanimous consent, Mr. Chairman, that debate upon this amendment shall close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. AUSTIN. Mr. Chairman, a few days ago I was requested to speak on the bill now under consideration—say something in its favor. I most cheerfully agreed to do so, but I do not believe that a proposition so meritorious, so just, and so humane needs any speech in its favor. It speaks for itself. As far as argument in its behalf is concerned everything possible has been said by the acting chairman of the Committee on Education, the gentleman from Alabama [Mr. BANKHEAD], and he has been ably assisted by our colleague on this side, the gentleman from Ohio [Mr. FESS]. In this connection I desire to say that the gentleman from Ohio has rendered great service to the country since his advent into Congress, not only on this measure but in respect to other measures reported by the Committee on Education. He has been a very valuable asset not only to the Republican side of the House, but to the Democratic side as well, in the consideration of legislation from this and the other committees of the House.

A word now as to the gentleman from New York [Mr. LONDON], the sole and only representative of the great Socialist Party—so tender-hearted, so alarmed, so fearful that he may be contaminated and that something will be done here which will be discreditable to the American Congress! Mr. Chairman, I remember very well the speeches made by the gentleman from New York when there was a great revolution in Russia, when his friends assumed charge there, and I remember how he stood as a sponsor for that "great government," which was to enlighten the world and set a great example by following which we might remove the imperfections of this glorious Republic of ours. Week in and week out since that time we have witnessed the miserable failure they have made—how they have butchered justice, how they have destroyed liberty, how they alone have given encouragement to the Kaiser and autocracy. We have witnessed the cowardice and the absolute surrender and the apparent corruption—the receipt of money from the Kaiser by those men who were glorified here in our presence.

This miserable crew of socialists, posing as patriots, cruelly, cowardly, and corruptly betrayed their country, Russia, and her allies, prolonged this bloody war, and added untold miseries, billions to its cost, and countless precious lives. It almost made possible the triumph of the autocratic world-conquest plans of the Kaiser. This great tragedy in Russia should and will destroy socialism in America and, let us hope, throughout the world.

I remember quite well being present when this entire membership, with one dissenting voice, the voice of the gentleman from New York [Mr. LONDON], either not voting or sitting silently, refusing to vote for the first financial bill, the first war bill to underwrite the expenses of this great struggle for world-wide liberty and to destroy autocracy and the attempted conquest of the world by the Emperor of Germany and his military machine. When that measure, carrying countless millions to be handed over to the people of Russia and our other allies in Europe, was passed, this man who now attempts to criticize this bill and to point out to us what legislation we should pass, I remember was the only slacker out of 435 Members of the American Congress. He now decries what Andy Carnegie has done in the world—the man who has furnished free libraries throughout the length and breadth of America. What Socialist has done so much for the people? When the cruel tyrant, the Emperor of Germany, with his army was going over Belgium, destroying its cities and murdering its innocent people, what was the Rockefeller Institute doing? Loading ship after ship, spending millions in sending and providing relief to the suffering thousands and saving them from absolute want and starvation, and while it is fresh in our memory we are warned here against the Rockefeller endowment or institute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. AUSTIN. Just two minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee? [After a pause.] The Chair hears none.

Mr. AUSTIN. This great legislative body, the greatest in the world, is supposed to be made up of men, broad men, liberal men, just men, who can look above the hour and the pleadings of those who seek to array class against class. In this great world war America is in line, and we have passed legislation which not only provides for the son of the lowly and the poor to fight in defense of the Republic, but that same legislation has also called to the colors the sons of the rich, the millionaires. Let us forget during this period of war these demagogical appeals to prejudice, passion, and class. They are unworthy of any man in this House [applause], and I resent its constant flaunting here in our faces. I appeal to the gentleman from New York to do something to attest his loyalty to America. He has been voting against what the Commander in Chief recommended, and I suggest, even at this late hour, that he mend his ways, correct his mistakes, and cease his foolishness in the presence of the enlightened Representatives of the American people. [Applause.]

Mr. LONDON. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, I have not enough respect for the opinion or the judgment of the gentleman who immediately preceded me to reply to him. I prefer not to pay any attention to anything he has said or anything he is going to say.

Mr. BANKHEAD. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 8. That there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $2,000,000, or so much thereof as may be necessary, to be used by the Federal Board for Vocational Education for the purposes of this act, to wit, for renting and remodeling buildings and quarters, repairing, maintaining, and equipping same, and for equipment and other facilities necessary for proper instruction of disabled persons, $250,000; for the preparation of instructors and salaries of instructors, supervisors, and other experts, including necessary traveling expenses, $545,000; for traveling expenses of disabled persons in connection with training and for lodging, subsistence, and other necessary expenses in special cases of persons following prescribed courses, $250,000; for tuition for disabled persons pursuing courses in existing institutions, public or private, $545,000; for the placement and supervision after placement of vocationally rehabilitated persons, $45,000; for

studies, investigations, reports, and preparation of special courses of instruction, $55,000; for miscellaneous contingencies, including special mechanical appliances necessary in special cases for disabled men, $110,000; and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books, and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses, $200,000.

Mr. MEEKER. Mr. Chairman, I move to strike out the last word. This legislation which will soon have been completed practically completes the cycle of work of this Government from the selecting of men for service to putting them back again into industrial and social life after they shall have made their sacrifice. This war has been peculiar in that it has produced a great many infirmities which were unknown in past wars. After I looked the other night on that wonderful display sent down here from Canada, where we saw the condition in which those men were when they returned, I thought upon the work of the enemy of human liberty. I could find nothing in all the literature of the world which seemed in a measure to describe the activity of our enemy except hell and its master in Milton's Paradise Lost and in Dante's Inferno. If ever hell itself with all of its diabolical ingenuity was turned loose on earth it has been done by the Imperial German Government. It has resulted in the terrible condition, nervous and physical wrecks which are to come back to our shores, not having been given a chance to fight the fight of men against men, but to fight a fight of men against demons and demonical methods. This work of rehabilitation will bespeak as far as possible the heart of America in its effort to restore these men again to life and usefulness. I am glad to say the city of St. Louis, as it has done in a number of instances since war was declared, was the first place in America where there was an organized effort made by private subscription and by private citizens to establish an institution for the rehabilitation of these soldiers. About a year ago there was organized what was called the White Cross. The work there started was mentioned by me in the Congress. Only a few weeks ago those citizens, having become impatient with the delay of the Government in getting to its work, sent a request here to know whether the Government was going to do something and do it at once. If not, they were starting for a single-day campaign of $50,000 as a beginning of this rehabilitation work. I am sure this legislation when it shall have become law will have much to do, if not in convincing the enemy, obtuse as he is and incapable of admitting or understanding anything of humanitarian methods, in at least impressing upon the people of his nation, when they at last find it out, that the heart of America even during war is as tender as it has ever been. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 10. That section 304 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, is hereby repealed.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the Commissioner from Porto Rico be allowed to have the floor for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the Commissioner from Porto Rico be allowed to address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DAVILA. Mr. Chairman, I want to offer this amendment to the present bill.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Porto Rico.

The Clerk read as follows:

On page 8, line 2, after the word "repealed," add a new section, as follows:

"SEC. 11. That the provisions of the act of February 23, 1917 (Public Law, No. 347, 64th Cong.), an act entitled 'An act to provide for the promotion of vocational education; to provide for cooperation with the States in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the States in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure,' be, and is hereby, amended to extend to Porto Rico."

Mr. BANKHEAD. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman reserves a point of order. The gentleman from Porto Rico [Mr. DAVILA] is recognized for five minutes.

Mr. DAVILA. Mr. Chairman, while the bill under consideration provides for the vocational rehabilitation of the Porto Rican soldiers who will return home maimed and permanently disabled from the field of battle, yet the fact remains that under existing law the children and dependents of those same soldiers are excluded from the benefits of the vocational educational system which this Congress has extended to all the States of the Union. It is to correct this injustice that the amendment is offered.

I can say with perfect frankness that not only has the justness of this amendment been admitted by members of both committees of the House and Senate having jurisdiction of the matter, but they have likewise said there was no chance for the successful consideration of the matter at this session of Congress unless it is provided for in the bill now under consideration.

The people of Porto Rico believe that the situation under which they suffer has only to be made known to the American Congress in order to be corrected, and no greater incentive could be extended to the Porto Rican soldier provided for in this bill than the knowledge that the privileges of vocational education which are now accorded by the Federal Government to the children of all the States will in the future be accorded to the children of Porto Rico, upon like terms and conditions.

Mr. Chairman, the present crisis has amply demonstrated that no more patriotic nor devoted people exist beneath the flag than the citizens of Porto Rico. [Applause.] That was eloquently stated in a recent article by Mr. Henry A. Wise, in the following language:

On March 2, 1917, American citizenship was conferred upon the Porto Rican. For nearly two decades he had had a land but no country. For 19 years he had been knocking at our door, unable to enter or to go elsewhere. The flag over his head was not his flag, nor could he raise one of his own. So only two months before our declaration of war the Porto Rican was not an American citizen. Would he, therefore, be willing to fight for our cause?

It was this query, possibly, that caused the War Department to hesitate when announcing the draft to apply it to Porto Rico. But this hesitation, whatever its cause, had a galvanic effect upon the people of the island. Instantly there arose an indignant protest and a demand that Porto Rico be permitted to supply its full quota to the Army, whose flag was its flag.

[Applause.]

Not only would it fight, but the opportunity to do so it demanded as its right. The children of Columbus's conquistadores were willing and ready to support the liberties of the New World, the world that he and his ancestors had carved out with their swords.

So a resolution was passed by the Porto Rican Legislature and hurried to Washington, whereupon compulsory military service—that "act of conscription" so abhorrent to some who are unworthy of our blood—was granted to the island, and by it welcomed in its true form, as the obligation and privilege of a free people. It is probable that no document of similar purport can be found in history; certainly it can not be found in our history.

As a concrete illustration of the military service of Porto Rico during the present crisis, I may cite the guard duty that is now being performed in the Canal Zone by the Porto Rican Regiment of Infantry. The great canal that joins the two oceans, the greatest engineering triumph of all time, America's contribution to the twentieth century, and the especial pride of all the American people has been committed to the care of Porto Rican troops.

When the people of that island requested that they be allowed to participate with their brother Americans in the horrors and hardships of the war she furnished to the colors more than 12,000 of her sons under the first call—a number that was larger than 25 of the sovereign States were called upon to furnish under the adjustment determined upon by the War Department. [Applause.]

That same proud showing has been preserved in the subsequent calls, and nowhere beneath the folds of the flag has there been a more ready response for service than on the island of Porto Rico.

I have had the pleasure of hearing the Secretary of War say that this response of Porto Rico to the call of the Nation has been one of the most pleasing incidents connected with the war that has come within his notice.

A great training camp has been established at San Juan. It has been estimated that some thirty thousand troops will soon be under arms there, and they are shortly to take their places side by side with their brothers from the States on the far-flung battle line in France. [Applause.]

We of Porto Rico look forward with confidence to the record our brothers and sons will make in the great epic struggle for liberty now being fought in France, and we likewise believe

that we can appeal with confidence to the generosity of the American people when we ask them to extend to us the simple justice provided for in the amendment I have just offered.

We have already provided that if the benefits of the Smith-Hughes law are made applicable to Porto Rico, the sums of money granted will be more than matched by the amounts already being spent in vocational work. The Legislature of Porto Rico has already gone on record as desiring to receive the benefits of the law, and, should it be necessary, that body will make such additional appropriations as may be needed in order to secure to Porto Rico the benefits of the act.

I will not further detain the House now, but at some future time, Mr. Chairman, I hope, if accorded unanimous consent, to address the House upon the participation of Porto Rico in the war and the political aspirations of her people. [Applause.]

Mr. FESS. Mr. Chairman, I simply rise to state to the House that the Smith-Hughes bill, which this amendment proposes to make applicable to Porto Rico, omitted Porto Rico in the legislation of 1917. It omitted it on the basis that that bill was a contract between two sovereignties, the sovereignty of the Nation and the sovereignty of the State, and all the way through the words are—

The board shall have the power to cooperate with State boards in carrying out the provisions of the act.

Porto Rico not occupying the status of a sovereign State, it could not be dealt with as Ohio or other States. And that is the reason the Smith-Hughes bill does not comprehend Porto Rico; so the benefits of vocational education under that law do not extend to Porto Rico. Secondly, the organic law for Porto Rico which was passed not long ago is the proper channel for such training for the Porto Ricans.

Mr. CAMPBELL of Kansas. Will the gentleman from Ohio yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Kansas?

Mr. FESS. I yield.

Mr. CAMPBELL of Kansas. Do the provisions of that bill apply to Hawaii and Alaska?

Mr. FESS. I think not.

Mr. CAMPBELL of Kansas. Or the Philippines?

Mr. FESS. No. One reason why it was omitted, aside from what I have said, is that under the relationship between the Federal Government and these possessions it was thought that the proper legislation on vocational education would come directly from Congress rather than from this bill.

I understand that there is not anything in our organic act that authorizes Porto Rico to proceed to vocational education through any Federal help, and I told the commissioner when he spoke to me that this amendment would be out of order on this bill, and I was sure would not be allowed to stand. I do not think it ought to. But I do think that, either under the organic act under which Porto Rico is now governed, this authority must be provided or else this Federal act of the Smith-Hughes bill should be amended so that the benefits should extend to Porto Rico. In other words, I think Porto Rico has shown that she deserves the benefits of vocational education through Federal help. And while I am sorry it can not come on this bill, I hope Congress will in no time open the way so that this commissioner may see that the work will be applied to his island.

Mr. PLATT. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. FESS. Yes.

Mr. PLATT. I wanted to ask the gentleman whether he thought that the fact that the Smith-Hughes bill does not apply to Porto Rico would deprive the Porto Rican soldier from the benefit of the rehabilitation?

Mr. FESS. No. The Porto Ricans under this bill have vocational training of their disabled soldiers, but not under the Smith-Hughes Act. The commissioner wants everybody in Porto Rico that desires vocational training—soldier or not—to get the benefits of the law the same as the States which cooperate.

Mr. PLATT. If this bill extends to Porto Rico a certain amount of authority on the part of the Vocational Educational Board, is it not in order on this bill to give it full authority there?

Mr. FESS. You can not put the Smith-Hughes bill on this bill.

Mr. BANKHEAD. Mr. Chairman, I am compelled to make the point of order against the amendment of the gentleman from Porto Rico for the reasons explained and which I think he understands.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SIEGEL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 8, line 21, insert as a new section the following:

"SEC. 11. No person of draft age, physically fit for military service, shall be exempted from such service on account of being employed under the terms of this act."

Mr. BANKHEAD. Mr. Chairman, I reserve a point of order against that amendment.

Mr. SIEGEL. I ask the gentleman to state it.

Mr. BANKHEAD. It is not germane to the bill.

Mr. SIEGEL. Mr. Chairman, I think the amendment is germane. That same amendment has gone on every other bill.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The amendment was again read.

The CHAIRMAN. Does the gentleman from Alabama desire to be heard on the point of order?

Mr. BANKHEAD. I do not know whether this particular question has been passed on or not, Mr. Chairman. My attention has been called to the fact that a similar amendment to this was offered on the other bill. I therefore do not care to insist on the point of order, because I would not care to do it unless I was sure of the soundness of my position. I withdraw the point of order.

Mr. SIEGEL. Mr. Chairman, this is the usual amendment that has been offered to all the bills and adopted. It would simply prevent this commission from being filled up with a lot of young men of draft age, and who would then be exempted.

Mr. BLACK. Will the gentleman yield?

Mr. SIEGEL. Yes.

Mr. BLACK. Does not the gentleman think if we are to go into the business of rehabilitating these men that come back wounded and maimed, they ought to have the benefit of the best learning and the best training that can be had, whether those possessing that training are within the draft or not within the draft age?

Mr. SIEGEL. Mr. Chairman, answering the gentleman, I will say that my amendment does not apply to the men who are to be rehabilitated. It simply applies to those men who will be obtained from the civil-service lists, or rather exempted employees who will be obtained and who will flock into this department, just as they have flocked into other departments, and then have the heads of departments claim their exemption. It is to prevent that condition of affairs that I have offered it. The amendment does not prevent any single man coming back from abroad rendering any service to this commission. This amendment applies to those who go into this department solely to escape military service and who are of draft age. It is aimed directly and solely and exclusively against those gentlemen. I think the amendment should be adopted in order to prevent those gentlemen from getting into this service and sheltering themselves here in the city of Washington or some other center.

Mr. LA FOLLETTE. As I understand the gentleman's amendment, it reaches those who come under the act and not those who administer the act. I think the wording of the gentleman's amendment is not going to carry out the idea that he has in mind.

Mr. SIEGEL. The wording of that amendment, as I have offered it, will carry out that idea, for the reason that it provides that no person fit for military service shall be exempted, and certainly these men who come back from abroad disabled will not be fit for military service.

Mr. LA FOLLETTE. Mr. Chairman, may we have the amendment read again?

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

Mr. LA FOLLETTE. That is all right.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York [Mr. SIEGEL].

The amendment was agreed to.

Mr. BANKHEAD. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CARAWAY. Mr. Chairman, will the gentleman withhold that for a moment?

Mr. BANKHEAD. Yes.

Mr. CARAWAY. I want to ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BANKHEAD. Mr. Chairman, I make the same request.
The CHAIRMAN. Is there objection?
There was no objection.
Mr. HASTINGS. Mr. Chairman, I make the same request—that I may extend my remarks on this bill.
The CHAIRMAN. Is there objection?
There was no objection.
Mr. AUSTIN. Mr. Chairman, I make the same request.
The CHAIRMAN. Is there objection to the gentleman's request?
There was no objection.
Mr. SIEGEL. Mr. Chairman, I make the same request.
The CHAIRMAN. Is there objection?
There was no objection.
Mr. FARR. And I make the same request, Mr. Chairman.
The CHAIRMAN. Is there objection to the gentleman's request?
There was no objection.
Mr. LONDON. And, Mr. Chairman, I make the same request.
The CHAIRMAN. Is there objection to the request of the gentleman from New York?
There was no objection.
The CHAIRMAN. The gentleman from Alabama moves that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass. The question is on agreeing to that motion.
The motion was agreed to.
Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HELM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.
The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.
The amendments were agreed to.
The SPEAKER. The question is on the third reading of the Senate bill.
The Senate bill was ordered to be read a third time, and was read the third time.
The SPEAKER. The question is, Shall the bill pass?
The question was taken, and the bill was passed.
The SPEAKER. The bill is passed unanimously.
On motion of Mr. BANKHEAD, a motion to reconsider the vote whereby the bill was passed was laid on the table.
Mr. BANKHEAD. Mr. Speaker, I ask that the House bill (H. R. 12212) of similar tenor be laid on the table.
The SPEAKER. Without objection, the House bill of similar tenor will be laid on the table.
There was no objection.

LEAVE OF ABSENCE.

Mr. DENISON, by unanimous consent, was granted leave of absence for three days, on account of important business.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY, by direction of the Committee on Appropriations, reported the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, which, with the accompanying report (No. 644), was ordered printed and referred to the Committee of the Whole House on the state of the Union.
Mr. MONDELL. Mr. Speaker, I reserve all points of order on the bill.
The SPEAKER. The gentleman from Wyoming reserves all points of order on the bill.

DEPARTMENT EMPLOYEES LIABLE TO MILITARY SERVICE (H. DOC. NO. 1159).

The SPEAKER. The Chair lays before the House a communication from the Interstate Commerce Commission in answer to the resolution of the House, which the Clerk will read.
The Clerk read as follows:

INTERSTATE COMMERCE COMMISSION,
Washington, June 7, 1918.

Hon. CHAMP CLARK,
Speaker House of Representatives United States.

DEAR SIR: In response to House resolution No. 382 of June 3, 1918, the Interstate Commerce Commission has the honor to submit herewith a statement showing the total number of men in the service of the Interstate Commerce Commission who were on June 5, 1917, between the age of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by such commission and allowed, the name and home address of each such person and the character of work he is performing in the service of the commission and the length of time he has been in such service.
It should be noted that the civil, structural, and electrical engineers, and a number of other employees for whom exemption was requested, are members of the commission's organization for valuing the railroads of the country.
In this connection may the commission advise that 571 men out of a total of 2,240 employees have left its service to enter the military service.
Respectfully submitted.

W. M. DANIELS, *Chairman.*

The number of men in the service of the Interstate Commerce Commission who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by such commission and allowed, the name and home address of each such person, the character of work he is performing in the service of the commission, and the length of time he has been in such service.

Name.	Home address.	Character of work.	Length of service.
INTERSTATE COMMERCE COMMISSION (EXCEPT BUREAU OF VALUATION).			
W. R. McFarland	Washington, D. C.	Attorney-examiner	5 years 4 months.
F. E. Early	do	Confidential clerk to Commissioner Harlan.	4 years 8 months.
J. M. Fiedler	Silver Springs, Md.	Senior clerk, Bureau of Indices.	10 years 9 months.
L. V. Friedll	Washington, D. C.	Confidential clerk to Commissioner Meyer.	7 years 7 months.
L. D. Leedy	Canyon City, Oreg.	Confidential clerk to Commissioner Aitchison.	8 months.
R. G. Curry	Staunton, Va.	Attorney	2 years 5 months.
C. R. Seal	Washington, D. C.	Confidential clerk to Commissioner Woolley.	6 years 2 months.
J. M. Dolan	Quincy, Mass.	Stenographer - clerk to Commissioner McChord.	1 year 8 months.
J. S. Payne	Washington, D. C.	Attorney	12 years 2 months.
G. H. Mattingly	do	Attorney-examiner	10 years 4 months.
G. F. Abbott	do	do	4 years 5 months.
C. B. Hewes	Jeanerette, La.	Confidential clerk to Commissioner McChord.	8 months.
W. H. Smith	Washington, D. C.	Senior clerk, Bureau of law.	4 years 3 months.
R. W. Stough	York, Pa.	Senior clerk, Division of Appointments.	5 years 4 months.
H. J. Balzer	Washington, D. C.	Record clerk, Bureau of Dockets.	10 years 3 month.
J. B. Switzer	do	Appointment clerk	12 years 10 months.
R. A. Voorus	do	Clerk handling pay rolls.	4 years 5 months.
BUREAU OF VALUATION.			
P. S. Chamberlain	Kansas City, Mo.	Civil engineer	3 years 11 months.
C. A. Wear[1]	Fairfax, Cal.	Accountant	1 year 10 months.
L. H. Allen	Quincy, Mass.	Civil engineer	4 years 4 months.
J. E. Herman	New York, N. Y.	Structural engineer	2 years 3 months.
R. B. Byrnes	Washington, D. C.	Signal engineer	1 year 2 months.
H. M. Fussell	Moylan, Pa.	do	2 years 5 months.
M. C. Owings	Darlington, Mo.	Civil engineer	3 years.
E. L. Koenig	Long Island City, N. Y.	Signal engineer	1 year 9 months.
C. E. McCormick	Linneus, Mo.	Structural engineer	2 years 4 months.
H. C. Miller	Oakland, Cal.	Civil engineer	3 years 10 months.
A. F. Dougall	Chicago, Ill.	do	1 year 10 months.
J. F. Seifried	Maywood, Ill.	Structural engineer	4 years 5 months.
J. F. Hewson[1]	Chicago, Ill.	do	2 years 3 months.
B. H. Beveridge[1]	Salt Lake City, Utah.	Civil engineer	3 years 4 months.
L. S. Blackman	San Francisco, Cal.	Telephone and telegraph engineer.	2 years 2 months.
G. G. Dunlap	Williamstown, Ky.	Civil engineer	4 years 3 months.
C. N. Crocker	College Park, Ga.	do	2 years.
L Wendelboe	Logan, Utah	do	3 years 10 months.
C. B. Newberry	San Francisco Cal.	do	Do.
W. B. Anthony	do	do	1 year 9 months.
G. M. Remsen	New York, N. Y.	do	1 year.
E. J. Budge	Grand Forks, N. Dak.	do	4 years 4 months.
J. A. Nicolay	Kansas City, Mo.	do	4 years 2 months.
G. H. Goodman	New Haven, Conn	do	3 years 9 months.
B. W. Booker	San Francisco, Cal.	do	2 years 11 months.
E. Balaban	New York, N. Y.	do	1 year.
H. L. Sutton	Yorktown, Ind.	do	3 years 10 months.
A. B. Chapman[1]	Oakland, Cal.	do	4 years 3 months
J. E. Boice	San Francisco, Cal.	Chief clerk, San Francisco office.	6 years 5 months.
C. K. Simmers	Washington, D. C.	Civil engineer	4 years 1 month.
A. X. Marilley	do	do	4 years 3 months.
E. E. Hebb	Roslendale, Mass.	Telephone and telegraph engineer.	3 years 8 months.
F. R. Bell	Washington, D. C.	Civil engineer	2 years 9 months.
B. P. Burtis	do	do	4 years.
J. T. Williams	Lynchburg, Va.	Signal engineer	4 years 1 month.
W. T. W. Hoofnagle	Ashland, Va.	Civil engineer	3 years 10 months.
W. E. Perkins	Old Town, Me.	do	3 years 9 months.

[For footnote see end of table.]

The number of men in the service of the Interstate Commerce Commission who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty, etc.—Continued.

Name.	Home address.	Character of work.	Length of service.
BUREAU OF VALUATION—contd.			
R. T. Goodwyn, jr.	Athens, Ga.	Civil engineer	4 years 4 months.
O. H. Herring	Washington, D. C.	do	2 years 11 months.
W. R. McGlenghlin	Brooklyn, N. Y.	do	3 years 9 months.
J. C. Furry	Washington, D. C.	Architect	3 years 4 months.
G. Stahl	do	do	2 years 9 months.
A. W. Booth	do	Civil engineer	3 years 9 months.
H. A. Clark	Baltimore, Md.	Structural engineer	1 year 9 months.
R. T. Boyden	Washington, D. C.	Civil engineer	2 years 11 months.
K. P. Armstrong	do	do	4 years.
H. E. Ramsey	do	Electrical engineer	3 years 2 months.
F. K. Moss	Markham, Va.	Civil engineer	Do.
W. O. Becker	Riverdale, Md.	do	3 years 10 months.
J. Reimann	Washington, D. C.	do	4 years 3 months.
W. F. Wilder[1]	do	do	2 years 8 months.
G. F. Clevenberg	New York, N. Y.	do	2 years 3 months.
C. R. Wade	Bridgeton, R. I.	do	2 years 9 months.
J. P. Kivlen, jr.	Albany, N. Y.	do	3 years 11 months.
L. G. McCarty	Hughesville, Pa.	do	1 year 9 months.
F. J. Jones	New Bern, N. C.	do	2 years 4 months.
E. E. Chubbuck	Towanda, Pa.	do	3 years 9 months.
H. L. English	Lisbon, N. H.	Structural engineer	4 years 4 months.
J. F. Gates	Jamestown, N. Y.	Civil engineer	3 years 11 months.
C. E. Ackerman, jr.	Peekskill, N. Y.	do	4 years.
C. F. Blanchard	New London, Conn.	do	2 years 11 months.
E. Dahill, jr.	Fitchburg, Mass.	do	4 years 4 months.
P. R. Williamson	Marshfield, Mass.	Structural engineer	4 years 2 months.
C. R. Kautch	New York, N. Y.	Architect	11 months.
G. W. Hunt	Riezelsville, N. J.	Civil engineer	2 years 5 months.
H. J. Bennett	Washington, D. C.	do	3 years 1 month.
N. W. Funk	Kansas City, Mo.	Structural engineer	3 years.
A. W. Thompson	Norwood, Mass.	Civil engineer	1 year 11 months.
M. J. Rose	New York, N. Y.	Structural engineer	2 years 1 month.
E. N. Davis	Belmont, Mass.	Electrical engineer	7 months.
C. F. O'Leary	Washington, D. C.	Structural engineer	2 years 11 months.
C. H. Nelson	Albany, N. Y.	Mechanical engineer	1 year.
J. D. Mohler[1]	Kansas City, Mo.	Civil engineer	4 years 4 months.
L. T. Powers	Fargo, N. Dak.	do	3 years 1 month.
E. I. Judd	White Plains, N. Y.	do	3 years 7 months.
R. V. Root	Cromwell, Conn.	do	3 years 2 months.
C. M. Kyte	Berkeley, Cal.	do	3 years 10 months.
A. T. Kean	Taunton, Mass.	do	3 years 11 months.
L. Mackler	Brooklyn, N. Y.	Signal engineer	1 year 3 months.
T. B. Smith	Wilmington, Del.	do	3 years 10 months.
W. T. Brooks	Baltimore, Md.	Civil engineer	3 years 1 month.
F. R. Grady	New Brunswick, N. J.	Signal engineer	1 year 5 months.
W. A. McKoy	St. Elmo, Tenn.	Civil engineer	1 year.
A. G. Nye	Buffalo, N. Y.	Signal engineer	2 years 7 months.
A. E. Warren	Ada, Ohio.	Civil engineer	4 years 2 months.
I. M. Haas	New York, N. Y.	do	3 years.
J. V. Walsh	Brooklyn, N. Y.	Structural engineer	2 years 3 months.
W. S. Rambo	Philadelphia, Pa.	Civil engineer	3 years 10 months.
W. V. Enright	New York, N. Y.	do	7 months.
F. C. Carey	Astoria, N. Y.	do	2 years 10 months.
G. F. Clark	Tremont, Me.	do	2 years 7 months.
H. M. Lamb	San Francisco, Cal.	Mechanical engineer	3 years.
E. C. Baker	York County, Me.	Clerk in charge of office of supervisor of accounts.	Do.
A. Nagelberg	New York, N. Y.	Civil engineer	7 months.
O. H. Reynolds	Kansas City, Mo.	do	1 year 10 months.
F. P. Cahill	Jacksonville, Fla.	do	2 years.
G. C. Ennis	Van Etten, N. Y.	Structural engineer	4 years.
H. H. Howland	Bridgewater, Mass.	Civil engineer	4 years 1 month.
C. A. Shockley	Kansas City, Mo.	do	3 years 10 months.
R. D. Rhodes	do	do	3 years 9 months.
J. E. Hansbury	do	do	3 years 9 months.
M. M. Hutchinson	Chanute, Kans.	do	3 years 1 month.
F. W. Smith	Portland, Oreg.	do	4 years 4 months.
E. E. Hudson	Blair, Okla.	do	4 years 5 months.
L. M. Bush[1]	Burlingame, Kans.	do	4 years 3 months.
R. A. Porterfield	Kansas City, Mo.	do	3 years 11 months.
R. W. Brooks	Aberdeen, S. Dak.	do	4 years 1 month.
R. F. Butler	Kansas City, Mo.	do	3 years 10 months.
R. B. Houston	do	Structural engineer	3 years 3 months.
E. J. Schell	do	do	4 years 2 months.
L. B. Curry	Mecklenberg, N. Y.	Civil engineer	4 years 2 months.
S. E. Burdick	New Britain, Conn.	do	2 years 11 months.
H. B. Smith	Broad Run, Va.	do	3 years 7 months.
J. W. Waller	Paris, Ky.	do	1 year 9 months.
D. H. Lum	Washington, D. C.	Draftsman	4 years 11 months.
H. A. Nelson	Louisville, Ky.	Civil engineer	4 years 4 months.
W. S. McNamara	Oakland, Cal.	do	4 years 2 months.
J. V. Rast	Roseburg, Oreg.	do	4 years 5 months.
S. W. Ashley	Hornell, N. Y.	do	3 years.
H. H. Reynolds	Albany, Cal.	do	3 years 10 months.
W. A. Robinson	Berkeley, Cal.	do	3 years 6 months.
R. V. Klein	Oakland, Cal.	do	4 years 5 months.
H. B. McAllister	Austin, Tex.	do	3 years 1 month.
J. W. Killey	Geneva, Ill.	do	3 years 11 months.
E. C. Rowe	Houston, Tex.	do	4 years 1 month.
C. S. Harvard	Los Angeles, Cal.	do	5 months.
B. Eckenrode	San Diego, Cal.	do	1 year 11 months.
C. M. Hartsock	Albany, Oreg.	do	2 years 11 months.
R. Gile	Hoquiam, Wash.	do	3 years 2 months.
H. J. Friedman	Twin Falls, Idaho.	do	4 years 5 months.
F. W. Gathof	Louisville, Ky.	Architect	2 years 7 months.
F. C. Cross	Oakland, Cal.	Civil engineer	1 year 11 months.
J. J. Gallagher	Lamar, Mo.	do	3 years 11 months.

[For footnote see end of table.]

The number of men in the service of the Interstate Commerce Commission who were on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty, etc.—Continued.

Name.	Home address.	Character of work.	Length of service.
BUREAU OF VALUATION—contd.			
O. C. Boerner	Kansas City, Mo.	Civil engineer	3 years 11 months.
B. J. Bonn	Louisville, Ky.	Architect	2 years 8 months.
R. D. Waterhouse	Berkeley, Cal.	Civil engineer	1 year 1 month.
J. E. Norton	San Francisco, Cal.	do	4 years 2 months.
J. Lamprecht	Philadelphia, Pa.	do	3 years 2 months.
W. S. Campbell	Pullman, Wash.	do	2 years 7 months.
F. M. Purdy	Tacoma, Wash.	do	3 years 10 months.
J. G. Latimer	Salt Lake City, Utah.	do	2 years 11 months.
L. A. Leonard	Kansas City, Mo.	do	1 year 11 months.
G. E. Ostrom	Omaha, Nebr.	do	4 years 2 months.
D. V. Gordon	St. Louis, Mo.	do	2 years 3 months.
R. R. Downs	Kansas City, Mo.	Structural engineer	1 year 10 months.
J. L. Knight	Crown Point, Ind.	Land appraiser	8 months.
J. K. Haggart	Topeka, Kans.	Civil engineer	2 years 10 months.

[1] Subsequently resigned from the service of the Interstate Commerce Commission and the local boards were notified of the cessation of their services..... 7
Total number for whom requests for exemption were asked and allowed..... 151
Total number of men who have left the service of the Interstate Commerce Commission to enter the military service..... 571

The SPEAKER. The letter and accompanying document are referred to the Committee on Military Affairs and ordered printed.

ADJOURNMENT.

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, Tuesday, June 11, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Acting Secretary of War submitting deficiency estimates of appropriation required by the Quartermaster Corps of the Army for the fiscal year 1918 and for prior years (H. Doc. No. 1154); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Board of Commissioners of the District of Columbia submitting deficiency estimates of appropriation required by the District of Columbia for the fiscal year 1918 and for prior years (H. Doc. No. 1155); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of War, transmitting letter from the Chief of Engineers, United States Army, together with a report, with map made by Mr. James P. Allen, assistant engineer in charge, on a preliminary examination of Church and Bohicket Creeks and Church Flats, S. C., from the North Edisto River to the Stono River (H. Doc. No. 1156); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

4. A letter from the Secretary of the Interior, relating to the disposition of the public lands (H. Doc. No. 1157); to the Committee on the Public Lands and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. THOMPSON: A bill (H. R. 12438) authorizing the conveyance of the United States jail and land on which the same is located at Guthrie, Okla., to Logan County, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. AYRES: A bill (H. R. 12439) to authorize and empower the supreme courts of the States and Territories of the United States to issue subpœna and other compulsory processes in criminal actions and to punish for disobedience thereof; to the Committee on the Judiciary.

Also, a bill (H. R. 12440) to amend section 1 of an act entitled "An act to regulate commerce," approved February 4, 1887, as amended by section 7 of the act entitled "An act to create a Commerce Court and to amend the act entitled 'An act to regulate commerce,' approved February 4, 1887, as heretofore amended, and for other purposes," approved June 18, 1910; to the Committee on Interstate and Foreign Commerce.

By Mr. SHERLEY: A bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal

year ending June 30, 1919, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. TEMPLE: A bill (H. R. 12442) to provide for the purchase of additional ground and for erecting an addition to and making alterations in the Federal Building at Washington, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. DARROW: A bill (H. R. 12443) to prevent profiteering in rents during the present war; to the Committee on the Judiciary.

By the SPEAKER: Memorial from the Legislature of the State of Arizona, pledging all the resources of the State of Arizona to the vigorous prosecution of the war; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. FESS introduced a bill (H. R. 12444) granting an increase of pension to Louisa Sheldon, which was referred to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerks' desk and referred as follows:

By Mr. DYER: Petition of the Kansas City (Mo.) Bar Association, favoring bill to increase the salaries of judges of the United States courts; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of Converse Cooperage Co., of Chicago, Ill., favoring uniform tax on incomes regardless of capital invested; to the Committee on Ways and Means.

Also, petition of Morris (Ill.) Union, American Federation of Labor, favoring repeal or postponement of the second-class postage provision of the war-revenue act; to the Committee on Ways and Means.

By Mr. GLYNN: Letter from the Secretary of the Interior on the subject of public lands for soldiers of the National Army after the war; to the Committee on the Public Lands.

By Mr. HILLIARD: Memorial of the Leonard Woman's Christian Temperance Union, of Denver, Colo., urging passage of the Barkley war prohibition bill; to the Committee on the Judiciary.

Also, petition of 90 citizens of the State of Colorado, urging repeal of that section of the war-revenue act increasing postage rates on periodicals; to the Committee on Ways and Means.

By Mr. KAHN: Papers to accompany House bill 12435, a bill to increase the pension of Joseph Freeman; to the Committee on Invalid Pensions.

By Mr. McFADDEN: Petitions of Allentown Lodge, No. 130, Benevolent and Protective Order of Elks, and of the Lehigh County Historical Society, of Allentown, Pa., favoring the adoption of The Star-Spangled Banner as the national anthem; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of 52 citizens of Charlotte, Mich., to repeal rates on second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. TAGUE: Petition of Eastern Soda Water Bottlers' Association (Inc.) of the States of Massachusetts, Rhode Island, New Hampshire, and Vermont, advocating a change in the taxes on bottled soft drinks, etc.; to the Committee on Ways and Means.

SENATE.

TUESDAY, *June 11, 1918.*

(*Legislative day of Monday, June 10, 1918.*)

The Senate met at 12 o'clock noon.

The Vice President being absent, the President pro tempore (Mr. SAULSBURY) assumed the chair.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing to amend the rules of the Senate by providing for the limitation of debate.

The PRESIDENT pro tempore. The pending amendment is that offered by the Senator from Idaho [Mr. BORAH].

Mr. BORAH. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martin	Smith, Ga.
Bankhead	Hitchcock	Myers	Smith, Md.
Beckham	Johnson, Cal.	Nelson	Smith, S. C.
Borah	Johnson, S. Dak.	New	Smoot
Brandegee	Jones, Wash.	Norris	Sterling
Chamberlain	Kellogg	Nugent	Sutherland
Culberson	Kendrick	Overman	Thompson
Cummins	Kenyon	Page	Tillman
Curtis	King	Pomerene	Trammell
Dillingham	Kirby	Robinson	Underwood
Fall	Knox	Saulsbury	Vardaman
France	Lenroot	Shafroth	Warren
Frelinghuysen	Lodge	Sheppard	Watson
Gallinger	McCumber	Sherman	Willey
Gronna	McKellar	Shields	
Guion	McLean	Simmons	
Hale	McNary	Smith, Ariz.	

The PRESIDENT pro tempore (Mr. SAULSBURY). My colleague [Mr. WOLCOTT] is detained from the Senate by illness.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is necessarily absent on account of illness.

Mr. McKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is absent on official business. I ask that this announcement may stand for the day.

Mr. BECKHAM. I wish to announce that my colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. SMITH of Arizona. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. TRAMMELL. I wish to announce that my colleague [Mr. FLETCHER] is absent on account of illness.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

Mr. NORRIS obtained the floor.

PRINTING OF PETITIONS, ETC., IN THE RECORD.

Mr. SMITH of Arizona. Will the Senator from Nebraska permit me to make an explanation to the Senate for two or three minutes?

Mr. NORRIS. I yield for that purpose.

Mr. SMITH of Arizona. By being chairman of the Committee on Printing and the joint committee of the two Houses, I find that a very unpleasant duty has been thrown upon me and that I have been subjected at times in my absence to infantile criticism and puerile gibes, with the suggestion that I should be always in this Chamber in order to protect the CONGRESSIONAL RECORD from imposition and against the rules of this body.

I therefore want to call the attention of those Senators to the fact that the rule is that—

> Every petition and memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents and shall be presented and referred without debate.

This is paragraph 5 of Rule VII.

Paragraph 1 of Rule XXIX reads:

> Every motion to print * * * memorials, petitions, accompanying documents, or any other paper, except * * * communications from legislatures or conventions lawfully called of the respective States * * * shall, unless the Senate otherwise order, be referred to the Committee on Printing.

Last October the Committee on Printing ordered me to report and I did report a resolution (S. Res. 77), and on October 5, 1917, it passed this body. That resolution says:

> *Resolved*, That only a brief statement of the contents as provided for in Rule VII, paragraph 5—

The rule that I have already quoted—

> of such communications as are presented under the order of business "Presentation of petitions and memorials" shall be printed in the CONGRESSIONAL RECORD, and that no other portion of such communication shall be inserted in the RECORD unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph 1.

Then the resolution says:

> Except that communications from the legislatures or conventions, lawfully called, of the respective States, Territories, and insular possessions shall be printed in full in the RECORD whenever presented.

Now, if the Chair will execute the rule of the Senate, there is no necessity for me or my friend from Utah [Mr. SMOOT] being placed in the position of being a watchdog of the Treasury, as my neighbor [Mr. TILLMAN] charged me with being, as though I was officiously intruding myself for the purpose of cheap notoriety in an effort to save the Treasury of the United States from the assault of Members having less regard for their duty than I have.

Mr. President, I have called this matter to the attention of the Senate in my own protection, and I want every Member of the Senate to know when they ask unanimous consent to print all the stuff that they have been printing in the RECORD it is in violation of the rules of the Senate and not in contravention of any desire of mine in the premises.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

PETITIONS.

Mr. JONES of Washington presented a telegram in the nature of a petition from the congregation of the Methodist Church of Grandview, Wash., and a telegram in the nature of a petition from Wilbur F. Crafts, of Columbus, Ohio, praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. ASHURST presented a petition from H. A. Wiltse, of Globe, Ariz., relative to a proposed scale for revenue on income and excess-profits taxes, which was referred to the Committee on Finance.

Mr. HALE presented a telegram in the nature of a petition from the Equal Suffrage League of Augusta, Me., praying for national prohibition as a war measure, which was ordered to lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 4690) to amend an act entitled "An act to amend an act entitled 'An act to provide for the adjudication and payment of claims arising from Indian depredations,' approved January 11, 1915;" to the Committee on Indian Affairs.

By Mr. SMITH of Arizona (by request):

A bill (S. 4691) increasing the pay of printers, pressmen, and bookbinders employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. REED:

A bill (S. 4692) providing for the acquisition of additional land and for the construction of an addition to the public building at Columbia, Mo.; to the Committee on Public Buildings and Grounds.

A bill (S. 4693) to correct the military record of Northrop Banks (with accompanying papers), to the Committee on Military Affairs.

A bill (S. 4694) to reimburse Martin Carroll for additional face work on walls of officers' quarters over the price named in the contract for the United States noncommissioned officers' quarters at Fort Leavenworth, Kans. (with accompanying papers); to the Committee on Claims.

A bill (S. 4695) granting an increase of pension to James Hanners (with accompanying papers); to the Committee on Pensions.

PENSIONS AND INCREASE OF PENSIONS.

Mr. KNOX (for Mr. PENROSE) submitted an amendment intended to be proposed to the bill (H. R. 12211) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which was referred to the Committee on Pensions and ordered to be printed.

MILITARY ACADEMY APPROPRIATION BILL—CONFERENCE REPORT (S. DOC. NO. 237).

Mr. CHAMBERLAIN. I submit the conference report on House bill 11185, the Military Academy appropriation bill, and ask that it be printed and lie on the table for the present. I wish to give notice that I shall take occasion at the first opportunity to call up the report for consideration.

The VICE PRESIDENT. The report will lie on the table and be printed.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 94, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 121, 123, and 124.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 102, 114, 115, 116, 117, 118, 119, 120, and agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: On page 16, line 10, in lieu of the sum proposed insert "$1,198,237.95"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert "41,000: *Provided*, That $5,000 of this appropriation be, and the same is hereby, made immediately available"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$220,605"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500,000"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,051,613.30"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,589,846.25"; and the Senate agree to the same.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.
S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing to amend the rules of the Senate by providing for the limitation of debate.

Mr. NORRIS. Mr. President, the pending amendment, if agreed to, will change the rules of the Senate so that treaties will be considered in open session and not in secret or executive session. If anyone either in the Senate or out of it should propose that the legislation of the Senate and of the House should all be behind closed doors his proposition would receive universal condemnation all over the country. All legislation considered in Congress is considered in the open. Provision is made to give ample opportunity to representatives of newspapers to publish to the world the transactions both of the House and the Senate. A gallery is provided for those who desire to listen to the deliberations and the official action of both the House and the Senate. All of this has for its one and sole object publicity.

The same could be said of every legislature of every State in the Union. No one anywhere in the civilized world, so far as I know, advocates that laws should be made in secret or considered in secret.

It is unnecessary, Mr. President, to go into an argument to demonstrate the wisdom of this course. I think it will be conceded by everybody that no government could or would long remain free if its legislature, its law-making body, transacted its business behind closed doors in secret. Publicity of their official action is regarded and recognized as one of the necessities in every progressive free government.

The Constitution of the United States provides that all treaties shall be the supreme law of the land. When a treaty is once ratified and promulgated it becomes a law the same as any act passed by the Senate and the House and signed by the President. It is a rule of action that controls every citizen of the Republic, yea, more, Mr. President, it goes further than most of the laws; it is not only binding upon all the citizens of the country, but it has a direct relation as a rule with the conduct of citizens and of the Government itself with other nations of the world.

It seems to me, therefore, that the same reasons which provide for publicity in the consideration of all acts of all legislatures that become laws and govern the people of the country and of the States would apply with double force to every treaty that becomes a law and controls in the same way the rights and the privileges and the destinies not only of the people but of the Nation itself.

More than that, Mr. President, a Federal law is considered in the open not only in the Senate but in the House of Representatives. A treaty never reaches the House of Representatives. The only place where it is considered by any legislative body of the country is in the Senate; and if it is considered there in secret, then it never receives at the hands of any lawmaking body any public consideration as far as this country is concerned, at least.

It seems, therefore, that there is more reason why an act which we denominate a treaty, which shall by our action become a law, should be considered in the public and in the open than though the Senate considered all legislative matters behind closed doors, when we consider that no one either here or elsewhere would for a moment claim that we ought to consider legislative matters behind closed doors, even though if we did so consider them they would be considered again in the House of Representatives in the open, and when we take into consideration the fact that we are the only legislative body that considers a treaty and gives it its only legislative consideration, and if we deny publicity to its consideration here it never receives any public consideration and becomes binding upon all the people and upon the Nation itself without ever having been considered in the light of publicity.

It is unnecessary to consider the objects of this publicity in our official action. It is well known that it is one of the prerogatives of a democratic form of government, it is one of the absolute necessities of a free people, and when we take into consideration the fact that a treaty extends even further in most instances than any ordinary act we consider and pass, if there is any virtue in the consideration and in the performance of our official duties in public it applies with double force to a treaty.

So much, Mr. President, for the consideration of a treaty as far as it applies and has relation to our own people and our own country, but in recent years, more properly speaking in recent months, in recent days, the condemnation of secret diplomacy has been almost universal.

I do not believe it is necessary to make an argument in order to show the evils that will follow and which have followed secret diplomacy. It is one of the issues of the war in which we are engaged to get rid of secret diplomacy. That is not only considered desirable by all, but it is almost universally conceded that it is one of the things for which we are fighting in the present war, and which we are going to demand as one of the things to be brought about in the treaty of peace. So far as I know, that statement is uncontradicted from any source or by any person. Secret diplomacy is recognized as a breeder of strife, and often brings about war in its wake.

I am not going to review the ground that has been so well gone over by the Senator from Idaho [Mr. BORAH] in pointing out the evils that have come in recent years merely because of secret diplomacy. The excuse for it, which I have heard, has been that in Europe the negotiations are not only secret, but the treaty remains a secret after it is negotiated, while here, as a rule, we remove the ban of secrecy from the diplomacy as soon as we have acted upon it. I think the method which we have pursued in the past is far better than that which has been pursued by most, if not all, of the European Governments, but it is only so in degree.

Mr. POMERENE. Mr. President——

Mr. NORRIS. I yield to the Senator from Ohio.

Mr. POMERENE. Why does the Senator from Nebraska use the expression "that, as a general rule, we remove the seal of secrecy from treaties"? Are there any treaties which are kept secret?

Mr. NORRIS. There are none of which I know. I made that statement because, as I understand, there is nothing compulsory about removing the seal of secrecy from a treaty.

Mr. POMERENE. We even remove the seal of secrecy so far as the vote upon the treaty is concerned.

Mr. NORRIS. Yes; so far as I know, we have, which is entirely proper, but it is not obligatory that we should do that; we have no rule with which I am familiar that requires that that must be done.

Mr. POMERENE. The Senator's statement led me to believe that possibly he had in mind some treaty from which the seal of secrecy had not been removed.

Mr. NORRIS. If I conveyed that impression, I did not intend to do so; but the reason I put it in that language was because, as I understand, there is no law or rule which requires the removal of the ban of secrecy from a treaty. As a rule, it is always done by unanimous consent, but it could be done by a motion.

Mr. POMERENE. I wish to say that, if we have any secret treaty, I have never heard of it.

Mr. NORRIS. I do not know of any such treaty.

Mr. BORAH. Mr. President, I do not know any particular treaty from which the seal of secrecy has not been removed, but I know of some treaties from which it was not removed until after public opinion ceased to be interested. However, it takes a vote of the Senate to remove it. It does not by reason of any provision either of our rules or of the Constitution or anything else, of itself, ipso facto, become a public instrument. It takes the action of the Senate to remove the seal of secrecy.

Mr. NORRIS. Mr. President, to my mind, the very fact that, as a rule—and I again use that word in the same sense that I previously used it; I do not want to give an erroneous impression—the very fact that we do, as a general proposition, so far as I know, since I have been here without exception, remove the seal of secrecy after a treaty has been agreed to, it seems to me is a strong argument why treaties should be considered in the open. I can not myself see why we should consider a treaty in secret and then afterwards remove the seal of secrecy.

Mr. BORAH. Mr. President, I desire to ask the Senator from Nebraska what really is the virtue or the advantage of making a treaty public after it has been concluded and is binding? What is the great advantage to be derived from that about which those in opposition to this proposed rule speak so earnestly?

Mr. NORRIS. Well, Mr. President, I myself do not know of any reason. I have never yet since I have been here seen the Senate consider a treaty where I could perceive any reason whatever for considering it in secret.

Mr. BORAH. No; but what is the benefit or virtue or advantage to be derived from making a treaty public after it has been concluded?

Mr. NORRIS. The only benefit that I can see that would come from that would be to give the people notice of the passage of a law which has been enacted in secret which is going to govern them, so that they may act accordingly and not violate it.

Mr. BORAH. Yes; but certainly it is not made public with a view of having another body, to wit, the public, review it and abrogate it?

Mr. NORRIS. Oh, no; there could not be such an object, because it would be too late to accomplish that result.

Mr. BORAH. Exactly. Then, the object of making the treaty public is not to give the people any advantage whatever or public opinion any effect whatever, with reference to the shaping or the formation of the treaty, but simply to advise them how to control and guide themselves with reference to a law, if we may call a treaty a law, which has already been put into effect.

It is not to be presumed that we are going to abrogate a treaty; it is not to be presumed that, as a Government, we are going to make a treaty and then make it public for the purpose of giving the public an opportunity of abrogating it or forcing its annulment. If that should be so, then we should have practically two treaty-making powers.

Mr. NORRIS. Well, as a matter of law, of course, the people have no power to abrogate a treaty afterwards except by the creation of a public sentiment so as to change the Senate or to bring about a sentiment favoring its abrogation.

Mr. BORAH. Exactly; which renders it practically impossible for them to accomplish anything.

Mr. NORRIS. Yes, sir.

Mr. BORAH. And the only object and purpose of making a treaty public, therefore, must be to advise the people of the obligation which may rest upon them under it by virtue of the treaty.

Mr. NORRIS. I do not know of any other object.

Mr. BORAH. In other words, then, the mere fact of making the treaty public afterwards does not give the public any chance whatever to pass upon the matter during its formation and give to them any say as to what its terms shall be.

Mr. NORRIS. None whatever.

Mr. CUMMINS. Mr. President——

Mr. NORRIS. I yield to the Senator from Iowa.

Mr. CUMMINS. I am, of course, in favor of the open consideration of treaties and of nominations as well, conceding that there may be a case—although I have never seen one—in which

there ought to be a secret session for the consideration of treaties or nominations; but there is another aspect of it which I want to call to the Senate's attention, which has not been mentioned at all, and which appeals pretty strongly to me.

We pretend to hold secret sessions in considering treaties, but if the subject is of any importance and excites any interest anywhere, is it not true that what purports to be a report of the proceedings of the Senate in secret session is always published—generally incomplete, generally perverted, ordinarily distorted—but an account of that kind nearly always reaches the public, and reaches it simply because the American mind is so instinctively against secrecy that what occurs here leaks out in some way or other? I think that infinitely more harm, even from the standpoint of those who are in favor of secret sessions, is done through incorrect or partially incorrect reports of secret sessions than could possibly be done by a fair and truthful report of what occurred.

Mr. NORRIS. Mr. President, the Senator has mentioned a point to which I intended to advert, and he has covered it so well that it will be unnecessary for me to go over it again. I think every Senator here recognizes the fact that when mystery surrounds any given subject, and when unauthenticated reports unknown to be either reliable or unreliable are put in circulation, a vast amount of harm is likely to be done. I can see how reports purporting to be accounts of what took place in the Senate in a secret session may bring about a great deal of harm and do a great deal of damage to the country. With the mystery that would naturally arise in such a case, and the reports being carried from mouth to mouth and from one newspaper to another and altered and explained, with perhaps only a portion of the truth being really known, even the position of our country is likely to be misapprehended and misunderstood by other nations, and, as well, our citizens are apt to be given a wrong idea and wrong conception of what took place in the secret session.

The very fact that a secret session is held is of itself alone an indication to the ordinary mind that something is going on behind closed doors that might be injurious if it were known, and that is the idea people conceive when, so far as I have ever known in connection with any treaty that I have ever heard considered here in secret session, there could have been no harm, but good would have resulted, if every argument made behind closed doors had been made in the open so that everybody might hear and all might read accurate accounts of what took place.

Assuming that we are only going to agree to negotiations and ratify treaties that are honorable, honest, and fair not only to ourselves but to the other nations of the world—and that is a fair assumption, for no one would claim for a moment that we want to or that we will do anything different from that—assuming that to be true, then why not let the correct report go out, not only to our people, but to the world, and thus have no misunderstanding and no possibility of a wrong conception being placed upon our action? To my mind it is a vital proposition, and although I am willing to concede that there are other causes for misunderstanding between our Government and other Governments, and there are other causes of war and disagreement—and I would not offer this as a panacea for all the evils of international complications—yet it will go a great way toward ridding the world of the misunderstandings and of the secret agreements that are brought about between other Governments with which we have nothing in common.

If we shall say to the world that hereafter all treaties that we negotiate are going to be considered in the light of publicity before the world, no man can tell the good such a precedent will have upon other countries. That is particularly true now, Senators, when we know that at the close of this war great questions must be determined and settled by treaty, and one of the points upon which we are insisting is that secret diplomacy shall cease. We ought, therefore, to get rid of the last vestige of it ourselves, and thus be in condition to ask that the other nations of the world should rid themselves of secret diplomacy, which is, in my judgment, a relic of the days of barbarism.

Mr. FALL. Mr. President, unfortunately I was not present yesterday to hear the entire statement of the Senator from Pennsylvania [Mr. KNOX], former Secretary of State, with reference to the ordinary and legal course of procedure in connection with negotiations with foreign nations. I have, however, read in the RECORD with great interest what that Senator had to say, realizing, of course, that it comes with more force, being from an authoritative source—that is, a source which at least was authoritative to within a short period of time in the history of this country. We have a State Department organized under the laws and the Constitution of the United States. The Senator from Pennsylvania very interestingly told us what the course of that department, organized for the purpose, was with reference to negotiations with foreign countries.

Mr. President, I am sorry to say that the Senator, in speaking as he did, of course, spoke with reference to the history of the country for one hundred and forty-odd years, and did not bring his argument or his statement as to diplomatic procedure down to date. On yesterday morning we received new light upon the subject through the source from which we here in the Senate are compelled to accept authoritative information with reference not only to domestic affairs but particularly to the foreign relations of this country, and that is the public press.

In the Post of yesterday morning there appeared an article which, to my mind, was and is in many respects the most remarkable statement which I have ever heard of or have ever read in any paper, but apparently it is authoritative. At any rate, it pretends to speak for the Government of the United States. Although the article is written by Ryley Grannon, it assumes to speak for the Government of the United States. A day has passed, and very much to my surprise there has been no comment, so far as I have seen, in the public press and no repudiation from any source whatsoever either of the facts apparently set forth by Mr. Grannon or of his authority for the statement of those facts. Therefore, as we have a publicity bureau whose work is fairly well understood—in fact, some 47 publicity bureaus—and as I have evidence in my possession that the State Department has a very effective method of suppressing any news which it desires to suppress, in view of the fact that there has been no repudiation and no comment, I must assume, as I have said, that the statement of facts contained in this article is authoritative.

Mr. Grannon says:

The United States Government is weakening in its position toward Bulgaria and Turkey. It has steadfastly refused thus far to declare war, although dozens of acts of war have been committed by both Governments against the United States.

But now, under pressure from the allies, backed by evidence of Bulgaro-Turkish participation in the German offensives in France, Col. House and Justice Brandeis are said to be inclined to think that a change of policy is unavoidable.

STUDIED BY JUSTICE BRANDEIS.

The subject of America's relationship with Austria, Bulgaria, and Turkey has been under special study by Justice Brandeis, who is becoming more and more potent in the Government's councils.

Before he became interested in the internal situation in Austria-Hungary it was the President's idea that the United States should deal gingerly with Austria, as there appeared to him some chance that Austria might break with Germany.

Accordingly he intimated in one of his addresses to Congress that the United States was not seeking the disruption of the Hapsburg Empire. On another occasion he said that while Bulgaria and Turkey were equally guilty with Austria of acts of war they were not directly in America's path and could be dealt with later.

GETTING AT THE FACTS.

Justice Brandeis has gone into these matters with characteristic thoroughness. He has established what amounts to a war office of his own, and he has called into conference the authoritative intelligence of this and foreign countries.

Among his recent visitors was Thomas G. Masaryk, head of the Bohemian Provisional Government, who gave the President's representative a wealth of material concerning the interior problems of Austria-Hungary and outlined a method whereby the United States may be of material service to the oppressed races now trying to break Austria's hold upon them.

SERBIAN MINISTER HELPS.

It was following these conferences, and because of them and equally important information from the Serbian minister, that Justice Brandeis caused the State Department to issue a statement expressing sympathy for the oppressed races of Austria in their struggle for freedom.

The statement is the only outward evidence of American assistance. It should not be forgotten, however, that Secretary Baker recently indicated that American troops would soon be fighting Austria.

Secretary Baker and Justice Brandeis are in close touch. It is sufficient at this point to say that the United States Government meant much more than appears on the surface of the brief statement which Justice Brandeis caused to appear for the information of the oppressed races in Austria.

ADVICE AS TO TURKEY.

Regarding Turkey, the advice heretofore given to the administration by Cleveland H. Dodge and other trusted and well-informed friends has caused the Government to hesitate before declaring war. There is valuable American property in Turkey, especially Roberts College, which would be put in jeopardy if war should be declared.

Mr. Dodge, as a trustee of Roberts College, is anxious to prevent the useless destruction of the property and the wiping away of all American influence so laboriously built up over many decades. He shares the opinion of the American missionary board that Turkish atrocities would increase rather than diminish if the United States should incite the Turks to anger by declaring war on them.

PALESTINE QUESTION INVOLVED.

The Turkish question has also been affected by the movement to create a Jewish State in Palestine. Some of the leading Jews of England and America insist that the best method of achieving an independent Jewish State is through negotiation, and not by wresting Palestine from Germany and Turkey by force.

They believe that conquest by force would be followed for years by disorders and feuds. The attitude of Justice Brandeis, who is deeply interested in the Zionist movement, has not been made known.

The allied Governments have taken occasion to advise the United States of indisputable evidence that Bulgar and Turkish troops are employed by Germany in support of the offensive in France.

These troops are not known to be at the front, but thousands of them are in the transport and railroad service throughout Germany and Austria. An entire division of Bulgarians is on the Italian front, where Secretary Baker says Americans will soon be fighting.

One of the significant straws in the wind is the fact that the Bulgarian minister in Washington, M. Stephen Panaretoff, while formally remaining persona grata, has had his telegraph, mail, and cable facilities curtailed and placed under the supervision of the Government.

HIS DISPATCHES CENSORED.

He could not send messages to Sofia for the information of Berlin, if he should be disposed to do so. The Government has found it advisable to cut off direct and uncensored communication, although no allegation is made that the Bulgarian minister has sought to use his diplomatic privileges to send intelligence to Germany.

M. Panaretoff has not entered any objection to this interference with his means of communication, although ordinarily a diplomatic representative would not lose any time in making a pointed protest.

The policy of the German Government, however, is to maintain Bulgarian and Turkish representation in Washington as long as possible, and it is not for the minister to complain of inconvenience.

CLASH MAY END RELATIONS.

Needless to say, the voluntary withdrawal of Bulgaria's diplomatic representative from Washington would be a relief to the United States Government.

Further pressure from the allied Governments, and the probable clash of Americans and Bulgarians in battle, are expected to put an end to the equivocal relations of the two countries.

In the meantime Col. House is making a thorough survey of the Turkish situation, and his views, together with those of Justice Brandeis, will no doubt prevail with the President in making his decision.

Mr. President, I have occupied some portion of the time of the Senate in discussing the proposed amendment to the rules now under consideration, and I have simply read this article into the RECORD that it might appear, as it were, in parallel columns with the statement of the eminent Senator from Pennsylvania [Mr. KNOX] as to the due and orderly and logical and constitutional course pursued by this Government in the matter of managing its diplomatic relations. I say, forsooth, by this Government. Of course, I refer to the period prior to the retirement of the eminent Senator from the office of Secretary of State.

Mr. President, there are a few thoughts necessarily entertained by those of us who have an interest in foreign relations, as Members of this body, in considering this article. One, I might say, as a matter of first impression would be this: The matter of the declaration of war against Turkey or Bulgaria, or both, is peculiarly and solely a matter for the consideration of the Congress of the United States and not for the consideration of the President of the United States, nor of Justice Brandeis, nor of Col. House, except that, of course, the Congress of the United States would be glad to have advice and information from the President of the United States, from whatever source he might obtain his information. The decision of the Government, arrived at and referred here upon the conclusions of Justice Brandeis and Col. House, might be binding, of course, upon the Congress of the United States, and very likely, I may say, would be, when their conclusions were intimated to Congress by the President of the United States. But in view of the fact that a resolution for a declaration of war against these two countries is pending at this time before the Foreign Relations Committee, the committee of this body charged peculiarly with investigations of this character under the Constitution and the laws of the United States, it must become apparent, granting that the statements contained herein are authoritative, that the constitution of the present Committee on Foreign Relations of the Senate of the United States is not persona grata to the President of the United States. This is the only conclusion I can draw.

This matter is one peculiarly within the province of the Senate itself to rectify. I recommend to the earnest consideration of my colleagues in this body this thought, and that as it is necessary in this time of war that the Congress of the United States and the administrative department of the Nation should act in the closest accord and sympathy, the leaders in this body should immediately proceed to reorganize the Foreign Relations Committee of this body, so that the chairman and the members may have the confidence of the President of the United States, and it may not be necessary for him to delegate to Justice Brandeis or to Col. House the consideration of the matter of a declaration of war, with which the President has absolutely nothing to do.

I might say, of course, that it is evident that the State Department, through which great department of this Government it is customary to carry on and conduct diplomatic negotiations, is not in the good graces of the White House for some reason. This is my personal opinion, of course, but it is formed from a rather serious consideration of the facts stated authoritatively in this article. It must be apparent that unless the President had more confidence in Justice Brandeis or in Col. House than in the Secretary of State, he would have left to the legal and constitutional and lawful department of this Government the consideration of these matters, as they have heretofore been considered in an unbroken line of diplomatic history of this country.

These few thoughts, Mr. President, have occurred to me, and I have dared to express them, merely as opportune at this time. It is absolutely necessary, Senators, of course, that the Congress and the Executive should act together in this great crisis. It must be evident, from the fact that this statement is not denied or questioned, that neither the Congress nor the State Department has the confidence of the administration, or is deemed capable by it of conducting the affairs which pertain particularly to the department on the one hand and to the Congress upon the other.

Mr. President, another thought, and one that I may recommend to my colleagues in the Senate: The time will come, Senators, sooner or later, when the people of the United States, whose representatives we are, will rise in their might and demand that the Constitution and the laws of the United States be restored and be observed. You gentlemen will see, and in my judgment as an outgrowth of this very debate now, that the people will demand, not that the ratification of treaties be referred to them, to be acted upon through their individual votes, but that those matters be thoroughly discussed and understood by their representatives whom they have commissioned to deal with affairs of this character, and that they shall be so discussed openly, prior to final action binding their hands, so that the people themselves, through the great force of public opinion, can impress their desires upon their representatives, and see that those desires are complied with and crystallized into action by this body.

Mr. President, the people of the United States are in thorough sympathy with the people of the entire world in their demand that secret diplomacy shall cease. I say, and I challenge contradiction, that the amendment of the Senator from Idaho, while overturning the precedents of years dear to the hearts of those trained in diplomatic circles and along diplomatic lines, voices the demands and wishes of the united labor element, whether in labor unions or out of it, of the entire world. It forms the fundamental plank or platform in every union-labor declaration of this country, France, Great Britain, Germany, Russia, and every other civilized country on the face of the earth.

Mr. REED. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Missouri?

Mr. FALL. I yield. I was going to yield the floor.

Mr. REED. No; there is just a question that I want to ask the Senator. The Senator speaks about the interest of union labor in having all diplomatic business conducted in public. Does union labor conduct its business in public, or is it conducted otherwise?

Mr. FALL. Mr. President, I am not a member of a union labor organization. I would not apologize at all for it if I were. I do not know their methods of procedure. I presume that they conduct their business ordinarily within their lodge rooms. That is my general information. I suppose the Senator has the same information I have on the subject.

I am not, Mr. President, appealing to union labor or asking for the support of union labor. Were I a candidate for any office I would ask the support of citizens without reference to the fact that they might or might not belong to a union labor organization. I have spoken heretofore with reference to union labor. But the fact remains that the labor of the world will control the world and every government that is in it, and the fact remains, Mr. President, that, speaking of the union labor organizations of the United States, there have been no more patriotic utterances nor more patriotic acts from any citizen or class of citizenry within the United States, than we have had and seen from the union labor of the United States during this great crisis. I therefore think their wishes ought to be thought of and listened to when expressed.

Mr. KNOX. May I inquire of the Senator from New Mexico, upon the hypothesis that the negotiation of the very gravest of our international difficulties has been remitted from the Department of State to Mr. Justice Brandeis and to Col. House, as is so positively asserted in the article which the Senator has read, should not the amendment we are now considering and which requires diplomatic negotiations to be conducted in public be so widened as to embrace those gentlemen? We do not want to do the futile thing of setting a trap to catch the mice of the Senate while the lions of diplomacy are raging about.

Mr. FALL. The Senator is undoubtedly correct, I think, and has stated in very clear language what has passed through my mind; but I may say to the Senator that at a time before his entrance into the Senate in his present term the Senator from

New Mexico had inquired, through a resolution unanimously adopted, introduced by himself, of the administration with reference to reports made by the personal representatives of the President upon other foreign matters and that was met with a flat refusal to render any report whatsoever and give any information whatsoever with reference to the report, or even the facts, ascertained by his personal representatives and upon which apparently, as far as we know, he formed his judgment, the judgment of this great Nation, upon a matter which, in my mind, was of the most serious character and which will inevitably affect the national history, possibly the future of this country, for many generations.

Mr. KNOX. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. KNOX. I assume, although the Senator from New Mexico did not state it, his resolution was introduced to inquire into the diplomacy of the present administration.

Mr. FALL. Yes; and I understand there was a flat refusal, although the Senate unanimously asked for the information.

Mr. KNOX. I desire to ask the Senator from New Mexico if that is not the most secret kind of secret diplomacy, and whether it is in consonance with what the President stated to Congress in his address made some weeks or months ago?

Mr. FALL. It seems to me that the fundamental weakness of the present administration is its absolute refusal to take the people of the United States into its confidence with reference to foreign relations which will inevitably leave their mark upon the history of this country for unknown generations. More than that, it is the absolute refusal of the administration to impart to the Congress of the United States for its consideration matters, or facts, rather, without which it is impossible for the Congress to act intelligently within its constitutional duties, and the consequence of which refusal is that it is necessary simply for the Congress of the United States to follow blindly the dictum coming from the White House.

Mr. BORAH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Mexico yield to the Senator from Idaho?

Mr. FALL. I yield.

Mr. BORAH. Assuming that the method employed by the executive department is as secret as indicated, it must commend itself to those who are in favor of secret diplomacy, because it is the consummation of the system of secret diplomacy. Therefore if the Senate is opposed to such a system, it has imposed upon it no other duty than that of taking care of its own procedure. If the Senate goes upon record in favor of that portion of the diplomatic affairs with which it has to do being in the open, it will be in a position to complain of the secret diplomacy of the executive department; and until it does go upon record in favor of that proposition it has no just criticism to offer against the secret diplomacy of the executive department.

Mr. FALL. It is for the reason just stated by the Senator from Idaho that I am so cordially and earnestly supporting the proposition which he has advanced here, that all treaties should be considered and discussed in the open before the ratification of such treaties.

Mr. President, I had no intention to detain the Senate to this length when I rose. While I am on my feet I will refer to a class of citizens of the United States who demanded open diplomacy, who demanded the doing away with all the rules of secret diplomacy, who demanded that the foreign relations of this country and its people should be considered in the open. I refer to this simply because union labor is, of course, organized and speaks through its committees or through resolutions regularly adopted and which have publicity. I can say, sir, that I assume to speak for the great unorganized mass, almost every man, woman, and child in the United States, when I say that they demand to know how their foreign relations are being dealt with, and while they have confidence in their Representatives or they would not elect them, while they are willing to leave their Representatives finally to place the seal of approval upon a treaty or to conduct foreign negotiations, yet they demand to be informed as to the facts and as to the reasons for their final action before their hands are bound irrevocably.

Mr. REED. Mr. President, a few years ago a lot of the best-intentioned people on earth went about declaring that war was a wicked thing; that armies ought to be disbanded and navies dismantled. They were absolutely right. There should be no armies and there should be no navies. But, Mr. President, the nation that goes without an army and navy when other nations possess armies and navies is as foolish as the man who being surrounded by wild beasts throws away his gun. Before there is any sense in talking about national disarmament there must be an absolute and unqualified agreement for international disarmament. We can afford to lay aside our arms and our preparations when the rest of the world has done the same thing, but if we lay down our arms and cease our preparations before the rest of the world has done the same thing we will find ourselves in exactly the same situation that the combination of insanity, idiocy, and anarchy known as Bolshevik found itself when it laid down its arms only to instantly feel the boot of Germany upon its neck.

I want to apply what I have said to the case in hand. It is all well and good to talk about the virtues of open-handed daylight diplomacy. True, there ought to be in this world nothing but open, daylight diplomacy. Every nation ought to deal with international questions so that all the world can see and the common justice of mankind can pass upon the merits of each case.

But, Mr. President, when the rest of the world has secret diplomacy, if we do not keep our secrets we will speedily find ourselves in as bad a condition as would be a man who, being engaged in playing a game of cards, should lay his hand face up on the table while all his antagonists hold theirs concealed.

The amendment offered by the Senator from Idaho is all right if you will amend the amendment by adding "*Provided*, That this amendment shall not take effect until the rest of the world adopts open diplomacy." Until you have added that amendment you are doing an utterly foolish thing—a thing that may wreck the fortunes of this country in some great crisis of the future.

The advocacy of it is exactly upon the same logical parallel as was the advocacy of universal peace, of disarmament. Right? Yes. Fair? Yes. Just? Yes. There should be no wars, there should be no bloodshed, but as long as there are nations which will make war we must prepare ourselves to meet those nations.

It is right also to have fair and open diplomacy, and as long as all the world will follow that course we should follow it, but until the world does take that course we will, by pursuing it, place ourselves at a disadvantage, and it may be a tragic disadvantage, a ruinous disadvantage.

While I am on my feet I want to express my opinion of the whole rule proposed. I am patiently awaiting the day when some Senator will propose to amend the Lord's Prayer or to change the Ten Commandments, and to set aside the Apostolic Creed. The order of the day is change, and the formula is that "all change means progress." So we are engaged in the business of changing. But all change does not mean progress. Fortunate, indeed, is the change that makes for progress. The majority of changes make for disintegration and decay. This world is running as it is because certain great laws control.

Humanity is existing as it is because it has conformed to certain great natural rules and laws, and while there is always room for improvement, it nevertheless follows that a change, unless it is made with great care, generally runs counter to something that has been established because it had merit and virtue. Before you change any law or any rule of human conduct you ought carefully to consider two propositions—what are the evils and virtues of the present conditions and what are the evils as well as the virtues of that which is proposed as a substitute for the existing conditions.

It is easy enough to pick out all the faults of the system you have and to so assemble them as to present a very black picture. It is also easy to assemble the imaginary virtues of something that has never been tried and to present a very bright picture, and by contrasting it with the black picture to lead the thoughtless into a desire for change. But nine times out of ten the evils of the present have been exaggerated and the virtues of the new fail to materialize.

We had a system in the Senate which permitted filibustering. We abolished filibusters, and there is some question whether, after all, that step will not bring us as much evil as it brought good, for there is in the very power of a minority to stop the wheels of legislation for a time a great potentiality for good. There was, however, some evil in the system. The question as to whether there should have been a change was dependent largely upon the exercise that had been made of the power to withhold consent to legislation.

I freely gave my consent to a rule which gave to two-thirds of the membership of this body the power to end debate. We have worked under that same rule for a number of months, and in that number of months nothing has happened that has borne the slightest resemblance to an attempt to obstruct legislation. There has been no obstruction of legislation and effective obstruction of legislation is not possible to-day, in my opinion, but there has been some reasonable freedom of debate, and there should be.

Mr. KING. Mr. President, will the Senator from Missouri yield to me?

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Utah?

Mr. REED. I yield.

Mr. KING. Is it not a fact that during what might be denominated the war sessions of this Congress there have been more legislative enactments within the same length of time than there have been in any other legislative body in the history of this Republic if not the entire history of the world?

Mr. REED. I think that is undoubtedly true.

Mr. KING. And, if I may ask one further question, is it not a fact that as to some of the measures which we rushed through under the whip and spur, perhaps, of public opinion, that the legislation would have been better and wiser if there had been more deliberation and consideration?

Mr. REED. Well, I think everybody must agree to that. How can anyone doubt that proposition?

The Senator from Massachusetts [Mr. LODGE], with his usual care, prepared and presented to the Senate a list of the important measures that have passed within the last eight or nine months, and showed that some of those measures had passed with such slight debate that it could not be claimed that they received even respectful consideration in this body. He did not use that expression; that is my own expression; but he stated the time when each of the bills was introduced and the time when it was passed, and the statement of the facts warrants the conclusion that I have drawn.

I call attention to the fact of the appropriation for the aeroplane program of $640,000,000. The bill for that purpose was passed on this floor without a single statement in regard to it, I believe, except one that I made, that did not exceed 10 minutes in length. That does not indicate that anything I said caused the quick passage of the bill. It does show that the Senate so desired to carry through a great aerial program that we were ready to appropriate the money without even pausing to consider. Senators, we were all too ready.

If we had spent three or four days in debating that bill and insisted upon the creation of a proper tribunal or board to carry into execution its powers, if we had insisted upon putting upon that commission or board men who were skilled in the art of aviation, I say to you we should have had aeroplanes in France by the hundreds and the thousands before this hour. We acted with an improvidence and haste that was disgraceful at that time; I admit my part in it, and we are suffering for it to-day.

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. In one moment I will yield. We are just beginning now to emerge from the clouds into the sunlight. There is, however, a great need of improvement yet.

Now I yield to the Senator from Connecticut.

Mr. BRANDEGEE. My recollection is, Mr. President—and I want to ask the Senator if that also is not his recollection—that the reason there was no debate on that great measure was that the Senate was informed by members of the committee or by the administration, through certain Senators, that it was exceedingly desirable in the public interest to have that measure passed that very day and that it would be considered against public policy to debate the whys and wherefores, and so forth, in connection with the measure?

Mr. REED. Mr. President, I should hardly want to go that far as to entirely concur in the statement, but I do say there was a general sentiment in the Senate that we should pass everything quickly, believing, as patriots—and I hope we are all that—that there should not be a moment's time lost in furnishing the sinews of war. Other great bills have passed here almost without debate. Now, I challenge any Senator on this floor to tell me a single bill that a majority of the Senate has favored that has been defeated by a filibuster of any kind since the rules were amended.

Mr. BORAH. Mr. President, I should like to go further and have any Senator suggest any bill that was ever defeated by a filibuster which the common judgment of the country did not afterwards say ought to have been defeated. I have gone pretty thoroughly into that proposition for the last 50 years, and I should like some one to say where a bill was ever defeated by a filibuster that it was not, in the judgment of the country afterwards, a wise thing to have done. Some two or three river and harbor bills were defeated; the force bill was defeated; and one or two other measures were defeated, all of which received practically the universal condemnation of the country thereafter.

Mr. REED. Well, there is one matter I have in mind that I think the Senator from Idaho would except; that is the bill to authorize the arming of merchant ships. I think we may say that bill also was defeated by a filibuster.

Mr. BORAH. Well, but, Mr. President——

Mr. REED. Just a moment. That bill, however, if I recollect aright, was introduced only three or four days before the session expired by limitation of law, so that perhaps I ought not to say the opposition to it constituted a filibuster, but the length of the debate made a vote upon it impossible. The bill should have been introduced I thought then, and I think now, a few days earlier. If it had been, I am sure it would have passed. I am sure it would have passed if there had been two days more of the session.

Mr. BORAH. I think it was a mistake to have defeated that bill, but I was referring to measures which had become historic and upon which the history of the country has come finally to be written, those old measures which were defeated as to which the history of the country will tell you that in the judgment of the country they were properly defeated. I do not know of a single instance which is an exception, unless it be the bill to which the Senator from Missouri has just referred, and, of course, that is a very late matter.

Mr. REED. Well, the result of that was the amendment of our rules, and if the rule had been then as it is now the Senate would have been able to have obtained a vote, for a great many more than two-thirds of the Members of the Senate desired a vote, as was shown by the signatures, I think, of 76 Senators to the round robin.

Now, Mr. President, I want to present this matter from a slightly different angle in just a brief way. There are many who argue that an hour and a half is long enough to argue any case. I will agree that it is a rare thing in a lawsuit that a man can not fully present a case in an hour and a half if he knows how to talk well and talks to the point. I have, however, seen exceptions to that where the evidence was very voluminous and had to be recapitulated to the court or the jury. But what are the conditions in a lawsuit? The argument does not begin until the evidence is all in. Days are taken in the presentation of the evidence. As you proceed in the case, disputed points of law and of fact are argued to the court.

When you get through with all of your evidence, the instructions of the court usually narrows the point for decision to a few, often to a single, question. That one point is a simple question of fact. That is generally true of suits at law. Of course a somewhat different situation is presented in equity actions, but even there the rules of court and the rules of law all tend to simplify the issue. Hence the lawyer is generally in his argument required to cover only one or two points.

But what is the character of work performed by a legislative body like the Senate? Here we are settling questions of fact not by evidence that has been introduced, but by evidence that has been gathered by the speaker. The Senator from Idaho [Mr. BORAH] has just stated that a few days ago he delivered an address in which he covered the legislative experience with reference to filibusters for 50 years. That speech was not only in the nature of an argument but in the nature of a presentation of the facts and of the evidence; and every moment he had to take in order to cite historic precedents was that much deducted from the time he had in which to make his argument and draw his conclusions.

I have heard arguments made upon the floor of the Senate to which very few Senators listened, and which, because they contained long statements of fact, lasted six or eight hours, yet those statements of fact constituted the case the Senate had to decide. I have also witnessed the fact that those arguments to which very few Senators had listened became the subject of examination, and in turn became the primal and decisive reason for a conclusion by this body.

Moreover, if we take the rule that is offered by my distinguished friend from Alabama—and this is almost the first time I have ever radically differed from him—if we take this proposed rule and undertake to apply it to the proceedings of this body, it will be found that it will put hobbles upon the Senate, which will make it impossible for the Senate to perform one of its most valuable functions. Let us see. The distinguished Senator who is the author of this measure spends five or six weeks of hard study preparing himself on a great tariff bill, a subject of which he is probably the greatest living master.

I am willing to sit at his feet and learn from him on questions of that kind. If he will undertake the investigation of a matter of that sort, I am willing to put aside everything except my final judgment upon the matter. He prepares for five or six weeks on a great tariff bill; he has studied every item and every detail; he has studied the conditions of foreign trade and commerce; he has studied the question of foreign production and wages; he has analyzed and determined the factor in production which is to be charged to machinery and that which must be charged to wages, and he has ascertained in the various countries of the world not merely the wage difference in dollars per day, but the wage differences measured by production. He has gone into the whole philosophy of that great question, and

he has gathered also facts touching transportation and touching finance, all of which make a part of the mass of facts necessary to a conclusion. Then he rises here to make a speech in an hour and a half, and does not get well started until some Senator—the distinguished Senator from Massachusetts [Mr. LODGE] perhaps, who takes the opposite view, and who, in like manner, is a master of many details of this question—rises and asks him a question.

Debate ensues, and those who listen to that debate will get more real information than they will perhaps by studying the problem for weeks, because here will be two masters of the question debating the hard and difficult points. But there is not time for that. There is, in fact, not time for the Senator from Alabama to have one-half stated his views upon even one schedule of the bill, and consequently he can not yield. His time is soon exhausted, and when he seeks to enlighten us upon numerous points upon which he has prepared himself somebody objects and he is forced to his seat. Now, it simply will not do.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to give an illustration on that point, I think I can show where he is in error. I have had some experience along that very line. I reported a tariff bill to the House of Representatives some years ago. The report which I submitted to accompany the bill covered the whole subject matter. It would have been impossible to have gone into the details of the bill on the floor, and I did not attempt to do so, but I covered those questions in the report which I submitted to the House and which was printed and ready for every Member to comment upon and to consider.

When it came down to the debate, under the rules of the House I was allowed one hour. Beyond a question, if I had asked for more time it would have been granted by unanimous consent. I explained the principle of the bill, but not the details, within one hour, and I did not ask the House for further time. As to the details of the report and of the bill, the main details were accepted; where there was objection, amendments were offered, and on those amendments the direct question was submitted and debated in the House, and in that debate on amendments I took part.

There was no cloture in the House during the consideration and passage of that measure, and yet, under the rules and training of the House, which had accustomed itself to presenting a case within a reasonable time, the House passed that bill in two weeks.

That is an illustration of how it works, and in that same way it may work here. If a great bill is presented, instead of the Senator in charge of it expecting to present in a speech his conclusions in the matter, he has full opportunity to make an ample and complete report on the details.

On the general principle on which the bill is based I think that a Senator can well present his case in an hour and a half; but if he can not do so, the Senator in charge of the legislation and reporting the bill is presumed to have a majority of the Senate with him; and under this rule, not in the original draft but in the draft as we have agreed to it, a majority of the Senate—of course, it can be done by unanimous consent, anyhow—a majority of the Senate on motion, without debate, can extend the time to such length as is desired.

Mr. REED. Now, Mr. President, I call the attention of the Senate to what has just taken place. Because of our method of doing business we have been able now at least to have the views of the Senator put sharply in contrast with the views that I have just been expressing. I shall, in turn, undertake to show the fallacy of his views, and when I am through the Senate at least will have the two opposing arguments.

The trouble with the view of the Senator from Alabama is that it is the view of the House of Representatives; it is their method of doing business. He properly and truthfully stated that the man who reports a bill has the opportunity to file his reasons, and that it is presumed he has a majority of the committee and the majority of the House with him. That is exactly the difference between the Senate and the House of Representatives.

In the House of Representatives the committees do the business, and the chairman of the committee does have an opportunity to present his views, and the minority of the committee may have an opportunity—a very poor one—to express theirs, in a document that mighty few people read. In the House, I believe, they do read them, because it is one of their chief methods of getting light; but here we do not want to indulge the presumption in favor of a bill because it comes out of a committee, and we do not want to deny to the other Members of the Senate the opportunity to express their views as fully as the chairman of the committee has expressed his.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). Does the Senator from Missouri yield to the Senator from Ohio?

Mr. REED. Just one moment. I have seen the distinguished Senator from Alabama [Mr. UNDERWOOD], when he was House leader, stand over there and manage those fights. He did it in a masterly way. He did it with the poise and the calmness and the keenness of a master of men. I saw Members of the House get up, and the Senator would say, "I yield to Mr. Smith 5 minutes"; again, "I yield to Mr. Jones 2 minutes"; and to somebody else 15 minutes, and so forth, apportioning the time as a ship captain short of rations might dole out crumbs to the starving. All that may be necessary in the House of Representatives, but nobody will claim to-day that the House of Representatives is a deliberate body.

The House of Representatives acts through committees. The chairmen of the committees do the business of the House. The Members caucus upon the important bills, and what is registered over there is the decree of a party.

I have no objection to that and no criticism of the House for that; I think it may be necessary on account of the large membership of the House; but I think it is equally necessary that there should be some body in this country where there is a greater freedom of debate, where party lines are not so closely drawn, where there may be an analysis of propositions as they are brought forward. Thus the two Houses working together form a complete and harmonious whole—the Senate, where the procedure is as I have just stated, and the House of Representatives, with its method. Each House should adhere to its own method. More than once I have seen the mistakes of the House of Representatives corrected here by debate. They make mistakes. Then, of course, I have seen them correct our mistakes. But the two Houses ought to run under two separate and distinct plans.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, it occurred to me that while the Senator referred to his little colloquy with the Senator from Alabama a moment ago, and the lesson that he was going to draw from it, he lost sight of this fact: He calls attention only to the limitation of an hour and a half. This rule provides that by majority vote that time can be extended. Now, I have been in the Senate for a little over seven years and I have never yet seen a time, I believe, when, if a Senator asked for additional time, it would not have been cheerfully granted to him, whether he was on the majority side or the minority side, unless there was in progress what was known as a deliberate filibuster; and when that is attempted I think there ought to be a very strict limit upon debate. I have never known the Senator from Missouri to engage in a filibuster; but I am satisfied that if he came in here on any subject that was near to his heart and wanted further time it would be granted to him very graciously by both the majority and the minority Members.

Mr. REED. The trouble with the Senator's statement is that it puts him out of court. He says that there is an hour and a half limit, but that it can be extended by majority vote, and that it always will be extended; ergo, you have no rule and no limit. It gets you nowhere.

Mr. LODGE. Mr. President, if the Senator will allow me——

Mr. REED. I yield.

Mr. LODGE. The Senator from Ohio again defends the rule by saying that it is desirable to prevent filibustering; but, as I tried to point out yesterday, this rule is utterly helpless against a filibuster if a few determined men try to do it. With an unlimited right of amendment and unlimited motion you can not stop a filibuster with a rule like this.

Mr. REED. That is true. Of course it could be carried on in that way.

Mr. POMERENE. Mr. President, it certainly would not go along very far until it would be discovered whether it was a filibuster or not.

Mr. LODGE. There is nothing here to cut off the right of amendment.

Mr. KING. You could offer amendments forever, with 20 minutes debate on each one.

Mr. LODGE. You can multiply amendments indefinitely. If the Senator doubts my proposition, I refer him to the Senator from Alabama [Mr. UNDERWOOD], in charge of the resolution.

Mr. POMERENE. I am quite sure that Senators can continue to present amendments, but I do not believe that would be done to a very great extent.

Mr. LODGE. I do not think so, either; but to say that it will stop filibustering does not defend it; that is all.

Mr. POMERENE. It will not, perhaps, entirely stop it, but it certainly would reduce it to a minimum.

Mr. REED. There has been no filibuster since the rules were amended. There is not a man in the Senate Chamber who will say that there has been a filibuster or anything approximating a filibuster; and, with that situation, now the demand is made that we shall adopt a rule of this kind.

Now, let me appeal to the Senator from Ohio. You have a proposition here that there shall be only 20 minutes' debate upon an amendment. What kind of an amendment? If it is an amendment as to form, well and good; but an amendment may be a thousand times more important than the bill. Let me call the Senator's attention to one.

We had the food-control bill here. While the food-control bill was being debated the Senator from Ohio and certain other Senators upon the Interstate Commerce Committee were working almost night and day trying to do something to solve the coal question, and they brought in here an amendment, so called. It was in form an amendment because it was attached to another bill, but it was in fact an entirely new bill. It created new powers of the most drastic and revolutionary character. It authorized the President of the United States to control every coal mine in the United States. It was so construed afterward as to give the right to control every coal dealer, down to the small retailer. It was further construed afterward to give the right to control the amount of coal any citizen could have in his cellar. It was further construed afterward to give the right to close the sawmills of the United States, that did not burn a pound of coal from one year's end to another, and to close the factories of the United States, that had coal in their bins. It was further construed finally to give the right in Washington, the capital of the country, to close the churches on Sundays and open the theaters. How long ought a thing of that kind to have been debated before it was passed? Yet it was an amendment. I confess that at the time the Senator offered his amendment the situation seemed so intolerable that I was willing to do almost anything, and I voted for that amendment; but shall we have only 20 minutes to discuss an amendment like that?

I have but little doubt that I can frame an amendment to the present resolution to amend the Constitution of the United States and stick it on as an amendment.

Let us have some sense about these things. What is the wrong that needs to be remedied? What has been the trouble here this summer? We have been passing bills so fast that the committees did not have time to properly prepare the bills and properly consider them. What have we suffered from—too much consideration, or too little consideration? You all know there has been too little consideration. We have passed enough undigested or half-digested legislation to turn the stomachs of ostriches, as it is already turning the stomachs of courts.

We passed an espionage act. We were urged to pass it in a hurry. There was not time in the Judiciary Committee to consider it properly. There were a lot of legislative impetuous hotspurs who were anxious to appear in the forum in charge of spectacular legislation. Finally some of the hasty laws got before the courts. Lawyers began to analyze it, and the first thing we knew the Department of Justice was up here saying: "Amend this thing. It does not mean anything."

The defects might have been discovered if there had been time taken here to consider the measures, if there had been time taken in the Judiciary Committee to consider it. I am a member of that committee, and I see its distinguished chairman [Mr. CULBERSON] sitting here, one of the great lawyers of this country; I venture the assertion that if the cry of haste had not been so insistent in our ears, he would have taken time to more thoroughly study more of these bills and would have found a lot of mistakes that the courts afterward were compelled to point out. If there is any lesson to be learned from recent legislative events, it is that there has been a lack of consideration, a failure to analyze.

"Oh," but somebody says, "the Senators do not stay here to listen to debates." That is true, but the proposed bill will not remedy that. The reform you need in the Senate is to get Senators who have enough interest to sit here and know what they are doing, and not stay in the cloakrooms and then come in and ask somebody else how to vote. That happens every day, and we have been working so fast here, legislatively, that we have not done our work right, and you all know it. There is not a man here who does not know it. There are two members of the Judiciary Committee sitting in front of me. I have served with them. They know it. They know that we did not take time to go to the library and get down the decisions, as we used to do.

They know that we did not take the time to get the standard works on the Constitution and examine the questions as we used to. They know that we sort of took a running jump at the thing, we guessed it off, and accordingly we made a lot of mistakes.

Constructions are given to some of these laws to-day that are appalling. Powers are being claimed under them that we never dreamed of. A food-control gentleman over here who qualified in one of the States by making 57 varieties of pickles has informed the good women of that State that he proposes to invade their homes and inventory their larders, and if they have more than 30 days' supply of anything he is going to send them to the penitentiary. I only cite that because it is one of the cases, not because it is a food-control matter. You find equally violent constructions placed upon other language.

This body ought to be a body where questions can be debated out. The mere pressure of the times puts limit enough on them. Since we entered the war I have seen men filled with ideas in regard to bills that they thought ought to be expressed pass them by because of the desire to delay no part of the public business.

What is the matter with the Senate of the United States that it must change everything? I am not so sure that we have not suffered from nearly every change we have made. I am not so sure that I was not mistaken when, for many years of my life, I urged the direct election of Senators. I am not so sure but that the intellectual and moral fiber of the Senate was better under the old régime. I do not say so, but I am not so sure about it. We had unlimited debate. It was abused once or twice or three times in an ordinary lifetime, and we made haste to change it; and so haste, haste, haste, is the order of the day. We have been making haste at the expense of efficiency.

Do you tell me, when I go into an airplane factory and see contracts where 2,000 machines of a certain kind were ordered, and see by the books where men have started to produce those machines, and then have seen where the order had been rescinded and another order made, and then see by the books where they had started to work upon the second type of machine, and then another order rescinding the second order, that that sort of haste is not waste? All change is not improvement; all haste is not progress.

What is the matter with our old rules? We have gotten along under them; and the answer to all of this complaint is in the words of the Senator from Ohio. He says that any Member can get an extension of time. Well, if any Member can get an extension of time, then you have no limitation upon time, and your rule is a dead letter. We know that we can end a filibuster under the present rule. We know that during this war the man who attempted a filibuster to stop important legislation would almost be torn in pieces.

There is no danger of it, and you know there is no danger of it. Let this thing alone. Let the Senate go along in its ordinary way. You may tinker with the best watch on earth until it will not keep time. If you have a good watch that has been keeping good time for a century, you had better let it alone and not try to put new wheels in it.

I will say frankly that I can give my accord to almost anything the distinguished Senator from Alabama brings into this body, because I have for him the very highest respect, but if you pass this rule you will find yourselves rescinding it after a while, I think. It will be like many other things that you attempt—it will bring no good result. We saved I have forgotten how many billions hours of time a little while ago by turning the clock back, but nobody has realized on that time up to date. Of course, we have not yet changed the names of days of the week. They did that over in France during the revolution, but I notice the French, having had their lessons in revolutions, have in the present great world conflict made less changes in their form and style of government and doing business than any other nation on earth.

And yet along the flame-swept line stand the French immovable almost as a rock, and when they do move back the ground in front of their lines is paved with German dead. They have not changed their form of government, and they have made a better showing than any other nation, and I say that with all respect for England. They have made a better showing than we have up to date; not a better showing, I believe, than we will make. But you are not going to win this war by passing resolutions. You are not going to win this war by changing the rules of the Senate. You are not going to win this war by anything fantastic or bizarre or peculiar. You are going to win this war when you have put about 5,000,000 Americans on the line; when you have given them trench mortars, so many you can not count them; when you have given them cannon more powerful than the adversary's; when you have made every foot of the line a nest of machine guns; when you have supplied them with poison gas more deadly than that which is poured forth from the German trenches and German shells. You are

going to win this war when you have put metal and men enough upon that line, and nothing else will win it.

If we will just go on passing the necessary appropriation bills; if we will just go on attending to the country's business as well as we have been, learning each day how to do it a little better, profiting by our mistakes in the past; if we will only learn this important lesson that a mistake is easily made and hard to rectify, and that the time to rectify a mistake in a body like this is before you make it, if I may indulge in a sort of Irish bull; if we will but sit here in council and wisely deliberate; if we shall be less keen about passing bills and more keen about passing wise bills, we shall do, I hope, our full part. And if we do our full part, then we will strengthen the mighty thews of this mighty country; we will make our armies more invincible upon the field of battle, our fleet more powerful upon the waters of the ocean; but that, sir, requires thought, deliberation, and debate. But the song on the lips is not the old familiar "twinkle, twinkle, little star," but it is tinker, tinker, tinker, little statesman, tinker all the time; change something. Why do you want to change it? Like a child, you seem to want to see the wheels go round. If we must experiment, there are plenty of opportunities for experiments. It is not with legislation, it is not with the Constitution, it is not with principles of government, it is in the production of instruments of death that will meet the German instruments of death.

There I am willing to put our money in experiments, hoping that out of these experiments will come something that will enable us to crush the foe. But I am not willing to revise the rules of the Senate so as to compel the consideration of treaties in public because the Bolsheviki of Russia set the illustrious example. That is a fine example to be held up in this body! They demanded that all treaties should be open and public, and the first thing they did was to drag out the archives of Russia and parade them. While they were parading treaties Prussia was parading her armies. While they were exposing the secrets of dead diplomats Prussia was exposing the weakness of their military establishment. While they were foolishly saying, "We will play the great world game in accordance with the high principles of anarchy and the pure precepts of socialism and exalted doctrines of universal brotherhood," their antagonists were with bloody swords hacking their way through the helpless soldiery who were without leadership.

We are to have open consideration of treaties and every other nation in the world is to have secret treaties and secret negotiations. We are to tell all the world what we are doing and all we are thinking of doing, and they are to tell us nothing. We are to operate in daylight and agree only to fight when the sun is in the zenith and the air is clear, and they have the right to raid our country at midnight. We are to fight only with the most approved weapons, the edge of the sword dulled by gentility, but they are to fight with poisoned gas, with deadly shells, with all instrumentalities that perdition can devise and cruelty employ.

We are, however, to do business in the open. Why? Labor, we are told, especially of the Bolsheviki, the I. W. W. variety, demands it. Let me tell you that union labor in this country does not demand it. Union labor in this country is not in this war as union labor. The Republican Party is not making this war, and you, my distinguished colleagues of the other side, are not sitting here as Republicans, but as United States Senators. The Democratic Party is not making this war. We are sitting here like our brethren on the other side as Senators to do our duty. The Methodist Church is not making this war nor making demands of the Government in this war as an organization, nor the Baptist Church, nor the Presbyterian Church, nor the Catholic Church, nor the Unitarian Church, nor any other church. Their members are not in this war as Methodists or as Catholics or as Unitarians or as Presbyterians. Neither is the blacksmith, with his hardened muscles, who happens to belong to a blacksmiths' union in the war as a union man or as a blacksmith. He is here as an American citizen. The carpenter who belongs to a union is not in this war as a union man or as a carpenter, but he is here as an American citizen. So I might go through the catalogue of all the trades and avocations and list to you all the unions there are; I repeat these organizations are not in this war as organizations. Their members are in this war the same as you are. The son of the blacksmith and the son of the carpenter who are union men, and the son of the plumber and the son of the electrician, the son of the banker and the son of the preacher, all are in the war as American citizens. All are touching elbows on the same crimson field. All are dying in the same trenches, and back of them going up to high Heaven are the prayers of the mothers and fathers of them all, and they are not union-labor prayers or Methodist prayers. They are the prayers of humanity to the God that made us.

Union labor is making no such demand as that we shall at this hour expose our secrets to our enemies. In this war, above all times in history, we ought to be allowed to deal in secret. Our armies are straining on fields of carnage to drive back the enemies of civilization. Are we at this hour to be compelled to tell these onrushing fiends all we are doing? Union labor does not demand it, common sense does not demand it, right and justice do not demand it.

Think of it! You might as well pass a rule to-day that the commanders of the allies, including our own Pershing, must expose their battle plans to the enemy as to demand that our Government shall expose all the agreements that it may make with all our allies. Why not expose the secrets of the camp as the secrets of the council chamber to the German war lord? If we make a treaty with England and France for the purpose of strengthening our arms, for the purpose of enabling us to carry on this war, for the purpose of financing this war, must we send the Kaiser a copy so that he may be sure to know all we are doing? Such a proposition at such a time as this is insanity.

If it were proposed by any man except one above suspicion and he were indicted for attempting to aid and assist the enemy, exposing to him our Government's secrets, I would undertake to secure a conviction by any jury that could be impaneled in any State of the Union.

Now, just think of it. Just get all the cobwebs out of your head, all the prejudices out of your heart, and remember this is war time, a time when ships that sail the air are dropping bombs on cities where babes sleep on the bosoms of their mothers. It is a time when Germany is deliberately bombarding the hospitals of pain in which lie the thousands and tens of thousands of wounded men of France and England, and now hundreds, I doubt not, of our own boys—our own flesh and blood. At this time when they are being made the special mark for the destructive bombs of the gallant Prussian murderers, a time when the pale women who wear the glorious insignia of the Red Cross are being blown into atoms as upon their errands of mercy they go from cot to cot where wounded men lie dying.

At a time like this it is proposed in the Senate of the United States that we shall tell Germany and Austria and Hungary and Turkey if we make any agreement with England, any agreement with France, just what that agreement is. Meanwhile they meet at night in secret to plot further murders. Meanwhile they devise new instruments of destruction. Meanwhile they send out their diplomatic agents in secret; their spies cover the earth and act through subterranean passages. At such a time as this it is proposed that America shall expose her plans and agreements between herself and her allies.

Do you think if that is the case that England will dare make a treaty with us, that France will dare make a treaty with us during this war? Do you think if we pass this amendment that France or England or Italy dare deal with us by way of any treaty, knowing full well that all they may undertake to do will be spread open, that every treaty will be exposed to the kindly glances of the beloved Kaiser, so that he may be prepared to meet it all and prevent it?

You may seek to avoid that argument as much as you please; that is where we logically come. It is on a par with the propaganda in Russia, which started with the assumption that everybody ought to be good and everybody ought to quit fighting. So they quit fighting and undertook to be good only to become slaves.

Why, these are war times, Senators. These are times when the Government has to exercise powers that are unusual, as we all know. It is a time when Woodrow Wilson must be dealing directly with the Governments of other nations. It is a time when they must have thousands of secrets. I wish I might know more about what is going on; but I realize the fact that if I knew others would be also entitled to know, and if five or six hundred Members of Congress know all that is going on some information will get outside Congress and a great many things may be defeated. We have to repose some confidence in the executive branch of this Government. Yet I heard it stated on this floor to-day that every bit of our foreign diplomacy ought to be laid before the world.

For the Senator who brought in the main resolution I have already expressed my respect. For the Senator who is the author of this amendment I entertain not only respect but a profound regard which I feel for but few men. The principle of doing things openly and in public is a glorious and a splendid principle; that is the light which dazzles the intellectual vision of this great thinker. But, sir, a nation can not apply that

principle until other nations accept it. Likewise a nation can not lay down its arms if its enemies continue to hold theirs ready to spring at its throat. I am willing my country shall disarm when all the rest of the world likewise disarms. Likewise when all the nations of the world perform their diplomatic acts in the open, so that we know what they are doing as well as they know what we are doing, I am willing to adopt the amendment. But at this time in the world's history, with war waging about us, to declare that we will make our treaties in the open while all the rest of the world, and especially our enemies, deal in the dark is, I repeat, as foolish as for the man engaged in a game of cards to lay his hand upon the table while all the rest hold theirs concealed.

Mr. BORAH. Mr. President, I apologize to the Senate for again trespassing upon its time. My only excuse for doing so is my great interest in the amendment which I have offered. I may not say anything of sufficient moment to interest my colleagues, but my deep conviction leads me to make another effort for the success of the amendment.

I feel, after listening to the very remarkable and very able presentation of the other side of the question by the Senator from Missouri [Mr. REED], who is even powerful when he is in error, some things ought to be said in an attempted reply, and which I believe if properly said and effectively said would be a complete reply to some of the arguments advanced against this proposition. I know there is a full reply.

The Senator's argument is based upon the proposition that we must not proceed to deal with these international matters in the open until such time as the other nations of the earth shall have accepted this policy and consented to be bound by it; that we must wait until the dynasties of Europe see fit to make open or public their arrangements or combinations before committing ourselves to a proposition which we believe to be dangerous prior to that time. That policy would be the end of the fight for open diplomacy. Unless we or some one leads the way and forces open diplomacy, it will never come. Without secret diplomacy the dynasties of Europe can not exist. When they fight for it they are fighting for existence.

I suggest to the Senator from Missouri that there is now going forward in every nation of Europe this same discussion and this same controversy. There is the same debate being carried on in the English Parliament, in France, and the same discussion is being carried on among the people even of the central powers. It is advancing to a burning issue among the peoples of Europe who believe at this hour that they are the victims of secret diplomacy.

Mr. HITCHCOCK. Will the Senator yield?

Mr. BORAH. I yield.

Mr. HITCHCOCK. Is not the demand in Great Britain, where it is most agitated, for the right of Parliament to ratify a treaty? The demand is not that it should be done in public, but the demand is that the representatives of the people shall be permitted to pass upon the ratification.

Mr. BORAH. But the Senator is in error. They demand that it shall be done in open Parliament.

Mr. HITCHCOCK. I am mistaken, then. I have never heard the demand couched in that way. The only demand I have seen is that Parliament instead of His Majesty should be permitted to ratify treaties.

Mr. BORAH. Even if that were true the Senator will see at once that is another advance toward publicity, giving into the hands of those who represent the people a say with regard to treaties. But if the Senator will read the debates he will see that those who are contending for Parliament to have to do with it are basing it upon the proposition that Parliament and those whom they represent, the people of England, shall know what their relationships are to the other nations. There is not a suggestion in the debate that I have ever seen which intimates that Parliament should close its doors when these things are being considered.

Mr. HITCHCOCK. Let me ask the Senator, has it not been argued in behalf of the proposed reform in Great Britain that they want to have this reform as the United States has already enjoyed it? Do they not cite the United States as an example in which the legislative body is required to ratify the acts of the President?

Mr. BORAH. No. Let me call the Senator's attention to the fact that Mr. Trevelyan and Mr. Ponsonby, the advocates of this proposition, base their arguments upon the message of the President of the United States. They started out in their argument with his message as their text and contended that it was the principle which they should undertake to have incorporated in their system, to wit, open diplomacy. Mr. Balfour in answering that proposition undertook to contend that the President of the United States did not mean open diplomacy; that he did not mean that it should be carried on before the public or that the public should be informed in regard to it. He undertook to put a construction on it adverse to the construction which was put upon it by those who were advocating it. The issue was clearly made in the debate that it was to be discussed openly that both Parliament and the people might know all the facts.

Mr. HITCHCOCK. Does the Senator claim that the President of the United States supports his proposition for the abolition of executive sessions in consideration of treaties?

Mr. BORAH. Of course I am not authorized to speak for the President of the United States.

Mr. HITCHCOCK. Does the Senator believe that when the President of the United States condemned secret diplomacy he referred to the sort of diplomacy which the United States has followed since the Constitution was adopted?

Mr. BORAH. How does the Senator know that?

Mr. HITCHCOCK. I am asking the Senator. He is undertaking to construe the President's position as one in favor of the abolition of executive sessions of the Senate.

Mr. BORAH. I do not assume, of course, that the President was suggesting to the Senate of the United States that it should change its rules with reference to open sessions; but I say that the Senate of the United States is a part of the diplomatic machinery of the United States, and that secrecy upon its part would necessarily be in contravention of the open-diplomacy principle for which the President contends. No treaty can ripen into a binding obligation as the result of any diplomacy upon the part of the United States until this body acts upon it; therefore, if we are going to have, as the President says, no secret understandings or no private understandings of any kind between the nations of the earth, and that all diplomacy shall be in the public view, it must necessarily follow that the entire proceedings from beginning to end shall be public.

Mr. HITCHCOCK. Not at all. Does the Senator from Idaho claim that the United States has ever had a secret understanding with any nation on the earth?

Mr. BORAH. Yes.

Mr. HITCHCOCK. I am rather surprised at the Senator's assertion, because it is a notorious fact that immediately upon the ratification of a treaty the seal of secrecy is taken from it, and it is just as public as is any act of Congress.

Mr. BORAH. Precisely, Mr. President; but you come back to the same proposition. Assuming that that is true, for the sake of the argument, that that is done in every instance—I do not desire to discuss some particular treaties which I have in mind, because they are still binding upon us—but I will say this, and I will say in a general way, that treaties have been made by the United States with other Governments which were kept secret until negotiations were attempted to be had with interested parties in order to bring them into line; they were kept secret so long as the United States thought it was deriving any benefit from keeping them secret; and if it had thought it was wise or necessary or beneficial to have kept them secret longer or for an interminable length of time, it could have done so, because treaties are made public by an act of the Senate; they do not become public except by an affirmative act of this body.

Mr. HITCHCOCK. If the Senator will take the position that the Senate should immediately remove the seal of secrecy from a treaty when it is adopted, he will be taking a position against secret diplomacy. Secret diplomacy is carrying into effect and keeping in effect to the ignorance of the people a binding agreement.

Mr. BORAH. Well, is not secret diplomacy also making any contract which binds the people without the people knowing anything about its having been made?

Mr. HITCHCOCK. I think not; because the Senate is just as much a part of the treaty-making power of the United States as is the President.

Mr. BORAH. Precisely.

Mr. HITCHCOCK. We might as well require the President of the United States to negotiate in public a treaty with another nation as to require the Senate to take its part in the negotiation in public.

Mr. BORAH. Does the Senator from Nebraska contend, as chairman of the Committee on Foreign Relations, that the President of the United States is not in favor of the executive department negotiating in the open with reference to treaties, alliances, and so forth?

Mr. HITCHCOCK. I think it is absolutely preposterous to think that the President of the United States would sit on a hill and in the view of the whole world undertake a negotiation with another Government; and it is just as preposterous to suppose that the United States Senate, which has a part in the

negotiation, which has a part in framing a treaty, which has a part in giving it its phraseology, and which receives secret communications from the President, should go into the open.

Mr. BORAH. Let us see what the President in his message in reference to this matter says, and give him the benefit of candor with reference to his views. The President says:

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

What does the President mean by that language?

Mr. HITCHCOCK. I understand that the President is entirely satisfied with the processes which the United States has had since the Government was established; that the negotiation shall be carried on by the President; that the treaty shall be formed through his negotiators; that, when it is formed, it shall be sent to the Senate; that the Senate shall refer it to its Committee on Foreign Relations; that the Committee on Foreign Relations shall report it back to the Senate; that it shall remain here at least a day; that thereafter, upon another day, it shall be considered by the Senate; that the Senate shall take part in changing its phraseology, in amending the treaty, and in sending it back to the President with those amendments; and that after that shall have been done the treaty shall be published to the world, but not before then.

Mr. BORAH. Mr. President, the Senator from Nebraska can not certainly arrive at that conclusion from the President's language. The Senator must have some subterranean information which does not come to the public by virtue of any language which has been used by the President, because this address says:

Open covenants of peace, openly arrived at—

If the President is going to negotiate a treaty secretly, and we are going to discuss and ratify it secretly, we shall not openly arrive at "open covenants of peace."

Mr. HITCHCOCK rose.

Mr. BORAH. Just a moment until I get through. This address says:

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

What is diplomacy if it is not the very thing about which the Senator from Nebraska has been speaking? It is the exchange of views, the exchange of notes between the different nations by which they finally arrive at an understanding. That understanding is incorporated into the form of a treaty. The treaty comes to the Senate of the United States, and the Senate acts upon it. That constitutes the machinery of diplomacy by which we finally arrive at binding obligations; and the President says that from the first step to the last, diplomacy "shall proceed always frankly and in the public view."

Mr. HITCHCOCK. And so it has in the history of the United States.

Mr. BORAH. No; it has not.

Mr. HITCHCOCK. The President is attacking the diplomacy of Europe in that case; the fact that two nations are negotiating is secret; that it is not known. In the United States the fact that two nations are negotiating is known; the men are appointed by the President; the fact that negotiations are pending has been universally known.

Mr. BORAH. Mr. President, that is a mistake upon the part of the Senator from Nebraska. There have been numerous treaties made, so far as the Executive is concerned, from the beginning of the Government down to this time, in which there was no knowledge whatever of the transaction upon the part of the public until the contracting powers had agreed among themselves; and there have been numerous treaties made by the United States in which the people knew nothing until those treaties were ratified. They may know although in many instances they do not know that negotiations are proceeding. But the terms, conditions, and obligations, what the treaty is, what is proposed as a treaty, they know nothing about it until it is a binding obligation. It has been said by foreign writers that our diplomacy exceeds in secrecy that of the Governments of Europe.

Mr. VARDAMAN. Mr. President, will the Senator from Idaho yield to me for a question?

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. BORAH. I yield.

Mr. VARDAMAN. Will the Senator state the date of the message from which he is reading?

Mr. BORAH. Its date is the 8th of January, 1918.

Mr. HITCHCOCK. Then, Mr. President, the Senator from Idaho takes the extraordinary position that the President of the United States is indirectly attacking the method by which treaties have been made in the United States ever since the adoption of the Constitution.

Mr. BORAH. I take the position, Mr. President, that the method by which we have made treaties should be changed and that position is supported fully by the President's language.

Mr. HITCHCOCK. But the Senator is also taking the position that the President is attacking the method which is used by the United States, instead of attacking the secret method which is used in Europe.

Mr. BORAH. Yes; if I can understand the English language, that is precisely what the President is doing.

Mr. HITCHCOCK. I can not see in it any reference to our method; and anyone with a knowledge of the situation must appreciate the fact that the President is entirely satisfied, as the great bulk of the American people are, with the present method.

Mr. BORAH. Let us see. The President says that—

The program of the world's peace, therefore, is our program, and that program, the only possible program, as we see it, is this—

And then follows what I have already read.

That is the first proposition which the President states, and every newspaper clipping which I have been able to see from England took precisely the same view of this matter as I do. The Senator from Nebraska and Mr. Balfour are the only gentlemen I have heard of as construing it in any other way than as a suggestion upon the part of the President of the United States that the diplomatic machinery be changed from secret operation to open operation.

If the President had not used the word "diplomacy" there would be room for the contention as the Senator from Nebraska is undertaking to make it, but he uses the word which covers the entire transaction from the first step to the close of the transaction. When the President makes his first overture to another power for a treaty, that is the first step in diplomacy; when we here in the Senate ratify the treaty, that is the last step in diplomacy.

Mr. HITCHCOCK. Mr. President, does the Senator from Idaho, then, claim that the President of the United States is condemning himself?

Mr. BORAH. I have made no such contention as that.

Mr. HITCHCOCK. The Senator from Idaho has stated that the President takes the first step and the Senate takes the last step, and he is also contending that the President maintains that we should be open. Now, then, the Senator is taking the absurd position, I think, of maintaining that the President is virtually condemning his own practices in all the recent treaties, for there is no more reason why the Senate should act in the open than that the President should do so if they are both engaged in the same undertaking.

Mr. BORAH. Does the Senator from Nebraska contend that the President has been acting in violation of this suggestion?

Mr. HITCHCOCK. No; I think the President is attacking European diplomacy, which has produced wars, while American diplomacy has produced no wars. Our treaties are public as our laws are public, whereas European treaties have been secret and have been maintained in secret for years.

Mr. BORAH. But, Mr. President, the President of the United States is not saying anything about the publication of treaties at all. He is referring to the steps by which we "arrive at" covenants. He says nothing about covenants after they are concluded, he speaking about how we shall proceed while we are making them. Now, we can reject the President's policy if we wish, but we ought not to trifle with our own intellects by trying to explain it away. He does not discuss the subject of making them public at a certain time. What he says is that diplomacy shall be frankly in the public view and that all understandings arrived at shall be in the public view. What does the Senator understand by the words "arrived at." Does he think that the President simply meant that after an understanding had been arrived at then it should be made public?

Mr. HITCHCOCK. Certainly.

Mr. BORAH. Well, that is not what he says.

Mr. HITCHCOCK. I think so.

Mr. BORAH. I beg the Senator's pardon. The President says "open covenants of peace openly arrived at."

Mr. SMITH of Arizona. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Arizona?

Mr. BORAH. I yield.

Mr. SMITH of Arizona. I desire to ask the Senator a question for information. Does that refer so much to the manner of adopting a treaty as to the initial steps in the preparation of a treaty?

Mr. BORAH. Well, Mr. President, would the Senator take the position that the first steps, the first negotiations, should be open and the final steps should be closed?

Mr. SMITH of Arizona. I agree with the Senator from Nebraska that that is not the question. The President never had in his mind the question as to how the Senate shall ratify or how it shall reject a treaty; but he had in his mind the fact that wars in this world have come about by secret treaties which were never published anywhere and about which the peoples of neither nation involved knew anything. Now, in speaking to foreign nations, he says that in the making of treaties notice should be given to the people of the nations involved in order to prevent wars growing out of the secret treaty arrangements. No war ever came from any treaty which the United States entered into with any other nation under our form of government.

Mr. BORAH. No; but we are in a war now by reason of the fact that other nations practiced secret diplomacy and made secret treaties.

Mr. SMITH of Arizona. That is what the President was talking about.

Mr. BORAH. Well, then, we will argue in a few moments whether the Senate of the United States is assisting the propaganda in Europe for open diplomacy if it adopts the proposition of secret diplomacy. Now, let us see. Here is another expression from the President which may throw light upon the question for the benefit of his supporters on the other side who seem to be somewhat confused as to his language at this particular juncture. The President says:

> It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open and that they shall involve and permit henceforth no secret understandings of any kind.

That certainly commits us, not the nations of Europe alone, but the United States, to the principle that there shall be no secret understandings of any kind, and that there shall not be at any time during the processes of peace any secrecy upon the part of the nations in arriving at an understanding with reference to peace.

Mr. HITCHCOCK rose.

Mr. BORAH. Wait a moment, until I get through with the entire paragraph. The President further says:

> The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interests of particular governments and likely at some unlooked-for moment to upset the peace of the world.

Then read in connection with that the language which he used which follows immediately after and tell me what he meant. Is the President of the United States candid before the world? I hold to the affirmative and that he meant precisely what he said.

Mr. SMITH of Arizona. I have no doubt of that.

Mr. BORAH. Then, if the Senator has no doubt about that, he is in the same attitude of mind that I am.

Mr. SMITH of Arizona. Without having seen any statement about it, and without having had any interview with the President about it, I doubt whether the question of his candor ought to be based merely on the interpretation of the Senator.

Mr. BORAH. If the Senator thinks the President entirely candid, then we have no controversy on that point.

Mr. SMITH of Arizona. I think he is entirely candid, but I think the Senator misconstrues the whole purpose the President had in mind in speaking as he did. There is no question about his candor; there is no question about his opposition to secret diplomacy; but the question is, What is secret diplomacy?

Mr. BORAH. Well, Mr. President, what led the President to declare against secret diplomacy?

Mr. SMITH of Arizona. He had seen wars constantly arising, but not because of our manner of making treaties.

Mr. BORAH. That is a form of superlative egotism which belongs to a particular class of the American people who think they can indulge in the same practices as the other nations of the world and escape from the evils which follow those practices in other countries. A bad system will work its evil effects here in time the same as elsewhere.

Mr. SMITH of Arizona. I deny that America has indulged in those practices, and the Senator is not justified, so far as diplomacy is concerned, in stating that the United States has ever practiced secret diplomacy. Certainly, to my knowledge, at least, it has not done so.

Mr. BORAH. In order that we may arrive at a proper conclusion as to the President's views, does the Senator think, then, when the President of the United States was speaking as President of the United States to the American Congress that he was not speaking with reference to what we would do or what we should do, but with reference to what Europe should do? Does he think the President is in favor of open diplomacy in Europe and secret diplomacy in the United States?

Mr. SMITH of Arizona. Unquestionably the President was speaking about what all nations should do; but I can see nothing in anything the President said in that connection that involved the question as to how a treaty entered into, with all the publicity or all the secrecy you please, should be discussed by the Senate. Every treaty to which the United States is a party must be ratified by the Senate; it is not a treaty until it goes through this body by an affirmative vote, and when it does it is a treaty that binds us. I do not see anything in the Senator's argument reduced to its lowest terms—and I say it with all respect to his great ability—if you follow it to its last analysis except a plea for a referendum vote on treaties.

Mr. BORAH. Mr. President, let us get back to what the President said. I want to know from the majority side of the Chamber just how they construe the President's language. I had supposed that I was in harmony with the President's views, and I still believe I am. Now, will the Senator from Arizona listen for just a moment to this language——

Mr. SMITH of Arizona. Gladly.

Mr. BORAH. I can not imagine language being more explicit. The President says:

> Open covenants of peace, openly arrived at.

Not treaties or covenants secretly arrived at and later published as the majority side now wants to believe. We will be at the peacemaking, I trust, and we will be a powerful factor there; and does not the Senator understand that the President undertook to say that when the United States sits about the peace table with the nations of the earth the United States, together with the other nations, shall openly, in the presence of the entire world, arrive at covenants of peace?

Mr. SMITH of Arizona. I have no doubt of it; and I think that was the whole purpose of the President.

Mr. HITCHCOCK rose.

Mr. BORAH. Wait a moment. That is one thing we have agreed upon. We have settled the proposition that the President, speaking for the United States, undertook to say that no covenants of peace should be arrived at in any other way than by open discussion. Now, second:

> After which—

That is, after covenants of peace are openly arrived at—

> After which there shall be no private international understandings of any kind, but diplomacy shall proceed always—

Now, what is "diplomacy?" And what is the meaning of the word "always?" Diplomacy is the method by which we arrive at a treaty. It is the machinery by which a treaty is formed before it is submitted to the Senate for ratification—

> diplomacy shall proceed always frankly and in the public view. Always does not mean "sometimes," but at all times—not in the public view part of the time, but all the time.

Do not put the President of the United States at this time in any other position than as meaning, whether it is sound or unsound—and I think it is sound—that every single step from the first to the last shall be in the open public view. He is going to "arrive at" the covenants publicly, and he is going to insist that all diplomatic proceedings shall be not in part, not a portion of the time, but at all times in the public view.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. I yield.

Mr. HITCHCOCK. Does the Senator really mean that? Does he mean that the President advocates, in case a treaty is pending between the United States and Great Britain, that the negotiators of that treaty shall sit in public, in the presence of newspaper men and a gallery, and shall discuss the negotiations of that treaty in public?

Mr. BORAH. Mr. President, it means publicity as opposed to secrecy. When the President made his proposition to the world with reference to peace and negotiations between the different nations of the earth, he made them from this rostrum here or in the other House, and he presented 14 propositions, which were submitted on the initiative of the President of the United States, as a basis in arriving at covenants of peace, and they were made to all the world.

Mr. HITCHCOCK. That was very proper; but when the negotiators between the two countries sit down to negotiate a treaty does the Senator seriously say that the President advocates the admission of the general public and representatives of the press to witness the negotiations?

Mr. BORAH. Yes, sir; I say that is precisely what the President says.

Mr. HITCHCOCK. Then, the Senator goes beyond any reason that I can possibly discuss with equanimity.

Mr. BORAH. I beg the Senator to take up the public press of England and read what the press of that country has to say on this question. I could bring clippings here which I have gathered

and read them by the half hour and show that not a single paper undertakes to put any other interpretation upon the President's words. It is my words, I suspect, that has disturbed the Senator's equanimity.

Mr. HITCHCOCK. I will say to the Senator that I think he has taken the only logical horn of the dilemma that he could take, because there is just as much reason why the President should carry on his negotiations in the full public eye as there is why the Senate should carry on its consideration of treaties in the full public eye.

Mr. BORAH. Precisely.

Mr. HITCHCOCK. So that logically the Senator has taken the proper position; but it seems he has reduced himself to the most absurd situation in maintaining it.

Mr. BORAH. I am following the great moral leader in his fight for democratic diplomacy.

Mr. HARDING. Mr. President——

Mr. BORAH. I yield.

Mr. HARDING. I wish to ask the Senator from Idaho if his committal is unalterable?

Mr. BORAH. I say that in this particular discussion I am supporting the policy of the President in regard to open diplomacy. I shall always support him when I think he is right, and oppose him when I think he is wrong. I do not believe that there is any Senator on this side of the Chamber who does not accept the interpretation which I have put upon the President's message. Does the able Senator from Pennsylvania [Mr. KNOX], who has had a vast amount of experience with reference to construing overtures between countries and the niceties of language, and so forth, understand that the President is in favor of secret diplomacy according to this language? Nobody believes that. No, my friends; you have got to find some other reason for voting against this amendment. You can not justify your vote against it upon the theory that the President has not candidly, openly, frankly, and unmistakably indorsed open diplomacy.

Mr. HITCHCOCK. Does the Senator think that the President is going to follow the position which the Senator from Idaho says he has taken? Does he think that the President of the United States is going to have his negotiators sit in a public hall and discuss a proposed treaty in public with the representatives of Europe if they could be induced to do so?

Mr. BORAH. I would naturally infer—think so—from his language.

Mr. HITCHCOCK. Then, if the Senator takes such a position, there is no room for discussion.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. BORAH. I do.

Mr. GALLINGER. I quite agree with the view the Senator from Idaho takes as to the attitude of the President. I have forgotten the date when the President used the words which the Senator is quoting. Will the Senator tell me the date?

Mr. BORAH. January 8, 1918.

Mr. GALLINGER. Has the Senator any information as to whether the Chief Executive has changed his mind on that matter since then?

Mr. BORAH. No; Mr. President, I have not, and I can not believe that he has changed his view.

Mr. GALLINGER. It would be a very unusual circumstance if he had not.

Mr. BORAH. Well, Mr. President, I do not care to go off into a discussion of that proposition; but here is the statement which was made and upon which the President committed himself before the whole world. I have had no intimation, except the suggestion of the Senator from Nebraska, that the President has modified his views; I should be astounded if he has modified his views, and I shall be very much surprised if he does modify his views. This is a great principle; it is indispensible to the world's peace; it is a part of the fight for democracy; and I would be sorry to think that the President has changed his view. I want him to stand on this sublime principle. It will go far toward putting an end to all war, and it will finally drive every royal family in Europe from power. But whether the President has or shall change, I feel sure enough of myself to assure you all that I will not change.

Mr. HITCHCOCK. One of the most recent treaties negotiated and ratified by the Senate was the treaty with Denmark, by which the United States acquired the Danish West India Islands as a military necessity. Does the Senator take the position that that treaty should have been negotiated by the representatives of Denmark and the United States in a public hall, with the representatives of all nations present?

Mr. BORAH. Oh, Mr. President, we should not have invited all the nations of the earth to a little transaction which consisted of purchasing an island down in the West Indies, but I would have carried on the negotiations with Denmark in an open, public way. What possible detriment could have been experienced or what disadvantage could we have suffered by reason of an open, public discussion of that matter? It is sheer fancy to dwell upon dangers thus conjured up.

Mr. HITCHCOCK. In reply, I will say to the Senator that that was a very delicate and difficult transaction. Previous treaties of a similar character had been defeated by the machinations and influence of the German Government on a number of occasions, and public opinion in Denmark was widely divided on that very subject. It was a difficult treaty to negotiate and a difficult treaty to induce Denmark to ratify.

Mr. BORAH. How did public opinion get into operation on that question?

Mr. HITCHCOCK. Well, it got into operation because, as a rule—and I have called the Senator's attention to this fact before—that the treaties of the United States have been openly undertaken, the actual negotiations have not been carried on in public, in a public hall, but there have been no secrets in American diplomacy. We have, as a rule, openly undertaken the treaties which we have finally adopted.

Mr. BORAH. Let me call the Senator's attention to the fact that while we get information of a treaty, the first steps toward it are secret. The first real information which this country got as to the proposed terms of the treaty came across the water from Denmark, because Denmark dealt with it openly. Germany had all the information which she could possibly have had the negotiations been in the most open and notorious way. The treaty was discussed in the Danish Parliament; and, if I recall, a plebiscite was had; it was discussed in the European press; it was revealed in the Old World; we got our information of it fairly early because that kind of a transaction was not of transcendent moment to us.

Mr. FALL. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. FALL. I simply wish to suggest along that line, that that treaty was dicussed in both houses of the Danish Parliament, and was the subject of a referendum or an election.

Mr. HITCHCOCK. There is no doubt of that fact; but would the Senator like to have treaties to which the United States is a party submitted to a referendum in the United States and thrown into political campaigns? Would he like to bring about a condition such as they had in Denmark?

Mr. FALL. Yes, sir.

Mr. HITCHCOCK. I think he would stand among very few people in the United States if he would. We have enough troubles in politics now without injecting treaties into it.

Mr. FALL. The Senator asked me a question. I simply rose to suggest a historical fact to the Senator from Idaho. I have expressed myself upon the proposition. I should like to have had the people of the United States equally as well informed as the people of Denmark when Denmark made the treaty with the United States.

Mr. LODGE. If the Senator will allow me, the treaty with Denmark, which had been negotiated during President McKinley's administration, under the Danish law went to both houses of their parliament. It was passed through the lower house but was lost in their senate by one or two votes, owing to German intrigue. That was in 1899, or thereabouts, as I recall, during President McKinley's administration. All Danish treaties go before both houses of the Danish Parliament.

Mr. BORAH. I must confess, Mr. President, that I have been somewhat taken by surprise to find that there could be two constructions of the President's language. We will likely hear from the President upon this matter later. I venture to hope that the President intended to declare himself against secret diplomacy, and that his future declarations will construe this message in perfect harmony with the view which those of us who are supporting the amendment put upon it.

Now, Mr. President, let us assume, for the sake of the argument, for a few moments that the President was not speaking with reference to the United States or seeking to commit it to a more open policy than that which it has heretofore pursued, and that he was addressing himself particularly to the secret diplomacy of Europe. Of course, if he was doing that, he was simply throwing the moral influence of the United States against the system in Europe. Everyone who has undertaken to keep in touch with the literature of the European countries since that time knows that the declaration of the President has had a very powerful influence in European circles. It is understood that the people of the United States, speaking through their President, are in favor of open diplomacy and against the system which has heretofore prevailed in Europe. That has given encouragement to the discussion of the matter not only among the

leaders of Europe and in the press of Europe, but among the masses of the people of Europe. It has gone down to those who ordinarily have very little to do with diplomatic or foreign affairs; and practically all the associations—not only labor associations but civic organizations and organizations which have for their purpose the carrying forward of these propaganda—have taken it up in their meetings and have almost universally indorsed it. I known of no instance to the contrary. So it has led to a universal discussion and, so far as the masses of the people are concerned, almost a universal indorsement.

The Senators will observe, in reading the foreign dispatches, and especially resolutions passed by the different organizations in Europe, constant references are being made to President Wilson's policy of open diplomacy and his advancement of the cause. Now, let us assume for the sake of the argument, as I say, that the President was simply seeking to build up and strengthen the propaganda against secret diplomacy. What shall the Senate of the United States do in regard to that same matter? What shall be its attitude upon this matter? Will it say to the people of Europe, contrary to the voice of the President, "We do not believe in open diplomacy. We are not only opposed to the negotiations being in the open, but we are opposed to the discussion of the treaty being in the open, when the time comes to make it final and binding upon the mass of the people?"

If this discussion was begun for the purpose of breaking down the system in Europe—and I believe it was done for that purpose, in part—what do the Senators think would be the effect of our taking a position contrary to the position which has been announced by the President? Would it not greatly disparage the whole movement? Would it not be unfortunate to the Senate of a free people to take its stand along with the Hohenzollerns and the Hapsburgs?

Mr. HITCHCOCK. Mr. President, if the Senator asks me that question I will say that my impression has been that all Europe recognized the United States as having an ideal system and that it was an effort of the President of the United States to secure from Europe the adoption of the same system.

I want to say to the Senator that I have not taken the position that the Senate should never consider a treaty in open session. I simply take the position that at the time a treaty is up for consideration the Senate should decide by a majority vote whether it shall be considered in open session or in secret session; and I am willing to trust the judgment of the Senate at that time to decide wisely. I have on a number of occasions voted for the consideration of treaties in open session, but I do not want to have the Senate bound and shackled by a rule that it has to consider them in open session unless it can get the permission of all but 30 Senators, who, under the proposed rule, will enjoy the right of tying up sixty-odd Senators.

Mr. BORAH. Mr. President, in furtherance of the suggestion which I have made as to the growth of this policy in European countries, and as to the way in which it has been understood, I call attention to another article by Mr. Dickinson. It is true that this article was written before the announcement of the President's policy on the 8th of January, but it is in construction of the same proposition as to what is the meaning of "open diplomacy," and what the people of Europe understand by it. It shows that the President, in using the term, did not use it without precedents, but was using it as it had been used by different writers at different times during the last four or five years.

Mr. Dickinson says:

> It is a diplomats' war. None of the peoples wanted it, and none of them would have stood for it, if in some way they could have been jointly consulted in the light of full knowledge of the fact. But they were not consulted, either jointly or severally, no more in the countries called democratic than in the autocracies. If they had been, there would have been no war. Hence the movement for the democratic control of foreign policy.

"Hence," says Mr. Dickinson, "the movement for the democratic control of foreign policy." What do they understand by "democratic control"? What did the President understand when he spoke of open diplomacy, of democratic control? Did he mean a few secret powers? Does democratic control mean control by chancelleries? Does the "public view" mean closed doors? This whole movement for open diplomacy is associated with the idea of democratic diplomacy.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER (Mr. GUION in the chair). Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I do.

Mr. LODGE. I should like to call the Senator's attention to the following passage in the President's message, which perhaps he has overlooked:

> The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired.

Mr. BORAH. "A Daniel come to judgment!" Now, I want to call the Senator from Nebraska [Mr. HITCHCOCK] back on the witness stand. Let us see if the President of the United States was unfamiliar with the English language:

> Parleys have been in progress at Brest-Litovsk between Russian representatives and representatives of the central powers to which the attention of all the belligerents has been invited for the purpose of ascertaining whether it may be possible to extend these parleys into a general conference with regard to terms of peace and settlement. The Russian representatives presented not only a perfectly definite statement of the principles upon which they would be willing to conclude peace but also an equally definite program of the concrete application of those principles. The representatives of the central powers, on their part, presented an outline of settlement which, if much less definite, seemed susceptible of liberal interpretation until their specific program of practical terms was added. That program proposed no concessions at all either to the sovereignity of Russia or to the preferences of the populations with whose fortunes it dealt, but meant, in a word, that the central empires were to keep every foot of territory their armed forces had occupied—every Province, every city, every point of vantage—as a permanent addition to their territories and their power. It is a reasonable conjecture that the general principles of settlement which they at first suggested originated with the more liberal statesmen of Germany and Austria, the men who have begun to feel the force of their own peoples' thought and purpose, while the concrete terms of actual settlement came from the military leaders who have no thought but to keep what they have got. The negotiations have been broken off. The Russian representatives were sincere and in earnest. They can not entertain such proposals of conquest and domination.
>
> The whole incident is full of significance. It is also full of perplexity. With whom are the Russian representatives dealing? For whom are the representatives of the central empires speaking? Are they speaking for the majorities of their respective parliaments or for the minority parties, that military and imperialistic minority which has so far dominated their whole policy and controlled the affairs of Turkey and of the Balkan States which have felt obliged to become their associates in this war? The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed doors, and all the world—

Now, here you have your "town lot," of which the Senator from Pennsylvania [Mr. KNOX] spoke, you have your public hall, of which the Senator from Nebraska [Mr. HITCHCOCK] spoke, and all the nations of the earth eagerly looking on—

> and all the world has been audience, as was desired.

To whom have we been listening, then?

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Idaho yield to the Senator from Missouri?

Mr. BORAH. I do.

Mr. REED. In view of the eventuation of that little conference between gentlemen who wanted to do everything in the open on one side and gentlemen on the other side who were too smart to do it in the open, does the Senator now think that we ought to follow the example of our bolsheviki friends?

Mr. BORAH. Mr. President, I would follow the example of my bolsheviki friends in this particular matter up to the point of accepting German gold. If Trotzsky and Lenine had been the true friends of the Russian people; if they had been representing the Russian people as they professed to be representing the Russian people, the open diplomacy would have been altogether to their advantage and to their aid, for the reason that any proposition which they might have made in open session in good faith would have had the moral backing of the entire world. But you can not test the question of open diplomacy or its worth by a transaction in which men are acting under duress or secret corruption. But while that conference was in some sense a failure the only redeeming feature is that all the world knows precisely what was done and can act accordingly.

Mr. REED. Mr. President, the Senator's argument, then, brings us to this: Notwithstanding all of the beauties and glories and safeguards of open diplomacy, still a nation can be sold in the broad daylight and in the open market, and open diplomacy affords no protection against that.

Mr. BORAH. No, Mr. President.

Mr. REED. If that is the case——

Mr. BORAH. But that is not the case.

Mr. REED. But that is what the Senator says took place.

Mr. BORAH. Just a moment. The open diplomacy in Russia was distinctly to our advantage. We knew precisely what was done, and it was greatly to our advantage and the allies to know. And the fact that it was in the open also enabled the Russian people to pass judgment upon the matter and has had more effect in breaking down Lenine and Trotzsky in the estimation of the Russian people than any other single fact. The Russian people, being familiar with the transactions, were able

to pass judgment upon them, and they are passing judgment upon them, and when Lenine and Trotzsky are finally disposed of unconcealed transactions at Brest-Litovsk will have had much to do with it. But had it been in secret the Russian people would have been at the mercy of any statement of facts which those who betrayed them would have seen fit to make. I venture to say if the conference were to be held again it would be in secret.

Mr. REED. But, Mr. President, the Russian people gained nothing from the open diplomacy. When the diplomatic conference dissolved, Russia was content and laid down her arms, and Russia never woke up until she was aroused by the rattle of Prussian sabers. So that if these people were sold out by their representatives in these open negotiations it would appear to argue that open negotiations are no protection against the grossest form of betrayal that man is capable of perpetrating.

Mr. BORAH. Of course, the Senator is correct in his statement that open diplomacy is not a panacea for all the evils connected with this matter, but, in my judgment, the Senator would no more contend that open transactions upon the part of a burglar were more desirable than secrecy than he would contend, that secret diplomacy was not an aid to crime if a person wanted to commit a wrong. Publicity does not always prevent unwise legislation here or even venal legislation, but it is nevertheless a great help to wise and responsive legislation.

Mr. REED. No; but, to come back to the question—the illustration is all right, but it really has not any application—the Senator is arguing in favor of this open diplomacy because the President has pronounced an encomium upon the demand of the bolsheviki representatives for open procedure. Now, unfortunately, the result of that one example was absolutely to demonstrate that that method afforded no protection whatever, and that if you are going to protect a nation you must look for something beyond mere publicity; and if you look for something beyond mere publicity you will have to come to the question of honest, patriotic representatives of the people; and if you have honest, patriotic representatives of the people, they will not betray that people even though the doors of the Senate happen to be locked.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. BORAH. Just a moment. Does the Senator contend that if parties desired to make a sinister agreement, or an improper agreement, they would just as soon make it in the open as in secret?

Mr. REED. No; I contend this: I undertake to say that if two nations desire to make a corrupt agreement, they will make it, regardless of any rule that the Senate may adopt. But this is what I am arguing to the Senator; this is the question I want considered, and it is the one I argued: Admitting that in an ideal world all diplomatic negotiations ought to be conducted in the open and that all nations ought to agree to conduct them in the open, that that is the best and the most proper way in which to carry them on, what about the proposition of one nation agreeing to do that with itself and exposing all of its negotiations, while all the rest of the world retains the advantage over it of secret negotiations? Now, that is the real question.

Mr. BORAH. Yes; I was discussing that question while the Senator was absent.

Mr. REED. I was absolutely called out.

Mr. BORAH. I understand that.

Mr. FALL and Mr. NORRIS addressed the Chair.

Mr. BORAH. I yield to the Senator from New Mexico. I will come back to this matter, however, if the Senator from Missouri will permit me.

Mr. FALL. Just to keep the record straight with reference to what took place in Russia, I think we should understand the circumstances exactly. Lenine and Trotzsky negotiated this treaty, which under their own form of government should have been referred to the people's council, and under the form of government which they had already established it never could have been a legal treaty until passed upon and approved by the people's council; but Lenine and Trotzsky by force of arms, by calling on their red soldiers, dissolved the people's council and made the treaty themselves. It was never referred to the people's council, and its only reference was to the Soviet, which they had established themselves in the place of the legal body which should have passed upon it.

Mr. REED. All of which only goes to show that this high authority which has been cited as being the leader in the great world reform for open diplomacy is a very bad and wicked and questionable and crooked policy, and that the proponents of this measure would better have left the Bolsheviki out of the argument.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Nebraska?

Mr. BORAH. Yes; in just a moment. I presume when the Senator made that reference he had reference to the Russian advocates of open diplomacy, and not to the President of the United States.

Mr. REED. I am talking about the Bolsheviki; and I say this: I think you will not find that the President of the United States has anywhere advocated that this Government shall at this time open its books and open its business to the world, with all the rest of the world acting in secret, any more than the President—although he is an advocate of peace, and undoubtedly would like to see world-wide disarmament—is advocating the disbandment of our Army and our Navy; and I am sure he will not advocate it until other nations shall agree to a similar policy.

Mr. BORAH. Mr. President, I should like to get the Senator's interpretation of this language of the President:

> The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired.

That was certainly an indorsement upon the part of the President of that particular transaction. I think there is no doubt about that.

Mr. REED. The Senator asks me to interpret it. I have not any doubt that the President of the United States wanted to encourage the Russians at least to deal in the open, so that we might know what was going on, and that he said those pleasant words hoping that they would be sent across the sea and might do some good; but that is very far from committing us to a policy of that sort.

The President found this sort of condition: Russia was breaking all of her promises to her allies. Her armies were dissolving into men. She was about to be absorbed by the Prussian power, or overrun by the Prussian power; and I suppose whatever encouragement he could give he gave them by saying that they were doing this in the open. But will the Senator find me a statement from the President asking us to commit this country to the policy of open-door diplomacy until and unless it is accomplished by agreement with other powers, so that all shall in like manner and at the same time expose their methods of doing business?

Mr. BORAH. Mr. President, will the Senator from Missouri find the Senator from Idaho any limitation whatever upon the President's language with reference to open diplomacy from this time on?

Mr. REED. No; and I find nothing committing himself to that policy. This policy that the President has laid down here is a program of world peace—something that is to come in the future. He is dealing with the future. He is speaking about what ought to be arrived at as the fundamental conditions of peace; and what are they?

> (1) Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

Why, that is an express statement that the policy you are now advocating as applicable to the United States is to be world-wide, and if you make it world-wide I have no criticism; and so I ask, why not amend your proposition and say that this shall not be of force or effect until all the principal nations of the world shall likewise agree?

Now let me read on. The second proposition made by the President in this tabulation is—

> Absolute freedom of navigation upon the seas.

Would we grant free navigation upon the seas to-day to German boats? They are entirely too free at the present time, and we are trying to sink them; but when the war is over and peace has come we will probably be willing to grant free navigation even to the Prussians, if there are any of them left. I hope to God there will not be many.

> III. The removal, as far as possible, of all economic barriers.

That is a doctrine to which we are not committing ourselves to-day, and will not until, at the same moment that we take down our barriers, other nations shall take down theirs.

> IV. Adequate guarantees given and taken that national armaments will be reduced to the lowest point consistent with domestic safety.

That is an adequate guaranty which he is asking. He is not proposing to dissolve our armaments until other nations shall dissolve theirs.

And so all the rest of the program lies in futuro.

Mr. BORAH. Precisely; and all actions under this amendment would have to be in the future.

Mr. President, more interesting than the subject of open diplomacy is what the President means by what he says—and I do not want the Senator from Missouri to leave the Chamber until I collect together some two or three statements and see, when they are taken collectively, just what they mean.

I begin again with the statement which I have just read:

The Russian representatives have insisted, very justly, very wisely, and in the true spirit of modern democracy, that the conferences they have been holding with the Teutonic and Turkish statesmen should be held within open, not closed, doors, and all the world has been audience, as was desired.

That was a transaction which was taking place before the war closed; that was a transaction which was going on in the midst of the war; and although it was going on in the midst of the war the President approved of it and indorsed it. He did not say that it would have been better if the Russian people had waited, that it was unfortunate for them to undertake to deal with the German people in the midst of the war, but he indorses a transaction which is there taking place in the open during the war.

Mr. REED. A transaction in which our enemy is one party and an erstwhile friend who is abandoning us in the midst of the fight is another party; and why should we not want them to put their cards on the table? The more we can find out the better.

Mr. BORAH. But certainly no one would be so fatuous as to expect open diplomacy for all our enemies and secret diplomacy for all our friends.

Mr. REED. Certainly. The virtue is that we find out; but I do not want the other man to have the virtue of finding out what we are doing until I know what he is doing. I should like to have the Senator discuss that question.

Mr. BORAH. I will come to that; but here is a transaction which is of concern to all the world. It was of concern to us and it was of concern to all the world. It was a diplomatic transaction. It was in the midst of war. It was a thing which happened at the time the President was speaking, and he indorses it. True, it would give us some advantage; but he was dealing with one whom the President regarded at that time as our ally, and that which was to the advantage of the ally would be to our advantage, and that which was to the disadvantage of Russia would be to our disadvantage; and yet the President approves of the transaction. Then, after he gets through with the transaction which was then in progress, he deals with the other proposition, on page 5. He says:

Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view.

Mr. McLEAN. Mr. President——

Mr. BORAH. I will yield in just a moment. He puts no limit upon the proposition that all nations shall come into the transaction or that all nations shall agree to it, but commits the United States to the policy, and it has been so interpreted throughout all Europe. I yield to the Senator from Connecticut.

Mr. McLEAN. May I suggest to the Senator from Idaho a way in which he can ascertain what the President means, before any harm is done to anyone? These treaties must be negotiated by the President in the first instance, before the Senate has anything to do with them whatever. If the President pursues the policy which the Senator from Idaho thinks he must under the language which he uses; if he publishes all the correspondence to the world at the close of this war, with all the conversations and all the private correspondence printed and published, there would be no need of an executive session. The world would know all about it.

If the President negotiates treaties as it has been done for a century or more in this country and does not publish to the world everything, those Members of the Senate who wish to follow the example set by the President would govern themselves accordingly.

Mr. BORAH. The Senator has a keen sense of humor. The suggestion of the Senator implies that the President is wholly insincere in the statement he made.

Mr. McLEAN. I am suggesting to the Senator a way by which he can ascertain just what the President means before the Senate acts.

Mr. BORAH. I have no difficulty whatever, and I do not think the Senator has any difficulty, in understanding what the President means. The Senator will not contend that the President did not indorse open diplomacy from beginning to end.

Mr. McLEAN. The Senator can see——

Mr. BORAH. Does the Senator from Connecticut entertain a different view?

Mr. McLEAN. I would not undertake to express a view.

Mr. BORAH. Has the Senator any opinion on the subject?

Mr. McLEAN. I am perfectly willing to remain on the safe side and let the President by his conduct show just what he means.

Mr. BORAH. Has the Senator any doubt about what he means?

Mr. McLEAN. I have great doubt that he means what the Senator from Idaho thinks he means.

Mr. BORAH. What does the Senator from Connecticut think the President meant when he said that diplomacy should proceed "always frankly and in the public view"? What does the Senator think the President means by that?

Mr. McLEAN. He means to follow the policy followed by the Chief Executives of this country since the foundation of the Government.

Mr. BORAH. Does the Senator contend secret negotiations——

Mr. McLEAN. To make the best bargain he can for the United States of America and submit that bargain to the American Senate, where it will be debated, amended, ratified, or rejected.

Mr. BORAH. Does the Senator contend that the President's diplomacy meant nothing at all with reference to a change in the policy of this country?

Mr. McLEAN. He was speaking for the future.

Mr. BORAH. Does the Senator contend that he was speaking in the future of a changed policy?

Mr. McLEAN. I can not say, for I do not know what he intends to do.

Mr. BORAH. The Senator can interpret language. What does the Senator think the President meant by the language he used? Just simply take the language he employed when he declared for open diplomacy, when he says that "diplomacy shall proceed always frankly and in the public view."

Mr. McLEAN. I do not know just what he means, and I suggest to the Senator that the safe thing for this body to do is to wait, as we can wait safely, and then we shall make no mistake.

Mr. BORAH. The Senator says he does not know and of course that ends it.

Mr. HARDING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. HARDING. Assuming that the Chief Executive wholly believes in the principle enunciated in the address which is so frequently quoted from, and assuming that he is in favor of a revision of the rules of the Senate, would there have been any inconsistency in the President recommending at the same time a change of the Senate practice to conform to open diplomacy?

Mr. BORAH. No; but I do not know that the President has authorized any change or suggested any change in the rules of the Senate. I have heard it hinted here that the President is in favor of the proposed amendment of the Senator from Alabama. I have no knowledge that that is a fact. I have no information which leads me to believe that the President is interfering in this matter in any way, shape, or form. I know that the Senator from Alabama has been an advocate of this proposition ever since he came into the Senate, and my opinion is that the Senator from Alabama was the originator of the amendment, and that it did not have its initiative and inception with the President of the United States. That is my opinion. I think that if the President had been delivering a message on the subject it would have been pertinent to inquire why he did not cover this subject, but I doubt very much if the Senator from Ohio has any information upon which he would want to rely to the effect that the President is in favor of the Underwood amendment.

Mr. HARDING. The Senator makes a rather embarrassing statement when he states that he doubts if I have information on which I would be willing to rely.

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BRANDEGEE. I wish to ask the Senator a question which he may have answered when I was not on the floor, but I will ask it de novo. Has the Senator any knowledge as to whether, when the President employs the term "open diplomacy," he considers the ratification of a treaty by the Senate to be a part of open diplomacy?

Mr. BORAH. I do not know what the President thought about that, but I know as far as we are concerned we can not construe it in any other way, because it is a part of the diplomatic process by which the fruits of diplomacy are gathered. As the Senator from Pennsylvania [Mr. KNOX] said yesterday, we are really a part of the negotiating power. We

are a part of the diplomatic machinery of the Government, and therefore it must necessarily follow that when the President spoke of open diplomacy, whether he had it in his mind or not, his language would cover our transactions.

Mr. BRANDEGEE. I may be mistaken about it, of course, but I do not consider the legislative act of the Senate in ratifying a treaty to be a part of diplomacy. There is no dictionary to which I have access, and I have looked at three of them, which does not define diplomacy substantially to be the art of conducting negotiations between nations through their ambassadors and ministers appointed for that purpose. I do not understand and I do not believe that diplomacy refers at all to the ratification of a treaty, but it does refer to the preliminaries and negotiations held by diplomatic officials in formulating the terms of a protocol.

Mr. BORAH. Assuming, for the sake of the argument, that the Senator from Connecticut is correct, he would admit that the President has committed himself to open negotiations up to the point where it reaches the Senate.

Mr. BRANDEGEE. I should judge so, Mr. President; that is, whether he has committed himself or not, he has used language that would lead me to think that he favored open diplomacy without at all saying that he was not conducting it in the open now. From such extracts as I have heard read from his message it would seem that he was more particularly talking about the open diplomacy of European and Asiatic powers, and not intimating that our diplomatic methods have not been open, frank, and aboveboard.

Mr. REED. Mr. President——

Mr. BORAH. I will yield in just a moment. Does the Senator claim that we have open diplomacy in this country?

Mr. BRANDEGEE. I do not know, Mr. President. I never have heard any criticism upon our diplomacy as being secretive or underhanded or dishonest, and my impression is, though I am no mind reader and no prophet, certainly not the official interpreter of the words or policy of the administration, what the President had in mind was to urge the European powers to reform their methods of conducting their diplomatic affairs. As the Senator has so well said, the people abroad did not know what their treaties were. They were negotiated in secret and they were held in secret. The people of this country knew what our treaties were. They were all made public.

They are in bound volumes of the RECORD. They are accessible in every library in the country. Whatever other nations may have been in the dark as to what compacts had been made which they were asked and bound to give their allegiance to, without knowing what was in them until told by their privy councils, we certainly were in no doubt as to what our international treaties were and our international obligations.

Mr. BORAH. The Senator is now confusing in his mind a treaty and diplomacy which a moment ago he desired to separate. Is there any difference between the method of carrying on diplomacy in this country and in Europe, so far as diplomatic arrangements are concerned?

Mr. BRANDEGEE. I do not know that there is.

Mr. BORAH. Then if the powers have had secret diplomacy they have not had the secret diplomacy which the President understands to be secret diplomacy in this country.

Mr. BRANDEGEE. It would seem to be so; yet I do not believe that the President means that our diplomatic authorities, those responsible for our diplomatic affairs, have done things in a way that ought to be condemned as those of the European and Asiatic powers. I think he has a different opinion of our diplomatic past and present from that, and I certainly have. But all I meant to say when I rose, and I hope the Senator will excuse me, for I did not desire to interrupt him, was that to my mind there is a great distinction between open diplomacy and the proceedings of the Senate upon the result of the diplomatic efforts of the various ambassadors of the world.

Mr. BORAH. I now yield to the Senator from Missouri.

Mr. REED. I think there is light thrown on the President's purpose by the words I am about to read, and I call attention to language that has not been called to the attention of the Senate. I think they make it perfectly plain to what the President, in speaking about open negotiations, was referring, a time when the great powers of the earth sitting around in the council chamber to make peace would be called upon to act. In that case he insists upon open diplomacy; and, second, in referring to secret diplomacy he refers to something more than the Senate acting behind closed doors, to certain very secret arrangements that have been made between European powers and which have been the cause of trouble. Let me read this language, because I think it will clear up the President's message. I am reading from the bottom of page 4 of this print:

> It will be our wish and purpose that the processes of peace, when they are begun, shall be absolutely open, and that they shall involve and permit henceforth no secret understandings of any kind. The day of conquest and aggrandizement is gone by; so is also the day of secret covenants entered into in the interest of particular governments and likely at some unlooked-for moment to upset the peace of the world. It is this happy fact, now clear to the view of every public man whose thoughts do not still linger in an age that is dead and gone, which makes it possible for every nation whose purposes are consistent with justice and the peace of the world to avow now or at any other time the objects it has in view.

Then the President proceeds to catalogue what he declares are the proper objects and purposes of this war.

Mr. BORAH. I will say to the Senator from Missouri I read that statement a few moments ago as an explanation of the President's position.

Mr. REED. I did not catch it.

Mr. BORAH. The President in his address February 11, 1918, refers to the question of open diplomacy with reference to the overtures made by Count Czernin. He says:

> He is jealous of international action and of international counsel. He accepts, he says, the principle of public diplomacy, but he appears to insist that it be confined—

As some of our friends do here—

> at any rate in this case, to generalities and that the several particular questions of territory and sovereignty, the several questions upon whose settlement must depend the acceptance of peace by the 23 States now engaged in the war, must be discussed and settled, not in general council, but severally by the nations most immediately concerned by interest or neighborhood.

In other words, the President objects to his interpretation of open diplomacy because it does not go into details and deal with details as he thinks open diplomacy should.

Mr. BRANDEGEE. I think the President objected to Count Czernin's answer to the proposition for the terms of peace because Count Czernin said that the terms of peace that Germany made with Italy were matters alone for conference between Germany and Italy and the business of no other country. It was not upon the question of open or secret treaties, but of Germany's attitude in claiming the right to make a peace with each country according to her own terms and not to have any general council of peace.

Mr. BORAH. That is one of the objections after the President puts his disapproval upon the count's view to accept "public diplomacy," because he confines it "to generalities" and refuses to permit it to go to details. That is cited for the purpose of showing that the President is not only in favor of open diplomacy with reference to the general proposition but he is in favor of open diplomacy with reference to all the details which lead up to the final settlement between nations.

Mr. BRANDEGEE. That is what I understand open diplomacy to mean.

Mr. SMITH of South Carolina and Mr. LEWIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield; and if so, to whom?

Mr. BORAH. I yield to the Senator from South Carolina first.

Mr. SMITH of South Carolina. I merely wish to ask the Senator if, in his opinion, the evil he seeks to correct by this proposed amendment to the rules would not be largely obviated if the nations of earth would follow the custom of the United States, when diplomacy had completed its work and the treaty was ratified to publish it to all its people and to all the world?

Mr. BORAH. No; I do not think so at all, and I will tell the Senator why, and I think the Senator, if he will reflect upon it a minute, will see why. After the treaty is made and concluded, then the people of the different nations of the earth are bound by it. Now, what is the virtue to be obtained, what benefit or advantage to the people of the United States to know of a transaction that was completed and closed, and they are estopped from raising any question about it except by the election of a new Congress.

Mr. SMITH of South Carolina. The reason why I asked the question was because of the language which we find here, which points to these secret treaties. The negotiations lead up to the perfection of the understanding between the two contracting parties, and that is held in secret; and the President said at some unlooked-for moment some understanding in secret of which the other nations are not apprised is sprung up and brings about trouble.

Mr. BORAH. The Senator does not want to confine the President's denunciation to the final result, because he says:

> Open covenants of peace openly arrived at.

That is the language of the President. What does the Senator interpret the President to mean by saying "openly arrived at"?

Mr. SMITH of South Carolina. Understand, I am not attempting to square the action of the Senate with what the President had to say here. What I am interested in is whether or not the methods that we have been pursuing are safe or unsafe. If the American processes are safe, why depart from them? It certainly has not caused any great disturbance in the world's affairs, for we have negotiated our treaties and published them so that the people of the United States could read them.

But it has not been so in Europe. They have negotiated treaties for the particular advantage of some one nation and kept them secret until the time was ripe to put them in operation and spring them as a surprise on the world.

Mr. BORAH. That is not the position which the Senator advocated a few moments ago, which was that the President was advocating simply open publication of treaties.

Mr. SMITH of South Carolina. I think he had in his mind that particular phase.

Mr. BORAH. The President can express himself quite as lucidly as anyone in the Senate.

Mr. SMITH of South Carolina. It may be that I was unfortunate in my method of expression; but that was one of the reasons, perhaps the paramount reason.

Mr. BORAH. What does the Senator think the President means when he says "openly arrived at"?

Mr. SMITH of South Carolina. I think he meant just what he said. I call the Senator's attention to the paragraph where he said that we stand out in the open field——

Mr. BORAH. I am glad the Senator is candid.

Mr. SMITH of South Carolina. I was trying to state that the matter now before us is, Shall we adopt your resolution when the American processes have been satisfactory?

Mr. BORAH. American processes have not been satisfactory, or the President would not have declared against them.

Mr. SMITH of South Carolina. There may be a difference of opinion on that point.

Mr. BORAH. There are differences of opinion on the other side of the Chamber up to a certain time. I now yield to the Senator from Illinois.

Mr. LEWIS. Mr. President, will the Senator from Idaho allow me to test the meaning of his position? The Senator from Idaho, if I understand him accurately, will have the proceedings touching a treaty made public before the treaty has been agreed upon?

Mr. BORAH. That is the position of the Senator from Idaho.

Mr. LEWIS. On the theory that the public should know what the matters were before conclusion by the public representatives has been reached?

Mr. BORAH. Precisely. That is the position of the Senator from Idaho.

Mr. LEWIS. Now, we will take the propositions suggested by the foreign governments, which are not arrived at, which may not be accepted by the Senate, which may not be agreed to by the Senate, which may not find their way in the treaty. Will the Senator also urge that those propositions should be made public and held up before the public and the people, without regard to the effect such may have on those involved, notwithstanding the fact that they may never be accepted?

I will take a concrete case we have known from public expression that which I think I can illustrate what I mean by this comparison: It is publicly stated that there is an effort being made to have the United States enter into some understanding by which the troops of our own Government or the troops of the Governments of our military allies can enter Siberia. Let me illustrate. Suppose to-morrow morning a proposition were really made by Japan to the United States concerning the entry into Siberia, and let me assume to the able Senator that at the same time a proposition of similar import will be made by Great Britain, one of the allies of Japan. It may have been a thing that we could not accept—one we could not cooperate with. Does my able friend from Idaho urge that those propositions should be made public, producing all the effect it might upon the public mind as well as information to the enemy of the object of the propositions themselves, without regard to whether we should accept or whether we did accept them, and which we might reject?

Mr. BORAH. Of course, a mere suggestion of that nature which might not result in any obligation upon the part of the Government, it might not be important enough to make public, but I can not see any possible objection to making it public. Suppose it was not accepted, what possible disadvantage can flow from the fact that it was not accepted?

Suppose, we will say, that they finally ripen into acceptance; then the Senator from Idaho contends that they should be made public from the beginning, because it puts a binding obligation upon the people. In other words, the President may enter into an obligation, an alliance, with some nation to send troops to Siberia, ought not the people who are going to be sent as soldiers to be informed as the matter proceeds to a binding obligation? Is it not fair and just that they shall know for what they are called upon to fight and to die?

Mr. LEWIS. I answer the Senator by this suggestion now that we are at war: Would not the Senator's proposition be tantamount to letting the enemy know the propositions of the allies with the United States, the intention, the object, and the movements, notwithstanding the same might not be accepted; and even if it were accepted, would not the proposition of the Senator mean that all the world must be informed and the information given to the enemy before we acted upon it and would allow steps to intercept the success of the propositions?

Mr. BORAH. There has never been a movement on the part of the United States in this war that the enemy were not thoroughly informed of it generally long before the American public. We could not send any Japanese troops to Siberia, we could not make any move there as the result of that suggestion, without the enemy knowing it. On the other hand, suppose we make it a suggestion to send troops to Siberia and they are not sent, and the enemy know that, what advantage is it to the enemy?

Mr. LEWIS. The Senator has reversed the proposition. Supposing the proposition were made by Japan to us or made by Japan's ally, Britain, to us and carried with it such a movement, which, if modified, might be acceptable to us, would not that betray to the enemy the deal before we had accepted it and before we had anything to do with the subject and possibly serve to defeat its purpose or success? Would we not also awaken in the public mind a form of resentment or insistence upon a matter which we had not ourselves accepted and which we had not up to that point wholly investigated? Would we not embarrass the situation by betraying to the public the mere proposition for their acceptance?

Mr. BRANDEGEE. Mr. President——

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Idaho yield to the Senator from Connecticut?

Mr. BORAH. I yield.

Mr. BRANDEGEE. If I may be permitted, I should like to suggest to the Senator from Illinois the supposition that he submits is not at all one of a diplomatic nature. We are to all intents and purposes allies—France, Great Britain, Japan, and the United States. The fact that one commander in chief of an army of one of these nations cooperates with another and desires to advise with it about the cooperation of those armies presents no diplomatic feature at all and is neither a case of open or secret diplomacy. It is a question of the movement of troops in the field in time of war by allies and has nothing to do with diplomacy.

Mr. LEWIS. If the Senator from Idaho will allow me, the Senator from Connecticut assumes a state of circumstances where troops could be sent without regard to any consideration of contract or exchange of papers. Let me offer to the Senator from Connecticut a suggestion. The public press some time ago informed us that Japan was sending certain ships to the service of one country in turn of that country yielding steel and the privileges of steel to Japan. That must have resulted from some compact, some form of arrangement. Let me suggest to the Senator from Connecticut that if Japan instead of sending troops as a mere fighting agent into Siberia assumed to render aid in consideration for the United States doing this or that, surely the Senator would recognize that that would take the form of some compact, and as such would have first to be stated in terms before it could be accepted, would the Senator from Connecticut intimate that that should first be made public?

Mr. BRANDEGEE. Not at all, Mr. President. I do not think any war movement or orders or plans should be made public. I merely wish to say that that has nothing to do with diplomacy, either open or secret. If the war council of the allies decide that it would be of advantage to our cause to have Japan enter Siberia, but did not want to do it until they knew we would not object to it, and if they sent a cable to the President, the Commander in Chief of this country, to know whether he has any objection to it or not, and he says, "No; I have not," I do not consider that a treaty has been made or any diplomatic relation held between the two countries. It is simply the commander in chief of the forces of the different allied nations deciding upon a military policy which is neither the making of a treaty nor the making of diplomatic relations.

Mr. LEWIS. Let me ask the Senator——

Mr. BRANDEGEE. I answered the Senator's question when I began. I said I would not make such plans public.

Mr. LEWIS. What I wanted to urge upon the Senator from Idaho and the Senator from Connecticut is this point: If any

suggestions were made of freedom of citizenship to Japanese, freedom of immigration to Japanese or exchange of our products, say steel for example, would the Senator recognize that as being the form of a treaty and the part of diplomacy?

Mr. BRANDEGEE. Certainly.

Mr. BORAH. I would be in favor of making it public.

Mr. LEWIS. Then the Senator would have the negotiations made public whether accepted or rejected?

Mr. BORAH. Absolutely, if it was not a war movement; if it belonged to diplomacy; yes.

Mr. LEWIS. And have it exposed and likewise make public the negotiations, whether they were additions or whether they were suggestions?

Mr. BORAH. Yes, Mr. President; I would have the transaction from the beginning to the end open.

Mr. LEWIS. The statements, whatever they were, to be open if they were rejected, equally as if they were accepted. If the Senator persists, would he not see that such publicity would militate against the object of all our foreign movements?

Mr. BORAH. As the Senator from Connecticut says, if it is a pure movement with reference to troops I would not regard it as a matter coming under anything I have been discussing with reference to diplomacy. But if it was for the purpose of bringing about a treaty relationship or an understanding with reference to citizenship, or anything of that kind, which would be binding upon the country, I would make it an open proposition from the beginning.

Mr. LEWIS. I catch the Senator's whole position, and I thank him for the courtesy of permitting me to interrupt him.

Mr. BORAH. Mr. President, I do not want to object to interruptions, but if I am permitted to proceed for 5 or 10 minutes' time I shall close my remarks.

Mr. President, we have wandered far afield. The subject to which I was referring when led to digress by reason of questions which have been presented was the subject upon which the Senator from Missouri [Mr. REED] lays much stress, and that is, that we should not commit ourselves to open diplomacy until all other nations accept the same proposition. Well, Mr. President, it is presumed that when open diplomacy is brought about, it will be acceded to by all the leading nations of the earth. That was undoubtedly the object and purpose of the President in his enunciation of his principles, and that, of course, is to be desired.

Mr. President, how shall we effectuate that change? How shall we bring about that result? As I said when interrupted, this discussion is going on in every nation of Europe. Indeed, I think it is safe to say that it is a subject of universal discussion among the people of Europe where the people are permitted to engage in the discussion of these subjects at all; and the propaganda is aided or hindered very largely by the action of the United States. We are a powerful factor in the proposition, and our position in regard to it will be considered as of moment by all the people who are interested in the proposition.

Mr. President, the President has declared his position in regard to this matter. If I am in error with regard to his position, nevertheless my view is the view which has been put upon his declaration, to wit, that there should be an open discussion of all diplomatic relations and that all diplomacy should proceed frankly in the open. I will now read another paragraph from Mr. Dickinson, from whom I was reading when interrupted:

> The existing situation in democratic countries is, on the face of it, preposterous. On questions of domestic policy in such countries the people are constantly consulted. An insurance bill, a shop-hours bill, an education bill, a land bill, are canvassed eagerly and passionately in Parliament and the country. The whole press is set in motion, public meetings are held, deputations are arranged, ministries rise and fall. But where hundreds of millions of money and hundreds of thousands of lives are concerned, where the very existence of the country is at stake, where the decision to be taken involves not an extra tax or a tentative experiment in social legislation easily to be recalled or modified if it does not succeed, but the immediate summoning of the whole manhood of the country to kill and be killed in ways of unimaginable horror, when, in short, that very thing to the fostering and development of which every act of man private and public, is rightly and exclusively directed, when life itself is to be destroyed wholesale, that decision, the most terrible any nation can be called upon to take, is precipitated by the fiat of half a dozen men working in the dark, without discussion, without criticism, without a "by your leave" or "with your leave"; and those who are to sacrifice in pursuance of it everything which hitherto they have created and cherished have no other choice than to accept the decision and pay the intolerable price. Surely only a god should have such power over men! And we give it to an Emperor or a Secretary of State.

There is no doubt about what Mr. Dickinson understands by "open diplomacy." He means a discussion in public before those who are bound by it, before those who are to sacrifice in case the sacrifice comes, before those who are to pay the taxes and to meet the burdens; and that is precisely what the President said. He said in plain effect that those things which have to do with the life, with the existence of the Nation, should receive the same public consideration and the same public view as those things of less moment, dealing with tariffs and with social and domestic affairs of the country. It is not necessary that we shall follow the President, but there ought not to be any doubt as to what he said. He said precisely what these other men meant who have been discussing the subject for the last 8 or 10 years, that a treaty should have the same open, public consideration as all other questions.

Mr. BRANDEGEE. Mr. President, I did not understand from what the Senator from Idaho was reading. Will he be kind enough to inform me?

Mr. BORAH. I was reading from Mr. G. Lowes Dickinson, the English author.

Mr. TOWNSEND. Mr. President, a moment ago the Senator from Idaho referred to the argument of the Senator from Missouri [Mr. REED], to the effect that, inasmuch as foreign nations had kept their matters of diplomacy secret, we ought to do the same thing. I thought when the Senator from Missouri made that statement it would be a proper suggestion to make that, if that be the proper doctrine, we ought to follow those nations even more closely than that and adopt their policy of keeping all their treaties absolutely secret, not only while they are making them but after they are made.

Mr. BORAH. Precisely. I thank the Senator from Michigan for the suggestion. I will read a further paragraph from Mr. Dickinson:

> It seems to be thought by many that there is something about foreign policy peculiarly difficult to understand; that it is a thing of mysteries and special faculties; so that, although the methods of representative government may be trusted to conduct us safely through all the intricacies of our home affairs, though the people roughly and in the last resort are fit to decide about free trade and tariff reform, contributory or noncontributory insurance, the nearer or remoter effects of this or that method of taxation, and all the innumerable questions difficult even to experts that are raised by almost any of the legislative measures adopted year by year in progressive countries; yet the same people are specially and peculiarly unfit to judge about international relations.
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> Take the case of Morocco. Essentially what was it? The French wanted to annex Morocco. The Germans were opposed to this, mainly because they were interested in the trade and resources of the country. The British were willing to consent to a French annexation so long as the strip of coast opposite Gibraltar did not fall into the hands of the French or of any strong power. Nothing can be simpler than all this. It is not an intellectual problem at all. It is a contention for power and influence. Compare it, for difficulty of an intellectual kind, with the question of the ultimate effects on employment, wages, and prices of a protective tariff. Yet it never occurs to anyone to withdraw this latter question from the ultimate control of the people. Take again the Balkan question. It is, of course, intricate. It requires for its solution knowledge of a number of facts about races, boundaries, and the like. But so far as questions of general policy are concerned—questions that alone could be laid before a parliament—the matter is simplicity itself. Is Austria to eat up those peoples? Is Russia to eat them up? Or are they to eat up one another? Or is such an arrangement to be promoted as will separate out the nationalities, so far as may be practicable, and permit them each to develop freely in their own way?
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> It is true that upon foreign policy issues of life and death hang more immediately and perilously than upon domestic. It is true that parliaments and peoples can not be trusted to decide this infallibly right judgment. But that is true also of statesmen and diplomats. There is nothing special about foreign policy which makes democratic principles less applicable there than in other departments of national life. Broadly, almost every question of foreign policy is one of power, or of the prestige which is a guaranty of power. And it is precisely on these questions of power that the people ought to pronounce, since it is their blood that has to purchase or maintain the power. What bearing has this "power" on the good life of men, our own or that of others for whom we may be rightly responsible? There is the most general problem of foreign policy, put as it ought to be put. How the people would answer it I do not take upon myself to say. I think they would answer it not as the diplomats have done. But, in any case, it is for them to answer it. If it is for them to answer anything at all. I doubt whether anyone will deny this who at all accepts democracy.
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> This does not imply the dispensing with training and knowledge. It implies the putting of that training and knowledge at the disposal of the nation for its instruction, and the acceptance of the verdict of the nation thus instructed. We, in England, require a Salisbury, a Lansdowne, a Grey. Americans require a Root or a Lansing. But in a democracy these men are required, not to direct a passive nation but to take it into their confidence and then leave to it the decision. Now it is clear that, in Europe at any rate, the people have no control over foreign policy, even in countries otherwise democratic. This war certainly was sprung upon the British Nation. True, after it had been so sprung the nation indorsed it. But it was in the years preceding that the control ought to have been exercised. How the control would have operated must be matter of conjecture. But it is clear that, from a democratic point of view, the nation ought to have known what policy was being pursued and what the risks were. It could then have decided whether it would pursue a policy that might land it at any moment in a European war (in which case, presumably, it would have made the requisite preparations), or whether it would alter the whole direction of its policy, by proceeding, for example, on the lines indicated by Sir Edward Grey in his often-quoted dispatch. Or if it should have become evident, in attempting that change, that Germany was bent upon war, it would have been all the better that the fact should be known and the requisite measures taken. The result of not taking the nation into the confidence of the Government was about as bad as anything could be—a policy drifting into war without making any adequate preparations for war.

In 1905, Mr. President, we had an illustration of the treaty-making power behind closed doors of a transaction being carried on in secret, to which I want to call attention very briefly, and then I shall close. I shall read from a book entitled "The Eclipse of Russia," by Dr. E. J. Dillon. In chapter 16 of this book he says:

> Of all the extravagant and, one might add, irrational acts of the weak-willed sovereign who at last gave the death-blow to the Tsarist State the secret treaty, consisting of four brief clauses, which he concluded with Kaiser Wilhelm at Bjorke in July, 1905, occupies a foremost place. Politically it was a deed of surrender to the only formidable rival of his Empire, a covenant which crowned the suicidal process he had already inaugurated when he ordered Witte to accept Germany's proposals for a commercial treaty.

Then in chapter 18 he says:

> Witte told me, as follows, the story of how he learned of the existence of the secret treaty and the means he devised for the purpose of invalidating it: "I did not know, neither did I suspect, that the two monarchs had been treaty making during my sojourn at Portsmouth. It is true that the Kaiser had made an allusion to something they had done, but he did not give me to understand that it was an alliance or any compact of international moment. The exact words he employed as they now come back to me were these: 'I have a pleasant surprise for you. We—I mean your Tsar and I—have taken measures to realize this ideal of ours. If you are again put in charge of the Government machine, are you prepared to lend us a helping hand toward making it a practical instrument of international politics?' 'Certainly I am,' I replied. 'Good, very good,' he answered, 'I am delighted.'"

Now, here is the treaty to which Count Witte referred, which they had made in secret:

> Their Imperial Majesties, the Emperor of all the Russias and the Emperor of Germany, with the object of maintaining peace in Europe, have agreed on the following points of a defensive alliance:
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> 1. If any European State attacks one of the two empires the allied party will employ all its naval and military forces to assist its ally.
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> 2. The high contracting parties undertake not to conclude a separate peace with any common adversary.
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> 3. The present treaty will come into force at the moment when peace is concluded between Russia and Japan. A year's notice must be given to terminate it.
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> 4. As soon as this treaty comes into force Russia will take the necessary steps to make France acquainted with it and will suggest to France that she should participate in it as an ally.

Commenting upon this treaty, Count Witte says:

> In the meanwhile I made inquiries as to what had gone before the actual drafting and signing of the document. I like to have a clear and complete picture of such historic events in my mind's eye. I talked to several persons who, I thought, might throw some light on the subject, and gradually I pieced their accounts together and reconstituted the scene. What I suspected was confirmed; that there had been a long correspondence by messengers and by telegraph between the two monarchs, and that their meeting had been settled in that way with the utmost secrecy. Nobody was told of it, not even I, who had seen and talked at considerable length with the Czar before my departure for America, and who ought to have been primed with information about such matters. He never breathed a word of what he was meditating.
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> When the two monarchs met and decided to sign the treaty, the Kaiser desired to have it countersigned. The Czar, who wanted to crown his secret negotiations in a conspirative way, did not see the object of this caution and said so. But Wilhelm with his business instincts insisted—"for the sake of the form," he pleaded. Nicholas II was put out by this because he disliked confiding state affairs of this nature to anyone. He is possessed by a mania for secrecy. But he allowed himself to be overruled by his confederate.

Then he called up the admiral, and the admiral witnessed the treaty, as Kaiser Wilhelm insisted.

Mr. President, it is that manner and method of carrying on international business in Europe against which the whole world is now practically arrayed. No one here undertakes to defend, as of course no one will defend, that method of making a treaty at this time. That was a treaty between the ruling monarchs of two nations. They met in secret and "arrived at" a covenant by which they undertook to map out a course which might involve the lives of millions.

The question is whether we will as a Nation throw our entire moral influence against that system which prevails in Europe? It can not be said that the system which prevails in Europe is no longer of any concern to us, because the system which has prevailed and does prevail in Europe is the cause of our being in this conflict. If we are going to break down the system in Europe, we can only do so by declaring our fullest faith and our fullest confidence in open diplomacy; and that includes not only the negotiations but the action upon the part of the Senate in closing or ratifying treaties.

There may be some inconvenience, as I said the other day, and some minor evils flowing from open diplomacy; there may at times questions arise about which it would be better to have secrecy upon the part of the governments negotiating; open diplomacy is not entirely free from that criticism; but when you weigh the evils of secret diplomacy against the possible evils of open diplomacy, upon which side of the question will the United States take its stand? Will it fail to throw its influence against the system as a whole to break it down, if it is possible for it to be broken down in Europe, for the sake of preserving some of the minor benefits of secret diplomacy, or will it cast its entire influence against the system in order that it may disappear as a practice among the nations of the earth in any shape, form, or manner whatsoever?

I can conceive of nothing, Mr. President, more calculated to insure the permanent peace of the world than an open, candid discussion of the relationship between the nations of the earth; and I believe, as the President has said, that it is the prerequisite to permanent peace. I believe that we must take into consideration and into our confidence those upon whom the burden of war falls; that, if we are to have contentment among the people and satisfaction with the relationships between the different nations of the earth, the people must understand fully and completely the negotiations between them and the relationships as they exist. I do not think that the people will ever again be satisfied with any arrangement whatever of which they have not full knowledge, because they know that this war is a diplomatic war—a war which now involves practically the entire civilized world. Had it not been for secret machinations, which are covered and protected by this infamous system of secret diplomacy, it could and would have been avoided.

What possible evil arising from open diplomacy can be compared with the evil which we know flows from secret diplomacy? What possible disadvantage can arise to the people to be compared for a single moment with the crime with which we are now dealing? We can not for a moment hesitate to choose our position when we realize the tremendous disadvantage, whatever the minor advantages may be, of secret diplomacy.

So I say, Mr. President, in harmony with the declaration of the President for open diplomacy, that the Senate of the United States, as a part of the treaty-making power, where the fruits of diplomacy are gathered up and crystallized into a contract, should declare before the people of the world that we, too, are willing to risk our cause in the future with open negotiations.

The Senator from Missouri says wait until the other nations consent; but when will they consent if we do not hammer away at public opinion and arouse the masses of Europe and stir the people to assert their power and bring autocracy under control? If this great Republic is unwilling to take the lead, who will take the lead in this contest? Shall we wait until the Kaiser is satisfied? Shall we wait until the Hapsburgs are willing to give up their secret arrangements, or shall we ourselves take the lead in the effort to break down the system in so far as it is within our power to do so?

Mr. BRANDEGEE. Mr. President, we are considering a proposed change in the rules of the Senate, which heretofore, since the foundation of the Government, has had the right and privilege of discussing matters before it at such length as Senators thought would do justice to their views. It has been said, and truly said, in my opinion, that very little harm has ever come to the public by free and unlimited debate in the Senate, and I think all will agree that on many occasions many measures admittedly bad, as soon as time had been afforded for sober second thought, have been defeated.

The curious situation that we now confront is that to a resolution proposing a new rule designed to limit a Senator to a single speech of limited length upon any bill and also to 20 minutes upon any amendment that may hereafter be proposed to any bill, the Senator from Idaho is attempting to attach an amendment of world-wide scope relating to an entirely different matter, to wit, what he calls "open diplomacy" as against secret diplomacy.

If the proposed rule which we are now debating were in operation the Senator from Idaho, who has required, and justly and properly so, I think, in the aggregate, not less perhaps than four or five hours to present his views to the Senate upon his amendment, would have been limited to 20 minutes to explain how this world-wide change in the diplomatic affairs of the various nations of the world may be brought about. Can any Senator conscientiously claim that he thinks that the members of that portion of the treaty-making power of the United States represented by this body should be confined to 20 minutes apiece in the discussion of such an amendment as that offered by the Senator from Idaho? The Senator from Idaho could not have read the extracts from the three authorities quoted by him this afternoon in 20 minutes.

Nobody can tell what may come into the mind of any Senator in the way of proposing an amendment upon an utterly ungermane subject; nobody can tell how important an amendment may be. I will venture to say, that since the Senator from Alabama [Mr. UNDERWOOD] presented his resolution designed to limit debate in the Senate three-quarters of the time occupied in debate has been upon the proposed amendment of the Senator from Idaho, which has not yet been acted upon. If a practical illustration of the value of gagging the Senate were needed, I think that in the mere process of trying to

apply the gag the trouble to be apprehended is perfectly apparent.

Mr. President, if I may be allowed to say so, I regard some of the references in the speech of the Senator from Idaho as misapplied, for I do not regard the proceedings of this body and a debate which may result in the ratification of a proposed treaty as a diplomatic matter. I do not think it presents either a case of open diplomacy or of secret diplomacy. It is a legislative act by a legislative body, and the processes result in a resolution of ratification. Whether the debate is conducted behind closed doors or with filled galleries and with newspaper reporters present does not change the nature of the act, and does not transfer it from the region of legislative business to that of executive diplomatic business.

I think the Senator from Idaho would admit, and I believe it is apparent to most Senators, that whatever damage has been done by the methods by which European and Asiatic powers have concluded treaties among themselves, the methods of the United States have been pretty fairly open and aboveboard. Our treaties are all made public; they are accessible in the public libraries to every citizen of this country who can read. Nobody in the land is deceived about our international obligations. Now, how will it conduce to "open diplomacy" in Europe or in Asia that the United States Senate, after a treaty has been concluded by the executive branch of the Government, shall debate it in open session instead of behind closed doors? Whether we shall pursue the course that we have pursued for 130 years, since the founding of this Government, and which many of the framers of the Constitution themselves instituted here when they sat in the Senate, or whether we shall adopt the procedure suggested by the Senator from Idaho, I think he exaggerates the effect that our action upon this amendment this afternoon, or whenever we shall vote upon it, will have upon foreign powers as to the methods they should employ in negotiating treaties with each other.

I do not say at all that the complaint made by certain gentlemen, speaking in the House of Commons, which was cited by the Senator from Idaho the other day, does not meet with my sympathy. It seems to me that it would be better if Great Britain should submit its treaties to the legislative branch of its Government and have them ratified instead of to its Privy Council; but I do not regard that as my business in particular or as coming within the jurisdiction of the Senate of the United States. I think that the less each nation attempts to meddle with the business of other sovereignties the more friends it will have in the world, and the more time it will have to look after its own business affairs.

Mr. President, some people say that if you pursue the methods that were pursued by the fathers in the ratification of treaties in this body, thereby you distrust the people. I do not think that conclusion is justly drawn from the premises. I do not think the Senate established the rule that treaties shou'd be considered behind closed doors, because they distrusted the people of this country, their own constituents. I think they did it because they thought it would do more damage than good to discuss the relations of foreign sovereignties to each other in the open and in the newspapers of this country; to have Senators of the United States stand here in the open, and members of the Foreign Relations Committee, with whatever knowledge they may be permitted to have with regard to our foreign relations, and talk about the alliances that European powers were liable to make with each other, and to attribute to this power and that power certain intentions, and to express their prejudices or their fears of this nation or that nation, and to drag all the laundry of Europe, with its rivalries and hostilities and jealousies, up and down, and parade it in the open here on the floor, the open forum of the United States Senate. I think that is the reason why they established the rule, that it would be much better if the Senators debated the matter of the ratification of the treaty among themselves, behind closed doors, and, if they ratified it, then it should be immediately made public. As has been said, if the treaty does not meet with popular approval there is a method provided for its denunciation and its repeal.

Mr. President, whatever anybody may think about the virtues of debating treaties here in open session, I am quite clear in my own mind, at least, that it would have absolutely no effect upon the processes employed by foreign sovereignties in negotiating among themselves. The Senator from Idaho talks about all the nations of the world coming together and having a free and frank talk about all these matters. Mr. President, in view of the hatreds that have been stirred up by this war, I do not think the nations of the world are going to come together and frankly and freely disclose to each other all their innermost ambitions and plans, even in the making of a treaty of peace; and if the permanence of a treaty of peace is to rest upon the assumption that they will do so, then I say you will not have any such permanence at all. Nations are very much like individuals, and they will all spar for their own advantage. They will not and can not lay all their cards upon the table in a public negotiation, and announce in advance what each one is going to try to get from the other in exchange for what it is willing to give.

So that I think the Senator from Idaho is—not to speak offensively at all—chasing a will-o'-the-wisp. I think he is looking forward to a state of affairs which would be almost like the millennium upon earth here, and he thinks the advent of that delectable period is to be hastened by some rule that the Senate may adopt here this afternoon. Although I have as high respect for the dignity and power of the Senate as almost any Senator, I think he exaggerates the effect that will attach to the adoption of this Senate rule along the lines that he hopes for.

Speaking about the dignity and power of the Senate, I agree in great measure with the sentiments expressed yesterday afternoon by the Senator from Michigan [Mr. SMITH]. We are very fond of talk here about attempted Executive encroachments. Perhaps there are such, and I think there have been attempts at such in the past, and I think they are happening at not long intervals in the present, too; but I think that is something that perhaps we can not prevent—the attempted invasion of legislative authority. But we can decline to be accessories to it, Mr. President, and I am in favor of preserving all the power that the Senate of the United States has. I think it will be needed in the future.

Mr. President, it grieves me to state that I think in large measure the Democratic Party, which has pretended to stand for liberty and free speech and personal liberty, and opposed to sumptuary legislation, is now engaged in an attempt to tear down all the historic precedents and beliefs of its own party. Instead of being opposed to sumptuary legislation, it not only is in favor of sumptuary legislation but it proposes to imbed it in the Constitution of the United States.

The New York World of June 7, 1918, has the following statement to make upon this subject. In an editorial entitled "Wiping out the States," it says:

> If any old-fashioned Democrats remain they must read with uneasiness the message sent by President Wilson to a member of the Louisiana Senate urging the legislature of that State to establish woman suffrage.
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> This is a State measure with which the President has nothing to do, but it will be recalled that last January he recommended favorable action by Congress upon the proposed constitutional amendment, with which also in his official capacity he has nothing to do. Although the House of Representatives has given the amendment the necessary two-third majority, the supporters of the project in the Senate have not yet been sure enough of their ground to risk a vote in that body. The Louisiana telegram may have been intended in a roundabout way to influence the decision of the United States Senate or the representatives of that State in the Senate. If not, it must be accepted as a startling interference by the Chief Magistrate in a matter always held by Democrats to be within the sovereign powers of the States.
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> In the process for amending the Federal Constitution no account is taken of the President. His approval is not necessary at any stage of the proceedings and he has no power of veto. Since the makers of the Constitution were extremely careful to leave national amendments wholly in the hands of Congress and the State legislatures, it must be admitted that presidential recommendations for or against State amendments are as questionable in point of taste as unwarranted in law.
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> Surprise in this instance, however, results not so much from what has been done as from the fact that the innovation must be attributed to the most illustrious Democrat of our times. A prohibition amendment submitted by a democratic Congress and certain if adopted to make local self-government only a memory and cripple the police powers of the States is already before the various legislatures for approval. Woman suffrage by national amendment will deprive the States of control of the ballot, denied only once, in the case of the negro, and then disastrously. With a few more movements of this kind, State lines must disappear except as they may represent Provinces goaded and guided by an all-powerful centralism at Washington.
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> The tremendous demands that war is making upon the hearts and minds of the people are likely to confuse judgment as to the momentous political revolutions now going on almost unnoticed, but it is not difficult to see what they mean to the people and what they mean to the Democratic Party. The changes in our form of government are to be radical and permanent. The party which for more than a century has resisted these changes, usually with success, now, under one of the greatest of its leaders, submits to them and, some will say, encourages them.
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> Even though the historic Democratic Party may thus decree its own death, democracy is unconquerable. Under other names and other banners it will endure, but in the new alignment many a so-called Democrat who has lost faith in the basic principle of his party is bound to perish.

Mr. President, this editorial states that under other names and other banners the Democratic Party will endure. I think the writer is mistaken in that. It will endure under the same name, but the principles for which the Democratic Party formerly stood have been cast to the four winds of earth. They who prided themselves upon the right of their States to govern themselves and their home affairs in their own localities now rejoice to welcome the arm of the Federal Government into all their intimate affairs at home. They tear down carelessly the guaranties of the Constitution as to the rights of the States.

Mr. President, what has produced this tremendous change? It comes largely from the top. If the leader of the Democratic Party in this country were a real Democrat, you would not find the Democratic Members of this body voting for such legislation as they take pleasure in voting for at this session of Congress. The trouble is the bugle is playing the wrong tune; and while there will survive and there may be swept together the remnants of the historic Democratic Party after this war is over, and it may survive under the name of democracy, it will practice the preachments of the international socialists, Mr. President; and that is the desire of a large percentage of that party, without changing the name of the party, to replace the principles of Thomas Jefferson by the principles of Mr. Lenine and Mr. Trotzsky.

The Lord only knows whither they are drifting. Their anchors have dragged and they are dragging. They are tossing about in a sea of uncertainty. Their landmarks have disappeared; and all they hope is that by the parrot cry of "Stand by the President," right or wrong, irrespective of every other consideration, there will be enough survivors hanging on to the life preserver so that they can return to their seats next November. Meantime, what a price to have paid for what little political success they may achieve along those lines!

Mr. President, I suggest the absence of a quorum, because the Senator from Massachusetts [Mr. LODGE] is very anxious to place some matters in the RECORD before we adjourn.

Mr. SMITH of Arizona. Mr. President, before the Senator does that——

Mr. BRANDEGEE. I withhold the suggestion for a moment.

Mr. SMITH of Arizona. I should like to make a few observations on this matter, and I do not wish to have a quorum called for that purpose.

Mr. BRANDEGEE. If I can do so, and still have the suggestion stand at the conclusion of the Senator's remarks, I withdraw it at this time.

Mr. SMITH of Arizona. I am entirely willing that a quorum shall be had before the Senator from Massachusetts proceeds.

Mr. President, I am opposed to the amendment of the Senator from Idaho. In all he has said—and, as his custom is, said so well and forcefully—he has not once shown, nor can he or any man show, that it is possible under our form of government for us to practice what is known as secret diplomacy.

Applying "secret diplomacy, as that phrase was used by the President in his address, which the Senator from Idaho has taken as his text, it becomes nothing more nor less than a contradiction of terms. You had as well talk of a square circle or a level plain with hills on it.

Under present conditions the Senate can decide by majority vote whether a treaty shall be considered and decided in secret session or in open session. The Senator from Idaho insists, however, that unless two-thirds of the Senate vote to go into executive session, all treaties shall be considered and decided in open session. Why two-thirds instead of a majority of this membership should decide this question, the Senator in his long effort has not satisfactorily revealed? Is there not involved in this innovation on the rule of the majority a suggestion of egotism, in that two-thirds of this body has less sense and patriotism than the one-third who might oppose?

The Senate can decide whether open or secret consideration of a treaty should be had at the time the particular treaty appears before us for our action.

Mr. BRANDEGEE. I withdraw my suggestion of the absence of a quorum.

Mr. LODGE. Mr. President, when I spoke yesterday on this matter I was very much pressed for time, as I was obliged to go to a conference. There were one or two matters which I desired to put into the RECORD in connection with what I said which I think will be of interest.

Through the kindness of Mr. Griffin, the Chief Assistant Librarian of the Library of Congress, my attention has been called to an article which appeared in a London magazine by Sir Frederick Pollock, a lawyer of very great distinction, both as a barrister and as a writer. It is a little statement about the Foreign Office and the House of Commons. I have found a good deal of confusion as to the precise attitude of the English Parliament toward a treaty, and as to the English method of dealing with treaties. I will not ask to have it read, and I will not take the time to read it; but I should be glad if permission could be given to have it printed with what I am now saying.

The PRESIDING OFFICER. There being no objection, such will be the order.

The matter referred to is as follows:

THE FOREIGN OFFICE AND THE HOUSE OF COMMONS.

In considering the relations between the foreign office and Parliament three points of view must be distinguished: That of strict legality, that of constitutional usage, and that of parliamentary practice not reducible to rule. Under the first head there is no difference between the foreign office and any other department of which a secretary of state is the chief. Under the second there is a difference, though here, as in all other matters of the same kind, exact definition is hardly attainable. Under the third there are peculiar features of some importance, depending not on the formal constitution of the department but on the nature of the business it has to do.

We have to bear in mind throughout that in our modern constitution there are two quite different kinds of executive power. First, there is the King's old undefined authority, so far as it has not been abrogated or limited by statutes or tacitly abandoned by long disuse; this, it is hardly needful to state, has long been exercised by ministers answerable to Parliament. Then there is the long and still increasing list of special powers conferred by Parliament on the King in council, on secretaries of state, and on many other executive officers and administrative bodies for purposes of both central and local government. In the foreign office, and I think there alone, the main part of the driving power is supplied by the ancient common-law prerogative—the mechanism of orders in council by which the foreign jurisdiction of the Crown is worked is a very special matter, which we have not to consider here. In some departments, as in the home office, we find a mixture of the two methods with statutory powers predominating. Departments of recent parliamentary creation like the local government board derive their authority wholly from the statutes which establish them. In every case, however, all acts of State are subject, irrespective of their formal character, to parliamentary criticism and control, enforced, in the last resort, by the legal right of the House of Commons to refuse supplies, but more commonly and effectually by its constitutional power of dismissing a government in which it has ceased to have confidence.

The secretary of state for foreign affairs is in exactly the same position, in point of law, as the other secretaries of state. Any one of them can perform the duties of any other, and this power is often found convenient for the transaction of minor departmental business, for all the secretaries of state can not always be at their posts. The secretaries of state "are all appointed, as the single secretary of state formerly was, by mere delivery to them of the seals of office, each being capable in point of law of performing the duties of all the departments." So it was declared in 1855 by the judgment of the Court of Queen's Bench in Harrison v. Bush (5 E. & B., p. 352); which further points out that transfer to another secretary of state's department is therefore not such acceptance of a new office of profit under the Crown as vacates a seat in the House of Commons. (See for a further account, Anson, "The Law and Custom of the Constitution," vol. 2, pt. 1, 163–168.) Technically there are not several offices, but joint holders of one office, and the distribution of work among them (except where affected by special statutory provisions) is only matter of administrative arrangement. Moreover, there is no difference in legal quality between one executive act and another, however widely the degrees of their importance may differ. Declaration of war upon a great power, conclusion of an extradition treaty with a Central American State, appointment of a vice consul, are all the King's acts within his lawful authority, performed by the secretary of state as his servant; and courts of justice knew nothing more about them, nor in particular what the House of Commons may have to say to any of them or the possible political consequences. We may, therefore, dismiss the strictly legal aspect as not relevant to our question.

In the matter of constitutional usage the King's relation to his ministers is the main point. He is bound to follow their considered advice, but he is entitled to have full information of all important proceedings, and to discuss ministerial proposals in the light of that information. The Sovereign's right is the same in all departments, but with regard to the foreign office its exercise is of peculiar importance by reason of the King's special facilities for semiofficial communication with foreign princes and rulers and their envoys personally accredited to him. Such communications are made with the knowledge of the prime minister, the foreign secretary, or both. Thus the Sovereign has in this department a considerable field for using legitimate influence and giving personal assistance to his ministers; but they alone are answerable in Parliament for whatever action is finally taken, and the rule that the Sovereign's name must not be introduced in parliamentary discussion is no less applicable here than in all other affairs of state. In particular, the King sees all important outgoing dispatches; Queen Victoria was very firm on this point, and rightly (Anson, op. cit. 43, 44).

The residual executive power of the Crown—that is, in modern practice of the cabinet—is greater in foreign affairs than in any other branch of government. Even the cession of British territory is still formally within the prerogative. In 1890 Parliament was consulted by the Unionist Government of the day when Heligoland was ceded to Germany; Mr. Gladstone protested that this was an innovation, but it seems likely that the precedent will hold in future. (For details see Anson, op. cit., pt 2, 106–107.) War and peace, the making of treaties, participation in international conferences, and ratification of the resulting conventions, the constitution and administration of the diplomatic service, are all in the executive department; there is no coordinate authority resembling that of the Senate in the United States. Treaties are executed in the King's name under the great seal, and when the negotiations have been carried on by a dominion government (now a recognized practice in matters of commercial relations between some of the dominions and foreign countries) this makes no difference to the form. All is ultimately subject, of course, to parliamentary criticism and censure; but there is no custom or understanding that Parliament shall be consulted beforehand in any class of foreign affairs. It is to be observed that down to the end of the nineteenth century it was the tradition of British foreign policy not to enter into any definite alliance in time of peace, and therefore no need was felt for any special safeguard in that direction. Obviously no prudent ministry would venture on any new departure in foreign policy without being, in one way or another, assured of its ground. Certainly it may be said, and I think with too much truth, that attention to these matters in the House of Commons has been neither so continuous nor so competent as it ought to have been. That has nothing to do with the system. Ignorance and indifference in the House merely reflect the same state of mind in the constituencies. There has always been a group of well-informed members; in the last generation, for example, Lord Arthur Russell, Cartright, Kinglake, Grant Duff; but they have never been numerous or made much impression on the public. In the case of one man rather junior to these, Sir Charles Dilke, exceptional command of knowledge in this kind was joined with a large measure of general parliamentary ability and popular as well as expert statesmanship. I do not remember any other such case. The mass of electors know very little and care less about anything that does not visibly come home to them at their own doors; and it is not only the foreign office that for this reason lacks the tonic of rational criticism. Indian affairs are in no better plight, although the conditions are in some ways more favorable.

All things considered, the directors of British foreign policy for the last 20 or 30 years rather deserve commendation for their success in keeping in touch with public opinion so far as there can be said to be any public opinion. Right or wrong, the anti-Russian diplomacy of the nineteenth century was not unpopular; rightly, as almost all of us think, the entente policy of later years, and our cordial relations with the United States, have been popular.

As for the charges made against the foreign office in general terms of involving the nation in onerous engagements without the knowledge or consent of Parliament, I do not believe they have ever been verified in our time. The nearest approach to an example is the defensive treaty with Japan. Its conclusion, as was well known at the time or shortly afterwards, was a matter of urgency; there was no serious opposition when it was published, and the wisdom of making it has been abundantly justified by events.

Coming now to the relations between the foreign office and the House of Commons in current parliamentary usage, apart from any legal or constitutional question, we find that the lack of general intelligence and comprehension already noted has led to much time being wasted on petty curiosity and carping censure of details with small profitable results. The department is in a special manner exposed to captious questionings by the nature of the work it has to do. Our minister here and our envoys abroad are in constant communication with foreign Governments, and inevitably possessed to some extent of other people's secrets as well as our own; and to that extent reticence is a matter, not of policy but of obligation. It is easy to say there ought to be no secrets; but no man can say it advisedly and honestly who is acquainted at first hand with the conduct of any kind of important business, public or private. Is there any political association, shipping, or railway company, or any corporate body with interests beyond a narrow local radius, whose directors would consent to hold office on the terms of being bound to inform all their members, let alone the public at large, of the details of all their transactions at every stage? As a matter of fact, nothing gets done—hardly so much as a private marriage settlement or a contract for the sale of a few acres—without informal preliminary talk and correspondence, of which great part—as it is not, and is not meant to be, binding on either party—is not recorded. If foreign rulers had to be warned that whatever passes between their representatives and ours is liable to be called for in the House of Commons, and must be produced if demanded, the House would soon find that the amount of information at its disposal was very small indeed. Under any system of government the department of foreign affairs is unique in that it exists for the special purpose of communication and cooperation—and not only in political but in commercial and other strictly business matters—with independent powers over whom it has no control, and whose confidences it is bound to receive and respect as the first condition of obtaining any result at all.

I must not pursue this topic further, but of two things I am sure: One is that the cry for what is called democratic control of foreign policy is rooted in the wholly fallacious assumption that democratic States are uniformly or eminently pacific in their external relations; the other that, if those who demand it could have had their way during the last 20 or 30 years, we should more than once have been in imminent peril of war with at least one of our present allies.

There is yet another substantial reason for the position of the foreign office in face of the House of Commons being peculiar: The intimate connection of the foreign secretary's work with the prime minister's. The Government is responsible for all departmental action, but in a very special manner for that of the foreign office as being wholly executive and to a large extent discretionary. Therefore the prime minister, as the head and front of ministerial responsibility, has to be in constant and particularly close touch with the secretary of state for foreign affairs. Other departments performing administrative duties under statutory regulations can and do run of themselves for most of their ordinary purposes; not so the foreign office. In practice, under our normal scheme of cabinet government (for it is too soon to generalize from war conditions, nor is this the occasion to speculate on eventual permanent changes), the direction of foreign affairs is much more with the premier and the foreign secretary than with the cabinet as a whole. Here is an independent ground, and a good one, for parliamentary vigilance. But that vigilance can not be exercised to good effect without adequate information (I do not mean information of secret matters) and enlightened intelligence. Neither can we, on the whole, expect members of Parliament to be more instructed or interested in foreign or other affairs than their constituents require them to be. We come round, therefore, to the need for educating public opinion; to this end the press can do something, perhaps much; but the only sure way is to begin the process in our schools. Modern history must finally cease to be a secondary and dull examination subject ending with the Congress of Vienna. Here, again, however, temptation to digress must be resisted.

One immediate plan for the better instruction of the House of Commons, the formation of a standing committee on foreign affairs in which all parties should be represented, has able advocates. I have not such acquaintance with parliamentary procedure as would justify me in expressing any confident opinion of its working. But, in view of the promised reform of the House of Lords, I would humbly submit that it may be fit for consideration whether, if any such committee is desirable and practicable as an official institution, it might not be to the public advantage to make it a joint committee of both houses.

FREDERICK POLLOCK.

Mr. LODGE. I also desired yesterday, in speaking about the needlessness of this rule, to call attention to what the President said to Members of Congress at the adjournment of the first session, the war session of the Sixty-fifth Congress. He said:

The Sixty-fifth Congress, now adjourning, deserves the gratitude and appreciation of a people whose will and purpose I believe it has faithfully expressed. One can not examine the record of its action without being impressed by its completeness, its courage, and its full comprehension of a great task. The needs of the Army and the Navy have been met in a way that assures the effectiveness of American arms, and the war-making branch of the Government has been abundantly equipped with the powers that were necessary to make the action of the Nation effective.

I believe that it has also in equal degree, and as far as possible in the face of war, safeguarded the rights of the people and kept in mind the considerations of social justice so often obscured in the hasty readjustment of such a crisis.

It seems to me that the work of this remarkable session has not only been done thoroughly but that it has also been done with the utmost dispatch—

And yet we have this rule—

the utmost dispatch possible in the circumstances or consistent with a full consideration of the exceedingly critical matters dealt with. Best of all, it has left no doubt as to the spirit and determination of the country, but has affirmed them as loyally and as emphatically as our fine soldiers will affirm them on the firing line.

That is printed as a foreword to "The First Session of the War Congress," by Charles Merz, published by the Committee on Public Information; and the foreword which contains this extract from the President's remarks is signed by Mr. George Creel. Only that short time ago Congress received the approbation of the President for its rapid dispatch of business, and we have in addition the approval of Mr. George Creel. Surely, nothing more can be said to show the rapidity with which Congress has worked.

Mr. POMERENE. Mr. President——

Mr. LODGE. I yield to the Senator from Ohio.

Mr. POMERENE. Having in mind what the distinguished Senator from Massachusetts has said on another occasion, I am a little at a loss to know whether he is condemning George Creel or commending what he says.

Mr. LODGE. I read the quotation, and I will leave it to the Senator to judge in what manner I am speaking of Mr. George Creel.

He has made other remarks about Congress that were less favorable in character, when he referred to examining their hearts as going into the slums—a remark which I believe he subsequently withdrew. But in the presence of such witnesses as the President of the United States and Mr. Creel, it seems to me that the necessity of this rule is not sustained.

Mr. BORAH. Mr. President, does not the Senator from Massachusets think, however, that in view of the discussion this evening as to the meaning of the language which the President uses, we ought to have a construction of that language before we accept it?

Mr. LODGE. Well, that is possible, and I think perhaps it would be beneficial. I do not wish, however, to be understood as using consistency as an argument, for I know it never is, but merely to show how rapidly opinions sometimes change.

Mr. CUMMINS. Mr. President, in view of the last remark of the Senator from Massachusets, allow me to ask him a question. If the Senator from Massachusetts were in favor of the rule limiting debate, would he accept with equal conclusiveness the opinion of the President expressed against it?

Mr. LODGE. Against the rule?

Mr. CUMMINS. Against the limitation of debate.

Mr. LODGE. I was saying that the President sustained my view that it was needless; that is all.

Mr. CUMMINS. I assume that the Senator from Massachusetts is using the authority of the President—although I think it rather indirect—to sustain his views in opposition to the rule.

Mr. LODGE. Not my views in opposition to the rule. They proceed on much broader grounds than that. I am using the President simply to indicate that at that time, at the close of the last session, in October, he then held that Congress had proceeded with the utmost dispatch, which sustains my view that this new rule is not needed. That is only one point.

Mr. CUMMINS. I was wondering whether in all matters, especially those in which the Senator from Massachusetts may differ from the President, he will hereafter accept the evidence of the President with equal conclusiveness.

Mr. LODGE. Mr. President, because a man agrees with me on one thing, I certainly do not feel bound to agree with him on everything else. The President happened to agree with me then. I am glad to have his support.

I also wanted to call attention to a forgotten incident, which I merely desire to put in, as sometimes it is well to consider our past history.

There are many Senators here who will remember that in 1912 the Lorimer case was before the Senate. The President of the United States, at that time Mr. Taft, had made some public statements in regard to the Lorimer case. I think he may have written one or two letters or spoken to certain Senators in regard to it, he holding the view that Mr. Lorimer should be refused a seat in the Senate. A resolution was passed by the Senate at that time which was introduced by Senator Bailey, of Texas. The resolution was in these words:

Resolved, That any attempt on the part of a President of the United States to exercise the powers and influence of his great office for the purpose of controlling the vote of any Senator upon a question involving the right to a seat in the Senate, or any other matter within the exclusive jurisdiction of the Senate, would violate the spirit, if not the letter, of the Constitution and invade the rights of the Senate.

That resolution, after debate, was passed by a vote of 35 to 23. I will not read the whole list.

Mr. BRANDEGEE. I suggest to the Senator to put it in the RECORD.

Mr. LODGE. I will put the roll call in the RECORD. I will merely say now that every Democrat present voted for the resolution, with a few Republicans, and the nay vote was wholly Republican. So Mr. Bailey's resolution as amended was agreed to. I will ask to have the record of the vote printed, as it may interest Senators to look at it. Again I say that I do not suggest that consistency or inconsistency can ever be used as an argument.

The PRESIDING OFFICER (Mr. WILFLEY in the chair). Without objection, leave will be granted to print the vote in the RECORD. The Chair hears none.

The matter referred to is as follows:

The result was announced—yeas 35, nays 23, as follows:

YEAS—35.

Ashurst	Fletcher	Newlands	Smith, Ga.
Bacon	Gallinger	O'Gorman	Smith, Md.
Bailey	Gardner	Overman	Smith, S. C.
Bourne	Hitchcock	Percy	Stone
Bryan	Johnson, Me.	Pomerene	Swanson
Chamberlain	Johnston, Ala.	Reed	Thornton
Clapp	McCumber	Shively	Tillman
Culberson	Martin, Va.	Simmons	Works
Fall	Martine, N. J.	Smith, Ariz.	

NAYS—23.

Borah	Crawford	McLean	Root
Brandegee	Cummins	Massey	Smith, Mich.
Bristow	du Pont	Nelson	Smoot
Burnham	Gronna	Oliver	Sutherland
Burton	Jones	Page	Townsend
Catron	Kenyon	Perkins	

NOT VOTING—36.

Bankhead	Curtis	Kern	Poindexter
Bradley	Davis	La Follette	Rayner
Briggs	Dillingham	Lea	Richardson
Brown	Dixon	Lippitt	Sanders
Chilton	Foster	Lodge	Stephenson
Clark, Wyo.	Gamble	Myers	Warren
Clarke, Ark.	Gore	Owen	Watson
Crane	Guggenheim	Paynter	Wetmore
Cullom	Heyburn	Penrose	Williams

So Mr. Bailey's resolution as amended was agreed to.

Mr. BORAH. Mr. President, I do not know whether anyone desires to go forward with the discussion this evening, and if so I do not desire to suggest any program which would prevent it. However, I will say to the Senator in charge of the resolution that I do not desire to have my amendment voted on this afternoon for the reason that some Senators have left, not expecting a vote this afternoon. I would be willing, so far as this particular amendment is concerned, to agree to a vote upon it to-morrow at 1 o'clock. I think by that method we would not lose any time; we would, perhaps, gain time.

Mr. UNDERWOOD. I will say to the Senator that I am desirous of at least proceeding far enough to vote on his amendment and the amendments thereto to-night, but if the proponent of the amendment prefers it, and the Senate is willing to fix 1 o'clock to-morrow as the time to vote on his amendment and all amendments to his amendment, that will be agreeable to me.

Mr. HITCHCOCK. Would not the Senator prefer to have it not later than 1 o'clock?

Mr. BORAH. That would be satisfactory.

Mr. UNDERWOOD. I agree to that.

Mr. BORAH. We can vote on it not later than 1 o'clock.

Mr. UNDERWOOD. Of course, we shall have to take a recess under those circumstances, or we could not consider the resolution in the hour before 1 o'clock.

Mr. POMERENE. Mr. President, I suspect a good many Senators are anxious to get away. I had expected to speak a very few minutes on the subject to-night. I am quite willing to defer what I may have to say until to-morrow. Of course, if the matter is taken up at once at the hour of convening, there will be plenty of time. I shall occupy only a few minutes. But if we were to have morning business and continue until 1 o'clock, I should hardly think it quite fair.

Mr. BORAH. The idea was that we would take a recess and the matter could come up at once to-morrow.

Mr. UNDERWOOD. I suppose, of course, if the Senate agrees to the suggestion of the Senator from Idaho to vote upon his amendment at 1 o'clock, it is with the understanding that we take a recess until 12.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Idaho?

Mr. BRANDEGEE. Mr. President, I should like to have it a little better understood what is the unanimous-consent agreement that is being proposed.

Mr. BORAH. I was about to propose a unanimous-consent agreement that we would vote upon the amendment which I have offered, with all other amendments to that amendment, not later than 1 o'clock to-morrow.

Mr. BRANDEGEE. I do not think I shall object if I understand it, but I want to say this. That means that anyone can propose to the Senator's amendment just as important an amendment as the amendment itself, and that one Senator can stand here and speak from 12 to 1 and no other Senator can say a word about anything.

Mr. BORAH. That is true; but I doubt after two or three days' discussion if there will be any amendment of any particular moment to this amendment. I make this suggestion only in view of the fact that I do not want the amendment to come to a vote this afternoon, because some Senators have gone away who want to be here when the vote is taken and whom I want to be here.

Mr. BRANDEGEE. I entirely agree with the Senator about that. I would not want to vote on it unless there was a full attendance. I simply want to make this suggestion. Suppose there was no agreement, and we should take a recess until 12. If Senators want to speak upon this amendment, but not now, and can not speak for themselves, it seems to me that both these propositions are of sufficient importance so that every Senator should have an opportunity to speak once at least upon either the resolution or the amendment if he desires. There is not a third of the Senate here now, and there may be among the two-thirds absent many who have not yet spoken, but who would find themselves to-morrow troubled by this unanimous-consent agreement.

Mr. BORAH. Exactly; but I know of only one Senator, and the rest of them——

Mr. BRANDEGEE. Senators frequently take a notion to speak without informing anyone in advance. The Senator from Ohio may in the course of his oration to-morrow suggest some points, and a great many Senators might feel a flow of inspiration welling up in them, and they could not possibly refrain from speaking.

Mr. BORAH. I do not like to have the speech of the Senator from Ohio [Mr. POMERENE] referred to as an oration. He always debates.

Mr. POMERENE. I am obliged to the Senator from Idaho for entering that protest.

Mr. BRANDEGEE. I meant to say disquisition.

Mr. KING. Mr. President, I should like to ask the Senator from Idaho, as well as the Senator from Alabama, what is the necessity for voting upon the amendment offered by the Senator from Idaho at that time. Why not permit the debate to continue and then after the debate is exhausted there may be other amendments suggested either to the amendment offered by the Senator from Idaho or to the original proposition before the Senate. Then a vote upon those amendments that may be offered can be taken, and we can finally culminate the matter by a vote upon the original resolution.

Mr. UNDERWOOD. I will say to the Senator from Utah that I propose to go ahead with the debate now until it is exhausted; but the Senator from Idaho desires to have some Senators here in the morning who are not here to-night. I was merely accommodating him, the idea being that the debate on that particular amendment was about exhausted. If not, I would prefer to proceed. We have a quorum of the Senate, and it is only 5 o'clock. But if it is agreeable to all members of the Senate I am agreeable to the proposal of the Senator from Idaho.

Mr. BORAH. I suggested it, Mr. President, because I do not desire to delay this matter, and yet at the same time I am in a position where I do not want it to come to a vote this afternoon. I thought by suggesting this program we would lose no time. However, if the Senator from Utah or any one else desires to debate the question I do not want to cut off any debate.

Mr. KING. I have no present intention of discussing the amendment offered by the Senator from Idaho. It did seem to me there was no necessity for fixing a time for voting upon it. Then, after the vote was taken on the amendment offered by the Senator from Idaho, the debate might continue for several days upon the other propositions.

Mr. BORAH. We do not cut off debate on the other matters.

Mr. KING. I understand the proposition of the Senator from Idaho does not involve a vote upon the main question; but I do not see any necessity to fix a time for voting on the amendment of the Senator from Idaho in the absence of further discussion and possibly a determination to vote upon the entire subject.

Mr. BRANDEGEE. I am ready to vote, and I suppose most Senators are ready to vote, on the amendment of the Senator from Idaho, but his proposition involves voting at not later than 1 o'clock to-morrow upon every amendment that may be proposed to his amendment, and we do not know yet what those amendments are. That is what I want to call to his attention, saying at the same time that I do not propose to object to doing

it, but I wish he had not asked it, that is all. I do not desire to delay a vote on this matter at all.

Mr. UNDERWOOD. I ask the Senator from Utah if this arrangement is not satisfactory to him? If it is not I desire to proceed.

Mr. KING. I, of course, do not want to be put in the attitude of objecting to some procedure which seems to commend itself to the judgment of the Senate, but in my opinion the questions are somewhat correlated and it would be better to pretermit a vote upon the amendment offered by the Senator from Idaho until after the discussion has proceeded for some time and we are practically ready to dispose of the entire matter.

Mr. UNDERWOOD. Do I understand that the Senator is going to object if the proposal is made?

Mr. KING. Yes; I think I shall object.

Mr. UNDERWOOD. Then, Mr. President, I ask that the Senate proceed with the debate.

Mr. HITCHCOCK. Mr. President, I would like to make an inquiry. Would not the Senator agree that the vote shall be taken not later than 2 o'clock to-morrow on the amendment of the Senator from Idaho?

Mr. KING. If no other Senator wants to talk upon the amendment offered by the Senator from Idaho I have not objection to voting now or voting at 1 o'clock or 2 o'clock, but I felt that there were some who might want to debate the subject, and it was in their interest and for their protection and not for anything I had in view personally that I have made the observations I have submitted.

Mr. UNDERWOOD. I should have liked to get a vote on the amendment of the Senator from Idaho to-night. There is a quorum here and I wish to proceed, but I am trying to accommodate myself to the wishes of the Senator from Idaho who offered the amendment.

Mr. BORAH. I am willing to call for a quorum, and if we can get it, and if the Senate seems to be represented and Senators can be gotten back, I would be perfectly willing to have the vote taken.

Mr. UNDERWOOD. Mr. President——

Mr. KING. If the Senator will pardon me, in view of the fact that apparently no one desires to discuss the amendment offered by the Senator from Idaho, and in view of the further fact that the debate to-morrow, if we shall postpone a vote upon the amendment until to-morrow, might be limited, I suggest that a vote be taken upon that amendment not later than 2 o'clock.

Mr. UNDERWOOD. That is not satisfactory to me. I would rather go on to-night. I would be willing to concede one hour to-morrow, and that is satisfactory to the Senator from Idaho.

Mr. BRANDEGEE. Would the Senator agree that no amendment to the amendment of the Senator from Idaho should be offered after 1 o'clock to-morrow?

Mr. UNDERWOOD. If the original amendment is voted on at 1 o'clock, no amendment can be offered.

Mr. BRANDEGEE. I thought the Senator said he would be willing to postpone the vote until 2 o'clock.

Mr. UNDERWOOD. No; I am not willing to consent to that. I think we can dispose of it to-night, if we can not get a vote at 1 o'clock to-morrow. I am going to make the request so that it can be formally disposed of. I ask unanimous consent that the amendment of the Senator from Idaho and the amendments thereto shall be voted on not later than 1 o'clock to-morrow, and that the debate between 12 and 1 o'clock shall be under the 10-minute rule.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. SMITH of Michigan. Must we not have a roll call for a quorum?

Mr. UNDERWOOD. Not for a vote on an amendment. It is agreed to?

The PRESIDING OFFICER. It is.

The unanimous-consent agreement was reduced to writing, as follows:

It is agreed by unanimous consent that not later than 1 o'clock p. m. on the calendar day of Wednesday, June 12, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending or that may be offered to the amendment of the Senator from Idaho [Mr. BORAH] to S. Res. 235, and upon the amendment itself; and, further, that after the hour of 12 o'clock m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the so-called Borah amendment or any amendment offered thereto.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, June 12, 1918, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 11, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou Infinite and Eternal Spirit, through whose divine care and gracious providence we have been brought as individuals and as a Nation to the present hour, we bless Thee for Thy love and care and fervently pray for the continuation of the same, that we may fulfill to the uttermost our destiny in this life and be prepared for whatever awaits us in the great beyond.

We know not where His islands lift
Their fronded palms in air;
We only know we can not drift
Beyond His love and care.

We are facing a world-wide crisis. All that we hold dear is in the balance; but our hearts still cling to Thee, and we feel sure that right will triumph at last, and victory crown the faithful, brave, and true in a world-wide peace; for Thou art God, and Thy will is supreme.

So we trust. So we pray, in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEPARTMENT EMPLOYEES LIABLE TO MILITARY SERVICE (H. DOC. NO. 1159).

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the report made by the Interstate Commerce Commission under the resolution of inquiry as to its employees who have been given deferred classification at the request of the commission be printed as a public document. It has already been printed in the RECORD of yesterday.

The SPEAKER. The rule is that when an executive communication is referred to a committee of the House it becomes a public document without any more ceremony about it.

Mr. MADDEN. When the department makes a report to the House?

The SPEAKER. Yes; when it is referred by the Speaker, which was done yesterday.

Mr. MADDEN. All right. It was printed in the RECORD of yesterday.

LEAVE OF ABSENCE.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent that my colleague Mr. PRICE be excused from attendance on the sessions of the House until and including June 15, on account of important business.

The SPEAKER. The gentleman from Maryland asks unanimous consent that his colleague Mr. PRICE be excused until and including June 15. Is there objection?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to dispense with the business of Calendar Wednesday to-morrow so that we can go on with the sundry civil bill.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to dispense with Calendar Wednesday business for to-morrow. Is there objection?

There was no objection.

POST OFFICE APPROPRIATION BILL.

Mr. MOON presented the conference report and statement of the House conferees on the bill H. R. 7237, which was ordered to be printed under the rule.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. Will this conference report lie over under the rule?

The SPEAKER. Yes.

Mr. MOORE of Pennsylvania. It will not be called up to-day?

The SPEAKER. Oh, it could be called up by unanimous consent. Anything can be done in that way.

Mr. MOORE of Pennsylvania. But it is not customary to do it in that way. I make this inquiry merely for the convenience of Members who desire to know when the report will come up.

The SPEAKER. It can not come up to-day except by unanimous consent.

LEAVE TO EXTEND REMARKS.

Mr. REAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pension bill recently passed.

The SPEAKER. The gentleman from Nebraska asks unanimous consent to extend his remarks on the pension bill recently passed. Is there objection?

There was no objection.

Mr. REAVIS. Mr. Speaker, I make the further request for unanimous consent to extend in the RECORD an address delivered by Senator LENROOT at a loyalty convention held recently in Lincoln, Nebr.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks by printing a speech made by Senator LENROOT recently in Lincoln, Nebr. Is there objection?

There was no objection.

CHANGE OF REFERENCE.

Mr. DENT. Mr. Speaker, I ask for a rereference from the Committee on Military Affairs to the Committee on the Judiciary of the bill (S. 4277) providing for the protection of the uniform of friendly nations, and for other purposes.

The SPEAKER. The gentleman from Alabama, chairman of the Committee on Military Affairs, asks unanimous consent to refer the bill he mentions from his committee to the Judiciary Committee. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I also ask a rereference of the bill S. 4428, which provides punishment for civilians who assault officers of the Army, Navy, or Marine Corps. I ask that this bill be referred from the Committee on Military Affairs to the Committee on the Judiciary.

The SPEAKER. The gentleman asks a rereference of Senate bill 4428 from his committee to the Judiciary Committee. Is there objection?

Mr. WALSH. I think both these bills were rereferred the other day, but I have no personal objection to it. I simply direct attention to that.

The SPEAKER. It will not do any harm to rerefer them again. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering District of Columbia legislation; and pending that I should be glad to arrive at an agreement as to the limit on general debate.

Mr. STAFFORD. If I understand the gentleman's request, he seeks to have the House go into Committee of the Whole House on the state of the Union for the consideration of bills on the Union Calendar that have been reported from the Committee on the District of Columbia.

Mr. JOHNSON of Kentucky. That is correct.

Mr. STAFFORD. And now he seeks to limit general debate on any certain bill or on all of the bills?

Mr. JOHNSON of Kentucky. On all of them, just as is customary.

Mr. STAFFORD. I do not recall any time in years back when the House has resolved itself into the Committee of the Whole House on the state of the Union for the consideration of District measures when the request has been made to limit general debate on all measures that would be presented by the chairman of the committee.

Mr. JOHNSON of Kentucky. I would say to the gentleman that that is the custom, and that on the last District day that very same thing was done.

Mr. WALSH. And I raised a question about it.

Mr. STAFFORD. The gentleman from Massachusetts [Mr. WALSH] informs me, as I was absent from the Chamber at that time on committee work, that he raised the question as to its being the proper procedure.

Mr. JOHNSON of Kentucky. The Speaker held that that was the proper procedure.

Mr. WALSH. And I am still unconvinced.

The SPEAKER. Is the gentleman's motion to consider one bill?

Mr. JOHNSON of Kentucky. I made the motion to go into the Committee of the Whole House on the state of the Union for the purpose of considering District legislation; in other words, bills on the Union Calendar reported from the Committee on the District of Columbia.

The SPEAKER. Now, has the gentleman arrived at any conclusion about debate?

Mr. JOHNSON of Kentucky. If there is no demand for general debate, I would ask that it be dispensed with entirely.

Mr. STAFFORD. Of course, Mr. Speaker, it all depends on what bills the gentleman is going to bring up as to whether there will be general debate. I do not see that there is anyone on this side who has any objection to limiting the debate to the measures under consideration. But there are bills on the calendar reported from the gentleman's committee that demand consideration under general debate.

Mr. JOHNSON of Kentucky. The bills I purpose to call up are the weights and measures bill and the Washington Market Co. bill.

Mr. MAPES. Mr. Speaker, if the gentleman will yield, of course both bills will require some explanation in general debate. It probably would be difficult to come to any agreement on that.

Mr. JOHNSON of Kentucky. I thought it could be done with a liberal debate under the five-minute rule.

Mr. MAPES. I think the gentleman himself would want to discuss one of these measures for an hour.

Mr. JOHNSON of Kentucky. Under ordinary circumstances I would; but I have filed what I regard as a very comprehensive report on the Washington Market Co. bill, and I express the hope that gentlemen have or will read it, and thereby general debate should be very greatly reduced.

Mr. MAPES. May I suggest that we go into Committee of the Whole without any arrangement about general debate? As far as I know no one wants to make any general discussion, but it will be confined to the bill under consideration.

Mr. JOHNSON of Kentucky. Then, Mr. Speaker, I modify my request and ask that general debate be confined to the measures pending.

The SPEAKER. The gentleman from Kentucky moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of District bills on the Union Calendar, and pending that, he asks unanimous consent that general debate on the bills be confined to the bills themselves. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman from Kentucky how many of the measures he expects to bring up, and whether they are war measures or of a war character.

Mr. JOHNSON of Kentucky. I can not say that either of them is strictly so, but I do believe that they are very necessary bills.

Mr. WALSH. If they are not war measures, I do not think we ought to establish a precedent of this kind—of confining general debate to measures under consideration. That has been done on war measures, but I shall object to this.

Mr. LONGWORTH. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. LONGWORTH. Under this arrangement, what would be the limit of general debate on any one bill?

The SPEAKER. There is no limit to general debate.

Mr. JOHNSON of Kentucky. For that reason, Mr. Speaker, I hope the gentleman from Massachusetts will not insist on his objection. In other words, it means the whole day might be frittered away and nothing accomplished.

Mr. WALSH. The gentleman has the remedy in his hands, to limit general debate on each measure.

Mr. JOHNSON of Kentucky. What would the gentleman from Massachusetts suggest?

Mr. WALSH. I have no suggestion to make; I object to establishing a precedent.

Mr. JOHNSON of Kentucky. Mr. Speaker, I will modify my request and ask unanimous consent that general debate be limited to one hour on each bill, the gentleman from Michigan [Mr. MAPES] to control one half of the time and I control the other.

The SPEAKER. The gentleman from Kentucky, pending his motion, asks unanimous consent that general debate be limited to one hour on each bill, and that one-half of that time be controlled by himself and one-half by the gentleman from Michigan [Mr. MAPES]. Is there objection?

There was no objection.

The motion of Mr. JOHNSON of Kentucky was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SMALL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of District of Columbia business.

CHARTER OF THE WASHINGTON MARKET CO.

Mr. JOHNSON of Kentucky. Mr. Chairman, I call up the bill (H. R. 10893) to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870.

The Clerk read the bill, as follows:

Be it enacted, etc., That it is hereby declared to be the desire, purpose, and intent of the United States to annul and hold for naught the lease made by Congress to the Washington Market Co. of reservation No. 7, in the District of Columbia, and to take over unto its own

ownership, use, occupancy, and control the said grounds and buildings and improvements thereon, now held and occupied by the said market company and its tenants under authority of an act approved May 20, 1870, entitled "An act to incorporate the Washington Market Co." and acts amendatory thereof or supplemental thereto.

SEC. 2. That all of said market grounds and buildings together with all improvements thereon and therein, are hereby taken over and appropriated to and for the United States; the said taking over and appropriation of said grounds, buildings, and improvements shall become complete and final on July 1, 1918; and, until otherwise directed by Congress, the complete possession and control of said grounds, buildings, and improvements shall vest in the Secretary of the Interior.

Upon securing possession of said premises, the Secretary of the Interior shall first reserve so much of the grounds and space in said buildings as he may deem necessary for the use of the United States; and, after such reservation shall have been made, and until Congress shall otherwise direct, any remaining portion or portions of the said grounds, buildings, or improvements may be rented by the Secretary of the Interior to the present tenants or to any other person or persons for such rental as may be agreed upon by the parties; but in no event shall any part of the premises be subleased by the tenant; neither shall the rental charge for any booth or stall be greater than the rental now charged therefor; and the Secretary of the Interior is hereby empowered and directed to make and enforce such rules and regulations for the management and control of the said property as he may deem best for the enforcement of the provisions of said act.

The said Secretary shall not make or enter into any lease for any part of said premises for a longer period than three years; and all such leases and contracts shall be subject to cancellation and annulment by Congress at any time; and all revenues derived from said premises shall be the property of the United States.

The Secretary of the Interior is hereby authorized, out of appropriations made by Congress from time to time for that purpose, to employ such persons and purchase such materials as may be essential to the operation or maintenance of said property, and for the proper management and control thereof; and he shall render a detailed report to Congress at the beginning of each regular term of all revenues derived from and expenditures made on the said property.

SEC. 3. That the President of the United States, as soon as is practicable after the approval of this act, shall appoint a commission composed of three disinterested men, not more than one of whom shall be a resident of the District of Columbia, to appraise the said buildings and improvements thereon which were erected or made at the expense of the Washington Market Co., and which stand upon said reservation, and the possession and control of which shall have passed to the Secretary of the Interior as herein provided.

No one shall be appointed on said commission if he be either a Member of Congress or an ex Member thereof, nor if he be an officer or employee of the United States, nor if he be a stockholder in the market company, nor if he be a creditor of the market company or of any officer or stockholder thereof, nor if he be an officer or stockholder of any corporation which is a creditor of any officer or stockholder of the market company, nor if he be, directly or indirectly, interested financially in the market company or of any of its officers or stockholders.

Before entering upon the discharge of his duties, each member of said commission shall make oath before a justice of the Supreme Court of the District of Columbia to faithfully and impartially perform his duties according to law; and, at the same time, that he is qualified under the provisions of this section, which oath shall be spread upon the order book of said court.

SEC. 4. That the said commission shall have power, and it shall be its duty, to subpœna witnesses, with or without books or papers, before it for either of the parties, and to require such witnesses to testify under oath administered by the chairman of said commission; said commission shall give each party a full hearing on the question of what is a fair and just valuation of the buildings and improvements erected and made at the expense of the said market company on said premises.

Thereafter the said commission shall fix the amount to be awarded as a fair and just valuation of the buildings and improvements erected and made on said premises at the expense of the said market company, and shall give notice of the filing of its award to the parties in interest.

If either party be dissatisfied with the amount of the award, such dissatisfied party may take an appeal to the Court of Appeals of the District of Columbia by taking the entire record, or a copy thereof, certified by the chairman or any two members of said commission, and filing it in the office of the clerk of the Court of Appeals of the District of Columbia, which court is hereby vested with jurisdiction to hear and determine such appeal; and the judgment rendered by said court shall be final.

The amount finally awarded, with interest thereon at the rate of 4 per cent per annum from the date the Secretary of the Interior shall have been given full possession and control of said property, to the date of the payment of the award, shall be paid by the United States to the Washington Market Co.

SEC. 5. That it shall be the duty of the Supreme Court of the District of Columbia, by contempt proceedings or otherwise, to compel witnesses to obey the subpœnas hereinbefore provided for; to produce all records, and to testify before said commission, and generally to require observance of all reasonable rules and regulations adopted by the said commission.

SEC. 6. That a sufficient sum of money is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed by the President, to pay said award and interest and to compensate the members of said commission and a secretary thereof to be chosen by said commission: *Provided*, That the compensation made the members of the commission and the secretary thereof shall not exceed $10,000.

SEC. 7. That it shall be the duty of the Attorney General to assign one or more of the attorneys in the Department of Justice to represent the interests of the United States before said commission and before the court of appeals, if an appeal should be prosecuted thereto, and generally to represent the United States in all steps and proceedings looking to the enforcement of this act.

SEC. 8. That all laws and acts, or parts of laws and acts to the extent that they are in conflict herewith, are hereby repealed.

Mr. JOHNSON of Kentucky. Mr. Chairman, the report which I filed with this bill is No. 558, and I recommend it to the careful study and consideration of the membership. That report deals more at length with this question than I care to discuss it on this occasion. However, I do wish to say that the property of the Washington Market Co. on Pennsylvania Avenue, between Seventh and Ninth Streets, stands as a monument to one of the most discreditable pieces of legislation ever lobbied through Congress.

The Washington Market Co. sought a grant of this charter at a rental of $25,000 a year, coupled with other expensive and costly considerations, one of which was to erect a large building at the corner of Pennsylvania Avenue and Ninth Street on this property at a cost of approximately $700,000. Little by little they have caused to be done away with virtually every material consideration for which the charter was granted. Little by little it has had the rental reduced which it agreed to pay, and which in seeking the charter they were willing to pay. The charter was granted on May 20, 1870, and within a very short time thereafter, by a piece of unholy work, the rental was reduced to $20,000 a year, and then in a very short time thereafter again reduced to $7,500 a year. The charter under the grant of lease was for 99 years, for more than 106,000 square feet of land on Pennsylvania Avenue. I have been informed that in many of the States land leases of that character have been held not to be good unless year by year, or period by period, the rent was increased.

Approximately half a century ago the Washington Market Co. took that property at $25,000 a year. Now, after the lapse of that long time, they are paying less for it than they agreed to pay when they took it over. The lease has approximately half a century yet to run without any provision whatever for an increase in the rental, notwithstanding the fact that the value of the real estate has increased by leaps and bounds. When the Washington Market Co. was granted its lease for 99 years at a rental of $25,000 a year the land was valued at about $1.50 a square foot. Now they are paying less rental than they paid then, notwithstanding the value of the land is approximately now $12 a square foot. To me there was no sort of defense for that charter when it was granted, and the longer it runs the less defense there is for it.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

Mr. MOORE of Pennsylvania. What was the rental when the charter was granted?

Mr. JOHNSON of Kentucky. Twenty-five thousand dollars a year.

Mr. MOORE of Pennsylvania. And that was how long ago?

Mr. JOHNSON of Kentucky. That was 48 years ago.

Mr. MOORE of Pennsylvania. Was the charter authorized by legislation?

Mr. JOHNSON of Kentucky. Authorized by act of Congress.

Mr. MOORE of Pennsylvania. And what is the rental paid now?

Mr. JOHNSON of Kentucky. Seven thousand five hundred dollars a year.

Mr. MOORE of Pennsylvania. And the value of the land has very largely increased?

Mr. JOHNSON of Kentucky. It has increased from $1.50 a square foot to $12 a square foot.

Mr. MOORE of Pennsylvania. Has there been any legislation justifying the reduction of rental?

Mr. JOHNSON of Kentucky. There has been none by Congress, but at that time there was a legislative body for the District of Columbia, and, as is set out at length in the report which I have filed, the owners of the Washington Market Co. were running the District of Columbia. They were the officers of the District of Columbia, and as the officers of the District of Columbia, by local legislative act they reduced the rental upon their own property, the market company.

Mr. MOORE of Pennsylvania. It seems to me that the statement just made by the gentleman from Kentucky [Mr. JOHNSON] is one that ought to have the attention of the committee. I would like to know just how it is possible, without sanction of Congress, for a condition of that kind to exist.

Mr. JOHNSON of Kentucky. I wondered, just as the gentleman from Pennsylvania now wonders. A research into the history of the whole transaction, as set out in the report, shows that this local legislative body did reduce that rental and that then an appeal was taken in an ex parte proceeding to the local courts and the local courts sustained it. I believe that that is binding and that we can not go behind it, and I will say in that connection that the $25,000 a year rental was to go toward the support of the poor of the District of Columbia. None of it was used for that purpose. Then the District of Columbia collected the rental and treated it as a revenue; and since 1878, by treating it as a revenue, has caused the United States to put up, under the half-and-half plan, a like sum. So that from 1878 until two years ago the United States not only did not collect the rents, but the District of Columbia did; and the United States by the transaction lost a like amount by contributing to

the District of Columbia under the half-and-half plan. About two years ago I took the position that this rental was wrongfully paid to the District of Columbia, inasmuch as it was for the benefit of the poor, and that as the courts had held that the cestuis qui trust has failed that the trust itself also failed; and then the Comptroller of the Treasury decided the question presented by me and held that the United States was entitled to the rent—something like $175,000—that the District of Columbia had collected. It was returned by the District of Columbia to the United States, and since that time the $7,500 a year rental has been paid to the United States.

Mr. MOORE of Pennsylvania. Did not the District of Columbia Commissioners have something to do with this matter?

Mr. JOHNSON of Kentucky. They had nothing to do with the fixing of the rents.

Mr. STAFFORD. Mr. Chairman, in that connection will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. STAFFORD. Can the gentleman inform the committee what rentals are now paid the Washington Market Co. by the occupants, as compared with the rentals they paid originally at the time of the incorporation of the company?

Mr. JOHNSON of Kentucky. No, I can not; I am not advised as to that.

Mr. STAFFORD. I make that inquiry based upon one provision of the original act of incorporation, which stated that the stalls in this market building should be auctioned off to any persons who wished to occupy them, and that that should be the rental of those stalls as long as they paid the rental.

Mr. JOHNSON of Kentucky. I will say to the gentleman that notwithstanding that provision of the charter the Washington Market Co. sought to oust all of the stall masters and to charge them a rental which they had fixed. Thereupon the stall masters went into litigation with the Washington Market Co., and pending the litigation which was for the purpose of ousting the stall masters, on the 16th or 17th of December, 1870 or 1871, I am not quite sure which, the whole thing was burned down, and that proved to be an effective way of ousting the stall masters. But that method was punished by Congress by requiring the Washington Market Co. to pay something like $70,000 for the property which had been thus destroyed by fire.

That is not all of that part of the story. Not only did this property burn down, accidentally or otherwise, the effect of which was to oust the stall masters, but shortly thereafter the stall masters secured financial backing and opened what they called the Northern Liberty Market, at the intersection of Seventh and K Streets NW. Then they concluded to hold three days' market on Pennsylvania Avenue, in the building of the Washington Market Co., and three days' market at the Northern Liberty Market. The officers and stockholders of the Washington Market Co. were dissatisfied with that arrangement and they sought to have the six-day market in their property, and they accomplished what they sought. One Sunday night Alexander Shepherd, who then held a prominent official position in the District of Columbia, and who was an officer of the Washington Market Co. and one of the principal stockholders, took several hundred men and went to the Northern Liberty Market and tore it down—absolutely destroyed it—letting it fall upon property and men alike; and, notwithstanding that the United States and the District of Columbia have paid large sums of money because of the damage caused in that wreck, lives also being lost, claims are still pending for reimbursement because of that wreckage.

In other words, no law, justice, right, honor, or human right has been permitted to stand in the way of the Washington Market Co.; and now, when we are in the midst of war, when the Washington Market Co. is paying only $7,500 a year rent for the 160,000 square feet of land that they control under the lease, they have rented, whether really or ostensibly I know not, a portion of the second and third floors to the Mammoth Amusement Co. for $4,000 a year, and then that company, which is nothing more nor less than a real estate man by the name of Fox, rents that part of the building back to the United States Government for $14,000 a year.

Mr. NOLAN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. NOLAN. I want to inquire what branch of the Government service entered into a contract with this amusement company for $14,000 a year after the District government and the United States Government itself refused to stand for a raise of $8,000 a year. What branch of the Government service is now occupying it at that enormous increase?

Mr. JOHNSON of Kentucky. I will say——

Mr. NOLAN. I notice that page 3 of the report refers to it, but there is no statement as to what branch of the service.

Mr. JOHNSON of Kentucky. For nearly 25 years the Washington Market Co. has been renting to the United States and the District of Columbia a part of that property for more than they are paying for all of it. I do not recall just which particular branch of the United States Government is using the property, but I am informed, and I believe that I am reliably informed, that Mr. Charles F. Nesbitt, who is now connected with the Treasury Department in the insurance department that carries insurance on the lives of soldiers, the war-risk insurance, piloted somebody in the United States Government to that particular piece of property. And, in that connection, I wish to call the attention of the committee to the fact that several years ago I made a statement on the floor of the House at some length showing conclusively that this man, Nesbitt, while then insurance commissioner for the District of Columbia, was a party to creating the Insurance Trust in this town which increased insurance rates from 100 per cent to 700 per cent upon the property. Just where he comes in as a go-between in this transaction I am not fully advised, but it is reasonably certain that he has figured in the transaction.

Now, I wish to invite attention to the fact that this bill does not repeal the charter of the Washington Market Co. It leaves that undisturbed, but it deprives it of the use of the land owned by the United States for which they pay almost no rental at all. It owns other real estate. The charter requires the Washington Market Co. to maintain water-closets on its property.

By another slick trick they got rid of one corner of the property and turned it over to the United States, and on that little diagonal-shaped piece of land the United States Government and the District of Columbia have, at much expense, erected a water-closet which the Market Co. under the charter should have erected. In other words, they have beaten the United States in this entire transaction from the beginning until now.

Mr. NOLAN. Will the gentleman yield there?

Mr. JOHNSON of Kentucky. I will.

Mr. NOLAN. Did the District Committee give any consideration to the relocation of a market house?

Mr. JOHNSON of Kentucky. No. Under this bill the market property shall stand there, but instead of having the Washington Market Co. gouge the United States, the United States shall operate it and use such part of it for its own purposes as it desires to use.

Mr. NOLAN. I understand that is the purpose of the bill——

Mr. JOHNSON of Kentucky. But just let me say that the United States constantly is buying real estate on that side of Pennsylvania Avenue and paying enormous prices for it, while they are virtually giving land to the Market Co.——

Mr. NOLAN. That is the point I wanted to inquire about. That property is very valuable and necessary for governmental use, and sooner or later the Government ought to give some consideration toward relocating a market site on less valuable property, and property that will be more suitable for market purposes and really in a better location and more convenient for the population of Washington.

Mr. JOHNSON of Kentucky. The United States Government should not permit the Washington Market Co. to retain this property for another half century at this trifling rental. The truth of the business is it should not rent it at all. This lease should never have been granted, and it was granted under conditions which all of us, out of pride for our country, must hope will never be repeated in our history.

Mr. HICKS. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. HICKS. I was called out of the Hall, and probably the gentleman answered in my absence; but I understand this lamentable state of affairs is directly due to the fact that the Government made one lease to a private party and that private party made another lease at a tremendous profit. Now, what is responsible for that state of things, and what is the remedy?

Mr. JOHNSON of Kentucky. The Congress of the United States, yielding to the importunities of political influence in 1870, to which it should not have yielded, granted this charter. That Congress is responsible for a part of it, and whoever rented only a portion of this property for the United States and agreed to pay $14,000 a year rental for it is also to be blamed. I do not know who he is. I have not gone into that feature of it.

Mr. HICKS. Is there any way by which we can cancel that contract between the Government and the Washington Market people?

Mr. JOHNSON of Kentucky. I suppose it can be canceled only in the way now sought to cancel it.

Mr. HICKS. That, in the gentleman's judgment, will cancel the other lease, too?

Mr. JOHNSON of Kentucky. That would cancel the Government lease but permit the Government to retain the use of the property as its own property, and the Government would not be the lessee in the premises, but would be the lessor or owner.

Mr. NOLAN. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. NOLAN. How long a lease has the Government got on this property at $14,000?

Mr. JOHNSON of Kentucky. I did not ask.

Mr. NOLAN. We are now purchasing a piece of property for this War-Risk Insurance Bureau. My impression is they ought to remove the bureau down to the new Arlington site.

Mr. STAFFORD. Mr. Chairman, will the gentleman permit?

Mr. JOHNSON of Kentucky. I will.

Mr. STAFFORD. The subject of rental of quarters for the Bureau of War-Risk Insurance was given consideration by the Committee on Appropriations. That bureau was greatly pressed for quarters immediately following the passage of the war-risk insurance act. They were obliged to take occupancy of any available space that was within the District. The gentleman is aware of the development of the War-Risk Insurance Bureau. In January last they were employing nearly 2,000 clerks. Some of their activities were lodged in the building of the National Museum; others were lodged in Convention Hall; other activities were lodged in the Washington Market building; others in the Elks' Home. The lease of that market building is merely for a year, and the rental, according to the rental of private property, is not exorbitant. It is exorbitant when compared with the rental the Mammoth Amusement Co. pays to the Washington Market Co., but the rental paid by the War-Risk Insurance Bureau for the second and third floors is not what you may call exorbitant.

Mr. JOHNSON of Kentucky. I wish to ask how much time I have used, Mr. Chairman?

The CHAIRMAN. The gentleman has used 25 minutes.

Mr. JOHNSON of Kentucky. As I had only 30 minutes, I will be glad if the gentleman from Michigan [Mr. MAPES] will now use part of his time. And I reserve the remaining five minutes that I have.

The CHAIRMAN. The gentleman reserves the remainder of his time.

Mr. MAPES. Mr. Chairman, the report that the chairman of the Committee on the District of Columbia submitted on this bill covers very fully the history of the Washington Market Co., and does not leave very much in addition to be said.

Congress originally authorized the lease of the ground now occupied by the Washington Market Co. and a little additional ground in front of the present buildings of the Market Co. for $25,000 per year. At the same time it provided for the incorporation of the Washington Market Co. at a capital stock of $1,000,000, and named the incorporators in the act. The corporation was organized, but only $150,000 was ever subscribed or paid in by the incorporators. Subsequently, about two years after the incorporation of the company, through an act of Congress authorizing the then council of the District to sell the little strip of land in front of the Market Co., the council entered into an agreement with the Market Co. by which the rent was reduced from $25,000 to $7,500 per year, and the Market Co. has paid the latter amount ever since that time to the Government.

To my mind, it is not necessary to go into the history of the organization of this company or the influences that were brought to bear to secure the legislation authorizing the lease of the ground occupied by the Market Co. or that were used to get the rental reduced in order to favor this bill. It is a question of business and of properly protecting the rights of the Government. Here is a piece of property that is assessed for $800,000, and the Washington Market Co. is paying a rental for it of only $7,500 per year. The assessed valuation is two-thirds of the real valuation. So that the Market Co. is paying $7,500 a year for property that is worth $1,200,000. Since the leasing of the property originally, the Market Co. has put up the buildings and made the improvements now on the ground, and those improvements are assessed for $460,000.

The act of 1870 provided for the lease of this property for 99 years, with a proviso that the lease could be terminated at the end of 30 years, at the discretion of the city authorities, by paying for the improvements upon the property. As we all know, the city council and the office of mayor were abolished by the organic act of 1878, and Congress now is the sole legislative authority over the District, so that if the lease is to be terminated it must now be done by Congress. I would like to call that proviso to the attention of the members of the committee. I read from the Statutes at Large, Volume XVI, page 127, section 12, of the act creating the Washington Market Co., as follows:

Provided, That if the corporation of the city of Washington shall, after a period of 30 years from the approval of this act, by a vote of the council thereof, express a desire to possess itself of the said market buildings and grounds, Congress may authorize the corporate authorities to take possession of the same upon payment to the said Market House Co. of a sum of money equal to a fair and just valuation of the buildings and improvements then standing on said grounds, and the mode and manner of ascertaining such valuation shall be determined by Congress.

It is under the authority of that proviso that this bill is reported by the District Committee. The bill provides for the appointment of a commission to determine the valuation of the improvements on the land and for the payment to the Market Co. of that value.

Mr. GARD. Will the gentleman yield for a question?

Mr. MAPES. I yield.

Mr. GARD. I was interested in the gentleman's reading from the report. Does the gentleman think there is any vested contract created now by reason of their not having been an effort made in 30 years to dispossess the market company?

Mr. MAPES. I do not believe so.

Mr. GARD. Does it say 30 years or after 30 years?

Mr. JOHNSON of Kentucky. After 30 years.

Mr. MAPES. After 30 years. I was not reading from the report. I was reading from the act creating the Washington Market Co. in 1870, the act passed by Congress. This bill, Mr. Chairman, proceeds under the authority granted by the statute. It does no one any harm. It pays the Market Co. for the value of its buildings and it simply protects the Government of the United States from leasing property that is worth $1,200,000 for $7,500 per year for the next 51 years.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. MAPES. Yes.

Mr. WATSON of Pennsylvania. It was brought out that the original rental of the property was $25,000 a year?

Mr. MAPES. Yes.

Mr. WATSON of Pennsylvania. And that the authorities of the District of Columbia reduced it to $7,500; but recently under its acts Congress has complete legislative power over the District?

Mr. MAPES. Congress has complete legislative power over the District.

Mr. WATSON of Pennsylvania. Then at that time why did they not demand the full charter rental of $25,000 a year?

Mr. MAPES. The Supreme Court has held that the lease at $7,500 per year is legal, and that under the agreement between the Market Co. and the former council of the District no larger payment could be required.

Mr. WATSON of Pennsylvania. In the Supreme Court case it was then decided that the $7,500 was a legal lease?

Mr. MAPES. Yes.

Mr. WATSON of Pennsylvania. And it was decided that the District of Columbia authorities had the right to reduce that rent?

Mr. MAPES. As I understand it, the council, after the passage of the act fixing the rental at $25,000 per year, was authorized by the Congress to sell the strip of land in front of the market building upon which there is now a comfort station; to abandon the lease—not to sell it, but to abandon the lease—on that part of the ground, and the council agreed to reduce the rental to $7,500 per year in consideration of the surrender of that land.

Mr. WATSON of Pennsylvania. Then the Market Co. did not have as much property as they had in the original charter?

Mr. MAPES. They have a smaller tract of land than before.

Mr. WATSON of Pennsylvania. For that reason the rental was reduced?

Mr. MAPES. Yes. It is true, as the gentleman from Kentucky [Mr. JOHNSON] has brought out in the report, that several of the men high in authority in the government of the District were incorporators and stockholders and officers in this Washington Market Co.

Mr. JOHNSON of Kentucky. If the gentleman from Michigan will permit just here, I would like to say to the gentleman that when the Washington Market Co. got that small portion of ground released from that which was included in the original lease they got rid of the necessity of building a $700,000 house, which under the charter they were required to erect.

Mr. WATSON of Pennsylvania. And they thereby saved the difference between $25,000 and $7,500?

Mr. JOHNSON of Kentucky. Yes. They not only got rid of the expenditure of $700,000, but on that pretense they also got the rental reduced.

Mr. WATSON of Pennsylvania. Probably the land taken away from them was a burden to them at that time.

Mr. JOHNSON of Kentucky. They wanted to get rid of it so that they would not be compelled to erect the $700,000 house.

Mr. ROBBINS. Mr. Chairman, I would like to ask the gentleman what is the cost of the improvements that were put on this property by the company in lieu of the $700,000 that they were to spend under the original lease in improvements?

Mr. MAPES. The buildings are assessed at present for $460,000. That is supposed to be two-thirds of the real value.

Mr. ROBBINS. In that view of it, the improvements put on are much less in value than they were intended to be under the covenant of the original agreement?

Mr. JOHNSON of Kentucky. If the gentleman from Michigan will again permit, I will say that the $700,000 house was to be a city hall and a hotel for the accommodation of the public, and it is so set out in the charter.

Mr. MAPES. And was to be separate and apart from the market building.

Mr. JOHNSON of Kentucky. Yes; separate and apart from the market building; and it is the market building that they have erected.

Mr. ROBBINS. As a matter of fact, they have erected a two-story building, the first story being a market and the upper story a hall, which has been rented, as stated, for the purposes indicated?

Mr. JOHNSON of Kentucky. Yes; a two or three story building.

Mr. ROBBINS. Is this man Sheppard, mentioned in this report of the chairman of the committee as one of the incorporators of this company——

Mr. JOHNSON of Kentucky. Sheppard was one of the governors of the District of Columbia.

Mr. ROBBINS. That is the same man whose monument stands down there in front of the Municipal Building?

Mr. JOHNSON of Kentucky. That is the same man.

Mr. MAPES. He was known as "Boss Sheppard."

Mr. JOHNSON of Kentucky. Yes; and it might not be out of the way to say that Mr. Sheppard's transactions here along the lines that are now being discussed grew to such proportions that between two suns he fled to Mexico and remained there quite a while before he came back here. I believe the Washington Star was the inaugurator of the movement to erect a monument to his memory, and it is quite worthy of notice that that monument, in which he has been portrayed in bronze, has a scroll in one hand, which might be a contract, and he had the other hand behind him.

Mr. ROBBINS. I want to ask another question of the gentleman. This bill, of course, is intended to forfeit and annul the lease of that property to the Market Co.?

Mr. MAPES. Yes.

Mr. ROBBINS. And to return the property to the United States?

Mr. MAPES. Yes; upon the payment of the value of the improvements to the Market Co.

Mr. ROBBINS. Is this based upon the ground of forfeiture; that is, that the company has not complied with the terms of the original contract, thereby laying the ground for forfeiture, or is it an enterprise on the part of the United States to retake this property because of the noncompliance with the original terms of the lease? What is the ground of equity upon which we are proceeding, if we have any ground?

Mr. MAPES. We are proceeding, among other things, under the authority of the original act, which contained a proviso to the effect that at the end of 30 years the authorities could take the property over by paying the Market Co. the value of the improvements.

Mr. ROBBINS. At the end of 30 years?

Mr. MAPES. After 30 years.

Mr. ROBBINS. Is there such a reservation in the lease?

Mr. MAPES. The gentleman evidently did not hear the first part of my remarks, because I read that provision of the statute which expressly provides that after 30 years the District authorities could take the property over.

Mr. ROBBINS. You are proceeding under that clause in the act that pertains to the District of Columbia under which this Market Co. was created? Is that the fact?

Mr. MAPES. There is such a clause in the act creating the Market Co. and providing for the lease of the land.

Mr. ROBBINS. One other question, and that is whether the several tenants of this Market Co. who have entered into bona fide leases with the company and are paying full and adequate rental for the premises they occupy, such as the stall holders in the market, are protected? If there are such, is this proceeding going to put a hardship upon them?

Mr. MAPES. The bill provides that their leases shall not be interfered with, but without any such provision in the bill I suppose their leases would be subject to the law under which the Market Co. was incorporated. But the bill takes care of that.

Mr. ROBBINS. The bill proposes to see that there is no hardship imposed upon innocent lessees?

Mr. MAPES. I think we are proceeding very cautiously and very equitably, and I think that no one can complain, unless the Market Co. expects the Government to make it a gift of this property for another 51 years.

Mr. ROBBINS. I am in hearty sympathy with the purposes of the bill and its object. I was only thinking of innocent lessees who are not responsible for this outrage upon the Government, which this lease undoubtedly is.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. MAPES. I will yield to the gentleman from New York for one minute.

Mr. HICKS. Mr. Chairman, the House has been very kind to me in allowing me to insert in the RECORD various matters pertaining to the flag of the United States. As I have already placed a number of articles in the RECORD, I ask unanimous consent to exercise again the privilege of so doing.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. MAPES. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Chairman, I have some doubt whether this measure will ever be written upon the statute books. I think very likely that the proposition to take over this property is one that deserves consideration; but I think the proper way perhaps to have accomplished it would have been for the Congress to appoint a special committee to procure all the facts and data, and to give that committee or commission authority to summon people before it in order that it might have authentic information.

Mr. JOHNSON of Kentucky. That very thing has been done.

Mr. WALSH. Oh, there is quite a little information that the gentleman has not been able to give the committee. For instance, he does not know how this lease for $14,000 came to be made, who made it, or how long it is to run. Of course the Government had to pay that rental. They had to have the space, because this War-Risk Insurance Bureau had to be put upon a working basis in the shortest possible space of time. But that rental, exorbitant as it is, is only in keeping with other prices that are demanded and received here in Washington. This is the home of the profiteer. It does not make any difference whether it is a landlord, an amusement company, a taxicab company, a boarding-house keeper, a merchant, or any other activity, the profiteers find in Washington a most fertile field, and the influence of the example that they set goes trickling out to the country, and consequently we hear of the same thing far from the seat of government. The Congress attempted to control that situation by passing the Saulsbury resolution, which very quickly found its way to the docket of the Supreme Court, and action will be had upon that, I suppose, at the fall term. That was passed in an attempt to curb profiteering in rentals; but, as the President said in his last address to this House, conscience and love of country do not seem to curb the desire to profit at the expense of the Government in this great struggle. I do not quote his words exactly, but I think that expresses the thought; and it is a shame and a disgrace that here in the National Capital we should see examples of extravagant and exorbitant prices, and the Government in many instances being held up by the throat and compelled to pay them.

Here is an instance cited in this report of this amusement company renting this place for $4,000 and then leasing it to the Government for $14,000. Of course, we can not criticize the officials of the Government for paying that, because they had to have that space. I submit that the history of this transaction is such as to warrant Congress taking some action. It should have acted long ago. I do not know whether we ought to cancel this lease—whether we ought to take this property over again—but certainly something should be done. My suggestion was that we might have a special committee or a subcommittee of the District Committee invested with power to make a thorough investigation and given authority to summon persons before them, with books and papers, in order that they might come in here with a proposition based upon fullest information. I have some doubt as to whether the proviso in the statute referred to and read by the gentleman from Michigan, giving the city of Washington authority, after 30 years, to abrogate the provisions of this lease, was transferred to the

Congress when the charter of the city was canceled and annulled, unless something in the organic act creating the District government reserved that right to it; and it might be argued——

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I should like two minutes more.

Mr. MAPES. I yield to the gentleman two minutes.

Mr. WALSH. I thank the gentleman from Michigan for yielding me time to complete this sentence. I think it might well be contended that that right, not having been availed of by the city during its existence, upon the cancellation of the city's charter and the creation of the District of Columbia under the organic law—that right not having been availed of, it ceased or lapsed, and the lease must necessarily continue in full force and effect, and could only be canceled for some violation of its terms. But I think those questions should have been looked into by a special committee, such as was had when a former Congress authorized a committee to go into the half-and-half problem. And, as I stated, I have some doubt whether this legislation will become a law, because, as we all know, after we act on it it has to go away from here, and sometimes people there find ways of putting obstacles in the path of passing measures that are intended for the public benefit of the District. I have some doubt whether it will eventually pass. I submit that in my humble opinion it would have have been wiser to have had a special committee or a subcommittee of the District of Columbia Committee given the power to investigate this matter carefully and to ascertain just what are the rights of the Congress or of the District of Columbia under existing conditions. I am perfectly willing, upon the facts as set forth in this report, to give my support to a proper measure. I think this bill is a little faulty in some of its phraseology and possibly might be capable of being improved by amendment, but I trust that the committee will consider the suggestion I have made and will set forth the reasons why some deeper investigation was not made.

Mr. JOHNSON of Kentucky. Mr. Chairman, in answer to the gentleman from Massachusetts, I wish to say that it has been decided a number of times who is the successor of the old city of Washington. That was thoroughly gone into, and it is no longer a question. But the proceedings contemplated in the bill are based upon more than one ground.

If the gentleman will notice, in the first part of the bill a legislative condemnation is provided. In the next place, the annulment of the lease—not the repeal of the charter but the annulment of the lease—is asked for in compliance with the provision of the act of Congress that the gentleman from Michigan [Mr. MAPES] has just read—the provision as to the expiration of the 30 years. In the next place, the annulment of the lease is asked because the Washington Market Co. has, in a number of instances which are set out in the report, violated its terms of lease.

As to the commission suggested by the gentleman from Massachusetts, every important fact has been ascertained and is indisputably set out in the report. The question as to what man conducted the negotiations by which a part of this property has been rented to the United States Government is not material. Who he is is a matter of no moment, just here, at least. Here are the great facts upon which this lease should be annulled.

Mr. MAPES. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. MAPES. The gentleman will recall that this matter has been before the District Committee in one way or another for five years?

Mr. JOHNSON of Kentucky. At least that long, and it has been before Congress repeatedly. A Senate committee on one occasion had extended hearings and made a voluminous report, which is referred to in this report. That report was the Morrill report. But, as usual, nothing was done after the report was filed. The gentleman from Massachusetts referred to the investigation of the half-and-half plan between the Government and the District of Columbia. I find that the report of that special committee to-day is sought to be repudiated by another body. I am never in favor of these special investigations, because they result in nothing except delay and the thwarting of justice.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and also to insert some extensions in remarks that I made on the 29th of May last.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Kentucky has a minute and a half and the gentleman from Michigan four minutes.

Mr. MAPES. I have no further requests for time.

Mr. JOHNSON of Kentucky. Neither have I, and I will ask that the bill be read for amendment.

The Clerk read as follows:

Be it enacted, etc., That it is hereby declared to be the desire, purpose, and intent of the United States to annul and hold for naught the lease made by Congress to the Washington Market Co. of reservation No. 7, in the District of Columbia, and to take over unto its own ownership, use, occupancy, and control the said grounds and buildings and improvements thereon, now held and occupied by the said market company and its tenants under authority of an act approved May 20, 1870, entitled "An act to incorporate the Washington Market Co.," and acts amendatory thereof or supplemental thereto.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. May I ask the chairman of the committee where does he find the phraseology such as is retained in lines 2 and 4 in this section in any other act? Is it not a little unusual to set out the desire of the United States?

Mr. JOHNSON of Kentucky. I first came across that language, or language very similar, in a bill which was prepared by ex-Representative Lewis, of Maryland, several years ago for the purpose of taking over the telephone lines.

Mr. WALSH. I think the gentleman will not find that language in any statute in the books.

Mr. JOHNSON of Kentucky. At that time I made some investigation of it and became perfectly satisfied that that or similar language amounted to a legislative condemnation.

Mr. WALSH. I think the gentleman may have found the language in bills that have been introduced, and may have found included in it the words "fond hope," but it seems to me the phraseology would be more in keeping with the statutes that we have passed if it read, "It is hereby declared to be the intent and purpose of the United States," and so forth.

Mr. JOHNSON of Kentucky. I have no objection at all to striking out the word "desire."

Mr. WALSH. Mr. Chairman, I move to amend the language by striking out the words "desire, purpose, and intent," and inserting in lieu thereof the words "intent and purpose."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, lines 3 and 4, strike out the words "desire, purpose, and intent" and insert in lieu thereof the words "intent and purpose."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. WALSH. I would like further, Mr. Chairman, to ask the chairman of the committee with reference to the phraseology of the words "hold for naught." Is that customary language?

Mr. JOHNSON of Kentucky. I do not believe there is any customary language, because these proceedings are so very rare. Whether somebody else in years gone by has used different language is no reason why this language is not good.

Mr. WALSH. Of course, the gentleman knows that in enacting statutes which inevitably will be construed by the court, if we put it in legal phraseology it will be much easier of construction by the courts.

Mr. RUCKER. That language will be found sometimes in the annulling of leases.

Mr. WALSH. The gentleman from Missouri [Mr. RUCKER] states that that language is found sometimes in the annulling of leases.

Mr. JOHNSON of Kentucky. I have picked up that expression somewhere around the courthouses.

Mr. WALSH. I have no further objection.

The Clerk read as follows:

SEC. 2. That all of said market grounds and buildings, together with all improvements thereon and therein, are hereby taken over and appropriated to and for the United States; the said taking over and appropriation of said grounds, buildings, and improvements shall become complete and final on July 1, 1918; and, until otherwise directed by Congress, the complete possession and control of said grounds, buildings, and improvements shall vest in the Secretary of the Interior.

Upon securing possession of said premises, the Secretary of the Interior shall first reserve so much of the grounds and space in said buildings as he may deem necessary for the use of the United States; and, after such reservation shall have been made, and until Congress shall otherwise direct, any remaining portion or portions of the said grounds, buildings, or improvements may be rented by the Secretary of the Interior to the present tenants or to any other person or persons for such rental as may be agreed upon by the parties; but in no event shall any part of the premises be subleased by the tenant; neither shall the rental charge for any booth or stall be greater than the rental now charged therefor; and the Secretary of the Interior is hereby empowered and directed to make and enforce such rules and regulations for the management and control of the said property as he may deem best for the enforcement of the provisions of said act.

The said Secretary shall not make or enter into any lease for any part of said premises for a longer period than three years; and all such leases and contracts shall be subject to cancellation and annulment by Congress at any time; and all revenues derived from said premises shall be the property of the United States.

The Secretary of the Interior is hereby authorized, out of appropriations made by Congress from time to time for that purpose, to employ such persons and purchase such materials as may be essential to the operation or maintenance of said property, and for the proper manage-

ment and control thereof; and he shall render a detailed report to Congress at the beginning of each regular term of all revenues derived from and expenditures made on the said property.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move to strike out the words "on July 1, 1918," in lines 9 and 10, on page 2, and insert in lieu thereof the words "sixty days after the approval of this act."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 10, strike out the words "on July 1, 1918," and insert in lieu thereof the words "sixty days after the approval of this act."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise for the purpose of obtaining information from the chairman of the committee. I inquired of the gentleman whether he was acquainted with the rental charges that were paid by the occupants of the various stalls. I notice that in the original act it provided that stalls should be auctioned off and that that rate should be continued as long as the occupants would pay the rent. The chairman of the committee stated that he had no information as to what was being charged for the use of booths and stalls. Here we have a provision at the bottom of page 2 which is mandatory, prescribing that the rental charged for any booths or stalls shall not be greater than the rental now charged therefor.

Mr. JOHNSON of Kentucky. That was put in to protect the stall master.

Mr. STAFFORD. If the stall master is not paying a reasonable rental, or if the charges are unequal as compared with others, why should not the Government, through the Secretary of the Interior, have the right to charge a reasonable rental for the premises?

Mr. JOHNSON of Kentucky. Several years ago I read the entire record in the case of Hoffman against the Washington Market Co., and in that record I saw all this discussed; but I am not now able to recall the figures at which the stalls were rented. It is my impression, and that impression was strengthened by the talk that I had with an old gentleman, Mr. Killeen, who is more than 80 years old and who used to be a stall renter down there, that some of the stalls are now renting for something like $30 each.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MAPES. In the statement of the Washington Market Co., which was prepared about 4 years ago, when the gentleman from Kentucky first introduced a bill to repeal this license, I find a statement that the butchers' stands were renting for $144.

Mr. STAFFORD. One hundred and forty-four dollars a year. Can the gentleman give the size of those stalls for which that rent is charged?

Mr. JOHNSON of Kentucky. I think about 12 by 25 feet. Mr. Killeen told me that several days ago.

Mr. STAFFORD. Why should we make this provision limiting the authority of the Secretary of the Interior to charge only the rentals that are now charged? Of course, the rentals will change according to the value of the property.

Mr. JOHNSON of Kentucky. And the rent become greater as the property grows in value?

Mr. STAFFORD. That is the reason why I took the floor to make the inquiry. I should say that the words in that clause should be stricken out and a clause substituted whereby the Secretary of the Interior would be vested with authority to charge a reasonable rental for the premises.

Mr. JOHNSON of Kentucky. That follows in another part of the bill, at least by implication. The Secretary would have the right to do that if the language to which the gentleman refers should be stricken out.

Mr. STAFFORD. Would the gentleman from Kentucky object to a motion to strike that out?

Mr. JOHNSON of Kentucky. I shall not oppose it.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment and in lieu thereof offer the following amendment, to strike out on page 2, beginning with the word "neither," in line 24, down to the word "therefor," in line 1 on page 3.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 2, line 24, strike out the words "neither shall the rental charge for any booth or stall be greater than the rental now charged therefor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. That the said commission shall have power, and it shall be its duty, to subpœna witnesses, with or without books or papers, before it for either of the parties, and to require such witnesses to testify under oath administered by the chairman of said commission; said commission shall give each party a full hearing on the question of what is a fair and just valuation of the buildings and improvements erected and made at the expense of the said market company on said premises.

Thereafter the said commission shall fix the amount to be awarded as a fair and just valuation of the buildings and improvements erected and made on said premises at the expense of the said market company, and shall give notice of the filing of its award to the parties in interest.

If either party be dissatisfied with the amount of the award, such dissatisfied party may take an appeal to the Court of Appeals of the District of Columbia by taking the entire record, or a copy thereof, certified by the chairman or any two members of said commission, and filing it in the office of the Clerk of the Court of Appeals of the District of Columbia, which court is hereby vested with jurisdiction to hear and determine such appeal; and the judgment rendered by said court shall be final.

The amount finally awarded, with interest thereon at the rate of 4 per cent per annum from the date the Secretary of the Interior shall have been given full possession and control of said property, to the date of the payment of the award, shall be paid by the United States to the Washington Market Co.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I assume that the authority vested in this commission is to carry out the authority in the original act vesting in the corporation of the city of Washington after a period of 30 years, by a vote of the councils, upon expressing a desire to possess itself of the said market buildings when Congress might authorize the authorities to take possession of the same upon payment to the market company of a sum equal to a fair valuation of the buildings and the improvements.

Mr. JOHNSON of Kentucky. I said a few moments ago, in answer to a statement made by the gentleman from Massachusetts [Mr. WALSH] that the bill was drafted upon three ideas, one a legislative condemnation, another upon that provision of the charter which relates to the 30 years, to which the gentleman from Wisconsin has just referred, and another because the terms of the charter have been violated. The bill is based upon all three.

Mr. STAFFORD. I withdraw the pro forma amendment.

The Clerk read as follows:

SEC. 6. That a sufficient sum of money is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be disbursed by the President, to pay said award and interest and to compensate the members of said commission and a secretary thereof to be chosen by said commission: *Provided*, That the compensation made the members of the commission and the secretary thereof shall not exceed $10,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I assume that the purpose of the proviso is that the total compensation to be paid to the members of the commission and the Secretary shall not exceed $10,000.

Mr. JOHNSON of Kentucky. That is the purpose, and I thought it was quite clearly expressed. However, if the gentleman can offer a suggestion which will express it more certainly, I shall be glad to agree with him.

Mr. STAFFORD. I thought it somewhat ambiguous, as some might claim that the compensation of each member of the commission should not aggregate the sum of $10,000. That ambiguity might be removed by the insertion of the word "total" before the word "compensation."

Mr. JOHNSON of Kentucky. If the gentleman will offer an amendment, I shall be glad to support it.

Mr. STAFFORD. I offer the following amendment, to insert before the word "compensation," in line 13, the word "total."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 13, before the word "compensation," insert the word "total."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. JOHNSON of Kentucky. Mr. Chairman, a few moments ago the gentleman from Massachusetts [Mr. WALSH] offered an amendment to which I did not object, by which the word "desire" was stricken from line 3, on page 1. At that time I did not recall why I had used the word "desire." A few moments ago the gentleman from Wisconsin [Mr. STAFFORD] was reading the congressional act iself, and I find that the act contains the word "desire," and I now take it for granted that that was the reason I used the word in drafting the bill. The language of the act to which I refer reads:

Provided, That if the corporation of the city of Washington shall, after a period of 30 years from the approval of this act, by a vote of the councils thereof express a desire to possess itself of the said market company, buildings, and grounds—

And so forth. Therefore I ask unanimous consent to return to page 1 and annul the proceedings by which the amendment was adopted, so that we may restore the language just as it was used originally in the bill.

The CHAIRMAN. The gentleman asks unanimous consent to return to section 1, page 1, to vacate the proceedings and restore the language as originally reported in the bill. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 3, strike out the words "intent and purpose," and insert in lieu thereof the words "desire, purpose, and intent."

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The reading of the bill has been completed.

Mr. STAFFORD. Mr. Chairman, a moment ago I offered an amendment, on the spur of the moment, by inserting the word "total" before the word "compensation." It has been suggested by the gentleman from Missouri [Mr. RUCKER] that the purpose would be better accomplished by inserting the words "in the aggregate" after the word "not," and I ask unanimous consent to return to section 6 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to return to section 6, to vacate the proceedings, for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to reconsider the vote by which the amendment inserting the word "total" was adopted and to substitute in lieu thereof, after the word "not," in line 15, the words "in the aggregate."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 15, after the word "not," insert the words "in the aggregate."

The CHAIRMAN. Did not the gentleman intend those words to succeed the word "exceed"?

Mr. STAFFORD. No; "shall not in the aggregate exceed $10,000."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the bill be laid aside with a recommendation that the amendments be adopted and the bill as amended do pass.

The motion was agreed to.

AMENDMENT OF WEIGHTS AND MEASURES LAW, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Chairman, I now desire to call up the bill H. R. 10887.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10887) to amend the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895.

Be it enacted, etc., That the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, is hereby amended to read as follows:

"SEC. 2. That there is hereby created an executive department in the government of the District of Columbia, which shall be known as the department of weights, measures, and markets. Such department shall be in charge of a superintendent of weights, measures, and markets, who shall be appointed by, and be under the direction and control of, the Commissioners of the District of Columbia, and shall receive a salary of $2,500 per annum. He shall have the custody and control of such standard weights and measures of the United States as are now or shall hereafter be provided by the District of Columbia, which shall be the only standards for weights and measures in said District.

"The commissioners are also authorized to appoint, on the recommendation of the superintendent, such assistants, inspectors, and other employees for which Congress may, from time to time, provide.

"SEC. 3. That the superintendent shall, before entering upon the performance of his duties, give bond to the District of Columbia in the penal sum of $5,000, signed by two sureties or by a bonding company, to be approved by the commissioners, conditioned on the faithful discharge of the duties of his office, and shall take and subscribe an oath or affirmation before the commissioners that he will faithfully and impartially discharge the duties of his office, which bond and oath shall be deposited with the commissioners.

"SEC. 4. That the superintendent and under his direction his assistants and inspectors shall have exclusive power to perform all the duties provided in this act. They shall from time to time inspect, test, try, and ascertain whether or not they are correct all weights, scales, beams, measures of every kind, instruments, or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring, used or employed in the District of Columbia, by any owner, agent, lessee, or employee in determining the weight of persons and the weight, size, quality, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for distribution, consumption, transportation, sale, barter, exchange, hire, or award, and shall seal, stamp, or mark, in the manner prescribed by the commissioners, such as conform to the standards kept in the office of the superintendent, and shall seize and destroy or mark, stamp, or tag with the word, "Condemned," such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or having the same under his control shall permit to be used for any of the purposes enumerated in this section any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act.

"Any person who shall acquire or have in his possession after the passage of this act any unapproved scale, weighing instrument, or nonportable measure or measuring device subject to inspection or test under the provisions of this act, shall notify the superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any portable unapproved measure or measuring device, subject to inspection or test, shall cause the same to be taken to the office of the superintendent for inspection or test.

"Every peddler, hawker, or other transient merchant shall, before using any such weight, scale, measure, weighing or measuring device, cause the same to be taken to the office of the superintendent for inspection or test semiannually, and shall not use any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use.

"Nothing herein shall be construed to require the superintendent to test any weighing or measuring device belonging to the United States.

"SEC. 5. That no person shall use, or having the same under his control, permit to be used, any weight, scale, measure, weighing or measuring device, or any attachment or part thereof after the same has been altered or repaired without the same having first been reinspected and reapproved, and no person shall alter, obliterate, detach, obscure, or conceal any seal, stamp, mark, tag, or label attached or impressed by the superintendent or any of his assistants or inspectors.

"SEC. 6. That no person shall neglect, fail, or refuse to exhibit any weight, scale, beam, measure, weighing or measuring device to the superintendent or any of his assistants or inspectors for the purpose of inspection and test, and no person shall in any manner obstruct, hinder, or molest the superintendent or any of his assistants, inspectors, or other employees in the performance of their duties.

"SEC. 7. That the superintendent shall keep in his office a record of weighing and measuring devices inspected, which record shall show the type of device, the name and address of the owner, the date of inspection, and whether the same was approved or condemned. Such record shall be open to the public during regular office hours.

"SEC. 8. That no person shall sell, offer for sale, keep, or expose for sale anywhere in the District of Columbia any commodity of any kind as a weight, measure, or numerical count greater than the actual or true weight, measure, or numerical count thereof, and no person shall take or attempt to take more than the actual and true weight, measure, or numerical count of any commodity, when as buyer he is permitted by the seller to determine the weight, measure, or numerical count.

"All commodities sold by terms of weight shall be weighed with scales, weights, or other weighing device which shall have been duly inspected and approved as provided in this act. All commodities sold by terms of measurement shall be measured with, by, or in a measure, measures, or measuring device which shall have been inspected and approved as provided in this act.

"SEC. 9. That when any commodity is sold by weight, it shall be understood to mean net weight. When any commodity, except coal, is sold by the ton, it shall be understood to mean 2,000 pounds avoirdupois. Coal shall be sold by the long ton, consisting of 2,240 pounds avoirdupois.

"SEC. 10. That no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained, within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person. No such machine shall be maintained for use when the same is not in perfect working order, and the person in charge as well as the owner of such machine or device shall be held responsible for operating or maintaining any such machine or device which is not in perfect working order. A sign or placard shall be placed on every such machine or device in a conspicuous place and shall contain the name of the owner and of the person in charge of such machine or device, and shall state that the person in charge of such machine or device will refund to any person money deposited by him for which the commodity or service promised expressly or impliedly has not been received, and it is hereby made the duty of such person to so refund such money.

"SEC. 11. That every peddler, hawker, street vendor, or other transient merchant shall deliver to every purchaser of any commodity of whatever kind, at the time of delivery of such commodity, a sales ticket which shall show the correct name, permanent address, and license number, if any, of the vendor, together with the weight, measure, or numerical count of each commodity sold to such purchaser. Every person, firm, or corporation having a fixed and established place of business shall, when a sales ticket is given with a purchase, cause such sales ticket to show the correct name and address of such person, firm, or corporation and the weight, measure, or numerical count, as the case may be, of each commodity sold to such purchaser, and every such person, firm, or corporation is hereby required to deliver such sales ticket to such purchaser when requested by such purchaser at the time of the sale to do so.

"SEC. 12. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any other manner than by weight. No person shall deliver or attempt to deliver any coal, charcoal, or coke without accompanying same by a delivery ticket and a duplicate thereof, on each of which shall be expressed distinctly in pounds, avoirdupois, in ink or other indelible substance, the gross weight of the load, the tare of the delivery vehicle or receptacle, and the net weight of coal, charcoal, or coke contained in the vehicle or receptacle used in making delivery, with the name of the purchaser and the name and address of the person, firm, or corporation from whom or which purchased. Upon demand of the superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to some public scale, or to any legally approved private scale

in the District of Columbia, the owner of which shall consent to its use and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon or other conveyance used to the same scale and permit to be verified the weight of the wagon or other conveyance: *Provided*, That when coal, charcoal, or coke is sold in a quantity less than 280 pounds and is not weighed in a wagon, cart, or other vehicle, it shall be sufficient for the seller to deliver to the purchaser, his agent, or representative a ticket showing the name and address of the vendor, the name of the purchaser, and the true net weight of the coal, charcoal, or coke so sold or delivered: *Provided further*, That when coal, charcoal, or coke is sold in packages of 50 pounds or less it shall be sufficient to plainly mark each package with the name of the person, firm, or corporation making such package, and the true net weight of the coal, charcoal, or coke contained therein.

"No coal, charcoal, or coke shall be sold which contains more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke at the time the weight is taken.

"Every vendor of coal, charcoal, or coke shall cause his name to be conspicuously displayed on both sides of each vehicle used by or for him for the delivery of coal, charcoal, or coke.

"SEC. 13. That it shall be unlawful to sell within the District of Columbia any ice in any other manner than by weight; and every person, or in case of a firm, copartnership, or corporation, the person in charge of its business in the District of Columbia, engaged in the sale of ice, shall keep on each of his or its wagons or other vehicles used in the sale or delivery of ice, while in use, a scale suitable for weighing ice which has been tested and approved in accordance with the provisions of this act. Every scale used for weighing ice in making sales in quantities of 100 pounds or less shall have graduations of 1 pound or less. Scales used for weighing ice in making sales in quantities of more than 100 pounds may have graduations of 5 pounds or less.

"SEC. 13. That the standard loaf of bread manufactured for sale, sold, offered, or exposed for sale in the District of Columbia shall weigh 1 pound avoirdupois, but bread may also be manufactured for sale, sold, offered or exposed for sale in loaves of ½ pound, or in multiples of 1 pound, but shall not be manufactured for sale, sold, offered or exposed for sale in other than the aforenamed weights. Every loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall have affixed thereon, in a conspicuous place, a label at least 1 inch square, or, if round, at least 1 inch in diameter, upon which label there shall be printed in plain bold-face Gothic type, not smaller than 12 point, the letters and figures of which shall be printed in black ink upon white paper, the weight of the loaf in fraction of a pound, pound, or pounds, as the case may be, whether the loaf be a standard loaf or not. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label. Every seller of bread in the District of Columbia shall keep a scale which shall have been inspected and approved in accordance with the provisions of this act, suitable for weighing bread, in a conspicuous place in his bakery, bakeshop, or store, or other place where he is engaged in the sale of bread, and shall, whenever requested by the buyer, and in the presence of the buyer, weigh the loaf or loaves of bread sold or offered for sale.

"Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or loaves of fancy bread weighing less than one-fourth of 1 pound avoirdupois, or to what is commonly known as stale bread, sold as such, provided the seller shall, at the time the sale is made, expressly state to the buyer that the bread so sold is stale bread: *Provided*, That any loaf of bread weighing within 10 per cent in excess or within 4 per cent less than standard weight shall be deemed of legal weight.

"SEC. 15. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill when filled to the bottom of the cap seat, stopple, or other designating mark. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of the bottle or jar the capacity of the same, and there shall be blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false or insufficient measure.

"SEC. 16. That the standard barrel for fruits, vegetables, and other dry commodities, other than cranberries and the standard barrel for cranberries in the District of Columbia, shall be the same as is provided in the act of Congress approved March 4, 1915, entitled 'An act to fix the standard barrel for fruits, vegetables, and other dry commodities.'

"The standard box or crate for apples, pears, plums, peaches, tomatoes, turnips, and other fruits and vegetables not secondarily contained in quart or other boxes within such box or crate shall have an interior capacity of not less than 2,352 cubic inches.

"A bushel crate for cranberries or blueberries shall have an interior capacity of 2,150.42 cubic inches.

"All sales of blackberries, strawberries, blueberries, gooseberries, currants, raspberries, cherries, lima beans, shelled peas, and other berries and vegetables of approximately like size, in quantities of less than 1 bushel, shall be by the peck, quart, pint, or half pint standard dry measure, and all berry boxes or baskets used, sold, or offered for sale in the District of Columbia shall be of the interior capacity of not less than 1 quart, 1 pint, or ½ pint standard dry measure.

"Standard containers for the sale of fresh fruits and vegetables in quantities of less than one bushel shall be of the capacity of 1 quart, 2 quarts, 3 quarts, 4 quarts, 5 quarts, 6 quarts, 8 quarts, 16 quarts, or 24 quarts standard dry measure, and such containers shall contain the full capacity of such fresh fruits or vegetables when such fresh fruits or vegetables are sold or offered for sale. When fresh fruits or vegetables are sold in other than standard containers such containers shall be plainly and conspicuously marked in the English language in Gothic type at least 24 points high with the true net weight, measure, or numerical count of such fresh fruits or vegetables: *Provided, however*, That all kale, spinach, and other similar leaf vegetables shall be sold by weight.

"All fruits, vegetables, or berries, fresh or dried, sold or offered for sale in packages in the District of Columbia shall be of equal quality in every part of the package.

"All contracts for the sale of fruits, berries, or vegetables by the barrel, box, or crate shall be construed to mean barrels, boxes, or crates of the capacity herein prescribed. The superintendent shall not be required to seal, stamp, or mark with other designation of approval the containers designated in this section.

"SEC. 17. That all apples, peaches, pears, plums, damsons, quinces, potatoes, tomatoes, onions, cranberries, and similar fruits, vegetables, and produce shall, when sold by measure, be heaped above the level of the measure as much as may be possible without special effort or design.

"SEC. 18. That a barrel of flour shall contain 196 pounds avoirdupois, net weight, and fractional parts thereof shall contain proportionate net weight.

"A cord of wood shall contain 128 cubic feet; when wood is sold by the cord, it shall, when delivered, contain 128 cubic feet whether sawed and split or not.

"A standard sack or bag of potatoes shall contain 1½ bushels of potatoes, standard dry measure, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags.

"SEC. 19. That the standard liquid gallon shall contain 231 cubic inches; the half gallon, 115.5 cubic inches; the quart, 57.75 cubic inches; the pint, 28.875 cubic inches; the half, 14.4375 cubic inches; the gill, 7.21875 cubic inches; the fluid ounce, 1.8047 cubic inches; and no liquid measure of other than the foregoing capacity, except mutiples of the gallon, shall be deemed legal liquid measure in the District of Columbia.

"Every dry measure in use in the District of Columbia shall be cylindrical in design. The standard bushel shall have a diameter of not less than 15¼ inches inside measurement, and shall contain 2,150.42 cubic inches; the half bushel shall have a diameter of not less than 13¾ inches inside measurement, and shall contain 1,075.21 cubic inches inside measurement; the peck shall have a diameter of not less than 10⅞ inches inside measurement, and shall contain 537.605 cubic inches; the half peck shall have a diameter of not less than 8⅝ inches inside measurement, and shall contain 268.8025 cubic inches; the quarter peck shall have a diameter of not less than 6⅛ inches inside measurement, and shall contain 134.40125 cubic inches; the quart shall have a diameter of not less than 5¼ inches inside measurement, and shall contain 67.2 cubic inches; the pint shall have a diameter of not less than 4 inches inside measurement, and shall contain 33.6 cubic inches; the half pint shall have a diameter of not less than 3 inches inside measurement, and shall contain 16.8 cubic inches; and no dry measure of other than the foregoing capacities, except multiples of the bushel, shall be a legal dry measure in the District of Columbia: *Provided*, That the provisions of this section shall not apply to dry measures which have heretofore been tested and approved in the District of Columbia.

"SEC. 20. That oysters in the shell shall be sold only by heaped dry measure or numerical count. Shucked oysters shall be sold only by liquid measure, and whenever there is included in the sale of shucked oysters more than 25 per cent of liquid substance, the vendor shall be deemed guilty of selling short measure.

"All fish shall be sold by avoirdupois weight.

"SEC. 21. That every user of an automatic measuring pump or similar device, shall, when the supply of the commodity which he is measuring for sale with such pump or similar device is insufficient to deliver correct measure of such commodity by the usual or customary method of operating such pump or device, place a sign with the words, "Tank Empty," in a conspicuous place on such pump or device where it may readily be seen, and shall forthwith cease to use the same until his supply of such commodity is replenished. All automatic measuring pumps or other similar measuring devices in use shall be subject to inspection, and approval or condemnation, whether used for measuring or not.

"SEC. 22. That whenever a commodity is offered for sale at a stated price for a stated quantity, and the purchaser is not informed at the time of the sale that a pro rata price does not apply to a smaller quantity, the seller shall deliver to the purchaser of a smaller quantity a quantity bearing the same proportion to the stated quantity as the price paid or promised to be paid bears to the price quoted for the stated quantity.

"SEC. 23. That the superintendent, or, under his direction, his assistants and inspectors, shall, from time to time, weigh or measure and inspect packages or amounts of commodities of whatever kind kept for the purpose of sale, offered or exposed for sale, sold, or in the process of delivery, in order to determine whether or not the same is or are offered for sale, or sold in accordance with the provisions of this act, and no person shall refuse to permit such weighing, measuring, or inspection whenever demanded by the superintendent or any of his assistants or inspectors.

"SEC. 24. That it shall be unlawful for the superintendent or any employee of his office to vend any weights, measures, weighing or measuring device or to offer or expose the same for sale, or to be interested, directly or indirectly, in the sale of same.

"SEC. 25. That there is hereby conferred upon the superintendent, his assistants and inspectors, police power, and, in the exercise of their duties, they shall, upon demand, exhibit their badges to any person questioning their authority; and they are authorized and empowered to make arrests, with or without formal warrant, of any person violating any of the provisions of this act. The superintendent, his assistants, and inspectors may, for the purpose of carrying out and enforcing the provisions of this act, and in the performance of their official duties, with or without formal warrant, enter or go into or upon any stand, place, building, or premises, and may stop any vendor, peddler, dealer, or vehicle for the purpose of making proper inspections and tests.

"SEC. 26. That the commissioners are hereby authorized and empowered to establish tolerances and specifications for scales, weights, measures, weighing or measuring instruments or devices used in the District of Columbia, not inconsistent with the provisions of this act, and such as conform thereto shall be approved.

"SEC. 27. That the commissioners are authorized to appoint public weighmasters and grant licenses for the location of public scales in the District of Columbia under regulations as they may prescribe, and authorize such weighmasters to charge such fees as the commissioners may approve and fix in advance, and they may grant permits, revocable on 30 days' notice, for the location of such public scales on public space under their control. No person, other than a duly appointed and qualified public weighmaster, shall do public weighing or make any charge or accept any compensation therefor.

"SEC. 28. That no person shall, within the District of Columbia, upon any freight bill, express bill, or other bill for transportation, indicate the weight of any commodity upon which weight the freight, express, or other transportation charge or charges is or are based, except the true gross weight of such commodity, and every bill for freight, express, or other transportation charge or charges shall have legibly written or printed thereon the name of the person indicating such weight on same; and no person shall collect or attempt to collect in

the District of Columbia any bill for freight, express, or other transportation charge or charges unless the same is prepared in accordance with the provisions of this section. The word 'bill,' as used in this section, shall be construed to mean any printed or written or printed and written evidence of charge or charges for freight, express, or other transportation.

"SEC. 29. That the powers and duties granted to and imposed on the superintendent by this act are also hereby granted to and imposed on his assistants and inspectors when acting under his instructions.

"SEC. 30. That the superintendent, under the direction of the commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the commissioners may make, shall make such investigations regarding the sale, distribution, and prices of products in the District of Columbia as the commissioners may direct, and shall make reports and recommendations in connection therewith.

"SEC. 31. That wherever the word 'commissioners' is used in this act, it shall be construed to mean the Commissioners of the District of Columbia. Wherever the word 'superintendent' is used in this act, it shall be construed to mean the superintendent of weights, measures, and markets.

"SEC. 32. That the word 'person,' as used in this act, shall be construed to include copartnerships, companies, corporations, societies, and associations. Wherever any word in this act is used in the singular, it shall be construed to mean either singular or plural, and wherever any word in this act is used in the plural, it shall be construed to mean either plural or singular, as the circumstances demand.

"SEC. 33. That each section of this act, and every provision of each section, is hereby declared to be an independent section or provision, and the holding of any section or provision of any section to be void, ineffective, or unconstitutional for any cause whatever, shall not be deemed to affect any other section or provision thereof.

"SEC. 34. That any person violating any of the provisions of this act shall be punished by a fine not to exceed $500, or by both such fine and imprisonment not to exceed six months. All prosecutions under this act shall be instituted by the corporation counsel or any of his assistants in the police court of the District of Columbia.

"SEC. 35. That all laws or parts of laws inconsistent with or in conflict with the provisions of this act are hereby repealed."

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. The first reading of the bill has been just completed. Is it proper now to have the committee amendments reported or should the amendments be reported as the bill is read for amendment?

The CHAIRMAN. The Chair understands there is to be general debate of one hour, the gentleman from Kentucky to control one half and the gentleman from Michigan [Mr. MAPES] the other.

Mr. JOHNSON of Kentucky. Mr. Chairman, I am informed by the gentleman from Michigan [Mr. MAPES], who controls half of the time, that there is no request of him for any time, and there is none of me. However, I may state, in explanation of the bill, that it is a redraft of the present law covering some exigencies which have arisen since the passage of the original law. The main objects of the bill are to put scales under the supervision of the sealer of weights and measures, to see that they are properly inspected, and that no scales can be used for the purpose of selling goods, wares, or merchandise to the public until they have been found to be correct, and that hereafter they must be kept in proper weighing condition so that the public can not be cheated. In addition to that, a ton of coal is made 2,000 pounds instead of the original long ton of 2,240 pounds, and then the selling of ice is regulated by the bill. The sealer of weights and measures, if that be his official title—and of that I am not sure—informs me that at present those who sell ice refuse to weigh it. If you ask for a dime's worth of ice or 25 cents' worth they will hand you such a lump as they choose. If you ask that it be weighed in order to see that you are paying a reasonable price per pound, they will take back the piece of ice which they have proffered and drive off and will not give you any, and, under a seeming arrangement, the next day will not come around at all; and if complaint is made to the District authorities, the person who makes the complaint is blacklisted. Those are the three important features that are sought to be reached by this redraft of the old law.

Mr. STAFFORD. Mr. Chairman, I wish to make an inquiry on one or two matters that are covered by the bill. First, as to the necessity of extending the scope of the inspection by the inspector of weights and measures to devices for weighing persons. I do not know whether there is any other city in the country where they have gone to the extent of providing for the inspection of scales for the weighing of persons, and yet we have such a provision in this bill.

Mr. JOHNSON of Kentucky. I would say to the gentleman if the scale does not properly weigh, the person who pays his money to be weighed is defrauded, and if the scale is not correct it should not stand on the street or in the storehouses and public places to invite the pennies of children and passers-by who desire to be weighed.

Mr. WALSH. I will say to the gentleman I think in the section of country from which I come these penny-in-the-slot device scales are obliged to be sealed by the local sealers of weights and measures.

Mr. STAFFORD. This bill goes further than that. It provides that none of these coin-in-the-slot machines shall be operated unless there is a person placed in charge of them. I do not believe——

Mr. JOHNSON of Kentucky. Where is that?

Mr. STAFFORD. In section 10. I do not believe even in the very well-regulated district from which the gentleman from Massachusetts comes, where everything is orderly, everything is weighed according to precision, that they make that extreme limitation of not allowing a person to be weighed unless the weighing machine is in the charge of some person.

Mr. JOHNSON of Kentucky. If the gentleman will pardon me, he will notice the language of the bill, in line 7, page 7, with reference to a vending device. Chewing gum, candy, and peanuts, and a whole lot of other things are sold out of automatic machines, and the gentleman will notice that the language "automatic vending device" is used also.

Mr. STAFFORD. The language is broader than that. While it extends to automatic vending devices, permit me to read the language:

> That no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person.

Now, these weighing machines which we see about the public thoroughfares, and in the hotel corridors, drug stores, and other public places, are a great convenience. It is true sometimes they may not weigh accurately to the nicety of a pound, but nevertheless I do not think there should be the restriction that they should not be operated unless in the control of some responsible person.

Mr. JOHNSON of Kentucky. I suggest to the gentleman that we wait until we read section 10 for amendment, and that the matter be brought up then, and perhaps it can be adjusted properly.

Mr. STAFFORD. Another question. I would like to inquire as to what is the prevailing ton for the sale of coal in the District. Is it the gross ton or the net ton?

Mr. JOHNSON of Kentucky. It is the long ton of 2,240 pounds.

Mr. STAFFORD. Why is the committee recommending it should be the short ton of 2,000 pounds?

Mr. JOHNSON of Kentucky. In order to simplify matters. Many of the States have done the same thing.

Mr. STAFFORD. In many of the cities, without regulation, they use the short ton.

Mr. JOHNSON of Kentucky. There is no regulation here about it, but the custom has been to use a long ton, and now it is proposed by legislative act to define what a ton of coal is, and that ton has been by this bill fixed at 2,000 pounds.

Mr. STAFFORD. The bill goes very minutely into detail as to the regulation of all character of weights and measures for all character of commodities. I wish to inquire whether the committee used any statute existing in any municipality or in any State as a basis for the adoption of these weights and measures as prescribed in the various sections. For instance, we have here in section 19 the cubic content of liquid and dry containers.

Mr. JOHNSON of Kentucky. I would say to the gentleman that the bill was prepared down at the Municipal Building by the man in charge of this department of the local government, and he informed us he got his figures from the Bureau of Standards.

Mr. WALSH and Mr. DILLON rose.

The CHAIRMAN. Does the gentleman yield?

Mr. JOHNSON of Kentucky. I do.

The CHAIRMAN. To whom?

Mr. JOHNSON of Kentucky. The gentleman from Massachusetts [Mr. WALSH] rose first.

Mr. WALSH. Is it sought to legislate anybody out of office by this bill?

Mr. JOHNSON of Kentucky. No. It does not legislate anybody out or in, or change any salary.

Mr. WALSH. What is the object of changing the title of "sealer" to "superintendent"?

Mr. JOHNSON of Kentucky. We asked the sealer of weights and measures, who appeared before the committee, and he just said he thought that name was better.

Mr. WALSH. It is a little more high-toned, probably, in his estimation.

Mr. JOHNSON of Kentucky. Perhaps so. I do not know.

Mr. WALSH. But I think invariably in all jurisdictions the official who has charge of weights and measures is known as the "sealer of weights and measures," because he in most cases, or his assistants, have to test weighing and measuring devices and containers, and if they are found to be accurate he places the seal upon them.

Mr. JOHNSON of Kentucky. His duties, however, both under the existing law and under this bill go further than that.

Mr. WALSH. I know they do; but he could perform them just as well if we did not change his title.

Mr. JOHNSON of Kentucky. There is no doubt about that.

Mr. WALSH. Now, in section 19 the committee has set forth the cubic content of certain containers of liquids and also for dry measure. There has been a curious mixing up of fractions and decimals in that section. I suggest to the chairman the propriety of substituting words for the figures there. The gill contains 7.21875 cubic inches, and it is rather hard to tell at a glance whether it is millionths or hundredths of thousands of cubic inches.

Mr. STAFFORD. It is hundredths of thousands.

Mr. WALSH. It is more than hundredths of thousands.

Mr. JOHNSON of Kentucky. I will suggest to the gentleman that if he will submit an amendment the committee will consider it.

Mr. WALSH. I will admit that I am floundering when I am consulting such figures as that. If you write them out they would be much more easily comprehended. Now, in the next paragraph, on page 16, you have:

The standard bushel shall have a diameter of not less than 18½ inches, inside measurement, and shall contain 2,150.42 cubic inches.

Now, let me suggest to the gentleman, in the nature of an inquiry, whether there would be any objection to spelling those figures out?

Mr. JOHNSON of Kentucky. None whatever.

Mr. STAFFORD. Will the gentleman yield? What advantage would there be in spelling them out if the gentleman from Massachusetts [Mr. WALSH] does not know whether the decimal fraction is one hundred thousandths or millionths?

Mr. WALSH. I would be able to read the written words, but it takes some time to tell what the fraction is by reading the figures.

Mr. STAFFORD. If you did not know the value of the decimal point, it would still be accurate; but if you reduce it to words it might be inaccurate, according to the standard of the gentleman from Massachusetts.

Mr. WALSH. The poor housewife, going down to get a gallon of molasses, will not have much time to waste in order to find whether the gallon has 231 cubic inches or not; but for the sealer of weights and measures it would facilitate matters. Of course, they would not possess the keen mathematical intellect that is possessed by the gentleman from Wisconsin, who can immediately visualize the cubic content of these liquid and dry measures.

Mr. STAFFORD. The gentleman should remember that I come from a liquid district.

Mr. JOHNSON of Kentucky. May I suggest that we leave it until we reach that section?

Mr. WALSH. I wanted to anticipate a little by asking the question.

Mr. JOHNSON of Kentucky. The committee would not object in the least to having those figures written out.

Mr. WALSH. Will the gentleman state whether or not the commissioners now have the authority to appoint public weighmasters?

Mr. JOHNSON of Kentucky. They have.

Mr. WALSH. And there is no change in that?

Mr. JOHNSON of Kentucky. None at all.

Mr. DILLON. Mr. Chairman, will the gentleman yield to me?

Mr. JOHNSON of Kentucky. Yes.

Mr. DILLON. If I remember correctly, we have by law established a standard barrel?

Mr. JOHNSON of Kentucky. Yes; and this bill says that that standard shall be accepted here.

Mr. DILLON. How is it as to the standard cranberry barrel?

Mr. JOHNSON of Kentucky. This refers to the cranberry barrel already established and accepts the barrel established by former acts of Congress.

Mr. DILLON. I think we have also established by law a standard berry basket. What does this bill propose with reference to that standard already fixed?

Mr. JOHNSON of Kentucky. I do not recall; and again I suggest that the gentleman wait until we get to that section of the bill under the five-minute rule.

Mr. Chairman, I ask that the Clerk read the bill for amendment.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895, is hereby amended to read as follows.

Mr. JOHNSON of Kentucky. Mr. Chairman, at the beginning of line 3, page 1, I move to insert the word and figure "SECTION 1."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Kentucky: At the beginning of the sentence, page 1, line 3, insert "SECTION 1."

Mr. WALSH. Mr. Chairman, I am opposed to the amendment.

The CHAIRMAN. The gentleman from Kentucky has the floor.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the amendment may again be reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again read.

Mr. WALSH. I yield to the gentleman from Wisconsin.

Mr. STAFFORD. Mr. Chairman, it has never been the practice in the making up of bills to insert the words "SECTION 1," as proposed by the amendment of the gentleman from Kentucky.

Mr. JOHNSON of Kentucky. It is in the committee report made by the gentleman from Ohio [Mr. CROSSER].

Mr. STAFFORD. It has never been the practice of the House to insert the word "SECTION 1," because it is always considered that the first section is section 1.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky [Mr. JOHNSON].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That there is hereby created an executive department in the government of the District of Columbia, which shall be known as the department of weights, measures, and markets. Such department shall be in charge of a superintendent of weights, measures, and markets, who shall be appointed by, and be under the direction and control of, the Commissioners of the District of Columbia, and shall receive a salary of $2,500 per annum. He shall have the custody and control of such standard weights and measures of the United States as are now or shall hereafter be provided by the District of Columbia, which shall be the only standards for weights and measures in said District.

The commissioners are also authorized to appoint, on the recommendation of the superintendent, such assistants, inspectors, and other employees for which Congress may, from time to time, provide.

Mr. WALSH. Mr. Chairman, I move to strike out, in line 5, page 2, the word "superintendent" and insert the word "sealer."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Strike out, in line 5, page 2, the word "superintendent" and insert the word "sealer."

Mr. WALSH. Mr. Chairman, I just wanted to direct the attention of the committee to the fact that the duties of this official, as prescribed in this act, are those of the sealer of weights and measures. That is a well-known office which is provided for in most cities and towns throughout most of the States, and there is nothing in this act to justify changing the title of that office. He is to perform practically the same duties that he had to perform under the law which this act seeks to amend, and I do not think it is a good practice, simply because we are going to enlarge or modify existing law, that we should change the designation of the official who is to perform the same character of duties that he has been performing heretofore.

I submit that while "superintendent" may possibly convey some satisfaction to the official himself that he is holding a more important office, the proper thing it seems to me to do is to just have him called "a sealer of weights and measures." Let him appoint his assistants and inspectors. I trust the amendment will be adopted.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, the same thing occurs in different parts of the bill. In order to avoid the votes upon them as they occur hereafter, I ask unanimous consent that the Clerk be directed to strike out the work "superintendent" wherever it occurs in a like sense in other parts of the bill and insert in lieu thereof the word "sealer."

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that where the word "superintendent" appears in connection with the bill the Clerk be authorized to strike out

the word and insert the word "sealer" in lieu thereof. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I move to strike out in line 1, page 2, the abbreviation "SEC. 2."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 1, strike out the abbreviation of the word "SEC. 2."

Mr. STAFFORD. Mr. Chairman, the reason why I offer that amendment is that this bill states in the lines right after the enacting clause that it is an amendment of "the act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, approved March 2, 1895." If this bill is framed with the purpose of being a substitute for that original enactment, when the codifiers would undertake a codification of the laws the first section would be that which is now described as "section 2," and would follow the enacting clause. Therefore I believe this amendment should be adopted, and then the other sections should be changed accordingly.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee if this is an executive department?

Mr. JOHNSON of Kentucky. I am sorry that I can not answer the gentleman advisedly. I am inclined to the opinion that it is.

Mr. WALSH. Has the District of Columbia got any legislative department?

Mr. JOHNSON of Kentucky. I think not.

Mr. WALSH. Then I do not think this is an executive department. I move to strike out the words in line 1, page 2, "an executive" and substitute "a," so that it will read "there is hereby created a department."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Strike out the words "an executive" and insert in lieu thereof the word "a."

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. STAFFORD. Does the gentleman really think it should be a department? A "department" has a well-recognized meaning in the legislation of Congress. Of course, it will not be a bureau unless it would be connected with some department.

Mr. WALSH Replying to the gentleman, I think in a municipal government we would say that belonged to the department of the sealer of weights and measures. I think it is properly called a department of the District government, because the District government is framed on the same plan as that of municipalities.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Massachusetts [Mr. WALSH].

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That the superintendent shall, before entering upon the performance of his duties, give bond to the District of Columbia in the penal sum of $5,000, signed by two sureties or by a bonding company, to be approved by the commissioners, conditioned on the faithful discharge of the duties of his office, and shall take and subscribe an oath or affirmation before the commissioners that he will faithfully and impartially discharge the duties of his office, which bond and oath shall be deposited with the commissioners.

Mr. STAFFORD. Mr. Chairman, I move to strike out the figure "3" in line 17, page 2, and insert the figure "2."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 17, after the word "SEC.," strike out the figure "3" and insert in lieu thereof the figure "2."

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to renumber all the subsequent sections to conform to the amendment just adopted.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the Clerk be authorized to renumber the sections. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. CONNALLY of Texas having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 8, 1918:

S. 3799. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

On June 10, 1918:

H. R. 9959. An act to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico," approved May 11, 1912; and

S. 1544. An act to provide for appeals from decisions of boards of local inspectors of vessels, and for other purposes.

WEIGHTS AND MEASURES.

The committee resumed its session.

The Clerk read as follows:

SEC. 4. That the superintendent and under his direction his assistants and inspectors shall have exclusive power to perform all the duties provided in this act. They shall from time to time inspect, test, try, and ascertain whether or not they are correct all weights, scales, beams, measures of every kind, instruments, or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia, by any owner, agent, lessee, or employee in determining the weight of persons and the weight, size, quality, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for distribution, consumption, transportation, sale, barter, exchange, hire, or award, and shall seal, stamp, or mark, in the manner prescribed by the commissioners, such as conform to the standards kept in the office of the superintendent, and shall seize and destroy or mark, stamp, or tag with the word, "Condemned," such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or having the same under his control shall permit to be used for any of the purposes enumerated in this section any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act.

Any person who shall acquire or have in his possession after the passage of this act any unapproved scale, weighing instrument, or non-portable measure or measuring device subject to inspection or test under the provisions of this act, shall notify the superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any portable unapproved measure or measuring device, subject to inspection or test, shall cause the same to be taken to the office of the superintendent for inspection or test.

Every peddler, hawker, or other transient merchant shall, before using any such weight, scale, measure, weighing or measuring device, cause the same to be taken to the office of the superintendent for inspection or test semiannually, and shall not use any weight, scale, measure, weighing or measuring device which has not been approved within six months prior to the time of such use.

The Clerk read the following committee amendment:

Page 3, lines 13 and 14, after the word "persons," insert "for a charge or compensation."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 3, line 14, after the word "size," strike out the word "quality" and insert in lieu thereof the word "quantity."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 3, line 16, after the word "for," strike out the words "distribution, consumption."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 4, line 24, after the word "device," insert the words "for any of the purposes enumerated in this act."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 5, line 2, after the word "use," insert the words "for such purposes."

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, there is a typographical error in line 21, page 3, where the word "tag" has a superfluous "e" at the end of it.

Mr. JOHNSON of Kentucky. That letter "e" should be stricken out.

The CHAIRMAN. Without objection, the Clerk will be authorized to make the correction.

There was no objection.

The Clerk read as follows:

SEC. 6. That no person shall neglect, fail, or refuse to exhibit any weight, scale, beam, measure, weighing or measuring device to the superintendent or any of his assistants or inspectors for the purpose of inspection and test, and no person shall in any manner obstruct, hinder, or molest the superintendent or any of his assistants, inspectors, or other employees in the performance of their duties.

The Clerk read the following committee amendment:

Page 5, line 19, after the word "device," insert the words "subject to inspection or test under the provisions of this act."

The amendment was agreed to.

The Clerk read as follows:

SEC. 9. That when any commodity is sold by weight it shall be understood to mean net weight. When any commodity, except coal, is sold by the ton it shall be understood to mean mean 2,000 pounds avoirdupois. Coal shall be sold by the long ton, consisting of 2,240 pounds avoirdupois.

The Clerk read the following committee amendment:

Page 6, line 24, after the word "be," strike out the words "understood to mean."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 6, line 25, after the word "commodity," strike out the words "except coal."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 6, line 25, and page 7, line 1, strike out the words "understood to mean mean."

The amendment was agreed to.

The Clerk read the following committee amendment:

Page 7, lines 1, 2, and 3, strike out the words "coal shall be sold by the long ton, consisting of 2,240 pounds avoirdupois."

The amendment was agreed to.

The Clerk read as follows:

SEC. 10. That no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained, within the District of Columbia any coin-in-the-slot machine or automatic vending device without placing in charge thereof some responsible person. No such machine shall be maintained for use when the same is not in perfect working order, and the person in charge as well as the owner of such machine or device shall be held responsible for operating or maintaining any such machine or device which is not in perfect working order. A sign or placard shall be placed on every such machine or device in a conspicuous place and shall contain the name of the owner and of the person in charge of such machine or device, and shall state that the person in charge of such machine or device will refund to any person money deposited by him for which the commodity or service promised expressly or impliedly has not been received, and it is hereby made the duty of such person to so refund such money.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This is the section to which I directed attention in the general debate, as to the need of having an attendant in charge of all coin-in-the-slot machines. I think that regulation would be going rather to an extreme, and I question whether the language should not be modified in other particulars, so that these automatic vending devices will not be required to be in charge of some responsible person. I withdraw the pro forma amendment, and move to strike out the words in lines 6 and 7, "coin-in-the-slot machine or."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 7, line 6, after the word "any," strike out the words "coin-in-the-slot machine or."

Mr. STAFFORD. I yield to the gentleman from Pennsylvania [Mr. WATSON].

Mr. WATSON of Pennsylvania. Does this section mean that there may be one attendant to take care of two or more machines, or does it mean that for every machine there shall be an attendant? For instance, where there are half a dozen such machines, would it not be possible for one man to take care of all of them under this act?

Mr. STAFFORD. I believe that the phraseology is broad enough so that there could be any number of machines in charge of one man.

Mr. WATSON of Pennsylvania. For instance, a man who had charge of a newspaper stand probably might be considered under the act as having charge of all the machines. It would not be necessary for him to stand by a machine every time some one put a nickel in the slot?

Mr. STAFFORD. I am seeking to obviate the necessity of having an attendant at every weighing machine which we find so generally distributed not only on thoroughfares but in the hotel corridors and drug stores, and the like. As far as drug stores are concerned, they would be in charge of responsible persons, but if there was a weighing machine in the Union Depot terminal you could not say that that was in charge of a responsible person because some person would visit it once a day. Under this phraseology it would have to be within his purview.

Mr. PLATT. What is the use of having an automatic machine if you have to have a person in attendance on it?

Mr. STAFFORD. The gentleman from Kentucky referred to automatic vending devices where you deposit a penny and get a penny's worth of salted peanuts, or deposit 5 cents or other amount and get a certain amount of merchandise. The intention was that these vending devices should be put in places where they were in the purview of some responsible person.

Mr. FOSTER. Would you make this apply to a person in charge of each one of these machines? Why not put one man in charge of a dozen and let him make the rounds?

Mr. STAFFORD. The purpose of the framers of this bill was to prohibit machines being placed in public places unless there be some person to supervise them. That may be going pretty far.

Mr. WALSH. Mr. Chairman, I think the large assemblage on the Democratic side ought to be in order during the discussion of this important measure.

Mr. PLATT. If that provision should go into effect, you could not have a machine in many of these small railroad stations. Now, in the small way stations, what do we find. There are the vending machines, and they are within the purview of the ticket agent.

Mr. GILLETT. What if they are not?

Mr. JOHNSON of Kentucky. If we find a machine that is cheating the people, there ought to be somebody responsible to look after it.

Mr. PLATT. I think the large part of the provision about having the name of the owner on it is all right, but to place it in charge of some responsible person is too broad and liable to be misconstrued.

Mr. JOHNSON of Kentucky. It is about the only protection you can give the public.

Mr. PLATT. The public is not complaining about the machines to any considerable extent that I have heard of.

Mr. JOHNSON of Kentucky. The sealer of weights and measures says that there is a good deal of complaint about their weight.

Mr. PLATT. They are all over the country.

Mr. STAFFORD. Perhaps the gentleman has not used them to any great extent, and neither have I, but I have known circumstances where they have refused to deliver the goods.

Mr. PLATT. I have known some elaborate machines. I know a machine where you put your hand in a glove and make a choice of cigars, and that has worked pretty well, but I admit that there ought to be the name of the owner on the machine.

Mr. STAFFORD. They ought to be in charge of some person, where you could seek reimbursement in case the machine refuses to work.

Mr. JOHNSON of Kentucky. I will say that only recently I dropped a 25-cent piece into a machine to get a bottle of listerine and did not get anything, and I could not find anybody in charge or who was responsible.

Mr. PLATT. I never heard of listerine being sold by vending machines.

Mr. JOHNSON of Kentucky. Yes; they sell toothbrushes and all sorts of things in these slot machines.

Mr. PLATT. They ought to have something on them as to who the owner is.

Mr. JOHNSON of Kentucky. They should have some one to whom they could go for reimbursement if the machine does not work. They have a lot of things which sell for as much as a half a dollar.

Mr. PLATT. The very purpose of an automatic machine is to get rid of having anybody to do the work.

Mr. JOHNSON of Kentucky. This will compel the owner of the machines to keep them in working order.

Mr. PLATT. It seems to me that in these days, when labor is scarce, the use of these machines ought to be encouraged.

Mr. JOHNSON of Kentucky. They ought not to be encouraged to cheat people.

Mr. WALSH. Mr. Chairman, with reference to the amendment offered by the gentleman from Wisconsin I think perhaps the idea he has in mind is worthy of consideration. But I think the amendment ought to be recast so as to provide that none of these machines should be set up and maintained except in places or on premises in charge of some responsible person.

If you put a machine in a drug store, I do not think the proprietor ought to be obliged to put a man in charge of the machine. But I think the company or the person who owns the machine ought not to be permitted to put it up on premises where nobody is in charge of the premises. So I think the gentleman from Wisconsin can very easily redraft his amendment so that it will provide that no person, firm, or corporation shall erect, operate, or maintain, or cause to be erected, operated, or maintained within the District of Columbia any coin-slot machine or automatic vending device except upon premises in charge of some responsible person.

It seems to me that that would obviate the objections that have been raised here. If it is agreeable to the gentleman from Wisconsin, I would like to offer that as a substitute.

Mr. STAFFORD. I was seeking to except those weighing machines that are placed on public thoroughfares not in charge of any person.

Mr. WALSH. The gentleman means on the sidewalks, but they could be placed up against the wall in charge of some person.

Mr. STAFFORD. I do not think the construction would go to that extent. I think the automatic vending devices should have an attendant on the premises; that they should be in charge of some responsible person. If it is desired to withdraw the weighing machines in the streets and thoroughfares and have them only on premises in charge of some person, I am not going to be insistent on my amendment.

Mr. RAGSDALE. Mr. Chairman, now that we have restored order on the Democratic side, I hope that the gentleman from Massachusetts and the gentleman from Wisconsin will come to an agreement and heal the breach in the Republican Party over there. [Laughter.]

Mr. WALSH. Mr. Chairman, I desire to offer an amendment in view of the harmony prevailing across the aisle, but I notice that that harmony began immediately on the entrance of the gentleman from South Carolina, who has just taken his seat. I offer this as a substitute: In line 7, after the word "device," strike out the words "without placing" and insert the words "except upon thep remises." So that it will read: "any coin-in-the-slot machine for automatic vending device except upon premises in charge of some responsible person."

Mr. JOHNSON of Kentucky. I will say to the gentleman from Massachusetts right there that the most expensive articles sold from these machines are in hotels, not in the office of the hotels but in the rooms.

Mr. WALSH. They are in the premises in charge of somebody.

Mr. JOHNSON of Kentucky. They are, but they are not carefully looked after. However, I do not care.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 7, after the word "device," strike out the words "without placing" and in lieu thereof insert the words "except upon premises."

The CHAIRMAN. Does the Chair understand that that is offered as a substitute for the amendment of the gentleman from Wisconsin?

Mr. WALSH. Yes.

Mr. STAFFORD. Mr. Chairman, I do not think that it is a substitute. It is a separate amendment.

The CHAIRMAN. Then the amendment of the gentleman from Wisconsin will be first in order.

Mr. WALSH. I offer it as a substitute, and I should like to be advised why it can not be considered as a substitute, if the gentleman from Wisconsin raises the point.

Mr. STAFFORD. Mr. Chairman, the amendment of the gentleman from Massachusetts in nowise is related to the amendment that I presented. I offered an amendment to strike out. That may be voted up or voted down. If it is voted up or down, then it will be in order for the gentleman to move to strike out and to insert, as is provided for in his amendment. His amendment is entirely distinct and separate and there is no direct relation to the amendment that I have offered. The committee might wish to vote to strike out the words that I have suggested to be stricken out and yet might also be willing to incorporate the amendment of the gentleman from Massachusetts. It has no direct relation to it and is therefore not a substitute, but is a separate and distinct amendment.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Wisconsin.

Mr. PLATT. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the amendment will again be reported.

There was no objection, and the Clerk again reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 6, noes 1.

So the amendment was agreed to.

Mr. WALSH. I do not think it is possible to get tellers without causing serious embarrassment, so I shall not ask for them. I now move to amend the section by striking out, in line 7, page 7, the words "without placing" and inserting in lieu thereof the words "except in or upon premises."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 7, after the word "device," strike out the words "without placing" and insert in lieu thereof the words "except in or upon premises."

Mr. SUMNERS. Mr. Chairman, as I understand the amendment offered by the gentleman from Massachusetts it deals with the control of premises, whereas this bill's purpose is to control a machine. The amendment of the gentleman from Massachusetts, as I understand it, provides that the machine shall not be placed except upon premises which are under the control of a responsible party, but his amendment carries no control over the machine. That is the reason why I think the amendment ought to be defeated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 7, noes 6.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 11. That every peddler, hawker, street vendor, or other transient merchant shall deliver to every purchaser of any commodity of whatever kind, at the time of delivery of such commodity, a sales ticket which shall show the correct name, permanent address, and license number, if any, of the vendor, together with the weight, measures, or numerical count of each commodity sold to such purchaser. Every person, firm, or corporation having a fixed and established place of business shall, when a sales ticket is given with a purchase, cause such sales ticket to show the correct name and address of such person, firm, or corporation and the weight, measure, or numerical count, as the case may be, of each commodity sold to such purchaser, and every such person, firm, or corporation is hereby required to deliver such sales ticket to such purchaser when requested by such purchaser at the time of the sale to do so.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 7, line 23, after the word "or," strike out the word "other."

Mr. CRAMTON. Mr. Chairman, the purpose of that amendment is this. The several classes of peddlers, and so forth, enumerated, as the language stands, are all to be considered as transient. The general meaning of the word "transient" would be persons who do not live in the District or who do not customarily do business in the District, but who are doing business here temporarily. That is certainly not the purpose with respect to "every peddler, hawker, street vendor," and by striking out the word "other" I think the meaning of the committee would be made plain.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move now to strike out the section.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 7, strike out section 11.

Mr. STAFFORD. Mr. Chairman, the section under consideration requires in the purchase of every character of merchandise within the purview of this act that there shall be furnished by the vendor, whether he is a peddler, hawker, street vendor, or other transient merchant, or whether he has a permanent place of business, a sales ticket giving the amount of the purchase, the name, permanent address, and license number of the vendor in case he is an itinerant or transient merchant, and also the statement of the weight, measure, and numerical count of each commodity sold to the purchaser.

Mr. CAMPBELL of Kansas. What would that result in on a busy day down here in any stall in the market or in a drug store on Pennsylvania Avenue or F Street at any time you might drop in there?

Mr. STAFFORD. It would not only cause tremendous delay, but it would cause disorganization, and would absolutely prevent the transaction of business in the ordinary methods in which retail business is conducted not only in the District of Columbia but in any other place.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CRAMTON. The suggestion of the gentleman from Kansas [Mr. CAMPBELL] would hardly apply, as this section refers to sales on streets and not in market stalls.

Mr. STAFFORD. This section extends to all sales——

Mr. CRAMTON. Oh, no.

Mr. STAFFORD. Let me direct the gentleman's attention and I think I can convince him I am right on that proposition. The first sentence of the section relates to the itinerant or transient merchant. We are in accord on that. Then I direct

the gentleman's attention to the language beginning with the word "every," in line 3, which is as follows:

Every person, firm, or corporation having a fixed and established place of business shall, when a sales ticket is given with a purchase, cause such sales ticket to show the correct name and address of such person, firm, or corporation and the weight, measure, or numerical count, as the case may be, of each commodity sold to such purchaser, and every such person, firm, or corporation is hereby required to deliver such sales ticket to such purchaser when requested by such purchaser at the time of the sale to do so.

Mr. CRAMTON. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. CRAMTON. The gentleman will note that as to the sale upon the street it is compulsory that a ticket be given, even if you get a dozen bananas. I do not think it should be compulsory, but the second part is that the ticket must be given if the customer requests it. If he goes in and gets a tooth brush, naturally he will not ask for a ticket as to a certain weight or count, but if he goes in and gets a bushel or a barrel of potatoes he will perhaps request a certificate, a slip, and if he does certainly it ought to be furnished, but in nine sales out of ten there will not be any request.

Mr. STAFFORD. Mr. Chairman, I am in sympathy with these so-called hawkers or venders who go about the streets in the poor and middle-class districts of Washington distributing truck, as we call it, and all kinds of edible fresh market goods to the dwellers of the District, and I do not believe that they should be hampered as this section provides in the operation of their business. Every one of us here knows what they do in the sale of their merchandise. There is not much criticism of the way they do business.

All this measure under consideration should do is that the sealer of weights and measures should see that they have proper standards in use and that is the rule that is adopted in nearly every municipality, to have proper standards of measurement, and then the sealers with their inspectors will go around and see that they use the proper measure in the sale of their truck goods. If the seller shall be required to give a slip with the name and license number and enumerate all the purchases that are made by the housewives of this District, it will place a ban upon the housewives in having the advantage of competition in purchases of truck from these itinerant vendors.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WATSON of Pennsylvania. I ask that the gentleman's time may be extended.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. WATSON of Pennsylvania. Does the gentleman interpret this to mean that every boy who peddles or sells a newspaper must be obliged to give a ticket?

Mr. STAFFORD. Oh, no; not a newspaper. This bill does not extend to the sale of newspapers.

Mr. WATSON of Pennsylvania. It says "peddler"; it says "vendor," which certainly would seem to extend to sales of newspapers.

Mr. PLATT. Why does it not?

Mr. STAFFORD. I would say that would be construed to mean only those articles which would be covered by the character of measurements which are included in this bill.

Mr. WATSON of Pennsylvania. There are two or three hundred things that can be——

Mr. PLATT. When they sell one newspaper would they have to put it down one newspaper?

Mr. STAFFORD. If it would bear that very extreme construction, then it is one argument further why the whole section should be eliminated. It is out of keeping with the idea of the bill. This bill is to provide correct standards, so that a person who purchases their wares shall get full value. We prescribe the size of the berry box, and no peddler or merchant will be able to sell berries unless the containers are as prescribed here.

Mr. CARLIN. Has the gentleman an amendment pending to strike out this provision?

Mr. STAFFORD. I have.

Mr. SUMNERS. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. SUMNERS. Does the gentleman think that beginning in line 3 with the word "every" that the rest of the section shall be kept in? That does not deal with the matter the gentleman has been discussing, but it deals with the right of the purchaser to procure a slip upon his request.

Mr. STAFFORD. I do not think we should be unduly burdening the retail merchants of this District in this matter. We are going a great way when we are providing standards under this bill.

Mr. WALSH. Most of the transient merchants are not doing a very large business.

Mr. CRAMTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 22, after the word "that," insert "upon the request of such purchaser."

Mr. CRAMTON. Mr. Chairman, the purpose of the amendment is simply to make the first portion of the section not compulsory unless the purchaser desires such slip, which of course he would not desire in the case of a newspaper or a cigar, or anything of that kind, but if he bought a quantity of fish or vegetables or fruit he might desire it, and if he desires it he ought to be entitled to it. Therefore I have offered that amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the gentleman will permit, I will say that the suggestion was made in the committee that ofttimes this is a protection to servants who are sent out with a piece of money to buy, say, 50 cents worth of tomatoes or something of that sort, and the servant would get a slip showing how much had been obtained for that piece of money.

Mr. CRAMTON. If you make it optional with the purchaser you will obviate the most of the hardships of which the gentleman from Wisconsin complains.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. WATSON of Pennsylvania. Under the gentleman's amendment every vendor would always have to carry a slip in his pocket. If you demand a slip and he does not have it, he would be liable to punishment.

Mr. CRAMTON. It is not a hardship to carry a blank pad or a few slips in the pocket, to be given out when the vendor is asked for them.

The CHAIRMAN. If the Chair may have the attention of the gentleman from Michigan [Mr. CRAMTON], the Chair thinks his amendment is out of order.

Mr. STAFFORD. It is a preferential amendment.

Mr. CRAMTON. It is a preferential amendment to perfect the section before the amendment to strike out is voted on.

The CHAIRMAN. The question is, then, on the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now recurs on the amendment of the gentleman from Wisconsin [Mr. STAFFORD] to strike out the section.

The amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe an arrangement has already been made to correct the numbering of the sections. Section 11 having gone out, the next section will be 11 instead of 12.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 12. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any other manner than by weight. No person shall deliver or attempt to deliver any coal, charcoal, or coke without accompanying same by a delivery ticket and a duplicate thereof, on each of which shall be expressed distinctly in pounds, avoirdupois, in ink or other indelible substance, the gross weight of the load, the tare of the delivery vehicle or receptacle, and the net weight of coal, charcoal, or coke contained in the vehicle or receptacle used in making delivery, with the name of the purchaser and the name and address of the person, firm, or corporation from whom or which purchased. Upon demand of the superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to some public scale, or to any legally approved private scale in the District of Columbia, the owner of which shall consent to its use and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon or other conveyance used to the same scale and permit to be verified the weight of the wagon or other conveyance: *Provided*, That when coal, charcoal, or coke is sold in a quantity less than 280 pounds and is not weighed in a wagon, cart, or other vehicle, it shall be sufficient for the seller to deliver to the purchaser, his agent, or representative a ticket showing the name and address of the vendor, the name of the purchaser, and the true net weight of the coal, charcoal, or coke so sold or delivered: *Provided further*, That when coal, charcoal, or coke is sold in packages of 50 pounds or less, it shall be sufficient to plainly mark each package with the name of the person, firm, or corporation making such package, and the true net weight of the coal, charcoal, or coke contained therein.

No coal, charcoal, or coke shall be sold which contains more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke at the time the weight is taken.

Every vendor of coal, charcoal, or coke shall cause his name to be conspicuously displayed on both sides of each vehicle used by or for him for the delivery of coal, charcoal, or coke.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

I notice in the proviso on page 9, lines 18 and 19, that the committee has fixed 280 pounds as a maximum whereby coal must be marked when sold in packages. I do not know whether there is any relation in what I am about to say, but 280 pounds is one-eighth of a gross ton of coal. The committee by an amendment has changed the ton of coal from the large ton of 2,240 to 2,000 pounds. Now, I wish to inquire whether the chairman wishes to adhere to 280 or wishes to take the smaller amount, of one-eighth of 2,000?

Mr. JOHNSON of Kentucky. I think that should be done.

Mr. STAFFORD. Then, Mr. Chairman, I move to strike out the word "eighty" in line 19 and insert "fifty," so as to make this amount conform to one-eighth of the small ton.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 9, line 19, strike out the word "eighty" and insert in lieu thereof the word "fifty."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Kentucky. Mr. Chairman, the Clerk has just invited my attention to the fact that I made an inaccurate statement a few moments ago relative to the renumbering of the sections. In order that there may be no further confusion about it or no further requests necessary, I now ask unanimous consent that at the completion of the bill the Clerk may properly number each section.

Mr. STAFFORD. Will the gentleman yield in that particular, so as to have the Clerk advised? Perhaps the present reading clerk was not here when the motion was made to strike out the designation of "SEC. 2," at the beginning of page 2. Then a motion was made, which was adopted, that the Clerk be authorized to renumber all the subsequent sections to conform to that amendment. So section 3 will be section 2, and the other sections, according to the request of the gentleman from Kentucky, will be numbered accordingly.

The CHAIRMAN. The gentleman from Kentucky [Mr. JOHNSON] asks unanimous consent that at the conclusion of the reading of the bill the Clerk be authorized to renumber the sections.

Mr. JOHNSON of Kentucky. In conformity with the amendment made heretofore by the gentleman from Wisconsin or which may hereafter be adopted.

The CHAIRMAN. Without objection, the request is granted.

There was no objection.

The CHAIRMAN. The Chair will call the attention of the gentleman from Kentucky to an improper spelling in line 21. The word "receptable" should be "receptacle."

Mr. JOHNSON of Kentucky. On what page?

The CHAIRMAN. On page 8.

Mr. JOHNSON of Kentucky. Mr. Chairman, I ask that the Clerk be directed to correct the spelling.

The CHAIRMAN. Without objection, the Clerk will be directed to correct the spelling of that word.

There was no objection.

The following committee amendment was read:

Page 8, line 19, after the word "avoirdupois," insert the words: "the original of which shall be."

The CHAIRMAN. The question is on the adoption of the committee amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the standard loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall weigh 1 pound avoirdupois, but bread may also be manufactured for sale, sold, offered or exposed for sale in loaves of one-half pound, or in multiples of 1 pound, but shall not be manufactured for sale, sold, offered or exposed for sale in other than the aforenamed weights. Every loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall have affixed thereon, in a conspicuous place, a label at least 1 inch square, or, if round, at least 1 inch in diameter, upon which label there shall be printed in plain bold-face gothic type, not smaller than 12 point, the letters and figures of which shall be printed in black ink upon white paper, the weight of the loaf in fraction of a pound, pound, or pounds, as the case may be, whether the loaf be a standard loaf or not. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label. Every seller of bread in the District of Columbia shall keep a scale which shall have been inspected and approved in accordance with the provisions of this act, suitable for weighing bread, in a conspicuous place in his bakery, bakeshop, or store, or other place where he is engaged in the sale of bread, and shall, whenever requested by the buyer, and in the presence of the buyer, weigh the loaf or loaves of bread sold or offered for sale.

Nothing herein shall apply to crackers, pretzels, buns, rolls, scones, or loaves of fancy bread weighing less than one-fourth of 1 pound avoirdupois, or to what is commonly known as stale bread, sold as such, provided the seller shall, at the time the sale is made, expressly state to the buyer that the bread so sold is stale bread: *Provided*, That any loaf of bread weighing within 10 per cent in excess or within 4 per cent less than standard weight shall be deemed of legal weight.

Mr. PLATT. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I would like to know how this label, of at least 1 inch in diameter, upon which there should be printed in plain bold-face Gothic type, and so forth, the weight of the loaf, is going to be affixed to the loaf of bread. Is it going to be pasted on by somebody licking the label? If so, I object to having microbes of that kind put on my bread.

Mr. JOHNSON of Kentucky. It will be done with a brush and paste.

Mr. PLATT. I know they do that with some bread; but sometimes they lick the labels, and I think it ought to be stopped.

Mr. SUMNERS. It is a waste of bread, too.

Mr. PLATT. Labels never ought to be allowed to be put on a loaf of bread at any time. It is not necessary to label a loaf of bread. It ought not to be allowed. The Board of Health ought to object to it.

The CHAIRMAN. Does the gentleman from New York [Mr. PLATT] offer an amendment?

Mr. PLATT. I would like to move to strike it out.

Mr. STAFFORD. While the gentleman is preparing his amendment, Mr. Chairman, I ask for recognition. There is a minor matter to which I wish to direct the attention of the chairman of the committee in the proviso at the end of the section on page 12, where it is stated that any loaf of bread weighing within 10 per cent in excess or within 4 per cent less than standard weight shall be deemed of legal weight.

I assume that the gentleman really has no objection if the loaf of bread is in excess of the 10 per cent, and so I suggest that we strike out the words "within 10 per cent," so that the proviso should read "that any loaf of bread weighing in excess of the standard weight or within 4 per cent less than the standard weight." I offer the following amendment: Strike out the words "within 10 per cent" in line 10, page 12.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 12, line 10, after the word "weighing," strike out the words "within 10 per cent."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. PLATT. Mr. Chairman, I offer the following amendment: Strike out, on page 11, lines 10 to 21, including the first word on line 21.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. PLATT: Page 11, lines 10 to 21, strike out the following: "Every loaf of bread manufactured for sale, sold, offered or exposed for sale in the District of Columbia shall have affixed thereon in a conspicuous place a label at least 1 inch square, or, if round, at least 1 inch in diameter, upon which label there shall be printed in plain bold-face Gothic type, not smaller than 12 point, the letters and figures of which shall be printed in black ink upon white paper the weight of the loaf in fraction of a pound, pound, or pounds, as the case may be, whether the loaf be a standard loaf or not. The business name and address of the maker, baker, or manufacturer of the loaf shall also be plainly printed on each such label."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 16. That the standard barrel for fruits, vegetables, and other dry commodities other than cranberries and the standard barrel for cranberries in the District of Columbia shall be the same as is provided in the act of Congress approved March 4, 1915, entitled "An act to fix the standard barrel for fruits, vegetables, and other dry commodities."

The standard box or crate for apples, pears, plums, peaches, tomatoes, turnips, and other fruits and vegetables not secondarily contained in quart or other boxes within such box or crate shall have an interior capacity of not less than 2,352 cubic inches.

A bushel crate for cranberries or blueberries shall have an interior capacity of 2,150.42 cubic inches.

All sales of blackberries, strawberries, blueberries, gooseberries, currants, raspberries, cherries, lima beans, shelled peas, and other berries and vegetables of approximately like size, in quantities of less than 1 bushel, shall be by the peck, quart, pint, or half pint standard dry measure, and all berry boxes or baskets used, sold, or offered for sale in the District of Columbia shall be of the interior capacity of not less than 1 quart, 1 pint, or one-half pint standard dry measure.

Standard containers for the sale of fresh fruits and vegetables in quantities of less than 1 bushel shall be of the capacity of 1 quart, 2 quarts, 3 quarts, 4 quarts, 5 quarts, 6 quarts, 8 quarts, 16 quarts, or 24 quarts standard dry measure, and such containers shall contain the full capacity of such fresh fruits or vegetables when such fresh fruits or vegetables are sold or offered for sale. When fresh fruits or vegetables are sold in other than standard containers such containers shall be plainly and conspicuously marked in the English language in Gothic type at least 24 points high with the true net weight, measure, or numerical count of such fresh fruits or vegetables.

Mr. CRAMTON. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 13, line 4, after the words "cranberries and," insert the words "lime and."

Mr. CRAMTON. The purpose of the amendment is properly to observe the Federal law with reference to the standard recently passed.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

Mr. CRAMTON. Now, I have a second amendment, which I will ask the Clerk to report.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 13, line 9, after the word "commodities," strike out the period and insert the following: "And the standard barrels for lime shall be the same as that provided in the act of Congress approved August 23, 1916, entitled 'An act to standardize lime barrels.'"

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 18. That a barrel of flour shall contain 196 pounds avoirdupois, net weight, and fractional parts thereof shall contain proportionate net weight.

A cord of wood shall contain 128 cubic feet; when wood is sold by the cord, it shall, when delivered, contain 128 cubic feet, whether sawed and split or not.

A standard sack or bag of potatoes shall contain 1½ bushels of potatoes, standard dry measure, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags.

Mr. CRAMTON. Mr. Chairman, I would like to ask my colleague from Michigan [Mr. MAPES] a question with reference to that language about the measurement of wood. I had a little experience with a very prominent concern here last winter who took very great umbrage because when I paid $18 a cord for wood and could buy only one-fourth of a cord it was about one-third shy of that amount. Their defense was that there was some regulation in the District that when you buy a fraction of a cord of wood, instead of piling it up as you would naturally do, they throw it into a box and you take what you get. In my case I paid from $25 to $30 a cord for wood, and a very prominent firm of coal dealers were very much insulted when I insisted on full measure. I want to know if this phrase will prevent such little disputes as I had with that firm last winter. It says, "When wood is sold by the cord, it shall, when delivered, contain 128 cubic feet, whether sawed and split or not." Does that mean that all wood sold in quantities shall be piled up and measured as it is proper to measure wood, or whether it is possible for them to throw it into a box of more or less obscure dimensions and give you the result?

Mr. JOHNSON of Kentucky. Without that part of the bill there is already a clause in a bill here defining what a cord should be.

Mr. CRAMTON. That is what I ran up against.

Mr. JOHNSON of Kentucky. A quarter of a cord is a quarter of a cord. If they did not give you a full quarter, they cheated you. But there are penalties imposed in this bill for failure to comply with the provisions.

Mr. CRAMTON. They insisted that they were not guilty of cheating, but that I was guilty of lese majeste for calling attention to it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me in order that I may make a suggestion based on some practical experience, not with wood, but with other things?

Mr. JOHNSON of Kentucky. Certainly.

Mr. MADDEN. Take stone, for example. If you take a solid block of stone and will measure a yard, 27 cubic feet, it would weigh 4,860 pounds when it is dense in one block. You can take that same quantity of stone and crush it up and pile it wherever you want to pile it, in a box or in a frame, and the interstices between the small fractions of the stone will be such as to make a cubic yard of stone weigh only 2,500 pounds. Now, I assume that in measuring wood 128 cubic feet of wood would be a cord if it were piled up in lengths where there would be but few interstices, and that 128 cubic feet of wood would not be a cord if it were piled up and cut into small pieces. There would not be so much wood.

Mr. JOHNSON of Kentucky. Under the old law a cord of wood measured 8 feet long, 4 feet high, and 4 feet wide.

Mr. MADDEN. But if you split it up you would not get as much wood if you had 128 cubic feet as if you had it in big logs.

Mr. CRAMTON. To make it perfectly clear, I want to offer an amendment and insert this language, "and shall not be measured by loose piling in a box."

Mr. JOHNSON of Kentucky. Why not say "measured in the same way that a cord would be measured"?

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 13, line 12, strike out the period and insert the following: "and shall not be measured by loose piling in a receptacle."

Mr. CRAMTON. And to be considered as a part of the same amendment, in line 10, after the word "cord," insert the words "or fraction thereof."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 10, after the word "cord," insert the words "or fraction thereof."

The CHAIRMAN. The question is on agreeing to the amendment consisting of the two paragraphs which have been read by the Clerk.

The question being taken, the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I will offer the words to come at the close of the paragraph, and omit the reference to the fraction of a cord, which makes some complications, and which is unnecessary anyway.

The CHAIRMAN. Without objection, then, the Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Pages 13, line 12, at the end of the sentence strike out the period and insert the following: "and shall not be measured by loose piling in a receptable."

Mr. WALSH. Mr. Chairman, I do not know whether I am in favor of this amendment or not, as I am not very familiar with the methods used for the sale of wood in the District of Columbit; but I would like to ask the gentleman from Michigan, who proposes this amendment, how he intends to have a quarter of a cord of wood measured? How are they going to measure sawed and split kindling wood? Have they got to measure it before they saw and split it?

Mr. CRAMTON. Why, Mr. Chairman, when a customer calls up a wood yard and asks for a cord of wood, and is told he can not buy more than a quarter of a cord, and he is paying $18 a cord, I want the law so framed that he will get a quarter of 128 cubic feet of wood properly piled. It is up to the wood yard whether they will measure that wood before they split it into kindling wood or not; but I want the customer to get the wood that he pays for instead of getting about half or two-thirds of what he pays for.

Mr. WALSH. Does the gentleman want 32 cubic feet of wood sawed and split or does he want 32 feet of sawed and split wood? For instance, you may take 32 feet of wood and have it sawed and split, and then measure it, and it will contain more than 32 cubic feet.

Mr. CRAMTON. I do not come from near enough Boston to be able to make that distinction.

Mr. WALSH. I would like to know the purpose of this amendment, because I should like to know how they are going to measure a quarter of a cord of sawed and split wood unless they throw it into some sort of a box or receptacle.

Mr. PLATT. Will the gentleman yield?

Mr. WALSH. Yes; I yield to the gentleman from New York, who, I know, can answer that question.

Mr. PLATT. The common practice or custom of dealers in wood, who sell wood in small quantities and who sell kindling wood split in fine pieces, perhaps a foot long, is by the bushel basket.

Mr. WALSH. That is the way they sell it up in the wilderness where I reside.

Mr. CRAMTON. If the gentleman will yield, when you buy kindling wood by the basket you are not buying wood by the cord, and this language applies only when wood is sold by the cord. If it is a bushel basket of kindling which you are buying, that is one thing, but when you are buying wood by the cord, it should contain a certain amount.

Mr. COX. Will the gentleman from Massachusetts yield?

Mr. WALSH. I yield to the gentleman from Indiana.

Mr. COX. Why not insert after the word "feet," in line 11, the words "or some multiple thereof"? That would make 128 feet the basis of a cord of wood.

Mr. WALSH. The gentleman from Michigan [Mr. CRAMTON] is after a fraction of a cord.

Mr. CRAMTON. It says "by the cord." Now, whether you buy half a cord——

Mr. COX. Or a quarter of a cord——

Mr. CRAMTON. The standard measure is 128 feet.

Mr. COX. Yes; that is your basis of measure. Now, why not put in there some multiple of that?

Mr. CRAMTON. What I am seeking is to have them pile it properly instead of throwing it in loosely.

Mr. COX. If you measure out 128 cubic feet you get a cord of wood.

Mr. WALSH. Mr. Chairman, in the short time at my disposal, I wish to express my opposition to this amendment. If the gentleman buys a quarter of a cord of wood, when we provide by statute that a full cord shall contain 128 cubic feet, how can the gentleman object to the method of measurement if he gets 32 cubic feet in his quarter of a cord? It seems to me the gentleman ought not to limit the method of ascertaining the number of cubic feet in the quantity which he orders by providing that it can not be measured in a receptacle or box. I am of the impression that some wood dealers have a box which is built to contain a quarter of a cord of wood, and that wood is thrown in there, and when the box is filled it contains 32 cubic feet. On the other hand, if the gentleman does as some of us do who occasionally buy a quarter or half a cord of wood, sawing and splitting it ourselves—if you buy a quarter of a cord of wood in the 4-foot length and then saw and split it and attempt to pile it up and measure it, you find you have more than 32 cubic feet.

I trust the amendment may be defeated.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The amendment was rejected.

Mr. MASON. Mr. Chairman, with the consent of the chairman of the committee, I desire to ask unanimous consent to extend my remarks in the RECORD very briefly upon the subject of the child-labor law.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the subject of the child-labor law. Is there objection?

Mr. JOHNSON of Kentucky. I would like to ask the gentleman if his desire to extend his remarks has anything to do with this being the forty-fifth anniversary of his wedding?

Mr. MASON. Nothing whatever; that is a mere coincidence.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STAFFORD. Mr. Chairman, when section 9 was under consideration, which changes the standard ton from the long ton to a ton of 2,000 pounds, I failed to inquire if that was adopted, the users of coal in the District would not receive 240 pounds less coal and still pay the standard price fixed by the Fuel Administration.

Mr. JOHNSON of Kentucky. No; I do not think so, the same change has been made in many States, was made in my own State, and everybody soon learned the difference between the long ton of 2,240 pounds and a ton of 2,000 pounds.

Mr. STAFFORD. Yes; they learn the difference that they get less coal, but they do not get a difference in price.

Mr. JOHNSON of Kentucky. I think so.

Mr. STAFFORD. I have known instances where it has not affected the price. The question is whether there is going to be a corresponding reduction in price.

Mr. WALDOW. The Fuel Administration says it is going to watch it.

Mr. STAFFORD. The Fuel Administration has a good deal to watch and I hope they will not overlook the fact that the users of coal are not going to get so large a ton as they formerly had.

Mr. JOHNSON of Kentucky. The suggestion made by the gentleman from Wisconsin was thoroughly thrashed out in committee, and we thought the public was sufficiently wise to protect itself in that respect.

Mr. CRAMTON. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 15, strike out lines 13 to 16, inclusive, as follows:
"A standard sack or bag of potatoes shall contain 1½ bushels of potatoes, standard dry measure, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags."

Mr. CRAMTON. Mr. Chairman, the reason for that is that potatoes are now shipped into Washington from Michigan, where we get the best potatoes that come into Washington, under a Federal regulation as to grading, and so forth. I am very sure they are shipped in 150-pound sacks. I know of no good reason why that traffic in potatoes should be interfered with as it would be by this provision.

Mr. JOHNSON of Kentucky. All of the early potatoes come from the South, and they come from different sections and different localities and in different kinds of sacks and bags.

Mr. CRAMTON. I have been buying potatoes all winter at the commission houses and I have bought none except in 150-pound sacks.

Mr. JOHNSON of Kentucky. That is in the winter time, but I am speaking of the early potatoes that we get from the South.

Mr. CRAMTON. I see no good reason why we should interfere with an existing traffic. A hundred-and-fifty-pound sack is a good-sized sack and not too large. If we adopt this provision, they can only be sold in 90-pound sacks.

Mr. JOHNSON of Kentucky. It says if sold by the sack or bag. It is a great protection.

Mr. CRAMTON. It is no protection to the customer. When they come from Michigan they have a tag on them, "United States, No. 1," and there is 150 pounds in a bag, and people know what they are getting. If you put this provision in, it simply means that the commission house must cease buying Michigan potatoes, and also of any other State that ships them in sacks of 150 pounds.

Mr. JOHNSON of Kentucky. No; just the opposite.

Mr. CRAMTON. Perhaps the gentleman can explain it. The language is:

A standard sack or bag of potatoes shall contain 1½ bushels of potatoes, standard dry measure, and potatoes shall not be sold by the sack or bag in other than standard sacks or bags.

They can only be sold in sacks of 90 pounds.

Mr. JOHNSON of Kentucky. Where does the gentleman get his 90 pounds?

Mr. CRAMTON. A sack of 1½ bushels.

Mr. JOHNSON of Kentucky. A sack contains 1½ bushels.

Mr. CRAMTON. Your bill says a standard sack shall contain 1½ bushels—that is, 90 pounds. Our Michigan potatoes—and I think potatoes generally—are sold in sacks containing 2½ bushels, or 150 pounds.

Mr. BLACK. If the gentleman will yield, it is my understanding that under the ruling of the Food Administration all potatoes are sold by the pound, and they no longer figure on selling potatoes on a bushel basis.

Mr. JOHNSON of Kentucky. The gentleman should know that this is a copy of the present law.

Mr. CRAMTON. It is a law more honored in the breach than in the observance, and ought not to be continued.

Mr. BLACK. The Food Administration has changed the whole method of selling potatoes.

Mr. JOHNSON of Kentucky. That is only a temporary change.

Mr. BLACK. I do not know how long it will last, but I know that all potatoes are sold by the wholesale trade simply upon the weight basis.

Mr. CRAMTON. We ought not to adopt a law here that is going to prevent potatoes in the ordinary course of trade coming into Washington in accordance with the ordinary trade customs.

The CHAIRMAN. The time of the gentleman from Michigan has expired. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The Clerk read as follows:

SEC. 19. That the standard liquid gallon shall contain 231 cubic inches; the half gallon, 115.5 cubic inches; the quart, 57.75 cubic inches; the pint, 28.875 cubic inches; the half pint, 14.4375 cubic inches; the gill, 7.21875 cubic inches; the fluid ounce, 1.8047 cubic inches; and no liquid measure ot other than the foregoing capacity, except multiples of the gallon, shall be deemed legal liquid measure in the District of Columbia.

Every dry measure in use in the District of Columbia shall be cylindrical in design. The standard bushel shall have a diameter of not less than 15½ inches inside measurement, and shall contain 2,150.42 cubic inches; the half bushel shall have a diameter of not less than 13½ inches inside measurement, and shall contain 1,075.21 cubic inches inside measurement; the peck shall have a diameter of not less than 10¾ inches inside measurement, and shall contain 537.605 cubic inches; the half peck shall have a diameter of not less than 8½ inches inside measurement, and shall contain 268.8025 cubic inches; the quarter peck shall have a diameter of not less than 6½ inches inside measurement, and shall contain 134.40125 cubic inches; the quart shall have a diameter of not less than 5½ inches inside measurement, and shall contain 67.2 cubic inches; the pint shall have a diameter of not less than 4 inches inside measurement, and shall contain 33.6 cubic inches; the half pint shall have a diameter of not less than 3 inches inside measurement, and shall contain 16.8 cubic inches; and no dry measure of other than the foregoing capacities, except multiples of the bushel, shall be a legal dry measure in the District of Columbia: *Provided*, That the provisions of this section shall not apply to dry measures which have heretofore been tested and approved in the District of Columbia.

Mr. WALSH. Mr. Chairman, in the previous sections of the bill the decimal fractions, instead of being expressed in numerals, as in the section just read, have been expressed in words, printed out; and, with the consent of the chairman of the committee, I ask unanimous consent that all of the numerals expressing content measure in this section be expressed by the printed words, and that the numerals be eliminated, that change to be made by the Clerk.

The CHAIRMAN. That refers not only to the decimals but to all numerals as well?

Mr. WALSH. Yes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all numerals in this section be eliminated, and that the content measures referred to therein be expressed in printed words. Is there objection?

There was no objection.

Mr. PLATT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 16, line 24, insert a new section as follows:
Nothing in this act shall be construed as preventing any dealer from selling goods by the weights and measures known as the metric system: *Provided*, That, if used, this system must be used exclusively by the said dealer.

Mr. JOHNSON of Kentucky. Mr. Chairman, I make a point of order against the amendment.

Mr. PLATT. Mr. Chairman, the metric system is well known to all of our youngsters who are now in school, and has for some years been taught in our schools. It is the system that is in use in almost all European countries, and it seems to me that we ought not to pass an act which would prevent its being used here. It has certain conveniences over our present system which every one recognizes who knows about it, and I think that we at least ought to permit it here.

Mr. JOHNSON of Kentucky. Mr. Chairman, I believe that this would ball up the whole business, and I therefore insist upon the point of order.

The CHAIRMAN. The Chair is inclined to the opinion that the point of order is well taken.

Mr. PLATT. Mr. Chairman, this is a bill which prescribes standards, and here is a standard of weights and measures which is known to all of the world. The Army and Navy use the metric system. If you go to any of the cantonments you will find maps are made in meters. Other departments of the Government also use it, and surely we ought not to prohibit dealers in the District of Columbia, the seat of Government of this great Nation, from selling their goods by a standard of weights and measures which is fixed and needs no special law, a decimal system which is very easy to reckon by to anyone who cares to look into it, and which is in use in nearly all great countries except the United States and England. I do not see how it can possibly be out of order.

Mr. WALSH. Mr. Chairman, if I may be indulged a word on the point of order, this legislation is intended to provide for the appointment of a sealer of weights and measures and to fix certain definite standards. It certainly is not in order, after we have fixed a certain definite standard, to provide that certain other methods may be used, and that we shall legalize some other method that has not been standardized; and that is just what the amendment of the gentleman from New York does.

Mr. PLATT. The gentleman would surely not say that the metric system has not been standardized.

Mr. GOULD. It has not been adopted in this country.

Mr. PLATT. Oh, yes; it has.

Mr. WALSH. It is not legalized nor is it standardized by any legislation in this country. It may be the standard in Germany. I understand that it is.

Mr. PLATT. I think if the gentleman will look into our State laws he will find that the metric system has been authorized by some of the States, and also by some Federal statutes.

Mr. WALSH. The fact that it has been established by some of the States has no bearing upon this. This is a law passed by Congress, and you can not insert an amendment in this bill which recognizes the cubic standard measures and the other standards that are specified here, and by that amendment make some other system entirely distinct a standard. You can not do that by simply putting in a blanket amendment and saying that nothing in this bill which requires a commodity to be sold or disposed of in accordance with its provisions shall prevent its being sold or disposed of by some other system. We would simply be legalizing a system that is not standardized by this act.

Mr. STAFFORD. Mr. Chairman, if the gentleman from New York had offered in the respective paragraphs of this bill the alternative of measurement, instead of the fixed measurement as prescribed in the bill—in words, "or that prescribed by the metric system"—I do not think that any gentleman would contend that it would not have been in order, because this House has the right in determining the character of standard measurement that shall be fixed in this District to say that certain standards shall contain a certain number of cubic inches content, or a standard containing a content based on the metric system, or both. The gentleman from Virginia [Mr. SAUNDERS], a very learned parliamentarian, has held that if a general amendment is offered that seeks to accomplish what could be accomplished by separate amendments to the bill, it is in order. The only purpose of the gentleman's amendment is that instead of offering seriatim individual amendments to all the provisions of the bill saying that the standard of measurement shall be such and such, or that based upon the metric system, he offers an amendment of a general character that says that nothing in this act shall be construed as preventing any dealer from selling goods by weights and measures known as the metric system, and therefore the amendment virtually says that there shall be a standard of measurement——

Mr. WALSH. Will the gentleman yield?

Mr. STAFFORD (continuing). In addition to that prescribed in the bill known generally as the metric system. Now, I am not in favor of the amendment offered by the gentleman, but nevertheless I contend as we are legislating on the question of standards of all characters, dry and liquid, that the gentleman from New York is in order when he offers a general amendment permissive in its character saying that the weights and measures shall be that based on the metric system. I now yield to the gentleman from Massachusetts.

Mr. WALSH. I assume that the gentleman is familiar with section 8 of a document that heretofore we have been wont to hold in some respect and esteem, namely, the Constitution of the United States, giving Congress authority to coin money, and so forth, and to fix the standard of weights and measures. Now, does the gentleman think that after we have worked here on an act to prescribe the standards in the District of Columbia that it is entirely germane or constitutional to say that any other method will be proper——

Mr. STAFFORD. Oh, the gentleman's citation is not at all pertinent to the matter under consideration.

Mr. WALSH. The gentleman may consider it impertinent if he so desires.

Mr. STAFFORD. That authorization referred to by the gentleman from Massachusetts, who is a learned and distinguished member of the Committee on the Judiciary and who ought to know that that clause is an authorization for Congress to fix standards of weights and measures all over the United States, but Congress has the right to fix any kind of regulation, notwithstanding that, in its administration of the municipal affairs of the District. This bill does not under that authorization of weights and measures propose to cover continental United States. The Congress is supreme in fixing and determining any character of standard of weights and measures, and even if we were legislating for this country generally the Congress would have the right to say that the standard should be that based on a different character of units.

Mr. JOHNSON of Kentucky. Mr. Chairman, if the gentleman will yield just a moment, I thought in making the point of order I would facilitate matters, and therefore I withdraw it.

The CHAIRMAN. The point of order is withdrawn.

Mr. WALSH. Will the gentleman permit me to state that having been accorded the lofty position by the gentleman from Wisconsin upon the Judiciary Committee, I do not therefore or for that reason agree to the contention he has just been making?

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 25. That there is hereby conferred upon the superintendent, his assistants and inspectors, police power, and, in the exercise of their duties, they shall, upon demand, exhibit their badges to any person questioning their authority; and they are authorized and empowered to make arrests, with or without formal warrant, of any person violating any of the provisions of this act. The superintendent, his assistants and inspectors may, for the purpose of carrying out and enforcing the provisions of this act, and in the performance of their official duties, with or without formal warrant, enter or go into or upon any stand, place, building, or premises, and may stop any vendor, peddler, dealer, or vehicle for the purpose of making proper inspections and tests.

Mr. BLACK. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question. It occurs to me it would be somewhat out of the ordinary to authorize the superintendent and his assistants to make arrests without a formal warrant, and I desire to ask the reason for a provision of that kind. The language in line 25 authorizes the superintendent and his assistants and inspectors, and so forth, to make arrests without a formal warrant.

Mr. WALSH. With or without?

Mr. BLACK. Yes; with or without.

Mr. JOHNSON of Kentucky. Mr. Chairman, I do not see any reason why it should not go out.

Mr. BLACK. Mr. Chairman, I move to strike out on page 18, line 25, the words "or without formal"——

Mr. JOHNSON of Kentucky. Strike it all out——

Mr. BLACK. That would be better.

Mr. JOHNSON of Kentucky. And let the law stand.

Mr. BLACK. Page 18, line 25, strike out the words "with or without formal warrant," and then on page 19, lines 4 and 5, strike out the same language, "with or without formal warrant."

Mr. JOHNSON of Kentucky. I do not see any objection to that, and the general law on the subject would take the place of it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 25, strike out the words "with or without formal warrant," and page 19, lines 4 and 5, strike out the words "with or without formal warrant."

Mr. STAFFORD. Mr. Chairman, I am certainly in sympathy with the suggestion of the gentleman from Texas, but I think that we should not strike out all the language; otherwise without any limitation they might under this general phraseology be authorized to make arrests.

Mr. JOHNSON of Kentucky. No; they can make arrests under the general law not contained in this bill.

Mr. STAFFORD. The section says:

That there is hereby conferred upon the superintendent, his assistants and inspectors, police power, and in the exercise of their duties they shall, etc., be authorized and empowered to make arrests of any persons violating any of the provisions of this act.

Mr. JOHNSON of Kentucky. They make arrests subject to the general law.

Mr. BLACK. It would be my view, as is the view of the chairman, that they would be governed by the general law relating to arrests in the District of Columbia.

Mr. JOHNSON of Kentucky. Under the general law for misdemeanor they would have to have a warrant if such act was committed in their presence, but if it was a felony they would not have to have a warrant. I do not think the language ought to be in the bill.

Mr. MAPES. Will the gentleman yield? Would not the purpose the gentleman has in mind be accomplished if we add at the end of the sentence, page 19, in line 1, the words "in their presence," so that they would be authorized to make arrests without formal warrants of any persons violating any of the provisions of the act in their presence?

Mr. JOHNSON of Kentucky. I do not think that is necessary. If they are given police power and the right to make arrests, they would make arrests subject to the general law on the subject. I believe the language should go out and I hope the amendment will be adopted.

The CHAIRMAN. Does the gentleman from Michigan offer an amendment in the way of a substitute? The Chair understands he does not.

The question is on the adoption of the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 27. That the commissioners are authorized to appoint public weighmasters and grant licenses for the location of public scales in the District of Columbia under regulations as they may prescribe, and authorize such weighmasters to charge such fees as the commissioners may approve and fix in advance, and they may grant permits, revocable on 30 days' notice, for the location of such public scales on public space under their control. No person, other than a duly appointed and qualified public weighmaster, shall do public weighing or make any charge or accept any compensation therefor.

The following committee amendment was read:

Line 14, after the word "under," insert the word "such."

The CHAIRMAN. The question is on the adoption of the committee amendment.

The committee amendment was agreed to.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to return to section 20, on page 17, for the purpose of offering an amendment which I have submitted to the chairman of the committee and with which he is in accord.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to return——

Mr. FOSTER. Report the amendment first.

Mr. CRAMTON. In line 5 strike out the words "liquid substance" and insert in lieu thereof the words "oyster liquor."

Mr. FOSTER. I think that does not amount to anything.

Mr. CRAMTON. I would like to explain the amendment. I was temporarily called out of the Chamber when this section was reached. I wish to say that the Federal authorities are endeavoring to prevent the adulteration of oysters and the fleecing of the public by the inclusion of a large amount of water liquid with oysters. Now, there is a very liberal leeway given here as to measurements, wider than seems to be necessary, but it is in here, and I am trying to guard against their putting water in. There is a certain amount of liquid with the oysters necessarily. They say that they need the protection in this way for that reason, but it is not necessary to protect them against putting water in with them. And if you say "liquid substance" that enables them to add any liquid with which to adulterate. At the most they should only be allowed to sell with the oysters the liquid which comes with the oysters.

Mr. FOSTER. If they are putting water in, that is adulteration.

Mr. CRAMTON. My amendment will guard against any other liquid except that which necessarily comes with the oyster.

Mr. FOSTER. Can you tell?

Mr. CRAMTON. They tell me at the Bureau of Chemistry at the Department of Agriculture that they can tell by analysis what it is.

Mr. FOSTER. Whether there has been any water put in?

Mr. CRAMTON. Yes. They say they can distinguish.

The CHAIRMAN. Is there objection?

Mr. FOSTER. I do not believe it is necessary.

Mr. PLATT. This amendment limits the amount of oyster liquor that can be sold with the oysters. You do not want to do that.

Mr. CRAMTON. They did that, and much more strictly than this section provides. The Federal authorities now would not permit oysters to be sold with 25 per cent liquor.

Mr. PLATT. If it is oyster liquor that comes out of the oyster, it is all right.

Mr. JOHNSON of Kentucky. After the oyster is shucked it exudes water, and that is the water he is providing shall not exceed 25 per cent.

Mr. PLATT. But his amendment does not provide that. It provides that there must not be more than that amount of that particular liquor.

Mr. CRAMTON. The gentleman would not care to go down and buy a quart of oysters and have a quarter of it just the oyster liquor, and the Federal regulations would not permit that, either; and certainly the gentleman does not want to permit anything else to be included. I am not responsible for the 25 per cent limit. What I am trying to guard against is the presence of any other liquid substance except the oyster liquor.

Mr. PLATT. I do not think your amendment accomplishes that purpose.

Mr. JOHNSON of Kentucky. His amendment is certainly better than the language of the bill.

Mr. FOSTER. In order to stop the discussion, I will not object.

The CHAIRMAN. Without objection, the committee will return to the section, and the Clerk will report the amendment.

The Clerk read as follows:

Page 17, line 5, strike out the words "liquid substance" and insert in lieu thereof the words "oyster liquor."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 31. That wherever the word "commissioners" is used in this act, it shall be construed to mean the Commissioners of the District of Columbia. Wherever the word "superintendent" is used in this act it shall be construed to mean the superintendent of weights, measures, and markets.

The CHAIRMAN. The Chair will call attention to a suggestion just made by the Clerk, that the word "superintendent" has been changed to "sealer."

Mr. JOHNSON of Kentucky. Unanimous consent has already been obtained that the Clerk shall change that word wherever it appears.

Mr. WALSH. Mr. Chairman, in view of the fact that unanimous consent has been secured to substitute the word "sealer" for "superintendent," it would seem that the concluding sentence of section 31 is now useless, because the word "superintendent" will not occur in the act, and I think that last sentence should go out. And I ask unanimous consent, in view of the amendment previously adopted, that the concluding sentence of section 31 be stricken out. And that meets with the approval of the chairman of the committee.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Mr. WALSH moves to amend, on page 21, beginning with line 7, by striking out the concluding sentence of section 31, reading as follows: "Wherever the word 'superintendent' is used in this act it shall be construed to mean the Superintendent of Weights, Measures, and Markets."

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was agreed to.

The Clerk read as follows:

Mr. JOHNSON of Kentucky offers the following amendment: Page 22, after line 4, insert a new section, as follows:

"That every dealer in ice in the District of Columbia hereby is declared to be a public utility and subject to all the laws, rules, and regulations of the Public Utilities Commission of the District of Columbia applicable to other public utilities."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment. I ask the chairman to make some explanation as to the purpose and reasons for this amendment.

Mr. JOHNSON of Kentucky. Mr. Chairman, the proffered amendment is self-explanatory. It seems that one of the hardest propositions we have to control is that of ice. There is more "high riding" in dealing with ice than with almost any other commodity that is handled in this community, and it occurred to me that if every dealer in ice is put under the control and supervision of the Public Utilities Commission of the District of Columbia many instances might arise where protection could be given to the consumer, and even prices controlled.

Mr. STAFFORD. If I am not mistaken, most, if not all, of the ice that is consumed in the District is artificially prepared.

Mr. JOHNSON of Kentucky. My information is that all of it is. However, I recall that I saw in some one of the papers about a year ago the statement that a sailboat or two came in here with lake ice. But I think that was used for cold-storage purposes and not for family use.

Mr. STAFFORD. Is it the purpose of the gentleman's amendment to allow the Utilities Commission to fix the price of the ice sold in this District?

Mr. JOHNSON of Kentucky. It is to put ice under the same restrictions with other utilities.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. CRAMTON. Would it be in harmony with the gentleman's theory to increase the Public Utilities Commission by adding a department of ice and placing upon that branch of the Utilities Commission entirely ice dealers? I am led to make that observation because——

Mr. JOHNSON of Kentucky. I believe if the commission should be increased the ice dealers would make every effort to get a representative on it.

Mr. CRAMTON. I know something of the conditions that have prevailed here with reference to the sale of ice, and I am entirely in sympathy with the gentleman's purpose. But I notice now that when the Food Commissioner for the District is reported by the press to be making some reforms, which have consisted chiefly as yet in adding seriously to the cost of ice to the consumer, he has appointed an advisory commission to aid him. There are upon that advisory committee no consumers whatsoever, but simply representatives of the ice dealers, headed by the manager of one concern that has constituted almost a monopoly of the ice sales in Washington. I would be greatly in sympathy with the gentleman's proposition unless it should be followed up by the constitution of a Public Utilities Commission made up of ice dealers.

Mr. JOHNSON of Kentucky. There is no proposition to change the Public Utilities Commission of the District of Columbia. I do not know that I would have them be the Commissioners of the District of Columbia, but I certainly would not be in favor of enlarging the commission. The commission, however, is already established. I am not endeavoring by this amendment or otherwise to change it, but it does seem to me that this amendment will be a protection to the consumer.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The reservation of the point of order is withdrawn. The question recurs on the amendment offered by the gentleman from Kentucky as a new section.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 34. That any person violating any of the provisions of this act shall be punished by a fine not to exceed $500, or by both such fine and imprisonment not to exceed six months. All prosecutions under this act shall be instituted by the corporation counsel or any of his assistants in the police court of the District of Columbia.

Mr. WATSON of Pennsylvania. Mr. Chairman, I ask unanimous consent to return to section 25 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to section 25.

Mr. FOSTER. Let us hear the amendment first.

The CHAIRMAN. The gentleman from Illinois reserves an objection.

Mr. WATSON of Pennsylvania. Section 25 extends to the inspector police power, so that the superintendent, his assistants, and inspectors may, for the purpose of carrying out and enforcing the provisions of this act and in the performance of their official duties, make the arrest, with or without formal warrant, of any person violating any of the provisions of this act. The section contains this provision:

The superintendent, his assistants, and inspectors may, for the purpose of carrying out and enforcing the provisions of this act and in the performance of their official duties, with or without formal warrant, enter or go into or upon any stand, place, building, or premises, and may stop any vendor, peddler, dealer, or vehicle for the purpose of making proper inspections and tests.

That would give them permission to enter dwelling houses without a search warrant, according to the terms of this bill; and I suggest on page 19, line 6, as a fitting place to put in the words "except dwellings," so as to read "enter or go into or upon any stand, place, building, or premises, except dwellings."

Mr. JOHNSON of Kentucky. Would it not be better to strike out the word "or" at the end of line 4, and at the end of line 5 strike out the two words "without formal," so that it would then read:

And in the performance of their official duties with warrant enter or go upon.

Mr. WATSON of Pennsylvania. I thought those words were stricken out on motion of the gentleman from Wisconsin [Mr. STAFFORD].

Mr. JOHNSON of Kentucky. Then I believe the amendment offered by the gentleman from Pennsylvania is unnecessary. I think it now takes care of what he desires.

Mr. STAFFORD. That would meet the very purpose the gentleman has in mind.

Mr. WATSON of Pennsylvania. Would not this section give him the power to enter any dwelling?

Mr. STAFFORD. If he gets authority to do it.

Mr. MAPES. The words "without formal warrant" were stricken out.

Mr. STAFFORD. I suggest to the gentleman from Kentucky that they would not be allowed to enter any place unless they had a formal warrant.

Mr. WATSON of Pennsylvania. They can enter any place or a dwelling without a warrant.

Mr. FOSTER. Those words are stricken out; and I think that cures it.

Mr. WATSON of Pennsylvania. Mr. Chairman, I withdraw my amendment.

Mr. WALSH. Mr. Chairman, I offer an amendment, to come in as a new section.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. WALSH offers the following amendment: Page 22, line 7, after the word "repealed," insert a new section, as follows:

"This act shall take effect at the expiration of 60 days after its approval."

Mr. WALSH. Mr. Chairman, I think the words "SEC. 36" should precede the amendment.

Mr. JOHNSON of Kentucky. The Clerk will insert that.

Mr. WALSH. This gives the dealers an opportunity to provide themselves with these new standards.

Mr. JOHNSON of Kentucky. It would also give the ice dealers 60 days in which to go ahead and sell ice by the lump instead of by the pound. I think if the gentleman could change his amendment so that it would only give 30 days within which to change the scales and measures that would be all right.

Mr. WALSH. Then let us make it 30 days.

Mr. JOHNSON of Kentucky. I think in the meantime ice should be sold by the pound.

Mr. WALSH. In response to the suggestion of the chairman of the committee it seems to me it is only fair to the dealers and persons who are going to be compelled to use these new standards of weights and measures that they be given an opportunity after this act is approved by the President to procure these new scales, containers, or devices of measuring and weighing the commodities in which they deal. It would hardly seem fair to pass this act and have it approved on July 1 or August 1, and then on the next day have the sealer of weights and measures pounce down upon some dealer or merchant and say, "You have the wrong kind of a measure here. This law has taken effect and you are liable to arrest." I am willing to modify the amendment, as the gentleman from Kentucky [Mr. JOHNSON] suggested to me, to make it 30 days. That is agreeable to me.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to modify his amendment by making it 30 days instead of 60 days. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. WALSH. I desire to suggest a clerical correction. We have already stricken out the words "and markets." In section

2, where the change was made from superintendent to sealer of weights and measures, we did not strike out the words "and markets," in line 5, so as to provide that this department shall be in charge of the sealer of weights and measures. I ask unanimous consent that, in line 5, page 2, section 2, the words "and markets" be stricken out, so that the section as amended will read "the sealer of weights and measures."

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to return to section 2, page 2, line 5, which will be section 1 in the renumbering, and to strike out the words "and markets." Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Chairman, I move that the bill be laid aside to be reported to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

On motion of Mr. JOHNSON of Kentucky, the committee rose; and the Speaker having resumed the chair, Mr. SMALL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration H. R. 10893 and H. R. 10887, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bills as amended do pass.

The SPEAKER. The vote will be taken first on the bill H. R. 10893. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

There was no demand for a separate vote, and the amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The next bill is H. R. 10887, relating to weights and measures. Is a separate vote demanded on any amendment?

There was no demand for a separate vote, and the amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of Kentucky, a motion to reconsider the votes whereby the several bills were passed was laid on the table.

Mr. JOHNSON of Kentucky. Mr. Speaker, at the request of the gentleman from Virginia [Mr. CARLIN], I call up the bill (H. R. 10748) to repeal section 896 of the Code of Law of the District of Columbia.

Mr. GOULD. Mr. Speaker, I make the point of order that no quorum is present.

Mr. JOHNSON of Kentucky. Mr. Speaker, I withdraw my request to take up the bill.

The SPEAKER. Does the gentleman from New York withdraw his point of order?

Mr. GOULD. I will for the present.

DEED TO G. H. BECKWITH.

Mr. EVANS. Mr. Speaker, I ask to take up the bill H. R. 8655, to authorize the Secretary of the Interior to issue deed to G. H. Beckwith for certain lands within the Flathead Indian Reservation, Mont., and substitute therefor the bill S. 3391, which is on the Speaker's table.

The SPEAKER. The Clerk will report the House bill.

The Clerk read as follows:

A bill (H. R. 8655) to authorize the Secretary of the Interior to issue deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

The SPEAKER. The gentleman from Montana asks to substitute therefor the bill S. 3391. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

An act (S. 3391) to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to convey by deed, at the appraised price, to G. H. Beckwith, two certain tracts of land in the Flathead Indian Reservation and town of St. Ignatius, Mont., lying in the southeast quarter of the southeast quarter of section 14, township 18 north, range 20 west, Montana principal meridian, separated by a public highway 60 feet wide, and described as follows: The point of beginning "A" of the first tract is south 89 degrees and 46 minutes west 463 1/10 feet from the 1/128 corner found in place on the east line of said section 14 and north 89 degrees and 46 minutes east 33 feet from a 1/128 corner, which in turn is north no degrees and 22 minutes west 826 7/10 feet from a 1/128 corner found in place on the south line of said section 14. Thence from point of beginning "A" north no degrees and 22 minutes west 15 5/10 feet to "B," then north 56 degress and 37 minutes west 377 5/10 feet to "K," thence south no degrees and 22 minutes east 462 5/10 feet to "L," thence north 89 degrees and 35 minutes east 314 3/10 feet to "Z," thence north no degrees and 22 minutes west 237 7/10 feet to the point of beginning, "A," and containing 2 5/10 acres. The point of beginning "C" of the second tract is north no degrees and 22 minutes west 88 feet from the point of beginning "A" of the first tract, thence north 56 degrees and 37 minutes west 298 feet to "D," thence north 31 degrees and 10 minutes west 130 feet to "F," thence north 58 degrees and 50 minutes east 96 feet to "H," thence south 45 degrees and 33 minutes east 115 feet to "J," thence south 65 degrees and 6 minutes east 264 7/10 feet to "E," thence south 33 degrees and 23 minutes west 160 feet to the point of beginning "C," and containing 1 7/10 acres: *Provided*, That the land in said tracts shall at no time be used for the sale of intoxicating liquors, and should it be so used, the title to the same shall revert to the Government of the United States and all payments made thereon shall be forfeited: *Provided further*, That whatever business is conducted on this tract shall be under Government supervision as at present, and shall continue under such supervision so long as the United States Government retains control over the Flathead Indians at this point.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion by Mr. EVANS to reconsider the vote whereby the bill was passed was laid on the table.

The bill H. R. 8655 was laid on the table.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to the enrolled bill of the following title:

S. 4445. An act granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River.

AMENDING WAR-RISK INSURANCE ACT.

Mr. SIMS. Mr. Speaker, I present a conference report on the bill S. 4482, to amend the war-risk insurance act reallotments, for printing in the RECORD under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 648).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective House as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House insert the following:

"That subdivision (4) of section 22 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, relating to the definition of the term 'parent,' is hereby amended to read as follows:

"'(4) The term "parent" includes a father, mother, grandfather, grandmother, father through adoption, mother through adoption, stepfather, and stepmother, either of the person in the service or of the spouse.'

"SEC. 2. That four new sections are hereby added to Article I of said act, to be known as sections 27, 28, 29, and 30, respectively, and to read as follows:

"'SEC. 27. That whoever shall obtain or receive any money, check, allotment, family allowance, compensation, or insurance under Articles II, III, or IV of this act, without being entitled thereto, with intent to defraud the United States or any person in the military or naval forces of the United States, shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year, or both.

"'SEC. 28. That the allotments and family allowances, compensation, and insurance payable under Articles II, III, and IV, respectively, shall not be assignable, shall not be subject to the claims of creditors of any person to whom an award is made under Articles II, III, or IV, and shall be exempt from all taxation: *Provided*, That such allotments and family allowances, compensation, and insurance shall be subject to any claims which the United States may have, under Articles II, III, and IV, against the person on whose account the allotments and family allowances, compensation, or insurance is payable.

"'SEC. 29. That the discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien or a conscientious objector, or a deserter, or as guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct shall terminate any insurance granted on the life of such person under the provisions of Article IV, and shall bar all rights to any compensation under Article III or any insurance under Article IV.

"'SEC. 30. That this act may be cited as the war-risk insurance act.'

"SEC. 3. That section 200 of such act is hereby amended to read as follows:

"'SEC. 200. That the provisions of this article shall apply to all enlisted men in the military or naval forces of the United

States, except the Philippine Scouts, the insular force of the Navy, and the Samoan native guard and band of the Navy.'

"SEC. 4. That the second and third paragraphs of section 201 of such act are hereby amended to read as follows:

"'The monthly compulsory allotment shall be $15. For a wife living separate and apart from her husband under court order or written agreement or for a former wife divorced the monthly compulsory allotment shall not exceed the amount specified in the court order, decree, or written agreement, to be paid to her, and for an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree.

"'If there is a compulsory allotment for a wife or child, a former wife divorced who has not remarried and to whom alimony has been decreed shall not be entitled to a compulsory allotment but shall be entitled to a family allowance.'

"SEC. 5. That the third and fourth paragraphs of section 204 of such act are hereby amended to read as follows:

"'Class A: In the case of a man to his wife (including a former wife divorced) and to his child or children—

"'(a) If there is a wife but no child, $15;

"'(b) If there is a wife and one child, $25;

"'(c) If there is a wife and two children, $32.50, with $5 per month additional for each additional child;

"'(d) If there is no wife, but one child, $5;

"'(e) If there is no wife, but two children, $12.50;

"'(f) If there is no wife, but three children, $20;

"'(g) If there is no wife, but four children, $30, with $5 per month additional for each additional child;

"'(h) If there is a former wife divorced who has not remarried and to whom alimony has been decreed, $15.

"'Class B: In the case of a man or woman to a grandchild, a parent, brother, or sister—

"'(a) If there is one parent, $10;

"'(b) If there are two parents, $20;

"'(c) If there is a grandchild, brother, sister, or additional parent, $5 for each.

"'In the case of a woman, the family allowances for a husband and children shall be in the same amounts, respectively, as are payable, in the case of a man, to a wife and children, provided she makes a voluntary allotment of $15 as a basis therefor: *And provided further*, That dependency exists as required in section 206.'

"SEC. 6. That section 206 of such act is hereby amended to read as follows:

"'SEC. 206. That family allowances to members of class B shall be paid only if and while the members are dependent in whole or in part on the enlisted man and then only if and while the enlisted man makes a monthly allotment of his pay for such members in the following amounts:

"'(a) If an enlisted man is not making a compulsory allotment for class A, the allotment for class B required as a condition to the family allowance shall be $15.

"'(b) If an enlisted man is making a compulsory allotment for class A, the additional allotment for class B required as a condition to the family allowance shall be $5, or if a woman is making an allotment of $15 for a dependent husband or child the additional allotment for the other members of class B required as a condition to the family allowance shall be $5.'

"SEC. 7. That section 210 of such act is hereby amended to read as follows:

"'SEC. 210. That upon receipt of any application for family allowance the commissioner shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. Whenever the commissioner shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. The amount of each monthly allotment and allowance shall be determined according to the conditions existing on the first of the month.'

"SEC. 8. That sections 4, 5, 6, 7, and 8 of this act shall take effect on the 1st day of July, 1918.

"SEC. 9. That section 300 of said act is hereby amended to read as follows:

"'SEC. 300. That for death or disability resulting from personal injury suffered or disease contracted in the line of duty by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided*, That this section as amended shall be deemed to become effective as October 6, 1917.'

"SEC. 10. That section 301 of said act is hereby amended to read as follows:

"'SEC. 301. That if death results from injury—

"'If the deceased leaves a widow or child, or if he leaves a mother or father either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"'(a) If there is a widow but no child, $25.

"'(b) If there is a widow and one child, $35.

"'(c) If there is a widow and two children, $42.50, with $5 for each additional child up to two.

"'(d) If there is no widow, but one child, $20.

"'(e) If there is no widow, but two children, $30.

"'(f) If there is no widow, but three children, $40, with $5 for each additional child up to two.

"'(g) If there is a dependent mother or dependent father, $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if the dependent mother is in receipt of compensation under the provisions of this article for the death of her husband. Such compensation shall be payable whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"'If the death occurs before discharge or resignation from service, the United States shall pay for burial expenses and the return of the body to his home a sum not to exceed $100, as may be fixed by regulations.

"'The payment of compensation to a widow shall continue until her death or remarriage.

"'The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be incapable, because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

"'Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"'As between the widow and the children not in her custody and as between children, the amount of the compensation shall be apportioned as may be prescribed by regulation.

'The term "widow" as used in this section shall not include one who shall have married the deceased later than 10 years after the time of injury, and shall include a widower whenever his condition is such that, if the deceased person were living, he would have been dependent upon her for support.'

"SEC. 11. That subdivision (1) of section 302 of said act is hereby amended to read as follows:

"'(1) If and while the disability is total, the monthly compensation shall be the following amounts:

"'(a) If the disabled person has neither wife nor child living, $30.

"'(b) If he has a wife but no child living, $45.

"'(c) If he has a wife and one child living, $55.

"'(d) If he has a wife and two children living, $65.

"'(e) If he has a wife and three or more children living, $75.

"'(f) If he has no wife but one child living, $40, with $10 for each additional child up to two.

"'(g) If he has a mother or father, either or both dependent on him for support then in addition to the above amounts, $10 for each.

"'(h) If he is totally disabled and in addition so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $20 per month, as the director may deem reasonable: *Provided, however*, That for the loss of both feet or both hands or both eyes, or for becoming totally blind or becoming helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States the rate of compensation shall be $100 per month: *Provided further*, That where the rate of compensation is $100 per month no allowance shall be made for a nurse or attendant.'

"SEC. 12. That subdivision (4) of section 302 is hereby amended to read as follows:

"'(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 13. That two new subdivisions are hereby added to section 302 of said act, to be known as subdivisions (5) and (6), respectively, and to read as follows:

"'(5) Where the disabled person and his wife are not living together or where the children are not in the custody of the disabled person the amount of the compensation shall be apportioned as may be prescribed by regulations.

"'(6) The term "wife" as used in this section shall include "husband" if the husband is dependent upon the wife for support.'

"SEC. 14. That where section 301 of said act is amended by striking out the provisions that a mother is entitled to compensation only when she is widowed and substitute provisions are included to the effect that compensation is payable to a dependent mother or dependent father, such substitute provisions shall be deemed to be in effect as of October 6, 1917.

"SEC. 15. That section 311 of said act is hereby repealed.

"SEC. 16. That section 312 of said act is hereby amended to read as follows:

"'SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"'Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.'

"SEC. 17. That section 313 of said act is hereby amended to read as follows:

"'SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"'If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable or which may become payable to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"'(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"'(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section, the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"'A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"'Nothing in this section to be construed to impose any administrative duties upon the War or Navy Departments.'

"SEC. 18. That section 401 of said act is hereby amended to read as follows:

"'SEC. 401. That such insurance must be applied for within 120 days after enlistment or after entrance into or employment in the active service and before discharge or resignation, except that those persons who are in the active war service at the time of the publication of the terms and conditions of such contract of insurance may apply at any time within 120 days thereafter and while in such service. Any person in the active service on or after the 6th day of April, 1917, who, while in such service and before the expiration of 120 days from and after such publication, becomes or has become totally and permanently disabled or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance payable to such person during his life in monthly installments of $25 each. If he shall die either before he shall have received any of such monthly installments or before he shall have received 240 of such monthly installments, then $25 per month shall be paid to his widow from the time of his death and during her widowhood, or if there is no widow surviving him, then to his child or children, or if there is no child surviving him, then to his mother, or if there is no mother surviving him, then to his father, if and while they survive him: *Provided, however*, That not more than 240 of such monthly installments, including those received by such person during his total and permanent disability, shall be so paid. The amount of the monthly installments shall be appropriated between children as may be provided by regulations.'

"SEC. 19. That section 18 of this act amending the automatic insurance provisions of section 401 of the act approved September 2, 1914, as amended, shall be deemed to be in effect as of October 6, 1917: *Provided*, That nothing herein shall be construed to interfere with the payment of monthly installments, authorized to be made under the provisions of said section 401 as originally enacted, for the months up to and including June, 1918: *Provided further*, That all awards of automatic insurance under the provisions of such section 401 as originally enacted shall be revised as of the 1st day of July, 1918, in accordance with the provisions of said section 401 as amended by section 19 of this act.

"SEC. 20. That section 402 of said act is hereby amended to read as follows:

"'SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid-up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If

no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. If no such person survive the insured, then there shall be paid to the estate of the insured an amount equal to the reserve value, if any, of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and 3½ per cent interest in full of all obligations under the contract of insurance.'

"SEC. 21. That section 203 of said act is hereby amended to read as follows:

"'SEC. 203. That in case one-half of an enlisted man's monthly pay is not allotted, regulations to be made by the Secretary of War and the Secretary of the Navy, respectively, may require, under circumstances and conditions as may be prescribed in such regulations, that any proportion of such one-half pay as is not allotted shall be deposited to his credit to be held during such period of his service as may be prescribed. Such deposit shall bear interest at the same rate as United States bonds bear for the same period, and, when payable, shall be paid principal and interest to the enlisted man, if living; otherwise, to any beneficiary or beneficiaries he may have designated, or, if there be no such beneficiary, then to the person or persons who under the laws of the State of his residence be entitled to his personal property in case of intestacy.'

And the House agree to the same.

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

HOKE SMITH,
J. F. NUGENT,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The Senate concurs in amendment to section 1 by accepting the House provision as to paragraph 4 of section 22 with the amendment striking out the following words: "For the purpose of Articles II and IV only, the term 'parent' shall include also a person who has stood in loco parentis to the enlisted person for a period of not less than five years preceding October 6, 1917, or the person's enlistment or entrance into or employment in active service in the military or naval forces."

The House recedes from section 2, which amends section 23 of the act, which leaves section 23 as in the present law.

The Senate concurs in section 3, which adds four new sections to the bill, which are sections 27, 28, 29, and 30.

The Senate concurs in section 4 of the act, amending section 200 with an amendment striking out the words "This section shall be deemed to be in effect as of October 6, 1917."

The Senate concurs in section 6 of the act, amending section 204 with the following amendments:

Adding to class A, in the case of a man, the following: "to his wife (including a former wife divorced) and to his child or children."

(These words restore the language of the original act, but were stricken out in the bill as it passed the House.)

Adding to class B, in the case of a man or woman, the words "to a grandchild, a parent, brother or sister."

(This restores the language of the original act, but the words were stricken out of the act as it passed the House.)

The Senate concurs in section 9, amending section 300 of said act with an amendment inserting the words "in line of duty" and the words "active service" in said section, which restores the language in the original act. And the Senate further concurs in the proviso of the House, which was as follows: "*Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided*, That this section as amended shall be deemed to become effective as of October 6, 1917."

The Senate concurs in section 10, amending section 301 of said act, which amendment of the House to the original act strikes out the word "widowed" wherever it occurs before the word "mother," and also adds the father to those who may receive compensation under this section; and the House receded from its amendment, striking out the words "but no compensation shall be possible if a dependency arises more than five years after the death of the person."

The Senate concurs in section 11, amending section 302 of said act, with the following amendments: Inserting after the word "bedridden" the words "from causes occurring in the line of duty in the service of the United States"; striking out the word "amount" where it occurs in paragraph (h), and inserting in lieu thereof the word "rate."

The Senate concurs in amendment in section 12, amending subdivision 4 of section 302 of said act with an amendment inserting the word "family" before the word "conditions," so that it will read:

"(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month."

The Senate concurs in section 13, which adds two new subdivisions to section 302 of said act, and concurs therein.

The Senate concurs in section 14 with an amendment striking out that part of section 14 which makes it retroactive as to section 302 of said act.

The Senate concurs in section 15, which repeals section 311 of said act.

The Senate recedes from its disagreement to section 16 and concurs in the following amendment which occurs in the Senate bill, making section 312 read as follows:

"SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled, 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916."

The Senate concurs in section 17, which amends section 313 of said act, with an amendment making section 313 read as follows:

"SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable or which may become payable to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so

assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at four per centum true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"Nothing in this section to be construed to impose any administrative duties upon the War or Navy Departments."

The Senate recedes from its disagreement to section 18, which amends section 401 of said act.

The Senate recedes from its disagreement of section 19 and concurs with the House.

The Senate recedes from its amendment to section 20, which amends section 402 of said act.

The Senate recedes from its disagreement to section 21, which amends section 203 of said act.

ADJOURNMENT.

Mr. JOHNSON of Kentucky. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 12, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting estimate of appropriation for operating supplies for public buildings, 1918, for inclusion in some appropriation bill (H. Doc. No. 1160); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting communication from the Secretary of War, submitting a deficiency estimate of appropriation, required by the Director of Purchase, Storage, and Traffic, General Staff of the Army, fiscal year 1918, for inland and port storage and shipping facilities (H. Doc. No. 1161); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting recommendation of an item to be included in the next deficiency bill for "Contingent expenses, Independent Treasury, 1918" (H. Doc. No. 1162); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. HAWLEY: A bill (H. R. 12445) providing for the resurvey of certain lands in Oregon; to the Committee on the Public Lands.

By Mr. GLYNN: A bill (H. R. 12446) providing for an increase in the salary of the United States marshal for the district of Connecticut; to the Committee on the Judiciary.

By Mr. BURNETT: Resolution (H. Res. 391) providing for the consideration of House bill 12402; to the Committee on Rules.

By Mr. MASON: Joint resolution (H. J. Res. 300) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By the SPEAKER: Memorial of the Legislature of the State of Arizona expressing the complete confidence of the State of Arizona in the national administration and pledging the cooperation by Arizona to the fullest extent; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 12447) granting a pension to Maurice J. Roche; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 12448) for the relief of Matthew McDonald; to the Committee on Naval Affairs.

By Mr. GOOD: A bill (H. R. 12449) granting a pension to Mary E. Cleveland; to the Committee on Invalid Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 12450) granting an increase of pension to Daniel W. Dean; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 12451) granting an increase of pension to John T. Ferrie; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the National Live Stock Exchange, urging the divorcing of stockyards from packing house and railroad interests; to the Committee on Agriculture.

Also, resolution of the American Society of Mechanical Engineers, protesting against the time studies and bonus riders to the appropriation bills; to the Committee on Appropriations.

Also, resolution of mass meeting of physicians held in Cincinnati, Ohio, urging the passage of the Owen-Dyer bill; also, resolution of the Polish national defense committee relative to the patriotic and loyal support of the United States in the war; to the Committee on Military Affairs.

Also, petition of the San Francisco Music Teachers' Association, San Francisco, Cal., and of sundry citizens of Lexington, Ky., indorsing the bill for a national conservatory of music and art; to the Committee on the Library.

By Mr. CAREW: Resolution passed by the Polish national defense committee, expressing gratitude and highest respect toward President Wilson and the Americans for the stand taken in regard to Poland; pledging loyalty to the United States; pledging their resources, energy, and talents toward the fullest development of the power of the United States; and urging Poles to enlist in the Army of the United States; to the Committee on Military Affairs.

By Mr. DENISON: Petition of T. T. Smith (chairman), Perry Fellers (president), and J. H. Stephens, Local Union of Mine Workers No. 659, United Mine Workers of America, assuring the Federal Government of their union's support and urging support of all American citizens in winning the war; to the Committee on Military Affairs.

By Mr. ELSTON: Resolutions of the Principals' Club of the Public Schools of Oakland, Cal., pledging aid to the Food Administration toward wheat conservation; to the Committee on Agriculture.

Also, resolutions of Golden Gate Division, No. 364, Order of Railway Conductors of America, addressed to Hon. William G. McAdoo, Director General of Railroads of the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of the woman's committee, Vernon County (Wis.) Council of Defense, favoring passage of House bill 7736, providing for extension of the franking privilege; to the Committee on the Post Office and Post Roads.

By Mr. FULLER of Illinois: Petition of the women's committee, Illinois Council of National Defense, for immediate wartime prohibition; to the Committee on the Judiciary.

Also, petition of the Western Motor Car Co., of Chicago, for uniform tax on incomes; to the Committee on Ways and Means.

By Mr. HAMILTON of Michigan: Petition of members of the Good Citizens' League of the South Haven High School and citizens of Watervliet, Mich., against increase in second-class postage; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Frank B. Helm, William W. Wallace, William B. Dingle, and William H. Hagner, all of Baltimore, Md., urging the passage of the bill to pay pressmen in the Government Printing Office 75 cents per hour; to the Committee on Printing.

Also, memorial of the Merchants and Manufacturers' Association of Baltimore, approving legislation now pending in Congress providing increased compensation of certain officials, employees, and laborers of the Post Office Department; to the Committee on the Post Office and Post Roads.

Also, petition of G. R. Sinnickson, superintendent Baltimore Division, Pennsylvania Railroad Co., favoring the provisions of Senate bill 4427 instead of House bill 11284 with respect to the salaries of superintendents of lighthouse districts; to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER of New York: Petition of the Four Fold Gospel Chapel, of Troy, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

By Mr. SMITH of Michigan: Petition of Miss Jennie Covert and 58 other residents of Charlotte, Mich., against zone system for second-class mail matter; to the Committee on Ways and Means.

By Mr. WOODYARD: Petition of citizens of Wood County, W. Va., protesting against the provisions of the recently enacted zone-system postal law; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *June 12, 1918.*

(Legislative day of Monday, June 10, 1918.)

The Senate met at 12 o'clock noon.

The VICE PRESIDENT resumed the chair.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing to amend the rules of the Senate relating to the limitation of debate.

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Nelson	Smith, Md.
Baird	Hitchcock	Norris	Smoot
Beckham	Johnson, Cal.	Nugent	Sterling
Borah	Johnson, S. Dak.	Overman	Thomas
Brandegee	Jones, Wash.	Owen	Tillman
Culberson	Kendrick	Page	Trammell
Cummins	Kenyon	Phelan	Underwood
Curtis	Knox	Pomerene	Warren
Dillingham	McKellar	Robinson	Watson
Fall	McLean	Shafroth	Weeks
Gallinger	Martin	Sheppard	
Gronna	Myers	Smith, Ariz.	

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is necessarily detained by illness.

Mr. SMITH of Arizona. I desire to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. ROBINSON. I wish to announce that the Senator from Illinois [Mr. LEWIS] and the Senator from Virginia [Mr. SWANSON] are detained on official business.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. This announcement may stand for the day.

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absent Senators, and Mr. CHAMBERLAIN, Mr. HARDING, Mr. KELLOGG, Mr. KING, Mr. NEW, Mr. POINDEXTER, Mr. SAULSBURY, Mr. SHIELDS, Mr. SMITH of Michigan, Mr. THOMPSON, Mr. TOWNSEND, and Mr. VARDAMAN answered to their names when called.

Mr. SAULSBURY. I desire to state that my colleague [Mr. WOLCOTT] is detained at his home by illness.

Mr. KIRBY, Mr. GUION, Mr. LENROOT, Mr. FRANCE, Mr. FRELINGHUYSEN, Mr. MCCUMBER, Mr. SHERMAN, Mr. MCNARY, Mr. WILFLEY, Mr. SMITH of South Carolina, Mr. LODGE, Mr. BANKHEAD, Mr. REED, Mr. RANSDELL, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

The VICE PRESIDENT. Seventy-three Senators have answered to the roll call. There is a quorum present.

Mr. HITCHCOCK. Mr. President, in the debate yesterday the Senator from Idaho [Mr. BORAH] and I had a colloquial discussion in which two points were raised. First, there was the issue in the House of Commons as to what was intended by secret diplomacy. On that point I want to read some of the extracts from the debate to prove that my contention was correct, that the effort in the House of Commons was not to secure public debate of treaties but it was to establish the participation of the House of Commons in the knowledge of the ratification of those treaties.

The second point was as to the attitude of the President of the United States on the subject, the Senator from Idaho maintaining that the President of the United States had taken a position that the Senate should discuss these treaties in open, and the Senator from Idaho even went so far as to say that the President had taken the position that the negotiators as well as the Senate should discuss their treaties in a public way. As a conclusive answer to the last, I desire to read a copy of a letter written by the President of the United States to the Secretary of State on the 12th of March, in the present year, with reference to the resolution introduced by the Senator from Idaho [Mr. BORAH]. The Senator's resolution read as follows:

Resolved, That the Committee on Rules be, and the same is hereby, directed to consider the advisability of preparing a revision of the rules of the Senate relating to the consideration of treaties, with a view to providing that all treaties hereafter shall be considered in the open executive sessions of the Senate, report to be made to the Senate at an early day.

That was the resolution of the Senator from Idaho, and it was referred to the Committee on Rules.

With regard to this resolution the President of the United States wrote the following letter to the Secretary of State:

THE WHITE HOUSE,
Washington, March 12, 1918.

Hon. ROBERT LANSING,
Secretary of State.

MY DEAR MR. SECRETARY: I wish you would be kind enough to formulate a careful and conclusive memorandum for the use of the committee of the Senate with regard to the inclosed resolution. I take it for granted that you feel as I do, that this is no time to act as the resolution prescribes, and certainly when I pronounced for open diplomacy I meant not that there should be no private discussions of delicate matters, but that no secret agreement of any sort should be entered into and that all international relations, when fixed, should be open, aboveboard, and explicit.

Cordially and sincerely, yours. WOODROW WILSON.

That was addressed to the Secretary of State, and it is a conclusive answer to the assumption by the Senator from Idaho that the President of the United States advocates the open discussion and public negotiation of treaties.

Now, referring to the issue as raised in the British House of Commons I took occasion——

Mr. BORAH. Before the Senator leaves that point——

Mr. HITCHCOCK. I have only 10 minutes and I can not permit any interruption, if the Senator will excuse me, unless he can give it to me in his time.

The issue in the House of Commons was not the publicity of the negotiation of treaties; it was a motion by Mr. Trevelyan in the following language:

Resolved, That in the opinion of this house a standing committee of foreign affairs should be appointed, representative of all parties and groups in the house, in order that a regular channel of communication may be established between the foreign secretary and the House of Commons which will afford him frequent opportunities of giving information on questions of foreign policy and which, by allowing Members to acquaint themselves more fully with current international problems, will enable this house to exercise closer supervision over the general conduct of foreign affairs.

It was an effort not to bring about a condition of public agitation and public negotiation, but to permit the House of Commons to exercise in connection with the British executive the same powers which the Senate of the United States enjoys under the Constitution.

In supporting this motion Mr. Trevelyan made a long speech, and some of the quotations that he used and some of the extracts from his speech clearly indicate the purpose of the resolution to raise the British House of Commons to the position now enjoyed by the Senate of the United States as a participant in the fixing of foreign policies and in negotiating foreign treaties or at least in having a knowledge of what the foreign treaties are.

My time is too short to read many of these extracts, but I want to read one that is quoted not by Mr. Trevelyan but by another member, Mr. Ponsonby, who seconded the motion of Mr. Trevelyan. Among the quotations given by Mr. Ponsonby in support of the resolution and the proposition is the following extract from a member of the house, Viscount Bryce, a former ambassador to the United States. In his book, "The American Commonwealth," Mr. Bryce said:

The day may come when in England the question of limiting the at present all but unlimited discretion of the executive in foreign affairs will have to be dealt with, and the example of the American Senate will then deserve and receive careful study.

The quotation of this language by the proponent of the resolution in the House of Commons demonstrates that what they desired to achieve was to raise the House of Commons to some such position as the Senate of the United States enjoys of participation in the negotiation of treaties, and there is little or nothing in the discussion to indicate that public discussion was the great thing desired. The resolution was to enable the representatives of the people in the House of Commons, elected by the people, to participate in the ratification of treaties made by those who had been appointed by the Crown. It was to give to the representatives of the people in the House of Commons a similar power to that enjoyed by the representatives of the people in the Senate of the United States to ratify the treaties and approve the public policies which the Crown had inaugurated with other countries.

I think, Mr. President, that those two extracts and that letter from the President clearly demonstrate that the Senator from Idaho was in error yesterday in attempting to put the President

of the United States in the attitude of advocating open discussion of all treaties in the Senate of the United States and that he was wrong in stating the real issue before the British House of Commons.

Mr. POMERENE. Mr. President, the Senator from Idaho [Mr. BORAH] has discussed his amendment with very great ability. He illuminates every subject he touches; but it seems to me that he presents one subject in the form of his amendment and has devoted his discussion largely to another.

The discussion in the Senate for the most part has taken a course as if we were limited in our choice between diplomacy which was entirely secret and diplomacy which was entirely open. If that were the subject before us, I dare say the Senate would stand unanimously in favor of open diplomacy. But that is not the question which is presented to us. As a general rule, we all believe in open diplomacy, but many of us believe that wisdom suggests limitations upon the negotiation and discussion of treaties at times. The Senator from Idaho himself is not prepared to subscribe to absolutely open diplomacy under any and all circumstances, because in the amendment which he submits he expressly provides that this rule may be waived when two-thirds of the Senators voting declare in favor of waiving it.

If we were to discuss the proposition as it has existed in Europe for time out of mind, every one of us would be opposed to it. The error there is fundamental; it goes to the very system of government. There one-man power prevails. Not so here in the United States. When it is said that the troubles there have arisen out of secret diplomacy, my answer is yes; the kind of secret diplomacy which prevails in Europe. But that is not the kind of secret diplomacy which we have, if, under any circumstances, we can call the consideration of treaties behind closed doors "secret diplomacy." In my judgment, we have open diplomacy now.

Mr. President, the choice for us is between the rule of the Senate as it now obtains and the rule as contained in the amendment submitted by the Senator from Idaho [Mr. BORAH]. It is true that we pursue the policy of open discussion in public session in all legislative matters—as a general rule all discussions should take place in public—but our fathers saw fit to place a limitation upon this rule when it came to our treaties with foreign nations. Then they very wisely provided that we could discuss these in open session when we saw fit to do so. When it comes to the matter of treaties between our Government and the Indian tribes, the rules of the Senate prescribe that they shall be discussed in open session, unless the President shall submit a message in confidence, and then they shall be discussed behind closed doors.

Those who are voting upon this subject—and I say it with all due respect—are not casting their votes either for or against open diplomacy or secret diplomacy, but they are simply deciding the method which we shall pursue when it comes to the discussion of treaty matters.

What is the difference between the rule as it exists in the Senate now and the rule as proposed by the Senator from Idaho? Under the rule, as we have followed it for years, a majority of the Senate can decide in favor of open public discussion. That rule can be changed by a majority vote at any time. For many decades that rule has been one of the Senate rules. Now the Senator from Idaho presents his amendment, which, in substance, provides that all discussion shall be in the open, save and except that it may be set aside by a two-thirds vote. Suppose that rule were adopted, we could to-morrow by a majority vote change it by the same vote by which we can now go into open session if we saw fit; and, with the experience that I have had upon the Foreign Relations Committee of the Senate, I am not willing to say that the United States Senate has so abused its rule that we ought to set it aside.

Many of the matters which have been referred to here in the discussion of this amendment ought to be discussed in the open, and most of them, I believe, I should favor discussing in the open if they were presented to us; but I believe I can better determine when a specific treaty is before us whether or not it should be discussed in the open than I can now vote in favor of a rule that is going to tie my hands for all time to come, or at least until the rule shall be changed. So, under the circumstances, I believe that it would be the part of wisdom for us to keep the rule as it now exists in the Senate rather than to adopt the proposed change.

Mr. OWEN. Mr. President, I am in favor of the principle laid down in the amendment offered by the Senator from Idaho, that treaties should be considered and acted upon by the Senate in open legislative session, unless by majority the Senate by vote shall determine to close the doors. It is only a change of policy from having the session secret unless opened by a vote to having the doors opened unless closed by a vote. I think the psychology of the action of the Senate in declaring for open doors would be serviceable in establishing open diplomacy throughout the world. For that reason I favor the proposal of the Senator from Idaho, although I do not favor it as an amendment of the pending resolution offered by the Senator from Alabama [Mr. UNDERWOOD], for I think it would have the effect of losing some support for the original proposition. I would like to see the Senate, by majority, able to manage its own business.

I have regretted to see what appears to be a filibuster against the Underwood resolution. In effect, debate, so called, being carried on merely, apparently, to kill time, is a means by which the minority undertakes to throttle the majority. I am in favor of majority rule, and I do not think that majority rule should be set aside in favor of minority rule, but that the minority rule in the Senate should end.

Mr. WATSON. Mr. President——

Mr. OWEN. I yield to the Senator from Indiana.

Mr. WATSON. Does the Senator from Oklahoma seriously say to the Senate that he thinks that any of the speeches which have been made against the resolution of the Senator from Alabama have been made for the purpose of filibustering?

Mr. OWEN. I think so.

Mr. WATSON. That they have not been seriously made?

Mr. OWEN. I think so.

Mr. SMITH of Michigan. Whose speech?

Mr. OWEN. I am not going to designate Senators.

Mr. WATSON. Will the Senator kindly designate who has been engaged in filibustering?

Mr. OWEN. I will not do that. I am not called on to do it. I express my own opinion, and I have a right to do that.

Mr. POINDEXTER. Mr. President——

Mr. OWEN. I yield to the Senator from Washington.

Mr. POINDEXTER. No speech has been made against the resolution over an hour in length. The only speech that has been made which has been an hour or more long, of which I know, was made by the Senator from Alabama [Mr. UNDERWOOD] in favor of the resolution.

Mr. OWEN. This body ought to transact its business without taking days and days to dispose of a matter of this kind, whether the Senate is in favor of it or not, and I do not think these speeches are going to change a single vote on the floor.

Mr. POINDEXTER. But the adoption of the Underwood resolution would not relieve the present situation, if it is such a filibuster as the Senator from Oklahoma describes, for the reason that none of the speeches which have been made have violated that rule, except the speech made in favor of the resolution.

Mr. OWEN. I do not wish to stigmatize any Senator. I think there are perfectly easy ways in which conveniently to kill time, and let a subject under discussion run along until those who are in favor of a proposition become wearied out, and finally are willing to drop it rather than to go on with the endless consumption of time.

Mr. GALLINGER. Mr. President, what does the Senator from Oklahoma mean by an "endless consumption of time"? How long has this proposed change in the rules been debated?

Mr. OWEN. It ought not to be debated more than one afternoon; that would be enough.

Mr. GALLINGER. If it had been, the Senator from Oklahoma would not have heard the debate.

Mr. OWEN. I should not have cared whether I heard it or not; I do not think it is of the least importance whether I hear it or not, for my mind is made up upon it without hearing the debate, and there is not anything that could be said in regard to the matter that would change my mind about it.

Mr. GALLINGER. If the Senator from Oklahoma thinks we ought to adopt the system of Mexico and pass bills without any debate at all, he entertains an entirely different view of proper legislative procedure from what I do. I think this has been a very interesting debate—I have not said a word myself and have not intended to do so—but I think we have all been enlightened somewhat by the debate. It is an important matter to change a standing rule of the Senate, and it ought not to be done without full consideration.

Mr. OWEN. I think it is a shameful thing for the Senate of the United States to waste the time that belongs to the people of the United States and which ought to be devoted to considering important matters.

Mr. GALLINGER. Now, I will ask the Senator what important matter we should have otherwise been considering?

Mr. OWEN. I shall not be catechized by the Senator from New Hampshire.

Mr. GALLINGER. Oh, well, just as the Senator pleases about that.

Mr. OWEN. I think so.

Mr. GALLINGER. The Senator arraigns his colleagues, and yet has not the courage or the courtesy to name the Senators who have been acting badly in this matter.

Mr. OWEN. The Senator from Oklahoma has all the courage necessary, but certainly he is not going to violate the rule of courtesy by stigmatizing any Senator who speaks on the floor. I express my opinion that this matter has not been disposed of with the dispatch it deserved, and I express the opinion, which I think is entertained by nine-tenths of the Senators on the floor, that we waste an enormous amount of time in the Senate by useless talk about immaterial matters.

Mr. POINDEXTER. Mr. President, if the Senator will permit just a word——

Mr. OWEN. Certainly.

Mr. POINDEXTER. I think that that time is very valuably occupied in preventing the passage of bad laws.

Mr. OWEN. Well, that is a concession of my original proposal, and I thank the Senator for his support.

That is all I care to say, Mr. President. I approve the principles of the amendment offered by the Senator from Idaho of open diplomacy, but I do not want to weaken the original proposition by having it attached in this way to the pending resolution.

Mr. BORAH. Mr. President, I wish to occupy the time of the Senate for a moment in response to the suggestion made by the Senator from Nebraska [Mr. HITCHCOCK], that I misconstrued or misunderstood the purport of the debate in the House of Commons which took place about the 19th of March, 1918. If any Senators are interested in this debate it can be had by simply calling upon the Congressional Library for it, because it is there in full.

Mr. President, I was not in error when I said that there was no suggestion anywhere in that debate that the publicity was to be limited to the Parliament or to the House of Commons; nor was I in error when I said that the argument produced disclosed unquestionably that those advocating the rule understood that it provided for open public discussion. I wish to read two or three paragraphs to show that I was not in error in regard to these propositions. All through the discussion will be found going to the proposition of information upon the part of Parliament and information to the country as to what diplomacy was doing, what arrangements or agreements were being proposed. They asked not only for consideration upon their part, and that they might have a part in the deliberations, but specifically argue the proposition that the people themselves are entitled to information and state the reasons why the people are entitled to it. This was clearly and unmistakably disclosed all through the debate, and it was to that argument that Mr. Balfour attempted to reply. He contended that the proposition that such matters should be known to the country did not come within the purview of the President's idea, which was the text of the discussion, while others by the course of their argument, took the position that it did come clearly within the view expressed by the President.

I will read a paragraph or two, and then leave the matter to the judgment of those who want to investigate it further:

It was done without the knowledge of Parliament, and it was done without the knowledge of the country—

That is the opening sentence of the discussion upon the part of Mr. Trevelyan, referring to a certain transaction of diplomacy.

Capt. G. A. Lloyd says:

It is because the country does not understand foreign policy even in its broad aspects that misconception arises. How many people understood before the war what our moral liabilities to France and Russia were? How many people realized why they were undertaken or what was the importance of them? I do not think there is any doubt if the people had understood them that they would have refused the engagements to which they were pledged, or, at any rate, they would have seen that this country had made adequate naval and military preparations to meet them.

As I said a moment ago, the entire argument was based upon the proposition of keeping the people themselves thoroughly informed of the different steps in diplomacy which resulted in binding them.

Why had they—

That is, the people—

Why had they not this confidence? Because they never told the people what their engagements were, and the Government had to wait day after day until the enemy committed some outrage which from a sense of justice would be repudiated by the people of this country.

If you will follow up the debate, you will find that they were insisting upon this committee being formed in order that public discussion might go forward, that the newspapers might carry the debates to the country, and that the country might understand fully and perfectly the entire discussion. There is not in this debate a single suggestion that the debates in Parliament should be in secret. On the other hand, it was insisted that they should be carried on in such a way that the people should be fully informed as to what was going forward.

Mr. HITCHCOCK. What does the Senator say——

Mr. BORAH. I will have to decline to be interrupted by the Senator, because I am busy now with another subject he has called up, and I am limited to 10 minutes.

Mr. President, the Senator referred to my misconstruction of the President's language and intimated that I had put the President in a false position. Of course I did not intend to do so, and I do not understand that I have done so. I do not think his language is subject to misconstruction or to misunderstanding at all. I doubt very much if my understanding in regard to it is any different from that of the President. I read here, in order that it may go into the RECORD this morning in connection with the letter which the Senator has read, precisely what the President said:

Open covenants of peace openly arrived at—

If the words "openly arrived at" were not used, the construction put upon the expression by the Senator from Nebraska might be a logical, or rather a legitimate, construction; but if you have "open covenants of peace openly arrived at," or openly agreed upon, you must necessarily proceed to a discussion of the subject matter and have the different steps taken in public.

The President is not inapt at all in the use of language, and he has evidently been very careful in excluding any possibility of arriving at secret agreements and making the agreements known after the people have been bound. He covers that subject perfectly and completely by the clause "open covenants of peace openly arrived at." Then he says:

But diplomacy shall proceed always—

Not intermittently, not spasmodically, not in some respects, not in regard to some steps, not in regard to some transactions, but—

diplomacy shall proceed always frankly and in the public view.

Now, it is not for me to put any other construction upon that than that which the language clearly and unmistakably imparts. It was not my purpose to put any construction upon it other than that which it legitimately bears, and it was not necessary for the purpose of my argument to do so. It was as comprehensive, as complete, and as full as I could have had it had I written it myself for this particular occasion. I do not know how you would choose language or arrange clauses or frame sentences more exact and perfect to cover open diplomacy and cover it in all its different steps and phases from the beginning to the end. "Covenants openly arrived at" and "diplomacy proceeding always frankly and in the public view" can have but one meaning among men of intellectual integrity. For these reasons I contend I have not placed the President in a false position.

Mr. OVERMAN. Mr. President, perhaps I ought to state to the Senate that the amendment now pending offered by the Senator from Idaho was before the Committee on Rules and considered at length. I do not know whether or not the Senator from Oklahoma was present, but I want to state to the Senate that the committee was unanimously opposed to the rule as proposed by the Senator from Idaho. The letter read here and dated the 12th of March was brought forth by reason of an interview I had with the President of the United States after we had considered at length the amendment now proposed. I shall not go into the reasons for the action of the committee; they have been stated here.

Mr. CUMMINS. Mr. President——

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Iowa?

Mr. OVERMAN. I do.

Mr. CUMMINS. Did I understand the Senator to say that the Committee on Rules unanimously opposed the proposed amendment?

Mr. OVERMAN. It did; but I do not know whether the Senator from Iowa was present.

Mr. CUMMINS. I have always been in favor of the motion of the Senator from Idaho, and I can not imagine——

Mr. OVERMAN. I can not speak for those who were absent.

Mr. CUMMINS. I can not imagine a situation in which I would have concurred in opposition to it.

I do not doubt that the Senator from North Carolina is right in saying that the Committee on Rules declined it, but I do not remember that it was ever considered by the committee, and certainly not in my presence, nor while I was in attendance.

Mr. OVERMAN. There was a quorum present. It was on or about the 10th of March. This letter is dated the 12th of March, and the Senators who were present—I could name them—debated it for some time. Among them, the able Sen-

ator from Pennsylvania [Mr. KNOX], I know, gave practically the same reasons before the committee that he gave here, which, in my opinion, were so plain and explicit and convincing.

Mr. GALLINGER. Mr. President, may I ask the chairman of the Committee on Rules if this is not about what happened in regard to the matter—that the Committee on Rules talked it over around the table, but no report was ordered to be made on the resolution?

Mr. OVERMAN. Out of deference to the Senator from Idaho, I was instructed, although I do not think I did so, to say to him that we did not think this matter ought to be brought up, and the committee was opposed to it; and I think that was about the result. There was no vote taken, but there was no one on the committee in favor of it.

Mr. GALLINGER. I am not so sure about that, Mr. President. My recollection is that there were some Members in favor of it, but that the decided majority was against it, and that we did not order a report made on the resolution.

Mr. OVERMAN. My recollection is that no one was in favor of it. There was a quorum present. I do not say that the Senator from Iowa [Mr. CUMMINS] was there. I know that the Senator from Oklahoma [Mr. OWEN] was not there. But the result of the committee's action was as stated by the Senator from New Hampshire. Then I went to see the President, and discussed the matter with him, and that called forth this letter of March 12.

I want to say, while I am upon my feet, that I have always been opposed to cloture and the limitation of debate; and I only consented even to the Underwood resolution when an amendment was offered limiting it to the period of the war.

Mr. THOMAS. Mr. President, during the discussion of this amendment, on the 7th of the present month, the Senator from New Mexico [Mr. FALL] entered into a very complete and interesting discussion of the pending proposed treaty with the Republic of Colombia. The views which the Senator entertains regarding the merits of the controversy leading up to that proposed treaty may be correct, but they are entirely different from those which I entertain upon the subject.

In view of the fact that during the present session this treaty may be taken up for final consideration, I have determined on Friday next, at the close of the routine morning business, to address the Senate upon the subject, particularly with regard to the facts surrounding the unfortunate transaction which culminated in the recognition of the Republic of Panama, and which, in my judgment, make some final adjustment of the consequent difference with Colombia extremely necessary.

Mr. SMITH of Georgia. Mr. President, I only wish to express my earnest conviction of the harm which would be caused by the adoption of the amendment offered by the Senator from Idaho [Mr. BORAH]. Publicity of a treaty, and publicity of the reasons which influence support of or opposition to particular provisions of a treaty, are very different. To require all discussion of treaties to be made in public is to make it impossible for Senators to freely exchange their views upon the subject.

When we determine just what we are willing to agree upon as a treaty with a foreign nation, we are influenced by views in regard to the relations of our country to such nation. We may properly express these views to each other while it might complicate our relations with the other nation if they were made public. It would be utterly impossible to give each other freely the benefit of our views upon the important questions involved in a treaty before the Senate unless we could give them in private, in executive session. Indeed, at this time, it is very doubtful whether all treaties should be made public.

We are in the midst of a great world war. We may desire to make treaties with some nations that we do not wish our enemies to understand. If all the nations of the world would make their treaties public, we might do so also; but it is entirely possible that at this time it may be important to make treaties which the public interests would not permit to be made public. But surely we must preserve the right to discuss treaties in private. To put on the Senate the handicap of requiring a two-thirds vote of Senators to give that privilege would remove the opportunity for free discussion and might work a great national injury.

Mr. REED. Mr. President, I desire to make a parliamentary inquiry. Is the amendment of the Senator from Idaho [Mr. BORAH] now subject to amendment?

The VICE PRESIDENT. It is.

Mr. REED. I offer an amendment to the amendment, which I send to the desk and ask to have read.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to insert the following:

This rule shall not become effective until and unless the principal nations shall have agreed to publicly discuss and publish all treaties by them being considered or that have been consummated.

Mr. REED. I should like to have that read now in connection with the amendment of the Senator from Idaho, so that the Senate will get the proposition as amended.

The SECRETARY. The amendment of the Senator from Idaho, as modified by him, reads as follows:

That all treaties shall be considered and acted upon by the Senate in its open or legislative session unless two-thirds of the Members of the Senate by yea-and-nay vote shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.

That this rule shall not be limited to the period of the war.

To which the Senator from Missouri proposes to add:

This rule shall not become effective until and unless the principal nations shall have agreed to publicly discuss and publish all treaties by them being considered or that have been consummated.

Mr. REED. Mr. President, that puts the question squarely before the Senate whether we want, during a war, to tell the Germans all the negotiations that we may have with France and England and Japan and the South American States and other nations of the earth, including the neutrals, or whether the proponents of this resolution are willing to wait until all of the principal nations of the earth shall have agreed to expose their diplomacy as we are now asked to expose ours.

Mr. POINDEXTER. Mr. President, where the Constitution of a country requires that before a treaty can go into effect it must have the approval of two-thirds of a body consisting of 96 Members elected by the people, so distributed over the country that two of them come from each State in a great continental empire such as this, it is inconceivable that any injury of the people should result from the provisions of such a treaty which in any sense could be said to be due to a discussion of its terms in a closed session of that body.

There can not possibly be in the United States of America secret diplomacy, so far as treaties are concerned, in the sense in which that term is used in Europe. I should think that the Republic would have fallen upon evil days if there is not some one in such a numerous and such a representative body as an elective assembly of 96 Members who will advise the American people of any lurking dangers to their peace and welfare in our negotiations or contractual relations with foreign countries. To say that under all circumstances the discussion among ourselves as to the advisability of the ratification or amendment of treaties should be in the open, it seems to me would put the American people in a position of impotence in their foreign relations.

I expect to vote against the amendment.

Mr. SMITH of Michigan. Mr. President, I was going to ask the Senator from Washington before he took his seat if I did not hear the Senator from Nebraska quote from the former ambassador at Washington, Mr. Bryce, as to the treaty-making power and the manner in which that power was exercised here? I thought I heard him make that remark.

Mr. HITCHCOCK. That is correct. That was quoted by Ponsonby in supporting the resolution of Trevelyan.

Mr. SMITH of Michigan. I want to read, without giving the language my approval, from Bryce's American Commonwealth, where he says:

There have been movements within the Senate against maintaining secrecy, particularly with regard to the confirming of nominations to office; and there is also a belief in the country that publicity would make for purity. But while some of the black sheep of the Senate love darkness because their works are evil, other Members of undoubted respectability defend the present system because they think it supports the power and dignity of their body.

I find running all through Bryce's American Commonwealth strictures upon the power exercised by the Senate. He assumes all the way through these volumes—I have not read them recently, but I have been familiar with them in the past—that the Senate is consulted in the preliminary steps of the Executive regarding treaties. He says in this work that it is wise for the Executive to consult the Senate; that he has a better expression of public opinion which exists outside of the Government if he consults the Senate, and consults them early, and that he ought to take the Committee on Foreign Relations into his confidence.

We have defeated several treaties here behind closed doors during my experience. I think we defeated one with Great Britain which provided for the general arbitration of all differences that might arise between the two countries, and proposed to farm out the functions of the Senate to a commission appointed by the President who should pass upon questions of vital importance to the American Government and to the American people; and we defeated that treaty, I think, in

secret. What would have happened to the treaty if it could have been discussed in the open? I venture the assertion that if the first Hay-Pauncefote treaty had been discussed in the open it would not have lasted 48 hours in the face of the protests of the American people; and yet we nearly had that treaty foisted upon us, by which a great foreign power was to have equal rights with ourselves in the arming and the defense of the canal across the Isthmus of Panama.

I do not desire myself to support any radical innovation in the conduct of our foreign affairs. I am quite content to let the matter go along as it has gone along; but inasmuch as the issue is made I think a little more light will not do any harm in the consideration of a treaty. Whenever necessary the doors may be closed.

Mr. KNOX. Mr. President, I know that the Senator from Michigan always wishes to be accurate, but he is mistaken in his statement that those two treaties were discussed in secret, and that they were rejected by the Senate. The fact is they were discussed in the open, they were amended by the Senate, and on account of the amendments not being satisfactory to the negotiating powers ratifications never were exchanged. I recollect that because I was vitally interested in the matter, having negotiated the treaties; and I particularly recollect reading in the morning paper, the day after it was delivered, a very elaborate speech by the senior Senator from Massachusetts in relation to these treaties.

Mr. SMITH of Michigan. The Senator from Pennsylvania is correct. I devoted a little of my own time to an expression of my views upon that treaty, which views I have never changed. The idea of farming out to independent appointees of the Government the power to pass upon vitally important questions with regard to our country's relations, thus depriving the States of their power in the Senate, never appealed to me.

Mr. KNOX. If the Senator will permit me to say so, that was one of the very few times when he was most grievously mistaken in the construction of a written contract.

Mr. SMITH of Michigan. Perhaps so. I am not challenging either the patriotism or the foresight or wisdom of the Senator from Pennsylvania, because I find him a very safe pilot and an excellent guide. He may have been right and I may have been wrong. I was not able to follow him at all times while he was Secretary of State, although I greatly admire him, but I did follow him with a great deal of pleasure all the time he was Attorney General in the Cabinet of President McKinley, because I know he is a wise and sagacious lawyer; but I can see no harm coming from an open discussion of treaties in most instances. If we want the doors closed, we can close them. I see vastly more harm in strangling the senatorial right to discuss freely questions of vital importance to his State than I do in the proposition of the Senator from Idaho.

The other day I referred to the Senator from Alabama, who was put out of the House of Representatives under a cloture rule; and I will tell you how it happened, if I remember it correctly. I may be mistaken; but, as I recollect, the meeting of the Committee on Rules in the House of Representatives was called in the morning, and when the committee got together the Republican members decreed what should take place. Then they sent for Mr. McMillin, of Tennessee, a minority member; and when he came in, as I now recollect the story, Speaker Reed said jokingly: "Benton, Joe, and Mac, and myself have resolved to perpetrate the following outrage," and debate was cut off under this special rule. They greased the skids and our friend from Alabama went out of the House of Representatives, which he would have adorned and which he afterwards adorned, with as much speed and alacrity as I ever saw a member ejected from a parliamentary body. [Laughter.]

I presume I have exhausted my time.

Mr. REED. Mr. President——

The VICE PRESIDENT. The hour of 1 o'clock having arrived the vote will be taken upon the amendment of the Senator from Missouri [Mr. REED] to the amendment of the Senator from Idaho [Mr. BORAH].

Mr. REED. It has been suggested to me that there ought to be a clean-cut record vote upon the proposition of the Senator from Idaho taken separately. I will, therefore, withdraw my amendment and reserve the right to offer it in the Senate should the amendment of the Senator from Idaho be adopted here.

Mr. BORAH. Upon the amendment——

Mr. OWEN. I desire to offer an amendment to the amendment of the Senator from Idaho.

The VICE PRESIDENT. The Chair thinks it is too late.

Mr. BORAH. Upon the amendment I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I have a standing pair with the senior Senator from Florida [Mr. FLETCHER], who is not present, and because of that pair I withhold my vote.

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER] and therefore withhold my vote.

Mr. JOHNSON of South Dakota (when his name was called). I have a pair with the senior Senator from Maine [Mr. FERNALD]. I transfer that pair to the senior Senator from Oklahoma [Mr. GORE] and vote "yea."

Mr. SAULSBURY (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the junior Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. MYERS (when Mr. WALSH's name was called). My colleague is necessarily absent and is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN].

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote, being unable to obtain a transfer. If permitted to vote, I would vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES], who is absent. I therefore withhold my vote.

The roll call was concluded.

Mr. CURTIS. I desire to announce the absence of the Senator from New York [Mr. WADSWORTH]. He is paired with the Senator from New Hampshire [Mr. HOLLIS]. If the Senator from New York were present and not paired, he would vote "yea."

I have a pair with the junior Senator from Georgia [Mr. HARDWICK], and in his absence I will withdraw my vote, which was cast in the affirmative, and let the pair stand.

Mr. LEWIS. I rise merely to announce the absence of the Senator from Kentucky [Mr. JAMES] occasioned by personal illness and that of the Senator from Mississippi [Mr. WILLIAMS] by illness in his family.

Mr. BORAH. I was requested to state that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent and that if present he would vote "yea."

Mr. FRELINGHUYSEN. I have a pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the senior Senator from Wisconsin [Mr. LA FOLLETTE] and vote "yea."

Mr. TRAMMELL. I desire to announce that my colleague [Mr. FLETCHER] is absent on account of illness.

Mr. CURTIS. I wish to announce that the Senator from Pennsylvania [Mr. PENROSE] is paired with the Senator from Mississippi [Mr. WILLIAMS].

The result was announced—yeas 23, nays 50, as follows:

YEAS—23.

Baird	Frelinghuysen	Kenyon	Sherman
Borah	Gronna	Lenroot	Smith, Mich.
Chamberlain	Johnson, Cal.	McNary	Sterling
Cummins	Johnson, S. Dak.	New	Townsend
Fall	Jones, Wash.	Norris	Vardaman
France	Kellogg	Nugent	

NAYS—50.

Ashurst	Knox	Poindexter	Smith, S. C.
Bankhead	Lewis	Pomerene	Smoot
Beckham	Lodge	Ransdell	Sutherland
Brandegee	McCumber	Reed	Swanson
Culberson	McKellar	Robinson	Thomas
Dillingham	McLean	Saulsbury	Thompson
Gnion	Martin	Shafroth	Tillman
Hale	Myers	Sheppard	Trammell
Harding	Nelson	Shields	Underwood
Hitchcock	Overman	Simmons	Warren
Kendrick	Owen	Smith, Ariz.	Willey
King	Page	Smith, Ga.	
Kirby	Phelan	Smith, Md.	

NOT VOTING—23.

Calder	Gerry	James	Walsh
Colt	Goff	Jones, N. Mex.	Watson
Curtis	Gore	La Follette	Weeks
Fernald	Hardwick	Penrose	Williams
Fletcher	Henderson	Pittman	Wolcott
Gallinger	Hollis	Wadsworth	

So Mr. BORAH's amendment was rejected.

Mr. BORAH. I desire at this time to reserve the amendment for a vote thereupon in the Senate.

The VICE PRESIDENT. There will be no Senate for it; it is not a bill. The question is on agreeing to the committee amendment.

Mr. GALLINGER. Mr. President, I had intended to offer some objection to this proposed amendment to our rules, but I do not propose to take the time of the Senate in doing it to-day.

Mr. BORAH. Will the Senator permit me to interrupt him for a moment?

Mr. GALLINGER. Certainly.

Mr. BORAH. I wish to make a parliamentary inquiry. Can the amendment which has just been voted on be offered as an amendment again in the Senate?

The VICE PRESIDENT. This is not a bill; it is merely a Senate resolution.

Mr. BRANDEGEE. A parliamentary inquiry. We are not in Committee of the Whole?

The VICE PRESIDENT. Certainly not.

Mr. BORAH. We never have been in Committee of the Whole on the resolution?

The VICE PRESIDENT. Never.

Mr. GALLINGER. Mr. President, the question of amending the rules as is proposed is an old matter. It has been discussed over and over again. It has been before the Committee on Rules many times and never secured the assent of that committee. But for some inscrutable reason there seems to be a change in the Senate in reference to the matter, and apparently a majority of the Senate are in favor of the proposed amendment.

To my mind it is a great mistake that is about to be committed, if it shall be committed. There is no reason for it on earth. As the Senator from Massachusetts [Mr. LODGE] pointed out on yesterday, there has never been a time in the history of any legislative body such as this when a matter of important legislation has been passed with so little debate. There has been no disposition on either side of the Chamber to unduly delay legislation, and I know there is not in the mind of any Senator on this side of the Chamber any purpose of that kind. We are getting along magnificently well. A few more important measures are to be considered, and if we go along in our usual way, after proper consideration they will receive a vote of the Senate.

Mr. President, we have had an illustration of that to-day. The important amendment of the Senator from Idaho, which was debated for perhaps a little over one day, very intelligently and very illuminatingly, so far as some of us are concerned, was voted upon by unanimous consent, just as all such important matters are when the Senate pursues the even tenor of its way.

During my somewhat protracted membership of this body a few filibusters have been engaged in. I was the victim of one of those filibusters, Mr. President. A bill in which I was deeply interested, which had been debated for weeks in this body, as I remember it, was at the end of a session defeated by a filibuster. At that time I felt very keenly on the subject, but when I came to look it all over I was led to the conclusion that the evils that grew out of our present system were insignificant compared to the benefits that grew out of it. I think I have myself participated in two filibusters during the time I have been a Member of this body, and I have never had occasion to regret it. I believed that they were justified. I believe that great good came to the country because of those protracted discussions.

Mr. President, if there was any apparent concerted action or any indication of it on the part of Members of this body to delay the legislation that is to follow there might be some excuse for this change in the rules. But there is no such intimation; there is no such purpose, and why we should change the rules under the circumstances surpasses my comprehension.

It is suggested in the resolution, indeed it is a part of the resolution, that it shall continue during the existence of the war. Mr. President, no Senator has unduly prolonged debate on any vital question concerning the war. Both sides of the Chamber have been united in passing those important measures for the protection of our institutions and our Government and for winning the war, and no suggestion even has been made that any filibuster should be organized or should be consummated on either side of the Chamber.

Now, why change the rule? What is the necessity for it? For the life of me, Mr. President, I can not see any earthly necessity for it. I do hope that the Senate will take pause and will consider this matter without any prepossessions or prejudices or without any misconception of the facts and will vote down the proposed amendment to the rules.

Mr. President, if there were any necessity for it, so far as the passage of war legislation is concerned, I would vote for it as freely and as cheerfully as any Member of this body, but there is nothing in sight which justifies that view. Nobody has yet suggested that he proposes to antagonize war legislation. On the contrary, every Senator who has stood on this floor has declared that he was for war legislation and for prosecuting this war until Germany was brought to terms and peace resulted. Now, why change the rules of the Senate under those circumstances, under that pretense?

But, Mr. President, it has been suggested, mildly suggested, by the Senator from Alabama [Mr. UNDERWOOD] that we will have a great bill coming here, a revenue bill, and that it is important that its passage shall not be delayed. I have no fear that its passage will be delayed if the rules remain as they are to-day.

But, Mr. President, if that and the desire expressed by more than one Senator that we ought to have a recess during the heated term of this year are the only reasons—and they are the only ones I have heard enunciated as yet—then I propose to offer an amendment to facilitate, if a change of this rule will facilitate—and I have my doubt as to that—the passage of the revenue bill and allow Senators to get the much-coveted recess they all seem to desire. Therefore I offer this amendment to the resolution and ask for the yeas and nays on it.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. In the first line of the resolution, strike out the words "period of the present war" and insert the words "calendar year 1918."

Mr. GALLINGER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. UNDERWOOD. Mr. President, I have just a word to say on the pending amendment, which, I understand, is to limit the purpose of this rule, if adopted, to the 1st day of January next. The resolution itself limits the life of the rule to the war. I do not think the rule can be tried out in the time between now and January. I do not think it would be wise to adopt the resolution if it has that limitation on it. I think the resolution ought to stand as it is presented to the Senate, or will be presented by the amendment we have agreed to in committee, limiting the life of the rule to the time of the war. I hope the amendment of the Senator from New Hampshire will be voted down.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER], on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement of the transfer of my pair as heretofore, I vote "yea."

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from Florida [Mr. FLETCHER], who is not in the Chamber. I therefore for the present withhold my vote.

Mr. SAULSBURY (when his name was called). Making the same announcement of the transfer of my pair as before, and requesting that it stand until the resolution is disposed of, unless changed, I vote "nay."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. I transfer that pair to the junior Senator from Nevada [Mr. HENDERSON] and vote "nay."

Mr. WATSON (when his name was called). I have a pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I withhold my vote. If I were at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. CURTIS. I have a pair with the junior Senator from Georgia [Mr. HARDWICK], but I am at liberty to vote on this question, as he would vote the same way as I shall vote. I therefore vote. I vote "yea."

Mr. TILLMAN. I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from Nevada [Mr. PITTMAN] and vote "nay."

Mr. LODGE. I have a general pair with the senior Senator from Georgia [Mr. SMITH], who is absent. I transfer my pair to the junior Senator from Georgia [Mr. HARDWICK] and vote "yea."

Mr. JOHNSON of South Dakota. Making the same announcement as I did a while ago as to my pair, I vote "nay."

Mr. GERRY. I have a pair with the junior Senator from New York [Mr. CALDER]. I understand if present the Senator from New York would vote as I shall vote, and I therefore vote. I vote "yea."

Mr. GALLINGER. In view of the statement just made by the junior Senator from Rhode Island [Mr. GERRY] I transfer my pair to the junior Senator from New York [Mr. CALDER] and vote "yea."

Mr. CHAMBERLAIN. I have a general pair with the Senator from Pennsylvania [Mr. KNOX], which I transfer to the Senator from Texas [Mr. CULBERSON] and vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 29, nays 41, as follows:

YEAS—29.

Baird	Gerry	McLean	Sterling
Borah	Gronna	New	Sutherland
Brandegee	Hale	Page	Thomas
Curtis	Harding	Phelan	Townsend
Dillingham	Jones, Wash.	Poindexter	Warren
France	King	Reed	
Frelinghuysen	Lodge	Sherman	
Gallinger	McCumber	Smoot	

NAYS—41.

Ashurst	Kirby	Pomerene	Smith, S. C.
Bankhead	Lenroot	Ransdell	Swanson
Beckham	Lewis	Robinson	Thompson
Chamberlain	McKellar	Saulsbury	Tillman
Cummins	McNary	Shafroth	Trammell
Fall	Martin	Sheppard	Underwood
Gerry	Myers	Shields	Vardaman
Hitchcock	Nelson	Simmons	Wilfley
Johnson, S. Dak.	Norris	Smith, Ariz.	
Kendrick	Nugent	Smith, Md.	
Kenyon	Overman	Smith, Mich.	

NOT VOTING—26.

Calder	Hardwick	Knox	Walsh
Colt	Henderson	La Follette	Watson
Culberson	Hollis	Owen	Weeks
Fernald	James	Penrose	Williams
Fletcher	Johnson, Cal.	Pittman	Wolcott
Goff	Jones, N. Mex.	Smith, Ga.	
Gore	Kellogg	Wadsworth	

So Mr. GALLINGER'S amendment was rejected.

Mr. SHAFROTH. Mr. President, I offer an amendment to the resolution, which I ask to have read.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from Colorado.

The SECRETARY. Before the word "and," on page 2, line 23, insert "which right may be exercised at any time before final vote thereon."

Mr. SHAFROTH. Mr. President, the reason why I think that amendment is necessary is because of the ruling of the Chair heretofore that, when amendments are presented to the Senate, they must be controlled by the rule which may be adopted concerning the length of time for argument as to amendments.

Mr. UNDERWOOD. Will the Senator yield to me for a moment?

Mr. SHAFROTH. I yield.

Mr. UNDERWOOD. The Senator from Iowa [Mr. CUMMINS] has a substitute for the original provision as reported, which has been agreed to by the members of the Rules Committee, and if his substitute be adopted, as I hope it will be, it will cover the very point which is embraced in the amendment now proposed by the Senator from Colorado. I merely rise to ask the Senator if he will not withdraw his amendment until the Senator from Iowa shall have offered his substitute, and then see if it does not cover the point which he desires covered?

Mr. SHAFROTH. If the amendment to be offered by the Senator from Iowa covers it, very well and good; but it does seem to me that we ought to have a clear understanding that the right of a Senator to speak for an hour and a half is secured, and that it shall be made clear that any Senator, no matter when he desires to occupy that time, shall have a right to do so.

Mr. UNDERWOOD. I think that is done by the amendment intended to be proposed by the Senator from Iowa, and I think if the Senator from Colorado will permit the substitute to be offered he will be satisfied of that.

Mr. SHAFROTH. Will the Senator from Iowa kindly read his substitute in order that I may be satisfied on that point?

Mr. CUMMINS. The amendment which I intend to offer as soon as I can be recognized has already been read into the RECORD, I think, but on the point suggested by the Senator from Colorado it reads:

Provided further, That when an amendment is pending a Senator may use all or any part of his time allowed for debate upon the bill or resolution.

Mr. SHAFROTH. That amendment seems to me to cover the exact point to which I refer, and I therefore withdraw my amendment.

The PRESIDING OFFICER. The Senator from Colorado withdraws his amendment.

Mr. CUMMINS. Mr. President, I present the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 2 it is proposed to strike out lines 21 to 24, inclusive, and insert the following:

That no Senator shall occupy more than 1 hour and 30 minutes in debate on any bill or resolution and not more than 20 minutes on any amendment proposed thereto: *Provided*, That the Senate upon request may enlarge the time by a majority vote, the question to be decided without debate: *Provided further*, That when an amendment is pending a Senator may use all or any part of his time allowed for debate upon the bill or resolution.

Mr. CUMMINS. Mr. President, this is the amendment——

Mr. ASHURST. Mr. President, will the Senator yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Arizona?

Mr. CUMMINS. I yield.

Mr. ASHURST. I merely want to make an inquiry. As I heard the amendment read, the expression "enlarge the time" was used. Should not the word be "extend"?

Mr. CUMMINS. What does "enlarge" mean?

Mr. ASHURST. I am merely asking what is the word used.

Mr. CUMMINS. I use the word "enlarge" because I thought that was the proper word. It means, of course, the same as "extend."

Mr. CUMMINS. Mr. President, this is the amendment read the other day, and concerning which the Senator from Alabama [Mr. UNDERWOOD] suggested that it was the result of some conference between the members of the Committee on Rules, that it would be accepted by the majority of the Committee on Rules, and would be substituted for the amendment proposed in the report of the committee on the original resolution. I will inquire of the Senator from Alabama if I am right in that statement?

Mr. UNDERWOOD. I will state that I have conferred with all the members of the Rules Committee, and we discussed the question together—that is, the members of the Rules Committee who voted to report the original resolution—and this amendment is agreeable to them all as a substitute for the language of the resolution as reported. If I have the right, under the rules of the Senate, to accept it, I am willing to accept it as a substitute for the amended resolution reported by the committee.

Mr. CUMMINS. I think, Mr. President, that the Committee on Rules, through any authorized member, can ask that this amendment be substituted for the one printed, so that thereafter it may stand as the amendment proposed by the Committee on Rules.

Mr. OVERMAN. Mr. President, as chairman of the Committee on Rules, I wish to say that I have been conferred with, and I understand that those members of the committee who concurred in reporting the original resolution are satisfied with it and are willing to have the amendment proposed by the Senator from Iowa substituted for the resolution as reported.

Mr. GALLINGER. But, Mr. President, I suggest that that can only be done by a vote of the Senate.

Mr. OVERMAN. If there is objection, yes.

Mr. GALLINGER. It can not be done by agreement between Senators.

Mr. OVERMAN. Not if there is objection.

Mr. GALLINGER. I do not object to it myself.

Mr. UNDERWOOD. To clear up the matter, so that amendments may have their proper place hereafter and the real issue before the Senate may be presented, I ask unanimous consent that the proposed substitute offered by the Senator from Iowa be accepted in place of the resolution as reported by the committee.

Mr. GALLINGER. Being opposed to the substitute, I must object to unanimous consent.

The PRESIDING OFFICER. Objection is made.

Mr. CUMMINS. Mr. President, then I exercise what I suppose is a right that can not well be denied and offer the amendment which I have sent to the desk and which has been read. I intend to assume in the discussion which will follow that the amendment so proposed is the report of the committee, because that is the fact at the present time, and it is idle to debate the terms of the original amendment or substitute of the committee when it is well known that in the end the amendment which I have proposed will be the judgment and the proposal of the Committee on Rules.

Mr. OVERMAN. Mr. President, will the Senator allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Carolina?

Mr. CUMMINS. I do.

Mr. OVERMAN. Would the Senator object to adding after the word "That" the words "during the present war"? The

original resolution contained those words, and it was adopted by the committee with that understanding.

In publishing the Senate Manual it is desired to print the new rule and not to print the entire resolution; but, unless the words to which I have referred are embodied in the rule itself, it will be necessary in preparing the Manual to add a footnote explaining that the new rule is to remain in force only during the continuance of the war or to print the entire resolution. So I ask the Senator if he will not consent to add the words I have suggested, so that they may become a part of the rule itself?

Mr. CUMMINS. Mr. President, I have no objection to the change suggested by the Senator from North Carolina, but I hope he will defer a discussion of the verbal arrangement until the debate has neared its end. I would immediately accept it if it were not true that, in my opinion, the rule proposed has nothing whatever to do with the war. I have acquiesced in the preceding part of the resolution, which limits the operation of the rule to the period of the war, not because I am about to insist that this is a war measure or that it is needed on account of the pendency of the war. I am for the amendment which I have proposed both in war and in peace; and, in my judgment, it is as necessary in time of peace as in time of war. That is the only reason why I suggest to the Senator from North Carolina that he await the conclusion, at least, of my discussion before he seeks to introduce those words into the proposed amendment.

Mr. OVERMAN. I know the Senator would not take any advantage of this resolution, but I want to say that the committee never would have reported the resolution except that it was limited to the war. I wish to say further that there are plenty of us here who would not vote for the resolution if it were proposed to make it a permanent rule. Therefore I was anxious that the Senator should accept the modification that I have proposed, for, I repeat, the committee would not have indorsed the Senator's amendment except with that understanding.

Mr. CUMMINS. Mr. President, the Senator from North Carolina can no more control my opinions than I can control his.

Mr. OVERMAN. I am not trying to control the Senator's opinions.

Mr. CUMMINS. But I realize the truth of the statement just made by the Senator from North Carolina, and this amendment does not propose to change the action of the committee in that respect, which does limit the limitation upon debate to the period of the war. I expect that to be in the resolution. It matters not whether it is in the preceding part or in the body of the rule itself. I followed the order which the committee determined, namely, to prescribe the period of the rule in an independent paragraph, but I shall have no objection whatever to its insertion wherever it is thought desirable to make the limitation both effectual and orderly.

Mr. SMITH of South Carolina. Mr. President, I should like to ask the Senator if he thinks that this resolution, to which he is giving his support, is not needed to expedite the passage of important war measures?

Mr. CUMMINS. Mr. President, I intend to prove, if it can be done, and from my viewpoint, that the evidence is abundant and conclusive that the rule is imperatively needed to enable the Senate to do the business with which it is charged under the Constitution.

Mr. SMITH of South Carolina. I mean particularly during the time of war. Does the Senator think a rule like this is necessary to facilitate and expedite the necessary legislation during the war?

Mr. CUMMINS. Mr. President, I think it is needed at all times, both during war and during peace.

Mr. SMITH of South Carolina. But I mean does the Senator think it would be more efficacious during the war than during times of peace?

Mr. CUMMINS. I will leave the Senator from South Carolina to draw his own conclusions with regard to that when he shall have heard, if he cares to hear, the views which I entertain with regard to the subject.

Mr. SMITH of South Carolina. Mr. President, the reason why I have asked the question in rather an insistent way is because I wanted to see what was the Senators' attitude from that side as to the manner in which the Senate has met the awful responsibility of legislating for this war; and I wanted to know if it was the Senator's position that not having met it as the Senate should meet it, some of us must get together and formulate such an additional rule as will make us do it.

Mr. CUMMINS. I think the Senate and the Congress as well have met the demand which has been made upon them by the extraordinary condition not only of our own country but of the world with superb fidelity, and I think Congress will continue to do so.

Mr. SMITH of South Carolina. And therefore the Senator does not think this rule is necessary in order to have them expeditiously and effectually accomplish the tasks before them?

Mr. CUMMINS. One can not tell what the future will develop; but so far as the past is concerned, while I think that we could have disposed of the war measures in less time than has been consumed, it is not within my heart to charge any Member of the Senate with unduly delaying the disposition of any bill or resolution that has had for its purpose the prosecution, and the diligent and effective prosecution, of the war.

Mr. SMITH of South Carolina. Now, the Senator has answered fully just what I was driving at. Therefore the Senator's advocacy of this rule is because he desires it to be permanent legislation. That is the main thing that is troubling me.

Mr. NELSON. Mr. President, will the Senator yield to me for a minute? The Senator from South Carolina is utterly mistaken. If he reads the amendment of the Senator from Iowa, he will see that it does not propose to amend that part of the resolution, if I am correct.

Mr. CUMMINS. Not at all.

Mr. NELSON. The resolution starts out, as reported by the committee:

Resolved, That during the period of the present war the rules of the Senate shall be amended by adding thereto the following.

That is left in the resolution. The amendment proposed by the Senator from Iowa does not propose to change that. It leaves that in it, so that if we adopt his amendment it will not affect it. It leaves the resolution to operate only during the pendency of the war.

Mr. SMITH of South Carolina. Yes; but the point I was getting at was to get the Senator's mental attitude, the real purpose that was actuating him. I did not think he would stand here and say that there had been any undue delay in passing the measures necessary for the prosecution of this war. Therefore, having admitted that, as he has admitted it, the principle that is actuating him is to establish a precedent and make this permanent legislation after the war.

Mr. CUMMINS. Mr. President, I suppose the Senator from South Carolina is not seriously concerned in the motive which impels me. I think he had better concern himself with the wisdom or unwisdom of this rule; and if I can not convince him that the Senate is hampered and embarrassed and shackled by the antiquated and obsolete rules under which we do the business committed to us, then I would not hope for his vote for this amendment, unless he can be persuaded by some one on the other side of the Chamber.

Mr. SMITH of South Carolina. No, Mr. President; if the Senator will allow me, I think a matter of this kind is largely a question of principle that is to actuate the entire Senate, and should not be in any sense made a party question. Whatever rule we adopt will affect both sides.

Mr. CUMMINS. The fact that I am earnestly supporting the amendment to the rule, or the additional rule which has been proposed, and which apparently is supported much more largely upon the Democratic side than upon the Republican side, ought to indicate to the Senator from South Carolina that there is no partisan feeling or partisan prejudice moving me in the matter. I am looking at it solely from the standpoint, I hope, of the public good and the general interest.

Mr. SMITH of South Carolina. Mr. President, I think it can be stated that it is divested of any partisan taint when the Senator from South Carolina is happy to say to the Senator from Iowa that he is as strongly opposed to any modification as the Senator is in favor of a modification.

Mr. CUMMINS. I knew that; and the Senator from South Carolina, with his usual insistence, has endeavored to neutralize what I have to say and destroy the argument which I propose to make by this interruption in advance, which was not for the purpose of securing any information——

Mr. SMITH of South Carolina. Oh, yes, it was.

Mr. CUMMINS. But for the purpose of disclosing, I assume, that I thought that this was not only a war measure, but a peace measure as well. I forgive him. I have such great affection for him that I forgive this attempt on his part, which will be futile, because I shall proceed just as I have outlined the subject in my mind.

Mr. SMITH of South Carolina. No; Mr. President, will the Senator just let me make an explanation on the ground of the good friendship that does exist between us? The point that I wanted to get at was this: Quite a number of Senators on both sides have been saying: "Oh, let us vote for the resolution; it is simply a war measure; it will terminate at the end of the war," when I knew that honest, straightforward, frank Senators like the Senator from Iowa, and I hope all the balance of the Senators who take that position, wanted it to be a permanent thing; that was all.

Mr. CUMMINS. The Senator is complimenting me at the expense of some very estimable Members of the Senate; and while I am always anxious and willing to accept a compliment, I do not like to do it when others are disparaged in the persiflage in which the Senator from South Carolina indulges.

Mr. President, naturally I am very seriously concerned when I find myself disagreeing with many of my associates upon this side of the Chamber respecting the subject before the Senate. I would gladly follow Senators of longer service and more experience if I could persuade myself that it is wise to continue the work of the Senate under the rules and practices which now prevail. Inasmuch as I intend to comment with the utmost frankness upon some of the rules and practices of the Senate, I think I ought to say, so that I may not be misunderstood, that I hold the Senate, with its powers and responsibilities and dignities under the Constitution, as the greatest and most important legislative body in the world. From my standpoint, it is the highest honor, save one, than can be conferred upon any citizen of the United States to be enrolled in the membership of the Senate. Moreover, the men who now make up the Senate, without exception, are likeable, intellectual, honest, and loyal. I do not believe it would be possible to gather together a like body of men with more or higher qualifications for the discharge of public duties than the men who now compose the Senate of the Republic. I believe, however, that these men are from day to day hindered in the discharge of their duties by a series of rules, some of which, at least, were composed for other times and other conditions, and which at this moment are as obsolete and as inefficient as would be the caravels of Columbus in transporting our millions of soldiers to the shores of France. I believe they no more answer the demands of this time than would the steamboat of Robert Fulton fulfill the needs of the commerce of the twentieth century. I believe that some of the practices which have grown up under these rules present a constant obstruction in the path of every Senator as he endeavors to do his duty under the Constitution and under the commission which the people of his State have conferred upon him.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield to the Senator.

Mr. GALLINGER. If the Senator will permit me, I will ask the Senator if it is his intention to discuss the various antiquated rules to which he alludes? The Senator's amendment only deals with the question of debate.

Mr. CUMMINS. That is all. I intend to refer incidentally to some of them.

Mr. GALLINGER. But the Senator does not propose, in his present effort, to amend or repeal or change them in any way?

Mr. CUMMINS. I do not intend to offer further amendments to the rules as amendments to this particular resolution. The Senator from New Hampshire will know, and does know, that with all my inexperience and immaturity in public affairs, yet with some zeal, I have been attempting to change these rules from the time I entered the Senate until now; and I probably shall not refer to any or many of these rules in the critical way which I indicated save those which I have at some time attempted to modify.

Mr. GALLINGER. I really felt that the Senator, in his rather wholesale indictment of the rules, relegating them to the age of the stagecoach, and Fulton's steamboat, and all that, ought to tell us exactly what he proposes to do at some time, if not now, to modernize those rules.

Mr. CUMMINS. I will. I shall endeavor to satisfy the Senator from New Hampshire not upon the soundness of the modifications which I have proposed or may propose, but upon my sincerity and good faith in the suggestions I have just made.

Mr. President, I think I ought to say, in the first place—although I observe that there is not a single Democratic Member of the Senate now seated, and I care nothing about it, for my course in this matter is not dictated by any influence from the other side of the Chamber—I beg the pardon of the Chair; I referred only to those who were seated in the places from which they vote.

Mr. GALLINGER. Mr. President, if the Senator will permit me, the observation the Senator has made does not surprise some of us. We were very harshly lectured this morning by a Senator belonging to the other side of the Chamber who had not been present to answer to a call of the Senate during the entire debate on this proposition, and yet he called us to task for having wasted time; so the Senator may experience the same result after he gets through.

Mr. CUMMINS. I have noticed these inconsistencies upon the part of some Senators with pain and regret.

It has been suggested by some of my colleagues on this side of the Chamber that this resolution was the outcome of presidential or administration desire. In all fairness, I must be permitted to say that the resolution which is now before the Senate, whether it be the one reported by the committee or the one which I have proposed to substitute for it, did not emanate from the President of the United States nor, so far as I know, from any department of the Government.

Mr. VARDAMAN. Has not an agreement been reached between the Senator from Iowa and the Senator from Alabama [Mr. UNDERWOOD] to accept the Senator's amendment?

Mr. CUMMINS. I think so. Not only so, but the resolution which the Senate is now considering, no matter whether it be the one originally reported by the committee or the one which the committee is now willing to accept, is not of Democratic origin. I beg that my friends upon this side of the Chamber in their further discussion of the subject, if the discussion is pursued, will remember that fact and devote themselves to the merits of the proposal. It may not strengthen it any, but fairness to my brother Senators upon the majority side of the Chamber, as well as to the administration, compels me to say that I am the proposer of this limitation upon debate, and it came about in this way.

The Senator from Alabama [Mr. UNDERWOOD] introduced a resolution the substitute for which we are now considering, which, as will be observed, is a resolution proposing a modification of the rule, so that a motion for the previous question shall be in order in the Senate, a radically different thing from the proposal to limit debate upon a bill or a resolution. The resolution was referred to the Committee on Rules, and it so happened that I was selected as a member of the subcommittee to consider the resolution, the other members being the author of the resolution, the Senator from Alabama [Mr. UNDERWOOD], and the junior Senator from Virginia [Mr. SWANSON]. When we came together as a subcommittee I stated what I had stated many times before, oftentimes in the Senate, that I was opposed to the previous question, and that I could not bring myself to concur with the view of the Senator from Alabama in imposing upon the Senate the rigors and the limitations, oftentimes the injustices, of the previous question.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Will the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I will yield in just a moment. But I stated that I was in favor of a reasonable limitation upon debate upon bills and resolutions in the Senate, and that if they would accept that principle in some fair form instead of the previous question I would be glad to join them in an effort to prepare a substitute and report it to the full committee. They did accept the suggestion I made, and together we prepared and reported to the full committee the resolution now printed and before the Senate, and the full committee authorized the report to the Senate.

This is the history of the origin and the development and the progress of the proposal to impose a limitation upon debate in the Senate. I thought it was due to the whole situation that I should state what I have stated in order to rid the atmosphere of the least political or partisan tinge, and so that all Senators might vote upon the proposal according to their consciences and convictions without any exterior influence whatsoever.

I am now glad to yield to the Senator from North Dakota.

Mr. GRONNA. Of course, the Senator from Iowa knows as well as I do that we have a limitation upon debate now; in fact, we have the previous question in a certain form; that is, a majority of Senators can really close debate. The Senator is opposed to the previous question, a rule which we now have, and which is in force. Does not the Senator think we ought to repeal that rule before we adopt another rule to limit debate?

Mr. CUMMINS. I have never regarded the rule which we adopted last year as any form of the previous question, but it is a rule which is intended to bring discussion to a close. While I did not object to the adoption of the rule under the circumstances under which it was proposed, I have never approved as an abstract question the provisions of the rule we already have.

Mr. GRONNA. I understood the Senator to say that he does not approve it. As a matter of fact, we do have the previous question. You do not call it that, but when 16 Senators sign an agreement the majority of the Senate can at any time stop debate. We have that rule in force now, and as the Senator from New Hampshire [Mr. GALLINGER] suggested to me, if this new rule is adopted, we shall have two rules, one conflicting with the other.

Mr. CUMMINS. I know, of course, the trend of the question proposed by the Senator from North Dakota, and I think

he will find when the occasion arises we are not widely apart with regard to it. But I intend, so far as I can, upon this occasion to adopt the maxim: Sufficient unto the day is the evil thereof. I am interested now only in the rule which the committee has proposed, and I want to demonstrate, if I can, its value in this legislative assembly.

I shall now satisfy, I hope, the inquiry of the Senator from New Hampshire [Mr. GALLINGER], and refer to some of the things which, I think, cripple and tend to destroy the usefulness of the Senate. In the first place, the Senate committees are altogether too large. I should like to know whether those who are so bitterly opposing this amendment can not join me at least in that belief. The committees of the Senate are too large, and they can not and they do not transact the business which is committed to them with either dispatch or efficiency. I should like to see the committees very materially reduced in number.

Mr. GALLINGER. If the Senator will permit me——

Mr. CUMMINS. I yield.

Mr. GALLINGER. I cordially concur in the view the Senator is expressing on that point. We have frequently enlarged our committees, and oftentimes in violation of our rules, which prescribe the number who should constitute the committee, but we have added to them—I say "we"; those in charge of reporting the committees have done it—until now we have pretty nearly a mass meeting in some of our committees. I agree with the Senator that that is a grievance which ought to be remedied, but it certainly could not be used as a just criticism against the rule and as against our method of procedure.

Mr. CUMMINS. Our practice in that respect is the equivalent of a rule, because the membership of the committees was fixed originally by the rules, and those rules are modified from time to time by the action of the Senate in assigning other or additional members to the committees. So I am glad to be able to start with the universal apparent agreement that we ought to reduce the membership of the important committees of the Senate. Why is it so agreed? It is agreed because we are all conscious of the fact, whether we are willing to admit it or not, that the committees are incapable of doing the work which they have to do. Each Senator is assigned to more committees than he can successfully attend. He is given more duties with regard to committees than he can possibly perform; and that is a change that ought to be made, not in the formal rule of the Senate but in the practices of the Senate. No Senator should be assigned to more than one important committee, and he should then regard the service upon that committee as being as sacred and as important as the service upon the floor of the Senate.

I do not believe there will be any disagreement with regard to that proposition, and I intend to connect the rule which is now under discussion with the suggestions I have just made, because there is an intimate and direct relation between them. If our committees were properly composed and if Senators were so distributed among the committees that they could give diligent and thoughtful and competent and perservering attention to the work before the committees, we might be able to advance a step in the work that we fail to do.

It has been asserted over and over again during this debate that the Senate is an efficient body. I deny it. It has been asserted over and over again that it does its work completely and well. I deny it, and I intend to prove it. I agree that in great measures which involve the happiness and the welfare of all the people and which become under the conditions of the time imperative the Senate performs its work diligently and persistently, and wisely, too, and I have no criticism whatsoever upon the Senate in that respect. I do not believe that with regard to such measures there is any need for a limitation upon the privilege or right of debate. I am speaking, of course, of the matter from my standpoint. Hitherto in discussing this rule Members who have spoken seem to have thought of it only in regard to those high, important, vital proposals of legislation which come from time to time before the Senate, and because they have satisfied themselves with regard to legislation of that character there is no need for the rule, they have reached the conclusion that it is unnecessary to reform our practices in that respect and that we may safely go forward under the conditions which have heretofore prevailed.

Mr. GALLINGER. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. GALLINGER. I very cordially agree with the Senator that our committees are too large. I have frequently expressed that view both in the committee rooms and outside of the committee rooms. But I do not agree with the Senator when he says that no Senator ought to be on more than one important committee.

Mr. CUMMINS. I desire to modify that. I think there may be some exceptions. What I really meant was to express the idea that no Senator ought to be on a committee if he can not attend to the work of that committee.

Mr. GALLINGER. Undoubtedly that is true. Now I turn to the assignments of the Senator from Iowa.

Mr. CUMMINS. I beg the Senator will not make me too prominent in that respect.

Mr. GALLINGER. I, then, will not do that.

Mr. CUMMINS. I have a very satisfactory list of assignments and I attend the committee meetings.

Mr. GALLINGER. I agree with the Senator, he does, and for that reason——

Mr. CUMMINS. I attend the meetings of the committees.

Mr. GALLINGER. I agree to that, and it would be a distinct loss to the Senate if the Senator from Iowa should be dropped from any one of the three or four important committees of which he is a member.

Mr. CUMMINS. But the Senator knows as well as I do that there are many committees which so conflict with each other in their meetings that it becomes impossible for the members of the committees to attend to the work which they have promised to do.

Mr. GALLINGER. That is undoubtedly true, but I think it would be a very difficult matter to adjust it so as to obviate to any great extent those difficulties. I have tried to do it myself when I was chairman of the committee on committees on this side of the Chamber. I tried to adjust the committees so that their meetings would not conflict with the meetings of other committees. The trouble is that the days are not as numerous as are the committee meetings.

Mr. CUMMINS. Precisely. I recognize all the difficulties, but something ought to be done to reduce and minimize the collisions and conflicts which now constantly occur in the engagements of committees.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. In just a moment. Mr. President, I have wasted more time in sitting in committee rooms waiting for members to appear to constitute a quorum than it would have taken to debate half the important bills which come before the Senate. I now yield to the Senator from North Dakota.

Mr. McCUMBER. I wish to ask the Senator if he does not consider that there is a great advantage arising from the large committees in allowing the whole country, all sections, to be represented? Take, for instance, the Committee on Finance, or the Committee on Commerce, or the Committee on Appropriations, three important committees in which the whole country could not be very well represented if the committee memberships were reduced to any considerable extent.

Mr. CUMMINS. I do not see that difficulty as the Senator from North Dakota does. Of course, I agree that some attention ought to be given to geographic considerations, but it is only necessary to enlarge the divisions in order to enable a fewer number to represent the country just as well as the larger number now does.

Mr. WEEKS. Mr. President——

Mr. CUMMINS. I yield.

Mr. WEEKS. I am very largely in agreement with the Senator from Iowa in the criticism he is making of committee assignments. It is true, undoubtedly—as we have all had the experience—that we have been delayed in attending committee meetings by our attendance upon other committee meetings equally important. It seems to me that one way to overcome that objection would be to somewhat shorten the hours of the session of the Senate, and not have committee meetings when the Senate is in session.

Mr. CUMMINS. I am coming to that, because that is one of the apparent demands of the time. But if we are to be met, whenever there is a proposal to change the rules, by the reverence and awe and submission to the traditions of the olden time, and to the views of the forefathers, we will never get any change in the rules, and it is against that inflexible attitude of many Senators that I am appealing to at this moment.

Mr. HARDING. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. HARDING. I wish to ask the Senator from Iowa two questions, if he will allow me to interrupt him. First, I am very cordially in accord with his statement about the waste of time in waiting for committees to meet, and I want to know how the limitation of debate is going to cure that evil. Then,

If I may state the second question, the Senator has just said the Senate has performed its duty promptly and wisely on all big questions which have been brought to us in these important times, and, inferentially, he says that we are not attending to the matters of less importance or of local importance. I want to know how a rule limiting debate will expedite the consideration of those matters.

Mr. CUMMINS. If the Senator from Ohio will endure the atmosphere of the Senate Chamber and my lame and impotent way of explaining a public matter, I shall endeavor to answer those two questions as I proceed. That is the sole purpose of my present address to the Senate.

I pass now from the composition of the committees of the Senate to some of the practices that we observe upon the Senate floor. After we have invoked the divine guidance and blessing, the Presiding Officer of the Senate announces that the Senate is ready to receive petitions and memorials, and immediately comes an avalanche of newspaper editorials, newspaper recitals of all kinds—important and unimportant, fugitive and permanent—and we are asked to admit to the columns of the CONGRESSIONAL RECORD comments on everything that has transpired, whether yesterday or during the last year.

Of course, that is contrary to the rule, as pointed out yesterday by the Senator from Arizona [Mr. SMITH]; but it is unavailing to object. Why? Because if the Senator desires to illuminate the CONGRESSIONAL RECORD by the editorials and the comments of newspapers upon the various subjects, private and public, which may be current, he has only to wait his time and read them as a part of an unlimited debate. We have seen over and over again hours consumed in reading these fulminations of either compliment or denunciation which appear from day to day in the public press. I am not depreciating the public press; I think it is the greatest influence for both good and harm known to the civilization of the world; but I do not think there ought to be a privilege, on the part of the Senate, of any Senator either to encumber the CONGRESSIONAL RECORD or tire and weary the Senate in endeavoring to give renewed publicity to these things.

This rush of newspaper wisdom being over, then Senators appear with letters and telegrams innumerable upon every subject under the sun, addressed to them personally, and which do not in any wise constitute an appeal or a petition to the Congress of the United States, and they are inserted in the RECORD. If objection is made, again a Senator, if he very much desires publicity for these things, takes occasion to read them or have them read into the RECORD in connection with a speech that he is making under the privilege of an unlimited consumption of time. Moreover these editorials and comments and telegrams and letters read in the presence of the Senate of course develop differences of opinion, and even though we be at the very threshold of our morning business a Senator will arise and begin to discuss a matter which has no more relation to any business in which the Senate is engaged than it has to do with the debates, if there are any, which are going on in the courts of the New Jerusalem.

It oftentimes happens that the entire morning hour is consumed in the discussion—I was about to say the frivolous and indefensible discussion—of matters thus thrust into public notice through this practice, which has gradually grown up and which is now so fortified that it can only be abolished by a positive rule. I assert that we neither help the country nor help ourselves by the continuation of this custom, which I have so meagerly and imperfectly attempted to describe.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. As I have not been an offender along the line that the Senator from Iowa is discussing, I feel that I may well offer an observation on that point. The fact is that nineteen-twentieths of what the Senator complains of is done in open violation of the rules of the Senate and can be cured by an enforcement of the rules by the Presiding Officer. If the Senator from Iowa was in the Chamber only a few days ago, he will remember that the Senator from Arizona [Mr. SMITH], the chairman of the Committee on Printing, occupied about five minutes in reading what the rules of the Senate actually are regarding petitions. If those rules were observed, I honestly believe—I said nineteen-twentieths, but certainly nine-tenths of the time consumed in these irrelevant discussions in the morning hour would be saved.

Mr. CUMMINS. I assume the Senator from New Hampshire did not hear the beginning of my remarks.

Mr. GALLINGER. No; I was called out of the Chamber for a moment.

Mr. CUMMINS. In the observation with which I began my comment upon this practice I said that by far the greater part of these editorials and comments and letters and telegrams were offered against the rule, as has been stated by the Senator from Arizona; but I further said—and I repeat it, so that the Senator from New Hampshire may hear it—that if a Senator is insistent and really desires that this stuff shall go into the RECORD and receive publicity, he has but to await his occasion and, under the privilege of unlimited debate, he can read it all or have all of it read, and thus accomplish the purpose which he originally had in mind.

Mr. GALLINGER. I will say to the Senator—I was temporarily called from the Chamber and did not hear his first observations on this point—that I fear that a rule limiting debate will not meet this question. It is rarely ever that a Senator wants to read a paper or a clipping which would occupy more than an hour and a half; so that even if this rule is adopted it will not prevent him from doing that very same thing.

Mr. CUMMINS. It will prevent him from doing so if he has anything to say upon the matter under consideration. Of course if he has nothing to say upon the matter that is being debated, I agree that he might consume uselessly and wastefully a great deal of time in that way.

Mr. GALLINGER. Of course, the Senator from Iowa knows that Senators who desire to get that class of literature into the CONGRESSIONAL RECORD, where it is embalmed forever and is never any good to anybody, will always be able to have an introduction of a few sentences on a question that is actually under debate.

Mr. CUMMINS. I have great hopes that the rule which has been proposed will have some corrective tendencies in that regard.

Mr. HARDING. Mr. President——

Mr. CUMMINS. I yield to the Senator from Ohio.

Mr. HARDING. The Senator from Iowa is talking about practical things, and I am in perfect accord with all that he has said concerning the abuses of the morning hour, but why not be literally practical and bring in a rule to correct that and not shut off debate in the Senate on pending questions?

Mr. CUMMINS. I suppose the Senator from Ohio knows that that has been tried.

Mr. HARDING. Well, does the Senator from Iowa mean to say that it is an impossibility?

Mr. CUMMINS. One who has been somewhat diligently at work upon these subjects for, now, 10 years, as I have been, and who has encountered the classical stone wall as often as I have encountered it in the Committee on Rules, is not very optimistic with regard to the probability of these things being changed, unless we can take a broad, comprehensive view of our office; unless we can secure a better and a truer conception of the thing or the things for which we are commissioned as Senators, and which we have sworn to do as well as our abilities will permit us to do them. I am reviewing this because these things are all parts of the same general scheme.

The man who looks upon the Senate of the United States as a mere point from which to declaim to the people of the United States upon all subjects and at all lengths, of course finds no objection to the practices that I have described or the rules which I have named. If you will examine your minds and think logically, as I know you will, before you vote, there is the real difference between those who are in favor of this rule and those who are against it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Idaho?

Mr. CUMMINS. Just a moment until I state it. I have not yet clearly stated it.

My view of the functions of the Senate is to consider and to adopt or reject, after fair opportunity to debate, the measures which are proposed by the several Members of the body. Those who are opposed to the rule—at least, as I infer from the objections that have been made up to this time—believe that the chief function of Congress, or of the Senate, at least, is to organize itself into a superior Chautauqua and to be the agency for the distribution of their views upon all matters without regard to their relevancy or materiality to the subjects of discussion which are from time to time proposed. That is the difference between those who favor a limitation and those who do not.

Mr. HARDING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I do.

Mr. HARDING. If the Senator will permit me, I just took occasion to say on the floor that I cordially approved of all the Senator had said concerning the abuses of the morning hour, and I know the Senator will do me the justice to say that I have never once offended in that direction. In addition to not opposing the rule proposed, in a rather rambling discussion before the Senate the other day I said that after all the consciences of men must be the best guide for their procedure and service in the Senate. Certainly the Senator from Iowa does not pretend to say that a number of Senators who are opposing this rule are of the type against whom he is complaining—the so-called Chatauqua type—or those who use this opportunity to declaim themselves.

Mr. CUMMINS. The Senator from Ohio must understand me. I did not refer to the Chautauqua, as some Members of the Senate do, disparagingly; I think it has been one of the greatest influences for good and has accomplished more real reform in this country than has any other association of an altruistic character.

Mr. HARDING. Granting that, the Senator from Iowa will not be justified, even with that exalted view of the Chautauqua, in saying that men who oppose this rule want to use this Chamber for the promotion or the opportunity to promulgate theories and various propaganda because they are opposed to this rule, for I can cite to the Senator a number of Senators who have never once offended in that direction.

Mr. CUMMINS. I have not said that any Senator desires to offend at any time; I do not believe he does. I have not said that any Senator who opposes the rule is conscious of that fundamental difference; but that is my judgment, my inference with regard to the thing which really separates those who are for the rule and those who are against it.

Mr. SMITH of Michigan. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Michigan?

Mr. CUMMINS. I do.

Mr. SMITH of Michigan. I should like to call the Senator's attention to a case that would oblige him to widen the latitude and function of Senators considerably from that which he has just stated. When the difficulty between Cuba and Spain arose right on our border, there was nothing but agitation that could get anywhere or do any good during the latter part of Mr. Cleveland's administration and the first part of the McKinley administration, and this Chamber and the other House spent a great deal of very useful time in informing the country as to real conditions down here on our border, within 90 miles of the American shore.

Mr. GALLINGER. Mr. President, I myself went there and made a speech in the Senate on my return.

Mr. SMITH of Michigan. Yes; the Senator from New Hampshire went there and returned and informed the Senate of what he had found. I went with him, but I never said a word after my return, although I perhaps knew as much about that situation as did the Senator from New Hampshire or the late Senator from Vermont, Mr. Proctor. Yet we could get no action here. The President had set his face against it. It was just and proper that our country's interest should be safeguarded on our border, and yet we were unable to do anything except to agitate the country, and it was agitated, agitated, and agitated here under the wide latitude of debate, until the late Senator from Vermont, Mr. Proctor, went down there of his own volition and came back here. His speech was a revelation of horror and brought the country to a proper understanding of the situation.

Now, the Senator from Iowa ought not to say that our chief function is to discuss bills that are pending in the other House and in the Senate. Our chief function is to inform the country and to keep ourselves informed.

Mr. CUMMINS. I said that was the fundamental difference between those opposed to the rule and those who are for it. The Senator from Michigan has but repeated what he so eloquently said the other day—that, in his judgment, the chief function of Congress was not to legislate or to help to legislate for the country, but that it was to inform, to act as a pulpit from which the ministers of progress and of humanity could from day to day speak to the American people. He may be right about it, but I do not think so.

Mr. SMITH of Michigan. The Senator from Iowa does me too much honor. That thought did not originate with me at all; that was a quotation from Woodrow Wilson, who said that it was more important to have free discussion of these problems by the Senate than it was to have legislation. That was not my expression.

Mr. CUMMINS. Of course, Mr. President, it is exceedingly important to have free discussion. I do not know what Woodrow Wilson meant, and I do not attempt to interpret it; but I do know what the Senator from Michigan has just said, and he has just declared, that it is not the chief function of Congress to legislate for the American people, but that it is its chief function to inform the American people with regard to subjects of general interest.

Mr. SMITH of Michigan. If I am not interrupting the Senator unduly——

Mr. CUMMINS. Just a moment. I do not say, nor have I ever indicated in any fashion whatever, that it was not a valuable function for the Senate to inform the people with regard to matters of public interest. I think it is, and I, for one, would recoil from an effort to deny to the Senate or to the Members of the Senate that privilege.

The proposed rule does not deny that privilege. We have the entire morning hour, if we limit it to its just purposes and objects. Moreover, the proposed rule only applies to debate upon a bill or a resolution, and if the Senate desires to set apart one day in a week or two days in a week for the delivery of orations upon general matters for the edification, instruction, and inspiration of the people, it may do so. There is nothing in the proposed rule to prevent it. It will only be applicable and operative when there is a specific subject before the Senate for consideration and decision.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from New Hampshire?

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, if the proposed rule had been a part of our code it could be said that I had rarely offended against it. In very few instances have I talked on any bill more than an hour and thirty minutes, which is the time the proposed new rule allows. I am afraid the Senator from Iowa sometimes has offended against it; but let that go for what it is worth.

Now, I wish to ask the Senator a frank question, which he can answer in his own way. Aside from the speech which the Senator from North Carolina [Mr. SIMMONS] made in presenting the last revenue bill, on which occasion, I think, he talked about eight hours—and we all listened to him with interest; I know I did, notwithstanding I was a member of the committee and had heard the testimony—aside from that speech, how many instances can the Senator cite from the beginning of this Congress—not during this session, but during this Congress—where any Senator has talked more than an hour and thirty minutes on any bill?

Mr. CUMMINS. Very few; but it is not alone to correct long speaking by individual Senators that this rule is proposed; it is to facilitate and speed the transaction of business. The value of this proposed rule will lie in this, that if it is adopted, when Senators rise to speak upon a bill or a resolution or an amendment they will speak upon the subject before the Senate.

Mr. GALLINGER. Not necessarily; the rule does not so provide.

Mr. CUMMINS. I think they will; and they will not be able to speak more than once, whereas now Senators, while they do not often speak more than an hour and thirty minutes upon any one occasion, speak on and on repeatedly; they rise a dozen times upon various questions. Under the proposed new rule they will be limited, and, after they have exhausted an hour and thirty minutes, they will be limited to 20 minutes upon amendments as they may be proposed.

I think the great evil that inheres in debates of the Senate is a failure on the part of Senators to speak upon the question that is shortly to be decided by a vote.

Mr. GALLINGER. Yes; but neither does the existing rule nor the proposed new rule meet that objection.

Mr. CUMMINS. The Senator differs from me in that respect. I believe the rule will have a strong and persuasive tendency to induce Senators to speak upon the very question that is about to be submitted to a vote. I think that is one of its great virtues, and constitutes a merit that is not to be ignored.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I yield to the Senator.

Mr. McCUMBER. I wish to ask the Senator if, from his experience in the Senate of the United States, it is not his conviction that there has been very much more waste of time in the repetition of speeches, in making the same speech practically over and over again upon different occasions and to different portions of the audience of the Senate, than because

of any abuse in the making of long speeches in the first instance?

Mr. CUMMINS. I think that is true.

Mr. McCUMBER. And the portion of the rule that would affect that practice I think is very good.

Mr. CUMMINS. I think that is also true. As I have just attempted to say in reply to the Senator from New Hampshire, in my judgment the proposed rule will induce more real debate; it will elicit more information than is elicited at the present time under the unlimited privilege of speech, for the very reason that if a Senator has anything whatever to say upon the subject, if he has any interest in it, he will devote himself from the beginning to the thing of which he desires to convince his fellow Senators.

Mr. GALLINGER. Now, Mr. President, if I may be permitted—and I think in debate I may be permitted to allude to the other House, an institution which I visit now and then—I will ask the Senator if he has observed that, although they have in that body limited debate and a previous question, the most important bills which come to this body are often voted upon by less than one-sixth of the membership of the House?

Mr. CUMMINS. Well, Mr. President, I can not discuss the proceedings of the other House.

Mr. GALLINGER. Well, not the proceedings, but as a matter of general observation.

Mr. CUMMINS. I can only answer the Senator from New Hampshire by saying that the rule which we now propose has no resemblance whatever to the procedure of the House of Representatives. It is true they have a limitation, but it is not the limitation that we propose, and it is not brought about in the way in which we propose to bring it about here. Under the proposed rule, when a bill or resolution is before the Senate every Senator may, if he desires to speak upon it before an amendment is proposed, consume one hour and a half. If he waits until after an amendment is proposed, he may consume an hour and 30 minutes, and as each amendment appears he may consume an additional 20 minutes. The Senator from New Hampshire knows that the House has no rule of that character or one that resembles it in any respect, so far as I am advised.

Mr. GALLINGER. The House has a rule limiting speeches to one hour, and no Member can speak longer than that unless he gets unanimous consent. I know that to be the fact, because I was a Member of that body myself.

Mr. CUMMINS. That is true; but the Senator from New Hampshire knows that practically all the important legislation of the House is considered and disposed of under a special rule.

Mr. GALLINGER. Not all of it; some of it.

Mr. CUMMINS. Well, I have been led to believe that the greater part of the important legislation there is considered and disposed of under a special rule which determines what the debate shall be——

Mr. GALLINGER. Oh, yes.

Mr. CUMMINS. And it not only determines what the debate shall be, but who shall indulge in it, either directly or indirectly.

Mr. GALLINGER. And yet, notwithstanding that special rule, if the Senator will go to that body, he will find that they are operating under that special rule with perhaps 40 Members present out of a membership of over 400.

Mr. CUMMINS. That is very deplorable; but there seems to be no way of compelling the attendance either of the Members of the House or of the Members of the Senate. I have hoped that if we would limit debate as proposed in the rule the attendance might be a little larger than it is now. In fact, I can not understand the courage of the Senators who believe that the Senate is the radiating point for the intelligence of the country, and that our chief object in life is to furnish illumination for a dark and benighted land; I do not see how they can deliver these very long speeches upon general subjects with a half dozen or fewer Senators listening, but they do. Earnestly as I think that our legislative function is our chief function, I do not intend to take away from those who desire to indulge in it the other function which is so valued by some very eminent men.

Mr. SMITH of Michigan. Mr. President, if I may interrupt the Senator again——

Mr. CUMMINS. Certainly.

Mr. SMITH of Michigan. I do not often offend against the propriety of which the Senator speaks.

Mr. CUMMINS. No.

Mr. SMITH of Michigan. I have been a Member of the House and of the Senate for 24 years, and I will venture the assertion that, except upon one occasion when the interest of my State was seriously involved, I have not taken 24 hours' time in 24 years' service in the Senate and House.

Mr. CUMMINS. That is one of the things that makes me marvel at the opposition of the Senator from Michigan. He is able to say all that he desires to say, and say it impressively and say it convincingly, within the time which we have specified in the proposed rule, and yet, apparently, he wants, for somebody else who has not made his appearance as yet, the opportunity to consume greater time and for some other purpose than the Senator from Michigan consumes his time.

Mr. SMITH of Michigan. Mr. President, I appreciate the compliment the Senator from Iowa has paid me, and I think, perhaps, from the record that at least that part of it is due which refers to the fact that I have not consumed the time of the Senate unduly; but the thing I am laboring for is not that some other Senator who may want to offend may be accorded that privilege; the thing I am struggling to get into the minds of my associates is the power which now resides in a Senator to force for his State the consideration of questions of vital moment to the State, and which, under this plan and the plan of caucus dictation, he will be absolutely forbidden to enjoy.

Mr. CUMMINS. I will come to both of those subjects in a moment. I will say, in passing to another phase of the matter, that the only time I ever knew the Senator from Michigan to need more time than would be allowed by the proposed rule was an occasion, which I am sure he will remember with great regret, because, as brilliant and as eloquent as was his all-night and all-day speech at that time, it robbed him of his strength and health and required a year's recuperation before he was restored to that condition in which we now see him. Possibly that may influence me somewhat in my advocacy of this rule. I want to save Senators, if possible, from themselves.

Mr. SMITH of Michigan. Well, Mr. President, I think the Senator is doing a very praiseworthy work in that regard. My venerable friend [Mr. GALLINGER], who has passed 80 years and sits here before me, overexerted himself and has probably paid the penalty for it in more ways than one, while my friend from Utah [Mr. SMOOT], always well informed, has probably hurt himself somewhat by the long speech which he made. That, however, was a case where there was not a majority of the Senate at any time for the bill, and we could not get the majority here to overthrow it. That was the trouble about it. There was never a majority of this Chamber for that bill, and only unlimited discussion gave time to summon absent Members to overthrow it.

Mr. GALLINGER. Mr. President——

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. The Senator from Michigan must speak for himself. The penalty I have paid is to keep on living, and I am going to keep on living a few years longer; and if ever a measure as obnoxious to me as that bill comes before the Senate while I am here, if the good Lord gives me the strength, I will talk all night again against it, unless this rule is invoked against me.

Mr. CUMMINS. Mr. President, we all hope—and it is a very fervent hope, too—that the years of the Senator from New Hampshire may be many; but I hope, at any rate, that no occasion will arise in the future for such a draft upon his strength and vitality as was made upon it at that time.

Mr. GALLINGER. So do I.

Mr. CUMMINS. I am not speaking about the merits of the bill that was being filibustered against then at all. I intend to refer to filibustering in a moment. I was only regretting that the discharge of a duty of that kind did sap the strength and shorten the years of the Senator from Michigan. Now, I repeat, I am wandering on rather aimlessly, and I think I am verifying all the evils of unlimited and unrestricted debate, for if I were under a limitation I would be able to direct my argument to the points and to the questions under discussion much more closely than I am able to do under existing circumstances.

I repeat that the limitation of this rule will have a strong, and, as I think, a conclusive tendency to direct debate to the question which the Senate is to decide. I can not imagine those who are interested in any pending bill or resolution expending their time and wasting their strength in observations which have no relation whatever to the matter about to be decided. It is my opinion, further, that an hour and a half of debate under a limitation of this character will furnish the country and the Senate more information upon the point to which the speech is directed than a four-hour dissertation would furnish.

There are, now and then, occasions when the time should be enlarged. I know that. There are times when the subject can not be exhausted and can not be adequately dealt with in an hour and thirty minutes, and I have no doubt that the instance referred to by the Senator from Ohio [Mr. HARDING] is one of them. Does the Senator from Ohio have any doubt that under the circumstances the time allotted to the Senator from North

Carolina would be gladly enlarged? No; and if it comes to a choice, so far as I am concerned, between seeing a subject inadequately dealt with in an hour and thirty minutes and the privilege of unlimited debate everywhere and all the time upon every subject, then I must deprive myself of the joy of hearing the four-hour speech.

Mr. HARDING. Mr. President, the Senator's allusion to me justifies me in making a reply. I do not think the Senator from North Carolina would have been denied additional time, nor am I in disagreement with the Senator from Iowa in regard to unlimited debate on all subjects; but I call the Senator's attention, if he will pardon a personal allusion at this time, to the fact that he has himself just now given a demonstration of the impossibility of covering a subject properly under the proposed rule, because I note by the clock that the Senator from Iowa, speaking in this running debate as he has, answering questions freely and courteously as he has—and, which to my mind, adds very much to the debate—has consumed all the time allowed under the rule; and I take it that he has not yet completed his address, and necessarily requires more time to do the subject justice in the manner in which he is treating it.

That is one of the objections I have to the proposed rule. I think we ought to reach the abuses of the Senate in some other way.

Mr. CUMMINS. Mr. President, I said a moment ago that I could have said all that I desired to say in much less time than an hour and thirty minutes, and if I had been operating or speaking under the proposed rule I would not have yielded as freely as I have yielded; and I believe that we have fallen into the habit of interruption that does not add anything to the value of debate. I agree that now and then a question properly directed will be helpful; but it is not helpful for a dozen Senators to be making their speeches at the same time, and that is what often occurs. I am not now referring to any interruption by the Senator from Ohio, because his interruptions have been brief and have been in the nature of interrogatories rather than discussion.

Mr. HARDING. The Senator has answered the question which I rose to address to him. I am glad to have his construction of the desirability of interrupted debate.

Mr. CUMMINS. Mr. President, this rule will not accomplish all that its friends hope for it, of course, but it is not subject to the severe denunciation and criticism which have poured out upon it. It is absurd to assert that the limitation of debate upon any bill or resolution to 1 hour and 30 minutes is a deprivation of the right of speech. I have had some experience in public life, and in my judgment there are few occasions which demand a greater latitude in debate, and there are but few men who can consume more time profitably upon any subject that comes before the Senate. If it is desired to have a period of general discussion, I do not object to it, and this rule does not apply to it; but, believing that under the proposed limitation we will dispatch the business that we are called upon to do more rapidly and more effectually, I am in favor of the rule.

Now I come to the proof of my assertion that we are not doing the business of the country as we should do it.

I hold in my hand the calendar of bills which were undisposed of at the close of the Sixty-fourth Congress. It embraces 204 bills, joint resolutions, and other resolutions which had been considered by the committees of the Senate, reported by the committees, placed upon the calendar, and which were not in any way considered or disposed of by the Senate.

Mr. SMITH of Michigan. Why, Mr. President, one-half or three-quarters of the bills on the calendar are taken up with the distinct understanding that if there is any discussion they will go over.

Mr. CUMMINS. That does not modify or weaken the suggestion I have just made, that when the Sixty-fourth Congress closed it left behind it upon the calendar bills that had been in the main recommended for passage by the committees of Congress, that had not been considered by the Senate at all. I assert that a legislative body with a record of that kind behind it has no great reason to be proud of its career. I do not know what these bills are. No Senator knows what they are, I assume, but they are bills introduced by some Member of the House or of the Senate which were referred to the committees and reported for action to the Senate. I should be glad if some Member of the Senate would give me some good or reasonable excuse for the failure of the Senate to dispose in some way or other of the work of these committees.

Senators, I can not remember a time when the Senate has undertaken to consider the calendar under Rule VIII, even. I may be wrong about that, but I do not recall any occasion of that kind. Whenever the proposal is made to consider bills on the calendar, some Senator rises and proposes a unanimous-consent agreement to take up unobjected bills on the calendar; and the result is that we plume ourselves upon our great efficiency, and herald our work to the country at large as being complete and good, and yet we must either receive unanimous consent to take up a bill on the calendar or it perishes in the archives of the body which so boastfully and so repeatedly declares its exalted station and its mighty work. I do not want it to be understood that I am disparaging the Senate, or criticizing the Senate or the Senators, because all of this comes about through the fact that we cling to antiquated, obsolete, unjust rules which have been imposed upon us by our forefathers, who knew nothing about the work we are called upon to do, and could not even dream of the development which brings about the legislation which is proposed to the Congress at this time.

Mr. OWEN. The Senator's remarks are quite justified.

Mr. CURTIS and Mr. HARDING addressed the Chair.

Mr. CUMMINS. I yield to the Senator from Kansas.

Mr. CURTIS. Mr. President, does not the Senator know that any Senator could move to take up any bill on the calendar, and get it up, and pass it, the same as this resolution has been taken up?

Mr. CUMMINS. Does the Senator ask that question seriously?

Mr. CURTIS. I do.

Mr. CUMMINS. I refuse to answer it. Why, the Senator from Kansas must assume that I have some intelligence, although his question seems to deny it.

Mr. CURTIS. Mr. President——

Mr. CUMMINS. I yield now to the Senator from Ohio.

Mr. CURTIS. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Kansas?

Mr. CUMMINS. I do.

Mr. CURTIS. I do not want to reflect upon the Senator's intelligence, of course.

Mr. CUMMINS. But it seems to me the Senator has done so.

Mr. CURTIS. A few years ago I heard a statement similar to that made by the Senator from Iowa made on the floor of the Senate; and I asked the Senator, whose seat was near mine, why he did not move to take up his bill. He pursued that course, and the bill was passed; and the same thing could be done now on measures having merit.

Mr. CUMMINS. I must refuse to discuss any proposal of that kind. I know something about the rules of the Senate, and I am sure the Senator from Kansas knows them, also.

I yield now to the Senator from Ohio.

Mr. HARDING. Mr. President, I quite agree with the statement which the Senator from Iowa has made concerning the unfinished calendar. I note that we have a calendar before us now containing some 75 measures.

Mr. CUMMINS. One hundred.

Mr. HARDING. Well, 100; I have not counted them accurately. Does the Senator from Iowa make the claim that that condition exists because of the rules of the Senate?

Mr. CUMMINS. I do.

Mr. HARDING. Let me remind the Senator——

Mr. CUMMINS. I do not intend to indulge in a discussion with the Senator from Ohio, but I shall be very glad to answer any question which he may wish to propound.

Mr. HARDING. All right. Let me ask the Senator from Iowa—if I can put it in the form of a question—why the Senate two weeks ago, we will say, should not have given, under the rules, the time from Thursday until adjournment on Saturday night to the consideration of and action upon these measures instead of adjourning and doing nothing?

Mr. CUMMINS. I do not know why.

Mr. HARDING. My point is that the rules are not responsible for the neglect; it is the application of the Senate to its work.

Mr. CUMMINS. Mr. President, the reason for this condition is, first, because we do not give sufficient attention to the business of the Senate in committee, and, second, because we use too much time in the sessions of the Senate in the consideration of the bills which are considered. There is no other reason for this condition. We can not excuse ourselves in that way. The Senators work hard enough. They can not distribute themselves more generally or effectually than they do. I am not suggesting that any Senator lacks in industry or fidelity to his work, but I am trying to prove that we spend too much of our time upon some bills, and the result is that we have no time to expend upon a great many other bills which may not be of as much importance as those considered, but which ought to receive the consideration of the Senate.

Mr. HARDING. Mr. President, will the Senator let me take just a moment to point out the trouble? I will not be more than a moment.

Mr. CUMMINS. Then, if I yield, I hope the Senator will not say I am violating the rule that I am trying to have adopted.

Mr. HARDING. I want the Senator to have unlimited time for discussion. This is the difficulty: The procedure of the Senate is, of course, dictated by the majority. So soon as an important pending measure is out of the way the leader of the majority makes the motion that determines the action of the Senate. When a great appropriation bill or some other important measure is completed a motion comes from the majority to recess or adjourn to the next day or the next Monday, whatever may be the apparent wish of the Senate, and with perfect indifference we pass up the bills that are on the calendar; but that is not because of any rule which is preventing their consideration.

Mr. CUMMINS. Mr. President, of course I realize that I can not convince the Senator from Ohio. I am simply endeavoring to give my own view of the matter. I think Senators work to the limit of their capacity. I do not think they could safely devote more hours to the public service than they now devote; but I am trying to show that we spend too much time upon some things, leaving none for other things that may not be of as great importance, but which are, after all, of concern to the localities and to the Senator from which or from whom they come.

At this time we have 101 bills or resolutions upon the calendar, and before this Congress shall have expired I venture to say that we will have as many as were on the calendar at the expiration of the Sixty-fourth Congress. We ought to do something that will enable us to pass upon these bills which have been reported by the committees, and which have consumed their time. If we are devoting all the time that we should to the public affairs, then there is but one conclusion, and that is that we must limit the time that we consume upon the bills that are considered and passed or rejected, in order that we may give some time to the others.

Mr. President, that is not all. There were introduced in the Senate in the Sixty-fourth Congress 8,334 bills, 221 joint resolutions, 34 concurrent resolutions, and 387 Senate resolutions. In the main these bills and joint resolutions, at least, were referred to the committees of the Senate. Each one of these bills was introduced by a Senator who, if he is an honest man—and I assume that every Senator is an honest man—believed that it ought to become the law of the United States.

Mr. SMITH of Michigan. He could not get his colleagues to believe that.

Mr. CUMMINS. He never had a chance to get his colleagues to believe it or disbelieve it.

Mr. SMITH of Michigan. Because they would not listen to his discussion.

Mr. CUMMINS. These bills were referred to the various committees of the Senate, and not 10 per cent of them were ever even read by the members of the committees to which they were referred, nor were they considered in any way whatsoever. I think it may be safely asserted that the greater number of these bills would, if considered, meet with disfavor. That is probably true; but what do you think of a situation in which substantially nine-tenths of the bills which are introduced by Members of the Senate are never even read by members of the committee to which they are referred?

Mr. HARDING. Mr. President, the Senator from Iowa has been in intimate touch with legislative bodies in his public service in his own State. Is it not true that that is the story of every State and Federal assembly in the world?

Mr. CUMMINS. It is not the usual story of the State from which I come. There have been occasions on which that has been true. I shall not detain the Senate by describing why that was true. It is enough to say that it was no great credit to the State. But even if it were true in my own State, and even if it is true in the State of Ohio, there is no reason why it should be true in the Senate of the United States, unless it is beyond the physical and mental capacity of Senators to become familiar with these bills and either reject or adopt them.

What a tribute it is to individual Senators to give them the privilege of introducing proposals for legislation and then to deny to them the subsequent process of legislation. Now, the committees are not to blame. I happen to be a member of the Committee on the Judiciary. I think it may be fairly said to be one of the important committees of the Senate. We have at the present time a calendar comprising a very large number of bills, I think nearly 200, possibly more, and we have not had a chance since I became a member of that committee to consider that calendar in the sense of endeavoring to pass upon the various bills which have been introduced and referred to us. We meet, ordinarily, at 11 o'clock. We adjourn, in order to comply with our obligations in the Senate, at 12 o'clock. It is utterly impossible for the committee to do what it ought to do within any such time. I desire to say for the chairman of the committee [Mr. CULBERSON] that there is no Senator of my acquaintance in my experience who is more faithful, more diligent, or who tries more constantly to dispose of the bills which have been referred to the committee, but it is not possible for him nor is it possible for the remaining members of the committee to do what we ought to do within the time which is allotted to us, and I assume that the truth which I have stated in regard to the Committee on the Judiciary is equally true of the other important committees of the Senate.

What is the remedy? The remedy is to shorten the sessions of the Senate and to enlarge or extend the sessions of the committees. There is no other remedy. But it is impossible to shorten the sessions of the Senate unless we put some kind of reasonable and fair limitation upon the debate that shall occur upon pending measures, and unless we are determined to use the morning hour in the way in which it ought to be used and for the purpose which the rules designed in establishing it.

Mr. President, we have introduced in this Congress in the Senate substantially 5,000 bills and resolutions. They have been referred to committees, and they are now pending before committees, and I venture the prediction that when this Congress will expire these committees will not have considered 10 per cent of the bills, and will not know whether they are good or ill, whether they should be passed or should not be passed. The truth is that under the present rule of unlimited debate and other practices which result in the waste I have attempted to describe there are just two kinds of bills that can be considered. One are the superlatively important bills—the bills which under present conditions the administration regard as essential to the conduct of the war or to the general welfare—I am content to describe them as bills of superlative importance.

The other class is composed of bills which can be passed by unanimous consent. None others can be considered in the Senate at this time under the rules we have, and none others are considered. That is the reason we have a calendar such as we have. That is the reason, or one of the reasons, why the Senate is brought into disrepute throughout the United States, because it can not under its present organization take up and consider the bills of great importance, but which do not concern all the people of the country. I have bills before the Judiciary Committee and on this calendar for which it is utterly impossible for me to secure consideration simply for the reason that there is some objection to them and because I can not convince my fellow Senators that the life of the Republic is involved in their consideration.

If Senators can find any abundant material for pride in that situation, they are more diligent in their search and more successful, too, than I have been. I think it is a reproach to the Senate and a great misfortune to the people of the country that we do not divide our time so that we can successfully perform the objects for which this body was organized.

Mr. HARDING. Mr. President——

Mr. CUMMINS. I yield to the Senator.

Mr. HARDING. The Senator has been so polite——

Mr. CUMMINS. I am very glad to yield.

Mr. HARDING. I dislike to interrupt him.

Mr. CUMMINS. Only I want to ask the Senator that it may not form any ground for an accusation hereafter that I violated a rule that I am endeavoring to support.

Mr. HARDING. The Senator is in a felicitous humor. I have been following the Senator pretty closely in his argument. Am I correct in my inference that the Senator in nowise considers this as a war necessity?

Mr. CUMMINS. Will the Senator wait until a little later? I have already spoken 10 or 15 minutes upon that subject.

Mr. HARDING. I am sorry I did not hear the Senator.

Mr. CUMMINS. I would be glad to repeat it, but I should like to finish the argument I have in hand.

Mr. GALLINGER. Will the Senator permit me one brief interruption? Perhaps I have offended too often in asking the Senator to yield. He has been very courteous.

This multiplicity of bills, of course, is an evil in more than one respect. It exhausts print paper and ink and takes time in the Government Printing Office to produce them for our examination. There is no doubt about that, but has the Senator made an analysis of the relative number of bills that are in the document room and in the committee rooms of the body that has limited debate as compared with those in this body which has unlimited debate?

Mr. CUMMINS. I have not.

Mr. GALLINGER. So that limiting debate will probably not relieve us from this incubus of a flood of bills.

Mr. CUMMINS. It is one of the things that will help us. The Senator from New Hampshire must understand that I am not asserting that upon the passage of this rule we would enter upon a millennium of legislation and of legislative practice. There are a great many things which, in my opinion, ought to be done in order to bring about a satisfactory condition, and this is only one of them. I have contented myself with endeavoring to point out why I think this rule, together with other changes that ought to be made, would have a tendency to a better and a speedier disposition of the public business.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. In answer to the question just propounded by the Senator from New Hampshire [Mr. GALLINGER], if the Senator will pardon me, I made some inquiry of a number of individuals who have made some little investigation, and they state that the Senate passes more bills session by session under its rules than the House does under its cloture, previous question, and tyrannous and oppressive rules.

Mr. CUMMINS. I regard the suggestion of the Senator from Utah as somewhat irrelevant to my discussion. It is another instance of some of the evils of interruption. It contravenes nothing that I have said, and I am now compelled to pause and point out again why the fact which has been stated by the Senator from Utah—and I have no doubt it is a fact if he has examined it and so declares—has nothing to do with the argument that I am making. I can conceive how a body of men with no debate at all might not pass any bills or consider any bills. I am not asserting that the limitation upon debate alone will secure the disposition of these bills, but I do say that if we were to limit our debate we would have more time in the committees and we would have more time for the consideration of more bills in the Senate. The fact that the House of Representatives does not dispose of its business under what the Senator calls a cloture does not militate, I think, against the argument that I am making.

Mr. President, I come now to just a moment's reference to the position taken by the Senator from Michigan [Mr. SMITH]. He is opposed to this rule because he believes it is wise to retain the privilege of consuming time in debate solely for the purpose of preventing a vote or a disposition of the pending question. In other words, to use the common language which describes that proceeding, he is in favor of retaining the right to filibuster.

There is a difference of opinion about this, Mr. President. I do not want to be understood as being dogmatic upon it. I understand perfectly that there is room for a difference of opinion because I see honest, upright men who are in favor of conducting the Government upon that basis.

Now, for myself, I am opposed to filibustering. I do not believe it is consistent with free institutions or a free Government. The fundamental principle of free institutions is the rule of control of the majority, and I think that the privilege of preventing a vote by unlimited discussion and other parliamentary practices after there has been a fair and reasonable debate devoted to the illumination and exploration of the subject itself is almost as indefensible as it would be to gather a mob and prevent the electors of America from deciding the political questions that are involved upon an election day. It might just as well be urged that those electors who fear, who believe that a majority was determined to elevate to the Presidency a man whose administration would be inimical to the best interests of the Republic, and that therefore there should be no decision, and they should postpone it in some fashion or other until these people had given the subject a sober, second thought and had come to their senses, and accordingly avoid in the manner I have suggested the ultimate political decision involved in a campaign or in an election.

Mr. SMITH of Michigan. Mr. President——

The VICE PRESIDENT. Does the Senator from Iowa yield?

Mr. CUMMINS. I yield,

Mr. SMITH of Michigan. Of course I have the highest respect for the Senator from Iowa and his great ability. I do not want to ask him any question that would be in any degree embarrassing.

Mr. CUMMINS. No, he can not. Do not hesitate on that account.

Mr. SMITH of Michigan. Then, I should like to ask the Senator whether he approves of the use of unlimited discussion as used by the late former Senator Burton, or his own colleague, upon the river and harbor bill?

Mr. CUMMINS. I have no hesitation whatever in answering that so long as the rule of the Senate permits the use of debate for that purpose it is not for me to censure an individual Senator or a group of Senators for exercising the privilege, but——

Mr. SMITH of Michigan. Mr. President——

Mr. CUMMINS. Wait a minute. But it is a false theory of public life, if we accept the principle that in a country like ours a majority shall adopt the laws which are to control and to govern us, and then, after the people who are to decide, whoever they may be, are informed by the most complete debate of which the subject is possible, to prevent that decision by any means, I care not what the means are, is in repugnance to our institutions. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. Will the Senator allow me to ask him if during his experience here he has ever seen the Senate or Senators engaged in a filibuster which met his approval?

Mr. CUMMINS. I engaged in a filibuster once.

Mr. SMITH of Michigan. Certainly, and I followed the Senator with the greatest pleasure through his argument.

Mr. CUMMINS. I do not censure myself for so doing. I endeavored to prevent the action of the Senate several years ago with respect to fixing the date for determining the validity of the election of William Lorimer until it would also fix a time to vote upon what was then known as the tariff commission bill. I am not conscious of having committed a wrong any more than those who joined in the attempt to prevent a vote on the river and harbor bill can be conscious of committing a wrong. They committed no wrong. They simply obeyed the law of their country and took advantage of the rules of the Senate, and I think they justified themselves, and I think the country approved what they did. I do not doubt that now and then the effort to prevent the decision by a majority will receive the approval of the country. Now and then the murder of a good man might result in good, because it awakened a spirit which the assassination of martyrs always awakens. But that does not change the principle. We ought to be willing to abide by the majority, and in my judgment the public good will be better served if after fair and reasonable debate the majority is allowed to express its decision than though it is prevented and postponed by a recourse to various devices merely for the purpose of consuming time.

Mr. SMITH of Michigan. If the Senator will allow me again, I do not disapprove of the filibuster which was undertaken by the Senator's colleague, although at the time it seemed to me that it was hardly justifiable. I have changed my view upon it, because as the result of the exercise of that tremendous senatorial power, now residing in every Senator in this body, the entire system of river and harbor appropriations has been remodeled and great good has come from the exercise of that arbitrary senatorial right. When you have foresworn yourselves from using such a right, you have deprived yourselves of one of the greatest weapons of senatorial service.

Mr. CUMMINS. I know, Mr. President, it is a privilege which many people regard as exceeding valuable. I do not. I believe that this country will in the end have better laws and they will be more wisely and justly administered if the majority, whether in the primary election which determines who our executive officers shall be or in the secondary election occurring in the Senate which determines what our laws shall be, shall have an opportunity to express their will and carry that will into effect.

Mr. HARDING. I do not want the Senator to think that I am captious. I merely want to call his attention to the fact that there must be a moment when one can reasonably oppose majority rule, because we turn to the record of vote on Monday, when the Senator from South Dakota [Mr. STERLING] offered an amendment to the Borah amendment to the rule providing that a majority should be permitted to decide, and the Senator from Iowa voted against majority control.

Mr. CUMMINS. I am quite willing the Senator from Ohio shall experience all the pleasure he can find in that situation. Of course, he is indulging in pleasantry about it, and I do not envy him the pleasure he feels.

Mr. HARDING. Mr. President——

Mr. CUMMINS. Just a moment. Mr. President, for a great man, a man of wide experience and wide thought, to make a suggestion of that kind astonishes me, if the interruption is a serious one. The Constitution of the United States provides for instances in which there must be more than a majority. Our rules provide for instances in which there must be more than a majority. Does the Senator from Ohio think that when I am arguing in favor of the general rule of the majority it is necessary in order to be consistent that I must enumerate all the instances in which there may and ought to be exceptions to that rule? He certainly does not contend that.

Mr. HARDING. No; I said there were specific exceptions to the majority rule. I quite agree with the Senator.

Mr. CUMMINS. The exceptions to the majority rule are those in which the public interest requires more than a majority to carry into effect the public will. There are no exceptions so far as I know—they do not occur to me at this moment at any rate—in which it is justifiable to prevent the expression of the public will, whether it is necessary that two-thirds or three-fourths or a majority shall control in order to be the public will. I think there is a very great difference between those two things, and I can not perceive any inconsistency in the position I have taken in behalf of the rule of the majority and the fact that in some instances in order either to make laws or establish foreign relations more than a majority is required to express the public conclusion.

Mr. President, I have already consumed more time than I had any thought of consuming or than I would have consumed had I not engaged in this very delightful interchange of opinions with my brother Senators. I have been very glad to do it, because when questions are put in the proper spirit if I can answer them I am always glad to do it, and if I can not answer them I am always glad to admit that.

Mr. GALLINGER rose.

Mr. CUMMINS. I yield to the Senator from New Hampshire.

Mr. GALLINGER. A moment ago the Senator was discussing the matter of bills that have been introduced and the action or want of action that was taken on the bills. Only a few years ago this question was a live issue in the Senate. I took occasion at that time to have an analysis made of what happened to bills in the two Houses of Congress. It will take me but a moment to state the result of my investigation.

During that Congress there were introduced into the Senate 8,754 bills, of which 848 bills were passed, being almost 10 per cent of the total number. That was in the Senate. In the other House there were introduced 29,278 bills, of which 548 were passed, or 2 per cent, under the rule of limited debate—10 per cent in the Senate, 2 per cent in the House.

During that same Congress the House concurrent resolutions sent to the Senate were 27, of which the Senate passed 26, being 96 per cent. The Senate at the same time sent 26 concurrent resolutions to the House, of which 20 were passed by the House, or 77 per cent. So during that Congress, which was the Sixty-second Congress, the RECORD shows that the Senate passed five times as large a proportion of the bills that were introduced as did the other House.

Mr. CUMMINS. I am very glad the Senator brought that to the attention of the Senate, but that does not change the situation. We adjourn at the end of every session with a very large volume of work undone. Every Congress expires with a great number of bills which ought to be considered by the Senate unconsidered, and a much larger number before the committees without attention, which ought to have been given attention. I have endeavored to show that the rule which is now proposed would have a tendency at least, together with other revisions which ought to occur, to bring about a better and more efficient state of affairs.

Mr. HALE. Mr. President, the Senator from Iowa [Mr. CUMMINS] has referred to the very delightful interchange of opinions which we have been having in this debate. It seems to me that this rule, if applied, would prevent that very delightful interchange of opinions.

I have had the clerks in the library make a list of the speeches that have been made in this body from April 4, 1917, to April 8, 1918, and I find that there have been 188 speeches made during that time which have consumed an hour or more of time. This list may not be absolutely accurate. The way they went about it was to take an average. They assumed that a page of the CONGRESSIONAL RECORD contains 1,700 words, and that, on an average, it would take 20 minutes to deliver those 1,700 words. Taking that as an average, as I say, there have been 188 speeches which have consumed an hour's time. There have been 75 speeches during that time which have consumed an hour and one-half. The additional time over the hour and one-half in all of those 75 speeches would be 68½ hours for the entire year.

It does not seem to me possible that this rule, changing all of the ancient principles and practices of the Senate, should be adopted simply to take care of those 68½ hours.

In the debate last summer on the war-revenue bill, which took up nearly seven weeks' time, 33 speeches were made which took over an hour's time; 11 speeches were made which took over an hour and one-half. I assume that one of the principal reasons for the proposed change in the rules is to take care of the debate which is coming on the next war-revenue bill. In the last war-revenue bill it would have saved us only 11½ hours if the rule had been changed. Therefore, I say that the object of the rule is not primarily to take care of long speeches but to prevent the debate and interchange of opinion between Senators.

I have here a list showing the number of speeches and by what Senators delivered, which have consumed over an hour and over an hour and one-half, and I shall be glad to give any Senator who desires to do so the opportunity to examine the list.

Mr. JOHNSON of California. Mr. President, I am generally very glad indeed to follow the lead of the Senator from Iowa [Mr. CUMMINS] and to accept, almost without demur, his dictum upon any particular matter relating to procedure before this body. In this instance, however, for reasons which to me seem excellent—indeed, important—which to others may seem quite attenuated, I can not follow his lead, and I can not support the particular rule that is proposed by the Senator from Alabama [Mr. UNDERWOOD].

I may say, Mr. President, that to a man of rapidity of utterance and facility of expression a rule such as that proposed by the Senator from Alabama under ordinary circumstances would be of little consequence and of no importance. If the times were other than they are, if the peculiar circumstances which surround us were those which in the past may have surrounded the United States Senate, I might, with the same eagerness that is evinced by some who speak longest and some who attend least, vote for this particular rule; but with the view that I have of the kaleidoscopic changes that are occurring in our Government, with the vision that I have, such as it may be, of what may transpire in the future, with the possibilities of the months to come after the transmuting of this Government, I could not in any degree or in any measure by any rule or by any law shackle this particular body, or any individual in it, or do aught which would militate in that struggle which possibly the future holds for us and which may follow the great conflict in which we are engaged.

I recognize, Mr. President, that it is popular to abuse the United States Senate. I recognize that there has been an insidious poison for many months, and perhaps some years past, instilled into our people until—and I say it with regret, of course, and I say it, indeed, with resentment—there is to-day in the popular mind something of a contempt for this body. Not only is this contempt in the popular mind instilled, as I believe insidiously in the past, but there is a contempt to-day which every Senator upon this floor recognizes, thinly veiled, in nearly every department of the Government for the United States Senate. Again and again bills are presented here, and we are told that a particular department has prepared these bills carefully and we are asked why debate them, why delay in examination or investigation? There is indignation and resentment in many departments of the Government at the very thought that the United States Senate or the other House of Congress should perform their duty and should investigate or should discuss or debate measures that are presented to them. That sort of thing has grown and grown with the days, until to-day—I say it with a resentment that can not be less than that of any other Senator upon this floor—apparently the United States Senate has fallen from its high estate.

But in this day, Mr. President, there is something else that I see as well. I see that we have transmuted in the past 14 months our Republic; I see that upon which we have prided ourselves in the past, that of which we have boasted in the past, that which we have taken unto ourselves and loved during all of the years that this Nation has been a nation—has been transmuted under the exigency and the emergency of war, and rightly so, into an autocracy as powerful as any autocracy upon the face of the earth. Rightly so, I say, because the first, the prime, and the paramount obligation resting upon the American people is to win this war. I recognize that, and there is naught you would ask me to do I would not do for that desideratum and for the purpose of accomplishing in this conflict that which we have set out to do—ultimately destroying brutal militarism by final complete and conclusive victory.

But, Mr. President, there is another day coming as well, and in transmuting our Government temporarily in the fashion that we have done, there is no reason why any man of wisdom, of foresight, with an atom of statesmanship, should not prepare against that day when it will be his duty and his obligation as great as is the obligation to-day to win this war, to bring back this Republic into its own, and make this Government as it has been in all the years of the past. It is because I am thinking of that day, Mr. President, because I have before me the time when it will be necessary for you and for me to make the fight for democracy in this land, that I would not put the slightest clog upon the action of the United States Senate or of the House of Representatives or upon the action of any Senator in the United States Senate or any Member of the House of Representatives.

They may indeed inveigh against this body; it may be possible by instilling the poison in the fashion that it has been instilled to take the due meed of confidence from this body that the people have in the past held it. It may be that these departments of Government, with their thinly-veiled contempt for the men who are supposed to represent the people in the Congress of the United States, may be acting wholly justifiably; but I believe, Mr. President, just as firmly as I believe to-day when we are debating what in peace times might be an inconsequential matter—I believe that in the last analysis finally this Chamber will witness the struggle for the democracy of our forefathers and the perpetuity of those institutions which we have cherished for more than a century and which we must cherish for all time to come if the Nation is to remain the democracy we have loved. That day when it comes will find this body and the individual Members of it, I know, not unworthy. It is that day, as we tighten up in what we have been doing in the last year, as we centralize more and more, as we yield again and again in order that we may meet this awful brutal foe abroad—it is that day when we must finally face the ultimate issue and restore this Government to its pristine purity and its pristine glory and to its original character—it is this day I guard against now by permitting not the entering wedge in this body and with its Members, so that they could not do fully, freely, wholly, absolutely, and successfully their duty when the day shall come.

You may think I am talking more or less extravagantly concerning that day; you may think that I am unduly alarmed. Perhaps I am. Perhaps I deal only with a remote possibility; but if I deal, Mr. President, with a possibility at all, if I deal, indeed, with a contingency which may occur, then I think that everyone of us should be the more careful to guard every privilege that attaches to this body, every privilege that attaches to every single Member of this body.

Recently there have been events transpiring which show how we have transmuted our Government. To one or two I desire briefly to refer.

I refer, first, to the story of Gen. Leonard Wood. I refer to that story because I think it illustrates in a degree that little else could illustrate just how far we have gone in this Government transmution and just how little regarded are now the Congress of the United States and even the people of the United States. I have selected, in order that the expressions may not be mine, expressions from various newspapers of all shades of political faith, newspapers in which I may or may not at all believe, but newspapers which represent constituencies and which represent all kinds of politics and all sorts of beliefs.

I read to you first from the New York World:

The news that Gen. Leonard Wood is to be kept in this country, while the division whose training he is completing will go abroad under his second in command, will give every fair-minded man a bad taste in the mouth.

Gen. Wood has undoubtedly been offensive in his attitude toward the administration and the military high command. But that aggressive antagonism should have been punished either by court-martial or not at all—certainly not by permanent internment in the United States.

Gen. Wood may not be the genius that many of his supporters consider him, but well over 100 generals have gone abroad, and there must certainly be some among this number with whose military talents those of Gen. Wood can favorably compare.

I read next from the New York Times:

Ex-President Taft has been and is a loyal and earnest supporter of his successor in this war and has never wavered for a moment in that loyalty. He is beyond the suspicion of partisan motives when he offers the grave and well-considered suggestion to the administration, which we reprint to-day from the Philadelphia Public Ledger. When Mr. Taft says that "the country is seriously disappointed that Gen. Wood has not been permitted to go abroad with the division which he has been training," the President and Secretary Baker may rely absolutely on the sincerity of Mr. Taft's concern and the accuracy of his information.

The country does not know why Gen. Wood was permitted to train a division for service abroad, to make his preparations to go abroad with it, and was then suddenly halted on the eve of sailing and ordered to stay at home. No information has been given it. It has heard rumors that the order was given for political reasons and counter-reasons; that it was given because of the jealousy of other officers. It does not know what to believe, and it is undoubtedly disturbed. Whether it is the administration's duty to itself to make known the real reason, is a question for the administration to decide, but it is obvious that it is the administration's duty to the country.

If the administration's reason is good, it may decide to bear unjust imputations in silence, regarding that as the nobler part. But it is not merely a matter of the feelings of the administration. It is a serious matter concerning the country. For the uncontradicted rumor that political grudges, personal spite, or military jealousy is responsible for the withholding of any capable officer from giving the country the service it needs from him will have a bad effect on the country's morale. It will spread doubt, chill enthusiasm. The administration can not permit such a chilling and disheartening suspicion to spread among the people at a time so critical as this. It owes it to the people to dissipate this doubt and depression by giving its facts and its reasons.

"The consideration that dominates every other now," said the President last Monday, "and makes every other seem trivial and negligible is the winning of the war." Nothing that tends to spread doubt, discouragement, or suspicion should be permitted. The administration should stifle these things at the beginning by giving frankly the reasons which governed it in the action it took regarding Gen. Wood.

I next read from the New York Tribune:

We can win the war without Gen. Wood. In that sense his domestic internment may not be in itself a calamity. But we can not win the war unless the Government is willing and anxious to utilize all of our resources in materials, ideas, and men. Gen. Wood may or may not be the greatest military commander we have. Our military genius is yet potential. We can only be sure that we have no more of it, actual and potential, than we shall need. Gen. Wood is bigger than any task he has yet undertaken. Nobody knows how much bigger he can be. Is not that reason enough why he should have the utmost development in active service? In any case, for a man of Gen. Wood's ability to be rejected for personal reasons is almost unendurable.

From the Philadelphia North American I quote the following:

After a prolonged visit to the fighting front and the allied capitals last winter, Representative MEDILL MCCORMICK, of Illinois, gave to the Senate Committee on Military Affairs a detailed statement of what he had learned. The official report of his testimony contained the following passage:

"I spent three hours with Premier Lloyd-George on the day we got the last bad news from Italy. He talked very freely. He was especially anxious to know what had happened to Leonard Wood, where he had been buried, why he was not in Washington or Paris. He wanted him on the allied war council as our representative. He was very insistent upon that point."

Mr. Lloyd-George and Gen. Foch and others who were concerned about this matter now have a belated but complete answer to their questions. "What happened to Leonard Wood" was that he fell under the displeasure of the administration by advocating preparedness when the policy was "keeping the country out of war"; the penalty for that offense is an order depriving him of an overseas command; the place of "burial" selected was an office in San Francisco, 6,000 miles from the battle front; but this sentence has been commuted to service as head of a training camp in Kansas.

Last Sunday Gen. Wood reviewed the division of efficient troops he had fashioned from raw levies, which he had been assigned to command in France, only to be peremptorily recalled on the eve of embarkation. Erect and impassive he saluted the colors as they went by. Then, as the last company swung past he turned to the division officers grouped around him and said a few words of farewell:

"* * * I had hoped very much to take you over to the other side. In fact, I had no intimation, direct or indirect, of any change of orders until we reached here the other night. The orders have been changed, and I am to go back to Camp Funston. There isn't anything to be said; the only thing to do is to do the best we can—all of us—to win the war. * * * Good luck and God bless you!"

So he went away this man who wears the ribbon of the Medal of Honor, who has been Chief of Staff of the United States Army and is considered throughout all Europe the foremost American soldier—to train more recruits for others to lead into battle. Again, and always, he will do his best and say nothing. Washington breathes easier, because the case of Leonard Wood is "a closed incident." But is it?

Oh, Mr. President, the cruelest thing in all this world is the humiliation of a brave spirit. If it were necessary to humiliate a brave spirit as Leonard Wood was humiliated, for the love of God ought not the people of the United States be told of it? I criticize no man; I am saying naught of hostility to any administration; I recognize the right of the Commander in Chief to select whomsoever he pleases for official command; but there is one thing, Mr. President, that the American people have a right to ask at this juncture—one thing, Mr. President, that I have a right to ask and every other man has a right to ask whose blood is in France to-day, and that is, Why do you keep out of the fighting line a man we believe to be a soldier of ability and intrepidity, a soldier who could render valiant service in this hour? In asking that I do not ask that he be permitted to go, I do not ask that any decision be changed; but I say, in this democracy of ours, why should not the people of the United States be entitled to some explanation? And I say further, Mr. President, without the possibility of contradiction of the fact, that to-day there is not a government upon the face of the earth that would treat its ranking general, or its former ranking general, in the fashion that Gen. Wood has been treated without an explanation unto its people.

Thus, Mr. President, I turn to other reports from other papers of like sort, and instead of reading them, if there be no objection, I ask that I may insert the five or six line editorial of the Baltimore Sun, the brief word of the St. Louis Post-Dispatch, that of the Kansas City Star, and that in the Fresno Republican, of the State of California. I ask as well that I be permitted to insert the article of President Taft, which appeared in the New York Times and to which reference has already been made.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from California asks unanimous consent for the insertion in the RECORD of the matter indicated by him. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

The Baltimore Sun also joined in the demand for light: "Gen. Wood may not be entitled to an explanation, but the country certainly is. * * * On every account the matter should be cleared up authoritatively and at once. The people of the United States have a right to know the causes that have led to what looks like a case of public humiliation for an officer of high rank."

The St. Louis Post-Dispatch: "The public has a right to know what is behind the sudden determination to keep Gen. Leonard Wood at home."

The Kansas City Star: "If there are military reasons why Gen. Wood should be detained on home service some hint of them from Washington would not be out of place. Unless such explanation is forthcoming a very harmful impression is exceedingly likely to prevail."

Fresno Republican: "When the war broke out Gen. Leonard Wood was the ranking, and by common consent the ablest general in the American Army. He was in command of the principal division in the Northwest. Promptly he was transferred to what was then the least important division in the South. The pretext was given out that this was to be the principal division, because the most soldiers were to be trained in it. They were—but Gen. Wood was not given command of their training. He was sent in due course to France, like other officers, as a detached observer, and was wounded there. Returning, he was in command of the Eighty-ninth Army Division, as well as senior officer in the Army. That division is about to go to France. So yesterday an order was issued detaching him from command of it and ordering him to San Francisco, to the perfunctory command of the Western Division. Which means, of course, that it is the definite policy of the administration that Gen. Wood, the senior officer of the American Army, shall be bottled up for the period of the war.

"'It is not the custom of the department to explain orders to officers,' says Secretary Baker. Perhaps not. In the case of ordinary orders to ordinary officers, it is not the custom of war departments anywhere. But in the case of such extraordinary orders as this, to officers of the first rank, it is the custom of the French and British Governments to make explicit explanations indeed, and we predict that before he is finished Secretary Baker will find it advisable to establish a similar custom here.

"'Politics is adjourned,' said President Wilson yesterday. Yet if this act is not politics, there must be some other reason for it, which the American people are entitled to know. The political explanation, if it is politics, is perfectly obvious. An administration venting petty personal and political spleen would be expected to act toward Gen. Wood in exactly this way. Unless some other explanation is given, American public suspicion will make this explanation. The best way to confirm the suspicion will be for Secretary Baker to continue his present attitude of contemptuous silence. If there is any other explanation, the American people are entitled to have it. And if it is an explanation which would compel Gen. Wood, in self-respect, to resign indignantly from the Army, that would be no loss. He is permitted to do nothing now which lesser men could not do just as well."

President Taft: "Gen. Wood is one of the ablest men of the Army. He has rendered long and effective service as a general officer. A graduate of the Harvard Medical School, he entered the Army as an assistant surgeon, and became a captain and regular surgeon. He received a congressional medal of honor for his service 'as medical officer and in the line' in an Indian campaign. He was colonel of the Rough Riders, and was made a brigadier general of Volunteers. He cleaned up Santiago, and was made Governor General of Cuba. He became major general in the Regular Army on August 8, 1902.

"Those who know him know that Gen. Wood is a natural soldier; that, though he entered the Army as a surgeon, his whole life has been devoted to military matters and their study. He has given much attention to the German system of military science. Wherever he has been in command he has earned the sincere respect of those under him and stimulated in them an admirable esprit de corps. He has been charged with undue ambition and a willingness to secure advancement at the expense of others; but intense energy in the line of his duty and highly efficient service were the means by which he secured promotion. This was true of his service in Cuba, in the Philippines, and as Chief of Staff.

"Just before the present war Gen. Wood was as much concerned at our lack of preparation for possible war as Lord Roberts was over the lack of preparation in England. Both advocated conscription, both universal service, and both have been vindicated by the event. When Gen. Wood was relieved as Chief of Staff, in April, 1914, he was sent to command the Eastern Division, at Governors Island, which gave him an opportunity at the most conspicuous post in the country to continue his propaganda of preparation. He was not careful in his propaganda, however, to avoid the impression that he was criticizing his superiors for failure to prepare. He stimulated more than any man in the country, soldier or civilian, the Plattsburg idea. The year before the Plattsburg camp was formed he had induced many young collegians to take a course in military summer training.

"When we entered the war, in April, 1917, the public supposed that Gen. Wood would be consulted and given an important place in the organization of the Army. Instead he was relieved from duty at Governors Island and sent to Charleston. It is now known that this was personally directed by the Commander in Chief, probably for the purpose of indicating displeasure at Gen. Wood's criticism of the policy of nonpreparation. He was finally sent from Charleston to Camp Funston, one of the National Army camps, and from there went abroad, with other commanding officers, to gain a more intimate knowledge of conditions of the war. On his return he passed a physical examination successfully. The division at Camp Funston received orders to go to France, and with it Gen. Wood as its commander. On his way east the orders were changed, and he was directed to report to San Francisco and take charge of the Western Division, at the Presidio, a command not for the training of troops, but a mere administrative post.

"No official explanation is given to this change. Some who are supposed to be in the confidence of the administration suggest that the change was made at the instance of Gen. Pershing, but no official authority is given for this statement. Gen. Wood has now applied for active command in the training of troops, rather than a position on the shelf. The country is seriously disappointed that Gen. Wood has not been permitted to go abroad with the division which he has been training. The New York World refers to the change of orders in this case as likely to leave a bad taste in the mouth of the friends of the administration.

"Those who are not thick-and-thin followers of the President are even more disturbed. The previous treatment of Gen. Wood creates doubt of the explanation that his shelving is due to Gen. Pershing's request. The suspicion that it is but a continuation of the discipline of Gen. Wood, this time for his recent frank evidence before the Senate Committee on Military Affairs, will find strong lodgment in the minds of the people. The public properly has no patience with a policy which would deprive us of the services of a valuable and able military leader at the front merely because he has not restrained himself as he should from pointing out the military mistakes of the administration. The public will not approve his impropriety, if it was such; but it will not think this a reason for holding him unfit or for denying to the country the benefit of his great military knowledge and ability in this crisis.

"One may well recall Lincoln's long patience with McClellan's rude remarks and insulting conduct toward him, and Lincoln's remark that he would hold McClellan's horse for him if McClellan would only render the service the country needed. With a like spirit Lincoln called Stanton to the War Office, in spite of Stanton's previous bitter criticism of him and his administration.

"Is there not time to retrace the unwise step?"

Mr. JOHNSON of California. I close upon this subject by reading a very brief communication, entitled "Canada and Gen. Wood," a communication appearing in the New York Times and signed by some resident, I think, of the city of Montreal:

CANADA AND GEN. WOOD.

To the Editor of the New York Times: Thank you very much for your editorial article of the 31st ultimo on Gen. Wood. If the President only knew the adverse criticism that is going the rounds here among Americans and Canadians because of what on the surface appears to be intentional shelving of Gen. Wood at the time when Canada is ringing with the enthusiasm of the great possibilities of the fast-rolling American war machine, he would give the American people his reason for his action or withdraw the order. The dark-brown taste that this action has left, for the country's good, deserves an explanation.

It is in this aspect, to which I have adverted, I repeat, Mr. President, that I speak upon the subject at all. I iterate and I reiterate that I am indulging in no hostile accusation or criticism. I ask, just as I have a right to ask, when an extraordinary order of this sort be made, when a brave spirit is humiliated at the very time that he expects to go across the water and fight for his Nation, that there be forthcoming to the American people some kind or some sort of explanation. Nothing better illustrates just how far we have gone in this Government than the fact that there is no explanation made to the American people or to the Congress of the United States.

One other matter recently transpiring and the extent to which we have gone in transmuting our Nation will be obvious to you. The other day the gentleman who has charge of the railroads of this country, in addition to many other responsibilities, the Secretary of the Treasury and the Director General of the Railroads, made an order increasing railroad rates throughout all the land 25 per cent. The order, I think, was improvidently made, and possibly it may be corrected, at least in some particulars, in regard to interstate and intrastate rates. But, Mr. President, imagine the extraordinary power of this particular act at this specific time. Necessary, you say to me, because of the war! Granted; I am glad to give any power that may come within shotgun distance of being necessary for the winning of the war; but, Mr. President, that order destroyed a generation of work in the State from which I come, and that order is so improvidently made that it increases rates not 25 per cent, but in many instances it increases rates 100, 200, and in some instances 400 per cent. I have the rate sheets that have been furnished me by the railroad commission of the State of California, if information be desired upon that subject.

I cite this as another instance of the peculiar autocratic power that we have conveyed. Necessary, you say, for the winning of the war! Well and good; but in the peculiar autocracy we have created during the past year, I instance this, so that if there is anything left to us, if there is any mode remaining by which we may fight for what we had in the past and return this Government to what it was before, when the final day of reckoning comes do not take it away from us, do not take it under the specious guise of amending the rules relating to debate.

Oh, you understand the insidious advance that power makes. I do not object to the President of the United States when he desires legislation telling Members of Congress what he wishes done and endeavoring to do everything that he can to pass that legislation. I am at variance, undoubtedly, with many of my colleagues in that regard; but when the President has a policy he deems essential to the country, I do not object, aye, I think he ought when he presents that policy to Congress to do his utmost to put it over and put it into effect. I do not object to that sort of thing upon the part of the President at all; but I do object to the insidious advance made on what may be termed the ultra freedom of this particular body. I do object to the planting of the germ, the devitalizing germ, which finally will paralyze free action in the one remaining, the only free forum now in the United States of America.

You have a cowed press to-day, my friends, and you know it. So far as free expression is concerned, you have a cowed people to-day, and you know it; and perhaps in some degree you have a cowed Congress; but, thank God, there are men on this floor with ideals of democracy and a passion for liberty who will stand here when the day comes, notwithstanding a cowed press or possibly a cowed people or a cowed Congress, and make that last fight for democracy. When you shackle anything of ours that will enable us to make that fight, you do an injury to the Republic and you make less possible success and victory in that fight.

To-day it is a limiting of debate, you say. I care not a rap about it, so far as limiting debate be concerned. To-day it is a limitation to an hour or an hour and a half. Six months from now, when you have tightened up more in the fashion that you all understand we are tightening up day after day, when you have centralized more and more autocratic power, it will be a debate of a half an hour on the main question and 10 minutes

on an amendment. Six months from that time, when the tension has increased and augmented power granted, then you will have no debate; and the last place in all this world where freedom obtains, the place where freedom of speech may be abused, abused, abused, and abused again, but the last free forum in that day will then have been destroyed, and we here this day will have commenced and made easy that destruction.

WOMAN SUFFRAGE.

Mr. McKELLAR. Mr. President, out of order I ask unanimous consent to present and have printed in the RECORD some resolutions from Bristol, Tenn., on the subject of woman suffrage.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator from Tennessee asks unanimous consent to print in the RECORD the resolutions indicated by him. Is there objection?

Mr. SMITH of Arizona. I did not hear the request. What was the request?

Mr. McKELLAR. To print in the RECORD some public resolutions on the question of woman suffrage from Bristol, Tenn.

Mr. SMITH of Arizona. I object to printing them in the RECORD.

The PRESIDING OFFICER. Objection is made.

Mr. McKELLAR. Then, Mr. President, I will ask that the resolutions be read in my time.

Mr. SMITH of Arizona. The Senator can take the floor and read them; but I insist that resolutions shall be printed in the RECORD only at the usual time, and in the ordinary run of the day's business.

Mr. McKELLAR. I will take the floor and read them.

Mr. SMITH of Arizona. I should like to say to the Senate in this connection——

Mr. McKELLAR. Mr. President, I decline to yield to the Senator, and I will ask that the Secretary read the resolutions in my time.

Mr. SMITH of Arizona. I invoke the rule, that it is against the rules of the Senate; and the Senator can not take me from the floor on his desire to violate the rule. I am calling attention to the rules of the Senate.

Mr. McKELLAR. I assumed that I had the floor.

Mr. SMITH of Arizona. The Senator had the floor, and he asked to go against the rules of the Senate, and I am invoking the rules of the Senate.

Mr. McKELLAR. Mr. President, if I have the floor——

Mr. LODGE. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. LODGE. This is morning business, is it not?

The PRESIDING OFFICER. It is.

Mr. LODGE. It can only be introduced by unanimous consent?

The PRESIDING OFFICER. The Chair thinks that is true.

Mr. McKELLAR. If that is true, I will withdraw the request.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing to amend the rules of the Senate relating to the limitation of debate.

Mr. UNDERWOOD. Mr. President, it was my intention to proceed with the consideration of the resolution this afternoon, with the hope that we might reach a conclusion. It has been intimated to me, however, by Senators here that they desire to discuss the resolution further to-morrow, and if we can reach an agreement to vote on the resolution and amendments at a certain hour to-morrow, I shall be glad to submit the question to the Senate after the calling of a quorum. I will, however, make the request in advance of calling for a quorum, to see if there is any objection, and if there is not I will ask that a quorum be called and that the request be submitted to the Senate.

I ask unanimous consent that the pending resolution and all amendments to it be voted on at 4 o'clock to-morrow.

The PRESIDING OFFICER. The Senator from Alabama submits a request for unanimous consent, which will be stated by the Secretary.

The SECRETARY. The Senator from Alabama asks unanimous consent that at not later than 4 o'clock on the calendar day of Thursday, June 13, 1918, the Senate will proceed to vote without further debate upon Senate resolution 235 and any amendment that may be offered thereto.

Mr. GALLINGER. Mr. President, I will ask the Senator if he would not be willing to make the hour for voting 5 o'clock? It will take but a few minutes to dispose of it when we come to it.

Mr. UNDERWOOD. I should be glad to make it 5 o'clock, but I hope the Senator will not insist on it, as I think we can fully complete the debate by 4 o'clock, and there are a number of Senators who would like to get away by that time. It will convenience a number of Senators if we can have the vote at 4 instead of 5. If the Senator insists, I will make it 5, but I hope he will consent to 4 o'clock.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Idaho?

Mr. UNDERWOOD. I do.

Mr. BORAH. I presume, in all probability, we will dispose of this matter to-morrow; but I do not want to consent to a vote at a particular hour, for the reason that closing the debate at a specified time is not always conducive to the presentation of both sides of the question. I do not know what time will be occupied by others. As I say, I have no doubt the debate will close to-morrow and we will get a vote on the resolution; but I do not like to say that we will commence voting at 4 o'clock.

Mr. SHAFROTH. Mr. President——

Mr. UNDERWOOD. I understand, then, from what the Senator says, that he would not be willing to give consent.

Mr. SHAFROTH. Mr. President, let me suggest to the Senator from Alabama that if he would request that after the hour of 2 o'clock debate shall be limited to 15 minutes on the part of each Senator, I think probably everyone would consent, and then the vote could be taken at any time when the debate closes, which must be about to-morrow evening.

Mr. GALLINGER. Mr. President, in response to the suggestion of the Senator from Alabama that Senators desire to leave at an earlier time than 5 o'clock, I will withdraw the suggestion I made that it should be 5 o'clock and will make no objection to the suggestion that the vote shall be taken at 4 o'clock. So far as I am concerned, there will be no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

Mr. UNDERWOOD. Just a moment; the Senator from Idaho has made a suggestion.

Mr. BORAH. The time is fixed at 4 o'clock?

Mr. UNDERWOOD. Four o'clock; or, as I said, I should be willing to agree to 5 o'clock; but a number of Senators desire to get away on a train that leaves about that time, and 4 o'clock would conserve their desire. So far as I am personally concerned, 5 o'clock would suit me as well as 4, but it does not suit other Members of the Senate.

Mr. BORAH. Mr. President, I have just been informed that there are some Senators who desire to be here when the vote is taken who perhaps can not be here after 4 o'clock, and I do not want to deprive any Senator of an opportunity to vote on the matter out of any idea of my own as to how the debate should close. I withdraw any objection.

Mr. SHAFROTH. Mr. President, I will ask the Senator from Alabama whether he will not make a part of his request for unanimous consent a provision that the debate shall be limited to 15 minutes on the part of each Senator after 2 o'clock?

Mr. UNDERWOOD. I have no objection myself, if no one else objects.

Mr. NORRIS. Mr. President, I should like to suggest to the Senator that he make that 10 minutes to each Senator after 2 o'clock. I suggest that he try it and see whether there is any objection.

Mr. UNDERWOOD. Well, all right. I will make it 10 minutes.

Mr. NORRIS. Otherwise some one Senator might take up all the time.

Mr. UNDERWOOD. I will modify the request, then, so that the debate after 2 o'clock will be under the 10-minute rule.

Mr. WATSON. Mr. President, I must object to the limitation of speeches to 10 minutes.

Mr. NORRIS. Does the Senator object to the 4 o'clock limitation?

Mr. WATSON. I do not. I have no objection to taking a vote at 4 o'clock, but I have an objection to a limitation of speeches to 10 minutes each.

Mr. NORRIS. If I were inclined to deal in the same kind of logic, I would object to the other limitation. I do not want to do that; but some Senator may get the floor to-morrow at 2 o'clock and talk until 4.

Mr. UNDERWOOD. I think if we agree to vote at 4 o'clock there will be ample opportunity, and I hope the Senator will allow that agreement to go through.

Mr. SHAFROTH. Does the Senator make it a part of his request that there shall be 10-minute speeches after 2 o'clock?

Mr. UNDERWOOD. No; the Senator from Indiana said he would object to that part of it, and I hope the Senator from Colorado will not insist upon it.

Mr. KING. I do not know of any long speeches. I am going to speak briefly.

Mr. SHAFROTH. I know; but the trouble is that there are many of us who want to express ourselves upon this matter, and we feel that a limitation of time ought to be made. If a limitation of time is not made, you will find that two or three Senators will occupy the entire time, and that the resolution will be crowded to a vote at 4 o'clock without that discussion which I think is the best discussion that can be had. I will ask the Senator from Indiana whether he will not consent that debate of, say, 10 or 15 minutes on the part of each Senator shall be indulged in after 2 o'clock.

Mr. WATSON. Mr. President, I am not disposed to be captious in my criticism, but I think there are one or two Senators who desire to make set speeches of an hour on this proposition. If I am in the frame of mind to-morrow that I am to-day, I shall want an hour myself. I may not be, however.

Mr. SHAFROTH. Then, is it the expectation of the Senator to object to any unanimous-consent agreement?

Mr. WATSON. No; I shall not object to a unanimous-consent agreement.

Mr. SHAFROTH. It seems to me that it would meet with the approval of Senators if we should limit each Senator to 10 or 15 minutes.

Mr. WATSON. May I ask the Senator from Alabama whether it is his intention to begin the debate on this resolution at 12 o'clock to-morrow?

Mr. UNDERWOOD. It is the intention to take a recess, when the session closes to-day, to 12 o'clock to-morrow.

Mr. WATSON. Then I shall not object to the 10 or 15 minute limitation on debate after 2 o'clock.

Mr. UNDERWOOD. Then I make the request for unanimous consent, Mr. President.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for the order, which will be stated by the Secretary.

The SECRETARY. The Senator from Alabama asks unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Thursday, June 13, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution S. Res. 235. And further, that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 15 minutes upon the resolution or any amendment offered thereto.

Mr. GALLINGER. Mr. President, while I shall not ask for more than a minute to-morrow, if I ask for that, I do know that taking a recess until 12 o'clock will cut off one or two Senators who have a right to speak, who have not spoken already; and I will ask the Senator if he will not move that the Senate take a recess until 11 o'clock instead of 12?

Mr. UNDERWOOD. I shall be very glad to do so.

Mr. GALLINGER. Will the Senator modify his request accordingly?

Mr. UNDERWOOD. If the unanimous-consent agreement is made, I will move a recess until 11 o'clock to-morrow.

Mr. McCUMBER. Mr. President, as the Senator thereby gains an hour, so that these longer speeches can be made, I should like to ask if there would be any objection to limiting the speeches to 10 minutes after 2 o'clock, instead of 15 minutes? I think there are a great many Senators who would like to talk about 5 or 10 minutes, and I want to be sure that they can have an opportunity to do so.

Mr. UNDERWOOD. I have no objection, if that is satisfactory to the Senate.

Mr. McCUMBER. I hope the Senator will make it 10 minutes.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent for an order, which will be stated by the Secretary.

The SECRETARY. The Senator from Alabama asks unanimous consent that at not later than 4 o'clock p. m. on the calendar day of Thursday, June 13, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution S. Res. 235; and further, that after the hour of 2 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the resolution or any amendment offered thereto.

The PRESIDING OFFICER. Is there objection?

Mr. GRONNA. Mr. President, I think the Senator ought to make that 1 o'clock and provide that no more than 10 minutes shall be given to any Senator after 1 o'clock.

Mr. UNDERWOOD. I will say to the Senator that I do not think that can be done, because Senators desire a longer time than that.

Mr. GRONNA. I have not occupied a moment's time upon this resolution. I want to speak 10 minutes upon the matter, if I can possibly get it; and, while I do not ask to have any time farmed out to me, I shall insist that I have at least 10 minutes.

Mr. UNDERWOOD. I can assure the Senator that he will have 10 minutes, because the time from 2 to 4 will give an opportunity for 12 Senators to speak under the 10-minute rule, and I am sure there will not be that many.

Mr. GRONNA. I do not want to deprive other Senators of an opportunity to speak who perhaps will want to speak during that time.

Mr. UNDERWOOD. I am sure the Senator will be safe on that score.

Mr. THOMAS. Mr. President, I suggest that, if we can agree upon this unanimous-consent rule, we devote an hour or an hour and a half of the remaining part of to-day to discussing the resolution. It is only quarter of 5, and this measure, which has been discussed so much and so many times during the five years that I have been here, certainly ought to be disposed of, with everyone who still desires to speak having an opportunity to do so, by staying here until 6 o'clock this afternoon.

Mr. UNDERWOOD. I have no objection, if any Senator wants to speak; I shall be glad to stay and hear him speak; but if there is no objection to that, I shall ask for a quorum.

Mr. GALLINGER. The Senator does not need a quorum.

The VICE PRESIDENT. It is not necessary.

Mr. GALLINGER. It is only necessary on bills and joint resolutions.

Mr. UNDERWOOD. Then I ask that the Chair put the request.

The VICE PRESIDENT. Is there objection to the proposed unanimous-consent agreement?

Mr. FALL. Mr. President, except for the fact that it is apparent that the majority of the Senate desires to have this debate closed, I should, exercising my personal views in the matter, certainly after listening to the speech of the Senator from California [Mr. JOHNSON] object to any unanimous-consent agreement for closing this debate. I have found, however, that usually when the Senate wants to close debate it can do so by just exactly the procedure which is now being sought without changing the rules of the Senate.

I remind the Senator who has charge of this resolution that there has been little or no discussion of the resolution itself until this afternoon. It is true that it has been discussed for two or three days, but the discussion has been upon the amendment of the Senator from Idaho [Mr. BORAH]. There has been little or no discussion of any kind or character upon the resolution, or the substitute for it, except by the proponent of the substitute.

As I say, I shall not object; but I think the Senate is committing a very grievous mistake now in cutting short the debate to-morrow.

Mr. KENYON. Mr. President, I should like to ask the Senator from Alabama if it is the purpose to adjourn over until Monday if this resolution is adopted to-morrow?

Mr. UNDERWOOD. I can not speak as to that. The Senator will have to address his request for information to the leader on this side of the Chamber.

Mr. MARTIN. Mr. President, I think it would be very injudicious to take that course. The District of Columbia appropriation bill is ready for consideration; and a great many Senators, I know, are very anxious to get through with the appropriation bills in order that we may have an extended recess while the revenue bill is being framed.

Mr. KENYON. I was not in favor of the recess, but I thought if we were going to take a recess we might as well keep on with this discussion.

Mr. MARTIN. When we get through with this resolution I think we had better go on with the District of Columbia appropriation bill, which is awaiting the action of the Senate.

The VICE PRESIDENT. Is there any objection to the proposed unanimous-consent agreement? The Chair hears none, and the unanimous-consent agreement is entered into.

EXECUTIVE SESSION.

Mr. UNDERWOOD. Mr. President, if any Senator desires to continue the discussion this afternoon I shall be glad to have him take the floor and proceed. If not, at the request of the chairman of the Committee on Foreign Relations, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 5 minutes spent in executive session the doors were reopened.

COMPENSATION OF INTERSTATE COMMERCE CARRIERS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Director General of Railroads, which

will be inserted in the RECORD and referred to the Committee on Interstate Commerce.

The communication is as follows:

DIRECTOR GENERAL OF RAILROADS,
Washington, June 11, 1918.

SIR: Answering the resolution of the Senate under date of May 23 that the Director General furnish to the Senate for the use of the Committee on Interstate Commerce the copy of the agreement between the United States and each carrier for just compensation, the names of the carriers, if any, which have refused or failed to enter into any such agreement, and the names of the carriers whose systems, roads, or facilities are now in the possession of the United States, or are used, controlled, or operated by the United States under the laws thereof, I beg to state:

No contract has yet been executed with any carrier, and none has refused to execute a contract.

Upon the approval of the Federal control act, the question of agreeing upon a standard form of contract between the Government and the carriers was taken up, the Government being represented by Messrs. Clark, Meyer, Hall, and Anderson, members of the Interstate Commerce Commission; Judge Prouty, director of public service and accounting of the Railroad Administration; Nathan Matthews, of Boston, employed as special assistant to the general counsel; and John Barton Payne, general counsel; and the carriers being represented by their counsel. No conclusion of these discussions has yet been reached.

As the contracts are executed copies of the same will be sent to the Senate; and if any carriers refuse to execute contracts the names of such carriers will be given.

As to the names of carriers whose systems, roads, or facilities are now in the possession of the United States, the Federal control act itself declares to be within Federal control practically all railroads in the country excepting those specifically excepted in the act and those which may be relinquished by the President prior to July 1, 1918. The question as to the extent to which such relinquishments shall be made is now receiving careful consideration. The result is that until July 1, 1918, it will not be practicable to give a list having any permanent significance. As soon as practicable after July 1 a list of the railroads in the possession or control of the United States will be submitted.

Respectfully,
W. G. MCADOO,
Director General of Railroads.

The PRESIDENT UNITED STATES SENATE.

DATA RELATIVE TO PROFITEERING AND THE REVENUE.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, which will be inserted in the RECORD.

The communication is as follows:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, June 8, 1918.

Hon. THOMAS R. MARSHALL,
President of the Senate.

SIR: I have the honor to acknowledge receipt of Senate resolution No. 253, calling for a report of such information and data as may be in the possession of the Treasury Department relative to profiteering and, specifically, for a list of all corporations, with the amount of their earnings, which have earned in excess of 15 per cent on their capital stock, as shown by their returns to the Internal Revenue Bureau for the calendar year 1917.

The work of gathering and compiling the information and data called for by this resolution will be prosecuted with the utmost vigor, although a reasonable period of time will be required, particularly on account of the large number of returns that must be handled and the great volume of work now devolving upon the Bureau of Internal Revenue.

Respectfully,
W. G. MCADOO,
Secretary.

PETITIONS.

Mr. LODGE presented petitions of the Elm Hill Equal Suffrage League, of Roxbury; the Woman's Christian Temperance Union of Worcester; the Ward 8 Suffrage Association, of Boston; and the First Hampshire Representative District of the Massachusetts Woman Suffrage Association, all in the State of Massachusetts, praying for the immediate passage of the Federal suffrage amendment to the Constitution, which were ordered to lie on the table.

He also presented sundry papers to accompany the bill (S. 4674) granting an increase of pension to George E. Tracy, which were referred to the Committee on Pensions.

Mr. ASHURST presented a telegram in the nature of a petition from C. P. Hicks, secretary of the Arizona State Senate, advising that on May 25, 1918, both houses of the Arizona Legislature ratified the proposed amendment to the Constitution of the United States relating to the manufacture, sale, and transportation of intoxicating liquors, which was ordered to lie on the table.

Mr. PHELAN presented a petition of Coronado Camp, No. 59, Department of California, United Spanish War Veterans, of Coronado, Cal., praying for the enactment of legislation granting pensions to widows of Spanish War veterans, which was referred to the Committee on Pensions.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. From the Committee on Appropriations I report back favorably and with amendments the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, and I submit a report (No. 499) thereon. I wish to give notice that I shall ask the Senate to consider the bill at the earliest opportunity.

The VICE PRESIDENT. The bill will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HARDING:

A bill (S. 4696) granting a pension to Jefferson L. Wylie; to the Committee on Pensions.

By Mr. SHEPPARD:

A bill (S. 4697) relating to transfers of Government employees and their compensation; to the Committee on Appropriations.

By Mr. SMITH of South Carolina:

A joint resolution (S. J. Res. 159) to extend the time within which the President may relinquish control of any railroad, or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919; to the Committee on Interstate Commerce.

INSPECTION OF TICK-INFESTED CATTLE.

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until to-morrow morning at 11 o'clock.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m., Wednesday, June 12, 1918) the Senate took a recess until to-morrow, Thursday, June 13, 1918, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 12 (legislative day of June 10), 1918.

PROMOTIONS AND APPOINTMENT IN THE NAVY.

Lieut. William C. I. Stiles to be a lieutenant commander.

The following-named lieutenants (junior grade) to be lieutenants:

Webb Trammell,
Frank J. Lowry,
Walter A. Riedel,
Jay K. Esler, and
Bushrod B. Howard.

Pay Inspector Joseph J. Cheatham to be a pay director with the rank of captain.

The following-named paymasters to be pay inspectors with the rank of commander:

John Irwin, jr.,
Grey Skipwith,
Eugene C. Tobey,
Jonathan Brooks,
William A. Merritt, and
McGill R. Goldsborough.

Paymaster William H. Doherty to be a pay inspector with the rank of commander.

Paymaster David M. Addison to be a pay inspector with the rank of commander.

Lieut. Commander Kenneth G. Castleman, an additional number in grade, to be a commander.

The following-named lieutenants (junior grade) to be lieutenants:

Hollaway H. Frost,
Hugh McC. Branham,
Walden L. Ainsworth,
Samuel W. King,
Robert H. Skelton,
Carlos A. Bailey,
Philip R. Baker,
Harold E. Snow, and
William H. O'Brien, jr.

The following-named boatswains to be chief boatswains:

Michael J. Bresnahan,
Warner K. Bigger, and
Joseph Sperl.

Machinist William D. Dadd to be a chief machinist.
Pay Clerk Maurice S. Hirshorn to be a chief pay clerk.
Chief Gunner Franklin T. Applegate to be an ensign, for temporary service.
Ensign Franklin T. Applegate to be a lieutenant (junior grade), for temporary service.
Chief Gunner Joseph F. Carmody to be an ensign, for temporary service.
Carpenter Frederick J. Silvernail to be an ensign, for temporary service.
The following-named temporary warrant officers to be ensigns, for temporary service:
Edwind J. Johannessen,
Harry J. Carey,
James H. Alvis,
Peter J. Riley,
Murray T. Wilkinson,
Otis A. Nicholas,
William Kasburg,
Joel R. Conrad,
Charles F. Hudson,
Robert E. Sammons,
Edwin V. Annatoyn,
James D. Barner,
Arthur L. Mundo,
Walter L. Hunley,
William Crofut,
Leo Kampman, and
Leon W. Mills.
The following-named enlisted men to be ensigns, for temporary service:
Edward W. Neville,
Fred E. Patrick,
Philip D. Butler,
John A. Westrom,
Edward Danielson,
Harry F. Breckel,
Clyde L. Lewis,
Joseph L. Norvell,
Joseph A. Wetzel,
Andrew Simmons, and
Arthur F. Dietrich.
Lieut. (Junior Grade) De Coursey Fales, National Naval Volunteers, to be an ensign, for temporary service.
Ensign William J. Charles, National Naval Volunteers, to be an ensign, for temporary service.
The following ensigns of the United States Naval Reserve Force to be ensigns, for temporary service:
John W. White,
Duncan P. Houser,
Edward H. Wardwell,
Francis H. Stone, and
Bartholomew J. Patterson.
The following-named pay clerks to be assistant paymasters with the rank of ensign, for temporary service:
John L. Cash and
Charles A. Sieck.
Vincent Le R. Bennett, a citizen of New York, to be an acting chaplain with the rank of lieutenant (junior grade), for temporary service.
First Lieut. John W. Hingle to be a captain in the Marine Corps, for temporary service.
Second Lieut. Vernon R. Buxton to be a first lieutenant in the Marine Corps, for temporary service.
John Kaluf, temporary second lieutenant, to be a second lieutenant in the Marine Corps for a probationary period of two years.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 12, 1918.*

The House met at 12 o'clock noon.
The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:
Almighty and most merciful God, Creator, Upholder, and Sustainer of all, illumine our minds and inspire our hearts with pure motives, that whatsoever we are called upon to do we may with impunity put our strength behind our convictions in peace or war, in victory or defeat, in joys or sorrows, leaving the results to a wise and beneficent Providence; for Thine is the kingdom and the power and the glory forever. Amen.
The Journal of the proceedings of yesterday was read and approved.

PROTECTION OF MIGRATORY BIRDS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, with House amendments thereto, disagreed to by the Senate, insist upon the House amendments, and agree to the conference asked by the Senate.
The SPEAKER. The gentleman from Virginia asks unanimous consent to take from the Speaker's table the bill S. 1553, the migratory bird bill, with House amendments thereto, disagreed to by the Senate, insist upon the House amendments, and agree to the conference asked by the Senate. Is there objection?
There was no objection.
The SPEAKER appointed the following conferees: Mr. FLOOD, Mr. STEDMAN, and Mr. COOPER of Wisconsin.

CHANGES OF REFERENCE.

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent to change the reference of the bill (S. 180) for the relief of Ellen M. Willey, from the Committee on Invalid Pensions to the Committee on Naval Affairs.
Mr. CANNON. What is it—a pension bill?
Mr. RUSSELL. It is a bill to correct a naval record.
The SPEAKER. Without objection, the change of reference will be made.
There was no objection.
Mr. RUSSELL. Mr. Speaker, I ask that change of reference of the bill S. 921, for the relief of James Duffy, be made from the Committee on Invalid Pensions to the Committee on Military Affairs.
Mr. CANNON. What is that bill about?
Mr. RUSSELL. It is to correct a military record.
The SPEAKER. Without objection, the change of reference will be made.
There was no objection.
Mr. RUSSELL. Mr. Speaker, I ask the same order with respect to the bill S. 1923, for the relief of John Doyle, alias John Geary; the bill S. 2205, for the relief of Isaac J. Reese; and the bill S. 3124, for the relief of Francis M. Atherton.
Mr. CANNON. These are all to correct military records?
Mr. RUSSELL. Yes.
The SPEAKER. Without objection, the changes of references will be made.
There was no objection.

THE HEROIC DEATH ON THE FIELD OF BATTLE OF LIEUT. ADRIAN C. EDWARDS, OF CARROLLTON, ILL.

Mr. HENRY T. RAINEY. Mr. Speaker, I ask unanimous consent to address the House.
The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House. Is there objection?
There was no objection.
Mr. HENRY T. RAINEY. Mr. Speaker, at the time of our declaration of war Adrian C. Edwards was a young lawyer in Carrollton, Ill. With the brightest prospects he had just entered upon the practice of that profession. Immediately after our declaration of war he tendered his services to the Government and was trained in the Officers' Training Camp at Camp Sheridan, Ill.
Prior to that time he had no military aspirations; his only aspirations were among the lines of his profession and for such civic honors as might be conferred upon him. He had the very highest appreciation of his duty to his country. His bright, cheerful disposition made for him friends of all who knew him. On the 4th day of May, 1918, he was killed in battle in France while gallantly leading his men. No tribute that I could pay on this floor to his memory could be so eloquent as a letter from him to his mother, written by him just before he entered the battle. I send that letter to the Clerk's desk and ask that it be read in my time.
He has discharged his full duty to his country. He has made the supreme sacrifice. No patriotic speech made upon this floor since this war started expresses a higher sense of duty than this letter. In its every word it announces that spirit of patriotism which animates the youth of the land in this hour of the Nation's peril.
Lieut. Adrian C. Edwards was my constituent; he lived in my town; he was my personal friend; but it is not with any feeling of sorrow that I send now to the Clerk's desk this remarkable letter written just before he gallantly led the men of his company into battle in France on the 4th day of last month. It is with a feeling of personal pride in the gallant conduct of this young citizen soldier that I ask that this letter be now read here in this high place.

The body of this heroic young officer lies to-day in a soldier's grave in France. When the war is over, after our boys, victorious in battle, come marching home, after the parade of our troops, flushed with victory, up Pennsylvania Avenue in this Capital City occurs, it will be possible to carry out his request and to bring back his remains to the land he loved and inter them at White Hall, Ill., where live the friends who loved him. This letter will, in the patriotic utterances of national heroes, rank side by side with the last utterances of Robert Emmet and Nathan Hale.

The SPEAKER. Without objection, the letter will be read.

There was no objection, and the Clerk read as follows:

SOMEWHERE IN FRANCE.

MY DEAR MOTHER: I am about to go into battle and have instructed the company clerk to send you this letter in case I become a casualty, hence the receipt of this letter by you will indicate that I am either with God or a prisoner in the hands of the enemy. Since I will never become a prisoner of the Huns, if I remain conscious and able to fight, it is doubtful if I will ever be an inmate of a German prison camp.

Do not grieve that I am among the missing, but rather rejoice that you have given a son in sacrifice to make the greatest military caste of all times lay down the sword, to save civilization, to prevent future wars, to punish the Huns—who have disregarded every law of God and mankind, whose only God is the god of war and military force—and to make the world safe for democracy. I desire that you view the matter in the light and spirit of the Spartan mothers of old, who, when their sons went forth to battle for freedom and their native land, said to their sons: "Either come home proudly bearing your shield before you or upon it."

War was absolutely necessary on the part of my country, and, although I was 34 years old and nobody expected me to go, yet some one had to go; some one must make the sacrifice; some mother must lose her son.

In the light of these facts and knowing our country's great need, I volunteered and have never for one moment regretted my decision, and I will not, although my life and the useful career must end. Life is not the highest boon of existence. There are ideals that are superhuman, interests greater than life itself, for which it is worth while fighting, suffering, and dying.

If possible, after the war, I would like for my remains to be brought to America and interred at White Hall. I have provided well for your support, as I have a $10,000 insurance policy with the Government and several thousand with the old-line companies. My friend, Thompson, and Jess have these policies and other valuable papers.

Good-bye, mother; I will see you in the next world. You may know that I died fighting for you, my country, and all that life holds dear.

Your son,

ADRIAN.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12441) the sundry civil appropriation bill. Pending that motion, I ask the gentleman from Wyoming [Mr. MONDELL] whether we can agree upon a limit to general debate?

Mr. MONDELL. Mr. Speaker, I had some conversation with the gentleman from Kentucky [Mr. SHERLEY] in regard to general debate this morning, at which time I had received no requests for time. Since then I have received a number of requests. It has been my effort to limit the general debate as far as possible, but there are some gentlemen upon this side who are very anxious to speak for a limited time, and I have concluded that we ought to have about two hours of debate on this side.

Mr. SHERLEY. That would mean practically the entire day in general debate. I was hoping that we might confine the debate to an hour on a side and get into the reading of the bill. The gentleman knows that this is a bill of considerable magnitude and ought to be on the statute books by the 1st of July.

Mr. MONDELL. I entirely agree with the gentleman from Kentucky, and I join with him in the desire to curtail general debate as far as possible; but some gentlemen here are very anxious to speak, none of them at very great length, and the requests that I have I think could scarcely be complied with reasonably in less than two hours. That is reserving for myself about 20 minutes, and I may or may not take that time.

Mr. SHERLEY. Does not the gentleman think he might be able to get along with an hour and a half?

Mr. MONDELL. Well, we have not had any general debate for quite a long time, and this is a very important bill. I should be very glad to get along with a shorter time, but it seems to me it is scarcely possible. I may be able to reduce that time——

Mr. DYER. Will the gentleman yield? These speeches of which the gentleman speaks are not in reference to this bill?

Mr. MONDELL. I think not, generally. General debate is the only opportunity that Members have to discuss matters other than those directly before the House.

Mr. DYER. I will say to the gentleman that they have had plenty of opportunity in the last couple of weeks in discussing various matters here.

Mr. WALSH. Oh, no; those matters were brought in under a rule, nearly all of them.

Mr. SHERLEY. Does not the gentleman think an hour and a half would be sufficient?

Mr. MONDELL. I am so thoroughly in harmony with the gentleman's desire to expedite the passage of the bill that if I could make it less I would, but I do not believe in fairness to this side we could shorten the time to less than about two hours.

Mr. SHERLEY. I suggest to the gentleman that general debate close in three and a half hours. That gives an hour and 45 minutes to a side, and I hope we may be able to yield some time to the gentleman if need be.

Mr. MONDELL. Does the gentleman think he will need that much time on that side so that he might possibly yield a little time over here?

Mr. SHERLEY. I hope to make a statement to the House that, I trust, will not be long, and possibly there may be one other demand for time on my side, assuming that debate on the gentleman's side does not engender a desire to reply.

Mr. MONDELL. We might get along with three and a half hours.

Mr. SHERLEY. The gentleman himself will be able, of course, under the five-minute rule, as will other gentlemen, to talk about matters in which they are interested.

Mr. MONDELL. I do not desire to take up considerable time.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that general debate be confined to three and a half hours, one half of that time to be controlled by the gentleman from Wyoming [Mr. MONDELL] and the other half by myself.

The SPEAKER. Pending the motion to go into the Committee of the Whole House on the state of the Union, the gentleman from Kentucky asks unanimous consent that general debate be limited to three and a half hours, one half of that time to be controlled by himself and the other half by the gentleman from Wyoming. Is there objection? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12441, the sundry civil appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12441, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, the sundry civil bill is not the largest bill in money that this Congress will pass, large though it is, but it is incomparably the largest bill in the scope and field that it covers of all the great supply bills. In point of fact, there are perhaps not any three or four supply bills put together that come anywhere near covering the activities that the sundry civil bill does, and by virtue of that fact it requires a degree of labor in its preparation that perhaps is equaled in connection with no other legislative matter.

I am at a loss to-day to undertake to present to this committee within the confines of a permissible speech anything like the number of important matters with which it deals. I shall endeavor, with the help of those who have worked with me upon the committee, to explain under the five-minute rule any matters of first importance concerning which the House may be interested to make inquiry, and before now undertaking to speak upon some of the major matters that are new in the bill I want to take occasion to express my own personal obligation and thanks to the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Wyoming [Mr. MONDELL] for their help. Without their assistance, extending over a period of more than two months, I would not have been able in any degree to perform this labor. I mention those two gentlemen because the subcommittee, while composed of five, necessarily could not have at all times the help of the other two members. My friend from Massachusetts [Mr. GILLETT] gave very valuable assistance when he was not required by virtue of his floor position as leader of the minority to be in attendance on the House, and my friend from Georgia [Mr. HOWARD] did likewise during the days he was present in Washington.

The estimates which were submitted to the committee, together with the authorizations requested, totaled $3,953,567,398.97. Last year the sundry civil bill and the deficiency bills, which carried appropriations that belong ordinarily to the sundry civil bill, had a total of appropriations and authorizations of $2,147,573,092.54. The bill as it is reported to this House carries in direct appropriations $1,917,203,237.57 and an authorization of $945,549,000, or a total of $2,862,752,237.57. This represents a reduction in direct appropriations and authorizations requested of $1,090,815,161.40. Most of that reduction is found in connection with the estimates of the shipping program with which I will deal in a few moments. It may be interesting to give to the House some idea of what the committee tried to do in order to arrive at a judgment in making recommendations and cuts. The hearings started on March 25 and have continued each day practically without interruption up to and including to-day.

The committee has examined over 200 witnesses and has taken evidence that has required 2,543 printed pages, in addition to what will be printed shortly as supplemental, and which will carry it to probably 100 pages more. There is in these hearings more of detailed information touching the activities of the Government in all of its branches than I believe can be found anywhere else. I am in hopes that they will not only have the perusal of the membership of the House, but that particularly they will have the attention and consideration of the chief administrative officers of this Government. Many things that could be remedied, and many of which I am glad to say, as the result of the injury, I believe are being remedied, will be found within these pages. In the last analysis, what I have so frequently said on the floor of the House remains true, that upon the administrative officers of this Government primarily, and we might almost say exclusively, rests the responsibility for the efficient direction of this war. Congress can supply the moneys, Congress can indicate great major policies, but at the last the successful carrying out of those policies rests with the administrative officers, and that responsibility has been accentuated by virtue of the power that has been conferred from time to time by Congress and which in particular was conferred by the passage of what was known as the Overman Act, which gave to the Executive the power to make such change and transposition of duties among the various executive officers as he might see fit.

I shall not endeavor now to call attention to matters that call for criticisms. They will probably come, if they do come, in connection with the consideration of the bill in its details. But I may be pardoned if I make one suggestion, which perhaps is unnecessary, because I understand informally that it has to a certain measure been acted upon and to a greater extent will be acted upon in the future, and that is the need in the Government of collecting in a single source information touching all the activities of the different branches of the Government in such form as to enable a condensed statement of it to be made from day to day for the examination and consideration of the President of the United States, so that he may be able to determine by an examination into the actual facts whether the conclusions which are carried to him from the various heads of departments and men charged with important work are or are not warranted.

To illustrate: Two of the great factors in connection with the prosecution of this war, and which I mentioned in presenting a deficiency bill to the House some time ago, are fuel and transportation. Without fuel there can be no transportation, practically, and no industrial output, and without transportation that fuel can not be carried where it is needed, and the output of the industries of America can not be again distributed. Now, it is of the highest importance that accurate information as to what is correct in connection with those two great major factors should be available, and I am glad to say that much is being done to make it available. But it ought to be made available in connection with a great many other factors of output and activities of the Government. So that, if some one thing or many things seem to be lagging, there can be ascertained what is the real fundamental reason. The fundamental reason is frequently very far removed from those apparent factors with which the man in direct charge of a particular activity is dealing. And, of course, it is perfectly human and natural that men engaged in particular work will see it through optimistic glasses and that their reports, sincerely made, will present a favorable view that all the facts may not warrant.

Now, no man can run any business, and manifestly no business of the magnitude of the Government's business, which is to-day greater than ever dreamed of by any man at any time, without having brought to him in condensed form the real major factors in connection with the activities that are being carried on. I mention this, not because, as I stated a while ago, that I think it is necessary for me to mention it that it might be accomplished—though I may say in passing, such a suggestion of mine was made as early as a month after the declaration of war—but because the absence of such data explains in many instances confusions and duplications that occur in connection with governmental activities. Just one other sentence in connection with that, and that is this: Heretofore there has been a tendency on the part of the various departments to furnish the information of their own activities for the use of their head, and from the information brought to him he drew conclusions, which in turn were assembled, and those conclusions made the basis for final consideration by some one person dealing with these many heads or by the President, as the case might be. The point I want to emphasize is the need of the gathering of statistics and evidence of the actual conditions in the various departments by one single agency of this Government. Presumably, that agency ought to be under the War Industries Board, in view of the very great powers that have been reposed in that board and in the chairman of that board by the President in his letter of some months ago. And if so brought there and so collated, I am sure it will help to simplify many of the problems.

Mr. DYER. Will the gentleman yield right there?

Mr. SHERLEY. Yes.

Mr. DYER. The Council of National Defense in its early history, and probably later on, collected a great deal of information regarding industries and those that could aid in the production of materials, supplies, and so forth, for the use of the Army. Now, I had occasion in the last few days to inquire of the Motor Truck Division of the War Department——

Mr. SHERLEY. I am quite familiar, if the gentleman will permit, with the activities of the Council of National Defense in that regard, and I am not referring to them. What I am referring to, and perhaps I am not making myself clear, is that all of the departments are gathering a great deal of information in their own interests, and the Council of National Defense is gathering a great deal of information in connection with the other departments.

Mr. DYER. That is what I want to say.

Mr. SHERLEY. I know that. But it does not reach the point that I am after, and nobody would be quicker to say so than Mr. Gifford, the director, and he has said so before our committee. What I am after is this, that there shall be a central organization, having the power of the President's warrant, not only to obtain from the different departments the statistics they desire to furnish but also to ask for and obtain any other statistics that such central organization may want, and if necessary make such inquiry as to ascertain whether these statistics so presented do or do not tell the full story.

Mr. DYER. And furnish it to those who need this information, which the Council of National Defense has not done in many instances.

Mr. SHERLEY. What I am anxious about is not simply to furnish information from and to the various departments but that it shall be so gathered as that it shall come to the President and his immediate advisers in order that he may, daily or weekly or at any other period, see in condensed form the actual situation that exists in the various departments. This, I think, will be accomplished.

Mr. MADDEN. Mr. Chairman, will the gentleman allow me to make a suggestion there?

Mr. SHERLEY. Certainly.

Mr. MADDEN. Would it not also be wise that in making this epitome of the activities of the department, coordinated as you suggest, for submission to the President, they should have that information available to the Members of Congress?

Mr. SHERLEY. No. I think not. There is a great deal of information that ought not——

Mr. MADDEN. I do not mean confidential information.

Mr. SHERLEY. Information that ought not to be made public, and I doubt very much whether much of it ought to be made available even to the various departments. I believe that Congress can not possibly perform the administrative function that is implied in the gentleman's question. I think that the Government ought to be in a position to give to the Congress information—accurate information—touching any matter about which Congress makes inquiry; but at any time to have available to congressional inspection this sort of information, I think would not be wise.

Mr. MADDEN. Of course, I had not any idea that it would be used for the purpose of admitting Congress into the management of the Government branches.

Mr. SHERLEY. I think it is not possible to take a condensation, such as this ought to be, of the daily activities of the

Government and make it available to all congressional inquiry without making it public, and I say that without meaning in the slightest degree to reflect upon anybody.

Mr. MADDEN. I think that is true, and I would not under any circumstances require that any part of it that should not be made public should be made public.

Mr. SHERLEY. I mean that it could not be shown to four or five hundred men at any time without it being practically made public.

Mr. MADDEN. We have daily statements sent to us by the Secretary of the Treasury as to the state of the Treasury, and if all the information collated from all the departments could be epitomized and sent in such form to the Members of the House and Senate, I do not think it would disclose secrets of the Government, and yet it would put Members of Congress in a position to be able to speak intelligently to their constituents as to the progress of the Government.

Mr. SHERLEY. What I am anxious about is that the President of the United States shall obtain in usable form the most accurate information possible of what is happening daily in the departments, and I say that simply because I believe that under our form of government and the present method of prosecuting this war there alone can come the information for successful use, and that is said without regard to personalities or parties.

Mr. MADDEN. I think myself that there is not anything more essential than the execution of the suggestion made by the gentleman, placing it in the hands of the President in such form that it would take him only two or three minutes to go over it and enable him to act intelligently in cases where he has now no information at all.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MILLER of Minnesota. I can not quite conceive that the President has the time to make daily an exhaustive study as to the conditions in each department.

Mr. SHERLEY. I did not mean that he should.

Mr. MILLER of Minnesota. Or perhaps even get an intelligent conception of the condition of the departments by a cursory view of a summarization which may be handed to him on a printed form. It seems, however, that the clearing out of information such as the gentleman suggests might be of great value.

Mr. SHERLEY. The gentleman misses my point, I think. Assuming that this power ought to be put in Mr. Baruch's board—and I say that because of the power already vested in that board by virtue of the President's letter to Mr. Baruch as chairman of the War Industries Board—it ought to be possible, with the right sort of organization there and the right sort of power—and I emphasize that word—for that organization to gather from each of the departments daily or weekly reports as to production and other important factors, and in obtaining that information exercise an independent judgment from that of the department itself dealing with the facts, as to whether the statistics tell the real story or not, and if they do not have them so amplified and so arranged that they shall. Then having had the story by virtue of statistics the summary of it can be made very briefly for the consideration of the President in connection with those conferences that are being held from day to day with the chief heads of governmental activity, and when a statement is made by the head of a particular department that things in his bureau are ruaning well, or that they have been out of joint but will run well, a test could be made, if need be, of the accuracy of his judgment as to the department by the facts. Some other man, looking at it from an outside view, might conclude that the reason why the things were not running well was other than what the man in charge thought, or he might ascertain that, instead of their running well, they were running badly; and in the last analysis, unless the President can get that sort of information in a sense disassociated from the men who are responsible for the work to which the information relates, he will be dependent upon the judgment of the men whose work may be properly the subject of criticism.

Mr. MILLER of Minnesota. I do not think there is any question about the soundness of the gentleman's proposition and his position, but I have in mind this thought that I would like to submit: The gentleman has been having, as we all know, most diligent hearings on the subject of this bill, as he stated, for months. If this information is to be gathered in this highly scientific manner—and that is the only kind of information that would be of very much value—does not the gentleman think that the proper place for it to be deposited would be his committee, or the Committee on Military Affairs, or the Committee on Naval Affairs, since it would be applicable there? I do; and let me add this as to the reason why:

Either the committee of the House should vote blindly for any sum asked for, or it should act intelligently on the matter. If we are to vote blindly, let us act quickly. If we are to act intelligently and the House is to cooperate in matters of this kind, accurate information should be available, and I can not see why that information should not be available.

Mr. SHERLEY. There is a great difference between voting moneys for a purpose and making inquiry as to whether moneys which have been voted have been efficiently or rapidly translated into things for which they were voted. The one is a legislative function, and a proper legislative function, and the other is an administrative function; and unless you are to disregard totally the distinction between legislative and administrative work you can not, according to my judgment, follow the suggestion just made by the gentleman from Minnesota. Congress ought to have information, and those two volumes of testimony, I think, are evidence of the fact that the Committee on Appropriations has tried to get information touching estimates that are submitted.

The other day I discussed what I think about the method of presentation of estimates. What is really needed is a new method of presenting them and a different sort of audit, an auditor who shall be responsible to the legislative branch of the Government. That I thoroughly believe in; but to undertake now to have Congress checking up figures as to daily production in various activities of the Government would be to make confusion worse confounded.

Mr. WALSH. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Massachusetts.

Mr. WALSH. Is it the gentleman's view that the President is without authority to effect such an organization as the gentleman has in mind?

Mr. SHERLEY. On the contrary, I think such an organization, if not now in existence, will be in actual working existence very shortly.

Mr. WALSH. I did not know but the gentleman was suggesting some legislation.

Mr. SHERLEY. No; not at all.

Mr. SANFORD. Does the gentleman think it is possible for Congress to keep itself informed with reference to the manner in which money has been spent in the past, until there is something that corresponds to an independent audit?

Mr. SHERLEY. I think it is not possible to do it expeditiously. Our committee have been trying to do it somewhat, and it is a task that will break any man.

Mr. SANFORD. But Congress as a whole certainly could not share in that task until there has been something corresponding to an independent audit?

Mr. SHERLEY. Of course, we have an audit.

Mr. SANFORD. Of course.

Mr. SHERLEY. And that audit, within the scope of the purposes for which it was created, admirably performs its work.

Mr. SANFORD. But of course that is an executive audit wholly.

Mr. SHERLEY. Whether executive or legislative, it does do what it was intended to do.

Mr. SANFORD. I do not doubt that.

Mr. SHERLEY. What it was intended to do is not wholly what should be done. I think the system that was inaugurated by Mr. Gladstone in connection with the English parliamentary procedure is a wise one. They have an auditing committee that is an independent department of government, and it acts as the right-hand aid of the committee on expenditures which Parliament has, and which is perhaps the second great committee of the Parliament. I believe something of that kind has to come in America. But I do not want to get off onto the budget question; that is too big a subject, and it is not going to be solved on this floor. I hope that very shortly Congress may feel warranted in creating a commission and placing at its disposal $100,000 or $200,000. That may shock some people, but I think that much money ought to be available to a commission to make a study and report of a complete reorganization touching the method of the presentation of estimates, audit of expenditures, and a reorganization generally of Congress and the departments.

Mr. SANFORD. I fully agree with the gentleman.

Mr. SHERLEY. We can not do our work fully and conscientiously unless we admit the need of reforming ourselves as well as reforming the departments.

Now, gentlemen, I want to call attention to the material reduction that has been made in this bill in connection with the shipping program, and I want to preface the detailed explanation with the statement that the reduction does not represent in the slightest degree a reduction in program. The committee

did not feel warranted in denying a single dollar to the Government in the prosecution of their shipbuilding program, and we have not denied a dollar which they now need. Anyone who is at all familiar with the amount of available tonnage existing in the world is perfectly conscious of the fact that there is a material shortage in that tonnage, and anyone who has even an elementary knowledge of the real basic problem underlying the prosecution of this war from our standpoint knows that its solution is dependent upon ships as much, if not more, than anything else, because we can not transport our forces across the ocean and support them effectively with materials without the ships. So the committee in its judgment would have been wholly unwarranted in undertaking to curtail in the slightest degree the estimates that were submitted in so far as they were really needed. There was asked by the Shipping Board the extension of their program which in money brought it to a total of $4,709,930,000, and which contemplated the expenditure of that money by December 31, 1919. There had been appropriated in deficiency acts heretofore $1,040,000,000. There is carried in this bill $1,761,701,000 additional, or a total of cash for the shipping fund of $2,801,701,000. And there has been authorized in this bill the right to contract for $945,549,000 additional, and there remains unappropriated $100,000,000 of an authorization for the requisitioning of ships made in the deficiency act of October 6, 1917, which makes a grand total of money and authorization of $3,847,250,000, or a difference between the total program presented by them and the total moneys and authorizations heretofore made and now proposed in this bill of $862,680,000. That difference is to be found in this explanation. The sum of $432,000,000 of the cut is in the operation of ships, and is due to the fact that in presenting estimates for the payment of charter hire for ships requisitioned for the fiscal year 1918 and for the fiscal year 1919 no account was taken of the receipts that would be available from the fees received for the use of these ships, the moneys that would thus be earned. And so, by the acquiescence of the board, this $432,000,000 is eliminated without in any wise changing the program.

We give them a working fund of $60,000,000 to aid them during the period between the paying of charter fees and gathering in of moneys for the use of the ships that have been chartered, and that is entirely satisfactory to them. That was one of the things that developed as a result of the examination, and I think if gentlemen will pay the committee the compliment of examining the hearings in connection with shipping they will think that the committee, at least, endeavored to ascertain all the facts.

Four hundred and one million six hundred and eighty thousand dollars of the reduction is accounted for by having made provision for the building program up to the 1st of April of next year, instead of making provision to the 1st of January, 1920. In other words, their program is a program, as presented in their estimates, for moneys and authorizations up to the 1st of January, 1920. It is perfectly apparent that Congress, in the short session, will pass another supply bill carrying items needed for the shipping program. It was clearly stated by these gentlemen on detailed cross-examination that if given the amount of cash and authorization carried here they would be able to go forward without the slightest interruption in the program. Twenty-five million dollars for port facilities was eliminated, not because that money will not be needed but because the gentleman presenting that item very frankly stated to the committee that it was a matter that only recently had engaged the attention of the Shipping Board and of the construction department of the Emergency Fleet Corporation, and that they were not prepared at this time to give any details to justify the amount. We believed that if it was necessary it could be taken up by the Senate Committee on Appropriations at a time when they would be able to get more information than we had and could be dealt with in conference.

There was a further cutting of $4,000,000 for the personnel, due to the fact that we thought the estimate did not warrant the full amount they submitted at this time. These four amounts represent the cut of $862,680,000.

I desire to say that, in the judgment of the committee—and I am warranted in saying that it agrees with the judgment of the Shipping Board and the Emergency Fleet Corporation—that the amounts we have given here are adequate for carrying out every item provided for in their entire program.

It was testified to by Mr. Piez, of the Emergency Fleet Corporation, that we would have at the end of this year and for the next year a building capacity of from seven to eight million tons dead-weight. Mr. Schwab, in his testimony, was in some doubt as to whether we would have more than six or possibly seven million tons dead-weight capacity, but he felt, and other gentlemen agreed with him, that it was highly desirable that there should be such increase in the capacity of this country as to give to us the certainty for the next calendar year—and in speaking of tonnage capacity they were speaking of calendar rather than fiscal years—the next calendar year a tonnage capacity of at least 8,000,000 tons dead-weight, and possibly a capacity of 10,000,000 tons.

Mr. LONDON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONDON. Will the gentleman state what dead-weight means in reference to tonnage capacity?

Mr. SHERLEY. I will not undertake to do it now, but I will put in the RECORD a definition by Admiral Capps given last year at my request, anticipating such an inquiry as this. He gives the definition of dead-weight capacity, gross tonnage and net tonnage, and the definition is more or less technical.

Mr. MADDEN. As a matter of fact, it is only about 60 per cent of the actual carrying tonnage of the ship, is it not?

Mr. SHERLEY. It depends somewhat on the character of the ship and upon a good many other factors, and that was the reason that I did not care to trust my memory. I am not a shipbuilder nor a navigator.

DEFINITION OF VARIOUS TONNAGE TERMS.

In general, each maritime country has laws framed in great detail, defining the procedure by which the tonnage of vessels shall be obtained; this tonnage being used to determine charges against the vessel for port dues, pilotage, etc.

There is a general similarity in the laws and rules for obtaining the British, American, Suez, and Panama tonnage measurements of ships.

The British and American tonnage rules are defined quite definitely by statute, responsibility for interpretation being delegated by statute.

The Suez tonnage rules were formulated at a convention of representatives from the maritime nations, who met at Constantinople.

The Panama tonnage rules were prepared under the direction of the President, as authorized in the Panama Canal act, and are the result of a careful study of all the preceding rules relating to tonnage. They were made law by proclamation of the President.

The following definitions, though generally applicable to all the above tonnage rules, are particularly applicable to the American.

Displacement tonnage is the actual weight of the ship in any predetermined condition as regards cargo, fuel, stores, or crew in tons of 2,240 pounds each.

Gross tonnage is in general the total volume of the ship, including deck houses, expressed in tons of 100 cubic feet each. The gross tonnage gives a comparative idea of the size of the ship.

In the determination of gross tonnage the rules in certain cases permit the exemption from the gross tonnage of spaces such as inner bottoms when used for salt-water ballast, compartments above the highest complete deck necessary for the operation of the vessel and compartments for the accommodation of passengers when they are above a certain limiting deck and located in superstructure.

Net tonnage is the difference between the gross-tonnage measurement of the vessel in cubic feet and the measurement in cubic feet of certain spaces used for propelling power, fuel, compartments necessary for the operation of the vessel, and crew's quarters, expressed in tons of 100 cubic feet each. The net tonnage is supposed to give a measurement of the earning capacity of the ordinary type of cargo vessel, but owing to the allowances permitted for large machinery spaces it can occur in certain types of high-speed passenger vessels or naval vessels that net tonnage is of no value as an indication of the size of a vessel. In fact, it might possibly be a minus net tonnage.

Register tonnage is the term usually applied in the United States to net tonnage.

The dead-weight tonnage is the load, expressed in tons of 2,240 pounds, which the vessel can carry without being overloaded. This load consists of cargo, fuel for the voyage, water, crew, and stores, and is the term generally used by shipping men to indicate the size of the vessel, but it should be noted that a vessel may not necessarily be able to carry this load in case the cargo is of a light, bulky character.

Cargo tonnage is the weight of cargo, expressed in tons of 2,240 pounds each, which the vessel can carry in addition to her fuel, stores, and crew and effects without being overloaded. As is the case with dead-weight tonnage, the vessel may not necessarily be able to carry this cargo tonnage if the cargo is of a light, bulky nature.

BRITISH VESSELS.

Lloyds Register gives for each vessel the gross, underdeck, and net tonnage. The underdeck tonnage is the gross volume of the vessel to the upper deck and is used as one of the factors in determining the freeboard mark; that is, the depth to which the vessel can be legally loaded and sent to sea, and was originally developed for use of British vessels.

Mr. HARDY. I hope the gentleman will put that definition in at this point in his remarks.

Mr. SHERLEY. It is proposed to spend $100,000,000, perhaps $150,000,000, although they seem to think $100,000,000 will do it, in enlarging shipbuilding plants, so as to bring about this increase in tonnage capacity in the shipyards of America. It was believed by Mr. Schwab that it was not desirable to create new plants, particularly not desirable to create new fabricating yards, because the present yards, when completed, will consume the capacity of the country to furnish the fabricated steel; and if that capacity is to be increased, it might as well be increased at the regular yards rather than in the interior. It was believed further that where you have existing shipyards with an efficient management it was more practicable to enlarge and extend them than it was to create new ones, with the difficulty of working up an efficient organization.

The real problem in connection with the shipbuilding program, in my judgment, is going to be, what I have long thought it would be, the problem growing out of the shortage, not of hulls, but of the machinery for propelling ships. We are going to turn out steel hulls, wooden hulls, and concrete hulls very much faster, in my judgment, than we are going to be able to equip those hulls with machinery.

There has been a considerable agitation in this country for the building of concrete ships. I am not going to undertake to discuss how far that agitation is warranted by proved facts. But it was testified before the committee that the Shipping Board had asked and was prepared to spend $50,000,000 in the making of concrete ships, and the committee has added that sum to the very large amount recommended in the bill for the building of ships.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield for a moment?

Mr. SHERLEY. In a moment. We did that in order, if the Congress agreed with the recommendation of the committee, that it might be an indication that $50,000,000 had been provided for concrete ships. However, I want to say in passing that there is not now in the law and never has been in the law one single line that in any way restricted the Emergency Fleet Corporation or the Shipping Board in the character of ships they should build. Congress, in my judgment, very wisely left those gentlemen the right and the responsibility of determining whether ships should be of wood, of steel, or of concrete, and the type of the ships in regard to the size and other characteristics, and Congress ought not to assume to pass judgment upon the wisdom of building one type of ship as against another. In view of the fact that they themselves recommended $50,000,000, and in view of the known agitation in favor of the appropriation of less money, we gave them $50,000,000 in addition to what they need for their wood and steel program. All the money is available for concrete ships if they desire to spend it in that way.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONDON. The committee then proceeds upon the theory that the respective merits of these three classes of ships have not yet been shown and are still in a state of experimentation.

Mr. SHERLEY. Not necessarily. I may have an opinion of my own, but I think my opinion as to which ship is the better ship is not worth while, and I certainly think it not worth while to the extent of my voting to compel men whose business it is to know to take my judgment as to which type of ship shall be constructed.

Mr. HICKS. If the gentleman will permit, and if it is proper for him to answer, would he mind telling us on just what plan money is loaned by the Government to these shipyards in order to build yards and ships? What is the general basis of those advances?

Mr. SHERLEY. I have some knowledge in respect to that. It varies in different cases. The Government has constructed three large yards—one at Hog Island, one at Bristol, one at Newark, and one is to be constructed at Wilmington. They are Government yards and will be owned entirely by the Government. There are various forms of contract touching the amount of money to be paid for the construction of ships and the building of yards, but the Committee on Appropriations did not undertake to function on that matter, and it did not for this very good reason, to its mind: The Committee on Commerce of the Senate has taken testimony that fills two large volumes upon that subject. They have gone, presumably, exhaustively into the question of the Hog Island yard, as to whether it has been economically or extravagantly built, as to whether it is wise or unwise. We felt that to undertake that was to duplicate their work, and it was impossible to do it and present to this House this sundry civil appropriation bill in time. I want to say to the gentleman, however, that he will find a very interesting statement by Mr. Schwab, touching all of the shipyards on the Atlantic coast, which he visited after becoming connected with the Emergency Fleet Corporation. That statement as to the general character of these shipyards is exceedingly flattering to the people who planned them. By that I do not mean that Mr. Schwab undertook to pass judgment upon costs, but the statement that he makes as to those yards and as to their capacity to perform the work for which they are created and the wisdom with which they have been created, from an economic standpoint, is complimentary.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. ALEXANDER. I wish to say that nearly a year ago I collected all of the data available at that time in reference to concrete ships. More than a half century ago concrete was used for the construction of vessels of small tonnage, particularly barges; first, I think, in Italy; but the *Faith*, a concrete ship of 7,500 tons burden, was launched recently at San Francisco, and on a trip from San Francisco to Seattle, under the most adverse circumstances, it proved equal to all of the exigencies of the trip.

Mr. SHERLEY. I received a telegram to that effect from the people who are interested in the ship *Faith*, and I have no reason to question the accuracy of it.

Mr. ALEXANDER. I wish to say this, that I have never yet been convinced from experiments thus far made as to the utility and seaworthiness of concrete vessels of large tonnage. I do not think it has been absolutely demonstrated.

Mr. SNELL. Could the gentleman tell me whether the Government is encouraging or assisting in the building of any new yards at the present time?

Mr. SHERLEY. I think the Government is proposing an extension of existing yards. As I stated awhile ago, it is Mr. Schwab's idea that $100,000,000 at least should be expended in that regard, not simply in yards, but also in plants for machinery, with the idea of increasing, as I stated, the tonnage capacity of the yards in America to 8,000,000 tons dead weight.

Mr. SNELL. Have all of the small yards all the work they can do at the present time?

Mr. SHERLEY. As far as I know all of the yards that are capable of building the kind of ships that are needed are engaged in building them. I want to state that there was submitted to the committee a document showing every shipyard in America with which the Government has contracts and the character of the ships they are building, the extent of the completion of the ships, and the cost per ton of the ships, with a recommendation on the part of the Shipping Board that it should not be made public.

For that reason it was not published and while it does not undertake to give the details of the contract in the sense of the exact terms it does give the cost per ton and a general note as to kind of contract.

Mr. SNELL. The reason I asked that question was a short time ago several of the small yards could not get contracts, and I wondered if they have been filled up lately.

Mr. SHERLEY. As far as I know most of the yards that are really in a position to build ships of the kind wanted are actively engaged. Of course, when this whole ship scheme started there were a great many men in America who believed that if they got a contract they could create a yard and build a ship, and particularly did they believe that they could, if by virtue of an offer of more money they could get the technical help, but in so doing they would break up the organization of some of the going ship yards in order to create their own, and with the result that their efforts simply served to hold back rather than push forward the work of building ships.

Mr. SNELL. The yards I had in mind were yards that had been building ships for several years and were fully qualified and knew the ship building business.

Mr. SHERLEY. I do not recall that we directly asked that question, but we certainly got the impression, and if the gentleman will read the hearings I think no doubt he will find warrant for it, there were no yards capable of building ships, such as outlined in the program of the Army and Navy and Shipping Board, which were not being employed. And I ought to say now what I should have said earlier, that this program of ships is a program which was quite recently presented by the Army and Navy and agreed to by the Shipping Board in connection with the Government needs for the prosecution of this war and is an enlargement of any other program that has ever heretofore been in contemplation or submitted to the Congress.

Mr. Chairman, how much time have I used?

The CHAIRMAN. The gentleman has used 52 minutes.

Mr. SHERLEY. Passing now from the question of the shipbuilding program and the appropriations made for it, I desire to call attention very briefly to appropriations that are made for the Food and Fuel Administrations and for some of the other activities of the Government. There is carried in this bill money for what might be designated new services—services that have grown up by virtue of the war and which in large measure, if not entirely, should disappear with the ending of the war. For instance, the Alien Property Custodian is conducting a business that exists only by virtue of our being at war, though it will of necessity continue a considerable time after the war in the winding up and settlement of alien property estates. The Council of National Defense work, of course, is of a war character. The Department of Labor has a program which is a very great enlargement of anything that has ever heretofore been suggested in connection with labor activities and

about which under the five-minute rule, if the House should be interested, the committee will give more detailed information. The Food Administration and Fuel Administration grew up out of the war. The War Industries Board and the War Trade Board are activities directly connected with the war.

Now, touching the Food Administration, there was submitted to us an estimate of, as I recall, $12,000,000, of which $7,200,000 was for expenses in the field. The committee has allowed $7,500,000 for the Food Administration. The hearing is pretty full, I think, in connection with the activities of the Food Administration, and we have endeavored to allow them money sufficient to carry on their work. Men will differ as to the wisdom of some of their activities, but the Committee on Appropriations had the mandate of the food law, which had been passed by the Congress, touching this bureau and have endeavored to carry out that mandate, having in mind a requirement of economy on the part of the Food Administration.

The statement made by Mr. Hoover as to the holding of prices to a level and the preventing of runaway prices is an exceedingly interesting one, and if his statement is accepted—and I am not prepared to say that I challenge it—is ample warrant for the expenditure of the moneys that have been expended and the moneys that it is proposed to expend. Manifestly touching food services and affecting food control, there is one of three positions that can be taken: Either the Government can leave the field alone and let the prices run riot as the result of unusual demands with a limited supply, and leave to the longest purse the obtaining of quantities of food, or it can undertake to regulate in every particular the prices that shall be paid for every article of food; or it can undertake to eliminate certain speculative features and to control in a certain degree the prices, controlling, as we are now controlling in large measure by control through a central source the buying of food for the Government and for our allies. Mr. Hoover goes carefully into detail in connection with these matters and presents a statement as to the difference between the price that wheat brought to the farmer and the price that flour was sold to the consumer over three-year periods that would seem fully to warrant the action that has been taken by the Food Administration in connection with the control of this most basic food commodity. We believed that in making the reductions which we have recommended we would not in any way cripple the activities of the Food Administration. Some of their plans necessarily are nebulous and estimates are somewhat speculative. We felt that by curtailing these amounts it would place upon the Food Administration the need for added safeguarding of moneys and the prevention of waste. Mr. Hoover is a man of unquestioned great ability. He has surrounded himself with men of talent and they are doing work of first magnitude, and what I say of him I think it is proper to say generally of the men who are at the head of these new departments. Whether we agree altogether with their views or not, they are bringing to the discharge of their duties a patriotism and ability that will merit the commendation of all and should receive now the praise of those who are familiar with their work. [Applause.]

Of necessity we must give them moneys largely in lump sums and trust to their judgment and patriotism in holding down expenditures. The difficult problem that the appropriating committee had, and that the Congress will have, is in keeping a proper sense of balance. There are hundreds of little things that people can find to complain of if they are looking for things to complain of, but it does not follow that a particular department is not being well run or that things are all going to pieces. In point of fact, I think after two or three months of daily contact with the various agencies of the Government we came to this conclusion, that things on the whole have improved; that these various administrations are shaking down and are becoming more efficient. There is duplication. There is a performance of much work concerning which men have serious question. There is a great deal of work in the way of forming public thought, in the way of conservation of food and fuel, as well as other activities that men would question and in ordinary peace times would absolutely reject; and yet it remains that, speaking by and large, these departments have improved and are becoming more and more efficient.

It is impossible for me to give a review that would mean anything in a speech now. I should have to speak for days in order to do it, and I am speaking now without the opportunity for preparation of notes at all.

Mr. LONDON. Will the gentleman yield?

Mr. SHERLEY. In just a moment and I will.

There are in these hearings many interesting statements in which I believe gentlemen will be very much interested, particularly the preliminary statements, and the detailed statements of Mr. Baruch, Mr. Hoover, Mr. Garfield, Mr. McCormick, Mr. Palmer, and Mr. Gifford in connection with their activities. And they will get a very much better idea of the situation than I could hope to give by any résumé here.

Mr. LONDON. I agree with the gentleman that the work of the Food Administrator is one of the most valuable activities of the Government now. What I am concerned about is the fact that the Food Administration has asked for $12,000,000 and the committee gave them only $7,000,000. Now, the difference between the amount asked and the amount appropriated is so great that the committee evidently has reduced the scope of the activities of the board. I think those were the figures stated, but, at any rate, the reduction is so large that the committee has evidently contracted the scope of the work of the Food Administrator, a thing which would be undesirable.

Mr. SHERLEY. I think the gentleman's conclusion is not entirely warranted. The estimate was based upon an activity extending to July next year, whereas Congress will not only be in session in December, but it will have presumably passed before its adjournment on the 4th of March moneys for these very activities, and if we have curtailed too much the remedy can be easily applied. And even in December deficiencies could be submitted. But there are some activities that the Food Administration suggested that we were not at all sure will require the money that they say will be required, and those activities are such that they have not any accurate information concerning them. And with perfect candor they confessed that their estimates were merely estimates. The committee thought, inasmuch as those gentlemen were guessing, and necessarily guessing, that perhaps we would be pardoned if we did a little figuring of our own, and did it on the side of the Treasury.

Mr. MONDELL. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MONDELL. Is not this also true, that in presenting his estimates, and in presenting some of the other estimates, the estimates were based on the largest possible activities contemplated, some of which would only be necessarily under a condition which may not arise, and that therefore, even from the standpoint of these gentlemen themselves, their estimates would bear some proof?

Mr. SHERLEY. For instance, there was an estimate submitted for State administrators of $2,272,000, city administrators of $400,000, and for county administrators of $4,528,000. Take the county administrators, that item was predicated upon an expense of $1,500 a county, and upon the idea that certain clerical work would have to be supplied and paid for. The committee believed that a good deal of that clerical work could be obtained at a cheaper rate than they estimated for, because it would be partially voluntary; and so with some other of the items. Therefore the cuts were made accordingly.

Now, gentlemen, I have spoken longer than I intended to do. I shall be glad, if I can, to supply during the consideration of the bill under the five-minute rule any information that I may have at my command.

Mr. LONDON. There is one other thing I wish to ask the gentleman, if he will permit. Will the gentleman state what new legislation the bill carries, if it carries any at all?

Mr. SHERLEY. Whatever new legislation is contained, and it does carry some—largely what might be termed administrative legislation—is set out in italics in the report.

Mr. McKEOWN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. McKEOWN. In talking about the Food Administration I notice that in imposing fines they are paid to the Red Cross and institutions of that character, and I would like to ask if there is any provision contemplated for paying them into the Treasury? Was there anything said about it before the committee?

Mr. SHERLEY. Nothing developed about that at all. I have no information about it.

Mr. SNOOK. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNOOK. The gentleman spoke about the appropriation for the bureau having in charge the trading-with-the enemy act. How much is the estimated cost? How much does the bill carry?

Mr. SHERLEY. The War Trade Board asked for $4,110,607, and we gave them $3,500,000.

I am obliged to the committee and reserve the balance of my time. [Applause.]

Mr. MONDELL. Mr. Chairman, a great deal of legislative work is rather dull, drab, and uninteresting. That particularly applies to matters of appropriation. The appropriation committees of Congress, and of the House particularly, have an arduous and trying task to perform in their hearings and in the making up of their bills. While these matters are all tremendously vital, some of them are not particularly thrilling. They are of the character of real, downright, hard trench work.

If there is an appropriation bill reported by a committee of Congress that is really tinctured with romance, it is the sundry civil bill, for, as the gentleman from Kentucky has well said, it touches at some point or place practically every activity of the Government, and its items not only refer to activities infinite in their variety but related to the work of the Federal Government extending as far as the flag flies. The sundry civil bill deals with our activities from the Panama Canal and in all the intervening territory to far-away Alaska and Pribilof Islands, in the great waste of the North Pacific and the Arctic Oceans. Its items have to do with governmental activities extending from the Virgin Island to the Philippines and throughout all the territory between. The hearings on the bill, therefore, trying and arduous as they sometimes are, have in them much of live, popular, almost romantic interest; and that is particularly true in these days when the Government is embarking on a variety of enterprises entirely new to our governmental experience, enterprises many of which we hope will continue only during the period of the war, for they are strictly war activities.

As the chairman of the committee has stated, the committee was engaged almost continuously for three months in the preparation of the bill and took 2,500 printed pages of testimony and quite as much that was not printed—informal discussion to inform the committee and to lay the foundation for the definite questions and answers that make up the record.

On behalf of the minority I want to say that the chairman of the committee, the gentleman from Kentucky [Mr. SHERLEY], was most able and intelligent, as he always is, in conducting the hearings. He was also very thorough and very searching in his inquiries. Sometimes in conducting inquiries into governmental activities there may be matters and things with which the minority may consider itself rather more interested in securing detailed information than the majority in control, but in the hearings on this bill the minority has had no cause to complain of any lack of thoroughness on the part of the chairman of the committee in going into every detail of activities that have been questioned and that have been more or less criticized, with a view of determining the facts; not only facts that were entirely creditable, but facts that might form the basis of criticism.

There is ordinarily very little of politics in the consideration of any appropriation bill; there should be none in time of war. That should and does, I think, particularly apply to the sundry civil bill at all times. But just now we are engaged in certain activities, new, growing, wide in their scope, and far-reaching in their effect, which have been more or less criticized. Relative to such activities it is important that all essential facts shall be brought out in the hearings that the committee and the House may be informed by reading of the hearings of the facts on which they may base an estimate of the wisdom or lack of wisdom shown by the executive officials who have carried out or attempted to carry out the mandates of Congress. I believe that in these hearings all who are interested in knowing the facts, so far as we could in the time at our command bring them out in detail, will find the facts set out in a way to be thoroughly informing.

For the first time since the war began a committee of Congress has set about examining the detailed estimates of many of the new war activities. For the first time a committee of the House has been called upon to inquire in detail into these activities, to learn of their character and extent, to secure the viewpoint of the men who are in administrative charge, to go into detail in inquiry and investigation as to the purposes for which the sums estimated are to be used and the lines which are expected to be followed in the expenditure of the public money. For the first time a committee of the House has gone carefully, from the viewpoint of detailed annual appropriations, into the activities of the Food Commission, the Fuel Commission, the great Emergency Fleet Corporation, and the Shipping Board, that will have to do with the management of the great fleet that is being created. For the first time a committee of Congress has reviewed the activities, from the standpoint of the estimates for an annual expenditure of money, of the Council of National Defense, the War Industries Board, the War Trade Board, the Alien Property Custodian, and various others of the new and widely extended and constantly growing activities of the Government connected with the war.

In addition to that, the committee has had to consider new activities of established bureaus, such as the new activities of the Federal Trade Commission, growing out of the obligation placed upon that commission by order of the President to inquire as to costs of manufacture and production in a very wide variety of lines. The committee, which ordinarily does not appropriate for all of the wide activities of the Department of Labor, had placed before it estimates and proposals practically doubling the activities of that department along war lines and touching activities related to and connected with the present war situation.

Mr. AUSTIN. Mr. Chairman, would it interrupt the gentleman for me to ask him for some information connected with the pending bill?

Mr. MONDELL. Not at all.

Mr. AUSTIN. I want to know something about when we are to expect the completion of the Grant Memorial, at the foot of the hill, in the Botanic Garden?

Mr. MONDELL. So far as I now recall, that is about the only activity under the flag which was not considered by the subcommittee; and when I come to think of it, that is not extraordinary, because that is not an activity, but a lack of activity, and I presume we were not called upon to pass upon the matter because it is not an activity at this time.

Mr. SHERLEY. If the gentleman will permit, I think either in these hearings or some other before the committee it was testified that the sculptor, who had been ill, hoped to get the rest of the group finished in September, as I recall it. I do not recall definitely, but there was some testimony by the superintendent, Col. Ridley, to the effect that they were making progress now and hoped to get it done, I think, some time at the end of the year.

Mr. MONDELL. The Chairman reminds me. I do now recall that there was incidental reference to the matter, and the hope was expressed that the work would go on rather more rapidly than in the past.

Mr. AUSTIN. I think I have called attention to this item and this uncompleted monument for 10 years in this body, and I think the only answer is that the sculptor is unwell. I would like to know if he is hopelessly sick and bedridden, and whether in our lifetime we shall see the completion of this monument?

Mr. MONDELL. Now that the gentleman reminds me, I find we have this information in regard to the matter, which I did not recall at the moment, because we did not pass upon it affirmatively in the way of an appropriation: The chairman asked Col. Ridley, in charge of public buildings and grounds, whether the sculptor was well enough to go on with his work on the statue? Col. Ridley said:

> Yes, sir; and not only on that, but on two panels that go on either side of the central figure. Those panels he expects to complete by the 1st of September. Now, as to when the unveiling will take place, I do not know yet, because we want to see the figure in place before we make any plans.

We all join the gentleman from Tennessee in the hope of the early completion of that monument, and I for one have every confidence that when completed it will be worthy of the great captain in whose honor it is erected, and will be in every way a satisfactory monument to him.

Mr. AUSTIN. The gentleman is really hopeful that in our lifetime we will see the completion of this monument?

Mr. MONDELL. Not only that, but that while the gentleman and I are still in Congress that will be done. [Applause.]

Mr. Chairman, the reductions in this bill below the estimates are very great, principally relating to the estimates of the Fleet Corporation. They have been fully explained by the chairman, Mr. SHERLEY, and I shall not go into that matter in detail, or say anything further in regard to that or the other large reductions, than to emphasize the fact that the committee has not knowingly or intentionally failed to recommend a single dollar necessary for our essential war activities. The hearings have again illuminated the fact—and it is a fact that should be borne in mind by gentlemen who believe in a certain kind of budget in this country—that the committee after searching inquiry and investigation have been able to convince the gentlemen responsible for some of the estimates that their estimates were unnecessarily high, that the activities which in their judgment were essential might be carried on for a considerably less sum than they had in the first instance considered necessary.

Mr. Chairman, I want to ask the gentleman from Massachusetts [Mr. GILLETT] if he desires to use the time which I had reserved for him?

Mr. GILLETT. Mr. Chairman, I am sure the gentleman will use it a great deal better than I would, and therefore I will not accept his kind offer.

Mr. MONDELL. I thank the gentleman. Therefore I will use 15 minutes more.

The committee necessarily had before it at all times a realization of the condition of war, and as many of the estimates in the sundry civil bill relate to activities not directly or indirectly connected with the war or its prosecution, the committee felt it its duty to examine carefully all such estimates with a view of keeping the appropriations as low for those classes of activities as

they could be kept, without improperly or unwisely halting work in progress or programs mapped out and in process of completion. And while there has been some considerable reduction in the aggregate of the estimates for those classes of activities, the committee is of the opinion that in no case are these reductions great enough to interfere seriously with such proper continuation of those activities as are justified under existing conditions. We realized that not only would it be unwise to spend the public money on enterprises not essential to the conduct of the war to an extent that might be justified in time of peace, but over and beyond that was the question of using the man power of the country in enterprises of this kind who might be needed either on the fighting line or in the industries that are directly related to the carrying on of the great conflict.

On page 4 of the report of the committee will be found a list of the principal reductions contained in the bill below the amount carried in the current sundry civil bill for the same purposes. The current sundry civil bill, for all purposes other than those of ship construction, aggregated something over $208,000,000, while the appropriations carried in this bill for like services amount to $155,000,000, a very considerable reduction, and yet in the opinion of the committee not a reduction that will be permanently harmful or injurious to any Federal activity.

Mr. MADDEN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MADDEN. What does the gentleman mean by "permanently harmful"?

Mr. MONDELL. I will correct that expression; it is not accurately expressive of my thought.

Mr. MADDEN. Because, after all, time is the essence of everything now.

Mr. MONDELL. I think I can truthfully say not to an extent harmful, either temporarily or permanently. Of course, there are gentlemen engaged in Federal activities entirely unrelated to the war who are just as sincere and conscientious in their views as to the necessity of carrying on their work under a full head of steam as are the gentlemen who are engaged in the most essential of the war industries; and if we took the view of those gentlemen in all cases, of course we would appropriate for them as though war were not in progress, but I know the gentleman from Illinois would not approve that viewpoint.

There is a reduction below the current appropriations for public buildings of $12,750,000; a reduction below the current appropriation for armories and arsenals of nearly $30,000,000.

Mr. MADDEN. I presume the reduction on the armories and arsenals is due to the fact that we have already constructed these arsenals and armories, is it not?

Mr. MONDELL. That is true to a certain extent. It is due largely to the fact that temporary construction has taken, or will take, the place of permanent construction contemplated, and where that is not the case the permanent work is not essential at this time.

Mr. MADDEN. And the facilities are already in existence to do the things that are necessary for the war.

Mr. MONDELL. That is true. No facility will be lacking by reason of failure to appropriate. As a matter of fact, the department in charge of these activities withdrew the estimate for these items. In the item for construction of barracks and quarters there is a reduction of $7,000,000, due to the fact that barracks and quarters have been constructed in connection with the war activities, and temporary quarters will be provided where otherwise permanent construction might have taken place.

There is a reduction of over $9,000,000 in the appropriation for the Alaskan Railway, but that reduction will in no wise interfere with the steady and reasonable development of that great enterprise, as the bill carries an appropriation of more than $5,000,000 for that purpose.

Mr. MADDEN. Will the gentleman yield right there?

Mr. MONDELL. Yes.

Mr. MADDEN. I remember at the time we authorized the construction of the Alaska Railway I was opposed to it, and I was rather inclined to believe that it was being built as a sort of experimental proposition, without much hope of development as the result of the railroad construction. What progress have we made and what is the outlook for its completion; and, if the gentleman knows, what advantages will accrue to the development of Alaska by reason of the construction of this railway?

Mr. MONDELL. Very good progress has been made. The work has necessarily cost something more than was anticipated, but not so much more as many works of the same character nearer home. The work is progressing fairly well, and we hope for development there as a result of the work. The construction that is provided for in this bill will do more toward making the Alaskan Railroad available for coal shipments and for local use than all the expenditures made up to this time.

Mr. WELLING. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. WELLING. Referring to the first item the gentleman read as to public buildings, does the item of $12,000,000 decrease represent the total cessation of work on buildings throughout the United States?

Mr. MONDELL. It represents the total cessation or stoppage of all construction except as to buildings under contract or buildings absolutely essential to the activities of the Government. Otherwise all construction has been stopped by order of the Secretary of the Treasury and appropriations are made only for buildings under contract at the time the estimates were considered or by reason of the local situation considered essential at this time. There is a reduction of over $3,000,000 in the appropriation for the Panama Canal, although the bill carries a sufficient sum to keep the canal going in good shape and care properly for that great enterprise.

Mr. MADDEN. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MADDEN. I would like to know, if the gentleman can tell, whether the canal has earned sufficient income to pay for its own expenses in the last year?

Mr. MONDELL. It has not earned quite enough to pay its expenses.

Mr. MADDEN. What is the shortage?

Mr. MONDELL. Offhand I could not give the figures with absolute accuracy, but my recollection is that the receipts from tolls for the fiscal year ended June 30 last were about five million six hundred thousand and the cost of operation about seven million, a difference of about one million four hundred thousand as between the cost of operation and the receipts. The gentleman understands, of course, that the war has very greatly interfered with the use of the Panama Canal, and my own opinion is that, in view of the state of war, the showing is excellent.

Mr. HICKS. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. HICKS. I was about to ask the same question that was asked by the gentleman from Illinois [Mr. MADDEN], and especially if the war did not have a great deal to do with the falling off of revenue. What I want to ask is, is a part of the money appropriated to be used in dredging the slides in the canal, or is it for the maintenance of the normal condition?

Mr. MONDELL. The dredging of slides is a part of the ordinary maintenance of the canal. The great slides have been entirely removed, and the only considerable amount of material that now comes into the canal is material gradually coming in from the toe of the old slides. It is not coming so rapidly but what it can be readily removed by the dredges that are constantly at work.

Mr. HICKS. It is to maintain the normal condition at the present time, and in order to dredge these small slides?

Mr. MONDELL. It is; we have passed beyond the danger of great slides, beyond the probability, and one might almost say the possibility, of any further slides that can or will interfere with the continuous use of the canal to its full width and full depth.

Mr. SNOOK. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SNOOK. I want to ask the gentleman a question not connected with what he has been stating, but the chairman said that the committee had Mr. Hoover before it. The food-control bill allowed the President to fix the minimum price of wheat. Did the committee go into the question with Mr. Hoover of how the maximum price was maintained in the United States?

Mr. MONDELL. We did go into that matter somewhat, but did not go fully into that line of inquiry, because it has been gone into by other committees of the House and has been discussed extensively in both House and Senate. The gentleman realizes that we did not have an opportunity to cover all possible fields of inquiry in connection with the Food Administration. In conclusion, let me say that in making up this great bill we have had in mind at all times the fact that the first and essential enterprise of the Government and the people is the successful prosecution and the winning of the war. To this great purpose all else must for the time be subordinated. No sum has been withheld that, in our opinion and in the opinion of those charged with responsibility, is necessary to the carrying on of the great enterprises and undertakings we are engaged in to stimulate production, to effect conservation, to provide transportation on land and sea, and to marshal and

utilize all our resources to the successful prosecution of the war.

We have not crippled or unduly curtailed any worthy or useful enterprise of Government provided for in the bill, but our primary aim and purpose has been to amply provide for all activities related to the great industries of production and manufacture that contribute to our success in the war. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. MCARTHUR].

Mr. MCARTHUR. Mr. Chairman, shortly after the United States entered the present war there was adopted, by common consent, what is known as a service flag or service badge, which is entitled to be displayed or worn by those organizations who have members, or those persons who have relatives in the Army and Navy of the United States. These flags or badges have a red border, a white body, and blue stars—the latter indicating the number of men in the service. In cases where a soldier or sailor has met his death the wearer of the service badge, or the organization displaying the service flag, is entitled to substitute a gold-colored star for one of blue color.

Mr. HICKS. Will the gentleman yield?

Mr. MCARTHUR. Certainly.

Mr. HICKS. In order to make the record complete, in addition to the gold star, to represent a death, a silver star represents a wounded soldier or an invalid.

Mr. MCARTHUR. I am glad the gentleman called my attention to that; I had overlooked it. These badges and flags are marks of distinction of which any citizen of the United States, or any organization, may well feel proud. They represent the prompt and cheerful response made by the young manhood of this Nation in this great war for human rights and human liberty against the dastardly menace of Prussianism. They also represent the patriotic purpose of the fathers, mothers, wives, and sisters of the land as well as the numerous organizations that have furnished men for the service. They stand for our national aims and purposes, and our willingness to make any sacrifice for the great cause to which we are committed. They are badges of service, showing that certain blood relatives, or lodge or club members or employees, are either exposed to the bullets or gas bombs, or submarines of the Huns, or are willing to be exposed, and, if necessary, to make the supreme sacrifice.

The United States Shipping Board, I regret to say, has seen fit to supply its shipyard employees with service flags modeled exactly after the regular service flag, but also bearing the inscription, "United States Shipping Board." These flags are being furnished free of cost to Government shipyard workers who are displaying them in their windows, indicating that a member or members of the family are serving the Government. There can be no objection to shipyard workers having a patriotic badge of some character, but I submit that they are not entitled to wear a badge that in any way resembles or can possibly be mistaken for the service badge or flag which represents Uncle Sam's fighting men.

If the shipyard employees are to have badges, how about the great army of men on the farms who are producing food for our armies? How about the men who work in the munition plants or on the railroads that have recently been taken over by the Government? All of these classes of Government employees and food producers are just as much entitled to badges of honor as the man who works in the shipyard.

Let us compare the sacrifices made by shipyard workers and by men in the Army and Navy. The shipyard worker gets big wages and works short hours. He lives at home with his family. If his job does not suit him, he can quit and seek more congenial employment. He has several hours per day for recreation and amusement. He has been known to strike for higher wages and recognition of his union. It is true he is exposed to some hazards, but they are insignificant as compared with the hazards of the submarine and the gas bomb.

On the other hand, the man in the Army or Navy receives low wages, takes such accommodations as he can get, is under strict discipline, and if he quits his job or should encourage a strike among his comrades, he would face a firing squad. He leaves a home, father, mother, brother, sister, wife, and children. He runs the risk of being taken a prisoner and suffering outrage and cruelty beyond description. Last, but not least, he is in constant danger of death—either on the high seas or on the battle fields of France and Flanders. Our newspapers are full of casualty lists, which are growing larger and larger each day—showing that our boys are giving life and limb in order that free government may be perpetuated, not only for our children but for the children of all nations.

I submit that it is an insult to our brave soldiers and sailors and our gallant marines for the United States Shipping Board to prostitute the service flag of our fighting men, and I here and now call upon the proper officials of the Shipping Board to rescind their action and call in their flags. If the shipyard workers are to have a badge or emblem, let it be in different colors and of a different design. Let the national service flag be unique and distinct—a badge representing active naval or military service.

The action of the United States Shipping Board in supplying shipyard workers with these flags that are almost identical with actual service flags, is reprehensible. If the practice is not discontinued Congress should enact such legislation as may be necessary to protect the service flag and honor it. This flag and its counterpart, the service badge, occupy a place in the hearts and affections of the American people second only to Old Glory and should be correspondingly honored and respected. [Applause.]

Mr. MONDELL. Mr. Chairman, I yield 30 minutes to the gentleman from Wisconsin [Mr. FREAR].

Mr. FREAR. Mr. Chairman, I desire to quote briefly from an editorial recently published in the Milwaukee Journal and to submit a few observations on Wisconsin. I further desire to offer uncontrovertible evidence of responsibility for wantonly unfounded charges of disloyalty registered against Wisconsin.

The extract from the Journal of May 21, 1918, is as follows:

> Milwaukee and Wisconsin are confronted by a general charge of disloyalty * * *. Face the facts squarely * * *. What about the general course of nearly all Wisconsin Members of the lower House of Congress? And the backing and filling of the legislature? There are black spots on our record * * *. We can not claim to be 100 per cent American so long as those black spots remain. It is for us to wipe them out—

And so forth.

Similar expressions in this, the leading Democratic paper in the State, occur with frequency, and a few facts are offered at this time regarding "black spots" and in explanation of motives behind such criticisms.

Wisconsin has a solid Republican delegation in Congress; all its State officials are Republicans; and its legislature is and long has been overwhelmingly Republican. This political sentiment in the State has occurred notwithstanding abuse and constant attacks for years from the Milwaukee Journal, which paper gave inspiration for a "loyalty" fight against LENROOT in the recent senatorial election.

Since the declaration of war in April, 1917, interests, political and otherwise, have assailed the loyalty of my State and, led by the Milwaukee Journal, they have continually denounced the State officials, State legislature, and congressional delegation, and those of political parties or factions other than their own, together with charges against the loyalty of different nationalities and various people within the Commonwealth, until the old Badger State, ever loyal since its entry into the Union, is being looked upon with doubt and suspicion by those who do not understand the full meaning of Wisconsin politics.

During the recent senatorial campaign these same political agencies within the State that have maintained attacks on the State's loyalty persuaded the President, Vice President, Democratic senatorial whip, and scores of Democratic Senators, Congressmen, and Democratic administration officials to assail the loyalty of the Republican candidate, and, incidently, to indict the people of the whole State through a fictitious and false issue.

The purpose was to overwhelm the people with charges that could only be repudiated by the election of a Democratic candidate in order to prove loyalty to our Government.

THE SAME PARTISAN POLICY IN NORTHERN STATES.

It was the same policy pursued by the Democratic National organization and State Democratic organizations in New Hampshire, Indiana, and elswhere in special congressional elections, on which occasions the electorate were told that a vote for the Democratic candidate was a vote to sustain the war, and a vote for the Republican candidate was "a vote for the Kaiser."

Following the campaign of vilification and abuse in and of Wisconsin, I offered a few remarks in the House on April 5, last, showing the vicious methods pursued in libeling our State. I did not then quote slanders uttered against the State or the Republican candidate, excepting in a single instance when referring to a printed advertisement in the Rockford Morning Star, a Democratic paper, addressed to the Wisconsin soldiers at Camp Grant, which was as follows:

TUESDAY, *April 2.*

To the Wisconsin soldiers at Camp Grant:

You are entitled to vote for United States Senator from Wisconsin to succeed Senator Paul O. Husting.

President Wilson, your Commander in Chief, desires all loyal Americans to vote for Joseph E. Davies for United States Senator.

Davies's election means joy at Washington and gloom at Berlin.

Davies's defeat means gloom at Washington and joy at Berlin.

The substance of that infamous charge had been repeated by the Democratic press and Democratic orators, with slight variations throughout the campaign, at a time when Wisconsin had 40,000 men under arms and 20,000 of her boys on the battle front in France.

The effort failed, and Wisconsin repudiated the unjust attack upon her loyalty by electing Senator LENROOT. Even the boys at Camp Grant refused to be stampeded by a "disloyalty" cry, and cast their vote for Lenroot, 576; Davies, 403; and Berger, 85.

Wisconsin had furnished more volunteers, proportionately, than any other State. Her troops were in France defending their State and their country; her contributions to liberty bonds and Red Cross led the States in that district; and her people were not deceived by partisan efforts to capitalize the war politically. To-day her people hold their heads erect and scorn the insinuations of political patriots, for many champions are offering evidences of loyalty that place Wisconsin among the first of all States in the Union.

REVIVING THE PARTISAN "ACID-TEST" ISSUE.

Recent efforts to revive that same issue have been apparent in Wisconsin through frequent published utterances of the Milwaukee Journal and its press imitators in the State, aided by certain interests, a few ambitious candidates, old-time political enemies, and in part by men of honest convictions, but all inspired from one common source that has been primarily responsible for slanders against Wisconsin and its officials, and for the character of the recent Senatorial fight.

To remain silent is to have silence misconstrued; and I desire briefly to show who are responsible for the calumny heaped upon public men and upon a great State during these trying times of war, and also the purpose of the attacks.

In fixing responsibility for shameful assaults upon Wisconsin's loyalty, an article from the New York American of June 8, 1917, under a Washington date line, is first offered. This paper has the largest circulation of any paper in the country.

Shortly after our entrance into the war the American published—first page, first column, 8-inch staring headings—a long article, of which a brief extract is as follows:

Charges of an organized plot in the State of Wisconsin to defeat the draft were laid before President Wilson by L. W. Neiman, editor of a Milwaukee newspaper. He declared influences were at work to overthrow the entire military program of the Nation.

The Wisconsin plot, as disclosed by Editor Neiman, included the use of pro-German newspapers in carrying on the propaganda against the draft. He was introduced to President Wilson by Senator Husting, of Wisconsin, and presented for the President's inspection a list of charges and evidence to bear them out.

The plot, according to Neiman, went beyond the mere urging of men not to register; it is designed to render the United States powerless and impotent in the war.

Agents of the Department of Justice and the United States Secret Service already are working on the case, it was indicated at the Department of Justice, and early arrests are likely.

I desire to show how baseless were these charges and other like reports, but digress for a few moments to take up another branch of Wisconsin's publicity bureau on claimed disloyalty.

I now quote from the Washington Post of April 18, 1918, a paper of widespread circulation, the following libel of a great State:

Traitors in Wisconsin. Defense Council chairman asks Senate for firing squad. W. P. Bloodgood, testifying before the Military Committee, says that war cases are beyond courts. Could not get jury to convict. Indorses Chamberlain measure (for a drumhead military court to try civilians).

Defense Council chairman asks Senate for firing squad. W. P. Bloodgood, testifying before the Military Committee, says that war cases are beyond courts. Could not get jury to convict. Indorses Chamberlain measure (for a drum-head military court to try civilians).

The American element in Wisconsin appealed to Congress yesterday to provide firing squads to purge the State, and the Nation as well, of treason and disloyalty. * * * The people are likely to go back to primitive methods.

Mr. Bloodgood declared "something most unfortunate is likely to happen." Feeling grows with the departure of every transport to the battle fields—

And so forth.

I have only given a brief extract from the article which, like Mr. Nieman's charge, with staring headlines, was published throughout the country. Mr. Bloodgood stated to the Senate Military Committee, "I am acting chairman of the County Council of Defense of Milwaukee County and am a member of the executive council of the Wisconsin Loyalty League of the State, and also a member of the law firm of Bloodgood, Kemper & Bloodgood, Milwaukee." The defense league, he said, "arranges for patriotic meetings throughout Wisconsin and has waukee Journal, previously quoted." In offering Mr. Bloodmittee, it appears he is not only chairman of the Milwaukee County Council of Defense and member of the executive committee of the Wisconsin Loyalty League, but in addition thereto he is on the advisory board of the League for National Unity and also an executive officer of the National Civic Federation, organized for the same general purposes, and he is also a foremost leader in the "next of kin" organization, that is founded upon sons who go into service. Altogether Mr. Bloodgood is a man of importance, according to his own admission.

From a column article in the Washington Times devoted to Bloodgood's exhibition before the Senate committee is the following comment: "Mr. Bloodgood gave a most instructive review of recent political history in Wisconsin leading up to and explaining the crisis at which leading citizens of Milwaukee, including himself, had been referred to as the 'exquisite gentry of the city'; other newspapers had indulged in similar treasonable ribaldry. The occasion, it seems, was given by an election in which Mr. Bloodgood and his associates were highly outvoted by the rabble. To show how bold this unshackled treason had grown, Mr. Bloodgood testified that one paper had even called them 'lunatics.'"

The reporter's keen humor, based on actual observations of Bloodgood before the committee, discounts the wickedness of his assault upon the people of a city and State unrepresented at the hearing. The tirade was occasioned, apparently, by the reelection of Hoan for mayor, and a large Socialist vote cast in Milwaukee and Wisconsin, and, possibly, by the results of the senatorial election.

In his hearing before the Military Committee, where he is quoted in favor of a firing squad, Bloodgood, in the record, gave a statement he had previously sent to the Attorney General, wherein he says, "What took place at the meeting" with Mayor Hoan in April, 1917, immediately after the declaration of war, "is contained in a written statement that I prepared for Mr. Nieman, of the Milwaukee Journal." At that early day the close association of the State Democratic leader and Mr. Bloodgood is apparent.

THE PRESIDENT DEFEATED MR. BLOODGOOD'S BILL.

When President Wilson's attention was called to Bloodgood's wildly reckless statements made before the Military Committee, and his demand for firing squads and drumhead courts-martial for Milwaukee, for Wisconsin, and for the country at large, the President at once wrote Senator OVERMAN that the proposed courts-martial bill was "unconstitutional" and that it would "bring us to the same autocratic Prussian form of government in Europe which we desire to escape."

The Washington Times of April 22 says, in explanation for its introduction:

The bill was in response to the arrogant tactics of Germans in public office in Wisconsin * * * that brought about the proposal to suspend jury trials and try these offenders by courts-martial. Inability to get 12 true Americans in Wisconsin juries * * * swung the Senate Committee on Military Affairs into line behind the courts-martial bill.

The enormity of the offense against his State and his country appears from this report that an attempt to foist an unconstitutional courts-martial law upon the country had its inspiration with Mr. Bloodgood and his advisers in Milwaukee. It was the President who proceeded forthwith to kick from public office the Assistant Attorney General who had aided Bloodgood, without General Gregory's knowledge, and it was the President himself who protested against vicious drumhead courts-martial being fastened upon the country.

On March 22 last the press of the country carried a sensational story credited to Bloodgood. I quote from the Washington Star:

WANTS MILWAUKEE PUT UNDER MARTIAL LAW—DEFENSE CHAIRMAN SEEKS INDICTMENT OF HOAN, MAYOR.

MILWAUKEE, WIS., *March 22.*

Wheeler P. Bloodgood, chairman of the Milwaukee County Council of Defense, told newspaper reporters yesterday that he had papers drawn up to seek the indictment of Mayor Daniel Hoan. That Hoan's reelection as mayor being practically assured, he, Bloodgood, would seek to have Milwaukee placed under military law * * * "I say solemnly," he is quoted, "that the soldiers' 'next of kin' will not stand for a socialist government in Milwaukee or the State of Wisconsin. We are prepared to act. We will, for instance, act if we do not get martial law or an indictment which will prevent Hoan from being sworn in again as mayor. I hope that it will not be put up to our organization, but if it is necessary we will not falter."

Bloodgood, chairman of the council of defense—appointed to protect law and order and the good name of the State—also member of the executive board of the Loyalty League and the advisory board of the National Civic Federation and executive officer of the League for National Unity and founder of the Next of Kin League and of the law firm of Bloodgood, Kemper & Bloodgood—Bloodgood declared to the people of the country, according to the press, that mob law would prevail in Milwaukee and in Wisconsin. He is reported to counsel anarchy and mob violence, and he placed his people before the country as a riotous, lawless, disloyal people, and gave the widest publicity to his slanders on Wisconsin, that were heralded from one end of the world to the other.

I am not questioning the high purposes of the various organizations named, or the belief that much good has been occasioned by normal, intelligent men acting through such voluntary bodies in encouraging patriotic sentiments and love of country. I do say, however, that any body of men that permits Bloodgood to act as their chief advisor, spokesman, and director, gives him the vehicle on which he rides at headlong pace until finally, but only temporarily, squelched by the President of the United States. In this connection it may be proper to add that associated with Mr. Bloodgood in his Civic Federation labors appear from the letterheads a former partner of and also the attorney for J. Pierpont Morgan & Co., Mr. Du Pont, and many other leading financiers, transportation, and general big business men.

Incidentally such men are not urging the election or reelection of Members of Congress in Wisconsin who favor a larger proportion of war profits with which to meet present and future national obligations. Neither do they desire control of transportation companies nor the election of men not in sympathy with their ideas.

AN ATMOSPHERE OF DOLLARS.

Before discussing Mr. Bloodgood's political activities, which encompass the entire congressional field in Wisconsin, it may be of value to know how far his own business interests and methods naturally influence his acts. In the Milwaukee Journal of May 23, 1918, his favorite vehicle for self-exploitation, I quote the following shrewd business operation:

DETAILS OF SALE OF INDEPENDENT HARVESTER CO. AT PLANO, ILL.

Proposed purchases of $10,000,000 plant for $5,000,000 were submitted. Proposed purchasers are Francis Bloodgood, jr.; Jackson B. Kemper; Wheeler P. Bloodgood; and others. The charge that the suit is a collusive one carries an implication that appears unjustifiable. * * * The commission held that there was no proof that the purchase was with a view of getting control of the International Harvester Co.

"No proof," possibly, but it appears from the Journal's report that Wheeler P. Bloodgood was the man who negotiated the big deal to buy up the great agricultural implement plant a few days ago at 50 cents on the dollar. "No proof" that the purchase was with "a view of getting control of the International Harvester Trust," but no farmer in Wisconsin or in the country believes any actual competition, reduction in prices, or better conditions will come to him through Mr. Bloodgood's deal. The $5,000,000 discount from face value was not for the farmers or general public. Apparently that was profits for those who made the deal, including Mr. Bloodgood, who, in turn, is associated with the Morgans, Du Ponts, and various political and great financial interests. Bloodgood, who wants a firing squad for Milwaukee, and is now about to select Wisconsin's Congressmen and save the farmers, laborers, and people of the State generally from that duty, as I desire to show. Bloodgood's leading Milwaukee political associates at once suggest his eastern financial connections and the motive behind his present political activities. It is on such meat our new Wisconsin political Cæsar feeds.

The President blocked Bloodgood's drumhead courts-martial and the people may block his political big-business scheme now carried on under a "loyalty" cloak. [Applause.] With his peculiar ideas of public and private rights and un-American belief in what the President says is an "autocracy from which we desire to escape," Bloodgood makes more socialists in one week than Carl Marx could make in a year, more discontented and indignant protestants through intolerance than all other agencies in Milwaukee and Wisconsin combined.

Mr. Bloodgood stated to the Senate Military Committee that Mr. Nieman, editor of the Milwaukee Journal, was one of the "most active" men in the county council of which Mr. Bloodgood was chairman. Before the Military Committee, when discussing his leading associates in the Wisconsin Loyalty League, he named particularly Mr. W. S. Goodland, editor of the Racine Times-Call, and also another man, whose company is reputed to have cleared $1,500,000 last year in Government contracts.

My purpose in mentioning Messrs. Bloodgood, Nieman, and Goodland by name is not to reflect in any way upon the different organizations to which they belong, but to show a joint effort which can not be overlooked when fixing responsibility for frequent bitter attacks upon Wisconsin's loyalty.

BLOODGOOD TO CONTROL CONGRESSIONAL CAMPAIGNS.

In the Milwaukee Journal, issue of April 30, appears the following:

To favor loyal candidates, Loyalty Legion to take part in congressional campaigns. "next of kin" organization of men connected with soldiers in France to be organized.

It was further stated that the general council of the Wisconsin Loyalty Legion, of which Bloodgood and Goodland are conspicuous members, declared in favor of bringing out "men of recognized loyalty and supporters of the war as congressional and legislative candidates." The Journal's frequent editorial expression will be found in the announced purpose to elect "nonpartisan" loyalists to succeed the present Wisconsin congressional delegation, which has committed the offense of being solidly Republican, having been elected in 1916 with a joint plurality of 100,000 over their Democratic opponents.

Following its announcement that the Loyalty League, headed by Messrs. Bloodgood, Goodland, and others, proposes to relieve the people of Wisconsin from the burden of selecting their Congressmen, the Milwaukee Journal of May 16 published a "call" issued by W. S. Goodland, of Racine. "This is a step," it declared, "in the fight against reelection of Congressman H. A. COOPER." An extract from the "call" reads:

The loyal Republican voters of this district (first) feel that * * * the people of this district—in fact, the people of the whole State—have been subjected to the suspicion of disloyalty largely because of the votes, speeches, and actions of a majority of Wisconsin's Members of Congress, including the Representative of the first congressional district. They have been discredited and their loyalty questioned because of the record their Representatives in Washington have made. None but true Americans should be elected to Congress, men whose loyalty and patriotism can not be questioned, and who will stand firmly back of the National Government in the prosecution of the war to a victorious conclusion.

I wish that I might digress sufficiently to give a brief statement of interests behind the first district call, apart from the connection of Messrs. Bloodgood, Goodland, and others, but it is impossible to do so at this time. Nor is it necessary to offer any indorsement of HENRY ALLEN COOPER, the dean of the Wisconsin delegation, with 26 years' continuous service to his credit, the longest of any man in Congress excepting Minority Leader GILLETT, whose service is the same. COOPER's great experience and valuable legislative ability are recognized by every Member of the House and known throughout the country. His patriotism is sincere, not political. [Applause.]

Diogenes Goodland started out with a lantern to look for a true American in the first district to supplant COOPER, but burnt no midnight oil in the operation. A congressional Barkis for years, a critic of COOPER and the present delegation through his paper, in season and out, what more natural than that Candidate Goodland, the self-accredited agent of the Loyalty Legion organization, when searching for a "true American" should glance at his own reflection in the glass and then blow out the lantern?

But others who signed the call had ambitions of their own, and every county came forward with its own true American, until after a long, hard tussle to see who was the truest American, the league leader was sent back to the ranks, and a man of unknown patriotism, political or otherwise, was chosen to supplant the oldest and one of the ablest Members of this House. That is the admitted result of this "loyalty" conference. We have no law in Wisconsin which prevents a handpicked gathering of political opponents from calling together all malcontents, would-be candidates, and their supporters, but when the primaries are held there is no obligation, ethical or otherwise, to support the holder of an empty lottery prize in this elimination game.

THE PURPOSE BEHIND THE MOVEMENT.

There is no patriotism, no loyalty to the Government, no fidelity to principle in the thinly-veiled political motive behind this movement to dictate Wisconsin politics now put forth by Mr. Bloodgood and other Milwaukee interests affiliated with great eastern interests as has been indicated. From the days of his noted fight against the Pacific Railway grab of over $100,000,000 many years ago down to the present time, my colleague, Mr. COOPER, has been recognized as one of the fearless men in Congress, of progressive ideas, whose quarter of a century service in this body has been devoted to public and not private interests.

He is now slated for defeat, together with the other Wisconsin Congressmen, not because of any disloyal vote or utterance, past or present, but he is not in harmony with the political and financial interests that once again desire to have their own Representatives in Congress from Wisconsin. Legitimate business, big and little, never has had reason to fear unjust treatment at the hands of Congress, but Bloodgood's $10,000,000 Harvester "no proof of illegal purpose" deal, and huge war profiteering interests in Wisconsin and elsewhere can cry "loyalty" and "nonpartisanship" to cover up their real purpose. Bloodgood, according to the Wisconsin press, is strenuously trying to change the Wisconsin primary law in order to take from the people their right to make direct nominations, so that candidates acceptable to his own purposes will be named on all tickets as in the good old days when the trusts, railroads, and other special interests claimed to have their friends in control in Congress and in many State legislatures, including Wisconsin. The people may well ask who pays the large bills incurred by Bloodgood's organization for salaries, speakers, travel, advertising—and why?

Under the guise of patriotism and loyalty varied interests may now work through most available agencies, and while poisoning the public mind quietly organize opposition through old-time political and personal enmities and by arousing new ambitions. Whispered calumny, misrepresentation, and false charges are put forth in these abnormal times to mislead the average citizen at a time when the public mind is disturbed by vital public affairs and when Representatives in Congress are powerless to meet charges because of their needed presence here to furnish money and men and other legislation in carrying on the war. No public official has right to complain because ambitious candidates believe their own ability, experience, or judgment better qualifies them for office, but no self-respecting official will calmly permit charges of disloyalty to be lodged against him, whether he be a candidate for reelection or not. Neither will he quietly permit any opponent to cloak his ambitions in a hypocritical claim of superpatriotism in order to deceive these whose suffrages are asked.

I believe it is a public duty to this House and the country to expose the campaign inaugurated in Wisconsin by Bloodgood and his associates, but do not care to discuss any individual matters further than to fix responsibility for efforts to stain reputations of men and of the State, and to call attention to political and personal motives behind Congressional and State contests in Wisconsin. Practically every district is to be controlled by the despotic Mr. Bloodgood and his Milwaukee aides, according to published plans, and the following news item is similar to others affecting his operations throughout the State.

The Wisconsin Loyalty Legion, which is taking great interest in the congressional situation in the State, seems to think, according to the statements of its officers (Bloodgood et al) that candidates will be in the field in all of the congressional districts of the State either in the primary election or at the polls, who will represent the ideas of the league and practically run under its indorsement. (Milwaukee News, June 5.)

That this statement is authorized may readily be believed from its efforts which are reported elsewhere in the State.

THE REJECTED ACID TEST.

At the risk of repetition, I offer a brief extract from my address of April 5, affecting the so-called "acid test," as a basis for discussing for a moment the record of my colleagues from Wisconsin on the declaration of war, and to say at this time that practically every war measure since war was declared, some 100 in number, have been uniformly supported, according to my recollection. That "test" was rejected by the voters of the State in electing Mr. LENROOT, whose loyalty no man questions:

Mr. Chairman, I do not care to discuss the unprecedented action of distinguished officials in seeking to advance interests of the Democratic candidate by charges of wholesale disloyalty against my State at a time when every ounce of energy should be joined in united effort here; when Wisconsin's sons are giving their full measure of devotion in France; and when every man, be he a Democrat or Republican, is first of all a loyal American. That slander has been publicly rebuked by the electorate of Wisconsin. I do say that the "acid test" of loyalty mentioned in President Wilson's letter and Vice President Marshall's speech on the McLemore and other prewar measures would empty the seats of one-third of the membership of this House, Democrats and Republicans alike, notwithstanding these same Members have stood for and voted for every war measure presented to Congress.

That "acid test" of votes before the declaration of war would bar Congressman MANN, the distinguished leader of the House minority, whose loyalty and patriotism is unimpeachable. Even the veteran leader and eminently patriotic ex-Speaker CANNON [applause], the grand old man who sits before me, with his four-score years and lifelong record of great public service and unrivaled loyalty, would fail the President's test. Congressman WOODS, chairman of the congressional committee, who enjoys the respect and high esteem of every House Member, and Representatives LENROOT, ESCH, HAUGEN, COOPER, HAYES, MASON, DAVIS, and scores of other strong, loyal Republicans would be disqualified by the President for public service.

DEMOCRATIC LEADERS AND THE ACID TEST.

More remarkable, the President's "acid test" on votes cast prior to the war would remove from Congress the distinguished Democratic leader of the House, Mr. KITCHIN, of North Carolina, whose able direction of war measures has been loyally supported by Members on both sides of the party aisle. Representative Fitzgerald, the Democratic wheel horse from New York, and FOSTER, KEATING, SLAYDEN, SHACKLEFORD, General SHERWOOD, hero of over 40 battles during the Civil War [applause], and many other strong Democratic Members voted against measures that the President now declares in his letter are "acid tests" of loyalty when applied to a Republican candidate for the Senate in Wisconsin. All these distinguished men and loyal Americans are included in the indictment lodged against the State of Wisconsin. Wisconsin, indeed, is in good company. If acid tests apply in Wisconsin and New Hampshire, then surely they applied to Gray, of Indiana, who voted against the "acid-test" measures and yet received the President's written approval. Does not the test apply to Democrats in Missouri, Mississippi, Texas, and North Carolina? Can the President say, "One rule for northern Republicans, but another for southern Democrats"? If so, why?

More significant of present-day partisanship, the President's acid test, if applied to Abraham Lincoln, who actively opposed the Mexican War, would have disqualified our greatest American and martyred war President from reelection to this House or from any higher office notwithstanding his unquestioned loyalty to his Government.

Is there any difference in the loyalty of the official, however high, and that offered by the humblest mother in the land who hoped and prayed against war, but gave her all when her country called?

Even President Wilson said to us in his messages prior to the war, "I am inclined to think that Germany had a right to sink belligerent ships without warning," and five weeks before entering the war he said he was "not contemplating war or any steps that might lead to it."

Who will question the right of utterance of such sentiments prior to the declaration of war, or the patriotism of the President, or of hundreds of thousands of fathers and mothers who anxiously prayed against war and for guidance from on High for the President in his hours of trial and responsibility. What proportion of the people of this country would have passed this "acid test" before the declaration of war no man can tell, and candidates who make claims of superloyalty now must offer their own records of service for war and greater sacrifice in its prosecution. Silence in the past on the part of those without records will not meet "acid tests," though they bear a President's indorsement, for the same reason that Congressman Gray, of Indiana, who failed in the test and election, received that same high indorsement before defeat.

When Congress declared war, Representatives in Congress, Democrats and Republicans, unitedly gave loyal support to every measure that would help win the war, and their example has been emulated by every State and every community throughout the country. That must be the true test of loyalty.

In commenting editorially on this same subject, the Milwaukee Sentinel, a leading Republican paper of the city and State, on April 11 said:

As to acid tests of loyalty, Representative FREAR, of Wisconsin, stated the absolute correct principle in his speech for Wisconsin last Saturday.

Obviously the real acid test of a public man's loyalty on the soundness of his war record lies in his views and votes, not prior to but after his country's entry into the war, for, as Mr. FREAR pointed out, "Even the President said to us in his message prior to the war: 'I am inclined to think that Germany has a right to sink belligerent ships without warning.'" * * * Mr. FREAR was eminently right when, in standing up for his own party and State, he said: "When Congress declared war, Representatives in Congress on both sides of the aisle gave loyal support to every measure that would help win the war, and their example has been emulated by every State and every community throughout the country. That must be the true test of loyalty."

To the same general effect is this brief extract from an editorial in the Capital Times, a strong progressive Republican paper of Wisconsin:

A COMPLETE ANSWER—IS WISCONSIN DISLOYAL?

No better answer can be made to this question than the address that was recently delivered by Representative JAMES A. FREAR, of Wisconsin, and the Capital Times at this time is glad to reprint it in full * * *. Wisconsin has been the victim of an unscrupulous campaign of abuse of patriotic feeling for partisan purposes. This campaign is coming home to those who started it, and the people are resenting in no uncertain manner the slanders that have gone out over the country.

But Mr. Bloodgood is also discredited and my colleagues are vindicated by his loyalty organizations. I have shown that he is on the advisory board of the League of National Unity. Based on a petition of several hundred members, the league sent out a referendum to determine who would be acceptable as loyal Congressmen or Senators. I quote from the press report of a practically unanimous vote which was adopted and given out by authority from the New York headquarters, the 1st of June of this year.

THE LEAGUE OF NATIONAL UNITY DEFINES "LOYALTY."

A loyal Congressman or Senator is a man who, "in or out of Congress since the declaration of war, has by word and act unreservedly supported and will support the Government in the vigorous prosecution of the war to a complete and decisive victory, and who has not attempted to destroy allied unity by attacks upon nations fighting with us against a common enemy." Measured by that test or any other logical test that would not bar Washington, Lincoln, and Wilson, our three war Presidents, Wisconsin's Congressmen, who have voted for 100 war measures and for all that have been offered, are "100 per cent Americans." [Applause.] Why is not Mr. Bloodgood ready to accept the judgment of the League of National Unity, of which he is a leading member, if "loyalty" is the motive behind his acts?

THE MILWAUKEE JOURNAL AND ITS "ACID TEST" ANALYZED.

On March 30, 1917, one week before the declaration of war with Germany, the Journal, the leading Democratic paper of Wisconsin, printed a startling full-page advertisement with staring subheads addressed to Democrats, Republicans, and Socialists alike, of which the following is an extract:

Americans of the West * * *. You reelected President Wilson because he kept us out of war. Tell him with one voice he should still keep us out of war. The President and Congress are waiting to hear from you. They want to know definitely and immediately that the people of America do not want war. The President and Congress will be misled by your silence. You must speak up. You must tell your Congressman that you do not want war. Two cents now for a letter to your Congressman or a quarter for a telegram may save untold lives and treasure.

(Signed) EMERGENCY PEACE FEDERATION.

Five months before the Journal was strenuously supporting the President on the same definite proposition: "President Wilson should be reelected because he kept us out of war."

Pursuant to that great full-page appeal in the largest Democratic paper of Wisconsin, many hundreds of Democrats, Republicans, and Socialists instantly demanded of their different Representatives here by wire and letter that we vote against war. This appeal to voters is not read from Mr. Berger's paper in Milwaukee or from the Milwaukee Free Press or the Germania or the Sentinel or the News or the Wisconsin, most of whom are in turn lectured on "loyalty" by the Milwaukee Journal. That peremptory appeal came from the Democratic Milwaukee Journal, the administration's leading supporter in Wisconsin, whose editor shortly afterwards told the President, and, through the press, the country at large, of a widespread conspiracy in Wisconsin to defeat the draft law and overturn the military program of the Nation.

One week before the war the Journal was advising everybody in Wisconsin, by full-page advertisements, to write my colleagues to oppose the war. If it was disloyal, as the Journal intimates now, to vote against war when one's constituents so demanded, was it not doubly disloyal to permit this widespread appeal to Congress then, in order to influence its action, and by a paper that claimed to speak for the administration in Wisconsin to our people?

Possibly it may be contended there was no immediate connection between Mr. Nieman as publisher and editor and that a liberal fee could not be rejected or that the fee would have been rejected by the only 100 per cent American paper of the city if the fact had been known before printing. That possibility vanishes, because two days later, April 1, 1917, this powerful agency for good or harm printed another great appeal to the people of Wisconsin, Democrats, Republicans, and Socialists alike.

A full-page advertisement again appeared in the Milwaukee Journal on April 1, 1917, with staring headings and subheadings, from which I quote extracts:

To Americans of the West: Stand against war. The West reelected President Wilson because he kept us out of war. It is therefore up to the West to join with the peace forces of the East to keep us out of war. War is hell. * * *

Instruct your Congressman to accept mediation if it is offered and to encourage the President to try and bring the belligerents together. German militarism is crumbling. Let Congress hear from the West. Wire your Congressman and Senators; wire the President and the Cabinet. Flood Washington with hundreds of letters and thousands of telegrams against war. * * *

(Signed) EMERGENCY PEACE FEDERATION.

Pursuant to instructions, the Journal's readers "flooded Washington" with protests against war.

The great mass of people do not discriminate between editorials and other sentiments expressed in a paper and the full-page advertisements blew hot to thousands, however cold and calculating the editorial column. To make doubly sure that Congress would be flooded, deluged with protests showing the temper of Wisconsin constituents, on April 2, the following day, the Milwaukee Journal contained another and third advertisement—this time a half page—which closed with advice to its Wisconsin readers, "Write your Senators and Congressman, your President, demanding their practical aid to carry out a program of perpetual peace," and urging opposition to war.

This was the Milwaukee Journal's advice to its readers and its policy at a time when the whole country was torn with sensational reports and the grim issue of war was before us for decision. That my colleagues were deluged with letters and telegrams protesting against war is certain from my own experience, and no single agency it now appears contributed more to that result than the Milwaukee Journal, the administration's leading representative in our State.

THE WISCONSIN LEGISLATURE PROTESTS AGAINST WAR.

A few days prior to this flood of protests from Wisconsin the senate of Wisconsin unanimously, and the assembly by a vote of 56 to 17, passed resolution No. 31A, supported by Democrats and Republicans alike, addressed to the President and Congress. It declared—

That the people of Wisconsin have faith that the Government will do all things possible and consistent with the dignity of our Nation to prevent war, and the people of Wisconsin have implicit confidence in our Government, and will loyally support the Government in whatever action it may ultimately be necessary to take in the present international crisis.

The part emphasized is italic; the remainder is a sequence of any declaration of peace or war. Here was a solemn declaration sent from the Wisconsin State capitol a few days before Congress was called upon to act, from the great legislative body of the State—just from the people—saying our people had faith that the Government would do all things possible * * * "to prevent war." Congress alone declares war, and Congress alone was advised what the people expected of its Representatives.

Mr. Chairman, I will not pursue this line of discussion further, nor do I speak for my colleagues, because they are abundantly able to speak for themselves. We are now engaged in the greatest war the world has ever known, and according to the admonition contained in the resolution my colleagues from Wisconsin have supported the Government in every war measure whole-heartedly and loyally, but no man called upon to act could close his eyes on April 5, 1917, to the unpreparedness of this country for war, to the fact, as stated in the Milwaukee Journal, that "war is hell"; to the fact that hundreds of letters and telegrams, resulting from the Journal's efforts, were piled upon our desks protesting against war and that the Wisconsin State Legislature had practically unanimously declared the faith of the people of Wisconsin that their Representatives would do everything possible "to prevent war."

Neither Messrs. Nieman, Bloodgood, nor Goodland, nor ambitious candidates now seeking office, advised us in those trying times what they wanted, but the Journal, through great advertisements, was urging all of Wisconsin to write and telegraph us to "prevent war," the "issue on which President Wilson had been elected."

ALL ARE STANDING TOGETHER ON THE WAR.

No man need now say what the sentiment of the people then was, apart from the practically unanimous vote of Wisconsin's Legislature "to prevent war," the hundreds of letters and telegrams of protest received, and the reelection of President Wilson on that issue, as stated in the Journal. When war was declared it was my country's war, and I supported it unquestionably, giving all I could to that cause. An only son, who volunteered among the first, has been in France for many months, whose life, poor as I am, is worth more to me than all the worldly possessions of Messrs. Bloodgood and his associates put together. [Applause.]

A military company I organized years ago carried from Wisconsin 200 bright boys, including over 50 from my little home town, and that company is on the battle line in France.

Mr. Chairman, I had a direct ancestor killed in the Revolutionary War, one served in the War of 1812, and my father, now living, served three and a half years in a Wisconsin Cavalry regiment to save the Union; two uncles were wounded at Gettysburg in helping to hold back Lee's army that was invading the North, and I say with all modesty that as a youth I served my country 5 years in the Regular Army, and later 11 years more in the Wisconsin National Guard, retiring as judge advocate of the State. During the Spanish-American War, when not in service, I raised a provisional company and offered it to Gov. Scofield for service in that war. Let it not be inferred I claim credit whatsoever for this record of Americanism, but fiercely patriotic men, 4,000 miles away from danger, have so long raved about their superpatriotism through the press, and have demanded that all those who did not follow their example should be condemned, that it may be proper to compare records. Have Mr. Bloodgood and his associates or any ambitious congressional candidates in Wisconsin done anything more than I have done to help this country, both before and since war was declared?

Men who have jointly and severally bitterly criticized their home city and State repeatedly, and the congressional delegation continually, what have they done, now or heretofore, to create a united loyal people more than thousands of other citizens of Wisconsin? In what respect are they more loyal than my colleagues or myself?

Bloodgood said he gave his boys, or, as I am advised, they went without giving. I assume they are as good as my boy, or my colleague Mr. DAVIDSON'S boy, or 40,000 other Wisconsin boys now in France—and no better—but Bloodgood parades the fact of his "next of kin" continually throughout the press as evidence of superloyalty. If he had 1,000 boys there, he could not wipe out the "black spot" or injury he has done the good name of Wisconsin by outrageous slanders I have quoted—of firing squads, traitors, and threats of mob law in Wisconsin.

UNTRUE CHARGES AGAINST LOYALTY MUST BE REFUTED.

Mr. Chairman, I have tried briefly and temperately to discuss Mr. Bloodgood, who has grievously injured the people of my own State and tended to divide their efforts in securing united action on the war through his reckless statements and repeated threats, using his own superloyalty as a vehicle. I would that opportunity could be afforded me to show the moving cause of Bloodgood's hysteria and of his frantic attacks upon the loyalty of the State. Time will not permit, nor have I any desire to engage in any controversy with any paper or any individual. Men in public service are common subjects of fair and unfair criticism. Ordinarily criticisms pass unchallenged, but the Milwaukee Journal has continually charged dis-

loyalty against Milwaukee, against Wisconsin, against Wisconsin's congressional delegation, and against the State legislature until to remain silent as to the State and individual libel is practically to countenance continued charges uttered through the news and editorial columns of the Journal.

At the outset of these remarks I referred to the fact that on June 7, 1917, according to press reports published throughout the country with staring headlines, Mr. Nieman, editor of the Milwaukee Journal, declared to the President that "an organized plot had been discovered in the State of Wisconsin to defeat the draft and to overthrow the military program of the Nation." This charge against the people of Wisconsin was made by Mr. Nieman shortly after he had received the statement from Bloodgood regarding Hoan and, as shown from the record before the military committee offered by Bloodgood, he and Mr. Nieman were "most active." On June 6, one day before Mr. Nieman's charge was made through the press of the country of an organized plot to overthrow the military program, the Milwaukee Journal, under a Madison date line, reported that "the State's draft registry then reached 218,700, or more than its estimated quota, and that the utmost quiet prevailed in Wisconsin." "From all over the State," the Journal article continued, "the utmost quiet and orderliness was reported, and the governor stayed up all night getting in returns." Yet, according to the press of the country, the following day the Journal's editor told the President in Washington that treason was rampant in Wisconsin and the Nation's military plans were to be thwarted in Wisconsin. The Attorney General of the United States wrote me a letter March 9, 1918, which was placed in the RECORD, saying that only one case had been started in the whole State of Wisconsin during the first year of the war for conspiracy in connection with the draft or other efforts to oppose the draft. Only one case among two and a half million people.

What more need be said of efforts to place a "black spot" on the State at a time when every rumor was magnified a hundredfold by hair-brained men throughout the country?

NOT ONE CASE OF RIOT, MOBS, OR DISORDER.

Since war was declared the Journal has filled the air with charges, sensational headlines, and bitter editorials. Yet not one case of riot, strikes, mobs, or attempts to blow up or destroy Government or private property was presented to the Attorney General's office, according to Mr. Gregory's letter.

What greater injury could befall the State than to have such unfounded statements as I have quoted given out to the press of the country by two men connected with the Council of Defense work. I will not quote at length to show the Journal's continual abuse of Wisconsin, the congressional delegation, State legislature, and governor. All these were common objects of attack, so that when on June 20, 1917, a few days after Mr. Nieman's statement to the President on Wisconsin's disloyalty, a two-column headline declared "A new disgrace for Wisconsin," it was no surprise to find that Wisconsin had been disgraced (?) because the assembly by a vote of 51 to 12 refused to incur the expense of printing 50,000 copies of the President's message. No one questions the value of the President's messages, but it is an abuse of press privileges to declare a State is disgraced because its assembly refused to print a certain number of copies of a certain message.

The quotation in the headline of the news article, followed by a caustic editorial, shows how far-fetched are repeated slanders and abuse of the State and of its officials by the leading Democratic paper of the State, which causes Bloodgood to see red at Washington, as well as in Milwaukee.

PARTISANSHIP RUN RIOT.

On June 22, two weeks after Mr. Nieman's interview on Wisconsin's disloyalty, the Journal, first page, first column, had a blazing headline, "G. O. P. drifting to copperheads," and quoting a Chicago paper, that a label of copperheadism is to be fastened upon the Republican Party because several Members of Congress from another State had met with editorial displeasure of that other paper.

The next day, June 23, the Journal under a heading "Truth in charge of copperhead," supported that infamous libel against the Republican Party of the country by quoting the alleged opinion of James G. Monahan as a chief expert. Mr. Monahan has been chief runner-up for the Congressman in his district in our State for 30 years, more or less, and he is found running again this year—a matter of habit rather than judgment.

I am reminded in this connection, through charges of "copperheadism" and "traitors" made for partisan purposes, of Walt Mason's homely philosophy on this general subject:

Dame Rumor is so busy, so drunkenly she swerves,
It keeps a fellow busy to follow all her curves;
She points to Dick and Harry and says they're traitors foul;
For facts we do not tarry; at once we start to howl.
To blast man's reputation by charges idly made
Won't help preserve the Nation or make the foe afraid.

THE TARNISHING OF A GOOD NAME.

I will pass over tales spread throughout the land, of rifles stored in Milwaukee to be used by antidraft men, and other stories of conspiracy and lawlessness which were circulated and helped injure the fair name of Milwaukee and of Wisconsin; of poisoned waters, powdered glass, poisoned court-plaster, and various other offenses, which were absolutely groundless, as shown by letters from the Attorney General inserted in the RECORD in an effort to quiet needless apprehension. Such offenses if existing should be punished to the full extent of the law, but these reports, which were sent out from Milwaukee, were no more reliable than the weird slanders I have mentioned which were published throughout the country.

Appearing in the Milwaukee Journal of date May 23 is an article under a New York date line stating, "There was a movement in Iowa to boycott Milwaukee goods. We had to go out and plead with them for aid of one sister State to another." This and much more from David W. Mae Willie, of Wisconsin, who tells of the effect on the country at large of slanders against Wisconsin. It was Bloodgood who threatened a firing squad or mob law in Wisconsin. Let me add, no Member of Congress from Wisconsin has failed to defend our State from the aspersions cast upon the State and city of Milwaukee by its detractors. The few brief examples noted could be supplemented with many other sensational declarations from the same sources, if needed, to show where and how "black spots" have been placed on Wisconsin.

I have no personal grievance with any man or any paper in my State or elsewhere and realize the great service performed by the American press; but I have sought to present a brief, clear, and temperate statement of where the trouble lies in Wisconsin.

Charges that an effort would be made in Wisconsin to hold up the draft and that mob law was needed in Milwaukee to punish traitors furnished inspiration for the bitter abuse of Wisconsin indulged in by Democratic papers and speakers during the recent senatorial campaign. Of course, imitators among men and papers repeat and republish every State calumny and have had part in the misrepresentation of Wisconsin and Wisconsin's loyalty, but inspiration has been furnished by central agencies which I have named.

Those who know the sources are not usually misled locally, but reckless, untruthful charges and misrepresentations can rarely be followed by the one injured, and where an entire State has been libeled the injury must be corrected by the people injured.

THE PERSECUTION OF MY COLLEAGUE, MR. NELSON.

I need not further enlarge upon this subject, but will remind the House of the malicious methods pursued in laying charges of conspiracy and disloyalty against my colleague, Mr. NELSON. Old-time political and personal opponents started the wheels of justice through unjust accusations affecting the loyalty of my colleague, who has a highly honorable record in this body and in the State and country. His membership on the great Judiciary Committee bespeaks his ability and high standing. When his case, after much delay, was called, over the objections and protests of NELSON'S enemies, who hoped, apparently, to have it contined over election, the trial judge administered a well-merited rebuke and threw the case out of court. That is the official record read to the House. The charge drew great headlines in the public press at the outset; the result was generally noted in inconspicuous, brief announcements or else ignored. That is a phase of Wisconsin politics.

The press carries great power, and when used with discretion it is a power for good, but when used as a personal or partisan weapon with which to carry on malicious attacks it not only does grievous harm to the individual and to the State but it lowers its own standard and influence.

GENUINE "NONPARTISANSHIP" NEEDED IN WISCONSIN.

I may properly call attention to one further editorial in the Milwaukee Journal, because it is frequently repeated at this time by the Journal and those who follow the Journal's policy. Under an editorial headed "Signs of the times," printed a few days ago, the Journal says: "A man who tries to talk politics these days is lost to all touch with his surroundings; the people simply will not be interested. Party politics is dead for the duration of the war."

In this connection it is safe to say the Journal carries more partisan political matter than all the other five Milwaukee dailies put together. With every Congressman, Senator, and State officer of the State a Republican, and a legislature overwhelmingly so, it is not hard to understand why the Journal seeks to make a fictitious issue of loyalty, and declares for nonpartisanship. Its opposition to the governor and entire congressional delegation is asserted to be based on "loyalty," but few are deceived by a publication that always has been and probably

always will be bitterly partisan. Without any personal reflections let me say the Republicans in State and congressional service are as loyal, as steadfastly 100 per cent American, as Mr. Nieman or any other Democrat in the country, and that does not question his loyalty or the loyalty of any man. There should be no partisanship in loyalty.

Wisconsin elected a full Republican delegation and a full State ticket in 1916 by an overwhelming majority. If right to do so then, it is right now, and appeals made to Democrats as well as to Republicans in Wisconsin are justified by Republican candidates for Congress now.

NO ISSUE IN LOYALTY BECAUSE ALL ARE EQUALLY LOYAL.

The war overshadows all issues, but all men are supporting the war with equal sincerity and vigor. The question then occurs, why a Republican with valued experience who is in Congress should be chosen for the position over a Democratic candidate who wants to get in? In this connection the important legislative accomplishments and years of valued experience which have given some of my Wisconsin colleagues high position in the House may be ignored for purposes of the discussion. Let other logical reasons be offered that must appeal to the people of my State whatever may be their politics.

WHAT VITAL ISSUES EXIST TO-DAY?

The Milwaukee Journal asks, "Why partisanship" while the war is on? In Mississippi, Louisiana, Georgia, South Carolina, Florida, and Arkansas, and in several other Southern States, there is no partisanship in peace or war. All are solidly Democratic. No Republican need apply in war or in times of peace. These States now control every committee and every chairmanship of importance in the House of Representatives and in the United States Senate. They determine all appropriations, and where the money is to be expended in peace or war, while the North contributes 90 per cent of all money used to pay the bills which will average several billion dollars annually in direct taxes for many years after the war is over. What more significant fact can be offered of present partisan political control the cry of "nonpartisanship" is urged?

The Republican Party has declared for a national budget, while our Democratic friends ignore their platform and the President's request for a single appropriation committee and cling to the antiquated, extravagant, squandering system that was never worse than now and fits in with the policy of "to the victor belong the spoils." Waste by the party in power reaching many millions of dollars, probably hundreds of millions annually, will be continued until the system is changed. Locality interests now govern many appropriations, like the lower Mississippi River and reclamation scheme, with its $200,000,000 for reclamation of private southern lands, and the Muscle Shoals $100,000,000 fertilizer power plant for Alabama, to be paid for by a direct Federal tax—yet every vote against the last Civil War veteran pension bill on June 7 last, less than a week ago, some 69 cast in all, was from these same States.

Wheat prices are fixed by Congress, but every effort to hold down or control the price of cotton is defeated by these same votes from southern States. Free trade has uniformly been the Democratic policy, particularly in the South, which now controls all committees and chairmanships, whereas Republicans have declared the difference in cost of production at home and abroad is required to protect labor and home industries. These are a few vital economic questions that divide the parties and in which the people of Wisconsin and the whole country, irrespective of politics, are vitally interested.

Because of close party caucus organization a Democratic Member is expected to be a "rubber stamp" or "regular" on all measures. My Republican colleagues have unanimously supported all war measures, as shown by the RECORD, but have not hesitated to expose delay, waste, or mismanagement whenever and wherever disclosed in war activities, and to thereby improve and expedite war operations, while in other fields not connected with the war a vigorous Republican minority in Congress has kept legislation from running riot. Democratic candidates have a clear field without any Republican opposition when in the South, but northern Republicans, whether voting for or against the war, have found Democratic leaders fighting in Wisconsin, New Hampshire, Indiana, Ohio, Illinois, and other States, and cloaking their partisan fights by declaring that a vote for the Republican candidate is against the President or would give joy to the Kaiser, whereas the fight has been notoriously to control the House and Senate committees and committee chairmanships. The talk of nonpartisanship among Democratic leaders in the North exists where Republicans are in power. In all other districts, generally speaking, partisanship reigns, and whatever the Democratic Member's war votes may have been he is supported against any Republican.

THE ONLY WAY TO SECURE ECONOMIC REFORMS.

"Nonpartisanship" is voiced by the Journal, yet bitter partisanship is practiced, as disclosed in Wisconsin's recent senatorial campaign in the effort to defeat Senator LENROOT. Progressive Republicanism has never been extremely partisan, but it seems logical that northern Democrats as well as Republicans must follow ordinary public municipal and business economic methods in order to place the control of national expenditures with the sources of revenue. Northern Democrats have no committee chairmanships in Congress and little voice in their party's congressional deliberations. So there is only one way to insure this result—by the return of Republican Members, whose loyalty has been evidenced by their support of every war measure and is as certain as that of ambitious candidates without any records whatsoever. In 1916 a solid Republican delegation from Wisconsin was elected with over 100,000 combined plurality over their Democratic opponents, or 60,000 more than was polled for Mr. Hughes, the presidential candidate.

The MCLEMORE vote and every vote prior to the declaration of war was presumably approved by the electorate of the State through that election because that was the voice of the people. To-day Republicans are standing behind the President in the conduct of the war, as shown by the RECORD, unitedly, wholeheartedly, but we insist it is a national war and not a Democratic war and that any attempt to secure political advantage through the war, in the manner attempted in the Wisconsin senatorial election and in other northern elections and as proposed by Mr. Bloodgood and his associates in the coming fall primaries and election, is unwarranted and a libel on the people generally, who are all giving their boys and their money to help win the war. The people of Wisconsin resented spurious acid tests and repudiated speakers who sought the election of a Democratic Senator on the false issue of loyalty, and they will not fail to detect the same effort at the primaries and election in Wisconsin this fall.

JUDGMENT OF FAIR MEN NOT AFFECTED BY UNTRUE CHARGES.

Mr. Chairman, I have endeavored to give a brief picture of Wisconsin partisan politics, which has had much to do with unfounded charges against the loyalty of my own State, its officials, including my colleagues, and its people generally. Those of us who are held here by official duties are unable to meet our detractors or critics face to face, but the judgment of our people in Wisconsin will not, in my opinion, be affected by unjust charges or insinuations, whatever may be the motive.

I hold no brief for my colleagues who have been selected for defeat by the Milwaukee Journal, Mr. Bloodgood, and his associates, and those through whom they locally work, but the people of Wisconsin will search for motives when asked to remove officials whose honorable position in this House and accomplishments here are known to the country and are now challenged for partisan purposes.

Wisconsin is loyal. Beyond all governmental demands we have furnished men and money for the war, and in all that can be offered in these trying hours of national stress Wisconsin is doing her full share. Politically we may differ and in that difference, which once rent two political parties of the State in twain, was born progressive legislation that made Wisconsin a pioneer among the States; but in our patriotism, our loyalty to our country, politics is put aside by the vast majority, who are united for winning the war and whose hearts follow our boys out into the trenches across the sea with prayers for their success.

Wisconsin has ever met and will meet every test and will do her part in bringing victory to American arms over Prussian militarism, with a lasting peace to the world. That is the will and purpose of the people of Wisconsin. Our country's cause above all. [Applause.]

Mr. SHERLEY. Mr. Chairman, will the Chair state how the time stands?

The CHAIRMAN. The gentleman from Kentucky has 35 minutes remaining and the gentleman from Wyoming 34 minutes.

Mr. SHERLEY. I do not think that we will have any more speeches on this side.

Mr. MONDELL. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, some time ago when we had the housing bill under consideration, calling for an expenditure of about $60,000,000, I ventured the suggestion that we would not have required the appropriation for the expenditure of that money if the war activities had been so coordinated that all sections of the country were given their proper proportion of the work; that because of the fact that contracts had been let in a small area throughout the country men were drawn away from other sections of the country and activities in industrial lines were closed. Men were thrown out of employment,

whereas the creation of new activities in new places brought about not only congestion of men but required the construction of buildings in which to house them. At that time I suggested that there ought to be a better understanding of how the industries of the country should be treated, and that men should be employed where they could do the best work to promote the war; that idleness should not be created in one place and congestion in another; and that while contracts were being let along the seaboard and a great many of the Eastern States the Central West was being ignored and thousands of men in the West were idle and unable to find employment; that houses were empty, with no one to occupy them, and that on that account we were compelled to build houses in other places and draw upon the Treasury and increase the burden of taxation upon the people. I then ventured the view that the exercise of proper vision by the men in control of the administrative activities of the Government would have made such a condition unnecessary, and I rise to-day for the purpose of congratulating the administrative officials of the Government on seeing the light and realizing the need of doing the thing that I suggested upon that occasion.

I do not suppose that what I said had any weight—I am sure it did not—but I am glad to know that shortly after that the Shipping Board and its activities were moved to Philadelphia, where they ought to have been long before. I then suggested that the Food Administration ought to be sent to Chicago, in the center of the United States, where the food supply is furnished, instead of crowding people into huts and alleys and charging them fabulous prices for that sort of housing facility in the city of Washington, and that the Fuel Administration ought to be sent to Pittsburgh, in the center of the coal region. And that other activities should be sent to New York and other places, where their functions could be better performed than they could be in Washington, and I am pleased to see by an article published in this morning's Post this statement:

CHECK ON WAR ORDERS—GOVERNMENT TO STOP INDUSTRIAL CONGESTION IN THE EAST—NEW POLICY IS ANNOUNCED—WAR INDUSTRIES BOARD TO PLACE NEW ORDERS IN WEST AND SOUTH—INABILITY OF RAILROADS TO SUPPLY SUFFICIENT COAL IN EAST GIVEN AS CHIEF REASON—RELIEF EXPECTED.

To check further industrial congestion in the already overburdened East, the Government has prescribed a district in which it will permit no increase in the volume of war orders nor in the number of plants handling them.

This district includes New England, eastern and southern New York, eastern Pennsylvania to Williamsport and Altoona, New Jersey, Delaware, and eastern Maryland, excluding Baltimore.

TO SOUTH AND WEST.

The new policy, announced last night by the War Industries Board and the Fuel and Railroad Administrations, will tend to create expansion of industries in the middle West and South, although the process is expected to be so gradual as not to work any hardship on the eastern manufacturing area nor cause unusual industrial booms elsewhere.

The reason for the action, which already has been put into effect to some degree, is primarily the inability of the railroads to supply sufficient coal or to haul promptly all the manufactured products turned out by constantly growing industries. The shortage of labor in the East and the congested terminals of the Atlantic ports were contributory.

THE POLICY IN DETAIL.

The announcement of the policy follows:

"A policy has been adopted and made effective for preventing further increase in the volume of war orders and the number of establishments handling them in the area known as the congested manufacturing and transportation district. This district comprises the New England States, eastern and southern New York, Pennsylvania as far west as Williamsport and Altoona, all of New Jersey and Delaware, and eastern Maryland, not including Baltimore.

"Exceptions to this policy will be made only if unavoidable through inability otherwise to provide for war needs.

"The congested district comprises those Eastern States in which so large a proportion of war industries is located as to make it difficult to supply all the necessary raw materials and fuel. This difficulty obtains because coal for these industries is mined in the territory west of the Allegheny Mountains. It must be carried into this congested district by a limited number of railway lines and by ships from Hampton Roads and Baltimore.

COAL TRANSPORTATION LIMITED.

"The amount of coal, therefore, which can be transported into this congested area during any one season is limited, and is an entirely separate problem from the production of coal. However, much coal is mined in western Pennsylvania, West Virginia, and Ohio. Only so much is available for this congested district as the railroads and ships can transport into it.

"Careful analysis of the possible coal movement shows that the increased industrial activity in the Eastern States has created a requirement for coal which exceeds the limit of possible transportation of coal plus necessary materials for manufacture. A map of the congested and restricted districts has been issued to all Government departments."

Execution of the new policy will be largely in the hands of the War Industries Board. This does not mean that any idleness of manufacturing plants in the restricted districts is to be permitted.

EFFECT IS MANIFOLD.

The effect hoped for by the Government is manifold. First, railroads of the East will be relieved of the demoralizing influence of a greater demand for coal than it is physically possible to transport. Similarly, railways will not have increased amounts of finished war munitions and supplies to carry. Consequent improvement in the ability of the railways to operate normally will result in fewer freight embargoes.

The labor problem also will be affected. Labor advisors of the Government have found one of their most difficult questions in the lure of labor to new war industries.

DOES NOT AFFECT SHIPYARDS.

So far as the shipyards are concerned, this situation can not be improved much by the new policy.

More equal distribution of manufacturing will enable the Shipping Board and Railroad Administration better to carry out the policy of routing more export shipments through south Atlantic and Gulf ports.

In locating contracts, officials will not let the argument of location outside the congested area dominate questions of price. Manufacturers will have to improve their manufacturing facilities and reduce their prices at least to near those of other manufacturers.

So they have decided to divide the country up into zones of activity, and they propose to let contracts to industrial institutions within the zone and employ labor where it will be at home and where they can get the war needs supplied as they have not been able to get them supplied up to now, and when they have carried this to a successful conclusion they will be able to economize in the expenditures we are called upon to make for the war. While they have been trying to do everything in two or three little places in the United States they have ignored the great body of the country in the letting of contracts for the development of war needs. The city of Chicago, the great imperial city of the Central West, with its two and a half millions of people, with its 39 great trunk lines of railroads, representing over 180,000 miles of railroad entering into the heart of the American Continent, reaching every farm almost in the land where food supplies are raised, within the borders of this great city are to be found great manufacturing institutions capable of building any kind of plant, any kind of machinery needed for the conduct of the war. There are other great cities in the Central West that have been ignored, and while the State of Illinois paid in 1916 $90,000,000 into the Treasury of the United States it was given no consideration whatever in the preparation of things that are needed for the proper conduct of the war. I am glad that the War Industries Board has finally opened its eyes; that it has seen the light of day; that it understands that America does not consist of a few places along the seaboard; that places where men and women live and work and do are not within the confines of two or three States; that there are other States in the Union; that they have men of genius, brains, brawn, and money, and facilities to help in this great war; that while they are willing to give their boys and send them to the front and spill their blood and spend their money, they have an equal right to expect participation in the activities that are needed in the successful conduct of the war. A few more acts like this proposed by the War Industries Board will lead to a coordination of the activities of the country, so that we may be prepared to meet the great crisis that is before us in such a way as to insure to the American people victory in the war. We have, they say, over 700,000 men abroad already on the battle line. We have more than twice that many on the American Continent prepared to go. Have we the facilities to supply them with the needs to win the war? If we have not, we ought to have them, and if we have not those facilities it is because the men who have had control of the letting of contracts have not had the foresight to utilize all the facilities that America has and which they could employ. They have employed such facilities as their favoritism dictated, and they have expended money beyond what they should have expended for the results they have obtained. They have not economized in the way that they should have economized; they have practiced extravagance where economy should have been practiced.

If these activities were coordinated and properly distributed, much greater results could have been obtained and more economy resulted, and to-day, instead of being only half prepared to meet the great responsibilities that are placed upon us by the war, we would have been fully prepared. No man or woman in America would need to have any doubt about what the result of our activities are going to be abroad if we had met the situation as it should have been met without fear, favor, or favoritism, and to-day, let us hope, is but the beginning of a new era; let us hope that this article published in this morning's Post is but the first announcement of a determination on the part of the administration officials that the war is to be won and that every man and every instrumentality in the United States is to be utilized and that no favoritism henceforth is to be played. Let us hope that we have reached the hour when we can bid good night to the day that is gone and welcome the dawn of the coming day, when every American may realize that the Commander in Chief of the American Army is surrounded by men filled with the desire and the kind of patriotism that will compel them and impel them to do the thing that will bring victory to the American arms at the earliest possible date. [Applause.]

Mr. SHERLEY. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LONDON].

Mr. LONDON. Mr. Chairman, I intend to say a few words on a subject not connected with this bill. I have not had time nor opportunity to prepare a careful statement on the subject. I am utilizing these few minutes because in the crowded condition of legislation it may be impossible for me to get the necessary time to deal with the subject at length. I have in mind the decision of the Supreme Court on the child-labor law. Lawyers differ as to the right of the Supreme Court to declare acts of Congress unconstitutional. A good many brilliant lawyers are of the opinion that this power has never really been vested in the Supreme Court. The very first time the Supreme Court exercised that power was in the case of Marbury against Madison, in 1803.

Jefferson mercilessly criticized the court and denied its right to declare an act of Congress invalid. Justice Clark, chief justice of the Supreme Court of North Carolina, stands out among the prominent jurists who believed that this power has never been conferred upon the court.

But whatever the opinions of lawyers may be—and lawyers will always differ, as it is their training to split hairs, to differentiate, to find distinctions, and to reason things out theoretically and abstractedly and altogether out of relation to existing things and to live more or less in the past—the predominance of the lawyer in social and economic legislation is nothing short of calamity. Carlyle referred to lawyers' reasoning as chop logic. The lawyer takes a thought and differentiates and distinguishes and qualifies until there is nothing left of the original idea. Whatever the opinion of lawyers may be as to the right of the court to declare an act of Congress unconstitutional, one thing is certain, that if this decision remains the law of the land it will be impossible for the National Legislature, for Congress, to cure by legislation any of the social or industrial evils which legislation in all civilized countries of the world tries to meet.

It will throw back into the industrial field all the groups that are contending for the right to exist, all the economic classes that necessarily exist in modern society, and among whom there is a ceaseless clash of interests. Instead of the national will asserting itself through the act of the national supreme body, of the legislature, all the industrial clashes will have to find expressions in the industrial field solely, with all the bitterness, with all the cruelties, with all the horrors that industrial strife involves, and with all disturbances to society. Outside of the general cardinal principles of the moral law, those principles that are found in the Decalogue, legislation has at all times represented the rule of one group of society over the other as curbed or tempered by the power and influence of the other group. Thus for centuries in England, in all the countries of the European Continent, the landholding class has practically controlled legislation. In the early history of these United States the property holder enjoyed an influence in legislation far superior to what the numbers constituting that class were justified in exercising. As late as 1842 the famous Dorr rebellion in Rhode Island was the final stage in the conflict between those who believed that political power resided in every citizen and every man, irrespective of whether he owned real estate or not, and those who believed otherwise. In Rhode Island, under an old charter, the right of primogeniture was preserved and only landowners and their first born were entitled to vote up to 1842.

What is tariff legislation except class legislation, in which certain interests which benefit by tariffs speak in the name of the entire people?

The opposition comes from that portion of the community for whom free trade is more desirable, and who also speak in the name of the entire people. In labor legislation the situation becomes quite clear. It is usually legislation on behalf of the masses, of large numbers, as against a smaller group, which enjoys a greater share of worldly goods and very often the greater share of knowledge and intelligence, and who, by reason thereof, think themselves the only competent element of society to guide the destinies of the Nation.

If the decision of the Supreme Court is to remain law, it will be impossible for the National Legislature to take up child-labor legislation, legislation on behalf of women, legislation calculated to modify or to change or to improve conditions in industry.

The Official Bulletin this morning or yesterday contained a very interesting item that says that since the decision of the Supreme Court the Department of Labor has been flooded with telegrams of inquiry from employers throughout the country whether they are now free to employ children under the age of 14 or 16 in the mines and in factories, and these requests show so much anxiety that they are usually accompanied by the statement, "Wire reply collect."

It is evident that this decision can not be permitted to stand as law unless the entire course of social legislation is to be turned back, which no nation developing normally and developing rapidly, as the United States have been developing lately, can afford. Now, what is to be done?

FRANCE HAS A CONSTITUTION.

There was a conflict in France between the Chamber of Deputies and the Senate for years as to the respective powers of the two legislative bodies. There is a conflict in England between the House of Commons and the House of Lords, and the House of Commons is all the time gaining at the expense of the House of Lords. And it is very likely that one of the results of this war will be the complete disappearance of the House of Lords, so that the British legislature, instead of being bicameral, will consist of one body.

How can we overcome that conflict between the three branches of the Government? Is the Supreme Court to nullify the legislation of Congress? Is the court to tell the Legislature what the Legislature intended to do? That is what it amounts to, because the Legislature can not be assumed to have willfully committed an act contrary to their oath of office and contrary to the Constitution. By a majority of one the court nullified the will of the elected Representatives of the people. How is this conflict to be avoided. Half a dozen suggestions have been made. Somebody has suggested that every law which we consider of vital importance should be accompanied by a statement that the Supreme Court should have no power——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. May I have five minutes more?

Mr. SHERLEY. I yield three minutes more to the gentleman.

Mr. LONDON. That very law should be accompanied by the statement that the Supreme Court shall have no power to declare it unconstitutional. Another remedy proposed is that the Supreme Court, which has appellate jurisdiction, shall be deprived of the opportunity to have matters involving the constitutionality of Federal statutes brought up before them on appeal.

There is, again, the suggestion made that the decisions of the court may be revoked by a referendum to the people, and finally that an amendment to the Constitution itself should be adopted to the effect that nothing contained in the Constitution shall be so construed as to authorize the Supreme Court to declare any act of Congress unconstitutional. Something must be done. We can not afford to deprive the National Legislature of the power to deal with great social and industrial problems. Perhaps it would be a good thing for Congress to appoint a select committee to study the entire problem and present a remedy. This matter can not be left in the condition which it is in to-day. We can not permit a state of affairs where, by a majority of one, the Supreme Court can nullify an act of the House of Representatives, of the Senate, and of the President of the United States. We can not permit a repetition of the horrible effect which followed the Dred Scott decision. This is perhaps a poor analogy, because it is hardly likely that anything that can happen in America to-day will ever bring about the same disastrous result. The situation is extremely serious and Congress should not delay in taking up the matter in the most thoroughgoing manner and face the problem in a brave way, so that we will be able to go to the people at an early opportunity and tell them that we have found a remedy for avoiding the possibility of one judge of the Supreme Court vetoing the legislation of Congress. The Constitution has carefully circumscribed the power of the President to veto the action of Congress by enabling a two-thirds majority of Congress to override the President's veto.

And then do not forget that Members of Congress and the President are elected by the people and can be recalled by the people, while Supreme Court judges are appointed for life.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield for a question?

Mr. LONDON. I do.

Mr. SHERLEY. The gentleman has read the case of Marbury against Madison?

Mr. LONDON. I have.

Mr. SHERLEY. Has the gentleman ever undertaken to answer the reasoning of Chief Justice Marshall in that case? I have heard a great many gentlemen inveigh against the usurpation, as they claim, of power by the Supreme Court to declare unconstitutional an act of Congress, but I have never heard any one of those gentlemen undertake to answer the reasoning of the court by which that decision is sustained.

Mr. LONDON. Well, as I said before, it is impossible for one lawyer to satisfy the mind of the other. Five judges of the Supreme Court have differed with four judges of the Supreme

Court on this very question of the constitutionality of the child-labor law. The most important cases before the Supreme Court, involving most vital rights, have very seldom been decided unanimously.

Mr. SANFORD. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. SANFORD. Perhaps the gentleman would be interested to know that the decision of Marbury against Madison has been consistently followed and has been frequently cited by all the new governments on this hemisphere that have copied their form of government from ours, and they all accept the point that the doctrine of that case is essential to any government that recognizes law as the supreme force.

Mr. LONDON. It is entirely true that the American Constitution has been copied by new republics established since the foundation of this Republic, and I am more or less familiar with the decisions which have followed that well-known case of 1803.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. LONDON. Will the gentleman give me one minute more to answer that question?

Mr. SHERLEY. I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman is recognized for one minute more.

Mr. LONDON. We are dealing with the year 1918. The fact that other countries have benefited by our experience should not prevent us from gaining by our own experience.

A situation has arisen where we have a conflict between what are supposed to be three coordinate branches of the Government. Does the gentleman mean to say that Congress is not to do anything about it and just take a chance that any act it may pass, no matter how important, no matter how far-reaching in its effect, may be nullified by one man in the Supreme Court?

Mr. SANFORD. May I say to the gentleman in reply that Congress has the alternative of continuing to exist in a Government by law, or else the Supreme Court may be abolished and we would immediately proceed to be Bolsheviki, and we would be the Bolsheviki.

Mr. LONDON. That sort of reasoning is below the gentleman.

Mr. SANFORD. That would be the effect.

Mr. LONDON. England, a country of law, exists without that power vested in its courts, and France exists as a country of law without that power in its constitution. The gentleman would not deny that France and England and Switzerland and other civilized countries are governed by law. What the gentleman does contend for is this, that a law as laid down in 1787 should be the law for all time, no matter what lessons the present may teach us. That is the trouble with the gentleman. When he speaks of law, as we have it now, he speaks of it as though it had been handed down from Mount Sinai and was absolutely unchangeable. The difference between a human being and an animal is just this, that the animal never changes and the human being does.

Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that I may extend and revise my remarks.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, I yield 15 minutes to the gentleman from Oregon [Mr. SINNOTT].

The CHAIRMAN. The gentleman from Oregon is recognized for 15 minutes.

RECLAMATION.

Mr. SINNOTT. Mr. Chairman, as the sundry civil bill now before the House is the bill which provides for appropriations or allotments for the United States reclamation projects, I deem it pertinent to have read in my time a letter that I have received from Mr. J. H. Upton, the president of the Oregon Irrigation Congress, a man who has given the subject of irrigation and reclamation of arid lands a great deal of study, a great deal of attention. He writes me concerning the establishment of homes for returning soldiers by the irrigation of the arid lands.

Before having this letter read I wish to say that I regret very much that the limitations of the law only permit this committee to recommend an appropriation at this time of some $9,000,000 for the irrigation of the arid lands of the West, and that is confined to existing projects. The committee is limited in its expenditures to the reclamation fund. The reclamation fund comes from the sale of the land in the 16 public-land States, so it is necessarily limited. It does seem to me that this administration ought to profit by the success heretofore had in the reclamation of the arid lands and the operation of that act as conducted by the Reclamation Service.

Last year there were raised upon the Government reclamation projects over $50,000,000 worth of crops, $50 to each acre under cultivation, $30 an acre more than the average raised on all the farms of the country, as shown by the last census report. It does seem to me that this administration ought to adventure upon some comprehensive plan of either increasing the reclamation fund or adopting some legislation such as the Smith-Chamberlain bill, which is designed to put the Government behind some of these bond issues in the Western States, and thereby put in cultivation and under irrigation some of the 17,000,000 acres of arid lands of the West that can be made to produce from 30 to 50 bushels of wheat to the acre, or other food equivalents.

The people in my State, in my district, are doing the best they can with limited means, but on account of war conditions they are able to finance but few of these projects. They have actually gone out this year in Malheur County and sold irrigation bonds in the same way that the Government has gone out and sold its liberty bonds, by appealing to the patriotism of the community to increase food production. On the Warm Springs project, in Malheur County, Oreg., in that manner they expect to sell this summer some $500,000 worth of bonds and have under irrigation next year over 20,000 acres of land that will produce from 30 to 50 bushels of wheat to the acre, or its equivalent in other food products. In the Jordan Valley, in Malheur County, we have inaugurated a project this year that will require an expenditure of $2,000,000 and which will irrigate 40,000 acres. Last year on the Ochoco project, near Prineville, in Crook County, they raised $900,000 by a bond issue. They will have under irrigation this fall on the Ochoco project over 20,000 acres of land which will produce from 30 to 50 bushels of wheat to the acre, or its equivalent in other food products.

We are thus financing these three projects to the extent of $3,400,000, within $900,000 of the total received by Oregon from the reclamation fund at the end of the last fiscal year, June 30, 1917, while up to the same time Oregon has paid into the reclamation fund nearly $11,000,000.

I will now ask the Clerk to read the letter that I referred to.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

"OREGON IRRIGATION CONGRESS,
"*Prineville, Oreg.*

"Hon. N. J. SINNOTT, M. C.,
"*Washington, D. C.*

"DEAR SIR: As one of the citizens of Oregon interested in its development and growth, and as a patriotic citizen imbued with a desire to reward the soldiers of our Nation who are braving their breasts on foreign battle fields to the devastating savagery of the soulless and godless Huns, I am suggesting to you a plan to which I would ask you to give your serious consideration and to aid in every manner possible its dissemination through such channels of publicity as may be open to you.

"Let Oregon start this great plan.

"We are spending billions for devastation and destruction.

"Let us spend a billion for gratitude and construction.

"The people of the United States are so busily engaged in raising an Army of proper proportions and in equipping and transporting them to the fighting zone that we seem to be overlooking the vital question of providing for those who will soon be returned to their home land, disabled from disease and wounds.

"It seems to be a habit in America to wait for emergencies to arise before attempting to take care of them.

"While we are raising and spending billions of dollars to kill the Hun—an operation which will necessarily mean that thousands of our own boys will be wounded, disabled, and maimed—we have not yet begun to prepare for taking care of them after they are discharged from the hospitals provided for their immediate care.

"I am informed that there are 9,000 wounded and disabled soldiers in the Province of British Columbia alone—men who a short time ago left their homes in perfect physical condition, but who are now unable to perform military service or to resume their usual occupations. I am also advised that in British Columbia all interned enemies have been put to work in the clearing and improvement of public lands which the Canadian Government will distribute to its discharged soldiers, while those unfit for military duty on the front are put over them as guards, who see that the internes perform the necessary work in improving the land ready for occupancy and use when the

soldiers are returned to it. In this way the enemies at home are compelled to work, but they also work under supervision of those who have a direct interest in getting the land in fit shape for their subsequent use.

"After several years of Army life, amid new countries and new scenes, facing death in its many horrible forms and undergoing the most nerve-wrecking and physical hardships, a large majority of our boys will welcome a retreat to the quiet and repose of rural life. Many men, highly skilled in various trades and accustomed to hard work, will not be able to return to their former occupations because of the change of viewpoint which the toils and hardships of war has brought about.

"As an economic and as a patriotic policy a solution of this problem, which will be upon us as a Nation within a few weeks following the first great battle in which our soldiers engage, should be worked out and put into effect.

"After the Civil War the situation, serious then but not comparable to the magnitude of the one confronting this country now, was taken care of by the settlement of public lands by means of the soldiers' homestead. This policy can not be renewed, for the reason that practically all of the good land upon which a man can make a living has been taken up.

"It would be a crime to place the returned soldiers out upon the large portion of the lands that are yet the public domain.

"We spend many billions of dollars in the purchase of cannon and ammunition and in building barracks and clothing, all of which will be worn out or destroyed during the course of the war. Would it not be good economy to spend only one of these many billions of dollars in taking care of our boys when they get back or in giving them an opportunity to start life anew when their struggle is over?

"My suggestion is that there be set aside in each of the Western States 1,000,000 acres of land. That the United States build the necessary irrigation systems to properly irrigate this land and clear it and improve it ready for use and occupancy. That in such reclamation they expend in the neighborhood of $50 per acre, making a total of about half a billion dollars, and that another half a billion be set aside to loan to these men for the purchase of farm equipment and stock. That they be allowed the use of this money for 25 years without interest, the whole to be paid back at approximately the end of that period of time. The land to be divided into 40-acre tracts and sold to men who are going to actually live upon the land. All of the interned enemies could be put to work in the improvement of the land and the building of the necessary works and the returned disabled soldiers put in charge of the construction camps. There are immense areas of land in each of the Western States that by the application of water could be made veritable garden spots, but which without water are desert wastes. Such a colonization would not only develop and enrich the West, but would be an exemplification of the gratitude of a thankful Nation to the heroes who are sacrificing their all upon the altar of our country.

"If this plan can be carried to successful fruition, the West will be peopled by the very best blood of our Nation and a multitude of returned heroes and their posterity for time to come will be comforted, cheered, and made to realize that the people at home are in part as unselfish and generous as the noble men who have already and are still giving their opportunities and lives to 'our country'—yours and mine.

"Oregon has been first in every endeavor for the prosecution of this war. Let us all help to make Oregon first in the realization of a grateful Nation of the debt we owe our heroes.

"Yours, very truly,

"JAY H. UPTON,
"*President Oregon Irrigation Congress.*"

Mr. SINNOTT. Mr. Chairman, Secretary Lane has sent this week to the Members of Congress a very appealing and eloquent letter somewhat along the lines of Mr. Upton's letter, which has just been read, advocating the reclamation of the arid lands in the West and the reclamation and drainage of the swamp lands in the South for the purpose of making homes for the returning soldiers. He tells us how the returning soldiers after the Civil War were easily and readily absorbed back into the civil life of the country, largely because the public lands of the West were open to homestead entry, due to the fact that the homestead law was passed in the early sixties. By reclaiming the arid lands in the West and draining the swamp lands in the South the same ready absorption of the soldiers can be had when they return from "over there," and it does seem to me that this administration ought to pay heed to the advice of Secretary Lane in his letter recently sent to the various Members of Congress.

Yearly since I have been in Congress Secretary Lane, with his broad vision and knowledge of the West and his knowledge of what can be done by the reclamation of these arid lands, has given similar advice to Congress and to his chief; but it seems that as often as he gives this advice it is ignored, his letters are pigeonholed, and no action follows. The administration does nothing to enlarge the activities of the Reclamation Service or to increase the reclamation fund.

Mr. MONDELL. Will the gentleman yield?

Mr. SINNOTT. I yield for a question.

Mr. MONDELL. There is carried in this bill an item of $100,000 for investigations in public-land States, and an item of $100,000 for investigations outside of the public-land States, covering these questions.

Mr. SINNOTT. I think that is only a drop in the bucket. It may provide for some superficial investigations and reports that will be pigeonholed, just as the reports from Oregon have been. We have spent $100,000 in investigation in my own State, in my own district—$50,000 by the General Government and $50,000 by the State—and there has been no new reclamation work in the State since those investigations have been made. We want something more than investigations. I would like to see Congress and I would like to see the President give some attention to these repeated letters and recommendations from Secretary Lane. The Secretary is conversant with the matter, but his is the "voice of one crying in the wilderness." His advice comes in here and is repeatedly ignored and pigeonholed.

Some one has said that some people think they pay a debt to virtue by merely praising it, and it appears that as far as this administration is concerned it comes within that principle when reclamation is considered. They feel that they have paid all their obligations to the arid lands of the West and to the demand for reclamation when some letter is sent in like this one by Secretary Lane, letters which are pigeonholed after they come in. They praise reclamation; but that is all it ever amounts to. Nothing is done in a legislative way to increase, as they should increase the activities of the reclamation service, either by enlarging the reclamation fund or by passing the Smith-Chamberlain bill, which is designed to enable the Government to get behind the bond issues of the various States.

Mr. COOPER of Wisconsin. I had the letter of Secretary Lane put in the RECORD day before yesterday.

Mr. SINNOTT. It is in the RECORD?

Mr. COOPER of Wisconsin. Yes.

Mr. SINNOTT. And it will sleep in the RECORD, and as far as the administration is concerned, if the record of the past is a criterion, you will see that no activity will be had in relation to the matter, and we shall still be confined to the limited moneys in the reclamation fund for future development unless more attention is paid to Secretary Lane's yearly recommendations than has been paid in the past.

Mr. SHERLEY. Does the gentleman from Wyoming wish to use any more time?

Mr. MONDELL. I have no further requests for time.

Mr. SHERLEY. I ask the Clerk to read the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Repairs and preservation: For repairs and preservation of all completed and occupied public buildings and the grounds thereof, under the control of the Treasury Department, and for wire partitions and fly screens therefor, Government wharves and piers under the control of the Treasury Department, together with the necessary dredging adjacent thereto, buildings and wharf at Sitka, Alaska, and the Secretary of the Treasury may, in renting said wharf, require that the lessee shall make all necessary repairs thereto; care of vacant sites under the control of the Treasury Department, such as necessary fences, filling dangerous holes, cutting grass and weeds, but not for any permanent improvements thereon; repairs and preservation of buildings not reserved by vendors on sites under the control of the Treasury Department acquired for public buildings or the enlargement of public buildings, the expenditures on this account for the current fiscal year not to exceed 15 per cent of the annual rentals of such buildings: *Provided*, That of the sum herein appropriated not exceeding $125,000 may be used for marine hospitals and quarantine stations and completed and occupied outbuildings, including wire partitions and fly screens for same, and not exceeding $14,000 for the Treasury, Butler, Winder, and Auditors Buildings at Washington, D. C.: *Provided further*, That this sum shall not be available for payment for personal services except for work done by contract or for temporary job labor under exigency not exceeding at one time the sum of $100 at any one building, $1,000,000: *Provided further*, That not to exceed $200,000 of the appropriation in this paragraph may be expended for altering and remodeling completed and occupied public buildings outside the District of Columbia other than marine hospitals and quarantine stations.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. I would like to ask a question of the chairman of the committee, apart from the provisions of this bill, with reference to the structures that are being put up in Potomac Park, I think for the Navy and perhaps also for the War Department. Can the gentleman state whether these are contemplated to be temporary or permanent buildings?

Mr. SHERLEY. They are neither temporary nor permanent in the full sense of those terms. When provision was made for those buildings the gentleman will recall that I made the state-

ment that they were intended to be fireproof concrete buildings, with the object that they should not permanently remain there and yet remain there such a length of time as to free the Government from being at the mercy of the private owners of buildings here in the District. After the war there will necessarily be need for space for quite a considerable period while we are planning for permanent structures for the increase of the Government that will necessarily remain after the war. These buildings will not be unattractive. There is a good deal of structure there incident to the erection of the buildings that will disappear in the course of a month or two, and when the buildings are completed it will not obstruct the view as it is now obstructed.

Mr. CRAMTON. The gentleman does not favor permanently taking up that park by structures of that nature?

Mr. SHERLEY. I do not favor it, and if the committee at the time the buildings were authorized could have found any available site which could have been used we would not have thought of using that land.

Mr. CRAMTON. The gentleman does not think the vacant property in front of the Union Station might be utilized, where there is excellent street car service?

Mr. SHERLEY. That was all gone into at the time, and it was not thought adequate for the buildings of the size and character the gentleman has referred to. Besides that, it was a considerable distance from the other governmental activities. In addition to that, I think very likely the housing commission will use that space for housing Government employees.

Mr. CRAMTON. I am entirely in sympathy with the gentleman's statements, but as I have viewed the work of construction, I thought they were being built in a way that would permit their remaining there until all of us have been under the ground for some time.

Mr. SHERLEY. I hope not, and yet I think the buildings may remain there for five years or so.

Mr. CRAMTON. It would be greatly to be regretted to have the parks permanently disfigured by these buildings, especially in view of the fact that they are not in a location that is readily accessible by the public and by the employees. I withdraw the pro forma amendment.

The Clerk read as follows:

For salaries of all necessary employees, other than employees required for the administrative work of the bureau of the class provided for and specified in the legislative, executive, and judicial appropriation act for the fiscal year 1919, and plate printers and plate printers' assistants, $1,731,600, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denomination than those that may be canceled or retired, except in so far as such printing may be necessary in executing the requirements of the act "to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes," approved March 14, 1900.

Miss RANKIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 19, line 8, after the word "assistants," strike out the figures "$1,731,600" and insert "$2,039,118."

Miss RANKIN. Mr. Chairman, this appropriation has to do with the men and women working in the Bureau of Engraving and Printing. When I came to Washington I heard many rumors about the unwholesome and unfair conditions in the Bureau of Engraving and Printing. Just about a year ago I was requested to make an investigation of conditions in that bureau. After thoroughly investigating those conditions I brought the facts before the Secretary of the Treasury, Mr. McAdoo. He appointed a committee to further investigate the conditions of the girls' work in the Bureau of Engraving and Printing, and after a hearing which lasted less than three hours the committee made a supplementary report to Mr. McAdoo declaring that all workers in the bureau should be put on an eight-hour basis. This was done. We found from the report made to me by Mr. Ralph, Director of the Bureau, that there were over 400 girls in the bureau whose time he was going to shorten from 13 hours to 12 hours a day. We found that he had working over 400 women on night duty on a 12-hour shift.

He offered to reduce the hours of 18 women from 13 to 14 hours a day. We found that this work had continued for several months before war was declared. These conditions, humanity decided, should not continue. We also found many other conditions that had to be changed. For instance, Mr. Ralph had taken away from the girls their annual leave. He had also refused to give them permission to be transferred to other departments. These conditions were changed, but there was nothing we could do about the pay that these girls were receiving. Two dollars and twenty-four cents a day, or $700 a year, was the highest wage that the girls could attain except when they were put in charge of a division. We found many girls who had been working in the bureau 15 to 20 years and were receiving only $700 a year. These girls are employed as common laborers. I think that is the head under which their work is done, but as a matter of fact it is very skilled labor and very hard on those who are performing the work. For instance, in the examining room they have to examine every bill and know whether it is perfect. Every bit of work that is done in the bureau is counted. The mental strain of counting continually for 8 hours a day, and at times 12 hours a day, is more than most of the girls can stand.

In the numbering and examining division the women have to have their eyes examined very often, because of the strain upon them. This work can not be done by unskilled labor. It takes many years of training to work up to the positions which those girls occupied when they were receiving $700 a year, and this appropriation will simply increase the amount which the director of the bureau may give to these women, who are now receiving, some of them, $1.92 a day, and a great majority $2.24 a day. [Applause.]

Mr. SHERLEY. Mr. Chairman, there are several basic facts that ought to be understood in connection with the Bureau of Engraving and Printing, because they apply not only to the Bureau of Engraving and Printing but to a number of other places. Congress can not undertake to determine wisely all the details of administration of a manufacturing establishment such as that. There has not been for a number of years any limitation of law upon the Secretary of the Treasury as to what wages should be paid to the employees in the Bureau of Engraving and Printing. He annually has submitted estimates for the running of that institution, and whenever in the judgment of those responsible for that institution additional money was needed because of desirable increases in wages, the duty was plain upon those people to present the estimates and the reason therefor to the Congress. Some time ago the women employees engaged in the Bureau of Engraving and Printing asked an opportunity to be heard before the Committee on Appropriations, and they came before us representing their cause. On behalf of the committee I said to them what I am saying now to the House, that I thought it was the duty of the administrative officers of that institution to exercise the proper courage to advise Congress as to what moneys were necessary for proper salaries there, and then Congress would exercise its judgment as to whether or not it would allow the moneys that were asked, but that the constant effort to sidetrack matters by saying "We have not the money" or "Congress will not let us do this" was a situation that had no justification. As a result of that statement these ladies evidently went to the gentleman in charge of the Bureau of Engraving and Printing, and presumably he to the Secretary of the Treasury, and an additional estimate was submitted to Congress, an estimate in amount that bears no relation to what this director previously had testified was what was needed in order to pay proper salaries. In other words, the director has not performed, other than as may be judged by the submission of estimates, the function that rests upon him to perform of determining, as the administrative officer, what wages ought to be paid down there and asking the money for it. What he practically has done has been to take the statement submitted to him and send it to us, saying, "We need so much money to do certain things," but his positive testimony before the committee does not warrant us in the belief that he believes that that should be done.

This is what the committee has done. It has increased this item by $100,000 instead of increasing it, as requested by Mr. Wilmeth, $399,118—that is, as requested by him in his supplemental estimates, not as requested by him in his statement as to what wages ought to be paid or what the necessities of the case demanded—and we arrived at that sum in this way. It will enable the Director of the Bureau of Engraving and Printing, if he administers his office properly, to see to it that none of the women work for less than $2.24 a day, plus the $120 a year that will be given to them along with other employees of the Government.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. Not long ago the director increased the wages of a number of people down there to the extent of about $45,000.

Miss RANKIN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. In a moment; and it is interesting to note how he went about it. He increased the pay of people who

were getting $5, $6, $7, and $8 a day, and then had a little money over and increased some from $1.75 to $1.92 a day, those latter being the assistants to the plate printers. That is not my conception of the way to run that bureau. There are a lot of people down there who are getting all of the money that they ought to get and some who are not getting what they ought to get. We have not undertaken to determine just who should be increased except in this way: We have given to him money enough to do the things necessary to be done, and to pay a salary in every instance which shall not be less than $2.24 a day plus the $120 a year. These people a few weeks ago were getting $1.75 a day. They were then increased to $1.92 a day, but they can be raised by him under the provisions that we are making to $2.24 a day and will get what amounts to approximately 40 cents a day in addition to the $120 a year. In other words, they will have been raised from a pay of $1.75 to about $2.65, an increase of nearly $1 a day.

Everyone has his ideas, and they differ according to individuals as to what amount of money shall be paid to different folk for work. Unfortunately in life the capacity to desire and to suffer bears no relationship to the capacity to earn, and man being sentient frequently suffers out of all proportion to his ability to ease his sufferings. An idealistic government might be such a government in which everybody would be given sufficient to enable him to satisfy his desires without regard to his capacity and what he in turn gives to society, but we are not living in an idealistic government, and we never can, and it is perfectly impossible to ever base wages upon the desires of people instead of what they give to society for the wage that they receive.

Mr. CARLIN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. In a moment. We have tried to do what we believe was not a charitable thing but an equitable thing, not simply out of sympathy to people but out of justice to people. I think these women are entitled to get a minimum wage of at least $2.24 with this bonus added. We have provided that they shall, but we have not undertaken to adopt the policies of a number of people to increase everybody without regard to what they are now earning. I will now yield to the lady from Montana.

Miss RANKIN. The gentleman has answered my question.

Mr. SHERLEY. I yield to the gentleman from Virginia.

Mr. CARLIN. I wanted to ask the gentleman if the demand for the increase of wages by the employees of the bureau did not come to the superintendent subsequent to his testifying before the committee?

Mr. SHERLEY. Well, I do not know whether it did or did not, and I do not care. If he is fit for his job he ought to know what these people are entitled to be paid, and ought to request that amount of money.

Mr. CARLIN. I asked for information——

Mr. SHERLEY. I really do not know; I will say to the gentleman, I do not recall.

Mr. CARLIN. This estimate submitted by the Secretary of the Treasury, does it bear the recommendation of the Secretary of the Treasury?

Mr. SHERLEY. Well, it bore it to the extent that it bears a short note signed by Mr. Moyle, Acting Secretary, in which he states:

> Inclosed herewith is a letter from the Director of the Bureau of Engraving and Printing, setting forth in detail the present rates of pay and the rates recommended for the year 1919. The work of these employees involves both care and responsibility, is worth more than is being paid, and the bureau is without sufficient funds to make the proposed increase in their compensation.

This letter, if not in general language, does not say and recommend just what they ought to have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NOLAN. Mr. Chairman, I hope the amendment of the lady from Montana will prevail. I have been doing my best for the past two years to try to get a measure passed here, a minimum wage bill, to take care of the men and women in the Government service who deserve first consideration at the hands of Congress. Two years ago the Committee on Labor held extensive investigations, and we found the situation in the Government service both in Washington and throughout the country where men and women were working for wages set in 1854. There are a great many of these lower paid employees whose salaries were fixed along about 1854 that have never been changed. They get $50, $55, $60, $65, and $70 a month, and I think they are entitled to first consideration by Congress. I agree with the chairman of the Committee on Appropriations that it is not the proper thing for the chief of any bureau or the head of any one of our departments here or elsewhere to take a sum of money equal to $45,000 and give first consideration to those who are getting a living wage, and that first consideration ought to be given to those, especially to-day, who are getting the very lowest pay in the Government service. Take the situation down here in the Bureau of Engraving and Printing. The lady from Montana, who offers this amendment, has given consideration to the welfare of the girls in that establishment. Some time ago, or some months ago rather, shortly after we entered into the war, they were working the girls 12 hours a day 7 days in the week for a considerable portion of time.

Mr. LONDON. Will the gentleman yield?

Mr. NOLAN. I have only a few minutes.

Mr. LONDON. What is the nature of the work these girls do?

Mr. NOLAN. Some act as assistants to plate printers, some are in the stamp room, some are in the counting room, some are in the numbering room; their work is diversified, and most of it is very, very arduous. These assistants to plate printers have the hardest work done by the women in the bureau.

Mr. ROSE. And you may say it is constant.

Mr. NOLAN. It is constant, and they were working 12 hours a day, seven days a week, and there was considerable agitation against this system, and I do not know how it eventually worked out. I know it was changed. As far as the hours are concerned the women down there are getting better treatment, due largely to the activities of the lady from Montana who has introduced this amendment. She has been trying to cure the evils that they have suffered and to enable them to make a decent living. Anybody who knows the situation in the District of Columbia, and most of us who are in constant touch with them will know those who have dependents upon them, and I understand that 80 per cent of the women employees in the bureau there have dependents upon them—with that situation $2.50 a day or $2.70 a day will not take care of them. It would be $16.20 a week, working every day in the week, and $16.20, counting the $120 increase, if they work every day in the year they would get $860; at that rate you can not go very far in Washington, and I think they are entitled to all the consideration that Congress can give them. These are the class of employees to whom we ought to give consideration. Now, a situation has developed here, I do not know whether it will spread to the Bureau of Engraving and Printing or not, but somewhere near 1,000 District employees—and you will understand the organization they affiliated with only represents about one-fourth of the men who went out on strike, is not affiliated with the labor movement, and this condition has sprung up in the last few months since Congress provided for $120 per annum increase, and those men had become dissatisfied and want to leave the Government service and enter into other employment that would pay more money, and the result was within a week about a thousand employees went out on strike on two different occasions. I do not approve of that method; I think there ought to be some other way, especially now, for Government employees and other employees to have their grievances adjudicated, but there is a condition among the underpaid employees that prompts them to act collectively so that their grievances regarding wages and living conditions will be brought sharply to the attention of their employer, in this instance the Congress of the United States. If you do not provide the funds necessary to pay these men and women a living wage, they will leave your service and go to some employer that will, and there is plenty of opportunity for them, and as labor gets scarcer, due to the war, your problem will become more serious.

The girls and women that work in the bureau for small wages ought to have first consideration, and they ought to have immediate consideration. I do not think that $2.70 a day is enough or that $3 a day is enough. You ought to place sufficient funds at the disposal of the Chief of the Bureau of Engraving and Printing and the Treasury Department to give them a living wage. Nobody can live in the District of Columbia, I do not care what their color or sex is, unless you give them $3 a day or more. That is the situation that you have confronting you. I do not blame the Committee on Appropriations for this situation. It was brought to them. They stated their position, if I got it right, in the public press, that they appropriated the money that was asked for and estimated for by the Treasury Department, and as a result of that additional money was asked for. Now, the question you have to determine is as to whether the $100,000 that they have allowed is sufficient to give these men and women down there a living wage. I do not think it is. I think the Appropriations Committee should have been more liberal, and I think the amendment offered by the lady from Montana ought to prevail. [Applause.]

Mr. STEPHENS of Nebraska. Mr. Speaker, I am in receipt of a number of telegrams and letters from members and officials of commercial clubs in Nebraska that have been provoked by a speech made by one Capt. W. H. Stayton, supposed to be representing the Navy League, protesting against the passage of a rider to the Navy appropriation bill to prevent the use of

the stop-watch system in Government yards and shops. I have prepared an answer to my petitioners, which I ask unanimous consent to insert in the RECORD, as I am sure the facts collected on the subject are of widespread interest to the country.

The CHAIRMAN. The gentleman from Nebraska [Mr. STEPHENS] asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MONDELL. Mr. Chairman, these are trying days for men who are responsible as legislators in connection with appropriations and whose hearts are open to the appeal of those who desire to better their condition and secure increased compensation. In that category I embrace all of those who serve on appropriation committees in the House. We all appreciate the fact of the very considerable increase in the cost of living in the last few years. We all appreciate the fact that there are very few people working for wages or ordinary salaries who believe they are securing sufficient compensation above their compensation of past years to cover the increased cost of living. I think it probable that nine-tenths of the employees of the Government may truthfully say that their increased compensation in the past few years has not kept pace with the increased cost of living.

As a matter of fact, there are many educated and able people working for the Government in this city and elsewhere, people who have spent years in preparing themselves for their duties and who have perfected themselves in the performance of those duties by years of earnest effort, that are receiving little or no more compensation now than they did 10 years ago, with the exception of the small stipend of $120 a year which we give to all of those who do not receive compensation in excess of $2,500 a year.

Every time an appropriation bill is considered which provides for the pay of governmental employees we receive appeals for increased compensation. Personally I have frequently regretted that we could not, in view of our sense of responsibility, give all that anyone asked or desired. That is the natural disposition of any kindly disposed man, and I have never met a Member of Congress who was not kindly disposed.

Our natural disposition is to grant them more generous increases, but we have a responsibility, and a very great one, each and every one of us. We are not appropriating our money; we are appropriating the money of the American people, a great majority of whom are hard-working, rather poorly compensated folks. It is costing us a great deal of money to run this Government in this time of war, and a very large number of the best of our people are receiving but $30 a month and keep, throwing their lives in the balance. That fact, however, does not modify our duty in doing justice to those who are employed by the Government in clerical and industrial capacities.

It has been the desire of the committee having charge of this bill, so far as we have any authority—and with regard to many of these employments, many of these compensations, we have no authority whatever—so far as we have any authority and have any control, to do all we can in justice to all of the employees of the Government, in justice to the taxpayers, in making such provisions as will at least reasonably compensate Government employees.

Now, how about these particular employees to whom we have referred? Let us remember that the low-paid employees of the Bureau of Engraving and Printing do not include all the women employees by any manner of means. Many of them receive a wage very considerably in excess of that which has been referred to. It is only those who are doing the work that any healthy, reasonably capable young woman can do without special training who are receiving the salaries and wages that have been referred to.

The work of the plate printers' assistants and the work of the other employees who have been getting from $1.75 to $1.92 and an additional 10 per cent for an eight-hour day is not work that requires a very considerable amount of training. The work is performed by young women in the main, quite a considerable number of them colored young women, who have been engaged in domestic work but have recently gone into the bureau because there has been an increased demand there and some increase in the pay.

Now, I yield to the lady from Montana.

Miss RANKIN. Have you any idea what proportion of these women receive over $2.24 a day? When I was there, there were over 2,000 women who were receiving that amount or less, and there were not over 500 women who were receiving more—I do not recall the exact number—who were heads of departments and who were receiving more. As I remember, no woman except the head of a department was receiving more than $700 a year.

Mr. MONDELL. I do not know accurately, but my recollection is that a considerably larger number of the women than that suggested are receiving a higher pay than that named.

Mr. BYRNES of South Carolina. Let me give the gentleman the figures. There are 1,652 that receive $1.92 a day, and others receive more than that.

Mr. MONDELL. But those we are now referring to are women receiving formerly $1.75, and then $1.75 and 10 per cent, and later $1.92 and 10 per cent.

Mr. CRAMTON. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. CRAMTON. Is the gentleman aware that colored girls or colored women—he has just referred to that class—can go out and by performing housework by the day here in the city receive $2 a day, with street car fare and two meals?

Mr. MONDELL. I think that is true, but, nevertheless, many of them have applied for this work and a considerable number of them have been employed.

The committee has increased this appropriation so that the wages of those employees can be increased to at least $2.24 a day of eight hours.

They can be increased above that sum, because there is no limitation in this bill or in the law; but they can be increased at least that amount with the appropriation that has been granted, and in addition to that they receive about 45 cents a day out of the $120 a year additional pay; so that these employees, whose duties are such as can be performed, as I said a moment ago, by any healthy young person without special training, will receive at least $2.65 to $2.70 a day. These employees are also paid for holidays and have 30 days' leave per annum with pay. When you figure their pay on the basis of the days they actually work it amounts to over $3 per day of eight hours. We have granted a sum which will allow these increases; if you are to increase above that amount the wages of these employees, the employees of these classes, then you must in justice go right through the bill and all other bills and boost largely all along the line, because there are men in the employ of the Government with families who are receiving but very little more, who have been in the employ of the Government for a long time, and whose services are of a more or less skilled, technical, or professional character. The opinion of the committee was that we had granted a sufficient amount of money to bring the wages of these particular employees rather higher than those of employees of the Government generally, when you take into consideration the character of the work performed and the amount of preparation necessary for one to become proficient in it. We have granted a hundred-thousand-dollar increase in this appropriation in order to make possible the increase of the pay of these employees in at least the sums mentioned. It was as much as we felt justified in doing. Of course, if the House sees fit to increase the appropriation further, the Director of the Bureau can then make a larger increase than we had in mind.

The CHAIRMAN. The question is on agreeing to the amendment offered by the lady from Montana.

The question was taken; and the Chairman announced that the noes appeared to have it.

Miss RANKIN. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 19, noes 20.

Miss RANKIN. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are requested. As many as favor taking the vote by tellers will rise and stand until they are counted. [After counting.] Seventeen Members have risen—not a sufficient number.

Mr. NOLAN. The other side, Mr. Chairman.

The CHAIRMAN. The other side is requested. It takes 20 to order tellers, a fifth of a quorum.

Mr. NOLAN. Mr. Chairman, I make the point of no quorum.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Kentucky moves that the committee do now rise.

Mr. CARLIN. Mr. Chairman, the point of no quorum is pending.

The CHAIRMAN. It is true, the point of no quorum is made.

Mr. CARLIN. Unless that is withdrawn, the motion of the gentleman from Kentucky is out of order. We can not transact any business unless it appears that a quorum is present.

The CHAIRMAN. The motion to rise is always in order. It does not require a quorum to rise.

Mr. CARLIN. The Chair does not understand my point. While a point of no quorum is pending, a motion to rise is not

in order. That must be disposed of before the motion to rise is in order.

The CHAIRMAN. The Chair rules that it is always in order to entertain the motion to rise. The question is on agreeing to the motion to rise.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. SHERLEY. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered; and the Chairman appointed Miss RANKIN and Mr. SHERLEY to act as tellers.

Mr. SHERLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHERLEY. The question is on the motion to rise?

The CHAIRMAN. Yes; the question is on the motion to rise.

The committee again divided; and the tellers reported—ayes 7, noes 39.

So the motion to rise was rejected.

The CHAIRMAN. The point of no quorum has been made.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. In case a quorum is obtained, will Members answering the roll vote on the proposition, or will it simply mean a loss of time in calling the roll?

The CHAIRMAN. That is hardly a parliamentary inquiry. Does the gentleman from California [Mr. NOLAN] insist upon his point of no quorum?

Mr. NOLAN. I do.

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Flynn	Kreider	Rainey, H. T.
Baer	Fordney	LaGuardia	Rainey, J. W.
Barkley	Foss	Langley	Ramsey
Barnhart	Frear	Larsen	Riordan
Blackmon	Fuller, Mass.	Lea, Cal.	Roberts
Brand	Gallivan	Lehlbach	Robinson
Brodbeck	Gard	Lever	Rowe
Browne	Gillett	Littlepage	Rowland
Brumbaugh	Glass	Longworth	Sanders, N. Y.
Burroughs	Goodall	Lufkin	Sanford
Butler	Goodwin, Ark.	Lundeen	Saunders, Va.
Caldwell	Gordon	Lunn	Schall
Carter, Mass.	Gould	McCormick	Scott, Pa.
Cary	Graham, Pa.	McCulloch	Scully
Chandler, N. Y.	Gregg	McKenzie	Sears
Clark, Fla.	Hamill	McKinley	Shackleford
Clark, Pa.	Hamilton, Mich.	McLaughlin, Pa.	Sherwood
Classon	Harrison, Va.	Magee	Siegel
Collier	Hawley	Maher	Slemp
Copley	Hayden	Mann	Small
Costello	Hayes	Martin	Smith, Idaho
Crago	Heflin	Meeker	Smith, Mich.
Crisp	Heintz	Merritt	Smith, T. F.
Crosser	Helm	Miller, Minn.	Snyder
Currie, Mich.	Hilliard	Montague	Stafford
Curry, Cal.	Hollingsworth	Moore, Pa.	Stedman
Dale, N. Y.	Hood	Moores, Ind.	Steele
Darrow	Houston	Morin	Sterling, Ill.
Davidson	Howard	Mott	Sterling, Pa.
Davis	Hull, Iowa	Neely	Stevenson
Denison	Hull, Tenn.	Nelson	Stiness
Dewalt	Humphreys	Norton	Strong
Dickinson	Husted	Oldfield	Sullivan
Dies	Hutchinson	Oliver, Ala.	Talbott
Dixon	Ireland	Olney	Tinkham
Dooling	James	O'Shaunessy	Vare
Drukker	Johnson, Ky.	Paige	Vestal
Edmonds	Johnson, S. Dak.	Peters	Voigt
Elston	Johnson, Wash.	Phelan	Whaley
Emerson	Kahn	Porter	Wilson, Ill.
Estopinal	Kehoe	Pou	Winslow
Evans	Kelley, Mich.	Powers	Woods, Iowa
Farr	Kennedy, R. I.	Pratt	
Ferris	Kiess, Pa.	Price	
Fess	Kitchin	Ragsdale	

The committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the sundry civil appropriation bill, H. R. 12441, found itself without a quorum, whereupon he caused the roll to be called, when 253 Members, a quorum, answered to their names; and he reported the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. A quorum is present. The committee will resume its sitting.

Accordingly the committee resumed its session, with Mr. GARRETT of Tennessee in the chair.

Mr. CARLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CARLIN. When the committee was dividing, it was upon the request for tellers. It found itself without a quorum. My inquiry is, Is not the question now before the committee as to whether tellers shall be ordered upon the pending amendment?

The CHAIRMAN. The situation is this: The committee divided upon the amendment proposed by the lady from Montana [Miss RANKIN]. Under that division the Chair announced that the ayes were 19 and the noes 20. At that point the lady from Montana demanded tellers. The Chair put the question, when 17 Members arose, and the Chair stated that that was not a sufficient number. Whereupon the gentleman from California [Mr. NOLAN] made the point of no quorum. Thereupon the gentleman from Kentucky [Mr. SHERLEY] moved that the committee rise. The committee refused to rise. The parliamentary situation is that the ayes are 19 and the noes are 20.

Mr. CARLIN. I demand tellers.

Mr. SHERLEY. I insist that tellers have already been refused by the committee and that it is not in order to demand tellers again.

Mr. NOLAN. If it is not in order to demand tellers, it is in order to ask for a vote.

Mr. SHERLEY. I insist that a decision has been had.

Mr. NOLAN. I insist that no decision has been had.

The CHAIRMAN. The Chair stated that the ayes were 19 and the noes were 20. The Chair had not stated that the noes had it. The Chair thinks that clearly, a quorum not being present at the time——

Mr. SHERLEY. If the Chair will permit, the Chair made the announcement, and the demand was made for tellers. Now, if anybody at that point, with the demand for tellers pending, had made the point of no quorum, it would be in order for the demand for tellers to be submitted to the committee at this time; but instead of that being done, the demand for tellers was put by the Chair, and the committee refused tellers. It did not take a quorum to grant tellers. It took 20 Members. There were more than 20 Members present. The committee refused tellers, and the matter became a closed incident. I have no desire to take advantage of anybody or of the House. The same matter can be arrived at by an amendment being offered, either by the lady from Montana or by anyone else, changing the amount one dollar or half a dollar, or any other amount. Then there will be an opportunity for such statement of the case as will enable those who have come in to vote with knowledge.

Mr. NOLAN. I have no desire to press the point, Mr. Chairman, as I understand another amendment is to be offered.

Mr. CARLIN. I made the demand for tellers.

Mr. NOLAN. I made the point of no quorum.

Mr. CARLIN. I understand; but that has been disposed of. The question before the committee now——

Mr. SHERLEY. I suggest to the gentleman, both as a matter of convenience and of information, that the way to reach the question is to offer an amendment substantially the same as the other. There can then be such debate as will enable those present to understand the question.

The CHAIRMAN. Does the gentleman withdraw his demand for tellers?

Mr. CARLIN. I will, with the understanding that the Chair will recognize the lady from Montana [Miss RANKIN] to offer an additional amendment.

The CHAIRMAN. Does the gentleman withdraw his demand for tellers?

Mr. CARLIN. Yes.

The CHAIRMAN. The noes have it, and the amendment proposed by the lady from Montana is rejected.

Miss RANKIN. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The lady from Montana offers a further amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Miss RANKIN: Page 19, line 8, after the word "assistants," strike out "$1,731,600" and insert in lieu thereof "$1,981,600."

The CHAIRMAN. The question is on the amendment proposed by the lady from Montana.

Miss RANKIN. Mr. Chairman, this amendment has to do with the wages of the girls and some men working in the Bureau of Engraving and Printing. I have been very much interested in this bureau for over a year, having investigated the conditions there very thoroughly, and having brought the facts of the overwork and underpay and the bad conditions in the bureau to the attention of the Secretary of the Treasury. It resulted in all the employees having their hours reduced to eight hours a day. The wages have not been increased, and this has been the first opportunity that Congress has had to increase the wages of these women. This is a very important department of the Government, and there is a very serious situation facing the Government to-day unless something is done to improve conditions in the Bureau of Engraving and Printing.

As you all know, the bureau was the only place where the District of Columbia girls could work. These girls had no Representative in Congress, and their wages remained very low. The girls assisting the plate printers working at machines have no time to loiter or waste, for they are working with men who do piecework, who therefore work as hard as they can, yet received only $1.75 a day until a very short time ago, when it was raised to $1.92 a day.

The women who are working in other departments of the bureau where it takes a great deal of skill and a great deal of endurance, as, for instance, in the department where they examine the bills, the numbering division, where they read the numbers of bills, they begin in the morning and all day long they count every piece of paper that passes through their hands. They have to examine every bill and see that there is no flaw; they have to read the true numbers on the bill.

When I made the investigation I found that these women had been working overtime for many months. Mr. Ralph told me that he was willing to reduce 400 girls from 13 hours a day to 12 hours a day, and that he was going to continue to work 400 women on night shifts in 12-hour shifts. He was going to reduce 18 women from 15 to 14 hours a day. During this time Mr. Ralph would not allow the women to have transfers to other departments. As a result they had to work in the bureau or go without a job for a year. Since then Mr. McAdoo has insisted that they be given the right to transfer. A great many of the girls have been transferred. When they were put on an eight-hour-a-day shift it necessitated the hiring of a great many more women. These women came in without experience and they have not been doing the grade of work that the women employed in the past had done. I believe that an effort was made by Mr. Ralph, the director who resigned rather than to face the charges against him—that he was doing all in his power to demoralize the bureau in order to prove that the eight-hour shift was not the best plan of work.

As it is now, the girls are leaving the bureau in order to get higher pay, and unless we raise the pay of the employees of the bureau the work will be seriously affected. So it is not altogether for the girls that it is necessary that we should increase the pay. The question of production is involved.

The work that these girls do is really skilled work, although not so called. Yet all those who are not heads of departments are receiving only $2.24 a day. With the horizontal raise for all Government employees it will increase their wages 40 cents a day. But that is not enough of a raise for women doing such technical work under such a physical strain. We find many cases of nervous breakdown. There are several cases in St. Elizabeth from overwork. The women in the numbering division have to have their eyes examined because of eye strain, and yet these girls are receiving only $700 a year.

The CHAIRMAN. The time of the Member from Montana has expired.

Miss RANKIN. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Miss RANKIN. This increase I am asking for is not for the assistants of the plate printers, but for women working in other departments of the bureau. As you know, this appropriation is a lump sum, and we will have to trust to the director to divide the money among the employees in an equitable manner. That can not be done by legislation by this body. I am asking only for a $250,000 increase over what the committee made, which, I believe, is an increase of $100,000. This will not all go toward increased wages, but, no doubt, a large part will be used for additional employees. New women can not be obtained unless they are offered a reasonable wage. There are many women still working in this department of the bureau receiving only $1.92 a day. Now, we know that is not what the women in the bureau should receive. There may be some departments of the Government where the employees do not work very hard, but no one can say that about the Bureau of Engraving and Printing, for there they are forced to work at a pace set by machines, and then those who do the continual counting from morning until night, constantly counting large sums of money, are given set tasks to perform. This work requires women of capacity and moral courage. If this Congress wishes the Bureau of Engraving and Printing to continue the splendid output they have been making, we must recognize the necessities of the workers.

People can work under a stress in time of peace which, in many instances, can not be endured in time of war. We know that the work of this department is very important. If the new director is not performing his work in the way that it should be performed, we should change the director again; but that the director is not doing his duty is no reason for Congress to continue making appropriations that will necessitate underpay for the women. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, the question is not whether we should increase the compensation of the women employees of the Bureau of Engraving and Printing, but whether or not the increase provided in this bill is a sufficient increase in the compensation they are now receiving. Deplorable as may have been the conditions existing under Mr. Ralph while he was director of the bureau, he is no longer the director, and certainly it has no relevancy to this question. To-day the women operatives there are working only eight hours a day, and instead of receiving $1.75 a day, they have received all this year, the employees who are the lowest-paid employees in the bureau, $1.75 plus 10 per cent increase, which you provided they should be paid. About three weeks ago the director increased the compensation of the lowest-paid employees from $1.75 to $1.92 a day. So that to-day they are receiving $1.92 plus the 10 per cent increase. They work eight hours, they are allowed time and a half overtime, they are allowed 30 days leave with pay, and all holidays, in addition to the half holidays, which, during the summer, we know they are allowed on Saturdays. The operatives who receive $1.92 number 1,652. Of the 1,652 there are 1,353 not included in this appropriation, the plate printers' assistants, who are included in an appropriation that is on the next page of the bill. The employees who are paid $1.92 a day, instead of being engaged in counting money, as the lady from Montana [Miss RANKIN] states, are the plate printers' assistants, and outside of these employees there are, according to the director of the bureau, only 299 women employees receiving $1.92 per day.

The only work comparable in any way with the work done by the plate-printers' assistants is the work done by the employees of the Government Printing Office who feed the presses, and who receive $2.20 per day. On that statement the committee acted and we have provided the Director of the Bureau of Engraving and Printing with $100,000. That $100,000 was to allow him to make the compensation of the women who now receive $1.92, plus 10 per cent—$2.25 per day—so that they will receive 5 cents more per day than will the employees of the Government Printing Office who do work which, according to the director, demands more skill. In addition to the $2.25 per day, the legislative bill carries $120 per year, which amounts to about 45 cents additional compensation, increasing the compensation of these employees who received $1.75 a month ago, from $1.75 to $2.70 a day, which you will be granting by adopting the provisions of this bill. When you have granted that you will be paying them more than you pay the Government Printing Office employees who are engaged in similar work, and if you increase this compensation as is desired by the lady from Montana [Miss RANKIN] you will have to increase the salary of every employee whose compensation is provided for in this bill, and you may as well ask the Committee on Ways and Means to stay in session long enough to tax the people to death. There is no reason why we should lose our heads and let our sympathies supplant our judgment when we have provided an increase from $1.75 a day to $2.70 a day at this session of Congress.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. DYER. The gentleman, of course, knows that the women in the Government Printing Office are also seeking an increase, does he not?

Mr. BYRNES of South Carolina. I do not.

Mr. DYER. I will say that they are, and what would the pay be for these women if the amendment offered by the lady from Montana should carry?

Mr. BYRNES of South Carolina. I have no idea.

Mr. DYER. At any rate, it would not be over $3 a day.

Mr. BYRNES of South Carolina. I could not tell you, but I judge from the appropriation that it would be more than $3 a day. If you adopt the report of the committee, you will be paying them $2.70 a day.

Mr. DYER. Does the gentleman think that is too much for a woman who gives all of her time to the Government in these days, when they are bringing women from all over the United States——

Mr. BYRNES of South Carolina. Oh, they are bringing them here, not to do this kind of work but to do the work of skilled workmen, and there are over 1,300 women in the bureau who are getting $2.24, and 1,156 who are getting more than $2.24 a day, ranging up to $2.82 a day. Some are getting $2.69, some $2.62, some $2.56, some $2.50, some $2.31, and you are going to add to their pay an increase of $120 a year.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. THOMAS rose.

Mr. DYER. I would like to ask the gentleman from South Carolina a question——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. I ask that the gentleman have five minutes more.

Mr. BYRNES of South Carolina. I have no desire to have more time.

Mr. DYER. I ask that the gentleman may have two minutes.

Mr. BYRNES of South Carolina. I ask that my time be extended two minutes in order to answer a question of the gentleman from Kentucky, who was on his feet first.

Mr. THOMAS. I desire to ask the gentleman how the wages of these employees in the Bureau of Engraving and Printing compare with the wages of employees in other departments of the Government doing similar work?

Mr. BYRNES of South Carolina. The only employees in the Government engaged in work in any way similar to the work of these employees are the employees of the Government Printing Office. If you adopt the recommendation of the Committee on Appropriations, you will be paying these employees a little more than you are paying the employees of the Government Printing Office.

Mr. THOMAS. Is it not a fact these people have about the hardest work to do of any employees in the Government service?

Mr. BYRNES of South Carolina. I am satisfied they have not, and I am satisfied if the gentleman takes the trouble to read the statement of the director of the bureau he will become convinced that that is not correct.

Mr. THOMAS. Well, how do they compare with the wages received in the Agricultural Department, for instance?

Mr. BYRNES of South Carolina. It depends upon what they are doing entirely. Stenographers are paid one wage, clerks are paid another, scientists are paid another wage, and Members of Congress are paid another wage.

Mr. THOMAS. The employees of the Agricultural Department, for instance, receive all the way from $900 to $2,000 per year. Is not the work of this Bureau of Engraving and Printing much harder work than it is in the Department of Agriculture?

Mr. BYRNES of South Carolina. On the contrary, so far as the work of plate printers' assistants is concerned, it is constant work but requires no skill at all. It is simply handing the paper to the plate printer. These people are not engaged in counting money. The women who perform that duty are paid more money, but the lowest-paid employee, who receives $1.92 plus 10 per cent, is not a skilled laborer.

Mr. THOMAS. Do not they trim these bills?

Mr. BYRNES of South Carolina. The people who receive $1.92 are not the ones who perform that duty at all.

Mr. THOMAS. What are they paid?

Mr. BYRNES of South Carolina. The other women employed are paid all the way from $2.24 to $2.88. Those receiving $2.88, together with the 10 per cent, are getting more than $3 per day, and you are going to add $120 a year——

Mr. THOMAS. Does that equal the pay in these other departments?

Mr. BYRNES of South Carolina. I could not answer the gentleman's question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS. I have not expired.

Mr. NOLAN. Mr. Chairman, the statement of the gentleman from South Carolina quoting his figures is not entirely accurate. The statement made is that these employees would have their wages raised from $1.75 a day to $2.70 per day if the amount provided in this bill remains undisturbed. The fact of the matter is, under the amendment to the appropriation bill a year ago the wages of employees were raised from $1.75 to $1.92½ a day; that is the 10 per cent provided for the present fiscal year. If all that the gentleman states is correct, the amount now recommended would only bring the pay from $1.92½ to $2.70, but I can not for the life of me find out how these gentlemen can figure where these employees are going to be raised to $2.24 a day on the $100,000 allowed in this item. According to the statement of the gentleman himself, there are thirteen hundred and some odd employees who will participate in this $100,000 per year, and I would like to find out how 1,300 employees working 300 days per year can have their wages raised in the amount these gentlemen state out of the additional appropriation of $100,000.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. BYRNES of South Carolina. The gentleman did not listen to what I said. I called attention to the fact that the plate printers' assistants, 1,300 or more, are not included in this item, but in another item.

Mr. NOLAN. Take the other 1,700 who are working there for $1.75 a day——

Mr. BYRNES of South Carolina. But they are not in this item.

Mr. NOLAN. But there are either 1,700 or there are 1,300 provided for in this item, because there are over 3,000 employees at the bureau and are provided for in this paragraph and one other, and the gentleman must make his figures fit either case. I would like to know where you did get your figures.

Mr. BYRNES of South Carolina. From the Director of the Bureau of Engraving and Printing and the Secretary of the Treasury.

Mr. SHERLEY. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. SHERLEY. The gentleman is mistaken in his assumption that all the people are only getting $1.92.

In point of fact, in this group there is only a certain portion that are getting $1.92 a day, and quite a number of others are getting very much more than that.

Mr. NOLAN. How does the gentleman figure that in one year's time, counting 300 days a year, you can spread $100,000 over the number of the employees that must get the benefit of this provision?

Mr. SHERLEY. I answer the gentleman by saying this: We made a very careful calculation of the amount of money that is necessary in order to see to it that nobody was required to work for less than $2.24 a day, excluding, now, the $120 that they will get. If the gentleman can mathematically say that we have not provided that amount or an amount sufficient for that, I will agree now to accept any amendment necessary to so supply it. And I state to him that, as the result of the calculation made by the gentleman from Wyoming [Mr. MONDELL] and the gentleman from South Carolina [Mr. BYRNES] and myself and the clerk of the committee, these figures were arrived at so as to guarantee a minimum of $2.24 to every employee working in the Bureau of Engraving and Printing.

Mr. NOLAN. If the gentleman from South Carolina is no more correct in these figures than he was in his statement that these employees were getting raised from $1.75 to $2.70, then he is not correct at all. A short time ago I called attention to the fact that some 1,600 employees in the District of Columbia struck because they did not get enough money to keep body and soul together. Now, these employees in the District of Columbia, in the street sweeping department and other departments, are employed for $1.50 or $1.75, plus 10 per cent. Those employees are not members of any labor organization affiliated with the labor movement.

I understand that out of the thousand that struck only two or three hundred are affiliated with any organization. I called your attention to the deplorable condition that is existing here among the underpaid employees, and the small wages these men received caused the strike. I do not blame the Appropriations Committee for this condition, but somebody must assume responsibility for it, and it is now up to Congress to say whether you will provide the money now. The question is whether you are going to provide enough money to give people a living wage. The wages were fixed in 1854 for most of the underpaid employees of the Government service, and they have never been raised since, except as Congress raised them 10 per cent last year and provided the $120 flat increase for the coming year. If you want people to work for you, you must pay them as much as other people are paying them. You can take up the Star or the Times or the Post and you can find all kinds of employees being advertised for at 40 and 50 cents an hour for common labor. These employees are skilled workers, some of whom have worked for the Government many years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NOLAN. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from California asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. NOLAN. How can we expect people to rest contented in their employment, how can we expect even the unskilled workers for the Government of the United States to rest contented in their employment, and not leave us, unless we treat them as private employers do? Women in the Government service here in the District of Columbia ought to have a living wage. I do not think that $2.70 a day is enough for a single woman, let alone a woman with dependents.

And, according to the testimony of the investigators who have investigated conditions at the Bureau of Engraving and Printing, 80 per cent of the women down there have those that are dependent upon them. They ought to get more than $2.70 a day. They ought to get $3 a day; and they ought to get more than that. They ought to get at least enough to provide them with the necessaries of life under present living conditions. The

Congress of the United States regulates the wages of these people through their appropriations. You ought to see that the Director of the Bureau of Engraving and Printing and the Secretary of the Treasury have power enough—and the only way they will have power enough is to receive sufficient money—to give these people a living wage. We ought to be at least as generous with the low-paid employees as we have with the others. We ought to give them in proportion as we give to those who are getting $2,000 to $2,500 a year. We ought to give them a chance to live, and the only way we can give them a chance to live is to give them a living wage, and the only way they can get that is to increase these appropriations. I do not think the Committee on Appropriations had the time or opportunity—they have only had this matter before them for a few days—to properly investigate the situation. I do not think they have had the time to give it the study they ought to give it. They ought to look upon it from a different standpoint, and not from that which the Ways and Means Committee is called upon to face. They ought to look upon the human element involved and give these people a living wage.

Mr. DALLINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DALLINGER. What is the question before the House now?

The CHAIRMAN. The question before the House is the amendment proposed by the lady from Montana.

Mr. DALLINGER. Have tellers been demanded?

The CHAIRMAN. Not for this.

Mr. CANNON. Mr. Chairman, I was not upon the subcommittee that prepared this bill, but basing my statement upon former recollection of the time when I helped to frame the sundry civil bill and upon a little inquiry I have made and a glance at the hearings, this is the situation: These employees, working eight hours a day, have 30 days' leave of absence with full pay, amounting to $120. Now, with the pay that they are at present receiving and the increase they are now receiving, and with this increase they will get $3.10 a day.

A MEMBER. Oh, no!

Mr. CANNON. A gentleman says "Oh, no." Does he speak knowingly? I say yes; because I have just inquired concerning it of one of the members of the committee who helped prepare this bill. These employees receive $3.10 for working days.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON. Yes.

Mr. DOWELL. Do you count in that 30 days' leave?

Mr. CANNON. Yes.

Mr. DOWELL. Is it not a fact that for the 30 days they have out they are not able to receive compensation; and does that in any way increase the pay?

Mr. CANNON. They receive compensation for 30 days' leave of absence. It is $120 a year. Does the gentleman know that with this $3.10 a day the employees who are performing unskilled labor are receiving better pay than similar employees receive in the Government Printing Office? Does the gentleman know that his laboring people and my laboring people, who are getting less wages, have to help pay these wages?

Gentlemen, let us not go off on the point of sentiment. Let us pay all of the employees of the Government all that they ought to receive. Of course, it sounds ungracious to oppose an amendment offered by the lady Member from Montana, and it sounds ungracious to say that these girls or women are working for these wages. But, after all, one half of the population of the United States of 110,000,000 are of the feminine gender and the other half are of the male gender, and in the grand round-up the people pay the bill. It seems to me that the committee ought to be sustained. [Applause and cries of "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment offered by the lady from Montana.

The question was taken; and the Chairman announced that the noes appeared to have it.

Miss RANKIN. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 45, noes 82.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants, when employed, $1,930,000, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denominations than those that may be canceled or retired, except in so far as such printing may be necessary in executing the requirements of the act to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, to refund the public debt, and for other purposes, approved March 14, 1900.

Miss RANKIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The lady from Montana offers another amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 20, line 7, add the following at the end of the line: "*Provided also*, That no part of this sum shall be used to increase the wages of plate printers until all printers' assistants receive not less than $2.24 a day."

Miss RANKIN. Mr. Chairman, the statement has been made on the floor of the House that the director of the bureau has used the money provided for increase in wages by increasing the salaries of those already receiving high wages, and this amendment merely provides that he must pay the printers' assistants not less than $2.24 a day before he increases the wages of the plate printers.

Mr. SHERLEY. Mr. Chairman, I ask to have the amendment read again, and if it contains no more than the lady indicates, I have no objection to it. I think it is high time that instead of increasing highly paid people you should increase the lower paid first. But I would like to have the amendment reported again.

The CHAIRMAN. The Clerk will report it.

The amendment was again read.

Mr. SHERLEY. I have no objection to that.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the lady from Montana.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read to and including page 21, line 1.

By unanimous consent, Mr. SHERLEY and Mr. MONDELL were given leave to revise and extend their remarks in the RECORD.

On motion of Mr. SHERLEY, the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the sundry civil appropriation bill, H. R. 12441, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LITTLEPAGE for four days, on account of important business.

WAR-RISK INSURANCE—CONFERENCE REPORT (NO. 684).

Mr. SIMS. Mr. Speaker, I ask unanimous consent that the conference report filed yesterday on the war-risk insurance bill and amendments to it, Senate bill 4482, be withdrawn, because an error has been discovered in the number of one of the amendments.

The SPEAKER. The gentleman from Tennessee asks leave to withdraw the conference report on the war-risk insurance bill. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

By unanimous consent, Mr. LONDON was given leave to revise and extend his remarks in the RECORD.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p. m.) the House adjourned until to-morrow, Thursday, June 13, 1918, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SANDERS of Louisiana: A bill (H. R. 12452) providing for the purchase of a site and the erection of a public building thereon at Bogalusa, Washington Parish, La.; to the Committee on Public Buildings and Grounds.

By Mr. MASON: A bill (H. R. 12453) to amend the revenue laws of the United States; to the Committee on Labor.

By Mr. ELLIOTT: A bill (H. R. 12454) to amend section 14 of an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917; to the Committee on Agriculture.

By Mr. FARR: A bill (H. R. 12455) to provide for the purchase of additional land for and the enlargement of the United States building at Scranton, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. CRAMTON: A resolution (H. Res. 393) directing the United States Fuel Administration to report to the House of Representatives certain information; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DENTON: A bill (H. R. 12456) granting an increase of Pension to Robert Rodgers; to the committee on Pensions.

By Mr. GARD: A bill (H. R. 12457) for the relief of James A. Flory; to the Committee on Military Affairs.

By Mr. McARTHUR: A bill (H. R. 12458) granting a pension to Francis I. Gannon; to the Committee on Pensions.

By Mr. McKEOWN: A bill (H. R. 12459) granting a pension to John Fitzgerald; to the Committee on Pensions.

By Mr. MUDD: A bill (H. R. 12460) granting a pension to Helen L. Barzee; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12461) for the relief of Judson Stewart; to the Committee on Naval Affairs.

By Mr. SINNOTT: A bill (H. R. 12462) for the relief of George W. Hayes; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the Woman's Missionary Conference, Methodist Episcopal Church South, favoring prohibition as a means of conserving grain and as a war measure; to the Committee on the Judiciary.

By Mr. ELSTON: Resolutions of the Berkeley Defense Corps, Berkeley, Cal., favoring war prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petitions of Union Label Trades Department of the American Federation of Labor; Kappa Psi Delta Gamma Chapter, of Chicago; Mrs. Ada J. Watson, of Streator, Ill.; Harold B. Link, of Santa Rite, N. Mex.; Chicago Heights (Ill.) Trades and Labor Assembly; and the Federation of Illinois Colleges, praying for the repeal of the second-class postage provisions of the war revenue act; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Resolution adopted at a public meeting held at Delevan, N. Y., favoring the adoption of an amendment to the Constitution which will prohibit polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. SANDERS of New York: Petition of the Presbyterian, Methodist, Universalist, and Baptist Churches, through the Woman's Christian Temperance Union of Perry, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of the Livingston County (N. Y.) Pomona Grange, urging the repeal of the zone system for second-class mail matter; to the Committee on Ways and Means.

Also, petition of the Rochester Typographical Union, No. 15, urging the repeal of the zone system for second-class postage; to the Committee on Ways and Means.

By Mr. SNELL: Petition of the Woman's Christian Temperance Union of Norwood, N. Y., favoring the immediate passage of a national bone-dry law as a war measure; to the Committee on the Judiciary.

Also, resolutions of the Congregational Church of Lisbon, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

SENATE.

THURSDAY, *June 13, 1918.*

(Legislative day of Monday, June 10, 1918.)

The Senate met at 11 o'clock a. m.

LIMITATION OF DEBATE—AMENDMENT OF THE RULES.

The Senate resumed the consideration of Senate resolution 235, proposing to amend the rules of the Senate relating to the limitation of debate.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Page	Tillman
Bankhead	Johnson, S. Dak.	Poindexter	Townsend
Beckham	Kendrick	Robinson	Trammell
Chamberlain	King	Saulsbury	Underwood
Culberson	Kirby	Shafroth	Vardaman
Curtis	McNary	Smith, Ariz.	Warren
Dillingham	Martin	Smith, Ga.	Willey
France	Myers	Smoot	
Gallinger	Nugent	Sutherland	
Gronna	Overman	Thomas	

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES] is detained by illness.

Mr. SMITH of Arizona. I wish to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. ROBINSON. I desire to announce that the Senator from Louisiana [Mr. RANSDELL], the Senator from Tennessee [Mr. McKELLAR], the Senator from Texas [Mr. SHEPPARD], the Senator from South Carolina [Mr. SMITH], and the Senator from California [Mr. PHELAN] are detained on official business.

Mr. SHAFROTH. I wish to announce that the Senator from Tennessee [Mr. SHIELDS] is detained by personal illness.

Mr. CURTIS. I announce the unavoidable absence of the senior Senator from Washington [Mr. JONES]. I will let this announcement stand for the day.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He has a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. SAULSBURY. I desire to announce the absence of my colleague [Mr. WOLCOTT] on account of illness.

Mr. TRAMMELL. I wish to announce the absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. SUTHERLAND. I announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. FRANCE. I desire to announce that the Senator from Nebraska [Mr. NORRIS], the Senator from Louisiana [Mr. RANSDELL], the Senator from South Carolina [Mr. SMITH], and the Senator from Iowa [Mr. KENYON] are detained on official business in a meeting of the Committee on Argiculture and Forestry.

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absent Senators.

The Secretary called the names of the absent Senators, and Mr. McLEAN and Mr. THOMPSON answered to their names when called.

Mr. HARDING, Mr. NEW, Mr. KNOX, Mr. FALL, Mr. LODGE, and Mr. SMITH of Michigan entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-five Senators have answered to the roll call. There is not a quorum present.

Mr. UNDERWOOD. I move that the Sergeant at Arms be directed to notify the absentees.

The VICE PRESIDENT. The Senator from Alabama moves that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. OWEN, Mr. SIMMONS, Mr. STERLING, Mr. HITCHCOCK, and Mr. McCUMBER entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present.

Mr. UNDERWOOD. I move to rescind the order just made directing the Sergeant at Arms to notify absent Senators.

The VICE PRESIDENT. Without objection, it will be rescinded.

Mr. SMITH of Georgia. Mr. President, the House has passed the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes. There are only four amendments by the House to the bill. I have consulted with the members of the Committee on Education and Labor and none of us consider the amendments to be so material that we feel called upon to object to them. First——

Mr. GALLINGER. Mr. President, I rise to a point of order. We are acting under a unanimous-consent agreement.

The VICE PRESIDENT. We are; and if there is objection——

Mr. GALLINGER. We ought to proceed under that agreement.

Mr. SMITH of Georgia. What is the statement of the Chair?

The VICE PRESIDENT. We are acting under a unanimous-consent agreement. The Senator is out of order.

Mr. SMITH of Georgia. Does the unanimous-consent agreement exclude calling up——

The VICE PRESIDENT. It certainly does.

Mr. SMITH of Georgia. I had not read the unanimous-consent agreement.

Mr. TOWNSEND. Mr. President, I have not been able to hear all the arguments which have been made for and against the proposed rule now under consideration. I have, however, talked with some of its proponents for the purpose of trying

to determine the real objects sought to be obtained through its passage.

The author of this particular amendment stated to me that he had three objects in view. One was to prevent as far as possible interruptions which would interfere with the continuity of a Senator's address; another was to exclude extraneous matter from debate, and a third was to satisfy public opinion, which, he stated, had already condemned unlimited debate in the United States Senate.

I heard another Senator state that there was a fourth object, and that was to make it possible to devote more time to measures which were passed over hurriedly and which are now, in fact, being disposed of without debate or consideration. I have reflected on those reasons and I can find no substance in any one of them which appeals to my judgment.

The first argument, namely, that this rule will tend to discourage interruptions, is certainly without any basis of reason. Under the existing rule any Senator has complete charge of the question as to whether he will be interrupted or not. It is only by his consent that he can be interrupted. He yields to his colleague by courtesy. There is nothing in the proposed rule that will prevent his yielding to another even as he yields now. The only difference is that the new rule will permit an hour and a half in which to make interruptions instead of unlimited time.

There is another rule also in existence which prohibits any Senator from speaking more than twice on the same subject within the day, and any Senator can enforce that rule. If expedition is the object of the rule, why do not those Senators who desire it exercise their present right?

The second object that is advanced by the proponents of the measure is that it will tend to exclude extraneous matter and confine the debate to the subject under consideration. There is no force in that. The Senator from Oklahoma [Mr. OWEN] a day or two ago took occasion to address the Senate on a subject that was entirely foreign and entirely new except to him, and on which he seems to have a copyright, namely, an argument against the right of the Supreme Court to pass on the constitutionality of a legislative act. That had nothing to do with this resolution, yet the Senator spoke for an hour or more on it. He could speak an hour and a half on that same subject to-morrow if this rule were adopted. There is nothing in the proposition which compels the speaker to confine himself to the subject before the Senate. The fact is there are only a few Senators who, on any bill, ever occupy more than an hour and a half; and yet it frequently happens that a Senator who desires to discuss any question foreign to the matter under consideration gets the floor and puts in his speech; and he can still do that after the rules are amended as proposed.

The third object which the Senator talking with me dwelt upon most earnestly was that public sentiment demanded that the rules of the Senate should be amended. Who knows that? Who has a right to speak for public sentiment on this subject? I know, as you do, that men who favor a bill want to close debate if they think they have the votes to pass it. When some Senators have made their speeches on some particular subject they are ready to go to a vote, and very frequently they call for a vote.

Public sentiment, as I understand it, demands that necessary legislation shall be properly enacted. The public believe in full, open discussion—that is, that there shall be given publicity to whatever is proposed or is done in the Senate. Propagandists who have lobbied for some cause and who believe they have sufficient votes condemn further debate, but this does not mean that the people desire no information on the other side.

Never in the history of our country has there been more need of publicity than there is at the present time. The Senate and the White House are the only places in the United States where there is free and untrammeled opportunity for open discussion. It will be a sad day for our Republic when the Senate ceases to be a free and open forum. The Senate has fallen into the habit of permitting bills to be prepared for it outside. Many of the committees having charge of such measures do nothing more than O. K. the action that is proposed outside of the Chamber. Do the people complain because when the bills come upon the floor Senators who are charged with the responsibility of passing upon them insist upon reading them and then upon giving reasons for or against them, in order that the country may know what is being done? Properly informed public sentiment does not condemn the Senate for due and all-sufficient deliberation. It may at times become impatient with the lack of terminals of a few Senators, but it knows that this body is expected to disclose the reasons for legislation.

I have tried to find what the real object of this resolution is. Certainly the reasons that have been advanced for it are not sufficient ones, because it is clear that its adoption would not relieve the conditions of which complaint is made. If every Senator on this floor occupied an hour and one-half in discussion when a bill is under consideration, more time would be consumed than is taken under the present rule, and there would be a temptation for more Senators to speak if long-distance speakers were denied the right of unlimited discussion. No; this proposition would not expedite legislation. It would have a tendency to degrade and belittle debate, and the spectacle of the Senate of the United States operating under a stop watch would be most humiliating and undignified.

I have been content to listen in silence to arguments of other Senators who have presented the reasons that I would myself have given if I had taken the floor, but if it shall so happen that those Senators who love debate, and adorn it very frequently, shall fail to present the reasons that appeal to me, I shall feel it my duty to present them myself. I believe, as I have said, that under this proposed rule expedition will not occur, but I think I know that the result, whether such is the object or not, will be to stifle legitimate debate in this body. I do not know whether this is calculated as the beginning of an attack upon the open forum, upon free and full consideration or not, but I am very apprehensive of direful results to future legislation which will follow the proposed action.

When I was a Member of the other House I became very active in an effort to liberalize the rules of the House, so that there could be some discussion, and that it should not be confined to the members of a close corporation. There is no opportunity for real debate there, except by a favored few, though now and then a Representative gets permission to print his speech in the RECORD. I realize, of course, that in a body of 435 members some limitations on debate are necessary; but those reasons do not exist in the Senate. More than 100 years of legislative experience have developed no demand for cloture here. The House Members understand that real unfettered discussion will occur only in the Senate.

Any Senator now can rise in his place and call to order and take from the floor a Senator who interrupts another for any purpose other than for asking a question. That right is now in existence under the rules. But your experience, Senators, and mine, has been that the most illuminating debates in the Senate, the best information frequently which has been obtained, has come from running debate. Points are thereby brought out which otherwise would have been overlooked or neglected.

Furthermore, Mr. President, I have waited in vain for some Senator to tell the Senate and the country when, if at any time since the United States entered the present war, there has been because of useless debate any delay in the proper consideration and action upon any necessary measure.

I was surprised yesterday to hear the Senator from Oklahoma [Mr. OWEN] say he had discovered a filibuster here in the Senate. I was surprised because I had not heard and I did not believe that any such thing existed or had been attempted. In thinking it over I concluded that the only thing that could have been properly charged to a filibuster was the course pursued by the Senator from Oklahoma himself, because in the midst of the discussion of this measure, which he wanted adopted so much, he arose and for more than an hour discussed a measure that was not at all relevant to the discussion before the Senate. No other attempt or no other speech that could be considered as an attempt to filibuster on this resolution has been made.

The Senate to the last Senator in it is anxious to expedite necessary legislation, but every Senator here realizes that we are dealing with stupendous problems, such problems as we have never before had, and which will reach far into the future, and upon whose solution will depend the weal or woe of our country, aye of the world. The questions will not be simply those involving State rights or national rights but of world rights. Shall we shackle the Senate so as to lessen its ability or weaken its powers?

I submit, Mr. President, we would be derelict in our duty if we did not consider all matters entitled to legislative consideration from every angle and present all the reasons for and against them. In theory, at least, every Senator is the equal of every other. He is positively so so far as voting is concerned, and surely no other Senator has a right to condemn his efforts at service to his State as unworthy of consideration.

I have not unduly occupied the time of the Senate in discussion since I have been here, and sometimes I have been wearied by the multiplied speeches of others; but I have not reached the point of the Senator from Oklahoma, where I have made up my mind unalterably on a measure before I come into the Senate and am willing to vote without an opportunity of hearing its other side. I am willing to listen to my colleagues, and when I am speaking I will invoke the rules of the Senate

that prevent an interruption which is not pertinent to the subject matter under discussion if I do not wish to be interrupted. I have the power to control that now, and I would have to exercise it under this rule.

Mr. President, what the Senate needs is not a cloture rule, which, even if effective, would permit it to jamb legislation through the congressional machine and thus make it possible for its Members to go home and engage in personal politics, but more attention by Senators to the real arguments pro and con and pending matters of legislation. Not cloture but intelligent deliberation is the present need.

This is an insidious attempt, as it seems to me, to limit debate and confine it according to the wishes of people not connected directly with the Senate.

Mr. SMITH of Michigan. Mr. President, will my colleague permit an interruption?

Mr. TOWNSEND. I yield.

Mr. SMITH of Michigan. I wish to remind my colleague—and he knows the fact as well as I do—that about three-fifths of all the legislation that takes place in this Chamber is under a self-imposed cloture of unanimous consent. All of us consent voluntarily to a cloture on nearly two-thirds of all the business we transact.

Mr. GALLINGER. As we did last evening in connection with this very resolution.

Mr. SMITH of Michigan. We did that last evening, and we are now operating under it this morning, every Senator having agreed to it.

Mr. TOWNSEND. My colleague is quite correct.

Mr. President, since I have been a Member of the Senate I have never seen, except during the last days of a Congress, any bill defeated, by a filibuster or otherwise, which a majority of the Senate earnestly desired to pass. It has never been done, and it can not be done. The will of the majority properly determined can always be exercised, not on the minute, not a given hour possibly, but at some time during the session, and it always will be so.

Public sentiment! Senators seem to be fearful of public sentiment. The only sentiment that I have to face is that of my constituents. If I so conduct myself in this body as to overstep the courtesies of debate or prevent proper action upon legislation, I must settle that action with my constituents. I object, Mr. President, to having any Senator or number of Senators place any restriction upon me in the exercise of my duties as a representative from my State.

When I was a Member of the other House, to me one of the attractive features of service in the Senate was that there was an opportunity for debate and full consideration. I did not expect to abuse that privilege, and I never have done so. Yet it is proposed here and now, for some reason not made clear, when everything is working well, when there is no complaint anywhere that the Senate is failing in the performance of its duties, to change this fundamental rule of the Senate, which has been one of its greatest elements of strength during all of its history.

Mr. SHERMAN. Mr. President, will the Senator permit an inquiry?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Illinois?

Mr. TOWNSEND. I do.

Mr. SHERMAN. I will be very brief. I have found that these movements to regulate the Senate, coming unheralded and without apparent reason, always have some concealed foundation. I state it as my own judgment, and I wish to ask the Senator if he does not concur in that view, that the proposed new rule is urged in preparation of the presentation to the Senate of a treaty, which will come possibly sooner than many Senators expect, and it is desired to thrust it upon the Senate and ratify it without discussion other than that allowed under the limitations of the proposed rule. That is my deliberate judgment; and I believe it was in the mind of the Executive when he communicated with some of those who are urging the passage of this resolution.

Mr. TOWNSEND. Mr. President, I know nothing about that. I have no suspicion in reference to the matter, although I confess that I have become confused in my efforts to find a reason for it at this time. I dislike to impugn the motives of any Senator. I can not believe that the Senator from Alabama, whom I have known so long and so favorably, could have had any unworthy object in view in presenting the resolution.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me, it is rarely that I ever answer a suggestion of this kind. In my experience in legislative bodies I have usually found that it is unnecessary; but, in view of the suggestion of my life-time friend from Michigan, I can not let the statement go by without making a statement myself.

So far as I know, the President of the United States has had nothing whatever to do with the initiation of this proposed rule in this body. I have always believed in a reasonable cloture rule. In the last Congress I introduced an amendment to the rules to that effect, and I renewed it in this Congress. It was finally submitted to the Committee on Rules, and a subcommittee of three was appointed to consider the question. That subcommittee consisted of myself as chairman of the subcommittee, the Senator from Virginia [Mr. SWANSON], and the Senator from Iowa [Mr. CUMMINS]. The original amendment to the rules submitted by me proposed to bring cloture on a vote of the Senate. When the subcommittee met the suggestion came from the Senator from Iowa that he preferred to have a distinct limitation on debate of one hour without the injection of a cloture rule to be ordered by a majority of the Senate. The Senator from Virginia and myself said we would agree with him on that question and adopt it as a substitute, and I prepared the substitute and submitted it to the full committee.

I think that when we agreed on this proposition there was not a man in the Senate or outside of it, except the three men whom I have named, who knew anything about it. I am sure that when it was presented to the full committee it was unknown, except to that committee. There was a majority of the committee present, and the proposed amendment of the rules was reported by a vote of all the Senators present, except one.

Now, so far as the President of the United States is concerned, I have not talked with him about the matter; but I understand from others who have talked with him that he has said that he did not desire to interfere in any way with the business of the Senate or with the way it conducted its business; but that, so far as he was personally concerned, viewing it as an outsider, he was heartily in accord with the proposed rule that had been presented, and would be glad to see it adopted.

As to there being any distinct bill to which the proposed new rule may be applied, or as to any ulterior motive being behind this proposition, there is none whatever, except just what I have said. There may be an ulterior motive on my part, because I do not believe as does my colleague from Michigan. I believe that the expedition of business is of far more value to the Senate than unlimited debate; and there we disagree on a principle.

Mr. LODGE. Mr. President, will the Senator allow me to interrupt him?

Mr. UNDERWOOD. I will, with the permission of the Senator from Michigan, who has the floor.

Mr. TOWNSEND. I yield to the Senator from Massachusetts.

Mr. LODGE. Does the Senator from Alabama consider that this rule applies to treaties?

Mr. UNDERWOOD. Well, a treaty would be ratified by a resolution, of course.

Mr. LODGE. That is true.

Mr. UNDERWOOD. And if a treaty is ratified by a resolution, the rule would apply to a treaty.

Mr. REED. Mr. President, may I be permitted to ask a question?

Mr. TOWNSEND. I yield to the Senator from Missouri.

Mr. REED. I want to ask—and I am addressing this inquiry more particularly to the Senator from Massachusetts, who happens to be on the floor, than to any other Senator—whether there is not now pending a treaty which may require military service under draft of certain American citizens of the age of 18, and whether the debate upon that treaty and upon the legislation which may be necessary in connection with it would not be limited if this rule is adopted?

Mr. LODGE. Mr. President, with the permission of the Senator from Michigan——

Mr. TOWNSEND. Certainly.

Mr. LODGE. It is public knowledge, of course, that such a treaty is pending now and is before the Committee on Foreign Relations, and that it would require legislation of a general character now pending in what is known as the alien-slacker bill before the Committee on Military Affairs, and of course the pending rule would apply both to the treaty and to the bill.

Mr. REED. I ask the Senator whether it would not also apply to a proposition to amend the Constitution of the United States?

Mr. LODGE. Undoubtedly. That is done by resolution.

Mr. REED. Now, I want to know from the Senator who has the floor his opinion of limiting debate to 20 minutes on an amendment which might be introduced to any bill which would provide for military service under draft by boys of 18.

Mr. TOWNSEND. Mr. President, I can conceive of nothing that would be more disastrous to the country, or more unwise

on the part of the Senate, than to adopt a provision which would make it possible to do a thing of that kind. I said a moment ago that there were very serious questions, new questions, involving the very life of the country, that are to come up—new questions without any precedent—and yet Senators now advocate the policy of putting restrictions upon fullest and freest public discussion on the part of Senators who are to act upon such matters.

Reverting to what the Senator from Alabama has said—namely, that only three Senators knew about this rule, that there was no demand among the Senators here that such a rule be adopted, that the President himself has not been willing to intervene, and was satisfied for the Senate to do what it pleased—that makes it more difficult for me to understand how it ever occurred to those three Senators to do a thing of this kind.

Mr. UNDERWOOD. I think the Senator should not overlook the fact that there has been a very considerable demand by many Senators, on the floor and off the floor, for a limitation on debate; and the indications up to this time have pointed to the fact that a majority of the Senate is desirous of accepting this rule. Of course, if a majority of the Senate is not desirous of accepting the rule when the final vote comes, there is nothing left of the Senator's argument.

Mr. TOWNSEND. We have already a rule which limits debate. It was but recently adopted. There has been no demand since this war broke out that I have heard from any source that the rule for unlimited debate should be changed.

Mr. GALLINGER. Mr. President——

Mr. TOWNSEND. I yield, gladly.

Mr. GALLINGER. In view of what my good friend, the Senator from Alabama, said about the action of the committee, I want to make this statement concerning my own position:

I am a member of the Committee on Rules, and on several occasions antagonized this proposed change in the rules. A subcommittee was appointed, as the Senator suggests, and on a certain date I received notice that there would be a meeting of the Committee on Rules. I did not know what the purpose of the meeting was. At that time I was engaged with the Committee on Appropriations, considering as a member of a subcommittee an important appropriation bill. For that reason I did not attend the meeting of the committee; and at that meeting this rule was reported out. Had I been present, I think some members of the committee know that I would, with a good deal of earnestness, have opposed the rule and opposed the report; but I did not attend, and of course in a sense I am bound by the action of the committee in so far as reporting out the rule is concerned.

Mr. TOWNSEND. Mr. President, I repeat that I have tried to discover the reason why the committee of three should project this matter upon the Senate at this time. I knew that the Senator from Alabama [Mr. UNDERWOOD] was in favor of cloture—that is, of limiting debate. Most new Senators are instinctively for re-forming the rules. I do not imagine that the Senator from Virginia [Mr. MARTIN], who is a very active man on other matters, had very much to say about it. I have been trying to find why the Senator from Iowa [Mr. CUMMINS] wanted it at this time. I can imagine that possibly where a Senator has been charged with having prevented by much discussion some legislation, it might be desirable for him to make himself square before his constituents; but it is difficult for me to believe that the Senator from Iowa was inspired by that thought, knowing him as well as I do, and having such confidence in him.

Mr. CUMMINS. Mr. President——

Mr. TOWNSEND. I yield to the Senator from Iowa.

Mr. CUMMINS. Of course, the suggestion just made by the Senator from Michigan was not in my mind at all, because upon that occasion I did not prevent the consideration of the matter in hand. I did not occupy a longer time than I would be permitted to occupy under this rule. In fact, I occupied less time than I would be permitted to occupy under this rule. I have always been in favor of a limitation upon debate, for I agree with the Senator from Alabama in that respect, that while there are times when great good can be accomplished without the limitation which he suggests, I think upon the whole the business of the Senate would be better done and more completely done with a reasonable limitation than without it. It is no new view on my part, because I have always held it, and always expressed it when I had an opportunity, or when it was proper for me to do so.

Mr. TOWNSEND. Mr. President, I am not finding any fault with the Senator's attitude on that former bill when it was before the Senate, when 12 Senators were classified as "the willful twelve." I said at the time, or immediately afterwards, that the criticism was an unjust one. That bill, though defeated, was afterwards acknowledged by the President to be unnecessary to accomplish the very purpose which he sought. He had the power already. But I say I have been trying to find out why this resolution should come up at this time, when this, I repeat, is the only place in the United States where we can have anything like free, uncensored discussion and publicity; and yet with treaties most important and conditions unprecedented following this war to confront us, then these Senators propose to enter a wedge which will separate the power of the Senate from the responsibilities which rest upon it in the crucial times which are upon us and which are to follow.

When there is abuse, there is time enough to act. Every man now in the Senate is willing to cooperate to speed up necessary legislation; it has demonstrated this fact over and over again; but every Senator realizes that he is charged with the responsibility from his constituents to act intelligently for his State, and to disseminate light as far as within him lies, and he is responsible to his constituents alone for what he does. But at this time, when you have been shutting off publicity from every source outside, you propose to tie your hands and seal your lips and sit under a stop watch while you consider as irresponsible children under the restraint of a master the problems prepared by others for your approval.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from North Dakota?

Mr. TOWNSEND. Certainly.

Mr. GRONNA. The Senator has called attention to what he characterizes as an unwarranted attack upon the so-called "willful twelve." He has also called attention to a statement of the President that he believed he had the power to arm the merchant ships. Will the Senator allow me to read just one brief sentence from the President's message of April 2, 1917?

Mr. TOWNSEND. I have no objection, unless somebody else wants the floor. If there is somebody waiting to speak I do not care to occupy the floor longer.

Mr. GRONNA. It will take just one second. In that message the President states:

> When I addressed the Congress on the 26th of February last I thought that it would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable.

Mr. TOWNSEND. That is the thing to which I referred.

Now, Mr. President, I am going to conclude, because I understand that the Senator from Georgia [Mr. SMITH] wishes to speak, and others desire to do so before the general debate is closed at 4 o'clock. I believe that presently this proposition will not expedite business. I have given my reasons for that belief. There has not been a favorable argument presented here on the subject which to my mind is worth considering. The custom of diverting criticism, of interjecting irrelevant matter, is not prevented by this resolution. Perhaps half a dozen Senators in the Senate, taking the session through, occupy as much time as the rest of the Senate put together.

Many of them have debated matters of extreme importance. They have given a great deal of time to the consideration of them. I have generally been content to listen to them, as I said. If they left out anything that I had thought about, I would discuss it myself. But because the statement has gone out to the country that a few Senators occupy a good deal of time, it is proposed by this committee that the whole Senate shall render itself impotent against a time when all Senators might want to discuss a matter which they regarded of vital consequence to the country itself.

Mr. President, I think this measure is a mistake. I regret exceedingly that it was thought necessary to bring it in during these war times, when no Senator has pointed out a single instance of delay caused by unlimited debate—not one. I now challenge any Senator to point such an instance. But, of course, none can be named.

Another thing that occurs to me is this: We have been in the habit of condemning long speeches sometimes, and I confess that at times I have criticized them, too; but I have recalled that subsequent events have shown that many Senators were right in appealing to the Senate to consider the question under discussion, and it was their duty to make those appeals to the Senate if by doing so they had any hope of changing the sentiments of the Senators.

So, Mr. President, feeling as I do that nothing good can be immediately accomplished, and that possibly great harm can be done in the consideration of questions growing out of this war by the adoption of this resolution, I am opposed to it and I trust it will fail.

Mr. UNDERWOOD. Mr. President——

The VICE PRESIDENT. The Senator from Alabama.

Mr. UNDERWOOD. This is my only opportunity to make a speech on this question, and so I have taken the floor; but the Senator from Georgia says he wants five minutes, and so I will yield to him.

Mr. SMITH of Georgia. Mr. President, at the opening of the session of the Senate to-day the Vice President said:

> We are acting under a unanimous-consent agreement. The Senator is out of order.

That statement had reference to myself. I think the Chair did not intend that statement. I had made no motion. I was calling attention to a matter that had been acted upon by the House. I had a right to do it. I had a right to proceed to discuss that question upon the floor if I wished. The unanimous-consent agreement in no way affected my right to call attention to such a matter, and I certainly was not out of order. I suppose the Chair meant that if I made a motion to concur in the action of the House I would be out of order. I had not made such a motion. I desire, however, to submit that the unanimous-consent agreement would not have precluded such a motion.

The unanimous-consent agreement reads as follows:

> It is agreed by unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Thursday, June 13, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the resolution S. Res. 235; and that after the hour of 2 o'clock p. m., on said calendar day, no Senator shall speak more than once nor longer than 10 minutes upon the resolution or any amendment offered thereto.

The rules of the Senate provide that—

> The presiding officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate any bill or other matter sent to the Senate by the President or the House of Representatives.

The unanimous-consent agreement did not preclude such a motion. I had not even made such a motion; but while I was simply calling attention to what had been done in the House, I was ruled by the Chair to be out of order.

I simply desire to make this statement and to assert my conviction that I was perfectly in order, and would have been in order if I had proceeded further and moved action upon the House amendment.

The VICE PRESIDENT. The Chair sometimes makes a mistake in endeavoring to read the mind of a Senator, but the Chair does not think he was mistaken in his endeavor to read the mind of the Senator from Georgia. What the Senator from Georgia said was that the committee did not think any serious changes in the bill had been made by the House. The Chair assumed that the Senator from Georgia was about to proceed to move to consider the matter; and, on the objection of the Senator from New Hampshire, the Chair expressed the opinion that the resolution in regard to the rules being the unfinished business, with a unanimous-consent agreement, it would take unanimous consent in order to consider any other business while the unanimous-consent agreement was in force and effect. Of course, if that was a wrong ruling of the Chair, it is very easily rectified by the Senate.

Mr. SMITH of Georgia. The "Senator from Georgia" has made no motion.

The VICE PRESIDENT. The Chair perfectly understands that. If the Senator from Georgia will say that he did not intend to make a motion, the Chair will apologize to the Senator from Georgia.

Mr. SMITH of Georgia. The "Senator from Georgia" had not reached that stage of procedure and the Chair has no right to ask the "Senator from Georgia" what he intended to do.

Mr. GALLINGER. Mr. President, I ask for the regular order.

The VICE PRESIDENT. The Senator from Georgia has no right to think that the Chair was mistaken.

Mr. GALLINGER. The regular order!

The VICE PRESIDENT. The Senator from Alabama will proceed.

Mr. UNDERWOOD. Mr. President, it has been asked in the debate why this resolution is before the Senate at this time, as if there might be some other time when it could be properly brought before the Senate and should not be pending now. As the proponent of the original resolution to which the pending measure relates I will say that it never occurred to me that there might be a proper time or there might be an improper time for a Senator to propose an amendment to the rules of the Senate if in his judgment they needed amendment. My original proposal for a limitation of debate was presented before we became engaged in this war. Because we have become engaged in the war has not appealed to me as any reason why I should cease my endeavor to secure a cloture rule that I thought was advisable before we entered into the war.

Mr. SMITH of Michigan. Will the Senator allow me?

Mr. UNDERWOOD. I will.

Mr. SMITH of Michigan. Does not the Senator think that the Senate has been expeditious in the handling of war problems?

Mr. UNDERWOOD. I will answer that in just a moment. It takes me away from my line of thought and I will be glad to answer it before I get through.

If the Senate has not transacted its business as expeditiously as it might have done, then there is a good reason why we should limit debate so as to expedite our business, but if the procedure of the Senate has been such that an individual Member of the Senate thinks that we have transacted all the business that came before us with that expedition which was needed, he, of course, would occupy a different position from that which I do.

I think the great distinction that Members draw in debate is a question between the right of the Senate, the importance of the Senate as a part of our governmental machinery, and the right and importance of the individual Member of the Senate. This body has been in the past one of the greatest forums in the world. There has probably been no part of the governmental machinery that has had the same effect and has been productive of as great and important results upon the life of the American Nation as the United States Senate has in the past, and I for one do not believe that the usefulness and greatness of this body has passed. But I recognize that, although the Senate as a body occupies the same position before the Nation and in the councils of the Nation that it has for a hundred years, of necessity the Senator who occupies a seat on this floor does not occupy the same relative position that a Senator did in the days that are gone, and he can not expect to do so. If you belong to an organization that has 10 votes, those 10 votes control the situation in that organization and each member of it constitutes one-tenth of the integral part, and each vote carries with it a very much greater degree of force and influence than if you belong to an organization composed of 5,000 members and each member's influence is divided into 5,000 parts. The growth of the Senate, of necessity, has placed the position of the individual Senator in a different light and a different position, so far as his relative influence in this body now that it is composed of 96 Members, than that occupied by a Senator when it was composed of 26 Members. I do not mean to say that in this body there are not great men with great intellectual ability who can rise far above the balance of us and have the power and influence that the greatest of men have had in the past, but I mean taking the average strength and influence of the power of a Senator it of necessity as compared with the power of the body is not as great as it was in the past.

More than that, as I said in the beginning of this debate, the question of limitation of debate in a legislative body is of necessity governed by the membership of the body. A legislative body composed of three men would not even require a presiding officer or rules and no limitation of debate. A legislative body composed of a thousand men, in order that they might do business must have a presiding officer, must have rules of procedure, and must have an absolute cloture in debate in order that the majority may transact the business that is before them.

Mr. SMOOT. Will the Senator yield to me for just a moment?

Mr. UNDERWOOD. I will.

Mr. SMOOT. I think the Senator will concede that the majority of the Senate are opposed to this resolution——

Mr. UNDERWOOD. No; I will not concede that, because I would not have it before the Senate if I believed it.

Mr. SMOOT. If this part of the resolution were eliminated:

> *Resolved*, That during the period of the present war the rules of the Senate be amended by adding thereto the following—

Then follows the proposed rule—I think the Senator will admit that if those words were stricken out of the resolution he could not pass the resolution through the Senate.

Mr. UNDERWOOD. I am not sure of that, by any means.

Mr. SMOOT. I should like the Senator to withdraw the words I have read and allow the Senate to vote upon it.

Mr. UNDERWOOD. No; because I have no power to withdraw the words. In the original resolution that I introduced there was no limitation.

Mr. SMOOT. Of course, I understand the Senator——

Mr. UNDERWOOD. But the committee of which I was a member decided to put a limitation in and I agreed to it, and of course I shall represent the committee, as I reported the rule.

Mr. SMOOT. If those words were not added to the resolution the resolution would never have seen the light of day from that committee.

Mr. UNDERWOOD. That is a matter of opinion upon the part of the Senator from Utah. I am not sure that the Senator is right about that, but I am not prepared to express a definite

opinion, as I did not poll the committee on the subject. Therefore, I will not speak of it. But that is neither here nor there. I am not seriously objecting to this language limiting the life of the rule to the term of the war, but not because I want it for war purposes. I think the rule ought to last the life of the Senate, but I do not object to its being in here for this reason: I believe that the Senate will find, if it tries it, that a reasonable limitation on debate will be beneficial to the transaction of the business of the Senate without depriving a Senator of any material right that he possesses in the body now. If that is so, and this rule is adopted, it runs for the period of the war. If my own view of the question is sustained by the trial, then I take it that the Senate at the end of the war will adopt the rule as a permanent part of the machinery of this body. On the other hand, if at the close of the war, when the rule dies of its own force, it has been demonstrated that the rule has not been efficient and effective and satisfactory to the Senate, I take it that the Senate will not reenact it, and it ought not to do so under those circumstances. So the question as to whether it is limited to the time of the war or whether it is not is not a material question with me, and it was not the cause of my advocating or proposing a rule of this kind.

Mr. GALLINGER. Will the Senator permit me?

Mr. UNDERWOOD. I will.

Mr. GALLINGER. I assume that the fundamental reason in the mind of the distinguished Senator from Alabama in advocacy of this rule is that it will facilitate the business of the Senate.

Mr. UNDERWOOD. It is. There could be nothing else.

Mr. GALLINGER. We have now reached pretty nearly the middle of June. The Senate has passed every war bill that has come from the House of Representatives, and has passed every other important bill that has come from the House of Representatives, and has passed every appropriation bill that has come from the House of Representatives except the appropriation bill for the District of Columbia, which we will doubtless pass to-morrow. How could we have made any greater progress if we had had this new rule than we have made?

Mr. UNDERWOOD. I will state to the Senator——

Mr. GALLINGER. I want to be serious about it.

Mr. UNDERWOOD. I want to be serious about it, too.

Mr. GALLINGER. No doubt the Senator will be serious.

Mr. UNDERWOOD. I will. I want to be serious. I am not here complaining about the action of the Senate on legislation that has been pending before the body. I think there is some legislation we have had during these war times that would have been more expeditiously passed under this rule than under existing rules. I am not complaining that the Senate up to this time has not passed the great body of war legislation that is necessary. I do not say that. I could not say it, because it would not be sustained. But there never is a time, as the Senator from Iowa [Mr. CUMMINS] has said, when under the rules of the Senate we adjourn that we do not leave on the calendar of the Senate much important legislation that has been reported to the Senate for enactment, and I take it that having been reported to the Senate by a majority of the committee that has it in charge it is to be presumed that it is lawful and beneficial legislation either for the country or for the individuals involved.

Mr. GALLINGER. May I interrupt the Senator a minute further?

Mr. UNDERWOOD. Certainly.

Mr. GALLINGER. The Senator has recently come from another body of which he was a distinguished Member, a body that has a cloture rule and has the previous question. The fact is, as I showed yesterday in a tabulation that I presented and which I very carefully prepared, that while the Senate had passed 10 per cent of the bills reported the House had passed only 2 per cent.

Mr. UNDERWOOD. The Senator is correct in that statement, and yet it leads nowhere, nor does he accomplish anything by making the statement, and I will tell the Senator why, if he will allow me. There are 96 Members of this body. There are 435 Members, not including the Delegates, in the House of Representatives. Of necessity there are thousands of more bills introduced in the House of Representatives than there are in the Senate of the United States, as their calendar will show. Those bills are of just as much interest to the individual Members as the bills that are introduced here.

On the other hand, there are no more hours in the day for the House of Representatives to transact business than there are for the Senate of the United States. It has many more bills on its calendar than the Senate, with the same hours of the day to transact its business, and yet, by reason of numbers, it is a body that must of necessity move very much slower. The mere fact of calling the roll is an incumbrance to the transaction of business in the House of Representatives that is not here. When there is a quorum present in the Senate the calling of the roll is only the space of a few minutes, whereas, while I have seen roll calls in the House of Representatives which took 35 minutes, under the ordinary procedure it will take three-quarters of an hour, and four or five roll calls will consume almost the entire day. Therefore, notwithstanding the fact that the House has the power to order direct cloture, it must give some consideration and discussion to every measure that comes before it. There is the reason why the calendar of the House when the final adjournment comes should find on it bills of importance that are not acted upon. But there is no reason whatever, so far as the Senate of the United States is concerned, why this body should not, affirmatively or negatively, act upon every piece of legislation that has been reported and placed on the calendar of the Senate.

Of course, I recognize the fact that we are all human; that possibly some of those bills which are on the calendar are not taken up and acted upon because the majority of us do not wish to vote either in the affirmative or negative on the proposition, and we keep them on the calendar to avoid a direct vote. But that is not true of the bulk of them. It is not true of most of the bills that are left on the calendar. Most of the undisposed bills that are left on the calendar of the Senate, if presented to the Senate and an opportunity given for action, would be passed affirmatively, and the legislation would have gone on to the hopper of the House, where there might be an opportunity for favorable action. I think that is an excellent reason why we ought to expedite our business, aside from any war legislation.

But, more than that, I want to say to the Senator from New Hampshire, my business as a United States Senator does not begin and end in this Chamber, and neither does his. We all have most important business both for the Senate and for our constituencies outside of this Hall. I think the real great criticism that rests at the Senate to-day is the lack of consideration of many important measures by the committees appointed by this body to report them to the Senate.

Having served in both Houses of the Congress, I am prepared to say that I think, as a rule, the business in the committees of the House of Representatives is far more carefully and earnestly considered than the same legislation is considered at the hands of the Senate committees. There are exceptions to that rule in matters of great importance; but as a rule that is true; and there is a reason for the rule that does not reflect on the Senate or upon Senators. That is because in the House of Representatives almost universally a Member has only one important committee assignment, and he has ample time to give his entire attention to the business before that committee. In the Senate, of necessity, with the size of the committees and their number, we all must be assigned to several more or less important committees, largely depending on the time during which we have served in this body. Therefore, the Members of the Senate do not have the opportunity to give that careful consideration to matters—I am not referring to some particular member of the committee, but I am speaking of the committees as a whole—to give that careful consideration to which they are entitled to bills which are presented to the committees.

I can say, without any reflection on any Senator or on the committees, that repeatedly I have sat in a committee of the Senate having most important legislation before it and having only a simulated quorum of six or seven Senators discussing the pending question for days, hearing the witnesses that came before the committee, and then, when the final vote was to take place on the measure, involving matters of great importance, Senators have appeared in the committee room to vote who had not heard the debate in committee, who had heard but little of the testimony, and who were voting on the request, suggestion, or information of some other individual Senator who was taking a partisan side of the question.

Mr. GALLINGER. Then, Mr. President, does not the Senator from Alabama think the limitation ought to be on the committees, and that those Senators who do not attend committee meetings—and it is notorious some do not—ought to be excluded from occupying places on the committee?

Mr. UNDERWOOD. I think that ought to be remedied; but here is where my argument is leading to: If we had reasonable discussion in the Senate on many questions, a reasonable limitation of debate, this body could transact all of its business in one-half the time it now takes, in my judgment. That would free Members of the Senate to go to their committee rooms, to attend to the important business of making legislation—not passing it—for, whether it be here or in the House of Representatives, legislation is made in committee. There may be slight amendments here, but the real draft of legislation, its real

study, its real molding and building and worth come from the committee. Were there such limitation of debate, we should have more time to consider these important matters in committees.

Furthermore, in the past, and especially in these days of war, there are hundreds and hundreds of questions of vast importance to the constituencies we represent which are continually coming before the executive departments of the Government that you and I do not have the time or opportunity to give consideration to, but which we are compelled by force of circumstances to send a clerk to attend to—matters of weighty influence that may involve the very life of great industries in our States or the happiness of thousands of the constituents that we represent.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. UNDERWOOD. I will.

Mr. GALLINGER. The Senator differentiates between the two Houses because of the disparity in numbers. It has been a long time since I was honored with a seat in the body that has a cloture rule, but my recollection is that about one-half of the membership of the House of Representatives pass all the important bills, and I have seen very recently, when I have visited that distinguished body, that a little group of Representatives pass the pending bill.

Mr. UNDERWOOD. Well, I think that is largely true; but that is due to the reason, I think, that in the House of Representatives legislation is considered carefully by the committees and that the membership of the House has great confidence in the committee which reports the bill.

Mr. GALLINGER. The membership of the House has confidence on the belief that the majority will pass the bill because they have been ordered to do so in caucus, practically, which is the Committee on Rules.

Now, another point. I think the Senator from Alabama was a little rash a moment ago, at least that he had not given the matter careful consideration, when he said that we ought to pass every bill that is reported by a committee of this body.

Mr. UNDERWOOD. Oh, no. I said we ought to vote on every bill, not pass it; for a great many of those bills I myself should vote against.

Mr. GALLINGER. I will make that correction—that we ought to act on them. Now, will the Senator refer to the calendar and tell me how many days or weeks or months he thinks it would take us to act on all the bills which are on the calendar to-day? Why, Mr. President, the Senator would discover immediately that we should consume at least one day on the first bill, more than a day on the second, and so on down the list. For that reason, knowing that we can not pass these bills, and knowing that they would be debated—even under this proposed rule it would take days and days—we proceed to the calendar and pass bills that are not in controversy.

Mr. UNDERWOOD. Now, I will take the Senator's statement as my text. If the Senator's statement is correct, that there are a number of bills on the calendar that we can not physically pass—and I doubt that; I think very often delays come in the Senate because we debate one bill in order that another bill may not be reached on the calendar—but if the Senator is correct in his statement that we have not the physical power by reason of the limitation of time to act on all the bills upon the calendar, I say we owe it to the country to pass a rule immediately limiting the term of debate.

If we must limit the term of debate, you may say we might not get all the bills through; but we should get more of them through; and if these bills are here for the benefit of the country and of the constituencies that we represent, they are entitled to action.

I say that the distinguished Senator from New Hampshire has admitted himself out of court when he says the calendar is composed of bills that the Senate as a body could not act on.

Mr. GALLINGER. Mr. President, the Senator from New Hampshire does not agree to that at all. According to all my observations here, when contested bills are before the Senate there has not been a speech of an hour made on any one of the bills which are controverted.

Mr. UNDERWOOD. We have speeches here of many hours on bills that are controverted, that take time away from the calendar, which could be devoted to other questions.

Mr. GALLINGER. Well, I do not recall an instance of that kind during the present Congress, certainly.

Mr. UNDERWOOD. I am not saying that by way of reflection on any Senator, because I have heard a number of speeches here that took more than five hours which were most able speeches; I do not contend that the speeches were not able, and I know of a number of them—as a matter of fact, I have been guilty once myself since I have been in the Senate of speaking longer than the time prescribed by this proposed rule. I do not reflect on the ability of the speeches, but I say they are unnecessary. What I contend is that unlimited debate is not necessary, facing this business condition—and that is all it is, for there is nothing involved here but a business condition—unless we want to go back and flee from the ghost of the past and say that we must preserve the right to filibuster, to delay, and destroy business, because, forsooth, there may be some ghost stalking behind the rights and liberties of the people whom you and I represent. Since I have been a Member of the legislative bodies of the Congress of the United States the hour has never come—and I would be unworthy of the great constituency which I represent if I allowed it ever to come—when through fear I would be unwilling to do my duty to my country because I thought that some unseen force might some day invade the rights of the constituency that I represent.

Mr. President, I have more faith and more confidence in the integrity, the patriotism, and the honesty of purpose of the American people than to believe that one section of this Union intends to take an unfair and unholy advantage of another section of the Union in this hour and day.

Mr. WATSON. Mr. President——

Mr. UNDERWOOD. I yield to the Senator.

Mr. WATSON. Why not have faith in the integrity and honesty of purpose and patriotism of the Members of this body so as not to desire to handicap them by a rule limiting debate?

Mr. UNDERWOOD. I have all confidence in their integrity, honesty, and character; I have not disputed that; but I have not so much confidence in the vanity of any of them. We all enjoy hearing ourselves talk. Men who are engaged in our profession in life like to hear words flowing from our own mouths, and our own vanity often carries us beyond the pale that is necessary for us to perform the duties we owe to our constituencies. I am sure that my friend from Indiana will agree with me in that, and we can both at times plead guilty to the charge.

Mr. WATSON. Mr. President, I did not rise primarily for the purpose of asking the question which I addressed to the Senator from Alabama; it came almost unbidden to my lips. What I really wanted to ask the Senator was this: Is he not willing to amend this proposed rule so that it shall not apply to the consideration of treaties? To me the most repugnant feature of this proposed amendment to the rules is that it applies to treaties. I believe that when this war shall have been concluded the Senate of the United States will stand face to face with the greatest problems that have ever confronted any legislative body in the history of the world, because growing out of this war there will be new world relations of such overweening consequence and importance that the Members of this body ought not to be handicapped to one hour and a half of speech on questions of such prodigious import.

Mr. UNDERWOOD. I will say to my friend from Indiana that if I really thought that there was anything serious in his proposal I would agree with him, because the treaties that come before the Senate occupy a comparatively small amount of our time. What I am trying to do in this direction is solely for the purpose of expediting the public business; expediting it, it is true, by infringing slightly upon the privilege of individual Senators, but the effort is to expedite public business. That is my only desire. I know that, as a rule, treaties consume very little of our time, and if that is all that was involved I would say "yes"; I would agree with the Senator; but I will tell him why I do not agree with him and why I do not think the proposed rule ought to be amended in the particular he suggests, because no treaties of importance will come before the Senate of the United States for action before this rule of itself will die.

Mr. WATSON. Oh, no; the proposed rule provides that it shall not die by its own limitation until after the war has been concluded.

Mr. UNDERWOOD. Well, that may require the action of the Senate; but I can make my idea clear to the Senator if he will allow me.

Mr. WATSON. Certainly.

Mr. UNDERWOOD. We are not likely to enter into any material treaties, any treaties of importance, that will bring about general discussion, until the peace treaty comes, because the world will not undertake to make treaties in regard to other matters until the war is over. Now, there is a treaty pending here concerning alien slackers, in connection with which I doubt if there will be an hour's discussion.

Mr. FALL. Mr. President, will the Senator yield for a suggestion there?

Mr. UNDERWOOD. Yes.

Mr. FALL. That treaty, of course, has been discussed to some extent and has been referred to this morning. There will

necessarily be legislation accompanying that treaty, because it can not be self-acting, and the situation will be this: The objection to the treaty, I think, will be confined perhaps to one article or one provision, and the discussion will be entirely upon an amendment with regard to it. I do not agree with the Senator as to the importance of the amendment which may be offered. I am inclined to think that unless the treaty itself may be amended we will find ourselves in the position of ratifying the treaty and the Congress of the United States refusing legislation to carry it into effect.

Mr. UNDERWOOD. I will ask the Senator, because he knows the condition and is better informed about that particular treaty and that situation than most of us, if the question comes before the Senate, does he not think that he could present his views on the subject in the Senate in an hour and a half?

Mr. FALL. I would not have an opportunity to do so, because the discussion would be upon an amendment to the treaty. I might agree to the treaty itself without any hesitation.

Mr. UNDERWOOD. Under this rule the Senator would have a full hour and a half.

Mr. FALL. So far as I am personally concerned, I will very frankly say that it would not require 10 minutes for me to express my views upon it; but I would possibly very strenuously resist legislation putting the treaty as it stands into effect.

Mr. UNDERWOOD. Very well; but, answering the Senator from Indiana, there is no really great and important treaty coming before the Senate, with the exception of the peace treaty; and as to that I know of no peace treaty in the history of this country, and very few in the history of the world in recent generations, that has not been made in the open, that has not been ratified in the open, and that has not been considered in the open. The secret treaties of nations about which we complain, and justly complain, are not peace treaties, but they are treaties that are made subsequent to the ratification of peace treaties. More than that, when the final peace treaty is made there will be representatives of this Government sent to The Hague, or somewhere else, meeting with our allied friends and sitting at the table with our belligerent enemies, agreeing on the terms on which this war shall cease and the world shall stay at peace in the future. Every word of that consideration is going to be given to the public, just as the deliberations of the commissioners who represented this country at Paris when we met to make peace with Spain were given to the public.

Mr. WATSON. But was not the discussion in the Senate of long duration on the question of the treaty of peace with Spain?

Mr. UNDERWOOD. I do not think it was of very long duration.

Mr. WATSON. Was it not quite lengthy, and was not the debate participated in by numerous Senators?

Mr. UNDERWOOD. It lasted about as long, or perhaps a little longer, than the debate on the pending resolution proposing a simple amendment to the rules of the Senate has lasted.

Mr. SMITH of Michigan. I think, if the Senator will recall the circumstances, that he will agree that the question of the payment of $20,000,000 to Spain for the Philippines excited a great deal of discussion here and aroused much party antagonism.

Mr. UNDERWOOD. That is true; but the discussion did not last so very long, and it was all carried on on the open floor of the Senate; the discussion was not behind closed doors.

Mr. WATSON. That is quite true; but the rule applies either way.

Mr. UNDERWOOD. Yes; but what I say is that, in my judgment—I may be wrong, but I do not think I am—when this vital treaty of peace is made next year or the year after or 10 years from now, and the commissioners representing this Government and the Chief Executive sign the agreement for peace, whether it comes before us or some other Senate, no Senator will reject the terms and send the world back to fight out again a world war. If that is the case, then when that treaty of peace is signed this rule goes out of existence. So, I say, the question of considering treaties is a matter of small importance so far as this rule is concerned.

I have trespassed upon the time of the Senate longer than I intended, because there are other Senators who desire to debate the resolution; but I think the real and sole question that is before the Senate, in considering whether this rule should be adopted or rejected, can be but one thing. I am going to exclude the question of a filibuster. I am going to exclude the proposition that any Senator will stand in his place here and say that he, as a Senator, has the right to use the power of delay to force his colleagues to agree to terms to which they are not willing to agree.

Mr. GALLINGER. Mr. President——

Mr. UNDERWOOD. I yield.

Mr. GALLINGER. If the Senate had had that in mind, this is a most admirable opportunity for a filibuster.

Mr. UNDERWOOD. To be sure.

Mr. GALLINGER. And this rule never could have been adopted at the present session if those of us who are opposed to it had determined that it should not be adopted.

Mr. UNDERWOOD. I agree with the Senator. I think the Senate have taken due time for the consideration of this rule, but I think they have treated its consideration very fairly. But I think if the Senate had filibustered on this rule they would have waked up the American people to the fact that we had a body here that had lost its power of action. I think the bell would have rung on the United States Senate in the ears of the American people if this rule had been defeated by a filibuster. But I disclaim anything of that kind. If, in the heart of any Senator, he desires to defeat the rule because he wants to retain in his own hands the right to filibuster, and to defeat the will of the majority here by reason of a filibuster, I do not think he would be willing to proclaim that on this floor to the people of the United States; and, more than that, I do not believe there is a Senator on this floor whose action, in his mature deliberation, would be governed by any such motive.

Mr. KELLOGG. Mr. President——

Mr. UNDERWOOD. Excluding that question, excluding the power of filibuster, I say it comes down to but one question as to whether this rule should be adopted or not; and before I state that question I will yield to my friend from Minnesota.

Mr. KELLOGG. While the Senator from Alabama was talking about the question of filibustering, did we not absolutely prevent the possibility of a filibuster, as far as it could be prevented, by the amendment of the rules last summer?

Mr. UNDERWOOD. You did prevent the possibility of the individual filibuster, but not of a united filibuster. I think the rule passed last summer is ineffective and inoperative so far as ordinary business is concerned. Therefore, I think something else ought to be done. Where a few men want to filibuster, I am free to admit that that rule will largely cut off their ability to do so, but where more than a third desire to filibuster it will be ineffective; and I will go further than that. I am willing to admit, because I want to be perfectly fair on the record, that if more than a third of the Senate desire to filibuster on any proposition coming before it, under the rule that I have presented they can maintain a filibuster that will prevent action; and therefore I am eliminating the question of a filibuster from my discussion of this question.

Mr. KELLOGG. Where has there been the slightest indication that a third or smaller number of the Senate during the war have desired to do such a thing?

Mr. UNDERWOOD. I have not charged it. The Senator asked me a question, and I merely replied with a hypothetical case. I did not say it had occurred.

Mr. WATSON. Mr. President, may I interrupt the Senator, just briefly?

Mr. UNDERWOOD. Yes.

Mr. WATSON. If, without this rule, we voted a declaration of war, and if without it we voted the policy of conscription, and if without it we appropriated all the vast sums of money essential to carrying on this war up to this time, and if without it we cast all the power on the President that he has—authority so great that it is not necessary for us to stand here and attempt to estimate it in words—and if we have already passed the tax bill, which has outlined the policy on which the coming tax bill must be laid; if all that has been done without this rule, and in effect all the work that the war requires of us has already been faithfully performed without it, why the adoption of this rule at this time?

Mr. UNDERWOOD. Mr. President, I will not answer my good friend from Indiana, because the distinguished Senator from New Hampshire [Mr. GALLINGER] asked me that question some half hour or more ago, and so far as my viewpoint was concerned I answered it fully in the RECORD; and as there are other Senators who want to speak this morning, I will not occupy the time to repeat what I then said, with the leave of the Senator from Indiana.

Mr. WATSON. Mr. President, I was not in the Chamber at that time——

Mr. UNDERWOOD. I understand.

Mr. WATSON. And I was not aware that the query had been propounded.

Mr. HALE. Mr. President——

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Maine?

Mr. UNDERWOOD. I yield.

Mr. HALE. During the debate yesterday I gave some figures that were compiled for me by the clerks of the Library of the Senate, showing that from April 4, 1917, to April 8, 1918, a period

of over a year, only 75 speeches had been made which consumed over an hour and a half each, and that the surplus time over an hour and a half each amounted only to 68½ hours during the whole year. I should like to ask the Senator from Alabama whether he thinks that is an inordinate excess for the year?

Mr. UNDERWOOD. Well, yes; I think so. I do not mean as to all of them, the men that only spoke an hour and a half; but that is just exactly what I am coming to, if the Senator will allow me.

Mr. HALE. Also, I should like to ask the Senator this question: During the debate on the revenue bill, which took seven weeks, there were only 11 speeches which took over an hour and a half, and they only took up an excess time of 11½ hours during the whole time. Does the Senator consider that excessive?

Mr. UNDERWOOD. The eleven hours and a half may have brought the Senate to a point where it was impossible to do business for the balance of the day, and it had to adjourn; but I am coming right down now to answer the Senator's question in my own way.

Mr. LODGE. Mr. President, may I make a correction there? The revenue bill was only before the Senate for 35 days. It was in the committee for 74 days. I think the Senator may have been misled by the fact that it was reported and was afterwards recommitted. The debate lasted only 35 days.

Mr. UNDERWOOD. I heard what the distinguished Senator from Massachusetts had to say about the time these bills remain in conference and those delays. Now, I have been in conferences. I am on a conference now that is long delayed. It is long delayed because the conferees are trying to obey the will of the Senate. The legislative bill has been in conference for more than a month——

Mr. SMOOT. Two months.

Mr. UNDERWOOD. Two months, because the Senate has instructed its conferees. We brought the bill back here and asked for further consideration. The Senate insisted on its original position, that there should be no amendment wiping out the Subtreasuries of this country, and that we should not agree to what is known as the Borland amendment in the House bill. The House will not agree with us, and we are obeying the will of the Senate; but that does not affect the business of this body. When a bill goes out of this body to conference, it is no longer standing in the way of the legislative machinery. The balance of the business of the Senate can go on, and is not delayed on that account; and, so far as that particular bill is concerned, it will be agreed to by one House or the other yielding before the 1st of July. We know that. One side or the other must yield, and the bill must pass; and, as the appropriations are not available until the 1st of July, the delay up to this time is not material.

In conclusion, I want to say this: Excluding the question as to whether this resolution would stop a filibuster, excluding the question as to whether any Senator would desire unlimited debate for a filibuster, and to exercise his individual power against the majority of his colleagues, I say then that the question of whether this resolution should be accepted or rejected resolves itself to one single proposition, and that is the proposition as to whether, within an hour and a half, an individual Senator can present his views on pending legislation so that the Senate can understand them, and so that he can fairly represent the constituency from which he holds his commission.

I do not think that is difficult. On the main proposition of any bill that is pending here, I think any Member of this body can present his views fully, clearly, and forcefully within an hour and a half. If it comes down to the details, he either accepts the details in bulk or he objects to them, and proposes his objection by an amendment, and when he comes to that amendment what he wants is an audience more than an argument; and under the present procedure of the Senate and its long debate he usually fails of the audience, and in that way fails to get a fair and just consideration of his amendment, no matter how righteous it may be.

You can point in this history of this body to some great speeches, forceful speeches, effective speeches, that have taken more than an hour and a half; but I am willing to say, and believe that I can not be contradicted, that the speeches in the Senate of the United States since the beginning that have had effect on legislation, that have produced results in the Nation, that stand as monuments of statesmanship and oratorical ability in the past, have been delivered within less than an hour and a half. There is one speech that will stand forever in the minds and the hearts of the American people—a speech that will ring around the world as long as the Stars and Stripes may fly over the dome of this Capitol as the proclamation of a renewed Nation, a proclamation of peace, a proclamation of a united people, a proclamation of the great principles of liberty and freedom for which our Government stands—the speech that Abraham Lincoln delivered at Gettysburg; and it did not take 20 minutes to deliver that great oration.

Mr. President, I think that when the great speeches of the world have been made within this limitation of debate, the individual Senator who occupies a seat on this floor should content himself, in the interest of public business, to limit himself to an hour and a half in presenting his views.

Mr. SMITH of Michigan. Mr. President, the Senator from Alabama speaks of the short and memorable speech of President Lincoln at Gettysburg. Of course, that was an inspiration. It was one of the greatest utterances that ever fell from human lips; but there was even a shorter speech than that, delivered a little while ago, which will live for all time, and that was the speech of Joffre at the Marne, when he said to the soldiers of France, in a death struggle with the Germans, "They shall not pass!"

I want to say to the Senator from Alabama that it is not a question of long speeches, nor words, nor the failure to get a hearing that prompts us to oppose this proposition. It is because times do arise in this Chamber when it is necessary to use the language of Gen. Joffre; when matters affecting vitally a Senator's own State are of such transcendent importance that persistent and relentless opposition is justified; and when that time comes it is not the long speech nor the audience that is important; it is the power to prevent the wrong.

Why, the Senator from Alabama has made a most interesting speech to-day. He has been speaking for about 45 minutes. He has made a good speech, as he always does. He has made it under limitation of debate, and yet he had just three Senators listening to him on his own side of the Chamber; and cloture will not get any better results. Senators will not stay here just to listen to speeches. They never do. I have heard some of the greatest men who ever sat in this body make most interesting speeches to empty chairs.

The Senator from Alabama said a few moments ago that the Senate was not what it used to be——

Mr. UNDERWOOD. Mr. President, I hope the Senator will not quote me on that subject unless he sends and gets my language.

Mr. SMITH of Michigan. Then, I will not attempt to quote the Senator at all, because I may do him an injustice, and I do not want to do so; but the Senator did refer in a most complimentary way to former Senators, and he did say that the situation had changed. Now, if the situation with reference to Senators has changed, the situation with reference to the States has not changed. The States are as potential as they ever were in this Chamber. We have not admitted over six or eight Senators in the last 30 years. Most of the States admitted in that time have been admitted by the vote of my friend from Alabama and myself, and only about eight Senators have been added to this body in the last quarter of a century. The States remain as intelligent and patriotic as they ever were. Even the State of the Senator from Alabama is exactly as patriotic and intelligent as when it was represented in this Chamber by the great Senator Morgan. The State of Massachusetts is just as patriotic and intelligent as it was when it was represented here by the great Webster. My State is entitled to as much consideraion in this Chamber, even though I am one of its Senators, as when it was represented by Lewis Cass and Zachariah Chandler. The States have not changed; and it is for their potentjality, It is to preserve their rights, that I oppose this curtailment of debate.

The Senator said a few moments ago that no treaty could arise perhaps that would be so vexatious as to call for greater discussion than that provided for under the proposed rule. We have a treaty now, and I think I am violating no confidence, it has been referred to two or three times this morning, which changes the basic draft law by which our Army has been formed, a treaty which walks into my State and says to a Canadian who has taken out his first papers and renounced his allegiance to his own country that he must return. Yet you propose by cloture, limited debate, to so change the law that a foreign country may walk in and take possession of that citizen between the ages of 18 and 49 years and force him in the Army, and I am told that if I desire to protest I must do it in private, if I have any indignation to express I must do it briefly. The States still have some inherent rights, and injustice must not be tolerated by Senators. There is not a Senator in this Chamber who lives along the Canadian border who does not know the delicacy and importance of the questions constantly arising out of our joint sovereignty; yet I am asked to discriminate against my own State and its sovereign rights by foreclosing myself against the power of forcible resistance.

Does the Senator from Alabama approve the filibuster made in this Chamber a few years ago against the force bill?

Mr. UNDERWOOD. Of course, the Senator knows that I am against the force bill; that I am thoroughly in favor of local self-government; and believe that the situation in each State in reference to its electorate should be controlled by the people of that State. I am free to say that I think the result of the filibuster on the force bill was a result that was most effective for good in the State in which I live and for good in the Nation. But I have no fear whatever that if that filibuster had failed and the purpose had been accomplished to take away from the State in which I reside the right of an intelligent, safe government of the people of that State, in the next election the people of the whole United States would have rejected the party that accomplished the result and the law would have been wiped from the statute book.

Mr. SMITH of Michigan. The Senator approves of the filibuster on the force bill?

Mr. UNDERWOOD. I do not mean to say that you can not point out some instances in which a filibuster may be right. There may be an instance where a man may be justified in killing another man to save his own life, but that does not justify murder. Because you may point out an instance where a filibuster works for good does not justify the system of filibustering.

Mr. SMITH of Michigan. I guess I am not overstating it when I say that the instrumentality by which Senators from Southern States defeated the House bill known as the force bill is justified by the remark of the Senator from Alabama. Why does the Senator from Alabama justify it? Because his State was to be vitally affected.

Mr. UNDERWOOD. No; not at all. I will say to the Senator my record on this floor does not bear that out at all. I would have voted against the force bill, because I do not believe that the Government of the United States has a right to interfere with the domestic affairs of my State, and I would have opposed it here, if I had been sitting here on this floor, as vigorously as possible, but not alone because it affects the rights of my State. I want to say to the Senator there has been an instance in the recent past which demonstrates the difference. My State is a prohibition State. My people are in favor of the prohibition of the sale of liquor in the State. Although it is not the case now in the Senator's State, it was a short time ago; but there are great States in the Union—New York and Pennsylvania—that do not agree with the same idea of my people about their local matters, who do not want prohibition, and I voted against a Nation-wide prohibition amendment, not so far as it related to my State, but because I was unwilling for the Federal Government to invade the domestic rights and freedom of States that were sisters to Alabama in the Union.

It was on the same principle I voted against a nation-wide prohibition amendment, that I would have invoked had I been on this floor, against a nation-wide control of the electorate.

Mr. SMITH of Michigan. Those States in the South that were vitally affected by the national election laws felt it their duty to use every instrumentality at their command to defeat it, and Alabama was no exception to the rule.

What I claim is this: That the right of the State may become seriously impaired if we depend solely for the maintenance of that right upon a limited, circumscribed, restricted debate. I do not want to repeat what I have said once or twice before, but which is nevertheless true, that this power which you seek to curtail is a power that goes with the senatorial office. If anything is to be done in this Chamber, and I see there are only five Democratic Senators on the other side of the Chamber, the Senator from Colorado [Mr. SHAFROTH] has to be consulted about it, the Senator from Mississippi [Mr. VARDAMAN] has to be consulted about it, the Senator from Kansas [Mr. THOMPSON], and the Senator from Texas [Mr. SHEPPARD], and the Senator from California [Mr. PHELAN] must all be consulted. No one can do anything in this Chamber under the historic traditional and useful rules of this body until every other Senator is ready, and that is the best part of the senatorial service. When that time is passed I warn Senators who do not happen to be in positions of leadership that they will not be consulted, and I tell them now that they have not been consulted about this rule. There is not a Senator sitting on the other side of the Chamber at this moment who has ever been consulted about bringing in this rule. There is not one of them who knew it was to be brought in, and they will know much less about it when all that their privilege consists of is the right to get up and talk for 60 minutes. They will never be consulted in the future.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. SMITH of Michigan. Certainly.

Mr. GALLINGER. In view of the championship of the Senator from Alabama of this new rule, it is rather interesting to note that in 1841, when Henry Clay proposed that this body should have a restricted rule, Mr. King, of Alabama, informed Senator Clay he had better make arrangements with his boarding house keeper for the winter months.

Mr. SMITH of Michigan. That is fine, and that comes from one of the great men whom the Senator from Alabama has recently eulogized. I wish the Senator from Alabama were here now. I should like to have him get the full force and effect of that remark. Mr. King evidently felt that there were some questions which came before the Senate which ought not to be disposed of too hastily; and the Senator from Alabama ought to know it, although his service has been principally in the House of Representatives. The Senator from New Hampshire does know it, as does every other Senator who has served here very long.

I am under a sort of modified cloture. It is quite unnecessary, however. I will not prolong the discussion, but I beg of Senators to consider well this proposal.

Mr. GALLINGER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gulon	Norris	Smith, Md.
Baird	Hale	Nugent	Smith, Mich.
Beckham	Harding	Overman	Smoot
Borah	Hitchcock	Page	Sterling
Brandegee	Johnson, S. Dak.	Phelan	Swanson
Chamberlain	Kenyon	Poindexter	Thompson
Cummins	Lenroot	Reed	Tillman
Curtis	Lewis	Robinson	Townsend
Dillingham	Lodge	Sanisbury	Trammell
Fall	McKellar	Shafroth	Underwood
France	McNary	Sheppard	Vardaman
Frelinghuysen	Martin	Sherman	Watson
Gallinger	Nelson	Simmons	Weeks
Gronna	New	Smith, Ariz.	

Mr. FRANCE. I desire to announce the absence of the Senator from South Carolina [Mr. SMITH] and the Senator from Louisiana [Mr. RANSDELL] on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. GALLINGER. I will ask the Senator from Indiana [Mr. WATSON] if he desires to take the floor. The Senator suggested yesterday that he would desire to address himself to this rule, and if he desires to take the floor I will content myself by taking my chances during the 10 minutes' debate.

Mr. WATSON. Mr. President, I desire to say to those of my colleagues who were absent and have been brought in by the roll call that I am not responsible for the call, either directly or indirectly. While in the habit of speaking to audiences who sometimes listen, and while it is always somewhat embarrassing to attempt to make speeches on the floor of the United States Senate to empty seats, nevertheless, it seems to be the custom, and I presume that I, in common with my associates, must be the victim of the usage.

It is not now before the Senate as to whether any treaty shall be considered in open or in executive session, and yet, because it has a direct bearing on the other question at issue, I desire to say that I voted in favor of the amendment brought forward by the honorable Senator from Idaho [Mr. BORAH], I would not ordinarily have pursued this course, because it runs counter to some of my ideas as to the consideration of treaties with foreign nations, but I did so in this instance because I believed it to be the best method of meeting the situation that immediately confronts us.

We have been much mystified of late by the frequent and mysterious conferences between the President of the United States and Col. House touching our foreign relations, matters in regard to which the Senate of the United States knows comparatively little; and we have been informed by the public press that Justice Brandeis and Col. House have been chosen for some diplomatic mission the exact object of which we do not know. Their precise powers we are not acquainted with, the limit of their authority we are not apprised of; but yet I predict that it is but a notice to the people of the United States that when the time comes to prepare the treaty that shall conclude the great war in which we are now engaged these two men, alone or with others, shall sit in the council chamber of the nations to formulate that document. Against these men I have naught to say, but as to their public service so far as diplomacy is concerned we have no knowledge. We know that Justice Brandeis, judging by his speeches and utterances in the

days gone by, is a near socialist, and of the diplomatic experience of Col. House we have but meager knowledge. Therefore if these men and men of their type and belief are to formulate the treaty that shall conclude this great war, I welcome all the publicity that can be given that instrument and its formulation and the successive steps that shall lead up to its adoption.

I do not know what the conclusion of this strife may bring in the way of a treaty; but I do know that we shall be confronted with socialism, national and international, and therefore if men of the political ideas of those who have been chosen to arrange our diplomatic affairs at this time are to formulate that treaty I think the light of day should be cast upon all their transactions; that every phrase of the document should be debated; that its every clause should be discussed so that, if possible, we may be able to discover even the thoughts of such diplomats in order to acquaint the public with the motives that impel them to their adopted course.

Mr. President and Senators, we are all aware of the fact that there is a movement throughout the world that will plunge the nations of the earth into the vortex of socialistic revolution at the conclusion of this war unless, being warned, we come full armed to the conflict. We know that this socialistic movement has as one of its objects the abolition of the upper houses of all the legislative bodies of the world. That is a part of their announced program, and knowing it, we should not willingly take the first step in that direction unless we are willing to take others that shall follow; and, if adopted, this measure may prove to be that first step.

Mr. President, the Senator from Alabama said before taking his seat that the greatest speeches that have been made in the Senate of the United States in the past have been comparatively short ones. That is true as to some of them, but I call the attention of my honorable friend to the fact that if this rule had been in force in the Continental Congress many of the great historical utterances that laid broad and deep the enduring foundations of the Republic and pointed the inevitable pathway of the future would have been but partially delivered. If this had been the rule of the United States Senate after the adoption of the Constitution and the formation of the Union many of the great orations that challenged the attention of mankind and fashioned the policy of the Republic would have been but partially delivered. If this had been the rule of the United States Senate for the first 50 years of its existence John C. Calhoun would not have been able to thunder forth the doctrines in which he believed; Hayne could not have announced on the floor the ideas which he so eloquently espoused; Henry Clay would have been unable to deliver in full any one of the score of speeches that accomplished so much for his country; and Daniel Webster, imperious orator of American history, could not have blazed the pathway of the future in that historic utterance in which he announced the essential policies of the Republic if its institutions are to endure, for on the floor of the United States Senate and in the open forum of debate he in a sense shaped the destiny of the Republic and molded the future of the Nation.

Mr. GALLINGER. Speaking for eight hours.

Mr. WATSON. And eight hours, the Senator from New Hampshire informs me, he spent in delivering that masterful oration.

If this had been the rule of the United States Senate before and during the Civil War Charles Sumner could not have sounded forth his great philippic against the barbarism of slavery, nor could any one of the masterful orators or statesmen who then occupied seats in this Chamber have voiced the sentiments of the sons of freedom that inspired the mighty North to action and led great armies to the fields of strife, for the principles of the perpetuity of the Union and the freedom of the slave were fought out upon the floor of the Senate before they were fought out upon the crimson fields of battle.

If this had been the rule of the Senate even in our day, the great debates that have occurred upon the financial and economic problems which have engaged the thought and attention of the Republic could not have taken place to the full.

I vividly recall the time when the railway-rate bill was up for consideration in this body, when the Senate cleared the decks for action, and when for 70 consecutive days this great problem was debated, involving as it did the question of the relationship of the railroads to the Government, the relationship of capital to labor, and all kindred and associate questions. I recall that Spooner and Bailey and Bacon and Foraker and other great men whose utterances challenged the attention of the people for hours at a time discussed those problems in as enlightening a debate as ever occurred on this floor. Had this proposed rule then been in force such discussion would have been largely impossible.

Why, Senators, in this very debate that is now occupying the time of the Senate the only speeches that exceeded the limit set forth in this rule were those of the Senator from Alabama [Mr. UNDERWOOD], who is sponsor for the measure, and of the Senator from Iowa [Mr. CUMMINS], who has been one of its principal advocates. And it is worthy of more than passing notice that the able Senator from Iowa occupied the floor for well-nigh three hours trying to convince the Senate that nobody should be permitted to speak for more than an hour and a half.

The real question involved is not one of limitation upon the length of debate so much as it is of the object of debate. No matter how long a Senator can talk, if his speech is upon the subject matter of discussion and is intended to enlighten and instruct, there should be no limit upon his speech.

The Senator from Iowa [Mr. CUMMINS] said in his address, and, too, in rather a sarcastic way, that "The Senate of the United States is not a debating school," and, as I now remember, in answer to the distinguished Senator from Ohio [Mr. HARDING] he made the assertion that "This body should not treat itself as a superchautauqua nor should it be so considered by others."

Senators, I believe the assertion of Woodrow Wilson, the historian, when he said that the informing functions of this body are even of more vital consequence than its legislative functions. In that sentiment I most heartily concur.

Mr. President, where are great principles of government first announced? Largely upon the floor of this and its associate body. Where are fundamental ideas first expounded? Largely in legislative halls. Our Army is mobilized about fundamental principles; it does not blindly rush forward without thought. Battalions are mobilized about sublime ideals. They are not vaguely and indefinitely led. If you were to ask any soldier in the Army of the United States for what he is fighting, he could give you a ready response. He knows what animates and impels him as he rushes to the battle field. Where were these great ideas first enunciated in the Republic of the United States? In this forum and over yonder in the associate body of Congress.

If you were to say to any one of these soldiers that he was in this war to fling wider the boundaries of the Republic and for territorial acquisition he would resent it. If you were to say to him that he is fighting in this war and leveling his gun against the breasts of the German enemy from motives of revenge, he, in his anger, would strike you down. He knows what animates him. It throbs in his heart as he stands in the trenches; it pulses in his breast as he leaps "over the top" and plunges toward the savage foe. Where were these great principles announced? On the floor of this and its associate body, repeated with splendid emphasis all over this country by orators, by lecturers, and by professors; repeated in the newspapers; repeated in the magazines with splendid iteration until the whole atmosphere of America is vocal with eloquent defense of the mighty principles that are involved in this great contest. So this may be called a debating society; but, after all, it is a body from which goes information that is vital to the welfare of the Republic and to the dearest concerns of its people. For that reason I object to this proposed limitation upon debate.

Mr. President and Senators, I am opposed to the passage of this resolution, because it is pointless, useless, and needless at this time. Why should it be thrust into this body and adopted now? Has the Senate been guilty of any policy of retardation? Have we thrust any obstacle in the way of the success of this conflict? Has there been one hour of filibuster since the declaration of war was made? What has the Senate done to warrant the Senator from Alabama in leading the people of the United States to believe that we have betrayed our trust and have not lived up to the demands of the hour? This resolution gives weight to the charge throughout the country that we have been derelict in our duty; that we have been false to the great trust reposed in us by the people of the United States.

Without this rule the Senate has been operating splendidly for 140 years of American history. We fought the American Revolution without it; we fought the War of 1812 without it; we fought the Mexican War without it; we fought the Civil War without it; we fought the Spanish-American War without it; and we have largely prepared for this war without it. So, with all that history behind us, with all this proud acquisition and these ineffaceable results, what reason is there for the adoption of this measure at this time? There is something else behind it, and that something else, I believe, is to affect the very life of the United States Senate in the years that are yet to be.

We voted a declaration of war without this rule; we voted the policy of conscription without this rule; we have appropriated sums that stagger the imagination without this rule. We have cast power into the right hand of the President Alp upon Alp, and in his left hand Ossa upon Pelion, until he sits to-day clothed with authority greater than that of any of the rulers of the earth; aye, greater than that of any king or despot since the olden days when rulers claimed authority over life and over

limb, and all this without the interposition of this rule. Then, why is it thrust upon us now? Oh, my friend from Alabama, distinguished and honorable in career and in service, says it is for the purpose of securing the speedy enactment of the coming tax law.

Mr. President, we passed the last tax law without it, and when we formulate the principles upon which the coming tax law is to be considered and enacted no new policy will be adopted, no new thought will be embodied. It will be but higher taxes along the same line. If, as the senior Senator from Massachusetts [Mr. LODGE] has said, it was 129 days from the day of the first consideration of that measure until it was signed by the President, and it contained all of the policies to be embodied in the coming measure, why should it take longer to pass the coming bill than it did to pass the last one?

Mr. HARDING. Mr. President——

Mr. WATSON. I yield to the Senator from Ohio.

Mr. HARDING. I want to call the attention of the Senator from Indiana to the fact that we completely changed the policy of the last tax law, due to the convictions that were evolved through the debate.

Mr. WATSON. I thank the Senator for the suggestion. It is very appropriate and timely, because it is true that from the time the debate began on the last tax law until it was completed in this body the policy of that law was changed, and, I believe, changed to the good and changed in the interest of the people of the United States. I thank the Senator for his suggestion.

Mr. KING. Mr. President, will the Senator from Indiana yield to me?

Mr. WATSON. Certainly.

Mr. KING. It is quite significant also that the colleague of the distinguished Senator from Alabama [Mr. BANKHEAD] offered a new scheme of taxation in the Senate after the bill had come from the committee, and his new ideas, the suggestions which he offered, and the valuable contribution which he made to the debate were largely responsible for some of the important emendations in the bill.

Mr. WATSON. I thank the Senator from Utah for that suggestion also. The conclusion of it all is that the policy outlined before will be again adopted, and the broad lines previously laid down will be again followed—that no new idea, so far as policy is concerned, is to be thought of in connection with this new bill. Therefore it will be a comparatively easy task to pass the forthcoming legislation.

The chairman of the Ways and Means Committee of the House, standing in his place on the floor recently, said that it was not necessary to pass the tax bill at this time in order to get the money to run the Government; that the Ways and Means Committee could easily meet on the 1st of November to begin the consideration of the measure, and that, if passed by the 1st of February, it would be amply sufficient for all the purposes of the Government. I assume that he knew whereof he spoke. So there is no occasion for undue haste in the enactment of this proposed tax law. If there is no excuse for this measure other than this proposition, there is no reason why it should not be defeated here.

I am sorry that this resolution has been thrust into this body at this time, because, as I said before, it gives weight to the charge that the Senate of the United States has been guilty of a policy of retardation in the enactment of important legislation since the beginning of this war. That I absolutely deny, and I challenge any Senator in the Senate to rise in his place and name me one hour of useless debate which has been indulged in for the purpose of retardation; I challenge any Senator to name any effort to throw the slightest obstruction in the pathway of legitimate legislation since the beginning of this war. It can not be done, and my friend from Alabama says that it can not be done, because it has not occurred.

We all know that some zealous administration organs have from time to time throughout the course of this conflict published to the people of the country that the Senate of the United States was blocking the wheels of progress, and they have been constantly crying to us, "Hurry up; amend the rules of the Senate, so that we can get speedy legisation." But, Mr. President, the policy of retardation must be looked for in other departments; it must be searched for in other quarters, and can not be laid at the door of the Senate of the United States; for I challenge a contradiction of the statement when I say that in a narrow space of time we have passed legislation unparalleled both in quantity and in quality, and heretofore unequaled in the legislative annals of the world. Therefore, as the President of the United States himself so well said in the eulogy which he pronounced upon the Congress of the country for the great work which it had accomplished, we have the right to deny that we have been guilty of any policy of obstruction or retardation since the inception of this conflict.

Mr. KNOX. Mr. President, may I remind the Senator from Indiana that Mr. Arthur Balfour, who was at the head of the great mission which visited the United States from England, and who is, perhaps, one of the most studious of the English statesmen, upon his departure from this country, in speaking of the action of the Congress of the United States, said, in effect, that it had dealt with greater, broader, and more profound subjects more expeditiously, perhaps, than had any other legislative body in the world?

Mr. WATSON. I recall reading the interview, and I feel quite sure that we were all deeply gratified by the eulogy pronounced upon this body and its associate body by the distinguished statesman from England. In examining the history of legislation in England and in France we will find by comparison that ours has been enacted with more speed; that we have not only not delayed but that we have pushed; that we have not only not procrastinated but that we have, whenever opportunity offered, hastened legislation necessary for the prosecution of this conflict.

Mr. McCUMBER. Mr. President, if the Senator will allow me, he might also state that we have put into the Treasury of the United States through our legislation billions of dollars which the executive departments have been unable to expend.

Mr. WATSON. Well, I think that is true; and yet I shall not withhold from them the due meed of praise to which they are entitled by saying that they are doing fairly well at that project.

Mr. McCUMBER. But they are still far behind.

Mr. WATSON. Yes. I further object to the passage of this resolution because it seems to come from somewhere outside of this Chamber. I utter nothing in derogation of the distinguished Senator who stands sponsor for this resolution here, but nevertheless it is an open secret that the hand of the Chief Executive of the Nation is behind this resolution, and that he is seeking its adoption and asking for its speedy approval. I believe that the resolution which was read into the RECORD by the distinguished Senator from Massachusetts [Mr. LODGE] should be repeated here, because it embodies the principle which I think should actuate the Senate in all its dealings with the President of the United States when an attempt is made to throttle debate on the part of the Senate, to interfere with the orderly procedure of legislation in the Senate of the United States; and, if there be no objection, I ask to incorporate the resolution referred to as part of my remarks.

The PRESIDING OFFICER. Without objection, permission is granted.

The resolution referred to is as follows:

Resolved, That any attempt on the part of a President of the United States to exercise the powers and influence of his great office for the purpose of controlling the vote of any Senator upon a question involving the right to a seat in the Senate, or any other matter within the exclusive jurisdiction of the Senate, would violate the spirit, if not the letter of the Constitution and invade the rights of the Senate.

Mr. WATSON. Why, Senators, we are not children; we are men. We are not playing with castles of cards; we are dealing with fundamental problems. We are not engaged in some sport in which a man is limited to a certain number of strikes; we are Senators, chosen because of supposed ability, fitness, and character to measure up to the great demands of statesmanship, to grapple with the eternal verities that underlie all progress and all enduring government, and why should it be thought that we must place a limitation upon ourselves else we shall trample upon the rights of the people by too great speech? The whole thing is to me the very height of the preposterous.

I do not know why the President of the United States has been fit to demand the adoption of such a resolution. He has praised Congress for its work; he has lauded us for our accomplishments; he has eulogized us for our achievements. Why, then, this effort on his part to choke off debate and to limit the right of speech in the Senate of the United States?

I said a moment ago that there was a well-defined movement throughout the world to abolish the upper chambers in all legislatures national in character in the whole world. Can it be that this is but the forerunner of an effort to be made in the days to come to abolish the Senate of the United States and have only the supposed popular branch of the legislature remain? There is, I repeat, a well-defined movement elsewhere along that line, and while I have very great respect for the President of the United States, I violate no confidence—for I am not in his confidence—when I say that we all understand that the President is very much of an internationalist and has very many of what are called internationalist views with which many of us are not in accord.

I do not know what the coming treaty of peace may contain or embody. Therefore I am opposed to a limitation that will prevent the free discussion of all the problems involved and all the fundamentals embodied. I am opposed to this resolution because it will interfere with a full discussion of the treaty when it comes to this body. I asked my friend from Alabama a few moments ago as to that, and he responded that, after the treaty was made, it would be so momentous in its consequences, it would deal with such prodigious problems, that we would be ready to accept it without question, and perhaps without debate. That I deny. I do not know what the future may hold; the mantle of prophecy has not descended on my shoulders; I can not lift the veil and peer into the future, but I do know that, whatever that treaty may contain, it will do no injury if the Senate of the United States is free to discuss it and to bring its provisions to the people of the United States and flood them with the daylight that should be cast upon them. That we do know; and yet, Senators, when that great treaty shall be brought into this body, if this is to become the rule, each Senator will be permitted to speak but an hour and a half. We shall hear only the voice of the schoolmaster asking each one to stand up and recite his little piece and then sit down, and at the end of that time we shall twirl our thumbs and engage in the most farcical pantomime the ages have ever witnessed, and in the meantime the consideration of the treaty will not proceed duly and acceptably to the people.

Most momentous problems will be involved; stupendous questions will confront us; the whole future of civilization will be wrapped up in the terms of that treaty; and yet we are to sit still, with sealed lips and bridled tongues, and fail to express ourselves upon the mighty problems that it is our solemn duty to discuss.

I am against this resolution for that reason. I believe that, under all the circumstances, it is a veiled attempt to do something which, according to the prophecy of its sponsors, can not be done.

There is no occasion for this change. It comes from the outside, and from a source that has no right to interfere with the discussions of the United States Senate; and I believe that after the war is over, after all "the battle flags are furled" and brought back home, it will be essential for this body to assert its rights, to maintain its privileges, and to stand upon its ground, in order that those flags may be unfurled in a country where the three independent and coordinate branches of Government remain untouched. I believe that those flags will not be so unfurled unless the Senate of the United States shall maintain its rights, guaranteed by the Constitution given us by the fathers. Then, when the flags are brought back home, they will continue in the future, as in the past, to wave above a Republic where liberty is regulated by law and where the sublime slogan of the Republic is equality and fraternity.

Mr. FALL. I offer an amendment to the substitute.

The PRESIDING OFFICER. There is an amendment pending at the present time.

Mr. FALL. The amendment I offer is an amendment to the substitute. The pending matter is the substitute of the Senator from Iowa, and to that I offer an amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. After the word "resolution," at the end of line 8 of the amendment proposed by Mr. CUMMINS, it is proposed to insert the following proviso:

Provided further, That this rule limiting debate shall not apply, except by unanimous consent, to any bill, measure, or question which has been determined upon or agreed to by or in a party caucus or conference of Senators of the majority party.

Mr. GALLINGER. Mr. President, I had intended to devote some considerable time to the discussion of this matter, because I have been face to face with it in this body for 27 years. The same effort has been made at infrequent intervals to accomplish the results which the Senator from Alabama [Mr. UNDERWOOD] has in view. As I suggested a little while ago to the Senator from Michigan [Mr. SMITH], it was attempted in the days of Henry Clay, in the year 1841, when he thought that debate ought to be limited, but William R. King, a distinguished Senator from Alabama, informed Mr. Clay in a very terse sentence that he had better arrange with his boarding-house keeper to remain all winter if he persisted in his effort, because the plan of Mr. Clay would not succeed, and it did not succeed, and it has not succeeded from that day to this.

I am a member of the Committee on Rules, and have met this old friend—cloture—at various times, but the proposition has never received much consideration. Recently, however, new life has been infused into it from some quarter, and I think I understand whence that influence came. The Committee on Rules reported the resolution favorably at a time when some of us did not know that it was under consideration by the committee. But however that may be it is here, and it is being pressed with great vigor. I am very hopeful that it will not succeed; I have great faith in the Senate when I express that hope, and I think I might say belief, that upon due consideration the action of the Senate on former occasions will be ratified on this occasion, and that we will continue to debate public questions in this forum in the way that we have been doing during the last three-quarters of a century to the great satisfaction of the country, no matter what other Senators may say.

But, Mr. President, if this resolution is to be forced, if this rule is to become a reality, it is barely possible that the words of Macbeth should apply:

> If it were done when 'tis done, then 'twere well
> It were done quickly.

Mr. President, I say that if this is to be done, then it is well that it should be done quickly. I agreed on yesterday to a request for unanimous consent that we vote on this resolution at 4 o'clock this afternoon. If there had been any disposition at all on the part of the opponents of the proposed rule to defeat it by a filibuster we could have kept it before the Senate for days and weeks, but we had no such intention, and we are prepared for the vote, which I believe will be against the proposed rule.

I want to repeat, Mr. President, that notwithstanding the earnestness and the ability that has been called forth in support of this rule, I entertain the hope and belief that when the vote is taken the rule will be rejected, and we will go along as we have been going along, so pleasantly and so successfully in the past.

Why, Mr. President, I have already stated that during the present Congress there has been no attempt by any Senator on either side of the Chamber to prolong debate for the purpose of preventing the prompt passage of any bill. All of the great revenue bills have been passed without delay, all of the so-called war bills that have come to us from the House of Representatives, or that have been originated in this body, have been passed after a reasonable degree of debate. Every appropriation bill that has come from the House of Representatives has been passed except one, and that probably will be passed to-morrow. There is nothing before us that indicates that we have been at all derelict in our duties or lax in the consideration of these measures that are of such vital concern to the country. For that reason I feel sure that the country will not be misled, and I feel reasonably sure that the Senate will not be misled, into the belief that there is any real need for the rule that is being invoked by the Senator from Alabama.

Mr. President, we already have a rule on this subject that was agreed to a little while ago. I agreed to it as a compromise measure, as a member of the committee; and it was then stated to us that if that rule was agreed to we would not be disturbed by changing rules, certainly not in the near future. That rule is a cloture rule. It has answered its purpose. It will continue to answer its purpose if we allow it to remain in our code of rules and do not undertake to pass any other rules relating to that matter. The present proposed rule is not a cloture rule. The Senator from Iowa [Mr. CUMMINS] says he would not agree to a cloture rule; but, nevertheless, it is a rule that will disturb Senators, that will be of more vexation than a cloture rule possibly could be; and I want to call attention to that rule.

First, I will ask that the rule that we have in our code and the proposed rule be placed in juxtaposition in connection with my remarks.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Without objection, that order will be made.

The matter referred to is as follows:

[Present rule.]

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the presiding officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the presiding officer shall, without debate, submit to the Senate by a yea-and-nay vote the question: "Is it the sense of the Senate that the debate shall be brought to a close?" And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the presiding officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy and appeals from the decision of the presiding officer, shall be decided without debate. (S. Res. 5, 65th Cong., special session.)

[Proposed new rule.]

Resolved, That during the period of the present war the rules of the Senate be amended by adding thereto the following:

"That no Member shall occupy more than one hour [proposed to be changed to '1 hour and 30 minutes'] in debate, unless by unanimous consent, on any bill or resolution and not over 20 minutes on each amendment proposed thereto."

Mr. GALLINGER. Mr. President, I believe that changing the rule as proposed will be of great disadvantage to the minority of this body. I do not say the present minority. Majorities come, and majorities go; minorities come, and minorities go. I recall the time when the Republicans had a two-thirds majority in this body. I remember the time, not so long afterwards, when the Democrats had a majority of 16, and they now have a majority of but 8, and I think that after the elections in next November it will be well for them if they are not themselves in the minority, in which event they may need the protection which the rules of the Senate have always afforded to the minority.

Let us take the proposed rule. What does it say? That a Senator may speak one hour and a half. How will that operate? A great question is before the Senate, and a Senator speaks for 10 minutes on it, and then takes his seat. Does that foreclose him from speaking any more on that subject? If it does not, and under this rule it manifestly does not, then a short time afterwards he may speak for 5 minutes, and then again for 5 minutes, and again for 10 minutes, and we will need a tally clerk to keep track of our debates, and we will need a blackboard, after the fashion of the baseball field, to record the time record of various Senators.

I do not believe in it. I believe it will be a vexatious method of conducting the business of the Senate. I believe it will be a wrong, not only to the minority but to the majority as well, and how on earth it is really going to limit debate, except to annoy Senators in the presentation of public questions, surpasses my comprehension.

We are entitled to an hour and a half on a bill. We are entitled to 20 minutes on an amendment. Mr. President, there is not an important measure that comes before the Senate to which I can not formulate over 100 amendments, and speak to each one of them, under the proposed rule for 20 minutes, if I want to protract the debate or prevent the passage of legislation.

Mr. President, I believe it will be a sad day for us when we adopt any such system in this body. It is not patterned after the House, which has a cloture rule. On the contrary, it is so much worse than the cloture of any body of which I have any knowledge that has cloture that I trust most seriously and honestly that the Senate will see to it that we are not to be annoyed in this way in our discussions, but that we will go along in the way we have been going along, passing bills largely by unanimous consent, offering no opposition to measures that ought to receive our consideration, but holding in view all the time the fact that the time may come when this body—the minority or the majority of this body, it may be—will feel that to be bound by a rule of that kind is an injustice to their individual States, is an injustice to the people of the United States, and is a degradation to the Senate of which we are all so proud.

Mr. President, I trust that the proposed rule, when it is voted on, may be rejected by the Senate.

Mr. SHAFROTH. Mr. President, I have always been opposed to the cloture rule of the House of Representatives, because it prevents reasonable debate, but I have also been opposed to unlimited debate in the Senate. There is a compromise between these two extremes that it seems to me it is wise to adopt; and here is a resolution which comes as near as foresight and wisdom can dictate for the adoption of a rule which will give fair discussion, and at the same time will not prolong debate to such an unlimited extent as will prevent the consideration of measures that should come before the Senate.

Mr. President, what is the object of any debate? It is to make effective arguments upon both sides of the question so that Senators can come to an intelligent conclusion. By reason of the fact that we have had unlimited debate in the Senate, a condition has resulted by which we do not have that effective debate, because we do not get Senators to remain in their seats when the long speeches are made.

You have heard and I have heard any number of eloquent speeches, magnificent speeches delivered in this Chamber and yet the number of Senators who were in attendance was limited sometimes to four, five, six, or seven. Why, Mr. President, that happened to-day. During the speech of the Senator from Alabama [Mr. UNDERWOOD]—a masterly speech—there was unquestionably a sad lack of attendance. It is usually caused by the fact that we do know how long a Senator is going to speak, and we do not want to sit and hear a two or three or four or five hours' speech.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. SHAFROTH. I yield to the Senator. I have only 10 minutes, though.

Mr. REED. Oh, I did not know that. I will not interrupt the Senator, then, except to call attention to the fact that under the 10-minute rule we have about 15 Senators present now.

Mr. SHAFROTH. Yes; but usually you will find that the 10-minute rule produces a large attendance. It has done so on almost every occasion. It may be that the Senators are out at lunch now, and therefore there is not a great attendance; but as a matter of fact under a rule providing for short speeches there is usually a good attendance in the Senate, especially when no time is fixed for the taking of the vote. Ordinarily the longer the speech the less is the attendance. Under a filibuster at an all-night session I have witnessed the attendance was the presiding officer, the speaker, a Senator to relieve him if he should get ill, and one Senator in favor of the bill, whose duty was to remain on guard to suggest the absence of a quorum if necessary.

Mr. President, our debates in the Senate are not ordinarily effective, and, in my judgment, it is due to the fact that men will not sit in the Senate Chamber and listen to speeches for two or three hours. Unlimited debate absolutely destroys the very object of allowing time for debate. It does the very thing we want to avoid, and that is it creates a condition where no attention whatever is given to the discussion.

The right to filibuster causes the proponents of many meritorious bills to cease pressing them for passage when they find that a few Senators are determined to prevent a vote on the measures. No one wants to waste his time in futile attempts.

There is not enough time to consider all the measures introduced under unlimited debate.

Mr. President, there is another time when debate of an unlimited nature destroys discussion on one side. You have noticed many a time in this Chamber where the proponents of a measure, thinking they could put the bill through without question, concluded that their policy should be not to debate it; not to answer arguments or ask questions, as it would bring on prolonged replies by the opposition. As long as you have unlimited debate you will not bring out the best arguments in favor of the measure. We know that conditions arise from the fact that they want the debate to close, and to a large extent that is the reason why the seats become empty.

I believe that the rule in vogue in the House of Representatives is equally obnoxious, because it does not give time for that consideration which is proper and wise. It stifles debate, not by the same process, but its effects are the same, namely, that the measure is not given the careful consideration that it should have. But when you have a rule limiting speeches to an hour and a half that condition will not prevail; and I believe the attendance of the Senate would be much better and the arguments be more concise, clear, and convincing. Of course, some men take a long time to present their views, which always sacrifices conciseness for circumlocution and repetition; but when you permit a speech longer than an hour or an hour and a half you are apt to get the Senators who are listening to it worn out and it will not make the desired impression upon them.

It is true that there are a few illustrations that might be cited where great speeches have been long, but they are very exceptional.

Mr. President, believing that we would have a more effective debate, believing that both sides of the controversy would be presented more clearly and more intelligently, and that more Senators would be present to hear the arguments that are made, I believe that a limitation of debate is wise—wise for the consideration of the measure and wise for the proper determination of the same. You can not have an effective debate when people are not present.

But, Mr. President, deeper than the question of the discussion is another question, and that is whether the minority has the right to prevent the enactment of legislation. Not in every instance will a minority attempt to do that. I do not mean a political minority. A smaller number of Senators under the rule of unlimited debate can prevent the passage and consideration here of the measures which the majority want to determine. Under our present rules I have no doubt that as many as five or six men can, if they desire to do so, absolutely prevent the consideration of a measure that the majority want to have enacted; and not only that, but in the short sessions, when we are required by law to adjourn on the 4th day of March, it is well known that two or three Senators determined to defeat a measure can do so.

The obstructive debate under those circumstances is not always made on the measure itself. It is often made on what may be termed a bumper measure, a measure that comes up in advance, and the Senator desires to express his views at large upon it, not so much for the purpose of determining the question involved in that particular instance, but for the purpose of consuming time, thereby preventing the Senate from considering a measure to which he is violently opposed. Now, that is not right. It may be that in some instances a Senator may be excused for delaying the passage of a measure by which his State would be adversely affected, or where he believed his rights are violated; yet this is a government of majorities. We have to determine these questions ultimately; and there is one thing that has always impressed me as having been the object and purpose of a person in opposing measures in this way.

One of the reasons is that they can not get the measure repealed. After the experiment is made, and it is found to be a failure, then the person who has predicted that it would be a failure can not get the statute repealed, because there will be some few Senators interested the other way, and who would most violently oppose its repeal. It is that condition to a large extent, in my judgment, that prevents a Senator from permitting the enactment of the legislation, even when he knows that there is a large majority in its favor. He fights the measure in the hope and expectation that he can wear it out. He fights it in the hope that some measure will come up that will consume time, and that the session will end before the measure to which he is opposed is finally reached. The one reason why that is so, I submit, is because he knows that, under the rules of the Senate, once a statute is placed upon the statute books, it takes almost a unanimous vote ever to repeal it.

Mr. President, it is true there are great questions coming up for consideration before the United States Senate. The question which was referred to by the junior Senator from California [Mr. JOHNSON] yesterday in a very eloquent speech is one of them, and that was with relation to the transmission to the Executive of power that has been vested in the legislative branch of the Government—that is, whether we are going to have autocratic or democratic government. Why, Mr. President, of course that is an important question; but those principles are safeguarded by less than a majority vote. The Constitution stands in the way of such changes. You can not get this transmission of power from the legislative to the executive branch of the Government without a constitutional amendment, and it requires two-thirds of the Members of each body to pass a resolution of that kind. Not only that, but ratification is required by three-fourths of the States. So that the question, though important, and one that should be debated for a reasonable time, is not in danger. Those fundamental questions are safeguarded by the Constitution; and then, in addition to that, you will find that every bill granting power since the war has started contains a clause that the provisions of the bill are limited to the duration of the war, and, without any legislation whatever, those powers considered by some to be so dangerous become absolutely void by the expiration of time.

On that account, Mr. President, it seems to me that, while these questions are important, I do not believe you can have as good a discussion, as argumentative a discussion, as conclusive a discussion, by reason of unlimited debate, as you can by limiting the debate to a reasonable length of time.

The PRESIDING OFFICER. Will the Senator please pardon the Chair? The Senator's time has just expired.

Mr. GRONNA obtained the floor.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Missouri?

Mr. GRONNA. I do.

Mr. REED. I suggest the absence of a quorum.

Mr. GRONNA. I hope the Senator will not do that.

Mr. REED. I withdraw the suggestion, then. It would come out of the Senator's time, and I have no right to do that.

The PRESIDING OFFICER. It would not come out of the Senator's time; but the Senator withdraws the suggestion?

Mr. REED. Yes.

The PRESIDING OFFICER. The Senator from North Dakota has the floor.

Mr. GRONNA. Mr. President, I had intended to take some time to discuss this resolution; but on yesterday, when the distinguished chairman of this committee asked for a unanimous-consent agreement, I did not feel like opposing it.

A great deal has been said against the resolution, and it is not necessary for me to elaborate any further on that. It has been stated, however, that in the past when filibusters have been conducted on the floor of the Senate some good has come out of them. There is only one occasion that no one seems to have referred to or seems to have justified, and, while I have not the time to go into that to-day, I perhaps shall do so in the future. I had intended to go into it, but I only wish to read from President Wilson's message of February 26, 1917, a short paragraph.

On that occasion the President came to the Senate and asked for legislation empowering him to arm merchant ships. Now, this is what the President says:

> I feel that I ought, in view of that fact, to obtain from you full and immediate assurance of the authority which I may need at any moment to exercise. No doubt I already possess that authority without special warrant of law by the plain implication of my constitutional duties and powers, but I prefer in the present circumstances not to act upon general implication.

Then, again, on April 2, 1917, in his message to Congress, he states:

> When I addressed the Congress on the 26th of February last I thought that it would suffice to assert our neutral rights with arms, our right to use the seas against unlawful interference, our right to keep our people safe against unlawful violence. But armed neutrality, it now appears, is impracticable.

Mr. President, it is certain that in the future, if this proposed rule shall be adopted, every Member who intends to speak in this body, whether he is able to speak without notes or not, will have to write his remarks in order to be able within the limitation of his time to reach the points upon the subject which he intends to speak.

It is always with great reluctance that I interpose objections to any measure coming from the majority side, especially during the period of the war. And were it not for the fact that I am acting in the capacity of a representative from a great sovereign State, I should be perfectly satisfied to have any rule applied placing a limitation upon my time to speak. I do not propose to speak for anyone but myself, but I have always felt that ever since I became a Member of Congress I was acting in the capacity of a representative. I have always felt that responsibilities as well as honors are placed upon every person who acts in the capacity of a representative of the people of any sovereign State.

Nearly every Member of this body who has spoken upon this resolution has admitted that this proposed rule is wholly unnecessary, and it has been conclusively shown by those who are opposed to the measure that there is no necessity, in fact, for its adoption; nor is it true that any important war measure has been delayed in this body due to protracted debate. This being admitted by both the proponents and opponents to be true, one will necessarily ask the question, "Why this rule?"

In my judgment this rule is an insidious effort to throttle free speech in the Senate. It is an effort to shackle the membership of this body; it is the forerunner of boss rule; it is the keystone to the foundation of a political machine. It matters not what time is allotted to any Member, the rule in itself is autocratic; it is despotic; it is contrary to democratic principles of a free government.

Every Senator who is at all familiar with our rules knows that under Senate resolution 5, of the Sixty-fifth Congress, special session, debate can be brought to a close within a very short time if any Member shall abuse the privileges of the Senate.

I have been patiently waiting for some Member of this body to call the attention of the Senate to the rules of the legislative bodies of other nations. But not a single reference, so far as I am aware, upon the debate of this resolution, has been made to the oft-repeated statement that every other legislative body in the world has a cloture rule. And while it is true that in many of the European and other civilized countries there does exist rules which enable the legislative body to control itself and place a limitation upon the time consumed in the disposition of a certain bill, yet I fail to find in any of the European countries a drastic rule like this—allotting specific time to every Member of the legislative bodies.

In 13 of the established lower houses of parliament on the Continent of Europe, in only 3 of those does plain cloture even by a bare majority vote exist. In most instances it takes a three-fourths vote to put the cloture into effect. In many of the European countries, such as Portugal, Sweden, Norway, Spain, and even Hungary, no cloture exists at all, and in free Switzerland there is no cloture only by a two-thirds majority. In the remaining continental States—in France, Holland, Italy, and even the much hated Austria—there is power of cloture, but only after exhaustive debate; and in 10 out of the 13 lower houses of parliament on the Continent of Europe it takes a two-thirds vote to make the rule of cloture effective.

If we examine the rules of the various nations of Europe, we will find that on that Continent only 7 out of 13 assemblies agree to any form whatever of cloture by a bare majority.

If any rule is necessary for the conduct of the business of this body, it would be one to request the attendance of every Senator whenever an important measure is before the Senate. In

Canada there is such a rule in force, but no such arbitrary rule as this proposed rule exists in the Parliament of Canada or in the House of Commons of England, and I might say in any of the civilized nations of Europe.

I sometimes think that we underestimate the intelligence of the constituencies we represent. I sometimes think that we forget that whatever mistakes we make here are made at the expense of those whom we are sent here to represent.

Why place a limitation upon debate in this body at a time when every loyal American citizen is sacrificing his blood or his treasure, and for what? For a continuation of American freedom as instituted by the fathers, and for an extension of it to foreign lands.

I do not believe that the tremendous sacrifices made at this time are made to place a limitation upon American liberty. It is not a question of how many bills we pass in this body; it is a question of what kind of laws we enact. It is a question as to whether or not we are responsive to the will of the people we represent. I do not believe that the action of the majority in this instance will be indorsed by the American people. This rule is not necessary in order to transact the business of the Senate, and if used at all it will be to the interest of a political machine—to the interest of bossism and autocracy.

Here in free America we will not tolerate a Marat or a Robespierre, and certainly our people will not sanction the rule of an oligarch, be his title king or kaiser.

No; there is no danger in our land of such an extreme as that, but there is always danger in a republic of transgressing upon the people's rights, and often it is done unconsciously, but the results are the same to the people. The unmasked foe is not nearly as dangerous as the wolf which poses in sheep's clothing. History reveals to us that the deadliest work has often been done in the name of liberty. We need only go back a century and a quarter and learn from the annals of history of civilized nations of that day how people's lives were snuffed out under the pretense of loyalty and liberty, but without any cause or justification.

I am sure that it is not the intention of anyone, and certainly not of any Member of this body, to go to the extent of adopting rules that would ultimately lead to despotism; but while it is true that no one who has anything to do with the affairs of government would knowingly approve such a plan, yet it is not impossible that unconsciously we may drift into the habit of wanting to transact this vast and important business of the Government with too much haste. We may be intrenching upon the most fundamental principle of our Government without any thought of doing so, and certainly without any motive or intention of doing so.

To take from one of the coordinate branches of our Government either the freedom or the responsibility bestowed upon it by the fathers is of vital concern, not alone to its Members but to the people they represent. I know that in free America a dictatorship can not be established, and if established it would not long endure, because it would not be approved by the American people.

It is true that the people of every nation that has experienced the ruthless rule of autocracy have first discovered the poisonous fangs of the enemy of human liberty in the form of having restrictions placed upon the freedom of the press and free speech.

As to our duty to the President, regardless of political affiliations, we all honor and respect the President, the Chief Executive of our land; loyal Americans have always done so, regardless of who has been President. But our duties and our responsibilities as citizens consist of more than saying we honor and respect the President. It is our duty, as well as it is the duty of the President, to do the right thing, not only to win the war, but to leave the affairs of the Government in such condition that when the war is over the burdens, as well as the benefits, shall be so distributed that the people will be able to bear them.

APPENDIX.

CLOTURE FOR THE ENGLISH HOUSE OF COMMONS.

When we find that an autumn session has been called for the express purpose of considering reform in the procedure of the House of Commons, we are forced to admit that urgency has been proved for such reform.

And, more than this, we are forced to admit that the details of such reform are still matter for debate. There has, indeed, been a noteworthy seesawing of rumors and reports as to Mr. Gladstone's intentions in regard to the now notorious first resolution. But inasmuch as we are told that this first resolution, or its equivalent, is as it were the hinge on which hangs the whole proposed reform, I am assured it will be useful to remind public opinion of the real issues involved.

I wish briefly to inquire whether it is not true that this first resolution, as at present worded, is (1) un-English, (2) unparliamentary, (3) self-destructive, (4) useless, and (5) unnecessary, in the sense that there is an alternative which will achieve all the good and do none of the evil contemplated or dreaded of this first resolution.

1.—*Is it not un-English?*

Mr. Gladstone, in introducing this resolution, put forward as a main and chief argument in favor of cloture by a bare majority, that it was a principle that had been adopted by most other legislative assemblies; and he founded his appeal most especially on the practice of our colonies, "in which," said he most truly, "the British character is reflected, and which value British freedom not less than we value it."

Premises formulated on such high authority at once become current coin. We find them, for instance, in the circular issued on the cloture by the National Liberal Federation (p. 3):

"Q. But is it not un-English and only adopted by foreigners?

"A. That is a mistake. The English in our colonies, and the Americans of the United States, have found it indispensable."

And yet these premises, originating with the premier, and disseminated far and wide under the indorsement of the chief liberal organization, are distinctly and directly at variance with actual fact.

This was partially pointed out to Mr. Gladstone at the first, and he took prompt occasion to modify his sweeping assertion. "He was sorry to say he had made a mistake, owing to his infirmity of sight having prevented him from clearly reading his notes. He believed that a closing power existed in the legislative assemblies of the Cape, South Australia, and Victoria, but not in those of Canada, Tasmania, or New Zealand." This statement was made on February 21, 1881, in the House of Commons. On the previous 8th of December, 1880, Government had received a special dispatch from the Cape, stating that "the rules of practice of the House of Assembly, being substantially the same as those of the House of Commons, there is no authorized mode of procedure for directing interfering with the freedom of debate or for abridging or determinating a discussion by cloture." And on February 2, 1881, Government had received a special dispatch from the speaker of the Legislative Assembly of Victoria, stating that the cloture had been adopted as a standing order continued to the session of 1775–76, but that "no standing order having a similar object has since been adopted by the assembly." Mr. Gladstone will be the first to regret that he did not avail himself of official dispatches so essential to the correct statement of his case.

As a matter of fact, only one out of all our colonies has in its legislative assembly any cloture rule whatever. This single colony is the Providence of South Australia, containing under 250,000 English people, as opposed to the 7,000,000 resident in the other colonies enjoying self-government of the parliamentary type. And this particular rule was entered on the "paper" constitution at its first inception. There was at the time no experience to go by, either in that or in any other English colony. The attempt was a mere experiment.

The Liberal Federation adds to the clause above quoted: "The cloture, like the ballot and universal suffrage, is none the worse for having been proved a success abroad before being tried at home." This nobody will deny. But the converse is equally undeniable. "The cloture is all the worse for having proved a failure abroad." It will probably be significant news to Mr. Gladstone and to the Liberal Federation to learn that in two of our colonies—in Victoria and in New Zealand—the cloture has been deliberately tried and deliberately discarded. In the years 1876 and 1863, respectively, the cloture was proved a failure in those two colonies.

And there is another vital point in the case of which no one seems to have taken any notice. The lower your franchise the more is the chance that some men, at all events, obtain seats in the legislative assembly who have antecedents or qualities little calculated to promote decency in debate, respect for the wishes of others, or a proper spirit of deference to the general will. This is not a matter of theory but of recorded results. And again, this chance, if we look to experience, is considerably widened if, besides a low franchise for electors, the members themselves all receive pay. I have myself listened to debates in our various colonial assemblies, and I believe all who have done likewise will concur in saying that the few really unruly members are types of men who would find it difficult to obtain and retain a seat but for the concurrent existence of manhood suffrage and payment of members. These two conditions no doubt have their good points, but they also have their bad—and the chief of these bad points is the fact that they, at all events, open the doors of an assembly to a disturbing and an obstructing element.

This element is a new element in English parliamentary life, and it is a very noteworthy fact that in our various self-governing colonies—where the qualifications for electors is either manhood suffrage or a very slight property qualification, and in three of which there exists payment of members—so strong is the old English parliamentary instinct that in only one of their legislative assemblies does any form of cloture exist, and that in two others it has been, as I have said, deliberately tried and deliberately discarded.

I do not think more need be said to show that it is only by ignoring facts that we can for a moment contend that Englishmen have shown themselves partial to parliamentary cloture by a bare majority. Is the House of Commons, the proud mother of a numerous colonial offspring, to declare herself incapable of that self-restraint which her colonial offspring still retain, and which is, indeed, the very essence of parliamentary procedure? Is the House of Commons to impose upon itself a restraint which all experience and all facts loudly proclaim to be thoroughly un-English in principle and in practice?

2.—*Is it not unparliamentary?*

We are told we should have cloture by a bare majority, because the legislative assemblies in the United States and on the Continent of Europe have it.

a. It certainly does exist in the United States. But here again we have the fundamental difference that there is manhood suffrage for the electors, and £1,000 per annum for every member. The result is one of the first lessons learned in a sojourn in the United States, viz, the respective estimations in which an American Representative and an English "M. P." are held. Further comment is needless.

b. And then as to the Continent of Europe. We are told: "Surely if all continental assemblies find such a rule necessary, we should not hesitate in England." Was there ever a more flagrant case of petitio principii? There are 13 established "lower houses of parliament" on the Continent, and in only 3 of these does plain cloture by a bare majority exist. Among continental "lower houses" there is a majority of three-fourths against cloture of this type. And even in these three minority cases—in Belgium, Denmark, and Germany—there is either manhood suffrage or payment of members, or both. In five of the remaining continental assemblies—those of Hungary, Portugal, Sweden, Norway, and Spain—no form of cloture whatever has been adopted. In free Switzerland there is cloture only by a two-thirds majority. In the remaining continental States—in France, Holland, Italy, and Austria—there is power of cloture, but only after further debate. Mr.

Gladstone's first resolution is contrary to the practice of 10 out of the 13 lower houses of parliament on the Continent of Europe.

Even if we allow the latitude of further debate, we shall find that on the Continent only 7 out of the 13 assemblies agree to any form whatever of cloture by a bare majority; and yet of these continental States many have manhood suffrage and many pay their members. In a word, the experience of American and European legislative assemblies is altogether against cloture by a bare majority, unless there exist also manhood suffrage and payment of members. And in many cases even where these exist it has not yet been found necessary to institute cloture. The first resolution, as put forward by Mr. Gladstone, is adopted in practice in 4 only of the 14 foreign assemblies of established reputation that have been put forward in evidence. It would thus appear that it is unparliamentary even in foreign experience.

c. But if it is contrary to the general spirit of parliamentary government abroad, it is more particularly at variance with that particular form of parliamentary government which prevails in England. The House of Commons has not yet abdicated its traditional position and functions as a portion of the English Parliament that it is not a mere legislative machine, not a mere manufactory of acts of Parliament, but actually one of the great centers of the political life of the nation. One of the chief of these functions is that of guardian of the national purse; and the House of Commons shares, as a parliamentary chamber, in the grave and great duty of the redress of grievances: it has been truly styled the "grand inquest of the nation." And in these respects there is a cardinal difference between it and many of the lower chambers of other countries. And this is a cogent, unanswerable reason why the power to close discussion peremptorily should not be placed in the hands of a bare majority. Such a power is distinctly antagonistic to the uses to which Parliament is put in England.

3.—Is it not self-destructive?

The Liberal Federation, in its circular on the question, utterly condemns the first resolution when it says: "A rule giving a majority absolute control over debate when it exceeds 200 and no power at all when it falls below that figure, unless the minority numbers less than 40, is illogical and indefensible." Mr. Gladstone himself explicitly prefers "a bare majority as opposed to an artificial majority constructed in ingenious ways." And yet the House of Commons is asked to pass a rule which is hopelessly ingenious and artificial.

b. The self-contradictory nature of the proposal stands revealed in the asking the "evident sense of the house" to declare itself by a bare majority of one. If the evident sense of the house, why this stickling for a bare majority of one? The thing is a mere contradiction in terms.

c. Or again: On February 20 the premier exclaimed, "God forbid that we should see so vast an innovation introduced into the practice of the house, as would be a rule of the house, under which the voice of the majority was not to prevail over that of the minority." Heaven forbid, by all means! But, then, is there not just a suspicion of something contradictory of this principle in a rule which enacts that, if a hundred members wish to stop a debate, and even 5 members, or, for the matter of that, only 1 member, object to this "evident sense of the house," the voice of the majority of 100 is powerless to prevail over that of a minority of 1?

d. Or again: We are told the principle must be that of a bare majority, and that ingenious artificial majorities are not permissible. This principle is immediately discarded so soon as the majority is reduced to the magic number 200. Then the new ingenious and artificial majority of at least four-fifths comes into play; and this new principle is in its turn thrown overboard directly the majority falls to another magic number—100. Then the principle is adopted that no majority whatever can stop a debate. Surely the force of self-destructive contradiction can no further go. It comes to this: In a full house one man can stop a debate, and in a thin house one man can prevent a debate being stopped.

e. These latter objections have been summarily ruled out of court by the despotic rejoinder "we must protect small minorities with whom all great reforms begin, and big minorities can take care of themselves." This may be very true, but it is not obvious how a big minority is to take care of itself when a bare majority rules; nor is it quite obvious why a majority should have no power whatever against a minority, provided that minority be small and insignificant; neither is it obvious how a small minority can be said to be protected when the greater majority against it the more certain is its utter quashing.

We remember there are two significations to the word "gag." This first resolution imposes the silencing gag on big minorities but allows full license of theatrical gag to minute minorities. It may be true that it is "with small minorities that great reforms originate." Yet few will be fanatical enough to assert that the views of all small minorities are necessarily the germs of great reforms. They may be all germs of something, but many of them are germs destined to dry up and rot of inanition or innate corruption. Why burden the overtasked time of Parliament with listening to speeches, every one of them germs, on the bare chance that one or the other may eventually issue in a great reform? All this is directly contrary to the true spirit of the age. We are hoping that political knowledge is spreading far and fast; we are looking to see reforms commend themselves to the great body of public opinion long before they trouble the overtaxed judgment of Parliament. These germs must be sifted and sorted and tried in the fire of outside public opinion, and then, and then only, should they enter into the charge of parliamentary discussion.

f. The tissue of self-destructive argument is carried to its climax when we are told "a bare majority rules in legislation; then, why not in debate?" If we adopt this principle, what becomes of the idea of the small minority? It is Aristotle's old complaint again. People will discuss the * * * before they have so much as asked * * *. As a matter of fact, a bare majority only rules in legislation subject to appeal to the country. No ministry would remain in power which by some chance parliamentary majority forced measures through that were objected to by the constituencies. Legislation is not final and irrevocable; stopping debate is both the one and the other. It destroys the occasion once and for all. The regulation of debate is, as it were, a private and not a public duty of the House of Commons. Debate is fundamentally different from legislation. And that is why, even in this first resolution itself, the principle of the bare majority is very speedily discarded.

4.—Is it not useless?

a. Mr. Gladstone has wisely told us that "to adopt an ineffective measure would be to aggravate the evil." Would this first resolution be effective? The evil to be overcome is obstruction. If we take the trouble to look up the figures of all the bad cases of obstruction in recent sessions, we see at once that they seldom or never occur in houses that could gather a majority of 200 in favor of closing a debate, and that they very frequently occur—and these the worst instances of outrageously protracted debate—when it would be even impracticable to gather together a majority of 100 members. In other words, of the serious cases of obstruction that have called for some remedy the milder cases under the new rule would require a four-fifths majority, and in the more severe cases the new rule would be absolutely powerless to prevent obstruction. It would, indeed, in some cases, positively legalize obstruction of the very worst type. The new rule enacts that the more a minority falls off in comparative importance—the more; that is, that it leaves opposition and approaches obstruction—the greater its power to prevent the closing of a debate. In other words, the measure suggested is obviously ineffective and useless to achieve the purpose for which it is intended and, in Mr. Gladstone's words, it will therefore only "aggravate the evil."

b. A curious point is that the scheme of a bare majority has been virtually declared useless by Her Majesty's Government. We have been told that the bare majority will never be needed in actual practice; firstly, because of the temper of the house; and, secondly, because such "objectionable" use would be a direct breach in principle and in practice of the evident sense of the house. Mr. Bright's speech was only one of many that dealt with the rule in this spirit. We are told, in short, that decision by a majority of one is impossible in the face of the surrounding conditions. Consequently, such a rule will be useless.

Recently the opposition has been severely taken to task for forcing into the hands of Government powers to be used in Ireland beyond those the Government considered necessary. Mr. Gladstone and his colleagues, not without reason, expressed much virtuous indignation at being clothed with powers they considered they did not need. And yet Mr. Gladstone and his colleagues press the House of Commons not only to clothe itself with, but to bind itself to use, powers which it declares it does not need. And the question remains, Where is the necessity, or indeed the desirability, of a rule which in its rigid severity is out of all proportion not only to the needs but to the possibilities of the case?

c. We are asking, is not this rule useless? We are told the initiative is explicitly with the speaker, "when it shall appear to the speaker to be the evident sense of the house." It is obviously impossible that this can occur when a bare majority of one is necessary. Again, we have this contradiction in terms. If the question is not even to be put unless it is the obvious sense of the house, then a bare majority will never be appealed to; and it is useless to enact that the decision shall be by a bare majority.

5.—Is it not unnecessary?

The evident sense of the house, if duly armed, can always assert itself. And the evident sense of the house is what is known as a sufficient majority of the house.

We have been told to go to the progeny of the House of Commons for any reforms we need. In very many cases, even in the minor progeny of public company and public meetings, "artificial" majorities are much in favor. Alterations in the "constitution acts" of our colonies and conferences between the two houses of the legislature require "two-thirds," "sufficient," and "absolute" majorities. In the United States Congress, as in expelling a Member or overcoming a presidential obstruction, a "two-thirds" majority is required. In Switzerland, as we have seen, a "two-thirds" majority is required in closing a debate.

The practical question remains—we are determined that something new must be done to put down obstruction. All consider it necessary to give some form and substance, some definite embodiment, to the floating principle of the well-known cry "Divide! Divide!" The house, as a whole, is the owner of its own time. It is the house as a whole, and not any party or section of it, that claims to be able to close a debate. The house, as a whole, the evident sense of the house, can only mean a great, absolute, sufficient majority of the house. But to reduce such a principle to practical terms you must define. Make it two-thirds or three-fourths, or what you will, but make it something tangible and definite.

It may be said that if the power to close a debate be given to the "evident sense of the house," ipso facto, for the nonce, the rights of the minority are put out of court. If there be sufficient fear that the parliamentary sense, guaranteed, indeed, against the active despotism of any party or faction, may nevertheless thus be aroused to stifle the wholesome ventilation of views held only by a minority, the rule might be modified on the following lines:

"That when it shall appear to Mr. Speaker, or the Chairman, during any debate and after four or more members have spoken to the (main) question to be the evident sense of the house, or of the committee, that the question be now put, he may so inform the house, and if a motion be made 'that the question be now put,' Mr. Speaker or the Chairman shall forthwith put such questions, etc., provided that the question shall not be decided in the affirmative, if a division be taken, unless it shall appear to have been supported by three-fourths of the members present."

Some such rule is an alternative which would achieve all the good and do none of the evil contemplated or dreaded in the first resolution as it stands worded. But to use a bare majority is to use a weapon altogether unsuited and altogether too drastic for the purpose, for it is certain in the course of time first of all to generate, and last of all to realize in practice, the idea that it is an excellent weapon for the purposes of partisan despotism. And to mix up this principle of a bare majority with ingenious and artificial restrictions is to ask the House of Commons to impose on itself rules of procedure which are at once un-English, unparliamentary, self-destructive, useless, and unnecessary.

GEORGE BADEN-POWELL.

[From Bourinot's Parliamentary Procedure and Practice in the Dominion of Canada. (4th edition.) Chapter XII.]

II. Senate rules respecting committees of the whole: When the senate has been "put into committee" it is recorded in the journals as "adjourned during pleasure," and when the committee rises it is stated that "the house was resumed." (Sen. J. (1883), 86; Ib. (1890), 198; Ib. (1901), 223, 236. The same practice prevails in the Lords, though it is not now usual to make the entry "adjourn during pleasure." 119 Lords, J. 293, etc.) The procedure with respect to committees of the whole is substantially the same in the two houses. The senate has the following special rules on the subject:

"72. When the senate is put into committee every senator is to sit in his place.

"73. The rules of the senate are observed in a committee of the whole except the rules limiting the number of times of speaking, and no motion for the previous question or for an adjournment can be received, but a senator may at any time move that the chairman leave the chair, or report progress, and ask leave to sit again.

"74. No arguments are admitted against the principle of a bill in a committee of the whole.

"75. When the senate is put into a committee of the whole the sitting of the senate is not resumed without the unanimous consent of the committee, unless upon a question put by the senator who shall be in the chair of such committee.

"76. The proceedings of the committee are entered in the journals of the senate."

There is no chairman of committees in the senate regularly appointed at the commencement of every session, as in the House of Lords (109 Lords, J. 11,237 E. Hans. (3), 58), but the speaker will call a member to the chair. In committee a senator may address himself to the rest of the senators.

[From Bourinot's Parliamentary Procedure (4th ed.), Ch. X, "Rules of debate."]

VI. Length of speeches: Members are not limited to time when they address the house, except under special circumstances provided for by a rule adopted in 1913. This rule (17B) is one of a series established with a view of limiting debate at a certain period and also closing debate altogether, after previous notice. The notice to bring this rule into effect must be given by a minister of the Crown. He must have given notice of his intention at a previous sitting, and the motion when made is to be decided without debate or amendment. If the motion is carried no member can speak more than once, even in committee, and no longer than 20 minutes, and the debate must automatically close at 2 o'clock a. m. if the debate continues to that hour. Apart from speeches made under this rule, members may address the house at any length. Suggestions have frequently been made in favor of regulations limiting the time of speaking, but they have been found unpractical and inadvisable with the above exception, which is applicable only under peculiar circumstances. The rule referred to will be quoted in full in another reference to debate later on in this chapter. While no limit has been placed on the length of speeches in the Imperial Commons, a debate may be closed by the adoption of the previous question, which is put without debate or amendment. But this motion which is, "That the question be now put" is to a certain extent under the control of the speaker, or chairman, who may decline to put it if he thinks the motion an abuse of the rules of the house, or an infringement on the rights of the minority, or if when a vote is taken it appears that at least 100 members have voted in the majority. Other features of limitations to cloture in the British House of Commons which are not at all applicable in the Canadian Commons are discussed in May, pages 217–226. In the United States House of Representatives there are rules limiting the time of speaking. (Digest and Manual of the Rules and Practice of the House of Representatives. Wilson's Digest of Parliamentary Law, 404.)

VIII. Other limitations of debate—cloture: The Senate rule 35 provides that "no Senator may speak twice to a question before the Senate except in explanation of a material part of his speech, in which he may have been misconceived, and then he is not to introduce new matter." And by the following rule (36), "a reply is allowed to a Senator who has moved the second reading of a bill or made a substantive motion, but not to one who has moved an amendment, the previous question, an adjournment during debate, a motion on the consideration of Commons' amendments, or an instruction to a committee." In all cases the reply of the mover of the original question closes the debate. But it is the duty of the speaker to see that every Senator wishing to speak has the opportunity to do so before the final reply. (Senate Rule 37.) The rules of the House of Commons are similar on these points. They may be summarized as follows: (1) No member may speak twice to a question; he may, however, explain a material part of his speech which may have been misquoted or misunderstood, but he is not to introduce new matter. (2) No debate is allowable upon such explanation. (3) A reply is allowed to a member who has moved a substantive motion or the second reading of a bill. (4) But no reply is allowed to a member who has moved an order of the day—not being the second reading of a bill—an amendment, the previous question, and adjournment during a debate, or an instruction to a committee. (5) A reply is allowed to a mover of a substantive motion, although the debate thereon, by being adjourned, becomes an order of the day. (6) In all cases the reply of the mover of the original motion closes the debate. (7) But it is the duty of the speaker to see that every member who wishes to speak has the opportunity to do so before the final reply. (H. C. Rule 21.)

It is the practice in the Canadian House, as in the British Parliament, for the member who makes a motion to give the name of his seconder, who may, if necessary, lift his hat as evidence that he has intimated his consent and under such circumstances he is allowed to speak at a subsequent stage of the debate on the question (May, 321, 322, 210 E. Hans. (3) 304). The same practice prevails in the Senate (S. R. 38). But if a member who moves an order of the day or seconds a motion should rise and say only a word or two—that he moves the order or seconds the motion—he is precluded from again addressing the house according to a strict interpretation of the rules (194 E. Hans. (3) 1479; 4 E. Hans. (N. S.) 1013). In moving an amendment a member is obliged to rise, and though he may only propose his amendment he is considered to have exhausted his right to speak on the question before the house (118 E. Hans. (3) 1147, 1163, May, 322, 323). On the same principle when a member rises and simply reads a substantive motion to the house, he is considered to have spoken to the question, but he may claim the right of reply at a later stage.

A member who has already spoken to a question has no right to rise again and propose an amendment or the adjournment of the house, or of the debate, though he may speak again to those new questions, when they are moved by other members (May, 323, 222 E. Hans. (3) 1120, 237 Ib. 408, 1532. Cushing, pp. 618, 619. Can. Com. J. (1907) 230). For the same reason a member who has moved the adjournment of the debate which has been negatived can not speak to the original question. A member who has moved or seconded the adjournment of a debate can not afterwards rise to move the adjournment of the house. And, as a member who moves an amendment can not speak again, so a member who speaks in seconding an amendment is equally unable to speak again on the original question, after the amendment has been withdrawn or otherwise disposed of. In both cases the members have already spoken while the question was before the house and before the amendment had been proposed from the chair (May, 322). But if a member moves an amendment and does not speak, he will be allowed to address himself to the main question by withdrawing the amendment (217 E. Hans. (3) 1405).

It is usual for a member who wishes to have the floor on a future day to move the adjournment of debate, and to give him the priority when it is resumed. The house also frequently agrees to adjourn the debate in order to allow an opportunity to a member to continue his speech on a future occasion (Can. Hans. Apr. 7, 1877 (Mr. Costigan) 1266–7. 13 E. Hans. (1) 114. 194 Ib. (3) 1470. 196 Ib. 1265). But a member must rise in his place when the house resumes the debate, otherwise he will forfeit his privilege (126 E. Hans. (3) 1246). If a member should move the adjournment of debate, and the house should negative that motion, he will have exhausted his right of speaking on the main question. When a debate is adjourned until a future day, a member who has previously spoken on the subject has no right to speak again, unless a new question has been proposed in the shape of an amendment (194 E. Hans. (3) 1470. 196 Ib. 1265, 222 Ib. 1341, Can. Hans. (1878), 1976. May, 322). In committee of the whole house the restriction upon speaking more than once is removed. When a member speaks to order he must simply direct attention to the point raised and submit it to the decision of the speaker (May, 323).

Previously to the coming into force of the new rules of 1913, already alluded to, a debate upon the motion for the speaker to leave the chair in order that the house resolve itself into committee of supply or of ways and means, was always in order and is still in order whenever a motion to that effect is necessary. But it is now provided by rule 17C that on Thursdays and Fridays, when the order of the day is called to go into either of those committees, the speaker leaves the chair without putting any question. But it is provided that the estimates for each department shall first be taken up on a day other than Thursday or Friday. This provision, however, may be waived by the consent of the house.

Closure of debate in the House of Commons is effected under the provision of Rule 17B. This rule was adopted on the 23d of April, 1913, after a debate of considerable length and unusual warmth, but marked by great ability and parliamentary learning on the part of the members taking part in the discussion. (Can. Hans. (April, 1913), pp. 7588–8456. Can. Com. J. (1913), pp. 451–453.)

The rule is as follows: "Immediately before the order of the day for resuming an adjourned debate is called, or if the house be in committee of the whole, or supply, or of ways and means, any minister of the Crown who standing in his place shall have given notice at a previous sitting of his intention so to do, may move that the debate shall not be further adjourned, or that the further consideration of any resolution or resolutions, clause or clauses, section or sections, preamble or preambles, title or titles, shall be the first business of the committee and shall not further be postponed, and in either case such question shall be decided without debate or amendment; and if the same shall be resolved in the affirmative no member shall thereafter speak more than once, or longer that 20 minutes in any such adjourned debate; or if in committee, on any such resolution, clause, section, preamble, or title; and if such adjourned debate or postponed consideration shall not have been resumed or concluded before 2 o'clock in the morning, no member shall rise to speak after that hour, but all such questions as must be decided in order to conclude such adjourned debate or postponed consideration shall be decided forthwith."

The rule is so clear that little comment is necessary. It will be noted that the notice of the motion for closing a debate must be given by a minister of the Crown, thus making the government of the day responsible for the proposed action, and that the motion must be postponed until the following sitting of the house. The first occasion on which debate was closed under the above rule was on May 9, 1913. The prime minister (Rt. Hon. R. L. Borden) having given the required notice at the close of the sitting on May 8, in the committee of the whole on the naval-aid bill, when the committee resumed on May 9 the premier moved that the further consideration of the second, third, fourth, and fifth section and proposed sixth section of the bill shall be the first business of the committee and shall not be further postponed. The motion was carried in committee by a vote of 71 to 44, and thereafter until the bill was reported with an amendment speeches of 20 minutes in length only were in order. Can. Hans. (1913), Vol. V, pp. 9444–9445. Some procedure of "closure debate" is in force in most of the legislative bodies of the world, notably Great Britain, Italy, France, Germany, Netherlands, Portugal, Austria, Belgium, Denmark, Spain, Switzerland, and the United States (House of Representatives). There is no method of closure of debate in the United States Senate or in the Japanese Diet, in the Hungarian Parliament, or in Sweden or Norway. The methods vary widely. In England any member may move that "the question be now put." This question must be put forthwith without amendment or debate unless the speaker or chairman rules that the motion is an abuse of the rules or an infringement upon the rights of the minority. The motion is not carried unless, in cases of a division, at least 100 members vote in the majority for the motion. It thus appears that the closure motion must be sanctioned by the chair. In France the president of the chamber puts the question of closure without a motion in case there is a general call for "la cloture." Only one member can speak against the proposal, and none in its favor. The question is then put by the president, "Shall the debate be closed?" and if it is resolved in the affirmative the debate is closed and the main motion is at once put. In the House of Representatives at Washington the closure is effected by the moving of the previous question.

Mr. NORRIS. Mr. President, it is quite evident that the debate on the pending amendment of the Senator from New Mexico will continue until all debate closes, so that it is going to be impossible to offer any amendment and debate it. I have an amendment, but it is not in order now, which I expect to offer when the present amendment is disposed of and the amendment of the Senator from Iowa [Mr. CUMMINS] is also disposed of. I want to avail myself of an opportunity of talking about that amendment now for a few moments.

When the proper parliamentary situation shall have been reached, I am going to offer an amendment to strike out of the original resolution the following words, found in line 18, page 2, to wit:

During the period of the present war.

The resolution now pending, whether the amendments pending are agreed to or not, will provide that this rule shall cease when the war is over. It is offered by its sponsors purely as a war proposition.

Mr. President, if there is any reason for any kind of a cloture rule in the Senate, and I have always been one who has advocated that there was, that rule is more necessary in time of peace than in war. If there is any time when there should be no cloture it is during the war, in my judgment. I have not heard a single argument, and I have listened to most of the debate, that is in any wise convincing why this rule should be confined to the war period. If the proposed rule is a good one, then it ought to be adopted as a permanent rule of the Senate, without regard to the existence of the war.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Utah?

Mr. NORRIS. I yield to the Senator for a question. My time is limited, as I hope the Senator will remember.

Mr. SMOOT. The Senator knows that those words were put in in order to secure enough Democratic votes to pass the resolution.

Mr. NORRIS. I am not aware as to why they were put in; but, Mr. President, regardless of why they were put in, there is no reason, in my judgment, for their being put in. There is no argument that can be made in favor of a cloture rule of any kind in the Senate that will apply to the present time which will not apply when peace has been declared. On the other hand, as I said a while ago, there is more reason why there should be complete and unlimited debate while the great question of war is before us than at any other time. If it be true that these words were put in, as the Senator from Utah [Mr. SMOOT] suggests, in order to get enough Democratic votes to pass the resolution, then of course my amendment will not prevail, because the Democratic majority will refuse to strike out those words.

Mr. President, I have been one who has believed in a reasonable cloture rule in the Senate, not because of war nor because of peace, but from my viewpoint for the more orderly procedure of business in the Senate. More than two years ago I introduced a resolution providing for an amendment of the rules that is in effect the same as this rule will be when the amendment of the Senator from Iowa is agreed to and provided that the amendment of the Senator from New Mexico is likewise agreed to, and the amendment that I have proposed is also adopted.

It seems to me that we are illustrating now one of the evils of the present Senate rules. We are working under a unanimous-consent agreement that at 4 o'clock all debate shall cease, and the amendment that I propose will be conceded by every honest man to be a material one, an important one, a most vital one, and yet unless I took advantage of the pending amendment to explain it I would never be allowed to say a single word in its support, because the hour for debate to close will come while some other amendment is pending and it will have to be submitted without debate. That illustrates what has happened hundreds of times in the Senate on the most important bills that have ever come before us. It is going to happen almost every time we wind up our debate, as we usually do, by some unanimous-consent agreement. If we do not wind it up by some such agreement, then it comes to a close often by a test of physical endurance. Then those in charge of the bill hold the Senate in session until somebody is worn out, until either those who favor it or those who oppose it are worn out physically, so that they can not stand it any longer and must submit. That is not orderly debate; that is not conducive to intelligent legislation. I have always contended that the minority ought to be protected fully, and there ought to come a time under the rule itself, without any outside agreement, when debate will naturally come to a conclusion.

I think with the adoption of the amendment of the Senator from Iowa—and I should like to have these other amendments adopted—this rule, while it is not quite as liberal as I would make it and not quite as liberal as I made it in the rule I proposed, it will give an opportunity for a fair and reasonable debate for as long a time as should be consumed, as a rule. When an important question is under discussion that requires longer time there will not be one time in a thousand, if legitimate debate is going on, but what the Senator having the floor can get by unanimous consent an extension of time under that rule; and if that is denied, it will be in order right then to move to extend his time, and it will be decided without debate and carried by a majority vote. It seems to me that that is a full protection to fair and honest discussion. I believe it is an improvement over the existing condition, although, as I said, if I had my way about it I would make it more liberal than it is made in the amendment of the Senator from Iowa. But whatever we may think, whatever we may favor in regard to debate in the Senate, there is no man, in my judgment, who can offer a single argument in favor of or against any rule to close debate or to limit it which exists during war that does not exist every other time and upon every other occasion. It seems to me that those words ought to be stricken out and we ought to make a rule that will be permanent if we make any. There is no reason why one rule of debate should apply when we have war and another rule less liberal when we have peace.

Mr. President, I want to print in the RECORD as a part of my remarks a part of the rule that I introduced to which I referred. In fact, the entire rule provided that it should not be enforced unless put in force by a vote of the Senate, and when it went into effect it should apply to that particular question and should not apply to any other question unless it was again put in force. That part of it I want to have printed as a part of my remarks.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent to print as an appendix to his remarks the rule referred to. Is there objection? There being none, it is so ordered.

The matter referred to is as follows:

When it has been decided to consider a bill or resolution under this rule the same shall first be considered in general debate, during which time no Senator, except by unanimous consent, shall be allowed to speak more than three hours. At the close of general debate the bill or resolution shall be read for amendments, and on any amendment that may be offered no Senator, except by unanimous consent, shall speak for more than 15 minutes: *Provided*, That any Senator who has not spoken for three hours in general debate shall, in addition to said 15 minutes, be allowed additional time, but in no case shall such additional time or times, including the time used by such Senator in general debate, exceed in the aggregate three hours: *Provided further*, That if unanimous consent for additional time is asked in behalf of any Senator, either during general debate or when the bill or resolution is being considered for amendment, and the same is refused, it shall be in order by motion to extend the time of such Senator for a time to be named in said motion, which motion shall be decided without debate. When the bill or resolution is being read for amendment all debate shall be confined to the amendment which is then pending.

The PRESIDING OFFICER. The time of the Senator from Nebraska has expired. The question is on the amendment proposed by the Senator from New Mexico [Mr. FALL] to the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. SMOOT. Mr. President, the discussion indulged in by Senators leads me to believe that the present rules of the Senate are not understood. There is no unlimited debate in the Senate under the rules of the Senate to-day. We have a rule that is much more drastic than the one proposed here. It can be put into force at any time 16 Senators desire it to be put into force. For that reason I have racked my brain to find out why this proposed amendment to the rules has found its way into the Senate at this time.

Let me call attention to the rule we now have governing debate in this body.

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the presiding officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the presiding officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the presiding officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the presiding officer, shall be decided without debate. (S. Res. 5, 65th Con., sp. sess.)

Senators, is there any more cloture that you want than this? Yet, Mr. President, in all the days of Congress since the declaration of war, or since the adoption of this amendment to the rules, it has not been called into force one single time. It is not necessary, and I challenge any Senator to say that at any time has there been a semblance of a filibuster upon any question before Congress since the amendment of the rules as provided for in the amendment which I have just read.

Mr. President, we find whenever there is any legislation asked for that is a little doubtful or that Senators having it in charge think there will be a question about, or if the administration feels that it has to be braced up in some way, it is always preceded by these words, "whose operation shall be necessary or contributory to the prosecution of the war."

I know the Senator from Alabama is in favor of cloture; he always has been. I know the Senator from Iowa [Mr. CUMMINS] is in favor of cloture; he always has been. It is a sur-

prise to me to see a resolution brought in here, agreed to by three Senators who are all in favor of cloture at any time, with the words "during the period of the present war." I know why those words appear in the resolution. It is because if they were not made a part of the resolution it could not pass. There are not enough votes in the Senate to pass it, and the proponents of the resolution know it. They know it and I know it. The object of reporting such a provision is to allow the camel's head to get under the tent, with the hope that in a very short time he will get his whole body in.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I have only three minutes remaining and I hope the Senator will allow me to proceed.

Mr. SHAFROTH. Very well.

Mr. SMOOT. Mr. President, think of what this means, in connection with the rule we have already adopted, when a revenue measure is before this body. We will have one at this session of Congress by which we expect to levy $8,000,000,000 taxes on the business of the country and the American people. The chairman of the Finance Committee, who will be responsible for the passage of the bill, is supposed, as it is his duty as well as the duty of every member of the Finance Committee, to call the attention of Senators to the vital points and explain what revenue is expected from every agency taxed. He may take the hour and thirty minutes; and I say there is no man living who can cover the thousands of items in an hour and a half. After he has exhausted his hour and a half and some other Senator rises in his seat and contradicts the statement he has made and offers other figures—there is no telling from what source he may have received them—the chairman of the committee must sit in his seat silent and never defend a statement that he has made. I say if we undertake to put that kind of cloture on this body it will be a sorry day for the American people and the effect will be imperfect legislation.

We have been told time and again, even at this session, that a bill should be passed immediately; that it was important. The legislative appropriation bill was passed within one hour because of its importance to carrying on the war. No discussion was considered proper. That bill has been in conference ever since April 16, nearly two months, and there have been but two meetings of the conferees held.

The passage of this resolution means that running debate will be closed in the future, and I say now that there has been more information given to Senators, actual information, information that affected the votes of Senators, more real information gained, in a running debate where questions are freely asked than there is in all the set speeches that were ever made in this body.

I can see, Mr. President, why some desire this legislation at the present time. The Senate of the United States is the only legislative body to-day where the Representatives of a State can speak, through the press, to the American people untrammeled; and when I stop to think that the different departments of Government have 47 publicity bureaus, spending millions upon millions of dollars for no other purpose than to inform the people of the country at Government expense of the doings of the administration, and in many cases one word for action and ten words for individual laudation——

Mr. McCUMBER. Does not the Senator mean to misinform?

Mr. SMOOT. I will say every Senator knows that a great deal of it is misinformation. Some of it has been brought to the attention of the Senate. More of it ought to have been brought to the attention of the Senate. As far as I am personally concerned, it would have been brought to the attention of the Senate but for the fact that I was fearful of the results. There is one overruling thought I have constantly in mind, one great hope in my heart, and that is to win the war, and I have stood by and seen these indefensible things occurring nearly every day in the month and every month in the year, and I have said nothing.

I know my time has expired. I do hope that the Senate will not adopt this amendment to the rules.

Mr. GRONNA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRONNA. I wish to ask if I have spoken on the pending amendment?

The PRESIDING OFFICER. The Senator has addressed the Senate upon the pending amendment.

Mr. CURTIS. I understood that the Senator from North Dakota addressed the Senate upon the original amendment offered by the Senator from Iowa. Has he occupied the time on the amendment offered by the Senator from New Mexico?

The PRESIDING OFFICER. The Chair, of course, is bound to construe that when a Senator addresses the Senate he addresses it on the pending amendment.

Mr. GRONNA. I will state the reason why I made the inquiry. I was under the impression that the Senator from Nebraska [Mr. NORRIS] offered an amendment. I may be mistaken.

The PRESIDING OFFICER. The Senator from Nebraska simply stated that at the appropriate time he would offer an amendment, but he did not tender it, because of the pendency of the amendment of the Senator from New Mexico.

Mr. McCUMBER. I desire to ask whether the Members of the Senate are to give the construction to this unanimous-consent agreement that a Senator may speak after 2 o'clock 10 minutes upon the resolution itself and 10 minutes in addition upon any amendment that may be proposed? My understanding was that after 2 o'clock no Senator could speak more than once nor longer than 10 minutes on either the original resolution or an amendment, and that all debate was to cease, except the debate of 10 minutes allowed to each Senator after 2 o'clock, whether on the resolution or on an amendment.

The PRESIDING OFFICER. Does the Senator wish to have the unanimous-consent agreement read?

Mr. McCUMBER. No; I wish to have the construction of the Chair whether a Senator may speak 10 minutes upon the resolution after 2 o'clock and 10 minutes upon any amendment in addition thereto.

The PRESIDING OFFICER. If the distinguished Senator from North Dakota will kindly pardon the Chair, the present occupant of the chair does not wish to escape any duty or burden, but if the unanimous-consent agreement is to be construed it ought to be construed by the Senate. If, however, the Senator requests the present occupant of the chair to construe it, the Chair would not shirk that duty, although he would prefer to have the Senate construe it.

Mr. SMOOT. It seems to me to be very plain, because it reads "not longer than 10 minutes upon the resolution or any amendment offered thereto," not "10 minutes upon the resolution and 10 minutes upon an amendment."

The PRESIDING OFFICER. If the construction of the present occupant of the chair is sought, he has no hesitancy in saying that if called upon to construe it his construction would be that a Senator under this unanimous-consent agreement could not speak more than once nor longer than 10 minutes.

Mr. GRONNA. If I may be pardoned, I wish to ask unanimous consent to have printed as an appendix to my remarks a certain letter from Lieut. Gen. Sir George Baden-Powell upon the rules of the Parliament of England, and also a short extract from Sir John George Bourinot's "Parliamentary Procedure and Practice in the Dominion of Canada."

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent to insert in the RECORD, as a part of his remarks, the extracts he has indicated. Is there objection? There being none, it is so ordered. The question is on the amendment proposed by the Senator from New Mexico [Mr. FALL] to the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. FALL. Upon that I ask for the yeas and nays.

Mr. UNDERWOOD. It had better be read. I will not make the suggestion of there being no quorum if any Senator desires to speak at this time.

The PRESIDING OFFICER. The Secretary will read the amendment.

The SECRETARY. After the last word in the substitute add the following:

And provided further, That this rule limiting debate shall not apply, except by unanimous consent, to any bill, measure, or question which has been determined upon or agreed to by or in a party caucus or conference of Senators of the majority party.

Mr. UNDERWOOD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	New	Smith, Ga.
Baird	Johnson, Cal.	Norris	Smith, Md.
Bankhead	Johnson, S. Dak.	Nugent	Smith, S. C.
Borah	Kellogg	Overman	Smoot
Brandegee	Kendrick	Page	Sterling
Chamberlain	Kenyon	Phelan	Sutherland
Cummins	King	Poindexter	Swanson
Curtis	Kirby	Pomerene	Thomas
Dillingham	Knox	Ransdell	Thompson
Fall	Lenroot	Reed	Tillman
France	Lewis	Robinson	Townsend
Frelinghuysen	McCumber	Saulsbury	Trammell
Gallinger	McKellar	Shafroth	Underwood
Gerry	McLean	Sheppard	Vardaman
Gronna	McNary	Sherman	Watson
Gulon	Martin	Shields	Willey
Hale	Nelson	Simmons	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. McCUMBER. Mr. President, the Senator from Alabama [Mr. UNDERWOOD], having in charge the pending measure to limit debate by any one Senator to 1 hour and 30 minutes upon any proposition that may hereafter come before the Senate, utilized about two hours in opening the discussion on this measure, and thereafter spoke the second time, consuming another hour in explaining his reasons why a Senator should be limited to an hour and a half debate upon any pending question.

The Senator from Iowa [Mr. CUMMINS] spoke about two hours to convince the Senate that no Senator was ever justified in discussing a subject longer than one hour and a half, and that any Senator could present his views properly upon any subject in an hour's debate.

Mr. President, I am not criticizing those Senators for violating in the initial debate upon this subject the very principles for which they are contending; I am not criticizing any of those Senators, even though I know that, by looking over the pages of the CONGRESSIONAL RECORD during the past year, it will be found that those who now so earnestly advocate the passage of a resolution for the limitation of debate have taken probably three-fourths of the printed pages of the CONGRESSIONAL RECORD, so far as it relates to debate in the Senate.

I have listened day after day and hour after hour to the lucid arguments of the Senator from Iowa. I do not think he ever put a word into the RECORD that ought not to have gone into it. I know it is generally supposed by the public that the Senators who talk longest upon any subject and fill the pages of the CONGRESSIONAL RECORD necessarily are better informed than those who say very little. We here in the Senate know that is not necessarily the case. It may be that some Senators love their own voices better than other Senators love theirs; it may be that they have greater information; it may be that they have greater facility of expression, and there are good legislators who are perfectly willing to sit by and allow those who can better express their sentiments to do so; but, Mr. President, I reserve the right—and I think it is a right—to accord to the Senator from Iowa, if he can better express my views, to use more than an hour in expressing them; and if he has information upon a subject of which I am not possessed, I not only should accord him that extra hour or two hours, but even longer, if it be necessary for him to enlighten the Senate and also to enlighten me upon the subject. So I can see no good reason in the world for attempting to stifle the voice of Senators upon the many subjects that may be brought before us.

But, Mr. President, we shall not gain any time. If a Senator can not make his explanation of a matter within an hour or within an hour and a half, he will take the necessary time, and he will be able to do it under the amended rule. It is not the fact that the Senator from Iowa or other Senators who make long speeches and who take up so many pages of the RECORD have failed to boil down their statements to the least possible number of words that accounts for the time and space taken by them. It is because they repeat themselves, and they repeat themselves very often. Why? Not because they wish to do it, but because Senators are coming in and going out all the time. A Senator may have an audience of 30 at this minute, and in 10 minutes he may have an audience of another 30 Senators in the Senate Chamber. He will then go over the same argument the second time. The Senator from Iowa does that; we all do it; and the Senator from Iowa will find a way to do it again if it is necessary, and I assume that he will do it. If he has not expressed to all of the Senators his conviction upon some weighty subject, he will introduce an amendment, and he will take 20 minutes more. Then if he has not finished his speech and believes that he can convince a new audience of incoming Senators he will take another 20 minutes on another amendment. If he fails to secure a sufficient audience in all of his addresses or in some of his efforts, he will ask Senators to allow him to speak longer than the 20 minutes or one hour and a half, and permission to do so will be granted, and he will in the end consume just as much time as he would under the present rules of the Senate.

But the injustice of this proposed rule is that without a specific rule upon the subject which will say that it can not be modified even by unanimous consent it will be relaxed in many instances at the request of one Senator, and that courtesy will be denied the very next day at the instance of a Senator who has not taken half the time that some Senator has taken to whom the relief has been accorded. So it will work an injustice without in any way limiting debate.

Not only that, Mr. President, but a Senator, if he can not get time to express himself upon a given subject and in a way that will clearly explain his vote, will wait until the next bill comes up, and under the rules of the Senate he will then finish his speech, as Senators have done again and again in the Senate of the United States. Therefore we shall not gain one hour or one minute of time.

Mr. President, I am against this resolution for another reason. All of the arguments that have been made by the proponents of the resolution, all of the arguments that have been made in favor of it by others, have not enlightened us as to why the resolution should be brought before us now. On the contrary, Senators have stated again and again that it is not necessary. The Senator from Alabama declared that the Senate had not abused the privilege of discussion since this war began; he declared that there was no danger that the Senate would abuse the privilege of unlimited debate during this war. Mr. President, if Senators have not done so, and if they will not do so, then, in the name of heaven, give us one solitary, honest reason why it is necessary to shackle Senators in their discussion of any subject before the Senate of the United States? And why will they not abuse the right of debate? Because there is not a Senator in this Chamber, there is not a Member of this body, who is not patriotic; and any Senator of the United States who would obstruct, by longer discussion than would be necessary, a bill that would affect our war progress would be a traitor to his country; he would be guilty of an act of treason; and he should be and would be immediately expelled by the patriotic Members of the Senate body. Then why bring in this resolution now?

I know there has been some criticism on the part of the press about Congress delaying legislation, but every Senator knows it is not true. We know that we have not delayed legislation in any respect whatever. Then why this resolution? It is a reflection upon the honesty, the patriotism, the ability of the individual Senators of the United States. I, as one Senator, Mr. President, decline to plead guilty to a charge of that kind; and, so far as my vote can speak, I decline to cast upon my brothers the imputation that they have or that they will during this war be so unpatriotic as to delay necessary legislation.

Mr. SMITH of Georgia. Mr. President, for some time there has been pressed before the Committee on Rules a proposition to adopt majority cloture. I am very much opposed to majority cloture; but in the committee I finally agreed to the proposed rule embodied in the pending resolution in preference to majority cloture. I shall vote for the resolution as the action of the committee; but in doing so I do not in any way mean to commit myself to the propriety of a rule of this kind even during the war, and if within the next 30 days we should conclude that we did not desire to maintain or to continue it, by my vote to-day I in no sense mean to indicate that I would continue to vote for it. I can not now with propriety vote against it, as I think, on account of my attitude in the committee in regard to it; but I wish to state that in voting for it I do so as the result of the action of the committee, and that I am not convinced that it is wise as a permanent proposition. I only vote for it as a temporary measure.

Mr. PHELAN. Mr. President, the Senator from Alabama [Mr. UNDERWOOD] when he introduced the resolution said, if I recollect aright, that whereas it is proposed to amend the rule for the period of the war, it was his expectation that it would remain as a permanent rule of this body; that is, be, as it were, an entering wedge to break down the rule which has obtained all these years, and which has become a part of the constitution of the Senate of the United States.

Mr. UNDERWOOD. Mr. President, if the Senator will allow me to interrupt him——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Alabama?

Mr. PHELAN. I yield.

Mr. UNDERWOOD. I have no objection to what I said being quoted; but as the Senator was not in the Chamber when I spoke this morning, and what I said the other day is not in accord with what the Senator has stated, I hope, if he intends to quote me at all, that he will take the RECORD, which lies on his desk, and quote me accurately on the subject.

Mr. PHELAN. I should like to ask the Senator if he did not state, not perhaps in his opening address, but let me say in the report he submitted, which is substantially the same thing, that, whereas this amendment to the rules was proposed for the period of the war, it was expected that on account of its beneficent operation it would remain a permanent rule of this body?

Mr. UNDERWOOD. I said nothing of that kind in reporting the rule. I have said, so far as I am personally concerned, that I should be glad to see a permanent cloture rule; but I did not say that in the report. I reported the rule as the committee instructed me to report it, and in the language of the report stated that it was to be operative during the period of the war.

Mr. PHELAN. On page 2 of the report the Senator states:

It is therefore proposed that instead of amending the existing cloture rule, that the delay and lack of consideration given important legislation, which is caused by unlimited debate, be met and remedied for the period of the present war by fixing a reasonable limitation on the time that each Member shall be privileged to discuss pending legislation and limiting that time to 1 hour to the main question and 20 minutes to amendments thereto, unless the Member desiring additional time obtains the unanimous consent of the Senate to proceed.

Mr. UNDERWOOD. That does not sustain what the Senator quoted me as saying in reporting the resolution; namely, that it was my purpose to make it extend beyond the war. I do not hesitate to say to the Senator, so far as my individual opinion is concerned, that I believe in a cloture rule in the Senate; but I reported the resolution for the committee, and expressed the views of the committee, which limited the operation of the proposed rule to the duration of the war and no further.

Mr. PHELAN. Mr. President, one of the objections to any limitation, it strikes me, is evidenced by the limitation imposed upon Senators after 2 o'clock to-day, which confines me to 10 minutes and makes it impossible for me to verify the references I have in mind. Here, however, is the exact language of this report, page 3, and the Senator has said he personally favors cloture:

The committee has limited the scope of the rule to the length of the present war. Within that time it can be tried out. If it proves satisfactory, it can be extended by reenactment. If it should prove unsatisfactory at the close of the war, it will cease to be a rule of the Senate by the time limitation contained in the resolution.

Mr. President, there has been no abuse, so far as I have observed, of the existing rules of the Senate, and therefore it is not fair to state, as the ostensible reason for the proposed amendment of the rules, that the object is to facilitate war legislation. There has been no interruption of or interference with war legislation, but both sides of the Chamber have acquiesced in the recommendations of the President; indeed, there has been an unprecedented condition, for there has developed perfect unity on both sides of the Chamber for the purpose of strengthening the hands of the Executive. Why, therefore, precipitate this discussion at this time? There is no reason for it. The present rule provides that, on the petition of one-sixth of the membership of this body, two-thirds of the Members voting and present may limit debate. That rule has never been invoked by the Senators who now fear that war legislation will be interrupted because there is not a more drastic cloture. On two or three occasions it was sufficient to mention that rule to bring about a perfectly unanimous understanding as to limitations to be put upon debate. Hence our present very beneficent rule, without being invoked in terms, has served the very purpose which Senators seek by again amending the rules in order to facilitate our work.

Very few have offended. Some Senators have been a little prolix, but they are responsible to their constituents. Their purpose was not to delay legislation, so far as I have observed, but they simply lacked, apparently, the facility of concise statement. That is their misfortune as well as our misfortune; but we are not obliged to listen. It is the history of this body that there are empty benches occasionally when a Senator exceeds what, in the judgment of the absentees, may be a reasonable time limit. I believe it was held in the House of Commons that, whereas a man had a right to speak, he had no right to be heard. There is no way of compelling men to listen unwillingly to an address; and hence every reason in favor of speedy action should appeal to the speaker, because every man likes, at any rate, to hold his audience. It is said that in the House of Commons—and this distinguishes the members of that body from those of the French Chamber of Deputies—the object of the members in speaking is to help things along, whereas in the French Chamber of Deputies the object is to show capacity. We are not afflicted with a membership that desires to show capacity. I believe that the membership of the Senate is desirous to help things along.

Mr. President, I have been interrupted and will inquire how many minutes I have remaining?

The VICE PRESIDENT. The Senator has two minutes.

Mr. PHELAN. Has the time taken by the Senator from Alabama been taken out?

The VICE PRESIDENT. No; that has not been taken out. The Senator must take charge of the floor for himself.

Mr. PHELAN. Mr. President, my predicament must certainly be in the estimation of the Senate an argument against cloture. I had much to say, but I can not say it in 10 minutes. I wish, however, to make two points.

The Senate rules serve by arresting hasty action. Members of the House have appealed to me to save the power of the Senate on which the Members of the House themselves so often rely. On it the country relies to have time to deliberate and if necessary protest. This is a plea for legislative independence. Shall we make our President an autocrat? If the Senate fails to hold up improper legislation then the appeal will be to the President, and we will find the people looking to the Executive for protection, instead of to their representatives in the Senate. That is a dangerous tendency now accentuated by the exigencies of war. What shall we say of encouraging such a tendency in the time of peace?

Again, this broad country has many conflicting interests. It is not fully homogeneous. The South has its interests, and I deplore to see the South, living now in the promised land of content and abundance, forgetting its distress when a hostile Congress sought to impose the force bill upon it. It is incredible to hear that the South should support a further restriction upon debate. Shall they idly discard these parliamentary weapons?

As for the West, we have racial problems of our own. The western coast standing alone without any sympathy from or understanding on the part of the East, attempted to stem the tide of oriental immigration, and if we are now forgetful of the past, and again Congress should attempt to impose upon the western coast an undesirable immigration, there should be power in the western Senators to stand up here and inform the country of its duty and not be shut off in debate. Even if it took a week or two weeks, would we not be legislating, in an instance of that kind, for the ages? Let us, men of the West, retain our power to protect our States.

Who among you will deny the right of a Senator of a sovereign State to speak for his people when they are in imminence of destruction? Those conditions may arise. Therefore I am not one of those, when there is no war necessity for it, when it is not asked for by the administration, who will support a measure which will operate so disadvantageously not only to sections but to the whole country. Men are carried away by passion, heat, and rancor, and they enact laws thoughtlessly; again they enact laws ignorantly. Debate restrains passion; debate restrains heat; debate restrains rancor, and at the same time debate commands deliberation. Therefore I oppose the arbitrary rule and stand for the power and dignity of the Senate which has served the country so well in this war. It is now a representative body of the people themselves who know how to curb excesses and can and will correct all abuses.

Mr. THOMPSON. Mr. President, I am in favor of the resolution as originally reported by the distinguished Senator from Alabama [Mr. UNDERWOOD] from the Committee on Rules limiting the time for debate on any question during the war to one hour, and to 20 minutes on any amendment proposed to any bill or resolution.

One hour, in my judgment, is sufficient time for any Senator to fairly present any ordinary question which comes before the Senate for consideration, and unanimous consent upon any extraordinary occasion could no doubt easily be obtained for any Senator if it should possibly require a longer time for him to present his views. The greatest speech ever delivered—Lincoln's Gettysburg Address—contained only 264 words, and required less than five minutes to deliver. The highest courts in many of the States only allow one-half hour for attorneys to present their cases on appeal. The very best legal argument I ever heard was only 30 minutes in length, and involved intricate constitutional questions. The greatest objection which is frequently made to our national legislative machinery is its apparent inability to produce quick results. The last Democratic national convention at St. Louis in 1916 recognized this feeling by adopting a clause in its platform, which I at the time had the honor and privilege to present to the platform committee, in the following terms:

We favor such alteration of the rules of procedure of the Senate of the United States as will permit the prompt transaction of the Nation's legislative business.

The Democratic Party is the first political party to make this worthy reform a part of its national platform.

The United States Senate is generally regarded as being the most dilatory legislative body in the world. No other legislative body has any such absurd rule as what we term "the rule of unlimited debate." No other legislative body permits the discussion of every other subject under the sun except the question before that body for consideration. This is the greatest evil of our rule, and, I believe, was brought about by a wrong interpretation of the original intention of the rule. It was certainly never assumed or even imagined when the rule was adopted that any Senator would not be confined in his remarks to the question under consideration. It is certainly a ridiculous procedure and a very strained construction of parliamentary law that permits a Senator to arise in his place and boldly announce that he desires to address the Senate but does not intend to talk upon the question before the Senate. I believe under our present rules that such a statement would warrant

any Presiding Officer in holding the Senator out of order, yet it is never done, and would certainly justify the Senate in refusing to permit him to further proceed. It must be apparent to everyone that a decided change is needed in this old, nonsensical rule, or in the strained and unreasonable construction placed upon it by ourselves and our presiding officers, which permits and encourages what is known as the filibuster, the worst obstruction to fair and honest legislation and the worst hindrance to legitimate debate and orderly procedure ever devised. Under such a rule it is within the power of a few Senators to absolutely control legislation, and instead of legislation being the best judgment of the majority of the whole Senate it results in being the legislative will of a small minority. In a great crisis it is shocking to think of a single Senator obtaining the floor and holding undisputed possession of it as long as he can stand up and talk, and not even be required to discuss the question before the Senate. If the question under consideration is the currency, he can talk on the tariff, or, if he prefers, he can deliver a dissertation on the moon, the beauties of nature, or Dante's Inferno. If he tires of general discussion, he can read the unabridged dictionary or the Holy Bible. Nothing can stop him except physical exhaustion, and senatorial courtesy will often even then permit him to proceed after he has recovered from a temporary knock-out blow inflicted upon himself in his strenuous efforts to hold the floor until some one else with whom he is cooperating can secure the floor. To say the least, it is a strange commentary on our parliamentary procedure, and the time has come when it ought to be completely stopped.

Proposed legislation that will not stand the test of a vote is unworthy of consideration by the Senate. I have never participated in a filibuster, and I never will. No one pays attention to discussions in a filibuster, and it is scarcely within the power of any Senator, no matter how able or eloquent, to hold his colleagues longer than an hour. Indeed, I have always observed that when the time is limited to 10 or 15 minutes, as it is at the present time, that the seats of the Senate are always full, and every discussion made is exactly to the point, and Senators receive close attention of everyone present. I would favor striking out the clause limiting the proposed rule to during the period of the present war, and I hope and believe that some time, not far distant, the Senate will reach the conclusion that the business of the country requires the discontinuance altogether of a rule that will permit the obstruction of legislation.

There is no other legislative body in the world with such a rule, or that will tolerate such procedure under any rule, yet it has seemed impossible for us to do away with it, evidently because Senators do not want to give up the power that such an unfair advantage gives them in the control of legislation, or because, apparently in the minds of some Senators, this old rule by reason of its long existence has become more or less sacred. Most of the older Members seem to favor it, while most of the new Members seem opposed to it; and as only one-third of the Senate is composed of new Members it has been impossible for more than 100 years for a majority of the Senate to change its own rules in this respect.

We did slightly modify the rule at the beginning of this Congress, but as changed it requires a two-thirds vote and a long period of time to close debate, and is so unsatisfactory that it has never been invoked.

While I am in favor of the resolution as first reported from the Rules Committee, yet if we can not pass it in that form I am willing to vote for the substitute offered by the Senator from Iowa [Mr. CUMMINS] limiting debate to 1 hour and 30 minutes, as the most advanced step in the right direction on this important question we can take at the present time, and shall live in hopes of our ability to make a better rule sometime in the near future.

Mr. BRANDEGEE. Mr. President, it seems to me that the remarks of the Senator from Kansas, at least so far as his statement is concerned that a Senator may stand up here and talk as long as he is able to stand, are entirely unwarranted. The Senator forgets that the Senate already has in existence a cloture rule, which I send to the desk and ask to have printed as a part of my remarks.

The VICE PRESIDENT. In the absence of objection, it is so ordered.

The matter referred to is as follows:

If at any time a motion, signed by 16 Senators, to bring to a close the debate upon any pending measure is presented to the Senate, the presiding officer shall at once state the motion to the Senate, and one hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the presiding officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

"Is it the sense of the Senate that the debate shall be brought to a close?"

And if that question shall be decided in the affirmative by a two-thirds vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

Thereafter no Senator shall be entitled to speak in all more than one hour on the pending measure, the amendments thereto, and motions affecting the same, and it shall be the duty of the presiding officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy and appeals from the decision of the presiding officer, shall be decided without debate. (S. Res. 5, 65th Cong., sp. sess.)

Mr. BRANDEGEE. Mr. President, the Senator is also in error, I think, in stating that those who are opposed to the pending rule are opposed to it because they, as individuals, want to show and exert their power in this body, or that they are opposed to it for any personal reason whatever. I am opposed to this rule, but not for any personal reasons and not because I have ever found it necessary, I think, since I have been a Member of this body—which is a period of 13 years—to talk over an hour on any subject before the Senate. Usually I do not speak over 10 minutes; but I am opposed to shackling the freedom of debate in the Senate for these reasons:

In the first place, there is no rule in the Senate which compels an amendment offered to a bill to be germane to the subject under consideration, and it is the experience of this body that after debate has proceeded on a bill to the point where everybody is ready to vote on the bill, somebody gets up who is in charge of some special propaganda or measure in which he is interested, of an entirely different character, involving an entirely different set of questions, involving research and examination into an entirely different set of authorities, and offers that, an entirely new bill, perhaps of 15 or 20 pages, as an amendment to the pending measure. It can not be declared out of order; and then the Senate is to be driven to a vote upon that under this rule, if it shall prevail, with each Senator limited to 10 minutes.

Mr. President, I look at this right of debate not as a right, much less a privilege, which we are conferring upon ourselves as a matter of favor. I look upon it as a right which attaches to the sovereign States of this Union, each of which is represented here by two Senators, and whose sole method of putting its case before the people of the United States and before this body is through the voice of its two Senators.

Now, look at it. Here we are considering a bill, and somebody gets up and proposes a measure which is of vital interest, we will say, to the great State of Texas or New York or Pennsylvania. I believe in New York State there are over 10,000,000 people now, and the interests involved there are tremendous; and yet you propose to fix it in this body so that any Senator at the last minute may get up and propose an amendment of vital interest to the 10,000,000 people in the State of New York and to all their property interests, and confine the two Senators from the Empire State to 20 minutes in discussing that amendment!

So I say that this is the forum of the States. This is a federated government, in which the States reserved the right of equal suffrage in the Senate of the United States, and made that the only provision of the Constitution which never should be subject to amendment.

The Senator from Kansas says that this is the only legislative body in the world that permits freedom of debate without limit. This is the only Government in the world that is at the same time a Federal Government and a government of sovereign States, a dual form of government; and there is no such body in the world as this body. It is formed upon a different theory, a different basis, and represents an entirely different political ideal and thought from that of any other body; and for 130 years it has helped to turn out laws which have made this country the greatest and most prosperous country in the world.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. BRANDEGEE. I yield.

Mr. GALLINGER. And yet the Senator from Kansas was wrong in that statement, for the reason that there is no limitation of debate in the legislative assembly of Canada.

Mr. BRANDEGEE. I did not know that, Mr. President. Then the Senator was wrong in another aspect of his statement. But, Mr. President, the Senator was also wrong in saying that there is no limit upon debate in this body; and I have put into the RECORD the evidence of it, the resolution that we adopted at just the last session of the present Congress, the Sixty-fifth Congress. I have not bothered the Secretary to read that resolution; I did not want to take the time, because all Senators are familiar with it, except the Senator from Kansas; but it provides that at any time when the Senators vote that they have heard enough discussion upon a matter, then no Senator, after a day or two, can speak more than one hour upon the

bill and all amendments to it—one hour in all. Is not that a sufficiently severe change to wreak upon the rights of the Senate in one session of Congress, which has indicated no reason whatever, so far as its conduct is concerned, for even that change? We have all been so faithful to our duty, and have all realized so fully the tremendous importance of making haste as much as possible during these war days, that there is no difficulty here at any time in getting unanimous consent, as has been done on this very gag rule, for a vote upon it here this afternoon not later than 4 o'clock. So that there never was a proposition brought forward to produce so violent a change which had so little reason, founded upon the experience of the Senate, to justify it.

Mr. President, I know that the Democratic Party has prided itself upon being a State-rights party, but it has been no more a Sate-rights party than the Republican Party has been. The Republican Party and the Whig Party believed just as much in the rights of the States to exercise the powers which they reserved to themselves as the Democratic Party ever did. We all admit, every writer admits, and every decision of every court of the country admits, that this is a dual form of government, that the Federal Government is a government of delegated powers, and that, as the tenth amendment of the Constitution says, all powers not specifically delegated to the General Government are reserved to the States themselves or to the people thereof. Nobody can be a good American without being a good State-rights man. I admit that when the Democratic Party, or at least that portion of it which resided in the 11 States which attempted to secede from the Union, carried their theory of State rights to the point where they asserted the right of secession, then the phrase "State rights" became unpopular in the country; but it was unpopular not because the States exercised the rights that they ought to exercise but only because they claimed the right to secede from the Union, and that for a long time threw a great many people into a reaction against State rights. One of the sacred rights of the States, in my opinion, is to have their case thoroughly placed before this great legislative body before the previous question is ordered and all debate has to stop.

There are many States and many sections of this country that have local interests in common, and when a propaganda or a proposition is started for legislation that may affect one section of this country very disadvantageously the only chance that they can get to disseminate the reasons why that proposition should not be put into law is in the United States Senate, where there has been heretofore freedom of debate. As I say, it has been so exceedingly seldom that it has been abused that I hate to see the Senate start in to commit hari-kari, to diminish and dwarf itself and its own powers for good, by putting here in advance a gag rule into the mouths of the representatives of sovereign States, so that they can not speak more than 20 minutes on an amendment that may be more vital to their States than the provisions of the bill. Why, debate of 20 minutes apiece in the Senate—many of the Senators do not speak very much—would hardly give a chance for a Senator to get petitions down from his State or to ascertain the position which his constituents took upon a question.

The VICE PRESIDENT. The time of the Senator from Connecticut has expired.

Mr. OWEN. Mr. President, I shall support the pending resolution. I should much prefer to vote for the previous question without any limitations upon it except the will of the majority of this Chamber. I have entire confidence in the majority of the Senate of the United States being liberal and fair to any Senator who wants to be heard upon any question. I do not think we are in any danger of being choked off by a majority of this body from saying anything that a man has a right to say or to ask to be heard upon. I should prefer to rely upon the majority. I think it is safer to rely upon the majority than to rely upon the minority. The majority may make mistakes, and probably will, and will correct mistakes. The minority are somewhat more apt to make mistakes, just in degree as the minority is a minority, just as one man is more apt to make a mistake than a hundred men.

The safest way for a republic is to rely with confidence upon a majority. That is the principle upon which our Government is really founded; and the Senate in departing from that ancient principle of this republican Government of ours has weakened itself. The old rule does not promote debate. It merely permits a Senator who is prolix, as the Senator from California [Mr. PHELAN] says, to use the time of the Senate to a point when it vacates these seats.

We do not have debate in the Senate in any real sense. Men get up and make speeches; men talk; but debate in the Senate has been practically destroyed by our rules. I think the rule would be much better if we would have the confidence to rely upon the sound judgment and good temper and good humor of the majority of this body. I believe the majority would always give any time that any Senator desired to be heard.

Mr. BRANDEGEE. Mr. President, is it in order to offer an amendment at this time?

The VICE PRESIDENT. No; there is an amendment pending.

Mr. BRANDEGEE. A parliamentary inquiry. I understand that the unanimous-consent agreement does not shut off the offering of amendments.

The VICE PRESIDENT. No.

Mr. BRANDEGEE. Only the debate?

The VICE PRESIDENT. Only the debate.

Mr. BRANDEGEE. I will offer it later, then.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Mexico [Mr. FALL] to the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. FALL. On that I ask for the yeas and nays.

Mr. SMITH of Georgia. Mr. President, may the Secretary state the amendment to the amendment?

The VICE PRESIDENT. The Secretary will state it.

The SECRETARY. At the end of the amendment offered by the Senator from Iowa [Mr. CUMMINS], it is proposed to insert the following:

Provided, That this rule limiting debate shall not apply, except by unanimous consent, to any bill, measure, or question which has been determined upon or agreed to by or in a party caucus or conference of the Senators of the majority party.

Mr. SMITH of Michigan. Mr. President, it probably will do no good, but nevertheless I want to make one final appeal to my associates upon the other side of the Chamber, as well as upon this side, not to unnecessarily and unduly bridle the Senate by the adoption of this amendment to the rules.

The suggestion that filibustering is now possible is not true. Sixteen Senators may sign a request, and the question of proceeding to a vote must be immediately submitted on the following day; if two others oppose, the rule is operative; and I want to beg the Senators upon the other side to weigh the consequences to their States of this very unnecessary and unwise action.

How often I have seen it tested where it has proven of decided advantage to the State. I have seen my venerable friend, the Senator from South Carolina [Mr. TILLMAN], straighten out a tangle in this body which concerned vitally the people of South Carolina under this great privilege which accompanies the senatorial office, and tends to dignify it and make it possible for Senators holding seats in this body to protect their States. I remember how the Senator from South Carolina shocked his associates by the course he pursued; but the State of South Carolina has sustained him for nearly a quarter of a century for what he did, and, in my opinion, the State of South Carolina will sustain him again for his fidelity, now that he is before the people of his State for their suffrage.

I can not see any necessity or any wisdom in the adoption of this rule. I see great harm to come from it. I see, as I said the other day, the supremacy of party caucus, reincarnated and crowned again in this body; and it is not right. Senators do not do themselves justice. New Senators can not afford to do it.

Mr. TILLMAN. Old ones can not, either.

Mr. SMITH of Michigan. I am obliged to the Senator from South Carolina, who out of the wisdom and the experience of his long service here says: "And old ones can not afford to do it, either."

I think the Senator from Alabama [Mr. UNDERWOOD] was out of the Chamber when a very pertinent inquiry was suggested by the Senator from New Hampshire [Mr. GALLINGER], that when Henry Clay in this body once proposed a form of cloture the then Senator from Alabama, Mr. King, went over and told Henry Clay, according to the story, that if he had any such thing as that to propose to the Senate of the United States he had better engage his boarding-house quarters for a good long time, because he would need them for a long time.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMITH of Michigan. Certainly.

Mr. KING. And I might say to the Senator, supplementing that great debate, that every great Democratic Senator, including Benton and others, denounced the rule, and finally Mr. Clay was compelled to abandon the proposition to enforce it upon the Senate.

Mr. SMITH of Michigan. I thank the Senator from Utah. If any injustice is ever done in the Senate of the United States, it is done to its membership by denying to Members equal privileges with every other Member here. It is nothing for the chairman of a great committee to rise here and to do almost

anything he wants to do; but it is something for a Senator who has only been here for a short time to obtain proper recognition for his State, and he can only get it when he can stand upon every prerogative that goes with the senatorial office.

I have nothing to gain personally by this. I do not expect to be a Member of the Senate very long at best, but I do want my colleague and my successor to defend their State with all the power that precedent and practice in this Chamber have given Senators. I do not want to take any more time. I understand that the Senator from Missouri [Mr. REED] would like to say a word, and I will cheerfully yield. There is five minutes more; and while I can not yield the floor to him, I do yield in order that he may, if he can get recognition, say a word.

Mr. REED. Mr. President, in the moment that is left I simply want to call attention to what I think are two or three fallacies that have been indulged, which I believe are controlling the opinions of some Senators. One is that the absence of Senators from the Chamber is caused by the length of the speech that is being made.

Mr. President, the absence of Senators from the Chamber is not due to the length of the speeches that men are making. It is due to two things. One is the lack of interest which sometimes possesses Senators, for there are some Senators who take but little interest in passing legislation. The chief reason, however, is found in the fact that we are holding committee meetings, or that Senators are busy with departmental work, and are kept from the Chamber; and accordingly they leave whenever a speech is on, because they want to do something else or because they are called to a committee; and that will not be changed when you limit debate to an hour and a half. If they go out now when a man is speaking, and they do not know whether he will speak three minutes or three hours, and the time of the vote is therefore accordingly uncertain, they will do that with an hour and a half limit, for they will know when a man rises that he may at least speak an hour and a half.

The chief difficulty that is back of absenteeism is the fact that men are busy elsewhere. For instance, the Senator from Oklahoma [Mr. OWEN], as chairman of the great Banking Committee, has before that committee a bill of vast importance; and this morning, though we were proceeding under a 10-minute rule on this important and revolutionary measure, the Senator from Oklahoma was conducting hearings in that committee. I as a member of that committee was compelled to make my choice between being with the committee and being on the floor of the Senate. So that this rule will not compel attendance, and will not bring here any greater numbers than we have under present circumstances. I think, therefore, that that fallacy might as well be dropped out of mind.

In the moment that is left I challenge the attention of the Senate to the fact that two of the members of the committee reporting this revolutionary measure have plainly signified their own doubt as to its wisdom. One of them, the Senator from Georgia [Mr. SMITH], has stated upon the floor that he doubts its wisdom, and his speech amounted almost to an appeal to the Senate to beat the measure. I call attention to another fact—that one of the earnest advocates of this resolution, one of the best Senators in this body, and one of its longest talkers, spoke three hours yesterday in favor of a resolution limiting debate to an hour and a half!

Why, Mr. President, when you put this measure into execution it will simply be a weapon that will reduce the individual power of Senators, and if it is adopted it will open the door for real cloture; and if Southern Senators adopt it I shall be willing to see real cloture.

The VICE PRESIDENT. The hour of 4 o'clock having arrived, the Senate will proceed to vote.

Mr. LODGE. I make the point of no quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Nelson	Smith, Ariz.
Baird	Hitchcock	New	Smith, Ga.
Bankhead	Johnson, Cal.	Norris	Smith, Md.
Beckham	Johnson, S. Dak.	Nugent	Smith, Mich.
Borah	Kellogg	Overman	Smith, S. C.
Brandegee	Kendrick	Owen	Smoot
Chamberlain	Kenyon	Page	Sterling
Culberson	King	Phelan	Sutherland
Cummins	Kirby	Poindexter	Swanson
Curtis	Knox	Pomerene	Thomas
Dillingham	Lenroot	Ransdell	Thompson
Fall	Lewis	Reed	Tillman
France	Lodge	Robinson	Townsend
Frelinghuysen	McCumber	Saulsbury	Trammell
Gallinger	McKellar	Shafroth	Underwood
Gerry	McLean	Sheppard	Vardaman
Gronna	McNary	Sherman	Watson
Guion	Martin	Shields	Weeks
Hale	Myers	Simmons	Willey

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present. The vote will be taken upon the amendment of the Senator from New Mexico [Mr. FALL] to the amendment of the Senator from Iowa [Mr. CUMMINS].

Mr. FALL. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GERRY (when his name was called). I have a general pair with the junior Senator from New York [Mr. CALDER]. I am informed that I am relieved from that pair on this vote, and I vote "nay."

Mr. JOHNSON of South Dakota (when his name was called). I have a pair with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

Mr. SAULSBURY (when his name was called). I transfer my pair with the senior Senator from Rhode Island [Mr. COLT] to the junior Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. SWANSON (when his name was called). I have a pair with the Senator from Washington [Mr. JONES]. I transfer that pair to the junior Senator from Nevada [Mr. HENDERSON] and vote "nay." I will let this announcement stand for the rest of the day.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. I am informed by the Senator from Massachusetts [Mr. LODGE] that I am released from that pair, and I therefore vote. I vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to the Senator from West Virginia [Mr. GOFF] and vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the Senator from Kentucky [Mr. JAMES]. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

The roll call was concluded.

Mr. OVERMAN. I have a pair with the senior Senator from Wyoming [Mr. WARREN] and withhold my vote.

Mr. LEWIS. I desire to announce the absence of the Senator from Kentucky [Mr. JAMES], occasioned by personal illness, and the absence of the Senator from Mississippi [Mr. WILLIAMS], by illness in his family. I ask to have this announcement stand for the day.

Mr. GALLINGER (after having voted in the affirmative). I desire to announce that I have a pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the junior Senator from New York [Mr. CALDER] and let my vote stand.

Mr. CURTIS. I desire to announce the unavoidable absence of the senior Senator from New York [Mr. WADSWORTH]. If present, he would vote "yea." I also announce the unavoidable absence of the junior Senator from New York [Mr. CALDER] and the Senator from Washington [Mr. JONES].

Mr. GRONNA. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent, due to sickness in his family, and if present he would vote "yea."

Mr. FRELINGHUYSEN. I have a pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the senior Senator from Wisconsin [Mr. LA FOLLETTE] and vote "yea."

Mr. CURTIS (after having voted in the affirmative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], but I am at liberty to vote on this question, and therefore I will let my vote stand.

Mr. WEEKS. Since my announcement I have been informed that I can transfer my pair with the Senator from Kentucky [Mr. JAMES] to the junior Senator from Georgia [Mr. HARDWICK]. I make this transfer and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 40, nays 35, as follows:

YEAS—40.

Baird	Fall	Hale	Kenyon
Borah	France	Harding	King
Brandegee	Frelinghuysen	Hitchcock	Knox
Cummins	Gallinger	Johnson, Cal.	Lenroot
Curtis	Gronna	Kellogg	Lodge
Dillingham	Guion	Kendrick	McCumber

McLean	Norris	Sherman	Sutherland
McNary	Page	Smith, Mich.	Townsend
Nelson	Poindexter	Smoot	Watson
New	Reed	Sterling	Weeks

NAYS—35

Ashurst	McKellar	Saulsbury	Swanson
Bankhead	Martin	Shafroth	Thomas
Beckham	Myers	Sheppard	Thompson
Chamberlain	Nugent	Shields	Tillman
Culberson	Owen	Simmons	Trammell
Gerry	Phelan	Smith, Ariz.	Underwood
Johnson, S. Dak.	Pomerene	Smith, Ga.	Vardaman
Kirby	Ransdell	Smith, Md.	Willey
Lewis	Robinson	Smith, S. C.	

NOT VOTING—21.

Calder	Hardwick	La Follette	Warren
Colt	Henderson	Overman	Williams
Fernald	Hollis	Penrose	Wolcott
Fletcher	James	Pittman	
Goff	Jones, N. Mex.	Wadsworth	
Gore	Jones, Wash.	Walsh	

So Mr. FALL's amendment to Mr. CUMMINS's amendment was agreed to.

The VICE PRESIDENT. The question recurs on the amendment of the Senator from Iowa [Mr. CUMMINS] as amended.

Mr. GALLINGER. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMOOT. Mr. President, a parliamentary inquiry. Do I understand that we are voting upon the so-called Cummins amendment as a substitute for the committee amendment?

The VICE PRESIDENT. As the Chair understands it, it leaves the first three lines of the committee's resolution.

Mr. THOMAS. Let the amendment as amended be read.

Mr. SMOOT. I understand the Senator from Alabama undertook to agree to the amendment of the Senator from Iowa, but there was an objection to it. Therefore, if I am correct, we are now to vote upon the so-called Cummins amendment as a substitute for the committee amendment.

Mr. UNDERWOOD. As a substitute for that portion of the committee amendment which it seeks to amend.

Mr. SMOOT. That is right.

Mr. UNDERWOOD. The Senator has stated it correctly. I am in favor of that, and I understand the committee reporting the resolution are in favor of it.

The VICE PRESIDENT. The Secretary will read it for the information of the Senate.

Mr. OVERMAN. I want to understand if the first three lines are going to be a part of the rule.

Mr. UNDERWOOD. They are.

The VICE PRESIDENT. The Secretary will state the amendment that is to be voted on.

The SECRETARY. On page 2 of Senate resolution 235, as printed, it is proposed to strike out all of lines 21, 22, 23, and 24, and in lieu of the words stricken out to insert the following, as amended:

That no Senator shall occupy more than 1 hour and 30 minutes in debate on any bill or resolution and not more than 20 minutes on any amendment proposed thereto: *Provided*, That the Senate upon request may enlarge the time by a majority vote, the question to be decided without debate: *Provided further*, That when an amendment is pending a Senator may use all or any part of his time allowed for debate upon the bill or resolution: *And provided further*, That this rule limiting debate shall not apply, except by unanimous consent, to any bill, measure, or question which has been determined upon or agreed to by or in a party caucus or conference of Senators of the majority party.

Mr. REED. Mr. President, a parliamentary inquiry. If the Cummins amendment as amended is adopted by the affirmative vote of the Senate, will the question then recur upon the entire resolution, so that another vote will be assured?

The VICE PRESIDENT. Undoubtedly so.

Mr. REED. That is the point I wanted a ruling on.

Mr. SMITH of Georgia. I ask that the Secretary may read the part to be stricken out for which the Cummins amendment is a substitute.

The SECRETARY. It is proposed to strike out that part reported by the committee which reads as follows:

That no Member shall occupy more than one hour in debate, unless by unanimous consent, on any bill or resolution and not over 20 minutes on each amendment proposed thereto.

Mr. BRANDEGEE. If the Cummins amendment is agreed to, the resolution will still be open to amendment. We are not proceeding as in Committee of the Whole, I understand.

The VICE PRESIDENT. No; we are not proceeding as in Committee of the Whole.

Mr. BRANDEGEE. I have this object in view. It is open to amendment now.

The VICE PRESIDENT. The Chair is of opinion that any amendment which goes to the substance of the Cummins amendment as amended should now be presented, as it would be too late to present an amendment to it after it is once adopted, but that the three lines of the original amendment might be amended.

Mr. BRANDEGEE. Very good. I simply want to suggest a mere verbal change. I think the first word "That" ought to be stricken out, because it is in the resolving part of the resolution, and this is to be a rule, and we would not want to commence the rule with that word. I think it would be preferable to have it read, "No Senator shall," and so forth. It is a mere verbal change.

The VICE PRESIDENT. Does the Chair understand that that amendment is offered by the Senator from Connecticut?

Mr. BRANDEGEE. I did not want to amend it unless with the consent of the Senator from Iowa.

Mr. CUMMINS. I do not think the suggestion is material enough to require an amendment.

The VICE PRESIDENT. The Chair does not know whether the Senator from Connecticut offers it or not.

Mr. BRANDEGEE. No; I do not offer it.

The VICE PRESIDENT. The yeas and nays have been ordered on agreeing to the amendment as amended, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before, I vote "yea."

Mr. GALLINGER (when his name was called). Announcing the same transfer as before, I vote "yea."

Mr. GERRY (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JOHNSON of South Dakota (when his name was called). Making the same announcement as to my pair and its transfer as before, and asking that the announcement stand for the day, I vote "yea."

Mr. WATSON (when his name was called). Making the same announcement as before, I vote "yea."

Mr. WEEKS (when his name was called). Making the same transfer of my pair as on the last vote, I vote "yea."

The roll call having been concluded, the result was announced—yeas 73, nays 3, as follows:

YEAS—73.

Ashurst	Harding	New	Smith, Ga.
Baird	Hitchcock	Norris	Smith, Md.
Bankhead	Johnson, Cal.	Nugent	Smith, Mich.
Beckham	Johnson, S. Dak.	Overman	Smoot
Borah	Kellogg	Owen	Sterling
Brandegee	Kendrick	Page	Sutherland
Chamberlain	Kenyon	Phelan	Swanson
Culberson	King	Poindexter	Thomas
Cummins	Kirby	Pomerene	Thompson
Curtis	Knox	Ransdell	Tillman
Dillingham	Lenroot	Reed	Townsend
Fall	Lewis	Robinson	Underwood
France	Lodge	Saulsbury	Vardaman
Frelinghuysen	McCumber	Shafroth	Watson
Gallinger	McKellar	Sheppard	Weeks
Gerry	McLean	Sherman	Willey
Gronna	McNary	Shields	
Guion	Martin	Simmons	
Hale	Nelson	Smith, Ariz.	

NAYS—3.

Myers	Smith, S. C.	Trammell

NOT VOTING—20.

Calder	Gore	Jones, N. Mex.	Wadsworth
Colt	Hardwick	Jones, Wash.	Walsh
Fernald	Henderson	La Follette	Warren
Fletcher	Hollis	Penrose	Williams
Goff	James	Pittman	Wolcott

So the amendment of Mr. CUMMINS as amended was agreed to.

The VICE PRESIDENT. The question now recurs on the resolution as amended.

Mr. REED and Mr. SMOOT called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a pair with the junior Senator from Georgia [Mr. HARDWICK], but upon this question I am at liberty to cast my vote. I therefore vote "nay."

Mr. FRELINGHUYSEN (when his name was called). Making the same transfer of my pair as before, I vote "nay."

Mr. GALLINGER (when his name was called). Making the same transfer of my pair as on the two former votes, I vote "nay."

Mr. GERRY (when his name was called). Making the same announcement of my pair and its transfer as I did on the last vote, I vote "nay."

Mr. GRONNA (when Mr. LA FOLLETTE's name was called). I am requested to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent, due to illness in his family. If present, he would vote "nay."

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

Mr. SAULSBURY (when his name was called). My announcement of the transfer of my pair applies to all votes on this resolution. I vote "yea."

Mr. SWANSON (when his name was called). I have a pair with the senior Senator from Washington [Mr. JONES]. If present, I do not know how he would vote on this question. I therefore transfer my pair to the junior Senator from Nevada [Mr. HENDERSON] and vote "yea."

Mr. TILLMAN (when his name was called). I vote "nay."

Mr. President, I ask permission to spread the reasons for my vote on the RECORD.

Mr. WATSON (when his name was called). Making the same announcement as on the two former votes, I vote "nay."

Mr. WEEKS (when his name was called). Making the same announcement that I previously made and the same transfer as on the last ballot, I vote "nay."

The roll call was concluded.

Mr. CURTIS. I desire to announce the absence of the Senator from New York [Mr. WADSWORTH]. If he were present, he would vote "nay."

I also announce the absence of the junior Senator from New York [Mr. CALDER]. If he were present, he would vote "nay."

I also desire to announce that the Senator from Washington [Mr. JONES], if present, would vote "nay."

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He is paired with the Senator from New Jersey [Mr. FRELINGHUYSEN]. If present, my colleague would vote "yea."

Mr. SHAFROTH. I desire to announce that the junior Senator from Nevada [Mr. HENDERSON] is detained by a death in his family.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS].

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS].

The result was announced—yeas 34, nays 41, as follows:

YEAS—34.

Ashurst	Lenroot	Pomerene	Smith, Md.
Bankhead	Lewis	Ransdell	Swanson
Beckham	McNary	Robinson	Thomas
Culberson	Martin	Saulsbury	Thompson
Cummins	Myers	Shafroth	Underwood
Hitchcock	Nelson	Sheppard	Vardaman
Johnson, S. Dak.	Norris	Shields	Willey
Kenyon	Nugent	Smith, Ariz.	
Kirby	Owen	Smith, Ga.	

NAYS—41.

Baird	Gronna	McKellar	Smoot
Borah	Gulon	McLean	Sterling
Brandegee	Hale	New	Sutherland
Chamberlain	Harding	Page	Tillman
Curtis	Johnson, Cal.	Phelan	Townsend
Dillingham	Kellogg	Poindexter	Trammell
Fall	Kendrick	Reed	Watson
France	King	Sherman	Weeks
Frelinghuysen	Knox	Simmons	
Gallinger	Lodge	Smith, Mich.	
Gerry	McCumber	Smith, S. C.	

NOT VOTING—21.

Calder	Hardwick	La Follette	Warren
Colt	Henderson	Overman	Williams
Fernald	Hollis	Penrose	Wolcott
Fletcher	James	Pittman	
Goff	Jones, N. Mex.	Wadsworth	
Gore	Jones, Wash.	Walsh	

So the resolution was rejected.

Mr. TILLMAN. Mr. President, I merely wish to ask if my request was granted for permission to spread on the RECORD my reasons for voting against the resolution which has just been rejected? If not, I ask permission now to state my reasons.

SEVERAL SENATORS. Let the Senator give his reasons.

Mr. TILLMAN. Mr. President, am I permitted to spread my reasons on the RECORD?

The VICE PRESIDENT. No.

Mr. TILLMAN. Why not?

The VICE PRESIDENT. Not without delivering them here in the Senate. The Chair suggests that the Senator deliver them now.

Mr. TILLMAN. Well, Mr. President, the reasons are these: Under the privilege of unlimited debate I stood on the floor right by this seat, with this desk piled high with books, which I did not intend to read, but which I would have read rather than to have failed to accomplish my purpose by a filibuster to recover for my State from the United States money justly due that State on account of expenditures by it in the War of 1812. Through the power reposed in the hands of individual Senators I then was able to secure for the State the money belonging to the State.

In explaining what I mean, I take the liberty of inserting an extract from the CONGRESSIONAL RECORD of March 5, 1903, in regard to the old claim which I have mentioned. The matter is fully explained in the speech I made on that occasion, and it is shown that by threatening a filibuster, instead of the State of South Carolina having to pay money to the United States Government on account of repudiated bonds, the accounting of the comptroller showed that the Federal Government owed South Carolina. As a result of the action then taken I had the pleasure of carrying to the governor of South Carolina a United States Treasury warrant to cover the amount due the State [$89,137.86], together with $125,000 of South Carolina State bonds, which the Government held and in which some Indian trust funds had been invested. The brief extract to which I have referred is as follows:

Mr. TILLMAN. * * * Then, what did I do? What ought I to have done? It has been eighty-odd years since South Carolina spent her money in defense of the national flag. Every other State in the same category has had its money and has gone—some of them 50 years ago. The Palmetto State was left out in the cold. I simply shut my jaws down on the proposition that I would have that money or I would have an extra session; and I was in a position, under the rules of the Senate, to enforce it, thank God. If the Senate changes its rules I may never get an item again; but, thank God, I have only one more, and that is for the reimbursement of money expended in the war of 1836 with the Indians. There are about $60,000 due South Carolina on that account. I ought to get that some day, but having levied "legislative blackmail," according to my distinguished friend, I suppose the State will have to wait until the 80 years come around. That is the limitation at which South Carolina may hope to get consideration, I suppose.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SMITH of Maryland. Mr. President, I move that the Senate proceed to the consideration of the District of Columbia appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. CHAMBERLAIN. I inquire of the Senator from Maryland if it is his purpose to press the District of Columbia appropriation bill to-night?

Mr. SMITH of Maryland. It is not.

Mr. CHAMBERLAIN. My reason for asking the question is that, if the Senator is not going to press that bill this afternoon, I should like to secure the adoption of the conference report on the Military Academy appropriation bill.

Mr. SMITH of Maryland. I do not expect to proceed with the consideration of the District of Columbia appropriation bill this afternoon.

Mr. SHAFROTH. Mr. President, will the Senator from Maryland yield to me?

The VICE PRESIDENT. He can not yield to two Senators at once, the Chair will announce. He has yielded to the Senator from Oregon.

MILITARY ACADEMY APPROPRIATIONS—CONFERENCE REPORT.

Mr. CHAMBERLAIN. I ask the Senate to proceed to the consideration of the conference report on the Military Academy appropriation bill submitted by me a few days ago and printed in the RECORD.

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 3391) to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

The message also announced that the House insists upon its amendments to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLOOD, Mr. STEDMAN, and Mr. COOPER of Wisconsin managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 10887. An act to amend the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895; and

H. R. 10893. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River, and it was thereupon signed by the Vice President.

PETITIONS.

Mr. WARREN presented petitions of sundry citizens of Wyoming, praying for the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. NELSON presented a resolution adopted by the directors of the Minnesota Real Estate Board, favoring the enactment of legislation to include Members of Congress under the provisions of the Federal income-tax law, which was referred to the Committee on Finance.

He also presented a petition of the City Council of Hector, Minn., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. PHELAN presented a petition of Mailers' Union, No. 9, of Los Angeles, Cal., praying for an increase in salary of pressmen and compositors in the Government Printing Office, which was referred to the Committee on Printing.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Interstate Commerce, to which was referred the bill (H. R. 10297) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, reported it without amendment and submitted a report (No. 500) thereon.

Mr. SHAFROTH, from the Committee on Public Lands, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 3379) to authorize the Secretary of the Interior to exchange public coal lands for private coal lands in certain cases (No. 501); and

A bill (S. 4439) to provide for the survey of a national highway connecting certain national monuments in the States of Utah, Arizona, and New Mexico (No. 502).

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. GALLINGER submitted an amendment providing for the purchase, exchange, care, and maintenance of motor-propelled passenger and delivery vehicles, to be used in connection with the Botanic Garden in the District of Columbia, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the act (S. 2380) granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualification of electors.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia.

H. R. 10887. An act to amend the act entitled "An act for the appointment of a sealer and assistant sealer of weights and measures in the District of Columbia, and for other purposes," approved March 2, 1895; and

H. R. 10893. An act to repeal and annul certain parts of the charter and lease granted and made to the Washington Market Co. by act of Congress entitled "An act to incorporate the Washington Market Co.," approved May 20, 1870.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m., Thursday, June 13, 1918) the Senate adjourned until to-morrow, Friday, June 14, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 13 (legislative day of June 10), 1918.

APPOINTMENTS IN THE ARMY.

CHAPLAINS.

Chaplain George Barry Ford, National Army, to be chaplain, Regular Army, from June 4, 1918.

Chaplain Gerard Schellinger, National Army, to be chaplain, Regular Army, from June 5, 1918.

PROMOTION IN THE ARMY.

QUARTERMASTER CORPS.

Maj. Salmon F. Dutton, Quartermaster Corps, to be lieutenant colonel with rank from May 31, 1918.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

COAST ARTILLERY CORPS.

To be first lieutenant with rank from May 6, 1918.

Second Lieut. Stillman B. Hyde, Coast Artillery Corps.

To be first lieutenants with rank from May 17, 1918.

Second Lieut. Winston W. Little, Coast Artillery Corps.
Second Lieut. Ralph P. Wagner, Coast Artillery Corps.
Second Lieut. John A. Spanogle, Coast Artillery Corps.

INFANTRY.

To be first lieutenants with rank from November 5, 1917.

Second Lieut. Roland M. Glenn.
Second Lieut. Harry S. Robertson.
Second Lieut. Lawrence M. Arnold.
Second Lieut. Arthur R. Knott.

To be first lieutenant with rank from November 6, 1917.

Second Lieut. Samuel O'C. Neff.

To be first lieutenant with rank from November 7, 1917.

Second Lieut. Philip E. Brown.

To be first lieutenant with rank from November 9, 1917.

Second Lieut. Olaf P. Winningstad.

To be first lieutenants with rank from November 19, 1917.

Second Lieut. Raymond M. Myers.
Second Lieut. Paul S. Russell.
Second Lieut. Herbert C. Smith.
Second Lieut. Edward N. Mitchell.

To be first lieutenant with rank from November 22, 1917.

Second Lieut. James A. Van Sant.

To be first lieutenant with rank from November 28, 1917.

Second Lieut. William E. Stanley.

To be first lieutenant with rank from November 29, 1917.

Second Lieut. Frank S. Spruill, jr.

To be first lieutenant with rank from November 30, 1917.

Second Lieut. George A. Davis.

To be first lieutenant with rank from December 2, 1917.

Second Lieut. Laurin L. Williams.

To be first lieutenants with rank from December 19, 1917.

Second Lieut. George Van W. Pope.
Second Lieut. Edwin M. Allison.
Second Lieut. George E. Butler.

To be first lieutenants with rank from December 29, 1917.

Second Lieut. Edgar L. Clewell.
Second Lieut. Herbert A. Buermeyer.
Second Lieut. Leo R. Moody.
Second Lieut. William McL. Christie.
Second Lieut. Leon D. Gibbens.
Second Lieut. Mark M. Grubbs.
Second Lieut. Robert A. Kinloch.
Second Lieut. Joel R. Burney.
Second Lieut. Franklin P. Shaw.

To be first lieutenants with rank from December 31, 1917.

Second Lieut. Winfield H. Scott.
Second Lieut. Arthur G. Davidson.

To be first lieutenant with rank from January 10, 1918.

Second Lieut. Harold A. White.

To be first lieutenants with rank from January 16, 1918.

Second Lieut. Campbell N. Jackson.
Second Lieut. Joel A. Fite.
Second Lieut. James A. Black.

To be first lieutenant with rank from January 18, 1918.

Second Lieut. Clarence R. Peck.

To be first lieutenants with rank from January 21, 1918.

Second Lieut. Glenn G. Hall.
Second Lieut. Charles C. Gillette.
Second Lieut. Walace E. Hawkins.

To be first lieutenants with rank from February 6, 1918.

Second Lieut. Ralph M. McFaul.
Second Lieut. Forrest P. Barrett.
Second Lieut. Beal H. Siler.
Second Lieut. Emmett G. Lenihan.
Second Lieut. Edward Hines, jr.
Second Lieut. Bird Little.
Second Lieut. Evan C. Williams.

To be first lieutenants with rank from February 9, 1918.

Second Lieut. James A. O'Neill.
Second Lieut. Coulter M. Montgomery.
Second Lieut. Einar W. Chester.
Second Lieut. James A. Griffin.
Second Lieut. Guy C. McKinley, jr.
Second Lieut. Gordon P. Savage.
Second Lieut. Harold H. McClure.
Second Lieut. Kingsley Barham.
Second Lieut. Lester E. MacGregor.
Second Lieut. Harold P. Gibson.
Second Lieut. Lloyd R. Besse.
Second Lieut. Willard J. Mason.
Second Lieut. Percival R. Bowey.
Second Lieut. Hugh M. Elmendorf.
Second Lieut. William N. Given.
Second Lieut. Charles F. Sutherland.
Second Lieut. Lance E. Gowen.
Second Lieut. Edward P. Hayward.
Second Lieut. Gilbert E. Parker.
Second Lieut. Francis B. Myer.
Second Lieut. Arthur S. Nevins.
Second Lieut. Gustave Villaret, jr.
Second Lieut. Horace E. Watson.
Second Lieut. Lester A. Webb.
Second Lieut. Royal C. Carpenter.
Second Lieut. Edwin S. Van Deusen.
Second Lieut. Robert S. Boykin.
Second Lieut. Edward M. Ford.
Second Lieut. William L. Phillips.
Second Lieut. George A. Hunt.
Second Lieut. Kenneth G. Reynolds.
Second Lieut. Robert H. Warren, jr.
Second Lieut. Vyse B. Whedon.
Second Lieut. John Walcott.
Second Lieut. Philip H. Condit.
Second Lieut. John E. Dahlquist.
Second Lieut. Russell S. Fisher.
Second Lieut. Luther K. Brice.
Second Lieut. John M. Dale.
Second Lieut. Jack Edward Duke, jr.
Second Lieut. Tom S. Brand.
Second Lieut. Charles M. Ankcorn.
Second Lieut. James R. Urquhart.
Second Lieut. John W. Saladine, jr.
Second Lieut. Morrill W. Marston.
Second Lieut. Morrison C. Wood.
Second Lieut. Alymer B. Atkins.
Second Lieut. Robert Robinson.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

First Lieut. Joseph W. Gavett, jr., Engineers, Officers' Reserve Corps.

First Lieut. Donald Bennett Adams, Engineers, Officers' Reserve Corps.

Second Lieut. William Billings Wilson, Engineers, Officers' Reserve Corps.

First Lieut. Woodward L. Harlow, Engineers, Officers' Reserve Corps.

First Lieut. Homer W. Hesterly, Engineers, Officers' Reserve Corps.

First Lieut. John Carl Williams Hinshaw, Engineers, Officers' Reserve Corps.

Second Lieut. Leonard B. Gallagher, Engineers, Officers' Reserve Corps.

Second Lieut. Hollister Johnson, Engineers, Officers' Reserve Corps.

Second Lieut. Asa Leroy Rogers, Engineers, Officers' Reserve Corps.

Corpl. Earl Bracken, 447th Depot Detachment, American Expeditionary Forces.

Second Lieut. Homer Noble Bartlett, Engineers, Officers' Reserve Corps.

Second Lieut. F. Russel Lyons, Engineers, Officers' Reserve Corps.

Second Lieut. Herman Nathaniel Simpson, Engineers, Officers' Reserve Corps.

Corpl. Freeman Clarkson, Eleventh Engineers.

Second Lieut. Frank W. Hoyt, Engineers, Officers' Reserve Corps.

Master Engineer (junior grade) Fernando T. Norcross, Fourteenth Engineers.

Sergt. Eugene L. MacDonald, Eleventh Engineers.

Pvt. (first class) George Sherrard, jr., Five hundred and third Engineers.

First Lieut. William Norman Thomas, jr., Engineers, Officers' Reserve Corps.

Sergt. James C. Henry, Nineteenth Engineers.

Corpl. John Harold Veale, Nineteenth Engineers.

Second Lieut. Willis G. Whitten, Engineers, Officers' Reserve Corps.

Second Lieut. Lee Sommerville Dillon, Engineers, Officers' Reserve Corps.

First Lieut. Ralph Millis, Three hundred and sixth Engineers, National Army.

Second Lieut. Harold T. Avery, Engineers, National Army.

Sergt. Samuel J. Leonard, Three hundred and twelfth Machine Gun Battalion.

First Lieut. Robert A. Monroe, Fourth Engineers, Officers' Reserve Corps.

Second Lieut. Frederic W. Conant, Sixty-third Infantry, Officers' Reserve Corps.

Second Lieut. George M. Steese, Six hundred and fourth Engineers, National Army.

First Lieut. Peter E. Bermel, Three hundred and third Engineers, National Army.

Second Lieut. Harley Latson, Nineteenth Field Artillery.

Sergt. (First Class) Starling L. Buell, One hundred and twelfth Engineers.

Capt. Charles Grunsky, Engineers, National Army.

First Lieut. Henry H. Batjer, Fifth Engineers, National Army.

First Lieut. Charles J. Davis, jr., Twentieth Engineers, Officers' Reserve Corps.

First Lieut. Marcus P. Taylor, Third Engineers, Officers' Reserve Corps.

Second Lieut. Norman K. Sheppard, Three hundred and thirteenth Engineers, National Army.

Sergt. Victor A. Endersby, Three hundred and twenty-second Field Signal Battalion.

Pvt. Walter Ruppel, Three hundred and sixteenth Military Police.

First Lieut. Bernard E. Baer, One hundred and Twelfth Engineers.

Second Lieut. Jasper B. Carr, Five hundred and thirty-ninth Engineers, Officers' Reserve Corps.

First Lieut. James R. Wilson, Three hundred and fourth Engineers, National Army.

Second Lieut. Jackson H. Wilkinson, Five hundred and eighteenth Engineers, National Army.

Second Lieut. Clinton de Witt, Sixteenth Cavalry.

Pvt. Henry C. Wolfe, Three hundred and fourth Engineers.

First Lieut. Remi C. Knight, Fourth Engineers, National Army.

Second Lieut. Lewis A. Murray, Fifth Engineers, Officers' Reserve Corps.

Corp. John J. Gromfine, Quartermaster Corps.

Second Lieut. Henry TenHagen, Engineers, Officers' Reserve Corps.

First Lieut. Preston M. Geren, Three hundred and sixteenth Engineers, Officers' Reserve Corps.

Second Lieut. Carl R. Shaw, One hundred and seventeenth Engineers.

Second Lieut. Porter V. Hanf, Engineers, National Army.

Pvt. (First Class) Benjamin Seth Goodman, Four hundred and forty-seventh Engineers.

Pvt. Harold A. Taylor, Twenty-third Engineers.

Second Lieut. William M. Howe, Engineers, Officers' Reserve Corps.

Pvt. Emanuel M. Cohen, Twenty-fifth Engineers.

Second Lieut. Theron De Witt Weaver, Engineers, Officers' Reserve Corps.

Pvt. Henry Berbert, Three hundred and sixteenth Engineers.
Master Engineer (Senior Grade) Curtis William Handley, Four hundred and nineteenth Engineers.
Pvt. Carl E. David, Twenty-seventh Engineers.
Sergt. Maj. Leo R. Eick, Five hundred and fourth Engineers.
Sergt. John M. Harman, Three hundred and eleventh Field Artillery.
Pvt. (First Class) William Howard Smith, Twenty-fifth Engineers.
Pvt. Chester C. Hough, Aviation Section, Signal Corps.
Second Lieut. Clarence N. Iry, Engineers, Officers' Reserve Corps.
Second Lieut. Carl O. Isakson, Engineers, Officers' Reserve Corps.
Corpl. John Blake Campbell, Nineteenth Engineers.
Sergt. Fred D. Meudenhall, Seventh Engineers.
Master Engineer (Senior Grade) George Lewis MacKay, One hundred and seventeenth Engineers.
Pvt. Everett L. Woodworth, Sixteenth Service Company.
Second Lieut. Frederick Franklyn Frech, Engineers, Officers' Reserve Corps.
First Lieut. Count Harvey, Fifth Engineers, National Army.
Second Lieut. Roland Jens, Three hundred and tenth Engineers, Officers' Reserve Corps.
Pvt. William E. Thrasher, Coast Artillery Corps.
Second Lieut. George W. Coffey, Twenty-seventh Engineers, Officers' Reserve Corps.
Second Lieut. George O. Consoer, Coast Artillery Reserve Corps.
Second Lieut. Theodore L. Welles, Three hundred and eighteenth Engineers.
Pvt. Conrad P. Hardy, Three hundred and sixteenth Engineers.
First Lieut. Ernest W. Dichman, Aviation Section, Signal Corps.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:
James B. Will,
Millington B. McComb,
Donald B. Beary,
Charles J. Moore,
James T. Alexander,
Francis A. La Roche,
John H. Wellbrock,
Edwards B. Gibson,
Lorain Anderson,
James G. Ware,
Walter A. Edwards,
Herbert H. Bouson,
Ole O. Hagen,
Delavan B. Downer,
William D. Chandler, jr.,
Oscar C. Badger,
James C. Byrnes, jr.,
Robert K. Awtrey,
John R. Peterson, jr.,
Paul F. Foster,
Frank Loftin,
Lewis W. Comstock,
George B. Ashe,
Walter S. Davidson,
Henry J. Shields,
George A. Rood,
Alexander Macomb,
Eugene T. Oates,
Oliver M. Read, jr.,
Joseph M. B. Smith,
Albert R. Mack,
Webb C. Hayes,
Robert M. Doyle, jr., and
Robert M. Hinckley.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:
Guy C. Hitchcock and
Thales S. Boyd.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:
John C. Lusk and
Stuart A. Maher.

The following-named midshipmen to be ensigns in the Navy from the 7th day of June, 1918:
Malcolm F. Schoeffel,
Thomas G. W. Settle,
Lucien M. Grant,
James E. J. Kiernan,
Richard M. Rush,
James R. Allen,
Daniel W. Hand, jr.,
Charles A. Nicholson, 2d,
Paul W. Hains,
Ralph A. Ofstie,
Rex LeG. Hicks,
Herbert M. Scull,
Matthias B. Gardner,
Leslie C. Stevens,
Charles H. Cushman,
Howard W. Fitch,
Creighton C. Carmine,
Robert F. Nelson,
Antonio S. Pitre,
Winfield A. Brooks,
Thomas P. Wynkoop, jr.,
Ernest E. Herrmann,
James M. Johnston,
Arthur S. Adams,
William E. Hilbert,
Hugh W. Olds,
Albert T. Sprague, 3d,
Maurice H. Stein,
Hobart A. Sailor,
William McC. Callaghan,
Rodman D. de Kay,
Harold L. Challenger,
John J. Orr,
Hubert H. Anderson,
Joseph Buchalter,
Thomas P. Jeter,
Robert G. Waldron,
Adolph O. Gieselmann,
David H. Clark,
Jeffrey C. Metzel,
Festus F. Foster,
Russell M. Ihrig,
James J. Graham,
Ralph B. Netting,
Ralph H. Roberts,
Valentine H. Schaeffer,
Floyd S. Crosley,
Eugene L. Kell,
Allen D. Brown,
John W. Roper,
William C. Vose,
Harry B. Slocum,
Charles E. Olsen,
Robert P. Briscoe,
Harry R. Thurber,
James B. Sykes,
Lyle N. Morgan,
Clarence H. Schildhauer,
Cuthbert A. Griffiths,
Franz O. Willenbucher,
Harry McC. Jones,
Thomas J. Griffin,
William H. Ferguson,
Ernest H. von Heimburg,
Morton T. Seligman,
Douglas A. Powell,
William N. Updegraff,
Stuart S. Murray,
John O. Huse,
Charles J. Palmer,
William D. Sample,
Arthur P. Thurston,
Logan C. Ramsey,
Scott G. Lamb,
Alfred P. Moran, jr.,
William E. Clayton,
Richard B. Tuggle,
Harry Goodstein,
John H. Cassady,
Julian B. Noble,
Gerald L. Schetky,
Donald C. King,
Henry R. Herbst,
Charles E. Coney,
Dean D. Francis,

Wade E. Griswold,
William H. Mays,
Elmer R. Hill,
Henry D. Baggett,
William L. Marsh,
Bayard H. Colyear,
Charles L. Andrews, jr.,
Ralph W. Hungerford,
Charles B. Hunt,
George McF. O'Rear,
John W. Cullens,
James D. Lowry, jr.,
Albert P. Burleigh,
Eric M. Grimsley,
Charles K. Post,
John B. Griggs, jr.,
Eliot H. Bryant,
George C. Dyer,
Alonzo B. Alexander,
Walter D. Whitehead,
David S. Crawford,
Charles J. Rend,
Everett D. Kern,
Ten Eyck DeW. Veeder, jr.,
Robert L. Boller,
Albert R. Staudt,
Henry C. Fengar,
John Neal,
Gorden H. Mason,
Dorrance K. Day,
Paul F. Lee,
Marshall R. Greer,
Philip P. Welch,
George J. Downey,
Walter S. Barlow,
Joseph R. Lamnom,
Louis B. Pelzman,
Harry A. Rochester,
Edwin Friedman,
George Kirkland,
James J. Hughes,
Carl K. Fink,
John J. Patterson, 3d.,
Walter Ansel,
Wilfrid C. Wilcock,
Adrian O. Rule, jr.,
Miles P. Duval, jr.,
Walther G. Maser,
Elmer R. Runquist,
Walton R. Read,
Daniel M. McGurl,
William E. Tarbutton,
Homer I. Sherritt,
Philip V. Sullivan,
Stephen K. Hall,
Robert McL. Smith, jr.,
Robert B. Crichton,
Paul H. Talbot,
Russell S. Barrett,
James L. Holloway, jr.,
Gustave H. Bowman,
James L. Wisenbaker,
Ralph E. Jennings,
Frank N. Sayre,
Peyton S. Cochran,
Paul B. Thompson,
Fred W. Beltz,
John B. McDonald, jr.,
Kenneth D. Muir,
John G. Crawford,
Paul D. Dingwell,
James G. Atkins,
Frank V. Aler, jr.,
Leonard C. Parker,
Cyril K. Wildman,
Francis H. Gilmer,
Earle H. Kincaid,
Carleton McGauly,
George W. Brashears, jr.,
Giles E. Short,
Van Rensselaer Moore,
Thomas B. Fitzpatrick,
Dixie Kiefer,
Horace R. Whittaker,
Willis W. Pace,
Harold M. Martin,
Joseph S. Ives,
Edgar R. Winckler,
John L. Reynolds,
William J. Strachan,
John R. Redman,
Ross A. Dierdorff,
George F. Mentz,
Herbert S. Woodman,
George H. Mills,
Charles Allen,
Jack C. Richardson,
Robert M. Dorsey,
Desmond J. Sinnott,
Spencer H. Warner,
John S. Spaven,
Grayson B. Carter,
Riffel G. Rhoton,
Willment P. Martin,
Franklin P. Waller, and
Charles H. Rockey.

Boatswain Joseph A. Rasmussen to be a chief boatswain in the Navy from the 19th day of February, 1918.

Gunner John Meyer to be a chief gunner in the Navy from the 15th day of February, 1918.

The following-named officers of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 8th day of June, 1918:

Charles L. Bristol, jr.,
Stuart L. Peck,
Henry W. Reding,
Harold M. Levy,
Elmo H. Conley,
Donald McL. Day,
James I. Boyce,
Ralph R. Brubaker,
Robert D. Longyear,
Frank F. Walker,
Alfred M. Gagneux,
Frederick S. Hodgman,
Louis Etshokin,
Robert C. McKean,
Donald E. Montgomery,
Albert L. Baker,
John H. Fenton,
Vergil A. Davison,
Ralph L. Colton,
Chandler D. Ingersoll,
Bruce Hoggson,
Robert R. Titus,
Herman Siefke, jr.,
Alexander A. Cameron,
Robert A. Skinner,
Frank N. Bolton,
Henry A. Orrick, jr.,
Harold M. Kennedy,
Cecil L. Shockley,
Perry A. Howard, jr.,
Perry McK. Sturges,
Francis P. Baeyertz,
John F. Kelsey,
Cushing Phillips,
Howard L. Seaton,
Edward R. Simpson,
Samuel W. Morris,
Irving B. Levi,
William R. Brent,
Carlisle C. McIvor,
John F. O'Rourke, jr.,
Caspar W. B. Townsend,
Otis R. Marston,
Russell C. Lewis,
Allan C. Davis,
Robert E. Christy,
Freeman L. Curtis,
Ralph C. Taylor,
Frederick N. Worth,
Leonard M. Starbuck,
Harold Edwards,
Raymond W. Smith,
Henry S. Bothfeld,
Hoyt M. Leisure,
David H. Hammer,
Virgil E. Durden,
Edmund G. Flint, jr.,

John T. Gorce,
Joseph H. Cox,
Albert H. Siemer,
John R. Montgomery,
Walter S. Mallory, jr.,
Clarence V. Lally,
Carl H. Zeiss,
Clifford L. Fenton,
Louis T. Young,
David M. Gilmore,
John R. Shuman,
Thomas L. R. Husselton,
John P. Hillyard,
John W. Bishop, jr.,
Stephen S. Whitby,
John A. Cleverley,
Harold P. Manly,
Carl King,
John W. Savage,
Francis Earle,
Rodney N. Landreth,
John H. Jones,
Thacher Jenny,
William H. Gridley,
Roy L. Maryatt,
James R. Weaver,
Robert F. Massonneau,
Ira D. Bertolet, jr.,
Percy E. Ricketts,
Frederick R. Rogers,
Albert J. Matthes,
Frederick H. Hunter,
Edward S. Esty,
Ralph McK. Hammer,
Stuart S. Cutler,
Egmont G. Hildner,
Rodney W. Henry,
Edgar C. Earle,
Paul G. Neal,
Warren C. Du Bois,
Donald S. Good,
Raymond D. Thiery,
Lewis J. D. Truhan,
James B. Griffin,
Samuel W. Roberts,
Donald C. Burnham,
Leo M. Blancke,
Hal C. Harding,
Gilder S. Horne,
Edward K. Crothers,
Francis L. Hamill,
Frank O. Wilhelm,
Harold B. Leland,
Robert M. Macdonald,
Paul F. Dudley,
George P. MacDonald,
Herbert E. Harrington,
Arthur E. Stivender,
Howard W. Sherrill,
George N. Whiting,
Edwin W. Hartzell,
Russell L. Colley,
Donald B. Caldwell,
Richard G. Berger,
Matthew K. Coleman,
Dwight L. Armstrong,
Raymond C. Hartung,
Fred C. Shoebridge,
John H. Barnitz,
Frank C. Fisher,
George M. Murray,
Russell P. Crothers,
Sullivan A. Sargent, jr.,
Malcolm M. Chesney,
James I. Marsh,
Frederick S. Blackall, jr.,
Norman F. Thompson,
Allan S. MacGillivray,
Charles W. Cornell,
Ray L. Morrow,
Thomas E. Hapgood,
Lee L. MacLellan,
Donald S. Page,
Hugh Y. Blodgett,
John M. Convery,
Walter S. Hayes,
George E. Hansen,
Ernest A. Scholze,
Frank H. Nelms,
Algernon P. Reeves,
Yale R. Schively,
James H. Mitchell,
Edmund D. Dodd,
Richard C. Enderly,
Hallett W. Thorne,
James C. Stephens,
William A. Schwacofer,
Malcolm J. Otis,
Douglas E. C. Moore,
Walter L. Weil,
Roy J. McKee,
Everett C. Read,
Benjamin T. Hoogland,
Palmer M. Gunnell,
John A. Dodd,
Edward L. Freeman,
William E. Wesson,
Herman C. Anderson,
William H. Parker, jr.,
Thurmond Chatham,
Andrew J. McElhinney,
Franklin McI. Simpson,
Larcom Randall,
Jonathan L. Sellman,
Edgar E. Evans,
Clarence A. Murfey,
Emmett J. Driscoll,
Robert F. MacNally,
William P. Thomas,
Edward DeM. Payne,
Earle Walton,
Murray C. Binford,
George M. Stevens,
Samuel B. Ogden,
Wallace R. Crumb,
Joseph N. Owen,
Robert S. Boles,
Joseph C. Newman,
Benjamin M. Hooper,
Herbert C. Phillips,
Daniel Drake-Smith,
Benjamin Allen,
Clarence E. Knapp,
John H. O'Connell,
William G. Gaston, jr.,
William H. Wilsen,
Daniel M. Lord, jr.,
Arthur F. Folz,
John Adikes, 2d,
Francis D. H. Eaton,
Joseph DeV. Keefe,
Robert L. Clarkson,
Paul F. Hittinger,
Thomas C. Ould,
Charles W. Johnson,
Warren M. Robertson,
Alvin E. Loucks,
Marshall E. Montgomery,
Malcolm L. Wallace,
Walter S. Mack, jr.,
William N. MacGowan,
William C. Wright,
George B. South,
Frank E. McClure,
Harold E. Shore,
David M. Little, jr.,
Leland F. Henderson,
Julian F. Greeley,
Robert L. Atwell,
William J. English, jr.,
Richard H. Woodward, jr.,
Vincent J. O'Reilly,
Barry L. Morgan,
Raymond A. Bauer,
Robert V. Anderson, jr.,
Oliver J. Anderson,
Roland N. Calkins,
William O. Randall,
Norman E. Donnelly,
Amor B. Brehman,

William O. Tait,
Clarence H. Benham,
Walter C. Askew, jr.,
David W. Pinkerton,
William D. Phelps,
John G. Muirheid,
Warren S. Pratt,
Carl F. Pieritz,
Charles E. Judge,
Fred A. Hardesty,
Robert S. Babcock,
Harry E. Johnson,
Hilary E. Corwin,
Henry C. Monroe,
Joseph M. Higgins,
Harry H. Fisher, jr.,
Donald B. Van Hollen,
Allison N. Piper,
Lee C. Hinslea,
Stuart D. Hazen,
Everett W. Edwards,
Earl R. Loomis,
Henry S. Bohling,
John B. Fitzpatrick,
William Ross,
George J. Carr,
William M. White,
Leslie Wheeler,
Samuel E. Breck,
Herbert Shoemaker,
Alfred Pedrick,
Charles W. Hickernell,
Lowell McCutcheon,
Edward W. Duggan,
Irving H. Perkins,
Charles W. Brown, jr.,
Charles S. Goldammer,
George W. Van Slyck,
Danford M. Baker, jr.,
Albert S. Kohl,
Arthur F. Morrill,
John H. Duncan,
Thomas C. Perkinson,
James D. Griffin,
Jeremiah F. Sullivan,
Samuel Temple,
Gilbert L. Pitcairn,
Don S. Prescott,
Harry E. Dow,
George C. DeLacey, jr.,
Ralph W. Bulkeley,
Edgar F. Wilson,
Ralph A. McWaid,
Benjamin F. Schwartz,
Charles W. Arnold, jr.,
William R. Squire,
Herbert D. Pearl,
Donald G. Beachler,
George F. Rieman,
George W. Robinson,
Herbert S. Warren,
Frank L. St. John,
Charles L. McCune,
Peter A. Wilkinson, jr.,
Charles T. Ballard,
John L. Priest,
William W. Palmer,
Luther S. Phillips,
Warren P. Vickerman,
Everett L. Cole,
Donald C. McFadyen,
Donald P. Robinson,
Lloyd S. Kinnear,
Foster Gunnison,
Arthur J. Grant,
Bernard C. Decker,
Ryder H. Gay,
Aiden W. Allen,
Donald L. Smith,
Frederick L. Ryon,
Samuel H. Packer,
Parker Poole,
Daniel S. Brierley,
Gordon M. West,
Frank E. Vensel, jr.,
Frank H. Inscho,
Robert P. Hughes,
Edgar W. Upton, jr.,
Edward L. Stites,
Charles E. Franklin,
William G. McKee,
Howard W. Clarke,
Henry G. W. Parmele,
Clarence B. Brewster,
Hugh T. Keyes,
James H. Woodward,
Stewart R. Whitehurst,
Oswald C. Grattan,
William L. Bingham,
Paul Fisher,
Mortimer B. Veale,
Clayton R. Jones,
Charles B. McGowan,
Thomas E. Scofield,
Henry F. Massnick,
Louis B. McCagg, jr.,
James L. Billingsley,
Walter H. Stanton,
John A. Cronin,
Murray C. Harvey,
John W. Stafford,
Arthur F. Anderson,
John E. O'Gara,
William H. Bloeser,
Thornton H. Bissell,
Theodore C. Junkins,
David S. Hirschberg,
Philip M. Woodwell,
Edwin Franklin,
John S. Humphreys,
Franklin H. Thomas,
Nils V. Nelson,
Frank W. Wilmarth,
Edmond S. Spencer,
William H. Henszey,
Earle H. Strickland,
Charles W. Williams, jr.,
John G. Alley,
Donald F. Miller,
Rosser A. Huff,
Charles S. Seely,
Richard N. Wilder,
Walter Logan,
Elbert C. Isom,
Philips S. Dutton,
Eliot F. Landon,
Duncan McC. Dayton,
Henry W. Post, jr.,
Alexander V. Tisdale,
Joseph T. Hayes,
Ernest A. Houle,
Samuel M. Hunt,
William H. Cullinan,
Edwin B. Dickinson,
Joseph L. Cassidy,
Jere D. Eggleston,
Otto D. Walz,
Leo B. Tyson,
Arthur C. Torrey,
Elliott F. Upson,
Edward W. Lombard,
Ira W. Truitt,
Horace D. Glover,
Howard N. Porter,
Holden K. Farrar,
Franklin C. Morton,
Abram L. Hopkins,
Milton F. Smith,
Frank H. Wright,
Morton L. Wallerstein, and
James B. Duff, jr.

Asst. Surg. Louis C. Vattier, of the United States Naval Reserve Force, to be an assistant surgeon in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 19th day of January, 1918.

The following-named citizens to be acting chaplains in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 28th day of May, 1918:

Charles B. Bare, a citizen of New York.
Clinton A. Neyman, a citizen of Illinois.

Mortimer A. Sullivan, a citizen of New Jersey, and
Norris L. Tibbetts, a citizen of Massachusetts.

Ludwig Hildebrandt, a citizen of New Jersey, to be an acting chaplain in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 29th day of May, 1918.

Philip C. King, a citizen of Ohio, to be an acting chaplain in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 3d day of June, 1918.

The following-named citizens to be acting chaplains in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 5th day of June, 1918:

Powell H. Norton, a citizen of Pennsylvania, and
Truman P. Riddle, a citizen of Missouri.

CONFIRMATION.

Executive nomination confirmed by the Senate June 13 (legislative day of June 10), 1918.

POSTMASTER.

NORTH CAROLINA.

John B. Robinette, Taylorsville.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 13, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, we would praise and magnify Thy Holy Name, for the nobler qualities of soul which we recognize as the better angels of our nature; truth, justice, love, mercy, purity, altruism, which in times of great crises lift men out of themselves and make them heroes in the strife; illustrated in the stream of self-sacrifice for the suffering men, women, and children in the war zone; and in the patriotism displayed on the field of battle, than which no higher type can be cited than in the heroism of the young man whose letter to his mother was read into the CONGRESSIONAL RECORD of yesterday; and while such sacrifices are poured out on the altar of liberty, the life and perpetuity of republics are insured, to the glory and honor of Thy Holy Name, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATION BILL.

Mr DENT. Mr. Speaker, I desire to submit a conference report on the Military Academy appropriation bill for printing under the rule, and in the absence of the gentleman from California [Mr. KAHN], with whom I have an agreement, I ask that all points of order be reserved in his name.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

Conference report on the bill H. R. 11185, making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER. The gentleman from Alabama in the name of the gentleman from California [Mr. KAHN] reserves all points of order.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

Mr. MADDEN. Mr. Speaker, I offer the following privileged resolution for present consideration.

The Clerk read as follows:

House resolution 392.

Resolved, That the President be requested, if not incompatible with the public interest, to report to the House of Representatives the number of men in the service of the Food Administrator, Fuel Administrator, and all boards and commissions appointed by Executive order since April 5, 1917, who were on June 5, 1917, between the ages of 21 and 31 years, for whom requests for exemption from military duty or deferred classification have been asked by such administrators, boards, or commissions and allowed; the name and home address of each such person; the character of work he is performing in the service of such administrators, board, or commission; and the length of time he has been in such service.

Mr. GARNER. Mr. Speaker, reserving the right to object to the present consideration of the resolution, would not the gentleman from Illinois be willing for the resolution to go to the Committee on Rules if he had the assurance that the resolution would be reported back at an early date for consideration? I can not tell from the reading of the resolution whether it is in such form as to get the information that a great many Members of the House would like to secure.

Mr. GARRETT of Tennessee. It would not go to the Committee on Rules under the rule.

Mr. GARNER. Mr. Speaker, to what committee would the resolution go? I was under the impression that it would go to the Committee on Rules.

The SPEAKER. To the Committee on Military Affairs.

Mr. GARNER. Do I understand the Speaker to say that he would have to refer it to the Committee on Military Affairs?

The SPEAKER. That is the Chair's first impression, but he knows no more about it than the gentleman from Texas.

Mr. GARNER. I thought if the gentleman from Illinois could be assured that it would be referred to some committee, and that that committee would give it early consideration and report it back, it might be wise to send it to the committee.

Mr. MADDEN. I am perfectly willing to do whatever will meet the situation best. I do not want to ask the House to pass a resolution without its being satisfactory to the House and will bring the information that I wish to obtain. It makes no difference to me whether it is passed to-day or a week from to-day. So that I am perfectly willing to accede to the request of the gentleman.

Mr. DENT. Mr. Speaker, if the Military Committee has jurisdiction of the resolution—I did not listen to the reading of it—I will promise the gentleman that the committee will give it early consideration.

Mr. GARNER. I will make a request for unanimous consent. I do not suppose the gentleman from Alabama is very anxious to consider this resolution, and I ask unanimous consent that it go to the Committee on Rules. I have some assurance that that committee will give it early consideration and bring it back to the House.

Mr. MADDEN. The resolution is privileged, and if at the end of seven days the committee did not report it the committee could be discharged.

The SPEAKER. The gentleman from Texas asks unanimous consent that this resolution be referred to the Committee on Rules. Is there objection?

Mr. WALSH. Reserving the right to object, I would like to ask the gentleman from Texas, who prefers the request for unanimous consent, what reason he has for treating this resolution, which I understand is in practically the identical language and form as the other resolutions that have been passed by the House, why he desires to treat this differently from the other resolutions? Is it because in this resolution we are calling on the President for the information, or because those resolutions already passed will not bring forth the information?

Mr. GARNER. I will say to the gentleman from Massachusetts that I do not know whether the resolutions that have been passed heretofore are going to get the information that some Members of the House sought and hoped for. The reading of this resolution does not convince me that it will get the information that is in the minds of some Members of the House. It refers to two commissions, the Food and Fuel Commissions, and other heads of bureaus.

Mr. MADDEN. To boards and commissions appointed by Executive order since the declaration of war. The reason why this resolution was addressed to the President is that the Food Administrator and the Fuel Administrator and the commissions that have been appointed by Executive order have not the dignity of department heads to whom we could address a communication, and hence we are obliged to apply to the President of the United States in order that we might get the information and place it before us.

Mr. WALSH. Mr. Speaker, of course these commissions or administrative boards were appointed by the President under proclamation authorized in the act reported to the House by the Committee on Agriculture, and if that committee has jurisdiction over legislation which made these commissions possible, it would seem that the Committee on Agriculture would be the proper committee to consider this resolution.

Permit me to remind the gentleman from Illinois [Mr. MADDEN] that when he asked for information from another coordinate branch, viz, the Interstate Commerce Commission, he directed his inquiry directly to that commission.

Mr. MADDEN. If the gentleman will permit, the reason for that is that the Interstate Commerce Commission is an independent department of the Government, not subject to the President of the United States or anyone else.

Mr. WALSH. I can not agree with the gentleman there. I think it is subject for appointment at least to the President of the United States.

Mr. GARRETT of Tennessee. Mr. Speaker, in order to save time I object to the present consideration of the resolution.

The SPEAKER. The gentleman from Tennessee objects to the present consideration of the resolution, and the Chair will refer it to the Committee on Military Affairs, as that is his best

impression as to the committee to which it ought to go. These boards in respect to which the gentleman from Illinois has directed his inquiry do not seem to be attached to any particular department.

DESECRATION OF THE FLAG.

Mr. DENT. Mr. Speaker, I ask unanimous consent for a rereference of Senate bill 121, to prevent desecration of the flag of the United States, and to provide punishment therefor, from the Committee on Military Affairs to the Committee on the Judiciary.

The SPEAKER. Without objection, it will be referred to the Committee on the Judiciary.

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on June 13, 1918, approved and signed bills of the following titles:

H. R. 5558. An act to amend section 101 of the Judicial Code;

H. R. 7796. An act to increase the salary of the United States marshal for the western district of Michigan;

H. R. 9864. An act to amend section 111 of the Judicial Code; and

S. 2380. An act granting to the Legislature of the Territory of Hawaii additional powers relative to elections and qualification of electors.

POST OFFICE APPROPRIATION BILL—CONFERENCE REPORT (647).

Mr. MOON. Mr. Speaker, I call up from the Speaker's table the conference report upon the Post Office appropriation bill, H. R. 7237, for consideration at this time, and ask unanimous consent that debate upon the report may be had for four hours, two hours of the time to be controlled by the chairman of the committee and two hours by the gentleman from Minnesota [Mr. STEENERSON].

The SPEAKER. The gentleman from Tennessee calls up a conference report and asks unanimous consent that debate upon it be limited to four hours, two to be controlled by himself and two by the gentleman from Minnesota [Mr. STEENERSON]. Is there objection?

Mr. SHERLEY. Mr. Speaker, reserving the right to object——

Mr. STEENERSON. Mr. Speaker, I want to say that although the pressure for time upon this side has been such that it would require a good deal more, yet in view of the urgent conditions in the House in respect to business and getting rid of it as soon as we can I have agreed with the chairman of the Committee on the Post Office upon this proposition.

Mr. SHERLEY. Mr. Speaker, reserving the right to object, the fact that these gentlemen have agreed among themselves ought not altogether to control the matter. I have no desire to prevent any necessary discussion, but we are getting within less than three weeks of the end of the fiscal year. It is necessary that the sundry civil appropriation bill, the fortifications appropriation bill, and another general deficiency bill should be passed by the House and agreed to by the Senate before that time. It is exceedingly important that we press these bills forward. The failure to pass them by the end of the fiscal year would entail the necessity of passing joint resolutions that only would inadequately provide for a lot of activities of the Government of the first importance. We are getting to a point where conference reports will come in here right along, and if every conference report is to take a day we will of course not anywhere near clean up the business of the session in time.

Mr. MADDEN. Mr. Speaker, will the gentleman yield.

Mr. SHERLEY. In a moment. I suggest that the gentlemen arrange for a very much shorter time than that suggested.

Mr. STEENERSON. I would like to say to the gentleman from Kentucky [Mr. SHERLEY] that this bill carries about $385,000,000, and I believe a discussion of it would hasten agreement upon it, so that instead of this being conducive to delay it will hasten action.

Mr. SHERLEY. Mr. Speaker, everyone knows that the bill is important, though the amount involved is no longer large. There is disagreement upon practically only one item, and there is no need of a debate for four hours in order to take care of the views of the House upon one item of any conference report.

Mr. MADDEN. Mr. Speaker, I was about to suggest to the gentleman that, of course, a great many Members of the House are anxious to discuss the pneumatic-tube phase of this disagreement. Personally I would be willing to vote upon it without any discussion.

Mr. GARNER. Does the gentleman not believe that nearly everyone in the Chamber, or every Member of the House, is conversant with the merits of the controversy concerning the tube business?

Mr. MADDEN. I do not know that I could say that.

Mr. GARNER. And that two hours' debate, an hour on each side, would inform the House of whatever new issues might have arisen concerning the pneumatic tubes?

Mr. MADDEN. Of course the disagreement upon the tube question as it appears in the bill has never been before the House.

Mr. GARNER. It is a new phase.

Mr. MADDEN. Yes. To some extent there is justification for reasonable discussion, because it never has been before the House in its present form.

Mr. SHERLEY. Two hours would be double the time the rules provide.

Mr. MADDEN. I have no objection to that; but, of course, I want to facilitate the transaction of business all I can.

The SPEAKER. Is there objection?

Mr. SHERLEY. Mr. Speaker, I object to the present request.

Mr. MOON. Mr. Speaker, it is immaterial to me whether we debate this question at all or not. The gentleman from Minnesota desires six hours, and I want to accommodate him as much as I can. I therefore agreed to four hours, provided, of course, the House would agree to that. Objection is made, however, and in a further spirit of accommodation to the gentlemen upon the other side I shall change the request so as to make it three hours.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that debate upon this Post Office appropriation bill conference report shall be limited to three hours, half to be controlled by himself and half by the gentleman from Minnesota [Mr. STEENERSON]. Is there objection?

Mr. SHERLEY. Mr. Speaker, reserving the right to object, I suggest that debate be had until 3 o'clock, and that then a vote be had.

Mr. GILLETT. Oh, that is not fair, because one man could by making the point of order of no quorum shut off half of the debate. I think a certain length of time for debate ought to be fixed.

The SPEAKER. Is there objection to the three hours? [After a pause.] The Chair hears none.

Mr. MOON. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 26, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 8, 11, 13, 14, 15, 16, 17, 18, 20, 25, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 55, 56, 61, 62, 64, and 65, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: On page 2 of the bill, in line 12, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: On page 3 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: On page 5 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: On page 10 of the bill, in line 23, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: On page 11 of the bill, in line 11, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: On page 11 of the bill, in line 14, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Of the matter inserted by said amendment, strike out "$200,000" and insert in lieu thereof "$300,000"; strike out the word "the" after the words "payment of" and insert the word "this"; and strike out the words "contemplated by the appropriation title," so the amendment as amended will read as follows: "$6,700,000: *Provided*, That not to exceed $300,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Of the matter inserted by the Senate, after the words "payment of," strike out "the" and insert "this"; strike out the words "contemplated by the appropriation title," so the amendment as amended will read as follows: "$2,700,000: *Provided*, That not to exceed $100,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In the amendment proposed by the Senate, after the word "Winnepasaukee," insert the following: "from the post office at Laconia"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 15 of the bill, in line 27, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In the matter proposed by the Senate, after the word "compensation," where it last appears, and before the word "provided," insert "thus"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of "$400,000" proposed insert "$370,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "nor shall any of said sum be expended for star route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "*Provided further*, That on and after July 1, 1918, rural carriers assigned to horse drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof based on actual mileage: *Provided further*, That the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,160 per annum"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows:

"SEC. 2. That during the fiscal year ending June 30, 1919, the annual salaries fixed by law for assistant postmasters at first and second class post offices, and supervisory officials, whose compensation is $2,200 and less per annum, shall be increased $200, and those whose compensation is in excess of $2,200 shall be increased 5 per cent; that clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That on July 1, 1918, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades and the salaries they receive thereunder to the new grades, 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1 at $1,100; grade 2 at $1,200; grade 3 at $1,300; grade 4 at $1,400; grade 5 at $1,500; grade 6 at $1,600; grade 7 at $1,700; grade 8 at $1,800; grade 9 at $1,900; grade 10 at $2,000.

"The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

"Class A, $1,100 to $1,400; class B, $1,100 to $1,500; and class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That on July 1, 1918, railway postal clerks shall pass automatically from the grades they are in and the salaries they receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act: *Provided*, That the classifications and increases of salaries provided for in this section shall not be continued beyond the fiscal year ending June 30, 1919: *Provided further*, That the salary of clerks, carriers and railway postal clerks shall be increased during the fiscal year 1919, not more than $200: *Provided further*, That the classifications herein provided for shall not become effective until July 1, 1918: *Provided further*, That the salaries of such other employees fixed by law or paid from lump-sum appropriations provided for in this act, including laborers in the Railway Mail Service, who receive $800 per annum or less shall be increased 20 per cent per annum; those who receive in excess of $800 and not more than $1,500 shall be increased 15 per cent per annum; and those who receive in excess of $1,500 and not more than $2,200 shall be increased 10 per cent per annum. Rural carriers assigned to horse-drawn vehicle routes now receiving a compensation of $1,200 or less per annum, exclusive of mileage allowance for miles on routes over 24 miles in length, shall receive, in addition thereto, 20 per cent of the amount of such compensation. Such increases shall not apply to the special assistant to the Attorney General appropriated for in this act and to postmasters at offices of the first, second, and third classes: *Provided further*, That postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent of the cancellations of the first $80 or less per quarter: *Provided further*, That, if the compensation does not exceed $50 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That hereafter substitute, temporary, or auxiliary clerks and letter carriers at first and second class post offices shall be paid at the rate of 40 cents an hour: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in con-

struing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated."

And the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In the matter proposed by the Senate strike out the words "assistant postmasters and other supervisory employees and"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the Senate insert the following:

"SEC. 4. That the Postmaster General is authorized to investigate conditions arising from contracts in the star-route, screen-wagon, and other vehicle service entered into prior to June 30, 1917, and from contracts for furnishing envelopes, blanks, and blank books, and the Official Postal Guide, for contracts entered into prior to June 30, 1917, with a view to determining whether any adjustment should be made in the compensation and to adjust the same for materials or services hereafter to be furnished or rendered in cases where the facts disclose the necessity for such adjustment, or, in his discretion, with the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts."

And the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$300,000"; and after the word "date" insert a period and strike out the remainder of the section reading as follows: "separately stating the income derived from the transportation of the mails and the transportation of farm products: *Provided*, That in establishing the routes they shall be equitably distributed among the several States"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: After the words "unsuitable for the purposes of the War Department" insert "but suitable for the use of the Postal Service"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: After the words "such positions" insert a period and strike out the remainder of the section reading as follows: "and once in each month the immediate family of any such employee while in the military or naval service of the United States or of any member or individual connected with the American Expeditionary Forces in Europe may send to such employee or member or individual one package of mail, not exceeding 3 pounds in weight, other than letter mail, without the request required by order No. 1259 of the Postmaster General"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 23, relating to the purchase of the pneumatic mail-tube systems: The conferees have been unable to agree.

JOHN A. MOON,
THOMAS M. BELL,
A. B. ROUSE,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

J. H. BANKHEAD,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, as follows:

On amendments 1, 4, 6, 7, 9, 10, and 27: These amendments relate to items of compensation for a stated number of employees at stipulated salaries, plus temporary increases for the next fiscal year provided in amendment 52, and the language inserted is for the purpose of making plain the legislative intent which made it necessary to increase the amounts to be appropriated therefor.

On amendments 2, 3, 5, 11, 12, 16, 17, 18, 30, 37, 46, and 51: These amendments also relate to the temporary increases for the next fiscal year for postal employees whose compensation is appropriated for in lump-sum allowances. The increases inserted by the Senate amendments are necessary to provide for the temporary increases proposed.

On amendment 8: Amendment 8 amends present law to enable postal employees entitled to compensatory time for Sunday or holiday service, if they so select, to accept pay for overtime in lieu of compensatory time. It is deemed that such legislation is wise and in the interest of good service, since many employees entitled to compensatory service within the week following prefer to work rather than take the time off.

On amendments 13 and 15: Amendments 13 and 15 make permanent law an identical amendment which has been repeated in each appropriation bill for a number of years. These amendments will make unnecessary the repetition of the same language in future appropriation bills.

On amendment 14: Increasing the appropriation by $300,000 is made necessary by the increased cost for rent, light, and fuel in first, second, and third class post offices.

On amendment 19: The amendment agreed to does not increase the appropriation, but makes available $300,000 for the fiscal year ending June 30, 1918.

On amendment 20: This amendment is merely clerical.

On amendment 21: Amendment 21 makes immediately available for the present fiscal year $100,000 for mail messenger service.

On amendment 22: This amendment relates to postage on drop letters in the city of New York, from which the Senate conferees receded.

On amendment 24: Amendment 24 relates to the mail service on Lake Winnepesaukee, N. H. A similar item has been carried in a number of previous bills, which fixed the salary of the carrier because of the peculiar conditions attending the service.

On amendment 25: Amendment 25 is a change in language made necessary by the preceding amendment.

On amendment 28: The word "regular" is inserted so as to enable the department to employ temporary railway postal clerks during certain emergencies, and is inserted to make clearer the legislative intent.

On amendment 29: The increased amount is necessary because of additional demands upon the service, provided for in this item.

On amendments 31 and 32: Amendment 31 is necessary because of an increase of $10,000 in the appropriation provided for in amendment 32, made necessary, upon the statement of the Postmaster General that the unusual conditions require the additional amount and is in the interest of good service.

On amendment 33: This amendment requires the Interstate Commerce Commission to fix and determine fair and reasonable rates of compensation for the transportation of mail by urban and interurban electric railway common carriers, the same as is now the case with steam railways, and provides that after the rates are so fixed pursuant to due notice and hearing, as is usually provided, it shall be unlawful for such carriers to refuse to perform the service at the rates so prescribed.

On amendment 34: Amendment 34 increases the appropriation for censorship of foreign mails made necessary because of the increased labor involved, and makes immediately available $200,000 for that purpose.

On amendment 35: This amendment is intended to prevent duplication in the censorship of mails from the military forces connected with the American Expeditionary Force.

On amendment 36: Amendment 36 increases the appropriation for the manufacture of stamped envelopes and newspaper wrappers due to the increased demands upon the department.

On amendments 38, 39, 40, 41, and 42: These amendments relate to the supply of sundry material for the Postal Service throughout the country, and the increases provided are necessary because of the rapid growth of the service and the unusual demands for material and supplies.

On amendment 43: Amendment 43 makes available additional appropriations necessary for material and supplies, and for $100,000 to be used by the Postmaster General for the installation and experiments with mail-distributing machines.

On amendment 44: Amendment 44 changes the word "chairs" to "chains" to correct a clerical error.

On amendment 45: This amendment materially increasing the appropriation provided by the House is necessary to enable the department to purchase raw material and better equip the shops in the city of Washington for the manufacture of mail bags, mail containers, etc. Recent bids disclosed that the cost for this material in the open market has increased approximately 100 per cent. The Post Office Department believes that with additional funds they could manufacture them on their own account with economy to the Government.

On amendments 47 and 48: Amendments 47 and 48 modify a provision heretofore carried in each appropriation bill and provide that no part of the fund for inland transportation by star routes shall be expended for star-route service which is already served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured, and makes the provision permanent law.

On amendments 49 and 50: These amendments relate to the compensation for rural delivery carriers. In substance, they include provisions contained in H. R. 9414, which has heretofore passed the House, and provide that rural carriers on horse-drawn vehicle routes shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles, or major fraction thereof, based on actual mileage, the same as is now provided for routes in excess of 30 miles in length. On tri-weekly routes, $12 per mile per annum for each mile in excess of 24 miles is allowed the carrier. The present law respecting the compensation for motor-route carriers, who furnish their own automobiles, on routes not less than 50 miles in length is amended to increase their compensation from a maximum of $1,800 to a maximum of $2,160. The amendment by the Senate that a carrier may use such character of vehicle on horse-drawn routes as may be approved by the local postmaster is stricken out.

On amendment 52: Amendment 52 relates to temporary increases during the fiscal year for employees of the Postal Service, and, in substance, contains similar provisions to those contained in H. R. 9414 recently passed by the House, except that the salaries of assistant postmasters and clerks and carriers in first and second class post offices, railway postal clerks from grade 1 to grade 10, inclusive, and supervisory officials shall be increased not more than $200 during the next fiscal year. Supervisory officials receiving in excess of $2,200 receive an increase of 5 per cent. All other employees of the Postal Service whose compensation does not exceed $800 per annum are increased 20 per cent; those who receive from $800 to $1,500 per annum are increased 15 per cent. The salaries of rural carriers not in excess of $1,200 are increased 20 per cent.

No increases are provided for postmasters at first, second, and third class offices, but postmasters of the fourth class are allowed an additional increase of 100 per cent on cancellations up to $80 per quarter instead of $50, as at present, except that those whose compensation does not exceed $50 per quarter are increased 20 per cent. Provision is made, however, that such temporary increases shall not have the effect of advancing the office to third class.

The provision relating to advance in grades of clerks and carriers and railway postal clerks is included, but limited to the fiscal year ending June 30, 1919. Provision is also made that substitute, temporary, and auxiliary clerks and carriers shall be paid at the rate of 40 cents per hour, instead of 35 cents and 40 cents at present, making the rate uniform.

On amendment 53: Amendment 53 extends to watchmen, messengers, and laborers in first and second class post offices, and to railway postal clerks assigned to terminal railway post offices and transfer clerks the privileges of the 8-in-10-hour law, and also extends to railway postal clerks assigned to terminal railway post offices and transfer offices the privileges of compensatory time as now provided for clerks and carriers who work under the same conditions. The provision in the amendment extending compensatory time to assistant postmasters and supervisory employees is stricken out.

On amendment 54: Amendment 54 lodges with the Postmaster General the authority to investigate conditions arising from contracts on star route, screen wagon, and other vehicle service, and contracts for envelopes, blanks, and blank books, and the Official Postal Guide entered into prior to June 30, 1917, with a view to determining whether or not any adjustment should be made in the contracts due to the increased cost for materials or services because of the war, and whether the facts disclose the necessity to adjust the same for materials or services to be furnished after the approval of this act. With the consent of the contractor and his bondsmen the Postmaster General may cancel such contracts.

On amendment 55: Amendment 55 makes effective to certain employees in the Post Office Department the 5 and 10 per cent increase provided in the present appropriation bill which, by reason of construction, is denied them, and is identical with a similar provision which has heretofore passed the House.

On amendment 56: Amendment 56 permits the Postmaster General to accept liberty bonds in lieu of corporate or personal surety for contractors, officers, and employees in the Postal Service, and is identical with a similar provision which has heretofore passed the House.

On amendment 57: Amendment 57 relates to the same subject matter contained in H. R. 9414, which has heretofore passed the House, and permits experimentation by the Postmaster General in the operation of motor-vehicle truck routes in the vicinity of such cities as he may select. The sum of $300,000 is made available out of unexpended appropriations for the Postal Service for the purpose of such experimentation, and direction is given that results shall be reported to Congress.

On amendment 58: Amendment 58 is almost identical with a similar provision in H. R. 9414, which has heretofore passed the House, and permits the Secretary of War to turn over to the Postmaster General, without charge, such aeroplanes and automobiles or parts thereof as are unsuitable for the War Department but suitable for the Postal Service.

On amendment 59: Amendment 59 authorizes employees and substitute employees of the Postal Service who enter the military or naval service to be restored after their honorable discharge from such service to the positions which they formerly occupied in the Postal Service at the salary to which they would have been promoted, provided they are physically and mentally qualified. The provision in the Senate amendment which permitted members of the immediate family of such employee or others connected with the expeditionary forces in Europe to mail certain packages is stricken out.

On amendment 60: Amendment 60 proposed by the Senate is stricken out.

On amendment 61: Amendment 61 permits the Postmaster General to adjust claims of postmasters for loss by fire, burglary, or other cause, of war savings stamps and thrift stamps, etc., which under the law they are required to keep on hand.

On amendment 62: Amendment 62 repeals existing law authorizing the payment of $5 to postmasters for each recruit secured and accepted in the Army, Navy, or Marine Service.

On amendments 63 and 64: Amendments 63 and 64 are the same as sections 9 and 10 of H. R. 9414, which has heretofore passed the House, increasing the amount any one person may deposit in a postal savings bank from $1,000 with interest and $1,000 without interest, as provided under present law, to $2,500 with interest. The provision as passed the House was for $3,000 with interest.

Amendment 64 permits the purchase of postal savings stamps in denominations of 10 cents, to be affixed to a card, and when it amounts to $1 may be deposited as a postal savings account or redeemed in cash.

On amendment 65: Amendment 65 is a clerical one, made necessary by the addition of certain sections to the bill.

On amendment 23: Amendment 23 relates to the purchase of the pneumatic-tube mail service. The conferees have been unable to agree respecting the provisions of this amendment.

JOHN A. MOON,
THOMAS M. BELL,
A. B. ROUSE,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

The SPEAKER. The gentleman from Tennessee is recognized for an hour.

Mr. MOON. Mr. Speaker, when this bill went to the Senate it was clear of all legislation except that appropriate on a Post Office appropriation bill. It carried a little over or about $332,000,000 for the Postal Service. The bill was passed in this House in December last. Subsequent to its passage the House passed the bill known as H. R. 9414, which contained a number of provisions for changes in the postal laws and for the increase of salaries of postal officials. That bill is also pending in the Senate. The Senate has not deemed it wise to take up the latter bill, but it has incorporated as riders on the Post Office appropriation bill nearly all the provisions of the bill H. R. 9414, which has passed the House. Therefore the Senate amendments for the most part are not new to the House, the House having previously passed upon the questions which now constitute the Senate amendment and acted favorably on them in the bill to which I have referred. There are 65 amendments made by the Senate to this bill.

A large proportion of them, however, are due to the increases of the salaries necessary to be carried in the bill after the increase determined upon by the Senate as originally provided in House bill 9414. So the material questions between the House and the Senate have resolved themselves down practically to one question. In other words, Senate amendments thereto have heretofore been passed upon favorably by the House for the greater part, but the Senate has placed upon this bill one amendment which the House conferees have not been able to agree to and from which the Senate conferees do not recede, and that is the amendment in reference to the purchase of the pneumatic tubes. I shall not address myself to that amendment now, which will be the main question of contention here, but later on in this debate before its close I desire to express the views of the majority of the conferees of the House upon that question. I only for a few moments now desire to call the attention of the House to the other legislation that is on this bill. A Senate amendment provides for 20 per cent increase of rural carriers. It also provides for $24 per mile for each mile over the standard mile of 24 per annum as an addition to the salary. That is about the attitude the House took upon that question. A large majority of both bodies have favored that disposition of the rural-carrier question, and while I acquiesce in the views expressed by the majority—it is the best, perhaps, we can do now—I can not refrain from the suggestion that perhaps these increases under all the circumstances are a little high, that we are going too fast in the increase of salaries of officials, particularly at a time when the Government is so much in need of money to carry on the great war in which we are engaged. It would seem to me that all officials ought to make some sacrifices along these lines rather than demands for higher pay. I have thought that 15 per cent, which would be a saving of several million dollars over the present figure, would have been liberal under the circumstances, but I enter no protest against the judgment of the majority upon that question. It is, perhaps, the duty of a chairman of a committee to express not only the will of the committee he represents, but it is not out of the way for him to express as an individual Representative in the House his own views, and to admonish, if it amounts to anything, that we cease to spend the public money for great increases in the salaries of officials. I know that the times are such that the cost of living is much greater than it has been heretofore, and that we must meet that demand because we want to give adequate pay to public servants, but this is a time when we should proceed with great care. Year in and year out increase has come regardless of the rights of the American people, regardless of the enormous tax that is imposed upon them for the administration of the affairs of Government.

We have also provided for a reclassification of the city carriers and postal clerks entering into service at the figure of $200 in advance of that which they have had heretofore, and that is the extent of the compensation that they will have under the present law; that is, all will have an annual $200 additional compensation. We have also provided for the railway mail clerks a very proper income in pay, because those men perform a very intelligent and hazardous service for the public. We have made some provision for increased allowance of third-class post offices. We have provided for an increase in pay of fourth-class postmasters. There are quite a number of those officers. Under the present law they get 100 per cent on the first $50 the first quarter as compensation. They get the other compensation provided in the statute. This bill does not interfere with the compensation except in two particulars—we give them 100 per cent on the first $80 the first quarter instead of the first $50, and all under $50; that is, if their salary per annum is under $50 they get an increase of 20 per cent.

Mr. QUIN. Will the gentleman yield?

Mr. MOON. I will.

Mr. QUIN. Did the Senate in any wise change the House provision of fourth-class post offices so far as increase in pay is concerned?

Mr. MOON. Yes; the conferees changed to the position I am now stating. This provision is the conference provision on the disagreeing votes of the two Houses. Now, we have thousands of these fourth-class post offices. Many of them are useless, and it does seem to me the time ought to come soon, if this Rural Delivery Service must be continued and extended and expense increased, that we ought to abolish a large majority of these offices and save millions of dollars of money annually now used in supporting them.

Again, under the conference we provided for the war aeroplanes for the carrying of mail, as provided in the bill H. R. 9014. We have also provided for the motor-truck service to the country, as provided. You gentlemen are all familiar with that discussion on the House bill. That is one of the amendments to this bill. We have provided that liberty bonds may be taken as security by the Government for the faithful performance of the duties of officials. We have also provided for an increase in the amount of noninterest-bearing deposits in postal savings banks to $2,500.

There are a number of other smaller matters. One authorized the Postmaster General to readjust the contracts of star-route contractors and screen-wagon contractors, and the contract for the furnishing of envelopes and supplies to the department, so as to give them a proper compensation for the service that they are performing. But the provision is not retroactive. It is from and after the passage of this bill, and it applies alone to those contracts entered into previous to the end of the last fiscal year.

Now, you have heard the reading of the statement in lieu of the report, and the adjustment by the conferees of the disagreeing votes of the two Houses, and I will not detain you with any further explanation of the bill, because all of its features evidently appeal to you. As I said in the beginning, at the close of this debate I want to show the House, if it is possible for me to do so, why, from an economical, a legal, and a moral standpoint, we ought not to agree to the Senate amendment No. 23, that provides for the purchase of the pneumatic tubes.

Mr. Speaker, I yield to the gentleman from Minnesota [Mr. STEENERSON.]

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] is recognized for an hour and a half.

Mr. MADDEN. Before the gentleman from Minnesota takes the floor, Mr. Speaker, I would like to ask if I may interrupt the gentleman from Tennessee?

Mr. MOON. Gladly.

Mr. MADDEN. Is it the intention to adopt the report of the conferees where the agreement is unanimous before we enter into the other?

Mr. MOON. No; it is immaterial. That can be done at the end of the debate, or, if there will be no objection to it, and there seems to be none, I would ask the Speaker to put the question on the adoption of the report, and the debate can then apply to section 23 alone.

Mr. STEENERSON. There has been no motion made yet.

The SPEAKER. The gentleman from Tennessee [Mr. MOON] asks the adoption of this conference report——

Mr. MADDEN. Except as to amendment 23.

The SPEAKER. Except as to amendment 23.

Mr. ROBBINS. I would like to ask the gentleman from Tennessee a question. In the previous appropriation bill there was an item of something like $2,000,000 for envelopes that was not provided for. Some contractor had asked a remuneration for that amount. Is that provided for in this bill?

Mr. MOON. That is not in this bill, except in a general way. All contracts are subject to readjustment at the discretion of the department.

Mr. ROBBINS. That is clause——

Mr. MOON. That is covered by the bill.

The SPEAKER. The question is on agreeing to the conference report.

Mr. LARSEN. Mr. Speaker, I want to ask some questions in order to secure information before we vote.

The SPEAKER. Does the gentleman yield?

Mr. MOON. Yes.

Mr. LARSEN. I want to know what provision is made in the report in reference to the increased compensation of postmasters and clerks in offices of second class?

Mr. MOON. I perhaps ought to have stated it, but I assumed the gentleman had read the report. All supervisory officials over $2,200 have an increased compensation of 10 per cent; assistant postmasters 5 per cent.

Mr. LARSEN. That applies to assistant postmasters where the compensation is in excess of $2,200?

Mr. MOON. It applies to them all.

Mr. LARSEN. Suppose his compensation is, say, $1,500, what would be his increase?

Mr. MOON. Five per cent of that amount.

Mr. LARSEN. Now, does that apply also to clerks in the various post offices?

Mr. MOON. Where the clerks have a percentage increase and are supervisory in their nature. I see what the gentleman is getting at, I think. There is no provision there by which a clerk occupying a supervisory position would obtain any better salary than the assistant postmaster.

Mr. LARSEN. Now the increased compensation is allowed to village and city mail carriers?

Mr. MOON. The compensation of the village mail carrier is now paid out of a lump sum and is regulated by the department. They have a right to fix it according to the conditions existing

in the service. They have been paying $60 a month, I believe, in the small villages.

Mr. MADDEN. If the gentleman will permit, it is 20 per cent increase for the villages.

Mr. MOON. Yes; but the regular pay may be increased.

Mr. LARSEN. And again——

Mr. MOON. I do not care to be catechized too much about a thing that you can understand in two minutes by reading the report.

Mr. LARSEN. I understand we are to be called on to vote on the question, and if we are I want to have the opportunity to vote intelligently. I have not read the report.

Mr. MOON. The statement was read to the House a few moments ago on all those matters.

Mr. LARSEN. I think I can get through with the gentleman in a minute.

Mr. MOON. Then I think I shall have to submit.

Mr. LARSEN. I asked a moment ago not only in reference to village carriers but city carriers.

Mr. MOON. The carriers of cities are classified, and they are getting an increase under the bill that amounts to about $200 a year.

Mr. LARSEN. The point I wanted information on was as to the following:

> The salaries of assistant postmasters and clerks and carriers in first and second class post offices, railway postal clerk from grade 1 to grade 10, inclusive, and supervisory officials, shall be increased not more than $200 during the next fiscal year.

Now, that is what I wanted to know about. Is it in the discretion of anybody to say what they ought to get, or do they get an increase of $200 or a certain per cent?

Mr. MOON. They get $200. The gentleman will observe under the reclassification, unless the limitation had been put there, as the result of an automatic promotion it might have been $300.

Mr. LARSEN. Does that apply to the assistant postmasters, too?

Mr. MOON. They get 5 per cent increase.

Now, I decline to yield further.

The SPEAKER. The question is on the conference report.

Mr. HARRISON of Mississippi. Mr. Speaker, the adoption of this report gives in some degree the aid that this Government has long owed its postal employees. It provides a fairer compensation for the fourth-class postmasters, the rural carriers, and the postal employees. There are no more faithful employees in any line of the Government service than those who carry on the vast Postal System. Efficient, loyal, and hard working, for years they have given their time and talents in building up the greatest Postal System in the world. Whether they are postmasters or employees in a first, second, third, or fourth class office, rural carriers, or railway mail clerks, because of the peculiar service they render they must necessarily study and train themselves, undergoing in some cases hazardous risks and in other cases serving under most unfavorable conditions.

In such positions experience and training qualify each individual to make the whole system a greater benefit to all the people. In this legislation there is every reason why we should, and no reason why we should not, grant this increased compensation to these employees. When the bill was before the House I took occasion to lay especial stress in behalf of the rural carriers of the country. I want to say to-day that the compensation provided for by this bill, through a reclassification and increase in compensation, while extending some relief to these employees, does not meet the demand of present-day conditions. If four years ago, as a postal employee in one of the cities of this country, a man of family received $2 a day, and it cost $1.75 a day to pay his rent and other necessary expenses incident to the cost of living, and we should grant him through the provisions of this bill $3 a day, and it should now cost $2.75 a day to live, we have not provided an increase in compensation for him. In looking over the Bureau of Labor statistics the other day I was struck by the detail of retail prices of commodities for 1907, compared with present-day prices. I was surprised to note that in 1907 in cities $1 would purchase 7.9 pounds of lard, and to-day it will only purchase 2.9 pounds; that in 1907, $1 would purchase 12.7 quarts of milk, and to-day it will only purchase 7 quarts; that in 1907, $1 would purchase a 24-pound sack of flour, and to-day it will only purchase a 12-pound sack; that in 1907, $1 would purchase 40 pounds of corn meal, and to-day it will only purchase 10 pounds. In 1907, $1 would purchase 17.2 pounds of sugar, and to-day it will only purchase 10 pounds. In 1907 for $1 one could purchase 6.7 pounds of round steak, and to-day he can only purchase 2.9 pounds for this amount.

And so it is, all down the line; rents have increased, foodstuffs have increased, the cost of living in every way has increased; and although, in some degree, we have provided for a measure of increase in compensation, in my opinion we have not yet met the unusual, unparalleled, unprecedented conditions with which the postal employees and the laboring men generally throughout the country who work at a small salary or at a small hire are compelled to face. It is to be hoped that this tardy recognition, this small increase, will in a way influence these loyal employees of the Federal Government throughout the country to retain their present positions and encourage them by the realization that their Government, through this body, appreciates the splendid service they are rendering it.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. Merely to get this matter straight. I want to reserve the right to object in order to inquire if the passage of this motion means that the conference report is to be agreed to in all parts except the pneumatic tube, and that that is the only thing left to contend over?

The SPEAKER. It takes in everything except the question that the conferees did not concur on. The Chair understands that there is only one thing in disagreement, and that is this tube business.

Mr. MOORE of Pennsylvania. That is the only matter in dispute?

The SPEAKER. So the Chair understands—amendment No. 23. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The gentleman from Minnesota is recognized for one hour and a half.

Mr. STEENERSON. Mr. Speaker, this pneumatic-tube provision was inserted by the Senate in pursuance of the recommendation of the Pneumatic Tube Commission. It has never been before the House. You will recall that the Post Office appropriation bill, when it passed the House, had no legislative provisions in it. The estimates did not cover the pneumatic-tube service, so that that was omitted, and it was not in order to put in anything about it. Hence this is an original provision, so far as this House is concerned.

The recommendation of the Pneumatic Tube Commission, based to some extent upon the report of Stone & Webster, the consulting engineers employed by the commission, is embodied in Senate amendment No. 23.

Mr. LAZARO. Mr. Speaker, will the gentleman yield for just one question?

Mr. STEENERSON. I desire to announce that I will proceed for 20 minutes without interruption. Then I will yield.

The provision is in substance that the Government is to take over these pneumatic tubes at a price not exceeding $4,432,000 to be fixed by the Interstate Commerce Commission, and that in fixing that price which the Government is to pay the Interstate Commerce Commission shall take into consideration the nature and character of the title of the tube companies. The reason for that provision is that some of these tube companies have concessions from the localities where they are located. For instance, at Chicago it expires in five years, at which time the whole thing reverts to the city government, and there are certain limitations on the franchises in New York and Boston and Philadelphia which it is not necessary to go into. But this clause in the Senate amendment is sufficient to cover the objection made on the part of the department that we are paying for a title that is not any good, because the nature and the length of the tenure, when it expires, will all be taken into consideration. But the amendment fixes an amount which is in accordance with the estimates of Mr. Fry, the engineer of the Treasury Department, who has 20 years' experience in making valuations of this kind. He was employed by the Hoke Smith Tube Commission in 1916, and made a valuation as to what it would cost to reproduce these tubes and place them where they are, and that, of course, was on a valuation that is much lower. It could not be done for that amount now. It would probably be 50 or 100 per cent higher if it were to be done now.

The annual appropriation heretofore has been $976,000 a year, which is equivalent to $17,000 per mile of the tubes. In consideration of that rental the tube companies have operated them. They have established their own power stations, and they have some 275 to 300 employees to do the work. They furnish the service complete.

The proposition here is to have the Government take over the tubes and operate them itself. The amount of the appropriations provided for is just exactly the same as the appro-

priation that we carried for 10 years in the bill—$976,000—but it is proposed to amortize the cost of the tubes by the difference between the old rental and what it will cost the Government to operate the tubes. Under that estimate in 10 years the tubes will be paid for out of exactly the same appropriation as has been made for 10 years past to pay for the tube service.

Now, there has been a great deal of controversy about this service. When it was proposed, after investigation by a departmental commission in 1916, to abandon the service, hearings were held before the Post Office Committees of the House and Senate, and there was a universal protest from Philadelphia, New York, St. Louis, Chicago, and elsewhere, where these tubes were operated, against the abandonment. They protested against it as delaying the mail; and it being the universal opinion of the people who used this service and paid the postage, the Senate committee and the House committee and the House and Senate agreed to continue this service for one year, and in the meantime appointed this tube commission, consisting of three Senators and three Representatives. Senator BANKHEAD, of Alabaha; Senator HARDWICK, of Georgia; and Senator WEEKS, of Massachusetts; and Mr. BELL, of Georgia, and Mr. ROUSE, of Kentucky, and myself constituted this commission.

We went to work as best we could and spent weeks in examining into these matters, and held hearings in all these cities, and visited them all. Of course we supposed that when the dispute between the department and these cities about this service was referred to the tube commission, which was created by law—a law signed by the President—that that should have some sort of effect; that the tube commission was a sort of tribunal authorized to settle the dispute between the department and the people who desired the service, and we went to work in good faith to make a report as to the quality of the service, whether it expedited the mail, whether it was safe, and whether it was worth the money. And while we were considering that question the department—while the question was pending before the tube commission—issued its annual report, in which it condemned the whole service and said it was not worth anything and that it should be discarded, thereby contradicting the report of the year before, where, basing their statement on the reports of their own experts, they recommended that the tube service should be continued in New York from Forty-second Street down, a distance of more than 13 miles, and came before the Post Office Committee of the House and asked for an appropriation to continue the New York tube service.

Now, if, as they have lately claimed, the tube service is unsafe, if it damages the mail, if it does not expedite the mail, if it is not efficient, why in the world did these same experts, that are held up to us as the only men who know anything about the business, recommend the continuance of the tube service in New York City?

There is an area in that congested city that is more crowded than any other city in the world. Take Fifth Avenue, they say, from Forty-second Street. Mr. Myers, the chief of traffic police, says from Fifty-fifth Street down, or on Broadway, there are more foot passengers and more vehicles passing than in any other place in the world. Even in the city of London, around Trafalgar Square, or the Strand, or Pall Mall, or Piccadilly, or anywhere, you can not find any such crowded condition as you find in this congested district in the city of New York.

A year and a half ago these experts recommended that the tube service be continued there. But now they come around and say that it is not worth anything, that it is junk, that it is no good, and should be abandoned everywhere. They wanted to put in a service that is unsafe, slow, unreliable, in the most thickly populated section in the world. They have criticized the tube commission for not paying sufficient heed to postal experts. This subject is city transportation. It is a subject that must be learned from actual experience and observation. Mr. Koons, Mr. Gardner, Mr. Johnston, Mr. Ryan, and Mr. Mullen were post-office inspectors. It has been their duty to ferret out crime. They were detectives. Their work in no way qualified them as experts in this matter. The only man on the commission who had had any experience in city transportation was Mr. Ryan, who for a short time had been superintendent of mails in Philadelphia. Mr. Gardner, would not sign the report—refused to sign it—disagreed with the rest. These other three inspectors have claimed that they knew all about the subject, and that nobody else knew anything about it, and they have asked Congress to take on faith what they say about it. Evidently some people do. The criticism that has been made upon the tube commission—that they did not consider the statements of the department—is unfounded. The commission had before it the testimony of these experts before the House committee and the Senate committee.

Before the House committee the learned lawyer from Boston, Mr. Whipple, cross-examined the experts, and they did not come out so very well. The secretary of the tube commission invited the department to submit their statements in writing, which they did, and those statements were printed in the report. All they had to say was printed without cross-examination. The object of cross-examination is to weaken the evidence of the witness. Yet they complain because we did not weaken the evidence of their experts by cross-examining them! We are said to have omitted to call postal experts. How can you get postal experts outside of the Post Office Department? You must either take men who have been discharged or who have left the service. But there are business men who know a good deal about postal matters. The commission went to New York and they heard 40 or 50 of the leading business men and representatives of business organizations, and, fortunately, we were able to get the man who, in my opinion, is the ablest postal expert on this subject that there is in the United States—Mr. Follmer. Mr. Follmer started in as an errand boy in the Postal Service, served 30 years, and advanced to be superintendent of delivery in the great city of New York. He had charge of the tube service, and when the department last year proposed to change the tube service and to institute a Government-owned automobile service he was the man in the New York post office who was selected to lay out the schedules and the lines to operate the new automobile service. That shows that he was recognized by the department to be the most skilled man they had, so far as New York was concerned, and he did lay out those schedules and those routes. About six or eight months ago he was offered a position with the Bankers' Trust Co. to look after their mail. The Bankers' Trust Co., one of the biggest financial institutions in the country, have very important financial mail to take care of, and they employed Mr. Follmer, so that at the time he was called before the commission he was not connected with the Postal Service and was free to give his opinion. I will insert his testimony in the RECORD.

We also had before us the testimony of ex-Postmaster Morgan, of New York, given before the House committee at the hearing a year ago. I will insert that also in the RECORD. He strongly favored the continuance of the tube service. He was a real expert.

This testimony answers every objection that has been made by these claimed experts, who simply know by observation or information; but this is the testimony of a man who knew by actual experience, who had had charge of the tube service. He says there is less in the way of accidents, less damage to the mail, and greater expedition of the mail by the tube than by automobile, and it expedites the mail. That is a valuable thing in a large city like that, where $600,000,000 goes through the clearing house every day, and 90 per cent of that goes through the mails. If you send a check for $1,000,000 to a bank, the customer is credited with it, and it draws interest from the time the mail is delivered and the envelope opened and the check placed to his credit. When it is delayed, the loss amounts to a great deal. The financial business of this country is so important that if you should delay the mail completely for one day throughout the year the loss of interest on the money that goes through the banks and the clearing houses would be ten times as much as the whole cost of the Postal Service. It would be $10,000,000 a day, because it amounts to over $300,000,000,000 in a year, or $1,000,000,000 a day. Now, that affects the cost of living. If you buy a quantity of grain and pay for it with a check, if it takes longer to do that business the expense of transacting the business is charged up in interest and the consumer has to pay it. That is the reason why every business man says that if you delay the first-class mail you touch the very nerves of business life. If you delay the financial transactions of this country, you delay the consummation of trade, and thereby increase the cost of living a great many times more than the whole Postal Service costs.

The work of the post office in the cities can be divided into three classes. One part of the work is performed by the clerks who sort and distribute the mail, another is performed by the carriers who collect and deliver the mail, and the third is the transportation of the mail between the post office and the branch post office, and between the branch post office and the railroad station and the wharf, or wherever it is dispatched outside. That is what is called the city transportaion as distinguished from the city delivery and the clerk hire. These are carried in different items in the appropriation and have been for years and years.

The work of city transportation is done either by vehicles on the surface or by pneumatic tubes underground. Originally the vehicle transportation was a contract service and was appro-

priated for under the heading, "Horse-hire allowance and renting of vehicles," but two years ago this item was broadened so as to include purchase of automobiles and government operation, and this has been gradually substituted for the contract screen-wagon service in the principal cities, and it is the announced policy of the department to make this substitution general. Ten years ago the entire expense of the screen-wagon service was between $700,000 and $800,000 per annum. After the work of collection and delivery of heavy parcels was merged in this service in 1915 the expenditure was only $2,056,459. Since then the vehicular transportation expense has increased threefold, as I will show.

I want to call your attention to this fact, because if we are speaking of the pneumatic-tube service from the point of economy it has a bearing.

I might say right here that for a long time there had been a fight between the two rival services. Because they were rivals the screen-wagon contractors entered into a combination to prevent bidding, and a man by the name of Cassidy had bribed the officials of the post office in New York to keep away from the department the report of delays by automobile service. They had substituted automobiles for the horse-drawn wagon service. Cassidy was finally prosecuted by the department and went to the penitentiary. They say in a report that they found the missing papers and fined him from the amount allowed on the contract $50,000. You know that the fines run from $1 up to $50 for each delay, so that if they fined a screen-wagon service in New York City $50,000 it shows that that year it was certainly poor service, or there would not have been so many delays.

Mr. LAZARO. Will the gentleman yield now?

Mr. STEENERSON. Yes.

Mr. LAZARO. Will the gentleman please tell us how the mail is damaged and delayed in the pneumatic-tube service?

Mr. STEENERSON. The fact is Mr. Follmer states that the damage is infinitesimal, but once in a while when the mail is placed in the carrier, like a cartridge in an 8-inch cannon, you put the letters in and turn a crank to fasten the lid. Some careless clerk may not fasten it properly, and in going up hill and down letters might leak out, and when the next cartridge comes along the mail is shoved before it. Mr. Koons showed a cartridge and how the mail might be damaged in that way. But the report up to the time the tube commission was appointed was favorable, and Mr. Follmer states that the damage was infinitesimal. So did other witnesses.

Mr. LAZARO. How about the delays?

Mr. STEENERSON. And the delays were infinitesimal. Lately the department, having become hostile to the pneumatic-tube service, has gathered a lot of statistics to show that it is to the contrary; but that is unfair. In Chicago they are building railroad terminals, and they have had to dig up the basement and the tubes had to be moved, and they are charging all the delays for the time that the tubes are being moved to the pneumatic-tube service. That is not fair. It really makes the case stronger for the service than it was before.

Stone & Webster, engineers, were employed by the tube commission and paid $10,000 for services to examine this as a postal device—whether it was efficient or not—and they had engineers there and sent test letters and examined it for weeks. They made a thorough examination, and their report goes into details about everything. Their report was that it was an efficient mechanism and that it had rendered good service and had expedited the mail, and was safer than any other means of transportation. Everybody knows, as Mr. Follmer points out, that you can not transport mail without danger. An automobile may collide with another; the mail may be spilled out in the rain and get damp; the transportation may be stalled in a snowstorm, and other delays. The pneumatic tube is as safe a method of transporting the mail as has ever been devised, and it expedites first-class mail. It carries 27,000,000 letters daily, and expedites the delivery of three or four millions.

Now, as I was going to say, there was hostility between the department and the tubes for some reason. After they got rid of the private screen-wagon trucks in New York they instituted the Government-owned automobile service. They spent $300,000 or $400,000 for that service, and the same hostility that was exhibited by the screen-wagon contractors against the tubes is now exhibited by the department officials. It seems that they want to buy some automobiles—they want a complete automobile monopoly—and they want the tubes taken out. They inherit that hostility, and it seems that one service is desired to replace another rival service.

Now, about the expense of the automobile service. The post office officials came before the Post Office Committee for the last three years and said that they wanted to put in Government-owned and operated automobiles for screen-wagon service, because, they said, in New York they had a combination or monopoly that had bribed the officials. They said that the bonding companies that signed the surety bonds for the contractors practically dictated the price they should take the contracts for, and therefore this was the reason why the Government ought to own and operate this automobile service in the city transportation of the mail.

Three years ago the department asked for $5,650,000. The gentleman from Illinois [Mr. MADDEN] examined them and wanted to know if they would submit a report of how many automobiles they bought. They said they would, but it has never been done. I inquired at the department the other day, and they sent me a price list of automobiles, to which I shall refer later.

Mr. LAZARO. Has the gentleman looked into the difference of the force of men needed to operate one as against the other?

Mr. STEENERSON. Not exactly. I have looked into the question of the expense.

The screen-wagon service, after it was combined with the parcel-post collection and delivery service, in 1914 carried an appropriation of $1,900,000. The next year, 1915, they estimated $2,300,000 and we expended only $2,056,459. In 1917, two years ago, because we are now soon entering upon the 1919 fiscal year, they asked for $5,565,000 and spent $5,495,000. If you will look at this bill you will find that the House passed the bill with $5,565,000. That was stated by Mr. Koons in the hearings to be the same as the year before, fiscal year 1918.

He said that they had put in the same amount. The committee asked him whether the department had not promised that when the Government owned and operated the automobile service it would reduce the expense of vehicular transportation; that it was cheaper than contract service. He said they did say so, and it was going to be a saving. He said: "We are saving now, because we are not asking for any more this year than we did the year before." We gave them $5,600,000. What happened? They went before the Senate committee. We passed the bill in December, before Christmas, and the bill went over to the Senate. They then made a supplemental estimate—for how much? How much did the bill carry? Look on page 12. It now carries $6,700,000—an increase of $735,000 since last December. That shows what the automobile service is costing, which they had said was going to be so cheap when the Government took it over. In the last three years the vehicular transporation has increased 250 per cent. Next fiscal year's estimate is $6,700,000, an increase of 300 per cent over what it was five years ago. This is the greatest increase that can be found in the whole service. Can you blame anyone for thinking that perhaps the economy that is promised by substituting automobiles for tube service will prove a failure? The following table shows the increase in expense of this service:

Year.	Estimate.	Appropriation.	Expenditures.
1913	$975,000.00	$1,400,000.00	[1] $1,288,293.01
1914	1,530,000.00	1,930,000.00	1,885,743.14
1915	2,300,000.00	2,300,000.00	2,056,459.43
1916	2,600,000.00	2,300,000.00	2,067,583.40
1917	5,565,000.00	5,565,000.00	5,495,282.00
1918	5,965,000.00	5,965,000.00	.....
1919	[2] 5,965,000.00	.....	.....

[1] Parcel post began in the last half of 1913.
[2] Supplemental estimate to the Senate has increased the amount to $6,700,000, which is the amount carried in the bill.

The Postmaster General has been fertile in postal reforms. You will remember that he proposed and succeeded in passing the space plan. You all remember how the chairman of the Post Office Committee chastised the House, both Republicans and Democrats, for refusing to put that provision on the Post Office appropriation bill two or three years ago on a rule. He said it would save $10,000,000 a year. The last report of the Post Office Department shows that for the same amount of transportation they would have paid $3,250,000 more than it would have cost under the weight plan, but they say they are going to save $7,000,000 in the future when they get the thing established. That is what they said about this automobile service. They are going to save something, but up to date there has been an increase. Instead of paying $2,300,000, as in 1914, we are to pay $6,700,000 in the next fiscal year. The postal reforms of this administration seem to have a similarity to, at least they remind one of, Pope's Essay on Man, "Man never is but always to be blessed." Burleson's postal reforms never are but always to be economical. [Applause and laughter.] They have promised economy over

and over again, but it has never materialized. As an interesting comparison, since we are on this economy question, the tubes in 1916 represented 30 per cent of the total expense for city transportation of mail, 70 per cent being for vehicular transportation. In 1917 the tubes represented 14 per cent and the vehicles 86 per cent. Now the tubes constitute 13 per cent and the vehicles 87 per cent of the total city transportation of mail. If you keep on like this it will not take very long before you will have a cost in excess of the tubes. That expense has been stationary for ten years. Another claim is that this tube service is antiquated and obsolete. Another is that they always want to sell them. Well, if I should build a brick house upon your land and agree to furnish and keep it there for three years upon a certain rental and you were satisfied I would expect you to buy it, and as soon as the three years was up naturally I would want to sell, because it would not be worth anything if I had to move it.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. AYRES. I will ask if the commission ascertained the original price of these tubes.

Mr. STEENERSON. Oh, yes; the American Audit Co., you will find in the report, showed that they had expended about $10,000,000 as an original investment. We have paid no regard to that, because it was only an element in the whole. These tubes are absolutely useless to anyone but the Government. You can not move them. Can you wonder at it that the people who have put $5,000,000 and $10,000,000 into these tubes, which are absolutely worthless unless used for mail carrying, are anxious to rent or sell them? If they sell them their troubles are over. These leases have been for 10 years, and a year or two before the lease expires naturally the owners are anxious to know their situation, because if the Government refuses to renew the lease or to buy them their property is absolutely worthless.

Mr. AYRES. Will the gentleman yield for another question?

Mr. STEENERSON. Now, we want to be fair. I regret my time is limited. I will yield if the gentleman will make it short.

Mr. AYRES. The gentleman stated the audit company had valued this at $10,000,000.

Mr. STEENERSON. I do not care anything about that. I am not having a dispute about that. The values are not in issue here. This provision gives the Interstate Commerce Commission the authority to fix whatever value they think is right; we have not fixed it. But they say this is antiquated. Now, by "antiquated" they mean something that is no more in use. So we were curious, and so the commission was, to know whether tubes were used in other businesses. We sent an inquiry to the Western Union Telegraph Co., and they say they use more tubes than the whole Post Office Department. They have nearly 100 miles of tubes and use them every day. Then we asked the Treasury Department of the United States, which has a tube exactly like the Post Office tube between the customhouse and the appraiser's stores, and they wrote a letter, and I will put it in the RECORD, recommending it most highly and saying that they could not get along without it. The Navy Department uses a pneumatic tube, and says it is very satisfactory. I saw in the papers Mr. Schwab insists they must have a pneumatic tube extended out to the navy yard. I do not wonder at it. How is it about business houses? The Bankers Trust Co., I believe, use 8 or 9 miles of tubes, and they recommend them very highly. Sears, Roebuck & Co. use more than 12 miles of tube, and they recommend them very highly. The Westinghouse Co. uses a great many miles of tube. Altman Co., New York——

A MEMBER. How large are those tubes?

Mr. STEENERSON. Some of these tubes I have mentioned are 4 inches, some 3½, some 6, and some 8, as big as the postal tubes. Here is a list of the leading business houses of the United States whose success has been phenomenal who can not be said to be addicted to the use of antiquated and obsolete methods, and they are all using tubes:

B. Altman & Co., New York.
Bankers Trust Co., New York.
General Electric Co., Schenectady, N. Y.
R. H. Macy & Co., New York.
National Cloak & Suit Co., New York.
New York Stock Exchange, New York.
Sears, Roebuck & Co., New York.
Montgomery Ward & Co.
Treasury Department, United States Customs Service, New York.
Winchester Repeating Arms Co., New Haven, Conn.

Therefore the charge that this is antiquated and obsolete is absolutely without foundation, as are all the charges in the opinion of the commission. These are questions of facts. The records show that the tubes expedite the first-class mail, which they are intended to carry, and they expedite the second-class mail. The financial newspapers in New York are sent by tube. At certain periods of the year automobiles will not operate, as in case of a snowstorm; on ice they skid, and there are accidents. Several days in New York and Boston even last year the automobiles were out of commission and inefficient, and the automobiles in Chicago could not operate to their full capacity on account of storms. Everybody knows that. They say if it had not been for the tube service first-class mail would have been seriously delayed.

Now, is it not strange that in this time of war you are going to compel the factories to furnish two or three or four hundred extra motor trucks and discard a utility that has proven to be efficient? Why, we read in the papers that the city of New York is in darkness for fear of bombardment from the sky by flying machines dropping bombs, and shells from hostile ships and submarines and warships above the water. What would you do with these automobile trucks carrying tons and tons in the darkness? Why, Mr. Follmer testified under oath before the tube commission that they had delayed the daily mail on account of fog, that the ferries were delayed because they could not see anything in the fog in New York, and here, right in the midst of war, when they put the city in darkness, you are going to destroy and discontinue the only safe method of transmitting the first-class mail, that is the very blood that circulates in the business life of the Nation.

And for what? To save, some say, $300,000 a year, and Stone & Webster estimated it at $114,000 a year; for that you are going to imperil the safety of the financial mail that goes into these large cities where the clearings run into nearly a billion of dollars a day. I now yield to the gentleman.

Mr. JUUL. The gentleman stated that the fogs interfered with the transmission of the mails. Do I understand then that the fogs would not interfere with the transmission of the mail by the tube system?

Mr. STEENERSON. It seems to me that question has its own answer, and I decline to yield further. I say, No, it does not interfere with the transmission by tube and that settles it. [Laughter.]

Mr. JUUL. Is there a tube system under the river, that is the question?

Mr. STEENERSON. The fog does not go underground in New York or Chicago, either, and it does not interfere in the slightest degree with the transmission of the mail by the pneumatic-tube service. The fog has delayed and darkness has delayed the transmission of mail by vehicles on the face of the earth, and if the gentleman is not willing to take my word for it he will have to excuse me. I am not going to devote any time to discuss the question further.

Mr. JUUL. Will the gentleman answer me this, Is there a tube system under the river? I am asking the gentleman in good faith.

Mr. STEENERSON. Over the river and under the river.

Mr. JUUL. That is the question. I am obliged to the gentleman.

Mr. STEENERSON. I thought the gentleman knew that. I will take the gentleman to New York and show him the tube on the bridge across the big river, and fog never hurts letters passing through that tube. For these reasons, I repeat, they say, for the purpose of saving all the way from $100,000 to $300,000, they are going to destroy this service. Why? Because some self-constituted alleged experts in the department here have condemned it. The men who use the tubes, the business men of New York, the business men of Philadelphia, the business men of Chicago, the business men of Boston and St. Louis, who pay for the tube service—and in those cities there are $100,000,000 of postal revenue—say it is valuable, but the postal experts say, "You business men do not know anything about it; you are children; you do not know your own interest; you must have faith in us."

The Merchants' Association of New York made a study of this. They have gone before the committee and complained of alleged postal reforms that have been inaugurated by this administration.

They have shown that the first-class mail is delayed by the space plan and mixed up with parcels. They have come out strongly in favor of the tube service; but the experts say, "You do not know your own business. Let us exercise a paternal care and responsibility for your welfare, you small children, in Chicago, Philadelphia, New York, and Boston, and let us do what we think is best for you, and we will abolish the tubes so that we can pay $1,500,000 a year for automobiles."

There is something funny about buying automobiles. I will put in the RECORD that a man named Skelly, a great expert on

automobiles, resigned from the White Co., and the civil-service rules were suspended; over the protest of the Civil Service Commission he was appointed a post-office inspector and detailed to automobiles. And since he has been in the office his former employers have sold automobiles to a greater extent than any of their rivals. I will put in the price list that the department gave me:

List of awards, showing contractors and prices for automobile trucks for the Postal Service.

[NOTE.—The figures in parentheses are inserted by myself, and represent the published retail prices.]

Description.	Price.	Unit.	Contractor.
A. Gasoline motor trucks, 750 pounds capacity:			
Automobile trucks, gasoline, 750-pound capacity—			
(1) Complete with body		Each..	No award.
(2) Chassis only		...do...	Do.
(3) Body only	$130.00	...do...	Hoover Wagon Co., York, Pa.
Extra equipment	84.00	...do...	Do.
Painting of chassis	6.00	...do...	Do.
(4) Equipped with cushion wheels.		...do...	No award.
Ford chasses, delivered f. o. b. York, Pa.	[1] 325.00	...do...	Ford Motor Co., Washington, D. C.
B. Gasoline motor trucks, ¾-ton capacity:			
White, ¾-ton capacity, delivered f. o. b. Cleveland, Ohio—			
(1) Complete with body	2,371.50 (2,250.00)	...do..	The White Co., Cleveland, Ohio.
(2) Chassis only	1,936.50 (2,100.00)	...do..	Do.
(3) Body only	435.00	...do..	Do.
Contract term: July 1 to Oct. 31, 1917.			
Lippard-Stewart, ¾-ton capacity, bevel drive, delivered f. o. b. Buffalo, N. Y.—			
(1) Complete with body	1,860.00	...do..	Lippard-Stewart Motor Car Co., Buffalo, N. Y.
(2) Chassis only	1,535.00	...do..	Do.
(3) Body only	325.00	...do..	Do.
Contract term: July 1, 1917, to June 30, 1918.			
Commerce, ¾-ton capacity, delivered f. o. b. Detroit, Mich.—			
(1) Complete with body	1,081.00	...do..	Commerce Motor Car Co., Detroit, Mich.
(2) Chassis only	737.00	...do..	Do.
(3) Body only	350.00	...do..	Do.
Contract term: July 1, 1917, to June 30, 1918.			
Republic, ¾-ton capacity, delivered f. o. b. Alma, Mich.—			
(1) Complete with body	970.00	...do..	Republic Motor Truck Co., Alma, Mich.
Contract term: July 1, 1917, to June 30, 1918.			
C. Gasoline motor trucks, 1½-ton capacity:			
White, 1½-ton capacity, delivered f. o. b. Cleveland, Ohio—			
(1) Complete with body	3,165.00 (3,150.00)	...do...	The White Co., Cleveland, Ohio.
(2) Chassis only	2,690.00 (3,000.00)	...do...	Do.
(3) Body only	475.00	...do...	Do.
Contract term: July 1 to Oct. 31, 1917.			
Brockway, 1½-ton capacity, delivered f. o. b. Cortland, N. Y.—			
(1) Complete with body	2,344.00	...do..	Brockway Motor Truck Co., Cortland, N. Y.
(2) Chassis only	2,044.00	...do...	Do.
(3) Body only	300.00	...do...	Do.
Contract term: July 1, 1917, to June 30, 1918.			
Service, 1½-ton capacity, delivered f. o. b. Wabash, Ind.—			
(1) Complete with body	2,295.00	...do...	Motor Co. of Washington, Washington, D. C.
(2) Chassis only	1,995.00	...do...	Do.
(3) Body only	300.00	...do...	Do.
(4) Equipped with Sewell cushion wheels, additional.	330.00	...do...	Do.
Contract term: July 1, 1917, to June 30, 1918.			
Packard, 1½-ton capacity—			
(1) Complete with body, delivered f. o. b. Detroit, Mich.	2,940.20	...do...	Packard Motor Car Co., Detroit, Mich.
(2) Chassis only, delivered f. o. b. Detroit, Mich.	2,475.20	...do...	Do.
(3) Body only, delivered f. o. b. Hanover, Pa.	423.50	...do...	Do.
(4) Equipped with Sewell cushion wheels, additional.	257.60	...do...	Do.
Contract term: July 1, 1917, to June 30, 1918.			

[1] Plus freight of $14.75, if ordered singly. If chasses are ordered in carload lots, the freight is to be charged at carload rates from Detroit, Mich., to York, Pa.

List of awards, showing contractors and prices, etc.—Continued.

Description.	Price.	Unit.	Contractor.
D. Gasoline motor truck, 3-ton capacity:			
Packard, 3-ton capacity—			
(1) Complete with body, delivered f. o. b. Detroit, Mich.	$3,939.00	Each..	Packard Motor Car Co., Detroit, Mich.
(2) Chassis only, delivered f. o. b. Detroit, Mich.	3,354.00	...do...	Do.
(3) Body only, delivered f. o. b. Hanover, Pa.	522.50	...do...	Do.
(4) Equipped with Sewell cushion wheels, additional.	368.60	...do...	Do.
Contract term: July 1, 1917, to June 30, 1918.			
GMC, 3-ton capacity, delivered f. o. b. Pontiac, Mich.—			
(1) Complete with body	3,873.00	...do...	General Motors Truck Co., Pontiac, Mich.
(2) Chassis only	3,378.00	...do...	Do.
(3) Body only	495.00	...do..	Do.
Contract term: July 1 to Dec. 31, 1917.			
White, 3-ton capacity, delivered f. o. b. Cleveland, Ohio—			
(1) Complete with body	3,908.00 (3,800.00)	...do..	The White Co., Cleveland, Ohio.
(2) Chassis only	3,368.00	...do..	Do.
(3) Body only	540.00	...do..	Do.
Contract term: July 1 to Oct. 31, 1917.			
Federal, 3-ton capacity, delivered f. o. b. Detroit, Mich.—			
(1) Complete with body	3,117.50	...do..	Federal Motor Truck Co., Detroit, Mich.
(2) Chassis only	2,700.00	...do..	Do.
(3) Body only	417.50	...do..	Do.
(4) Equipped with Sewell cushion wheels, additional.	450.00	...do..	Do.
Contract term: July 1, 1917, to June 30, 1918.			

It is a most wonderful record. They had an investigation of this matter over in the Senate, where they passed a resolution in 1914, and the Post Office Department answered that they did not give the contract to the lowest bidder, but that they gave it to the White machine because it was the best machine. What was the use of advertising then? There were 18 lower bids. I also have the affidavit of Mr. Gardner, who was discharged, or at least resigned and his resignation accepted, because he could not agree to the Pneumatic Tube Commission's report. He was an expert and a member of the commission. He said it was a foregone conclusion that they wanted to buy automobiles and abolish the tubes. Here are the prices of some of them. The price of the White is $3,980. These men that have shown such profligacy—and I hope it is nothing worse—in spending public money for automobiles say they want to save two or three hundred thousand dollars in New York, Boston, Philadelphia, and Chicago by abolishing the tubes. But they say at the same time that the automobile service that the Government has charge of has increased in cost $735,000 over what they spent last year. Now, they do not claim that there has been any growth in the Post Office Department beyond the ordinary increase of 5 or 6 per cent, but they say chauffeurs' salaries have gone up, and the price of gasoline and of repairs and the rent of garages have gone up.

Everybody admits the tube service is more expensive than automobile service, but it is faster, and first-class mail pays a profit, so it ought to be expedited. The tube commission decided that in their opinion this service should be continued on these terms, and for that reason when the time comes to carry out the Senate amendment I will move to concur in the amendment and change the date when the Interstate Commerce Commission shall report from July to November.

Mr. LAZARO. Will the gentleman yield?

The SPEAKER pro tempore. Will the gentleman from Minnesota yield to the gentleman from Louisiana?

Mr. STEENERSON. How much time have I used?

Tht SPEAKER pro tempore. Forty-five minutes.

Mr. LAZARO. Will you mind telling us something about the origin of this tube service and the amount invested and the percentage of mail carried?

Mr. STEENERSON. It has been about 30 years since they first started in Philadelphia, and the first tube was built in Boston, for a distance of 6 miles, to carry merchandise, and then it was abandoned for that purpose and was changed to an 8-inch tube, and that has been used in that way. All the other tubes have been built for the express purpose of carrying the mail, and they have been built of the size designated by the Government experts—namely, 8-inch.

Mr. MOON. I want to say to the gentleman there, that the Post Office Department says it never made any arrangements

with anybody to build any tube, and that they are under no legal or moral obligations, and no living man can show it.

Mr. STEENERSON. The gentleman in one sense is correct. But they will not deny, and the records show, that the tubes, as they designed them, were 8-inch tubes. They were satisfactory. They did not want them larger. They first talked about 24 inches and 30 inches, but the Post Office Department decided that the 8-inch tube was the most practical size.

Mr. MOON. The Post Office Department has done no such thing, if they are to be trusted in their statements.

Mr. STEENERSON. It is not material. The record shows this, and I do not think the department denies it. It appears in the testimony. It is not my statement.

Mr. MOORE of Pennsylvania. Was any one of these tubes built without the sanction and warrant of Congress?

Mr. STEENERSON. Oh, no; we appropriated the money. And it is like this: The men who proposed to build these tubes took the risk. It was the same way as I illustrated. If you put up a house on my land and I agree to pay you $100 a year for it, and it is perfectly satisfactory, if just out of meanness I refuse to buy and will not rent it, you have to move it away. I do not think Congress will act in that spirit. If it is an efficient postal facility, if it is safe, and expedites the mail, and renders good service, why should we fall back on the question that "There is no moral obligation upon us"?

Mr. LAZARO. The gentleman has not answered as to the amount invested.

Mr. STEENERSON. The American Audit Co. was employed by the tube commission and also by the Hoke Smith commission, and continued down to date, and they show something like eight or ten million dollars invested in these tubes, but the tube commission only recommended a maximum price of $4,400,000.

Mr. LAZARO. And the percentage of mail carried?

Mr. STEENERSON. The percentage of mail? I think that in some towns they estimated 80 per cent of the first-class mail. I think that was in New York. It makes a good deal of difference as to the amount of mail. It depends upon the length of the tube. In St. Louis they have only 3 or 4 miles of tubes.

Mr. MOON. Is it not true that less than 12 per cent of the mails are carried by the tubes?

Mr. STEENERSON. Oh, there is no use in disputing that. The first-class mail constitutes between 12 and 15 per cent of the total mail. We are not talking about freight. That is not mail; that is freight. First-class mail, however, brings in more than 95 per cent of the revenue. As to first-class mail, Mr. Follmar said it carried 80 per cent of the first-class mail, and the more tubes you have the larger percentage of mail will be carried by them. Tubes are a facility to expedite the first-class mail, which requires speed and celerity and safety. It is so profitable that we can well afford to give it this facility. This administration seems to want to treat first-class mail like slow freight to save a few dollars. It will be poor economy; it will be waste.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. STEENERSON. Yes.

Mr. RAMSEYER. The value or price to be paid for this system is to be fixed by the Interstate Commerce Commission?

Mr. STEENERSON. Yes.

Mr. RAMSEYER. You are only giving to July 1, 1918?

Mr. STEENERSON. I am going to change that to November 1. I here print some of the evidence before the tube commission:

"Mr. MEAD. Mr. Chairman, may I suggest that on your tour of inspection this afternoon you particularly observe conditions above and below Forty-third Street, because if you do so you will come to the conclusion that to cut off the service to-day we consider would be like stopping the circulation in your body at the waist. Supplementing the statement of Mr. De Berard, we will ask Mr. Follmer, of the Guaranty Trust Co., to state the utility of the pneumatic-tube service to his bank.

"The CHAIRMAN. Very well; you may proceed, Mr. Follmer.

"STATEMENT OF MR. GEORGE J. H. FOLLMER, OF THE GUARANTY TRUST CO., OF NEW YORK.

"Mr. FOLLMER. Gentlemen, the Guaranty Trust Co. is interested in an expeditious mail service to the same extent as the other business institutions represented before you. It is interested particularly in behalf of its thousands of customers and clients scattered throughout the country who profit by a prompt and efficient mail service. The Guaranty Trust Co. transacts a general domestic and foreign banking business, extends credit and pays interest on daily balances, finances shipments to or from the United States, investigates, examines, and underwrites bond issues, acts as trustee for individuals and corporations, also as transfer, fiscal, and disbursing agent, registrar and depositary for corporations that are organizing or reorganizing, or that are already established. Its business reaches out into all parts of the world. These are but a few of its functions, but give some idea of the extent to which it depends upon the mail service.

"I understand that because of my knowledge of the technical operation of the New York mail service, it is the desire of the Merchants' Association that I present my views as to whether the mails can be as expeditiously transported in New York City by motor wagons as by pneumatic tubes. My familiarity with this subject is based upon many years' experience in the New York postal service. During my connection with it I have prepared practically every one of the local mail transportation schedules in use to-day.

"Mr. STEENERSON. In what capacity?

"Mr. FOLLMER. As the assistant superintendent of mails of the New York post office.

"The CHAIRMAN. You ought to be able to tell us something.

"Mr. FOLLMER. I believe I can shed some light upon the matter which will prove to you the necessity for a continuance of the present pneumatic-tube service and for its extension to the Borough of The Bronx.

"I am not aware of the reasons upon which the Post Office Department bases its recommendations to curtail the service, but presume that the information upon which they are founded is the result of superficial investigation by individuals unfamiliar with the subject, and who have not had practical experience in the actual operation of the tube service, or else were prejudiced for reasons which do not appear.

"I believe it is absolutely impracticable to go back to the conditions existing prior to the establishment of the pneumatic-tube service, which was inaugurated in 1897. Before that time the mails were moved by means of elevated railway trains and horse wagons. The first-class mails were sent in pouches on the elevated railroad and the bulky matter by wagon. The number of pouches transported on the elevated railway was limited to eight on each trip. In those days there were about seven stations of the New York post office on the west side of the city between the general post office and the northerly limit of the elevated railroad service. If the pneumatic tubes should be eliminated, it would not be practicable to use the elevated railway or the subway, because the number of post-office stations along the line has increased to such an extent that the number of pouches to be transported on a trip would be greater than the railroad company could accommodate without seriously interfering with the passenger traffic, so that the only alternative would be to transport letters, as well as bulky mail, by automobile, which would result in delaying the letter mails.

"The New York post office has four great distributing centers, one of which is the general post office down town. Incoming mails are received there from Brooklyn, Staten Island, the Central Railroad of New Jersey, the Pennsylvania Railroad, local trains which arrive at Jersey City, the Erie Railroad, with its numerous branches, and the Delaware, Lackawanna & Western Railroad. These mails are assorted at the general post office for the various postal districts from which they are deliverable, and are dispatched at frequent intervals by pneumatic tube to the different postal stations. In the absence of tube service, the mails would have to be made up in separate pouches for each station and transported by automobile. There are 14 postal stations on the west side, namely, Stations A, O, Pennsylvania Terminal, Times Square, G, N, W, H, I, J, College, Hamilton Grange, M, and Washington Bridge—14 points on the west side for which pouches would have to be made up at the general post office. Therefore on each wagon trip it would be necessary to dispatch at least 28 pouches of letter mail from the initial point, 14 made up at the general post office and 14 made up at the Hudson Terminal Station, in addition to the bulky mail. Upon arrival of the wagon at Station A, the first point of call, 2 pouches and the bulky mail for A would be taken out, and 15 more pouches and such other mail as may be on hand loaded into the wagon. The wagon would then proceed northward from Station A with 45 pouches, plus the bulky mail, to the next point, which is Station O. Upon arrival at O the bags loaded into the wagon at Station A would have to be pushed aside or taken out so that the clerks could find the bags for Station O, dispatched from the Hudson Terminal, general post office, and Station A. This process would be repeated at each station at which the wagon calls, until it arrives at Station J. Obviously, the size of the wagons used would have to be greatly increased, and the time taken at each postal station in unloading, sorting, and reloading the bags would materially increase the time consumed in making the trip, with resultant delay to the mails.

"The present running time from the general post office to Station J of automobiles which carry the bulky mail is 2 hours

and 30 minutes. This includes necessary stops en route, and is made as follows:

"General post office to Penn Terminal Station, about 1 hour and 20 minutes to transfer mail at Penn Terminal to the wagon going north, plus about 1 hour and 10 minutes from Penn Terminal to Station J. This time of 2 hours and 30 minutes would undoubtedly have to be increased if the letter mails were carried. The running time by pneumatic tube over the same route is 35 minutes. The difference of two hours represents the delay to which letters for Station J, dispatched from the general post office, would have to be subjected if automobiles were substituted for tube service, and there would be a proportionate delay to the mail for each one of the intermediate post-office stations.

"Mr. STEENERSON. That is, to One hundred and forty-fifth Street?

"Mr. FOLLMER. Station J is on One hundred and twenty-fifth Street. By automobile the running time, including stops and transfers, would be at least two and one-half hours. The same condition applies to the east side of the city, where the tube runs from the general post office via Station D, Madison Square, F, Grand Central, Y, K, U, to Station L at One hundred and twenty-fifth Street, in about 24 minutes, as against 1 hour and 40 minutes by automobile.

"The CHAIRMAN. The Post Office Department maintains—had you finished?

"Mr. FOLLMER. I have more information along these lines.

"The CHAIRMAN. I beg your pardon.

"Mr. FOLLMER. It is granted. About four years ago when the horse-wagon service, which then carried the bulky mail, was superseded by an automobile contract, new schedules of running time were prepared for the service between the post-office stations and the railroad stations. These schedules were based upon the contract running time of 9 to 12 miles per hour, the slower time being used in practically all cases. However, that speed could not be attained, owing to the congested condition of the streets, and it became necessary shortly after the automobile contract went into operation to reduce the speed to about 7 miles per hour. South of the general post office there is an automobile wagon circuit for bulky mail running from the general post office via Wall Street Station to Station P, covering the financial district, a district of 1 mile, where it became necessary to allow 14 minutes from the initial to the terminal point.

"Mr. STEENERSON. How long was the route?

"Mr. FOLLMER. The route is exactly 0.99 of a mile, and the automobile gives us no better service than was had with the old horse wagon. The density of street traffic in that district will not permit it. During a greater part of the day the same condition prevails through the entire business area of the city.

"Mr. STEENERSON. Do you make as good speed as an ordinary walk?

"Mr. FOLLMER. In certain sections they do not. Traffic will not permit it. The pneumatic tube does that service in three minutes.

"The contract running time of automobiles from the general post office to the Grand Central Station is 25 minutes, but the post office finds it necessary to allow the contractors 5 minutes additional, owing to the congested streets, so that 30 minutes is the present schedule time, which is no faster than the old horse wagon used 20 years ago. Mail bags arriving by automobile must reach the Grand Central Station at least 15 minutes before the leaving time of the trains, so that the departure will not be delayed. Outgoing letters sent from the Hudson Terminal, which is the big down-town distributing center for such mail, is dispatched to the Grand Central Station by tube and there inclosed in pouches, reaching the trains in a few minutes, so there is a saving there by the use of the pneumatic tubes.

"The CHAIRMAN. Now, I want to invite your attention to two contentions by the Post Office Department, because I think you are in a position to know. The Post Office Department contends, first, that at the present time the auto delivery of second-class mail is speedy enough to give a substantially prompt delivery of the letter mail—first-class mail—and that since we have to take the second class anyway in automobiles it is economical and better to consolidate them all and let the automobiles, since they must run, carry them. You do not agree?

"Mr. FOLLMER. No; I do not agree with those contentions. The wagons would carry more bags then and more time would be needed at each stopping point to sort out the bags, and each postal station would receive the entire accumulation from everywhere on each trip, which would have to be assorted before it could be sent out by letter carriers, whereas with the tubes in operation the letters come in a continuous stream and letter carriers can go out and make their deliveries a few minutes after the last of the mail arrives.

"The CHAIRMAN. How much does that add to the volume, if in addition to the second and third class that they now carry they add the letter mail also?

"Mr. FOLLMER. I can not answer that question now, as I have not the statistics. It would, however, be necessary to perform many more wagon trips.

"The CHAIRMAN. That is an important point for us to find out.

"Mr. FOLLMER. Yes.

"The CHAIRMAN. Do you think it is important for us to ascertain that?

"Mr. FOLLMER. I do. When we were preparing the data for the Post Office Department, on the 4th of March last, we did not know whether the pneumatic-tube service was to be discontinued or not, and we were obliged to prepare in advance a tentative wagon schedule.

"The CHAIRMAN. Were you then in the post office?

"Mr. FOLLMER. Yes; I was then in the post office, and we figured on at least a half million miles more per annum of automobile service, at a cost of over a quarter of a million of dollars.

"The CHAIRMAN. Would that not cost as much as the pneumatic service?

"Mr. FOLLMER. I would imagine so.

"Mr. STEENERSON. It would cost more? You say it costs a quarter of a million dollars more?

"Mr. FOLLMER. A quarter of a million dollars more under the present rate of pay—it is about 59 cents a mile on the down-town contract.

"Mr. STEENERSON. Substitute auto service for the pneumatic tubes?

"The CHAIRMAN. How many miles of tube service?

"Mr. STEENERSON. Twenty-six.

"Mr. FOLLMER. Twenty-nine miles of tube service.

"A VOICE. Twenty-eight.

"The CHAIRMAN. That is costing—28 times $17,000 is how much, somebody? About half a million dollars. So if you can replace this service under $250,000, that would be a saving of $250,000.

"Mr. FOLLMER. It would not be possible to save $200,000 if the best possible automobile service were provided.

"The CHAIRMAN. Now, do you agree with their contention that you would not slow up first-class mail too much to do that? You are with a great bank now, are you not, handling the mail of a great bank?

"Mr. FOLLMER. Yes; with the Guaranty Trust Co., of New York.

"The CHAIRMAN. Suppose they give you a half dozen deliveries a day by automobile, would that do?

"Mr. FOLLMER. That alone would not do. We call for the mail about every half hour, early in the morning, and in addition special-delivery letters are brought in by messenger throughout the day. Most of these letters are received by tube at the Wall Street Station, from which point delivery is made to the Guaranty Trust Co.

"The CHAIRMAN. You can do that still?

"Mr. FOLLMER. But we would not get as much mail and it would be received too late. We want as much mail as we can get in the morning and on each delivery, and by having this continuous flow of mail from the general post office, the Hudson Terminal, the Pennsylvania Terminal, and the Grand Central Station to the Wall Street post office, the mail constantly flowing down town, we are enabled to have it separated, sorted, and delivered to our different departments when the bank opens for business and to put through the clearing house before 10 o'clock the checks mailed by our customers, thereby giving them an additional day's interest on their deposits. We have a foreign department, a trust department, a bond department, and various other departments, and they all expect their first mail at 9 o'clock in the morning.

"The CHAIRMAN. And prompt enough service could be maintained by automobile?

"Mr. FOLLMER. No; much of our mail, and particularly checks that go through the clearing house, would be delayed. That would be a disadvantage to us and to our customers.

"The CHAIRMAN. The department contends that at the post office and railroad stations the mail can be handled more efficiently by automobile than in this continuous flow in the tubes. Do you think that is true, as a practical employee of the post office?

"Mr. FOLLMER. No; I do not. If the mail should reach the station at the last minute there would be delay in having the pouches separated for the trains, and the only way that could be overcome would be to have the wagon start earlier.

"The CHAIRMAN. And get there a little ahead?

"Mr. FOLLMER. And require the public to mail its letters earlier.

"Mr. MEAD. And how about in the wintertime, too, from November to April? How about the service between the pneumatic tube and automobile on a stormy day?

"Mr. FOLLMER. And also on foggy days, when the North River ferry service is disarranged?

"Mr. MEAD. Yes, sir.

"Mr. FOLLMER. I know positively that New York post office closes the mails which are dispatched by automobiles a half hour to an hour and a half earlier on foggy days and when the streets are slippery.

"The CHAIRMAN. When there are no pneumatic tubes?

"Mr. FOLLMER. Where there are no pneumatic tubes.

"A VOICE. Did he say a half million more miles of wagon service?

"Mr. FOLLMER. Yes; at least that much.

"A VOICE. And what was the cost?

"Mr. FOLLMER. About 59½ cents a mile.

"A VOICE. That is not enough.

"Mr. FOLLMER. Fifty-nine and a half cents a mile, at a cost of at least $300,000. Of course, that half million miles will have to be made on the streets, and that means added congestion.

"Mr. STEENERSON. The present cost is $476,000. It would cost $176,000 more expense by automobile service. Has anyone else any figures on the comparative cost of the automobile service as a substitute?

"Mr. FOLLMER. I believe the postmaster of New York submitted the figures to the department at Washington in February or March last.

"Mr. STEENERSON. How long were you in the mail service?

"Mr. FOLLMER. I was with the Government service exactly 30 years and 3 days.

"Mr. STEENERSON. And in what various capacities?

"Mr. FOLLMER. In various capacities. I started in as office boy and worked up through the clerical grades to Assistant Superintendent of Mails, where I had charge of the department of schemes of distribution, transportation schedules, and the issuance of orders and instructions governing the operation of the mail service.

"The CHAIRMAN. And you were in charge of the department of schedules until what date?

"Mr. FOLLMER. Until March 12 last.

"The CHAIRMAN. March 12, 1917?

"Mr. FOLLMER. Yes.

"The CHAIRMAN. Of this year?

"Mr. FOLLMER. Yes.

"Mr. STEENERSON. You have had 30 years' experience?

"Mr. FOLLMER. Thirty years' experience, and during that time we have used every possible means for the transportation of mails—first, horse wagons; then elevated railroad trains and surface cars; and finally pneumatic-tube service for the letter mails and automobiles for the bulky matter.

"Mr. STEENERSON. What do you know about there being damage to mail in the tubes?

"Mr. FOLLMER. The quantity of mail so damaged is infinitesimal.

"Mr. STEENERSON. It is infinitesimal?

"Mr. FOLLMER. There is not as much damage to the mails in the tubes as there is to the parcel-post mails carried in the automobiles.

"Mr. STEENERSON. As I understand your testimony, it is that there is an advantage in having direct communication by tube from, say, Station J down to Wall Street rather than to have an automobile, because the automobile would have to stop on the way?

"Mr. FOLLMER. Stop all the way along the line, at least 10 stops.

"Mr. STEENERSON. It would be impracticable, in your judgment, to maintain a direct automobile service between these different stations so as to carry direct?

"Mr. FOLLMER. Oh, yes; it would be absolutely impracticable. The number of cars would have to be multiplied by about 10.

"Mr. STEENERSON. If each had direct service?

"Mr. FOLLMER. Yes.

"Mr. STEENERSON. Practically, what they have now by tube?

"Mr. FOLLMER. Yes.

"Mr. STEENERSON. As to the argument as to the continuous flow, what do you thing of the proposition that—is it or is it not an advantage in the expedition of the mail to have a flow continuously through the tube rather than every hour or so?

"Mr. FOLLMER. I will explain how that works out. Letters are mailed in the post-office stations by the public or brought in by the letter carriers or collection wagons at all hours of the day. These mails, after the postage stamps are canceled, are taken to primary separation cases and boxed up into States and cities. This work is done at about 50 post-office stations in New York.

"Mr. STEENERSON. Forty-nine.

"Mr. FOLLMER. The mail is boxed up and dispatched by tube continuously to the big distribution centers, where the State mails are distributed for the railroad routes and then sent by tube to Grand Central, Pennsylvania, and Hudson Terminals. Those are the three great centers for outgoing mail, where expert distributors are constantly engaged in distribution, dispatches being made practically every half hour throughout the day and night. If this mail should be received by an infrequent wagon service all at once——

"The CHAIRMAN (interrupting). It would be congestion.

"Mr. FOLLMER. It would mean congestion, and consequently mails which now connect with certain trains would not be ready in time for dispatch.

"Mr. BELL. Take more clerks?

"Mr. FOLLMER. Take more clerks and delay the mails. We have been considering the mails originating in the city. The mails arriving by trains must also be taken into account. Letters for New York City and for New England States arriving on the Pennsylvania Railroad are immediately shot through the tube to the Grand Central or other stations, and the mails received in the Grand Central Depot for the South and West are shot over to the Pennsylvania Terminal. If they were sent by automobile they would be held until the automobiles are loaded.

"The CHAIRMAN. That would involve congestion again.

"Mr. FOLLMER. That would involve congestion and loss of time. As a maatter of fact, mails for the general post office arriving by train at Grand Central Station are received by tube at the general post office long before the first wagon arrives, which enables the distributors at the general post office to commence their work soon after arrival of the trains.

"Mr. STEENERSON. What hours do the tubes run?

"Mr. FOLLMER. From 4 in the morning until 11 at night on week days.

"The CHAIRMAN. Gentlemen, are there any other questions?

"Mr. BELL. During your incumbency here in the post office, were you called upon at any time to make a statement in reference to the pneumatic-tube service?

"Mr. FOLLMER. No; I was not.

"The CHAIRMAN. When this commission investigated it, did they ask your experience about it?

"Mr. FOLLMER. No; Mr. Morgan was postmaster, and naturally they sent to the head of the office.

"The CHAIRMAN. Did he not bring in his administrative officers?

"Mr. FOLLMER. He called upon them for reports.

"The CHAIRMAN. Did you make a report then?

"Mr. FOLLMER. I prepared data and statistics.

"The CHAIRMAN. I see. You prepared data and statistics for Mr. Morgan, and what you said was included in his report.

"Mr. ROUSE. On the pneumatic service, did you prepare any data?

"Mr. FOLLMER. Data on the proposed substitution of automobiles for pneumatic tubes.

"Mr. ROUSE. In your position as having charge of the schemes?

"Mr. FOLLMER. Yes; as in charge of that department.

"Mr. STEENERSON. Now, you have described the effect of the pneumatic-tube service on the incoming and outgoing mail. Now, have you anything further to say with reference to what might be called the intercity mail—the mail that goes from one part of the city to another—with reference to the tube service?

"Mr. FOLLMER. Why, this—that the post office maintained a letter-carrier service here in New York City. Uptown there is a delivery as late as 8 o'clock at night, and certainly a great deal more mail is taken out on each carrier's delivery because of the use of the pneumatic tube than would be delivered otherwise. There is hardly a section of New York City which has not some business interests; business mail originates everywhere, and letters mailed at Station J (One hundred and twenty-fifth Street), for instance, for the down-town section, where the last delivery is made at 4.30 p. m., can leave as late as a quarter of 4 and be delivered the same night. Those mails could not reach down town any earlier than 7 or 8 o'clock at night if there were no tube service and would consequently be delayed in delivery until the next day. The time in transit between all post-office stations is materially less by tube than wagon; as much as two hours is gained between certain stations and more than one hour between the majority.

"Mr. STEENERSON. So you think the advantage to the expedition of the mail that originates and terminates in the city is

just as great, if not greater; greater as to the mails that come in from outside and go outside from inside?

"Mr. FOLLMER. I think it is just as great.

"The CHAIRMAN. Gentlemen, are there any other questions by any other member of the committee?

"Mr. BELL. Have you any other information as to how many more automobiles it would take to transfer mail if taken from the tube?

"Mr. FOLLMER. No; I do not know how many more it would take. I think there are about 250 wagons in use now, some of those wagons being laid up at certain hours.

"Mr. BELL. Not that many in constant use, are there?

"Mr. FOLLMER. No; they are not all in constant use, but they would be in more constant use if the tubes were discontinued. Of course, the automobile contractor would naturally get more service out of the equipment on hand. A great many more runs would be made by the wagons now in use, and a considerable number of additional wagons would be needed.

"Mr. KING. Just one thing I want to emphasize. I want to ask the witness if it were not a fact that with the existence of the tube service you can begin immediately the distribution of the mail as it comes in early in the morning, whereas if you do away with it you have to hold the mail until you load one wagon and start it on the way; so you save by the use of the tube the amount of time consumed in loading the first wagon, and the reference would be true as to the dispatch of the mail after the wagon left the station. If you had other mails sent out on that train you could get it by tube ahead of the wagon; so the substitution of the automobile for the tube would delay the receipt of the mail in the morning and cut down the hour of its departure in the evening.

"Mr. FOLLMER. No question about it.

"Mr. STEENERSON. Have we any statistics as to the amount of money that passes through the mail, the amount of checks passing through the mail here?

"Mr. FOLLMER. No; I have no statistics upon that point.

"Mr. STEENERSON. Most of the transactions of the clearing house, or only a small part, goes through the mail?

"Mr. FOLLMER. Practically all checks received from out-of-town customers come in by mail.

"Mr. STEENERSON. You have statistics as to the clearings?

"Mr. FOLLMER. No; I have not.

"Mr. STEENERSON. I meant they are in existence?

"Mr. FOLLMER. I should imagine so. I wish to add further regarding direct wagons to and from the railroad stations. Theoretically it might appear that satisfactory service might be obtained by their use, but practically it would work out in this way: Take the New York Central Depot—I have not a time-table with me just now, but we will say there is a train going out at 4 o'clock on the New York, New Haven & Hartford Railroad, another at 4.08, and one on the New York Central at 4.20, and perhaps another at 4.25 p. m. Now, if the pneumatic service were abolished, the post office would not put on an automobile trip for each of those trains, but would use one wagon trip for all four trains. That wagon would have to reach the railroad station in time for the first train and have mail for all four trains, so that mail for the 4.20 train would have to be closed out 20 minutes earlier to the business man who may have important letters for his mill or correspondents. With the tube service this early closing is not necessary, because the mails are sent by the tube up to the latest time for each individual train. The same applies to incoming trains. The post office would schedule one wagon to convey the mail received on several trains arriving at different times. If direct wagons were scheduled for each individual train, the wagon service in New York City would cost a million dollars a year.

"The CHAIRMAN. The committee would be glad to have you supplement that statement, and will excuse you with its thanks for your attendance and testimony.

"SUPPLEMENTARY STATEMENT OF MR. GEORGE J. H. FOLLMER, OF THE GUARANTY TRUST CO. OF NEW YORK.

"Since testifying before your committee on September 11 last I have read the report of the committee of the Post Office Department, which I had not seen prior to that time, and after going over the report do not hesitate to state that I do not concur with the conclusions set forth therein.

"The whole case of the Post Office Department appears to be contained in the following recital of advantages and disadvantages printed in the report:

"'The principal advantages of pneumatic tubes for the transportation of mail are:

"'1. A high rate of speed between stations for limited quantities of mail.

"'2. Freedom from surface-traffic congestion.

"'The principal limitations and disadvantages of pneumatic tubes for the transportation of mail are:

"'1. The capacity of each tube container is limited to about 5 pounds of letter mail, and all classes of mail can not be carried.

"'2. The rapidity of dispatch of tube containers is limited to intervals of about 15 seconds, so that only about 20 pounds of letter mail can be dispatched each minute, thus necessitating the paralleling of the entire system of tubes by vehicular service at the time of heavy dispatches.

"'3. Inability of tubes to carry many special-delivery parcels, owing to the limited size of the containers.

"'4. The necessary relaying of containers at way stations involves loss of time and requires that all intermediate stations be kept open, with attendants on duty.

"'5. The inability to dispatch mail to intermediate stations during continuous transmission between any two points.

"'6. Inability to dispatch mail to the point where it is received by or taken from the railroad companies without additional handling.

"'7. Frequent complaints resulting from damage to mail caused by careless locking of containers and by the accidental opening of containers in transit.

"'8. Inability to prevent dampness and oil in the tubes at certain times, resulting in damage to the mails.

"'9. Discontinuance of service on entire line results from stoppage of the operation of the tube at any point on that line.

"'10. Inflexibility of the service, as it can not be expanded to meet recurring or emergent conditions, thus resulting in congestion.

"'11. The terminal equipment of the tubes occupies a considerable amount of desirable space in post-office quarters, for which high rentals are paid by the department.

"'12. The excessive cost of tube service ($17,000 per mile per annum).'

"An analysis of these statements leads to the conclusion that the advantages have been entirely underestimated and that some of the so-called disadvantages are incorrect statements of fact; others can not be considered as disadvantages in the light of experience, and others still are so worded as to lead to fallacious conclusions.

"I will state, briefly, in connection with each statement of the committee, my reasons for this characterization of the report, in so far as the pneumatic-tube service in New York City is concerned.

"No. 1. A high rate of speed between stations for limited quantities of mail.

"The pneumatic tubes provide a high rate of speed for the dispatch of practically all important mail, the prompt delivery of which is essential to the business interests of this city. The mail so forwarded consists of letters, also daily and financial papers, and articles of other classes bearing special-delivery postage stamps. Mail matter of these classes is expedited in delivery between the general post office and the different post-office stations as much as two hours in some cases.

"No. 2. Freedom from surface-traffic congestion.

"Traffic congestion upon the streets of New York City is such that the automobile mail wagons which carry the bulky mails can not perform the speed of 9 to 12 miles per hour, as called for by existing contracts, notwithstanding the fact that the mail wagons are given the right of way by the traffic police so as to enable them to make their trips without interference. If the tube service were curtailed, the letter mails would necessarily also have to be carried on these wagons.

"In its endeavor to provide a speedy service on the streets the Post Office Department, some years ago, substituted auto service for the old horse-drawn wagons at a material increase in cost, but soon after this service went into operation it was found that the contract speed could not be maintained and that the service was but slightly better than the former horse-drawn wagon service. It became necessary to allow additional running time between practically all points, so that the present speed of the automobile is little better than 7 miles per hour, as against 30 miles per hour by tube, and as the traffic congestion upon the streets is rapidly growing worse, it is probable that before long it will not be practicable to make as much as 7 miles per hour. On page 12 of the report of the committee it is stated that the tube speed is about twice that of the automobiles, whereas it is at least three or four times more speedy.

"No. 1. The capacity of each tube container is limited to about 5 pounds of letter mail, and all classes of mail can not be carried.

"The capacity of the individual tube container is 10 pounds, as has been testified to in former hearings and can be easily proven. A great variety of matter is sent by tube, the dis-

patches not being limited to letter mail. Owing to the many complaints received by the post office of delay in delivery of daily and financial papers, a considerable quantity of such mail, which was formerly forwarded by automobile, is now dispatched through the tube in addition to the letter mail.

"No. 2. The rapidity of dispatch of tube containers is limited to intervals of about 15 seconds, so that only about 20 pounds of letter mail can be dispatched each minute, thus necessitating the paralleling of the entire system of tubes by vehicular service at the time of heavy dispatches.

"The tube containers are actually dispatched at certain hours when the mails are unusually heavy with a frequency of one every 8 or 10 seconds, and, as these carriers contain at least 10 pounds each, it is possible to send as much as 60 pounds each minute. Official reports published by the Post Office Department indicate a shorter interval than 15 seconds between dispatches.

"It is not a fact that the physical limitations of the tube service necessitates the paralleling of the entire system of tubes by vehicular service at the time of heavy dispatches. Four or five of the post-office stations located near the railroad terminals make up a few pouches of letter mail for dispatch by wagon during the evening hours when the mails are exceptionally heavy, so as to keep the tube lines open for the supplementary dispatches from the large terminals. These pouches are dispatched in the wagons which are regularly scheduled to carry the bulky mails and which would run even if no letter mails were forwarded thereby.

"No. 3. Inability of tubes to carry many special-delivery parcels, owing to the limited size of the containers.

"The tubes carry practically all first and second class special-delivery mail. Special-delivery stamps are occasionally affixed by the public to parcel-post packages of large dimensions, and such packages, which constitute only a fraction of the special-delivery mail, are forwarded by wagon.

"No. 4. The necessary relaying of containers at way stations involves loss of time and requires that all intermediate stations be kept open, with attendants on duty.

"The time required for relaying containers at way stations is infinitesimal, only a few seconds being taken for that purpose. All intermediate stations are open during the entire 24 hours of the day for regular post-office business. During the hours that the tubes are in operation mails are constantly received from the public or brought in by letter carriers from the street letter boxes or are received from trains, and as fast as these mails are sorted by the clerks they are dispatched for train connections or delivery; consequently the tube service is in constant use at these points and attendants are kept on duty for this work, as well as for relaying the carriers from other stations.

"No. 5. The inability to dispatch mail to intermediate stations during continuous transmission between any two points.

"The mails can be dispatched to any point at any time. Each intermediate station controls both its own dispatches and the carriers relayed through it. It is therefore enabled to govern the dispatches of all mail passing through.

"No. 6. Inability to dispatch mail to the point where it is received by or taken from the railroad companies without additional handling.

"No extra handling is required for mail which is dispatched by tube to the point where it is delivered to the railroad. Bundles of letters so forwarded are packed into the tube containers at the point where they are made up and when received at the post offices near the railroad terminals, are dumped out of the containers and placed in pouches. The pouches are then delivered to the railroad. If these mails were sent by automobile instead of tube the bundles would have to be thrown into pouches at the point where they are made up, the pouches would have to be locked, checked off on the dispatchers' bill, and then loaded into wagons. Upon arrival at the railroad station they would have to be unloaded, checked again, and then delivered to the railroad, so that the operations are actually fewer when the mails are sent by tube. Mails received from trains are handled in the reverse manner.

"No. 7. Frequent complaints resulting from damage to mail, caused by careless locking of containers and by the accidental opening of containers in transit.

"No system of handling mail has as yet been devised which eliminates entirely damage to mail matter. There is greater liability of damage to mails when forwarded by automobile than when transported by tube. Many complaints result from the loss of articles which could not be delivered because the wrappers became detached by the friction to which the mails are subjected when sent in wagons. If the letter mails were sent by wagons instead of tubes the frequent handling of the additional bags at each station en route would aggravate this condition and undoubtedly result in the receipt of an increased number of complaints.

"No. 8. Inability to prevent dampness and oil in the tubes at certain times, resulting in damage to the mails.

"Damage to the tube mails from dampness and oil is no greater than that which happens to other mails from exposure to the elements when carried between the mail stations and the wagons at the street curb. Owing to conditions at post-office stations, it is frequently necessary to leave the mail bags on the sidewalk while waiting for the wagons to arrive, and in stormy weather, or when the sidewalks are wet, these mails are apt to become damp.

"No. 9. Discontinuance of service on an entire line results from stoppage of the operation of the tube at any point on that line.

"This statement can not be applied to the New York service. When there is a stoppage of the tubes between any two points the mails are sent by way of the cross-town loops and reach the post-office stations affected without little, if any, delay, because of the great speed of the tube service. For instance, if there is a stoppage in the lower west-side line between any points, the general post office can send mail for the stations beyond the point affected by way of the east-side northward route to the Grand Central Station, and from there cross town to the Pennsylvania Terminal, and then southward to the station for which intended.

"No. 10. Inflexibility of the service, as it can not be expanded to meet recurring or emergent conditions, thus resulting in congestion.

"This statement is obscure and indefinite, and the illustration referred to on page 12 of the report of the Post Office Committee in connection therewith does not apply to New York City.

"No. 11. The terminal equipment of the tubes occupies a considerable amount of desirable space in post-office quarters, for which high rentals are paid by the department.

"The cost of space in which to carry on the work of the Post Office Department can hardly be used as an argument against performing its necessary functions. Practically all of the space occupied by the tubes would be needed for bag racks and for storing the additional equipment, such as pouches, locks, etc., which would be used if the tube service were curtailed. It would also be necessary to increase the clerical force, and, consequently, the expense, as there would be a great many additional mail bags to make up and handle daily.

"No. 12. The excessive cost of tube service ($17,000 per mile per annum).

"Owing to the great advantages gained in the expeditious handling of over 5,000,000 letters daily in this city, the cost of the service does not appear to be out of proportion to the benefits which the public derives from the rapid and constant transmission of mails and the great gain in time in delivery and in dispatch from New York of the large volume of important business mail, much of which would lose as much as 12 to 24 hours in delivery if the tube service were curtailed.

"Mr. MEAD. Mr. Chairman, Mr. H. L. Hall, of the National City Bank, is unable to be present, but he would like to have an opportunity to present briefly his thoughts with regard to this matter. We now come to the peculiar physical conditions of New York City, the conditions of congestion which render safe and speedy transportation of mail through the streets of the city very difficult, and in order to cover——

"The CHAIRMAN. Is it a matter of public safety?

"Mr. MEAD. Public safety; and not only public safety, but the limit of time is involved.

"The CHAIRMAN. How much delay would there be?

"Mr. MEAD. In order to cover that point, Inspector Myers, of the police department, in charge of the traffic of this city, is present and will give you information on those phases.

"STATEMENT MADE BY INSPECTOR THOMAS MYERS, OF THE POLICE DEPARTMENT, IN CHARGE OF THE TRAFFIC OF THIS CITY.

"The CHAIRMAN. Did you not appear before the Senate committee?

"Inspector MYERS. Yes.

"Mr. STEENERSON. And the House committee?

"Inspector MYERS. Yes. My name is Thomas Myers. I am the inspector in charge of the traffic division of the police department of the city of New York. I have been sent here to represent the police department of the city of New York on the points of street traffic and safety. The department has no interest, as you know——

"The CHAIRMAN (interrupting). In any other phase of the question?

"Inspector MYERS. In any other phase of the question. As you remember, I appeared before your committee in Washington

last winter, and before I go further I will say that I have been 26 years a member of the New York police force, 9 years connected with the traffic division, and 3½ years in charge of the traffic squad of the whole city, and I have seen the city grow, and I have seen traffic grow also. As a matter of fact, traffic on the streets of the city of New York is becoming more and more congested, and traffic conditions are now acute. In vehicular accidents there are 700 people killed annually—about 60 a month on the average.

"Mr. STEENERSON. Two a day.

"Inspector MYERS. One person is killed about every 14 hours and one is injured every 23 minutes. In street accidents there are 23,000 persons injured in one year. Trucks, including mail automobiles, cause the greatest number of fatal accidents.

"The CHAIRMAN. By the way, may I ask, do these automobile trucks carrying the mail—are they accorded any special right-of-way privileges?

"Inspector MYERS. Yes; they are accorded special right-of-way privileges about the city.

"The CHAIRMAN. They claim it under some statute, don't they?

"Inspector MYERS. Yes, sir; and in addition to the right of way that we think they are entitled to they assume—at least the drivers assume—a great deal more right of way.

"The CHAIRMAN. They think they are immune from control,

"Inspector MYERS. Yes, sir. Naturally, a police officer on the street has a hesitation about interfering with the United States mail. There is a sign marked 'United States mail' on the front of an automobile, and he naturally hesitates more, possibly, than he should to enforce strictly the laws governing vehicular traffic. The 'United States mail' sign exerts an unconscious influence over a police officer on the street.

"The CHAIRMAN. And the drivers are quick, I suppose, to take advantage of that.

"Inspector MYERS. Yes, sir; quicker than the police officer is to interfere. I have some figures here. Automobile trucks have killed 132 people in a year, and when you consider the small percentage of automobile trucks that there are in the city against the total number of vehicles, you will see at a glance how dangerous it would be to add more trucks to the street.

"Mr. STEENERSON. How many do the mail trucks kill?

"Inspector MYERS. I have not the statistics. I was only notified at 4.30 yesterday of this meeting to-day. I have been away on vacation.

"The CHAIRMAN. If you can get that you will supplement your statement.

"Inspector MYERS. But I do remember—I think five or six a year; about an average of that that the mail trucks kill. That is my recollection now.

"The CHAIRMAN. You can look over your records and give us that.

"Inspector MYERS. I do remember that the very day I appeared before the House committee in Washington last year there was a 10-year-old boy killed by a mail truck over in Brooklyn, and I do know that auto trucks generally cause more fatal accidents than any other type of vehicle. We have in the city about 300,000 vehicles.

"Mr. BELL. Automobiles?

"Inspector MYERS. Automobiles, horse-drawn vehicles, and cars.

"Mr. BELL. Three hundred thousand?

"Inspector MYERS. Yes; 300,000. That is not counting those of neighboring States and cities, which would add nearly 10,000 more, making 310,000 vehicles on the streets of the city of New York; and the majority of these, strange to say, manage to get into the Borough of Manhattan, this borough in which we are to-day, a little territory about 2½ miles wide by 12 miles long. There were 1,660 persons injured and 96 killed by automobile trucks to date this year. There are about 28,000 commercial vehicles, of which about one-half are automobile trucks, so that if 14,000 automobile trucks killed 96 persons during the first eight months of this year, you can imagine what the total will be in the year against the number killed by about 300,000 vehicles. You will see the danger of the truck on account of its size, its weight, the difficulty of controlling same, and, strange to say, they are usually operated by second-rate chauffeurs who are not as well paid, as a rule, as chauffeurs in charge of private automobiles. To me, having watched the traffic grow for the past 26 years and knowing the present traffic congestion in our streets, it is inconceivable to think that any move should be made to place more trucks on our streets. It would be a great thing and a relief to traffic and a saving of lives if the present mail trucks were off the streets. As to doing away with the mail-tube service and arguing about the extension of the service, it seems to me to be the weighing of dollars and cents against the lives and blood of innocent children.

"The CHAIRMAN. Mr. Inspector, I hate to interrupt you, but I am afraid I will forget. They are putting in a 1-foot tube in London to carry this second and third class mail—newspapers, magazines, and parcels—under the ground. Do you not think that would be the natural development of the mail service all over the world—London, Paris, New York, etc.—all this heavy stuff also?

"Inspector MYERS. It would seem to me to be a very good way to do it. We must get them off the surface of the streets. The streets are already too congested. Something has been said about traffic conditions above Forty-second Street. Traffic is heavy above Forty-second Street, and it seems to be going up town. As a matter of fact, Fifty-ninth Street and Broadway is one of the most congested points in New York City. A tabulation made there shows that in 10 hours 39,800 vehicles and 81,000 pedestrians crossed at that street intersection.

"The CHAIRMAN. That is really the most congested, Fifty-ni..th Street?

"Inspector MYERS. For vehicles, yes; for pedestrians it fluctuates; but it is the greatest congestion from the point of vehicles and pedestrians.

"The CHAIRMAN. How far is that congested district on your streets and in your traffic, particularly with regard to the vehicular question?

"Inspector MYERS. Well, I would say to about One hundred and twenty-fifth Street.

"The CHAIRMAN. About One hundred and twenty-fifth Street?

"Inspector MYERS. Yes, sir; One hundred and twenty-fifth Street. As a matter of fact, we have been increasing our traffic squad faster up town than down.

"The CHAIRMAN. Do you have traffic men there?

"Inspector MYERS. Yes, sir. We have traffic men up in The Bronx, in which borough we are assigning more traffic men every year. Business and traffic are moving uptown. Traffic conditions on the up-town streets are more dangerous on account of the residential sections being up there.

"Traffic men are usually assigned to street intersections in the daytime on account of heavy traffic, and, as occasions arise and traffic increases, they are assigned at night. We have found it necessary to assign more men uptown at night than heretofore. Only recently we assigned a traffic man at Fifty-seventh Street and Fifth Avenue, and we now have a man stationed at night as far uptown as Two hundred and forty-second Street and Broadway.

"The CHAIRMAN. Up to midnight?

"Inspector MYERS. Yes, sir. Now, there is not much more that I can add. Most of you have heard me before.

"The CHAIRMAN. Yes, we have.

"Inspector MYERS. I am on the city streets every day of my life, and I know the danger of the mail truck and know what it means to traffic. One mail truck on the street means about 10 ordinary motor trucks. If you had 200 mail trucks on the streets, it will mean in traffic ten times that number of trucks added to traffic on our already too crowded streets. It is just like adding a drop of water to a glass that is brimming full. It is bound to flow over.

"The CHAIRMAN. We thank you for coming here and giving us this statement.

"(The following is additional to the statement made by Inspector Myers:)

"'The police department has no accurate statistics of persons killed by mail trucks, as the statistics show only the number of persons killed by motor trucks, which, of course, included mail trucks. I do know, however, that several persons have been killed by mail trucks in the past year. The record of fatalities caused by motor trucks shows that, while motor trucks number less than 6 per cent of the total number of autos, yet they caused 40 per cent of the fatalities by motor vehicles in the city, thus showing the great menace to life and limb by this type of vehicle, among which is numbered the mail truck.

"'In order to insure any degree of safety in the operation of motor trucks, the speed of this type of vehicle should be not more than 8 miles per hour in the city.'"

I also insert extract from Mr. Morgan's testimony before the House committee:

"Edward M. Morgan is the greatest living authority on postal affairs. After investigating postal systems and service in all parts of the United States and Europe, I believe that he is the greatest postal expert in the world."—Hon. William R. Willcox, member of the Railroad Commission, ex-postmaster of New York, and late chairman Public Service Commission of New York.

The postal record of Mr. Morgan:

Entered the Postal Service in 1873 as a letter carrier.

Rose by sheer ability rank above rank to postmaster of New York 1907–1917.

At the end of his term the business organizations, press, and public of New York with unprecedented unanimity demanded his retention in office.

Might still be postmaster had he not refused to reverse his stand in the matter of pneumatic-tube mail service, as other postal officials have reversed theirs.

WHAT THE LATE POSTMASTER OF THE METROPOLIS THINKS OF PNEUMATIC MAIL TUBES AND OF THE PROPOSAL TO ABOLISH THEM.

Excerpts from Mr. Morgan's testimony before the Committee on Post Offices and Post Roads, Sixty-fourth Congress, second session:

"It is my opinion that the continuation of the entire existing system of pneumatic tubes in New York City and Brooklyn is justified because of the rapid service which it provides for the transmission of mail, particularly that of the first class. There are transmitted through such tubes about 80,000 pneumatic tube carriers per day, carrying approximately 5,000,000 pieces of mail. These carriers travel at the rate of 30 miles per hour.

"If the pneumatic-tube service were replaced by wagon service, it would, in my opinion, be far from satisfactory and result in overwhelming complaint from the public and adverse criticism of the service.

"The satisfaction now afforded the public is so great that the increased cost of tube service over that of wagon service is fully justified.

"The advantages of the pneumatic-tube system in New York City are felt throughout the entire Postal Service of the country, by making possible later and more expeditious dispatches of outgoing domestic and foreign mail, as well as the rapid transmission of incoming mails.

"Another important feature of the tube system is the prompt delivery of special-delivery letters.

"About 80 per cent of all first-class mail matter mailed in the city passes through the tubes.

"A more flexible and dependable service for the transportation of letter mail is possible by the utilization of pneumatic tubes.

"The tube service is not affected by storms, street traffic congestion, and other surface conditions. The motor service becomes badly crippled during a sleet or snow storm, and in the event of the discontinuance of the pneumatic tubes there would be no adequate substitute service available. During December, 1915, and January, February, and March, 1916, owing to snowstorms and congested and slippery streets, 209 mail wagons missed connections, with resultant delays to mails.

"Instances where pneumatic-tube service is retarded seldom occur. The tubes are really reasonably proof against interruptions.

"Every additional automobile or truck makes the street congestion greater. I agree with the mayor of New York that it would be a serious menace to life to substitute trucks for tubes.

"I have been in the New York post office since 1873. I am entirely familiar with this tube service and every part of the post-office service. I have no doubt about the desirability of continuing the present system of pneumatic tubes. To discontinue them would be to go backward."

Opinions of the press:

THE TUBES SHOULD BE BOUGHT.

[From the New York World.]

The investments of the tube companies can not be commandeered. They should be bought. If the times are not propitious for appropriations or bond issues for such a purpose, the Government could buy them by adding to the yearly rental an amortization allowance to extinguish the principal in 20 or 25 years. With such a bargain the department could take the tubes at once and make extensions and improvements at its own convenience and cost. The one intolerable course is that the department shall deliberately take a backward step by abandoning a device that all live postal systems use and that is necessary to postal efficiency.

THE PUBLIC'S UNANIMOUS DISAPPROVAL OF THE POSTMASTER GENERAL'S PROGRAM.

1918 joint congressional commission to investigate the pneumatic-tube mail service: "The viewpoint of the public, as it appears to the commission, is that letter mail pays for and warrants the highest grade of Postal Service; that there should be no deterioration in the service; that where cities are spending millions of dollars to widen streets and to put traffic above ground and underground, the Government should not add to that traffic by abandoning existing means of underground transportation of mail; that the mail truck is a menace to the life of persons along the streets and tends to obstruct traffic. These are factors in this inquiry which the commission considers are established by the facts."

Merchants' Association of New York: "For all these reasons this association contends that the tube service should be retained without reduction in each of the cities where it now exists, and that it should be extended as rapidly as possible to other important centers of mail traffic."

Boston Chamber of Commerce: "With these facts and data before it, your committee finds it is unanimously and strongly in favor of retaining the pneumatic-tube mail service in Boston."

Chicago Association of Commerce:

"*Resolved*, That in the judgment of the Chicago Association of Commerce it would be a mistake and a backward step to discontinue or impair the pneumatic-tube postal service, but that, on the contrary, it should be extended and enlarged, as conditions and postal requirements develop."

St. Louis Chamber of Commerce: "The postal committee, after holding several meetings, hearing the Postmaster and others, and personally inspecting the tubes with the postmaster, unanimously recommended that the Government not only retain the tubes, but also substantially extend them."

Philadelphia Chamber of Commerce:

"*Resolved*, That the Philadelphia Chamber of Commerce urgently requests the members of the Post Office Committee of Congress to recommend an appropriation of sufficient amount not only to continue the present service, but to extend the service as recommended, because the experience of the business men of the city leads them to regard it as of vital importance to the best interests of the public of Philadelphia."

City of New York—Board of Aldermen, December 18, 1917:

"*Resolved*, That it is the sense of the Board of Aldermen of the city of New York that the pneumatic mail service now existing in this city is not only indispensable to the prompt and uninterrupted movement of letter mail, but it is also desirable as a means of lessening traffic congestion and danger and that the abolition of that service would be seriously detrimental to the residents of this city, especially to the business interests."

EDITORIAL COMMENT.

New York World, January 15, 1917: "Pneumatic tubes greatly shorten the time necessary for the delivery of letters. If there are not enough of them to handle the increasing mails, there is a strong case for developing the service."

New York World, January 29, 1917: "Is it not about time for Postmaster General Burleson to admit that this particular piece of departmental foolishness and injustice was a mistake, which ought to be corrected with the sanction and cooperation of those responsible for it?"

New York Times, December 15, 1917: "If the post-office freight business is growing so that it needs more trucks, they might be granted, but not at the expense of the fast service which does not incumber the streets nor threaten the safety of pedestrians."

New York Sun, January 9, 1918: "In war time efficient postal service is an absolute necessity and it is hard to agree with Mr. Burleson that a system that is speedy and immune from disturbance of weather conditions is of no value."

New York Times, January 9, 1918: "This city has just been going through a situation in which the mail tubes have been of the utmost value. Snow and arctic temperatures delayed street traffic tremendously. The handling of the city's mail suffered naturally, but not to such an extent as it would have suffered if the tubes had not been there to take care of the urgent first-class mail."

New York World, January 10, 1918: "To close the tubes and put more trucks on streets that can not accommodate their present traffic is to handicap the head house of the Postal Service of the country. As a plain business proposition of national importance the tubes should be kept at work."

New York Journal, January 25, 1918: "The mail is being successfully handled through the tubes, and there is no reason on earth why the modern method should be given up to go back to the old-fashioned and unsatisfactory method. The great cities of New York and Philadelphia and Boston and Chicago surely know what they want and what is best for them in the mail service, and they have said so with earnest and repeated emphasis."

Chicago American, December 9, 1916: "If the tubes are all right for New York, why not for Chicago, Mr. Burleson?"

Chicago Examiner, December 11, 1916: "Chicago business against political theorists in the post office," quotes the following in its editorial:

Samuel Hastings, president of the Illinois Manufacturers' Association: "Chicago, which has the heaviest first-class mail in the country, can not afford to lose the pneumatic-tube service."

John N. O'Leary, president of the Chicago Association of Commerce: "Chicago absolutely needs the pneumatic-tube service and is entitled to it."

W. A. Curtis, of Montgomery Ward & Co.: "The discontinuance of the tubes would be a far step backward."

Chicago Tribune, January 9, 1917: "'False economy'; efficiency, and this includes celerity of service, is the only true economy. It would seem fair that any unnecessary addition to the congestion of our streets and to the dangers of life in them should not be encouraged."

Chicago Examiner, February 21, 1917: "Opposition to the modern pneumatic-tube service has been disarmed by facts and figures. To go back to truck hauling of first-class mail matter in such cities as Chicago and New York would be like resurrecting stagecoaches to take the place of limited express trains."

Chicago Examiner, October 12, 1917: "It seems incredible that a serious attempt was made less than a year ago to commit the Government to an abandonment of the postal tubes in favor of automobile trucks on the street surface. It is important that Congress should be forewarned. Any more attempts to abolish or cripple such postal-tube service as we now have will not be tolerated by public sentiment."

Chicago American, January 28, 1918: "They (the tubes) are very satisfactory. They are fully indorsed by the many millions who use them and pay them and protest against their removal."

"Is it wise or just to sacrifice the great centers where the profits are earned when the sacrifice is not demanded even in the districts where the losses are incurred?"

Chicago Examiner, January 28, 1918: "Cities that have had the advantage of pneumatic-tube service not only protested against a reactionary change to automobile trucks, but favored an extension of pneumatic-tube service under Government ownership as well as control."

Boston American, December 19, 1916: "It is interesting and significant that the business men in all the cities involved have with great emphasis disapproved of the Government's proposed abandonment of the pneumatic-tube service."

Boston Transcript, December 11, 1917: "In the estimation of business men, the tubes have established their worth. They can not be dispensed with now without injury to the service, and it is not just that a fight should have to be made every year to save them from official prejudice."

Christian Science Monitor, February 1, 1918: "What this winter has shown is that the large cities need many more mail tubes instead of less or none."

Boston Post, March 2, 1918: "There is force in the statement that the tubes, being an exclusive postal facility, the systems should be owned and operated by the Government."

Boston Herald, April 3, 1918: "Just now, when time and labor are vital things, to throw into the discard such fast and efficient vehicles as the tubes have proved themselves would be worse than stupid.'

St. Louis Post-Dispatch, January 15, 1917: "The creation of the tube service was a step forward toward an ideal condition of letter transportation. So far as contracts are concerned, if they are not satisfactory they should be revised."

St. Louis Globe-Democrat, January 15, 1917: "An overwhelming sentiment in the business community of every city was in favor of the retention of the underground system of handling letter mail."

St. Louis Globe-Democrat, October 12, 1917: "Ordinary observance and common sense make it clear that auto delivery would often be retarded by congestion in street traffic."

St. Louis Star, October 12, 1917: "It probably would be a greater saving in actual money to go back to the two-horse truck, but St. Louis passed out of the stagecoach era some years ago and it has no desire to revert."

St. Louis Republic, October 13, 1917: "The proposition of substituting three motor trucks for the present tube system, thereby saving the Government a few thousand dollars a year in theory, would in reality cost St. Louis business men untold sums in dollars and inconvenience."

Philadelphia Inquirer, September 20, 1917: "Experience here and elsewhere proves that the pneumatic-tube service is the most expeditious way of handling mails in large cities."

Philadelphia Bulletin, December 31, 1917: "The pneumatic tubes are an indispensable part of the urban postal system."

Philadelphia Inquirer, March 23, 1918: "It is hard to remember any public service which has received a more careful or detailed examination at the hands of Congress. We have had repeated investigations, and the results have always been in favor of the tubes."

Philadelphia Public Ledger, March 23, 1918: "The business community is not especially concerned over the price to be paid for the tubes, for under the terms of the Senate committee's plan that is to be determined by the Interstate Commerce Commission; but it is deeply concerned that an unreasoning and unreasonable prejudice shall not be permitted to destroy a facility for the prompt handling of letter mail the value of which has been abundantly and repeatedly proved."

I here insert the affidavit of Mr. Gardner, former member of the expert commission who refused to sign the report. It was sent me by the Merchants' Association of New York:

In the matter of the appropriation for the continuation and extension of the pneumatic-tube mail service.

AFFIDAVIT OF GEORGE A. GARDNER.

STATE OF NEW YORK,
County of New York, ss:

George A. Gardner, being duly sworn, deposes and says that he resides at No. 611 West One hundred and eightieth Street, New York City, N. Y. That he entered the Postal Service of the United States in 1893, and during the period from November, 1911, to October, 1915, he was assistant superintendent of the Railway Mail Service in the office of the Second Assistant Postmaster General.

That on July 17, 1915, he was designated by the Postmaster General to serve as a member of the committee "to make careful investigation and report as to the needs and practicability of pneumatic-tube service, as provided by law, in Boston, Mass.; New York, N. Y.; Brooklyn, N. Y.; Philadelphia, Pa.; Chicago, Ill.; and St. Louis, Mo., preliminary to the consideration by the Postmaster General of the issuance of an advertisement for such service for the term beginning July 1, 1916."

That the said committee entered upon such investigation at New York, N. Y., on August 23, 1915, when it received several requests for public hearings upon the subject of its inquiry, particularly one from the Bronx Board of Trade of the Borough of The Bronx, city of New York, which requested the extension of the pneumatic-tube service to that borough. All requests for public hearings in New York City were, however, denied by the committee, upon the ground that its inquiry was a departmental matter and it was considered unnecessary to hold public hearings. After the committee had been in New York City for several days, without substantial progress in its work, it devoted one day to a personal inspection of the various pneumatic-tube stations in New York City. This inspection consisted in entering the station and glancing at the apparatus and incoming and outgoing mail in a perfunctory manner, the average time occupied being about three to five minutes and no inquiry being made or data being then taken as to quantities of mail received and dispatched, time consumed in transit, dependability and security of operation, or other matters affecting the efficiency or inefficiency of the tube service.

During the course of the committee's inspections it became plain to deponent that the majority of the committee, consisting of W. S. Ryan, superintendent of city delivery, Post Office Department, and John C. Koons, chief post-office inspector, and his assistant, I. T. Mullen, post-office inspector, was hostile to the pneumatic-tube service and favored the substitution of automobile service therefor. This attitude of the majority of the committee was the subject of a conference between deponent and the chairman of the committee, Joe P. Johnston, general superintendent of the Railway Mail Service, who told deponent that he had spoken of the matter to Mr. Mullen and had declared to him that if there was any more of the talk of substituting automobile service for the tube service the committee would find itself in a state of division.

The investigations made of the pneumatic-tube service in Brooklyn, N. Y.; Boston, Mass.; and Chicago, Ill., repeated the perfunctory inspections made in New York City, and in each of said cities public hearings were denied, inspections were made during the hours when the mails were lightest, and no genuine effort was made to get at the facts as to the real value of the pneumatic-tube service. Deponent repeatedly protested to the chairman and to other members of the committee against the slipshod manner in which the investigation was proceeding, but it was manifest to him as it must have been to the chairman that the inquiry was perfunctory and was intended to be perfunctory, the majority of the committee being plainly determined from the outset of the inquiry to discredit the tube service and substitute therefor a Government-controlled automobile service.

When the committee reached St. Louis, Mo., in September, 1915, it had an informal conference with the postmaster of that city, during the course of which a large delegation of business men of St. Louis and East St. Louis (Ill.) appeared and demanded to be heard in favor of continuing the service in St. Louis and extending it in St. Louis and to East St. Louis. A perfunctory hearing was accorded them by the committee, but no stenographic report or other record was made of the arguments advanced thereat. The inspection of the pneumatic-tube service in St. Louis was quite as superficial as that made of it in the cities previously visited by the committee.

The committee concluded its investigation at Philadelphia, Pa., in September, 1915, in an atmosphere that was distinctly hostile to the pneumatic-tube service, for at that time a conference was in progress between the Second Assistant and the Fourth Assistant Postmasters General with the postmaster at Philadelphia, the object of which was not only to eliminate from the postal service in that city the tube service but the trolley-line service, the privately owned motor-car mail service, and the screened-wagon service to and from the railroad stations as well, and to substitute therefor a Government owned and operated automobile service. By direction of the Second Assistant Postmaster General deponent secured and furnished him for use in such conference data concerning the operation of the screened-wagon service. The inspection of the tube service in Philadelphia was conducted in the same perfunctory manner as in the other cities visited by the committee.

At the conclusion of its investigation the members of the committee returned to Washington. Deponent was amazed and disgusted at the manner in which the investigation had been conducted, and conferred upon the subject with Mr. Joseph Stewart, then special assistant to the Attorney General, who, during his previous service as Second Assistant Postmaster General, had recommended the designation of deponent as a member of said committee. At this conference deponent told Mr. Stewart that he (deponent) felt that it was his duty to present a dissenting report disclosing the prejudgment of the subject of its report by the majority of the committee and the perfunctory and unfair manner in which it had conducted its investigation. Deponent received no satisfactory advice from Mr. Stewart, and, being entirely disgusted with the situation, he resigned his position on October 7, 1915, to take other employment.

The phase of the investigation of the committee that was particularly embarrassing and harassing to deponent was that at Chicago and St. Louis the automobiles used by the committee in its official inspections were furnished gratis, over deponent's protest, by a company which had previously sold the automobiles to the Government that were used in the mail service in Washington, at a price higher than the bids of some 19 competing bidders.

GEORGE A. GARDNER.

Sworn to before me this 20th day of May, 1918.
[SEAL.]
H. P. WENIG,
Notary Public, New York County.

Mr. MOON. Mr. Speaker, I yield 20 minutes to the gentleman from Kentucky [Mr. ROUSE].

The SPEAKER pro tempore. The gentleman from Kentucky is recognized for 20 minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MOORE of Pennsylvania. How much time did the gentleman from Minnesota [Mr. STEENERSON] use?

The SPEAKER pro tempore. The gentleman from Minnesota used 55 minutes.

Mr. MOORE of Pennsylvania. How much time is remaining?

The SPEAKER pro tempore. The gentleman had an hour and a half. Thirty-five minutes remain.

Mr. STEENERSON. It seems there is some mistake about that, Mr. Speaker. I had 45 minutes and only yielded for a couple of questions.

The SPEAKER pro tempore. The Chair is informed that the gentleman started to speak at 12.55.

Mr. MOORE of Pennsylvania. And there is 45 minutes remaining?

The SPEAKER pro tempore. Thirty-five minutes.

Mr. ROUSE. Mr. Speaker, the gentleman from Minnesota [Mr. STEENERSON] a few moments ago was speaking about the damage to the mails by the pneumatic tubes being infinitesimal. This box of mail, exhibited on the table before you, was taken out of a tube in Chicago one day last month, and this small package of envelopes—destroyed and soiled envelopes—was taken out of tubes in Chicago during last month, and it only represents a very small part.

Mr. AYRES. I suggest that the gentleman hold it up.

Mr. ROUSE. It can be seen here.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. ROUSE. Yes.

Mr. MOORE of Pennsylvania. Was the evidence that the gentleman now lays before the House placed before the congressional commission that had this matter in charge and before it made its report favoring the purchase of the tubes?

Mr. ROUSE. This box of destroyed stuff was not placed before the commission, because the commission had finished its work before this exhibit was produced.

Mr. MOORE of Pennsylvania. It looks very much like a piece of "after discovered evidence." I call that to the attention of the committee.

Mr. ROUSE. I will state that we had before the commission a large sack of destroyed and damaged mail accumulated from the different tube cities.

Mr. MOORE of Pennsylvania. Was it due to an accident, or was it an accumulation of matter?

Mr. ROUSE. It was due to insufficient service.

Mr. MOORE of Pennsylvania. Sometimes an accident will destroy a mail motor car. Sometimes one accident will upset a whole railroad mail train, destroying hundreds of thousands of letters at one fell swoop.

Mr. ROUSE. I will insert in the RECORD a summary of the failure of tubes in Chicago for the month of May, which shows that there were over 1,200 pouches of mail delayed and some destroyed during that month, and during April more than 1,900 pouches were delayed.

Mr. MOORE of Pennsylvania. Will the gentleman put in with that the commendations of various trade bodies in Chicago speaking well of the pneumatic-tube service?

Mr. ROUSE. I will say to the gentleman that those resolutions are embodied in the hearings.

Mr. MOORE of Pennsylvania. It is a fact that they have approved the service, is it not?

Mr. ROUSE. Some of them have. If you will look at the list of stockholders, you will see the reason for their commendation.

Mr. MOORE of Pennsylvania. I know that the commercial bodies say that the tubes facilitate the movement of the mail.

Mr. ROUSE. If the gentleman will consult the hearings he will see the list of stockholders. Those lists were taken from the records of the company.

Mr. MOORE of Pennsylvania. The gentleman led a gallant minority of one, with five against him. The gentleman made a

good fight, but I think it is fair that the House should know that there were five votes to one on the commission.

Mr. ROUSE. I suppose the House knows that without information from the gentleman, and I am proud of my stand.

Mr. MOORE of Pennsylvania. But this is a good place to put it in?

Mr. ROUSE. It is. It will stay in and will not be stricken out.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. ROUSE. Yes.

Mr. AYRES. All the postmasters in the United States who know about this service are against it, are they not?

Mr. ROUSE. Yes. All the postmasters in the United States who know about this service are against it.

Mr. DONOVAN. Mr. Speaker, will the gentleman yield?

Mr. ROUSE. Yes.

Mr. DONOVAN. Do you recall Mr. Morgan, the postmaster of New York, who went from the post of letter carrier to that of postmaster?

Mr. ROUSE. Yes.

Mr. DONOVAN. Was he opposed to this?

Mr. ROUSE. I do not think he appeared before our commission.

Mr. DONOVAN. Did he not appear before the committee in New York?

Mr. ROUSE. I do not know as to that. He did not appear before the commission.

Mr. GALLAGHER and Mr. STEENERSON rose.

The SPEAKER pro tempore. Does the gentleman yield, and to whom?

Mr. ROUSE. I can not yield.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. ROUSE. Mr. Speaker, as a member of the pneumatic-tube service commission I desire to submit some observations on the subject and to state that while I happen to be the only member of the committee that does not agree with the majority in the conclusion, I feel that I have made a proper decision; and if my conscience is clear in forming that decision, I can have no regrets.

Authorization for the appointment of a commission to investigate the pneumatic-tube mail service in the cities of Chicago, New York, Brooklyn, Boston, Philadelphia, and St. Louis was approved on March 3, 1918, and the following were appointed and constituted this commission: Hon. JOHN H. BANKHEAD, Hon. THOMAS W. HARDWICK, and Hon. JOHN W. WEEKS, from the Senate; Hon. THOMAS M. BELL, Hon. HALVOR STEENERSON, and myself, from the House.

This commission was directed to investigate the value of the pneumatic-tube service, with a view to the purchase and operation of the same or any portion of it by the Government, and to ascertain the cost and terms upon which such purchase may be made.

The majority of the members of the commission visited the different cities and saw the working of the tube service. This service, as you well know, is for the transmission of the first-class mail. The records show that some mail other than first class is occasionally sent through the tube, but this is very seldom. The records also show that the tube handles about 5 per cent of the entire mail in the five cities in which the service is operated; that it handles less than 50 per cent of the first-class mail in Chicago and a somewhat greater per cent in the other cities.

Mr. Speaker, the proposition before the House is the purchase of this entire pneumatic-tube service of about 56½ miles from the companies now operating the service for an amount which is fixed by the majority members of the commission at not more than $4,432,622.

The cities now having pneumatic-tube mail service and the number of miles of tube in each city is as follows: In New York, 26.4290; in Brooklyn, 1.3500; in Chicago, 10.0447; in Philadelphia, 9.0999; in Boston, 6.7740; and in St. Louis, 1.9880.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. ROUSE. Yes.

Mr. AYRES. I would like to ask my colleague the same question as I asked the gentleman [Mr. STEENERSON] preceding him, whether the commission attempted to ascertain the original cost of these plants in the various cities?

Mr. ROUSE. I will say to the gentleman that this commission did not.

Mr. AYRES. Have you any evidence to show what the original cost was?

Mr. ROUSE. Yes. I have the report of the former commission, which is included in the hearings, the 1912 commission, and that report was made by the American Audit Co., and for the information of the gentleman and the House I will read a part of it. I will read first that part relating to the Philadelphia concern, particularly with reference to the cost of construction. I read:

COST OF CONSTRUCTION.

The books of the company show the following charges to construction account:

Bourse Station (common stock)	$300,000.00
Broad Street Station (bonds)	200,000.00
Stations S and O (preferred stock)	160,000.00
Stations J and C (preferred stock)	200,000.00
Stations S and D (preferred stock)	235,000.00
Reading Terminal Station (preferred stock)	20,000.00
Fairhill and North Philadelphia (preferred stock)	199,750.00
S and O alterations (cash)	4,880.35
Making a total of	1,319,630.35

No information is contained on the books of the company as to the cost of the Bourse Station line, other than $300,000 par value of common stock was issued to the late William J. Kelly for the construction of this line.

We are informed by Mr. Milholland that the best information obtainable is that the actual cost to Mr. Kelly of the construction of this line was $42,000, and it so appears in the testimony given before your commission by W. P. J. Murray, the treasurer of the Pneumatic Transit Co.

Mr. AYRES. That is what line?

Mr. ROUSE. That is the Bourse Station line. I read further:

The cost to the company of the Broad Street line was, as stated above, $200,000 in bonds of the company. No other information is obtainable from their books. We were informed by Mr. Milholland that the proceeds of these bonds were used to pay debts of the corporation as well as the cost of actual construction. No information is obtainable at this time as to the actual cost of construction. It appears, however, from the tabulated statements discussed by Mr. Murray before your commission, and appended to his testimony, that the cost of construction amounted to approximately $60,000.

For the benefit of the gentleman and the House I will insert in my remarks the remainder of that report. That is just an example of the cost of the different lines.

Lines S and O, J and C, S and D, and Reading Terminal were built under contracts with the Batcheller Pneumatic Tube Co., for which they received $615,000 par value of preferred stock of the Pneumatic Transit Co., as above noted. An examination of the books of the former company shows that no attempt was made to keep the cost of the construction of these four lines separate. Their books, however, show that a profit of $176,590.88 was made on this construction.

During the period of the construction the accounts of the Batcheiler Co. were under the charge of M. B. Riffo, who, we are informed, was a defaulter for upward of $40,000 from the company, and on or about June 4, 1908, was arrested on a charge of forgery and embezzlement. Many of the records, so we have been informed, were destroyed and falsified by this man Riffo. Public accountants were called in by the company and the books were straightened up to the best of their ability and new balances brought down. It is claimed by the company, and it so appears to us, that the records are very incomplete and unreliable, owing to the manipulation just mentioned. It is further claimed by Mr. Milholland that large sums of money which should have been charged to these contracts were omitted. We can only present this matter to you as we found it for your consideration.

The line from Fairhill to North Philadelphia was constructed for the company at a cost of $199,750 par value of their preferred stock. We submit herewith Exhibit C, cost of construction of the tube system, starting from Station O, to Fairhill, to North Philadelphia Station, which shows the actual cost to have been $96,793.71. It is claimed by the company that this line was built by their own engineers; that, in addition to the physical conditions being extremely favorable, they were also able to take advantage of an unusual condition in the market and purchase their material at a much less figure than they have been able to do before or since. They therefore claim this particular piece of construction is not a fair one to use as a comparison. The total cost per mile figures $53,833, as against their engineer's estimate for lines J and C of $81,350 per mile.

In the engineer's estimate, which we are submitting herewith as Exhibit D, it will be noted that there are charges for "station equipment" for Broad Street station and stations J and C amounting to about $60,000, as against a charge of approximately $23,000 for "station equipment" as shown in Exhibit C (Fairhill and North Philadelphia station). Our conclusions are that only an appraisal of the physical property will give you any authentic information as to the actual cost of this construction.

From the above it will be noted that the charge to construction account on the company's books is approximately $1,123,000, while the actual direct cost was approximately as follows:

Bourse station	$42,000
Broad Street station	60,000
Stations S and O, J and C, S and D, Reading Terminal station	439,000
Fairhill and North Philadelphia	97,000
S and O alterations	5,000
Making a total of	643,000

Mr. KING. For the sake of information, will the gentleman state the cost of the pneumatic-tube system in the city of Chicago?

Mr. ROUSE. I will, if it is included in that report of the audit company.

Mr. KING. Was there evidence before the commission that it cost $1,000,000?

Mr. ROUSE. No; there was no evidence before the commission of which I had the honor of being a member in regard to the value of these tubes or the cost of them. I am taking that report from the 1912 commission.

Mr. KING. Is it not in the record that Mr. Montgomery, of the Chicago Association of Commerce, stated that it cost $1,000,000?

Mr. ROUSE. It may be in the hearings. I have no information of that.

Mr. RAMSEYER. Can the gentleman give us any estimate of the original cost of the 56 miles of tube that the Government is now supposed to buy?

Mr. ROUSE. I think I can, by going through the report of the audit company.

Mr. POU. Will not all these questions be answered in the course of the gentleman's remarks, if the gentlemen who are interrogating him will be patient?

Mr. ROUSE. Not all of them. I would be glad to yield, but I can not yield further, because I have not sufficient time.

I do not believe any good business man would contract for any piece of property until after he knew that the title to the property was clear. I do not believe that any good business man would want to buy a public utility until after he was assured that the franchises were secure. This commission did not investigate the franchise which the tube companies may have in any of the cities. However, a former commission was appointed in accordance with the provisions of the act of August 24, 1912, employed Mr. Nathan B. Williams, an attorney of Washington, to look into and report on their duration, and his report is in part as follows:

In Boston the tube company has a right to occupy all streets, and the franchise is revocable on order of city council.

In New York the tube company has a franchise for 25 years from 1897. This franchise will expire in 1922, or four years hence.

In Chicago the tube company has a franchise for 20 years from October 12, 1903, with right of purchase after October 12, 1913. This franchise expires in 1923, and under its provisions the property reverts to the city of Chicago.

In St. Louis the tube company has a franchise for 25 years, presumably from June 10, 1903. This franchise will, therefore, expire in June, 1928.

In Philadelphia, no terms.

In connection with the Philadelphia franchise, however, attention is called to section 12 of an ordinance regulating the laying and construction of underground wires, electrical conductors, conduits, cables, or tubes, approved the 5th day of August, 1886, which was submitted by Mr. Williams and which reads as follows:

Should any company, corporation, firm, or individual to which privileges have heretofore or shall hereafter be granted for the laying of underground wires, electrical conductors, conduits, cables, or tubes, dispose of any of the franchises granted by ordnance, or lease to, consolidate, or merge with any other company, corporation, firm, or individual, they shall forfeit all rights and privileges granted to them by the city of Philadelphia, and upon satisfactory proof being furnished to the chief of the electrical department and the city solicitor, they are hereby authorized and directed to take action against the offending company, corporation, firm, or individual, as provided for in section 9 of this ordinance.

With respect to keeping the streets in repair, the franchises for the different cities require, according to the report of Mr. Williams:

In Boston: Person opening surface of street must make repairs for 12 months.

In New York: The streets must be restored and maintained.

In Chicago: A deposit covering estimates for repairs costs must be maintained.

In Philadelphia: Repairs must be maintained for three years.

Mr. KING. Does the gentleman care to yield at this point?

Mr. ROUSE. I will yield once more, but I do not care to yield any further.

Mr. KING. Just at that point I would like to ask the gentleman if the city government of Chicago has not made some arrangement or agreement with the pneumatic-tube company with reference to an extension of the franchise?

Mr. ROUSE. It has not; and, further, it refused to at a recent meeting, and the property will revert to the city of Chicago at the expiration of the present franchise.

For the Government to spend millions of dollars to purchase tube systems operating under franchises which will expire within such a short period of time would be indefensible. In one instance in Chicago the property will revert to the city upon the expiration of the franchise and in another in Philadelphia all rights and privileges granted by the city will be forfeited upon sale. No business man would think of spending a dollar of his own money under like conditions and surely we would not vote to squander the money of the public under circumstances where we would not be willing to spend our own.

My views as to the value of the pneumatic tubes to the Postal Service and the advisability of their purchase by the Government are in harmony with the opinions expressed by Members of Congress, congressional and departmental committees, departmental and postal officials thoroughly familiar with the service, and others eminently qualified to pass on this subject. Were this not true, I would hesitate to differ from the other members of this commission.

In order to show some of the early history of the pneumatic tube, Mr. Speaker, I desire to insert in my remarks a part of a speech delivered on this floor on the 25th of April, 1900, by the late Supreme Court Justice, William M. Moody, of Massachusetts, who was a Member of Congress and who evidently knew some of the early history of the pneumatic tube:

Now, Mr. Chairman, I crave the attention of the House while I undertake to show how this ill-begotten appropriation began. I think it will be a warning to us to proceed with caution. Let me have your attention for but a few moments upon this proposition.

I was stating that the first appropriaion was made when Mr. Neilson was Second Assistant Postmaster General.

Mr. COOPER of Wisconsin. Under whose administration?

Mr. MOODY of Massachusets. I do not want to bring any politics into it at all. Within six weeks, at the outside, after he had left the office, he was given $1,000 in cash and $10,000 in stock for his services at Washington during the succeeding year. What they were I do not know. What they could properly be I could not guess; but he was given this stock.

But that is not all, Mr. Chairman, there was other testimony before the commission. I shall mention no names, and I regret extremely to have to speak upon this subject, but we found that the pneumatic-tube system in New York was constructed by contractors who took their pay in stock and bonds; that the only value which that stock and those bonds had was the contract with the Government. It was certainly unfortunate—I think nothing else, believe nothing else, but unfortunate—it was certainly unfortunate that a holder of the bonds and one of the contractors was a Member of this House and a member of the Committee on Appropriations.

A MEMBER. Give us his name.

Mr. MOODY of Massachusetts. I decline to state.

Mr. LIVINGSTON. Does the report develop that fact?

Mr. MOODY of Massachusetts. It does.

Mr. LIVINGSTON. Will the gentleman state his name?

Mr. MOODY of Massachusets. I will not. As showing the methods employed by the New York company I will state that a large block of the stock of this company as a New Year's present was sent to a near relative of an important and influential Member of the House. I am glad to say that the return mail was not allowed to depart from Washington without carrying back that dishonorable and dishonoring gift. [Applause.]

Our beloved chairman, Hon. JOHN A. MOON, who has been a member of the Committee on the Post Office and Post Roads for many years and who is well versed in all postal matters, stated in a speech on the floor of this House, on the 15th day of January, 1917, that "the service was born in iniquity and has been maintained by corruption and graft."

Hon. FRED L. BLACKMON, who was a member of a former commission and who served many years with distinction as a Member of Congress, and who is at present a member of the Committee on the Post Office and Post Roads of the House of Representatives, and whose judgment in affairs relating to the Postal Service receives the most careful consideration, differed with Senator SMITH and Mr. Stewart, two members of the same commission, in their views and stated:

First. I do not believe that the Government can operate a pneumatic-tube system as cheaply as can private individuals.

Second. I am not convinced that there exists a necessity for the operation of the fifty-odd miles of 8 inch pneumatic tubes.

Third. If the necessity exists for the use of pneumatic tubes, the present tubes have not the capacity to keep pace with the increase in mail matter that is bound to come from a perfection of our Parcel Post System.

Fourth. A careful examination of all the testimony and facts submitted leads me to believe that the Government can take care of this class of mail by contract, using screen wagons and automobiles, more cheaply than it can be handled by any system of pneumatic tubes.

I am not prepared to say that the $17,000 per mile paid for the service now being handled by the use of the pneumatic-tube system is excessive, but I am convinced that there is not sufficient mail handled through these tubes to warrant the Government in paying $17,000 per mile for the service.

In view of the foregoing conclusions reached by me, I can not join in recommending to Congress a purchase of these tubes.

Former Representative Victor L. Murdock was also a member of the 1914 commission, and those who served with him in Congress well know that he was a close student of postal matters. He also differed with Senator SMITH and Mr. Stewart and submitted a minority report, in which he states:

I do not believe that a purchase of these tubes by the Government would be warranted by the facts. I am not only opposed to such purchase but I also believe that certain parts of the present tube service should be discontinued.

Hon. MARTIN B. MADDEN, of Chicago, a distinguished Member of this Congress, who is zealous in guarding the interest and efficiency of the Postal Service and whose judgment in matters of postal affairs is eagerly sought, stated before the Post Office Committee in December, 1913:

Would you be surprised to know that an investigation that I made of the pneumatic-tube system in Chicago led me to the conclusion that it was a service of no special value, except in the matter of the 12 minutes time saved in closing the mail; that they would have to close 12 minutes earlier if they did not use the service; but that all mail sent through the pneumatic tubes from the office to the railway stations had to be broken up and be put in small packages in order to put it through the tubes at all, and then it had to be redistributed for transportation over railroad at a cost of $60,000? A number of clerks sufficient to consume $60,000 a year in pay had to be maintained to put that mail into

form. Perhaps it might surprise you to be told that I could take a wheelbarrow from the main post office and start up to any of the ordinary stations with it, and load it in, and get it, taking the time for redistribution into consideration.

Mr. F. H. Galbraith, superintendent of mails of the Chicago post office, one of the most efficient postal officials in the United States and who has served faithfully for more than 30 years, in part of a report which he submitted to the Post Office Department under date of September 8, 1917, states in part that under no circumstances should the Government purchase the inefficient, antiquated, and worn-out pneumatic-tube equipment.

I desire to insert in my remarks a summarized report showing the time of suspension of pneumatic-tube service in Chicago for the month of May, 1918, during which time more than 1,200 pouches of first-class mail were delayed on account of the accidents and inefficiency of the tube service. I am informed by the Post Office Department that during the month of April, 1918, more than 1,900 pouches of mail were delayed on account of this inefficient service.

Summarized report showing time of suspension of pneumatic-tube service in Route No. 53500½ for the month of May, 1918.

UNITED STATES POST OFFICE,
Chicago, Ill., June 1, 1918.

Date.	Line involved.	Substitute service.	Duration suspension.	Time.
				Hrs. m.
May 6	Armour to Stock Yards Station (one direction).	No service....	10.20 a. m. to 10.36 a. m.	16
6	.....do.....	.....do.....	11.12 a. m. to 11.27 a. m.	15
7	General post office to La Salle Street tube station (one direction).	Government auto.	12.56 p. m. to 1.07 p. m.	11
7	La Salle Street tube station to Station U tube station (one direction).	.....do.....	12.56 p. m. to 1.07 p. m.	11
7	Station U tube station to Canal tube station (one direction).	No service....	12.56 p. m. to 1.07 p. m.	11
8	General post office to Chicago Avenue Station (one direction).	.....do.....	4.20 p. m. to 4.45 p. m.	25
9	La Salle Street tube station to general post office (one direction).	Government auto.	7.44 p. m. to 8.23 p. m.	39
9	La Salle Street tube station and general post office (both directions).	.....do.....	8.23 p. m. to 1 a. m., May 10.	4 37
9	Station U tube station to La Salle Street tube station (one direction).	.....do.....	7.47 p. m. to 8.25 p. m.	38
9	La Salle Street tube station and Station U tube station (both directions).	.....do.....	8.25 p. m. to 1 a. m., May 10.	4 35
9	Canal tube station to Station U tube station (one direction).	.....do.....	7.48 p. m. to 8.45 p. m.	57
9	Station U tube station and Canal tube station (both directions).	.....do.....	8.45 p. m. to 9.28 p. m.	43
9	Twentieth Street Station to Armour Station (one direction).	No service....	5.10 p. m. to 5.55 p. m.	45
9	Armour Station and Stock Yards Station (both directions).	Government auto.	5.12 p. m. to 9 p. m.	2 48
10	.....do.....	No service...	5 a. m. to 5.55 a. m.	55
10	General post office to La Salle Street tube station (one direction).	.....do.....	10.10 a. m. to 10.26 a. m.	16
10	La Salle Street tube station to Station U tube station (one direction).	.....do.....	.....do.....	15
10	Station U tube station to Canal tube station (one direction).	Government auto	.....do.....	15
10	General post office to La Salle Street tube station (one direction).	.....do.....	2.28 p. m. to 3 p. m.	32
10	La Salle Street tube station to Station U tube station (one direction).	.....do.....	.....do.....	32
10	Station U tube station to Canal tube station (one direction).	.....do.....	.....do.....	32
10	Station U tube station to La Salle Street tube station (one direction).	No service....	4.55 p. m. to 5 p. m.	5
10	La Salle Street tube station to general post office (one direction).	.....do.....	4.37 p. m. to 4.50 p. m.	13
10	La Salle Street tube station to general post office (one direction).	.....do.....	4.56 p. m. to 5 p. m.	4
11	General post office to La Salle Street tube station (one direction).	Government auto.	3.13 p. m. to 3.33 p. m.	15
11	General post office and La Salle Street tube station (both directions).	.....do.....	3.33 p. m. to 6.10 p. m.	2 37
11	La Salle Street tube station and Station U tube station (both directions).	.....do.....	3.20 p. m. to 6.10 p. m.	2 50
11	Station U tube station and Canal tube station (both directions).	.....do.....	3.20 p. m. to 4.03 p. m.	43
11	Station U tube station and Canal tube station (both directions).	.....do.....	6 p. m. to 6.10 p. m.	10
20	General post office and Illinois Central tube station (both directions).	.....do.....	5.55 p. m. to 6.45 p. m.	50
20	General post office and Illinois Central tube station (both directions).	.....do.....	8.44 p. m. to 12.05 a. m. May 21.	3 21

Summarized report showing time of suspension of pneumatic-tube service in Route No. 53500½ for the month of May, 1918—Continued.

Date.	Line involved.	Substitute service.	Duration suspension.	Time.
				Hrs. m.
May 20	General post office to La Salle Street tube station (one direction).	Government auto.	10.43 p. m. to 12.23 a. m. May 21.	1 40
20	La Salle Street tube station to general post office (one direction).	.....do.....	9.55 p. m. to 12.25 a. m. May 21.	2 30
20	La Salle Street tube station to Station U tube station (one direction).	.....do.....	10.51 p. m. to 12.25 a. m. May 21.	1 34
20	Station U tube station to La Salle Street tube station (one direction).	.....do.....	9.54 p. m. to 12.24 a. m. May 21.	2 30
20	Station U tube station to Canal tube station (one direction).	.....do.....	10.15 p. m. to 12.24 a. m., May 21.	2 09
20	Canal tube station to Station U tube station (one direction).	.....do.....	10 p. m. to 12.24 a. m., May 21.	2 24
21	General post office to La Salle Street tube station (one direction).	.....do.....	8.20 p. m. to 8.38 p. m.	18
21	La Salle Street tube station to Station U tube station (one direction).	No service....	8.20 a. m to 8.42 a. m.	22
21	Station U tube station to Canal tube station (one direction).	Government auto.	8.20 a. m. to 8.35 a. m.	15
28	La Salle Street tube station to general post office (one direction).	No service....	3.20 p. m. to 3.38 p. m.	18
28	Station U tube station to La Salle Street tube station (one direction).	.....do.....	.....do.....	18
28	Canal tube station to Station U tube station (one direction).	.....do.....	.....do.....	18
28	La Salle Street tube station to Station U tube station (one direction).	.....do.....	8.20 p. m. to 8.30 p. m.	10
28	Station U tube station to La Salle Street tube station (one direction).	Government auto.	.....do.....	10
28	General post office to La Salle Street tube station (one direction).	.....do.....	9.33 p. m. to 10 p. m.	27
28	La Salle Street tube station to Station U tube station (one direction).	.....do.....	.....do.....	27
28	Station U tube station to Canal tube station (one direction).	.....do.....	.....do.....	27
28	General post office to La Salle Street tube station (one direction).	.....do.....	10.10 p. m. to 11 p. m.	50
28	La Salle Street tube station to Station U tube station (one direction).	.....do.....	.....do.....	50
28	Station U tube station to Canal tube station (one direction).	.....do.....	.....do.....	50
29	Armour Station and Stock Yards Station (one direction).	.....do.....	8.15 p. m. to 9 p. m.	45

May 6, 1918: Service in lines from Armour Station to Stock Yards Station suspended from 10.20 a. m. to 10.36 a. m. (one direction). No delay in delivery of mail involved.

May 6, 1918: Service in line from Amour Station to Stock Yards Station suspended from 11.12 a. m. to 11.27 a. m. (one direction). No delay in delivery of mail involved.

The cause of these suspensions was found to be due to trouble with receiving machine at the Stock Yards Station.

May 7, 1918: Service in lines from general post office to La Salle Street tube station suspended from 12.56 p. m. to 1.07 p. m. (one direction).

May 7, 1918: Service in line from La Salle Street tube station to Station U tube station suspended from 12.56 p. m. to 1.07 p. m. (one direction).

May 7, 1918: Service in line from Station U tube station to Canal tube station suspended from 12.56 p. m. to 1.07 p. m. (one direction).

One thousand three hundred and fourteen pieces of first-class mail made up at the general post office for connection with Chicago & Marion railway post-office train 29, departing from the Union Station at 1.15 p. m., failed to connect, due to delay in dispatch from general post office.

Seven pouches made up by general post office for four trains departing from the La Salle and Union Stations went forward at Government expense in Government-owned automobiles via route No. 435045.

The cause of these suspensions was found to be due to trouble with receiving machine from La Salle Street tube station at Station U tube station.

May 8, 1918: Service in line from general post office to Chicago Avenue Station suspended from 4.20 p. m. to 4.45 p. m. (one direction).

Four thousand two hundred and fifty-six pieces of first-class mail and 33 special-delivery letters made up at the general post office for connection through Chicago Avenue Station with Edgewater auto line leaving Chicago Avenue Station at 4.35 p. m. were not connected. Mails were returned to general post office at 5 p. m. No delay in carriers' delivery of first-class mail. Special-delivery letters were delayed two to three hours in delivery.

The cause of this suspension was found to be due to trouble with receiving machine at Chicago Avenue Station.

May 9, 1918: Service in line from La Salle Street tube station to general post office suspended from 7.44 p. m. to 8.23 p. m. (one direction) and in lines to and from general post office and La Salle Street tube station from 8.23 p. m. to 1 a. m., May 10 (both directions).

May 9, 1918: Service in line from Station U tube station to La Salle Street tube station suspended from 7.47 p. m. to 8.25 p. m. (one direction), and in lines to and from La Salle Street tube station and Station U tube station from 8.25 p. m. to 1 a. m., May 10 (both directions).

May 9, 1918: Service in line from Canal tube station to Station U tube station suspended from 7.48 p. m. to 8.45 p. m. (one direction), and in lines to and from Station U tube station and Canal tube station from 8.45 p. m. to 9.28 p. m. (both directions).

Fifty-six pouches made up by general post office for tube station and seven trains departing from La Salle Street Station, 60 pouches for tube station and 14 trains departing from Union Station, 40 pouches for tube station and 7 trains from Chicago & North Western Station, 18 pouches by 4 trains arriving at La Salle Street Station, 31 pouches by 8 trains arriving at Union Station, and 37 pouches by 6 trains arriving at Chicago & North Western Station for general post office and tube stations—all went forward at Government expense in Government-owned automobiles in route No. 435045; also, 51 pouches made by Canal Station for tube stations and 16 trains departing from Union, La Salle, Illinois Central, and Dearborn Stations.

Failed to connect 1,188 pieces of first-class mail and 11 special-delivery letters, made up at Canal Station for connection with Pittsburgh and Chicago railway post-office train 142, Chicago, West Liberty, and Omaha express train 3, and Chicago and Memphis express 9, departing from Union, La Salle, and Illinois Central Stations.

Two thousand four hundred and twenty-six pieces of first-class mail taken out of line in carriers from La Salle Street Station at the general post office from 1.40 a. m. to 2.10 a. m., May 10. Two thousand and sixty-nine pieces were for connection with trains departing from Illinois Central Station, 167 pieces for trains departing from Dearborn Station, and 190 pieces D. P. O. mail to be worked at general post office for depending connections. Letters were delayed 12 to 14 hours in dispatch.

The cause of these suspensions were found to be due to carrier sticking in receiving machine at general post office, causing carriers to block in line from La Salle Street tube station to general post office.

May 9, 1918: Service in line from Twentieth Street Station to Armour Station suspended from 5.10 p. m. to 5.55 p. m. (one direction). No delay in dispatch of mails involved.

The cause of this suspension was found to be due to carrier sticking in receiving machine from Twentieth Street Station at Armour Station.

May 9, 1918: Service in lines to and from Armour Station and Stock Yards Station suspended from 5.12 p. m. to 9 p. m. (both directions).

Seven pouches made up by Armour Station and Stock Yards Station for general post office and tube stations went forward at Government expense in Government-owned automobiles via Route No. 435045.

Failed to connect 658 pieces of first-class mail made up at Stock Yards Station for connection with Chicago and Memphis railway post-office train 3, Chicago and St. Louis railway post-office train 27, and Pittsburgh and Chicago railway post-office train 142, departing from the Illinois Central, Dearborn, and Union Stations.

May 10, 1918: Service in lines to and from Armour and Stock Yards Stations suspended from 5 a. m. to 5.55 a. m. (both directions). At 5.50 a. m. nine carriers containing approximately 4,340 pieces of first-class mail postmarked 5 p. m. May 9, Stock Yards Station, were taken out of line from Stock Yards Station at Armour Station, having been blocked in line from 5.12 p. m., May 9, 13 hours' delay in dispatch.

The cause of these suspensions was found to be due to breaking of belt on compressors at Armour Station.

May 10, 1918: Service in line from general post office to La Salle Street Station, suspended from 10.10 a. m. to 10.26 a. m. (one direction).

May 10, 1918: Service in line from La Salle Street tube station to Station U tube station suspended from 10.10 a. m. to 10.26 a. m. (one direction).

May 10, 1918: Service in line from Station U tube station to Canal tube station suspended from 10.10 a. m. to 10.26 a. m. (one direction).

Five pouches made up by general post office for three trains departing from Chicago & North Western Station went forward at Government expense in Government-owned automobiles via Route No. 435045.

Failed to connect 144 pieces of first-class mail made up at the general post office for connection with New York and Chicago Express 6, departing from La Salle Street Station at 10.25 a. m.

The cause of these suspensions was found to be due to carrier sticking in machine at Station U tube station.

May 10, 1918: Service in line from general post office to La Salle Street tube station suspended from 2.28 p. m. to 3 p. m. (one direction).

May 10, 1918: Service in line from La Salle Street tube station to Station U tube station suspended from 2.28 p. m. to 3 p. m. (one direction).

May 10, 1918: Service in line from Station U tube station to Canal tube station suspended from 2.28 p. m. to 3 p. m. (one direction).

One pouch made up by the general post office for one train departing from La Salle Street Station, 7 pouches for tube station and three trains departing from Union Station, 2 pouches for one train departing from Chicago & North Western Station, 16 pouches by two trains arriving at Union Station for general post office and tube station—all went forward at Government expense in Government-owned automobiles via route No. 435045; also, 2 pouches made up at Canal Station for one train departing from the La Salle Street Station.

Failed to connect 295 pieces of first-class mail and 14 special-delivery letters made up at the general post office for connection with Ishpeming and Chicago express No. 209, Ishpeming and Chicago railway post-office train 361, and Chicago and Williams Bay railway post-office train 765, departing from the Chicago & North Western Station.

The cause of these suspensions was found to be due to carrier sticking in machine from La Salle Street Station at Station U tube station.

May 10, 1918: Service in line from Station U tube station to La Salle Street tube station suspended from 4.55 p. m. to 5 p. m. (one direction), and in line from La Salle Street tube station to general post office from 4.37 p. m. to 4.50 p. m. and 4.56 p. m. to 5 p. m. (one direction). No delay in dispatch of mail involved.

The cause of this suspension was found to be due to carrier sticking in machine at La Salle Street tube station.

May 11, 1918: Service in lines from general post office to La Salle Street tube station suspended from 3.18 p. m. to 3.33 p. m. (one direction), and in lines to and from general post office and La Salle Street tube station from 3.33 p. m. to 6.10 p. m. (both directions).

May 11, 1918: Service in lines to and from La Salle Street tube station and Station U tube station suspended from 3.20 p. m. to 6.10 p. m. (both directions).

May 11, 1918: Services in lines to and from Station U tube station and Canal tube station suspended from 3.20 p. m. to 4.03 p. m., and from 6 to 6.10 p. m. (both directions).

Forty-eight pouches made up by general post office for tube station and 6 trains departing from La Salle Street Station; 78 pouches for tube stations and 19 trains departing from union station; 41 pouches for tube station and 12 trains departing from Chicago & North Western Station; 15 pouches by 2 trains arriving at La Salle Street Station; 11 pouches by 5 trains arriving at union station; 4 pouches by 1 train arriving at Chicago & North Western station for the general post office and tube stations—all went forward at Government expense in Government-owned automobiles in route No. 435045; also 41 pouches made by canal station for tube stations and trains departing from Union, La Salle, Illinois Central, and Baltimore & Ohio stations.

Failed to connect 238 pieces of first-class mail made up by general post office for connection with Sheboygan & Chicago railway post office train 529 and Chicago & Williams Bay Express 649, due to carriers containing mails being blocked in line from Station U tube station to Canal tube station from 3.20 p. m. to 3.45 p. m.

The cause of this suspension was found to be due to cover of carrier opening en route from general post office to La Salle Street tube station, and spilling mails in line at approximately 3.15 p. m., May 11, 156 letters very badly soiled and mutilated, forwarded to addressees under cover of official envelope, 175 letters also very badly soiled and torn returned to senders, and approximately 150 letters consigned to waste as totally destroyed.

The postmaster of Philadelphia, in a report dated January 5, 1918, clearly analyzes the effects of the pneumatic tubes on, as well as their worth to, the Postal Service. He states that—

While it is my desire that the most ample and efficient means be provided for the transportation of mails in this city, I can not recommend the continuance of the pneumatic-tube system, which contributes but little, if any, expedition in the handling of mails when a saving of $130,819.66 per annum can be effected by the use of Government-owned automobiles.

The postmaster of Boston, Mass., Hon. William F. Murray, a former member of the House, states:

* * * With the automobile reaching the state of efficiency that it has, and the tendency of mailers to send large parcels of mail matter at the first-class rate and by special delivery, the pneumatic-tube system has become an extravagance, and it is my belief that the motor-vehicle service provides a more satisfactory system for transportation of mail than the pneumatic tubes. * * *

The postmaster at Philadelphia, the postmaster at Boston, and the postmasters at Chicago, St. Louis, and New York have all recommended against the purchase or extension of these tubes.

Mr. DONOVAN. Will the gentleman yield at that point?

Mr. ROUSE. I will, but this will be the last time I will yield.

Mr. DONOVAN. Is it not a fact that in April, 1902, a commission reported on this subject, and that in consequence of that report a four-years' contract was made?

Mr. ROUSE. There was no appropriation in 1902 for pneumatic tubes. Now, I decline to yield further.

In a report submitted under date of March 31, 1917, of an exhaustive investigation of the pneumatic-tube service by eight post-office inspectors in New York City and Brooklyn, the following conclusions were reached relative to the purchase of the tubes:

In our efforts to offer the best solution of the transportation problem, we are forced to the conclusion that the penumatic-tube service should be abandoned entirely and that a complete and efficient motor-driven vehicular service should be inaugurated.

In a report submitted by the postmaster of Chicago under date of September 8, 1917, on the pneumatic-tube service, the following conclusions are reached:

The concensus of opinion of the supervisory employees of the Chicago office who have had many years of practical experience in matters pertaining to the distribution and dispatch of mails is that it would be inadvisable from every point of view for the Government to renew the contract with the Chicago Postal Pneumatic Tube Co., or to purchase its equipment.

The pneumatic-tube service, although always exceedingly extravagant, served some useful purposes in times past when it came into competition with horse-drawn vehicles, but conditions have changed with the advent of the motor truck.

Under this new competition the tubes should be abandoned, as they have outlived their usefulness, and it is safe to say that under like circumstances no corporation or large business concern would hesitate in deciding the matter strictly on its merits as a business proposition.

The pneumatic tube is doubtless an efficient instrument for some purposes, but it is not a sufficient instrument for postal purposes.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROUSE. I ask unanimous consent for five minutes more.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. MOON] controls the time.

Mr. ROUSE. I am asking the unanimous consent of the House.

The SPEAKER pro tempore. The Chair understands the time was fixed by the House.

Mr. ROUSE. But I can ask unanimous consent of the House.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that he may proceed for five minutes. Is there objection?

Mr. TAGUE. Reserving the right to object, but not wanting to do so, I should like to ask if the same amount of time will be given on the other side?

The SPEAKER pro tempore. The Chair can not answer that question.

Mr. HEFLIN. I want to suggest that the gentleman from Kentucky [Mr. ROUSE] is the only member of the commission who has dissented from the majority report. He has filed a minority report, and I think an exception ought to be made in his case.

Mr. GILLETT. The gentleman from Tennessee [Mr. MOON] can yield time if he wishes to do so. A great many Members have left, obviously expecting to come back at half past three, and I do not think we ought to extend the time.

Mr. MOON. I have promised all my time.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. GILLETT] objects.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the general debate be extended 10 minutes, of which 5 minutes shall be given to the gentleman from Tennessee [Mr. MOON] and 5 minutes to the gentleman from Kentucky [Mr. ROUSE].

Mr. FOSTER. That is just the same thing that has been objected to.

Mr. GILLETT. I do not think we ought to extend the time.

Mr. FOSTER. The gentleman from Massachusetts has just objected to that.

Mr. ROUSE. I withdraw my request, and I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. ROUSE. In discussing the limited capacity of the tubes, the postmaster of New York City, Hon. Thomas G. Patten, another former Member of the House, states:

That while the tubes are available at all times during contract hours, they do not seem to be adaptable to the complete handling of large quantities of mail, because of limited capacity, and when used extensively at any one point prevent their use at intermediate points; while, on the other hand, the automobile is adaptable for carrying all classes of mail. The responsibility for the delay in transit can be more readily located by screen-wagon service than by tube service.

At this point I insert a letter from Mr. Joel C. Close, postmaster of Cincinnati, Ohio:

UNITED STATES POST OFFICE,
Cincinnati, Ohio, March 23, 1918.

Hon. A. B. ROUSE,
House of Representatives, Washington, D. C.:

I read last night with a great deal of interest your minority report on the pneumatic-tube proposition. I agree with your report in its entirety, and can not conceive of anyone reaching a different conclusion unless he is personally interested in the tube companies. The matter of installing tubes in this city was brought to my attention about a year ago when appointed a member of the committee to consider the proposition. Mr. Murray, representing the American Pneumatic Tube Co. was here and spent considerable time going over the matter with me. Without any specific knowledge as to what kind of service the tubes were giving in other cities, I was nevertheless able to show Mr. Murray and others it could not be put into practical operation here. It was suggested that large tubes about 6 feet in diameter be constructed with a view of handling all the mail through these tubes. I could not see where this would advance the handling of the mails over the automobile. It was estimated that a tube of this kind would cost $45,000 per mile per annum. This seemed to be prohibitive.

I could cite as an instance of the speed made by automobiles the case of mail arriving on Chicago and Cincinnati train No. 34 at 7 a. m. I arranged with the screen-auto people, the depot people, and the Railway Mail Service clerks to have all the first-class mail from this train taken from the Railway Mail Service car first, then hustled around to the auto truck on a depot truck and brought immediately to the post office without waiting for second, third, or fourth class mail. By this arrangement we could and did get all of that first-class mail to this office in 10 minutes after the arrival of the train at the Central Union Depot. Owing to the great quantity of this mail I do not believe it could be sent up to this post office from the Central Union Station through pneumatic tubes in less than one-half hour, and at times it would no doubt take much longer.

I wish to commend you for your courageous stand in this matter, and you certainly deserve to win out.

Yours, very sincerely, JOEL C. CLOSE.

That Congress itself seriously questioned the value of the pneumatic tube to the Postal Service is clearly demonstrated by the act of April 21, 1902. The limitations and restrictions placed upon the Postmaster General by this act deprive him of all authority in administering the pneumatic-tube service. This act provides:

First. That no advertisement shall issue until after a careful investigation shall have been made as to the needs and practicability of such service and until a favorable report, in writing, shall have been submitted to the Postmaster General by a commission of not less than three expert postal officials to be named by him.

Second. That no contract shall be entered into in any city for the character of mail service herein provided which will create an aggregate annual rate of expenditure, including necessary power and labor to operate the tubes and all other expenses of such, in excess of 4 per cent of the gross postal revenues of said city for the last preceding fiscal year.

Third. That no contract shall be made in any city providing for 3 miles or more of double lines of tube which shall involve an expenditure in excess of $17,000 per mile per annum; and said compensation shall cover power, labor, and all operating expenses.

Fourth. That the Postmaster General shall not, prior to June 30, 1904, enter into contracts under the provisions of this act involving an annual expenditure in the aggregate in excess of $800,000; and thereafter only such contracts shall be made as may from time to time be provided for in the annual appropriation act for the Postal Service; and all provisions of law contrary to those herein contained are repealed.

This act has never been repealed and is in full force and effect to-day. Under its provisions the majority members of this commission were, in my judgment, not justified in recommending to Congress the purchase and retention of the pneumatic tubes. This conclusion is based on the fact that the expert postal officials of the department and in the cities where the pneumatic tubes are operated are unanimous in their condemnation of the tubes and their recommendation that they be discontinued.

The commission appointed according to the provisions of the act of Congress approved May 27, 1908, to investigate and report to Congress the advisability of the Government purchasing the tube system then in use and to be operated by the Government was composed of the postmasters from the following-named cities, Chicago, Brooklyn, New York, Boston, and St. Louis; Joseph Stewart, then Second Assistant Postmaster General, and the superintendent of the Railway Mail Service, were unanimous in their conclusions and recommendations as to the purchase of the tubes, and said, in part, as follows:

The present contracts under which the tube companies are performing mail service will not expire until June 30, 1916, almost eight years hence. During that period there should be ample opportunity for the companies to perfect the systems and for the Post Office Department to observe the effect upon the Postal Service. Further, during that period it is possible that other methods of transportation will be developed or improved so as to change entirely the outlook as it now appears. Five or six years hence, we believe, it will be advisable to renew the consideration of the question of Government ownership.

In view of the foregoing, we consider it appropriate to advise you that, in our opinion, it is not feasible and desirable at the present time for the Government to purchase, to install, or to operate the pneumatic tubes, and this is our unanimous judgment.

At the time of this investigation the autotruck had not become a factor in vehicular transportation, the parcel post had not been established, and mail had not reached the immense volume of to-day. The department then had a contract for the rental of the pneumatic tubes which would not expire for eight years, and if ever the purchase of the tubes could be justified it would have been at that time.

In transmitting this report to Congress, December 15, 1908, the Postmaster General, Hon. George von L. Meyer, approved the conclusions of the commission.

It is the conclusion of the engineers employed by the commission that the pneumatic tube renders the greatest benefit locally, and by this is meant the delivery in the city where the letter is posted. The records of the Post Office Department show that 90 per cent of the mail is deposited after 2 p. m., and in the city of New York 75 per cent after 5 p. m. The schedules of collection and delivery in cities are such that letters mailed after 2 p. m. are not delivered until the following morning; this is also true of mail which arrives after 2.30 p. m. The tubes can not possibly expedite the delivery of this mail, and for that reason the advantages claimed for the tube in handling local mail does not exist.

Should the tubes be abandoned in the cities now being partially served, it would require, in the judgment of the postmasters, an additional number of automobiles to handle the mail now carried by the tubes—in New York 15 to 20, in Chicago 20, in Philadelphia 23, in Boston 8, and in St. Louis 4. The officials of the Post Office Department have repeatedly stated that the present regular vehicle service can handle at least 87 per cent of the mail now transported by the tubes, and with the additional number new schedules will be arranged and later dispatches can be made than are now made by the tubes.

Mr. Speaker, I desire to analyze the plan of payments of the tubes should this bill become a law.

The annual appropriation for the present operation of the tubes is $976,000, and this amount is carried in the bill.

The engineers employed by this commission state that the cost of operating the tubes per annum is $453,434.

The bill as reported to the Senate and returned to the House carries an appropriation of $976,000, for which $500,000 shall be available for operation by the Post Office Department; that is, the difference between the operating expenses and the amount of the appropriation be applied to the payment of the tubes, and estimates that a final payment will be made within 10 or 12 years.

I desire to submit some figures on this subject which I know the Members of this House will, after consideration, say are

correct. Grant that the annual cost of operating the tubes is as stated by the engineers to be $453,434.

The commission recommends the payment to the tube companies of 4 per cent per annum on unpaid balances. The first year the interest will be $177,304.

The vice president of one of the tube companies and the engineers say that 5 per cent per annum should be charged for depreciation. This will amount to $221,631.

Extra clerks will be necessary to operate the tubes, and the Post Office Department officials estimate this extra cost to be $150,000 per annum.

The tube companies occupy valuable space in the terminals and substations which the Post Office Department estimates at $32,000 per annum.

The tube companies work two shifts of men a day of 10 hours each. If the Government should buy the tubes, they could only work the men eight hours per day, and would be required to have three shifts. This extra help will amount, in the estimation of the Post Office Department officials, to be $25,000 per annum.

These six items make a total annual expenditure of $1,059,369.

In the place of having $476,000 the first year to pay on the purchase price of the tubes, Congress will be called upon for a deficit of $83,369 for operation alone.

Should the tubes be abandoned, it will cost, estimated by the engineers, Stone and Webster, the sum of $339,012.

To handle the mail by automobiles, and this will effect a saving to the Government of $720,357 over Government-owned pneumatic tubes.

It is my judgment that during the past number of years a propaganda has been conducted to effect the sale of the pneumatic tubes to the Government. Three commissions have been provided for by law during that time to investigate the advisability of purchasing the tubes. Financiers and business men, who are most violently opposed to the Government ownership of the telephone, the telegraph, the railroads, and other public utilities, for some unknown reasons strongly advocate the purchase of the pneumatic tubes. The anxiety on the part of the owners of the tubes to dispose of their property to the Government, in my judgment, is clearly due to three causes:

First. Shrewd business men that they are, they could readily see that the tube was fast becoming obsolete as a means of mail transportation and that it would soon be supplanted by other and more expeditious means. This being true, they well knew that at the expiration of the rental contracts a favorable report in writing from three postal officials could not be obtained, as required by law before the advertisement should issue, and therefore the rental contracts could not be renewed.

Second. As the franchises under which the tubes operate are either revocable or will expire within a few years, and in one case the property reverts to the city, the owners naturally were anxious to dispose of the tubes before this occurred.

Third. They also knew that the physical condition of the plants was deteriorating, and that within a few years at the most practically the entire system would have to be rebuilt or abandoned.

This being the case, it can readily be seen why every influence possible has been exerted by the owners of the tubes to unload onto the Government this property which, within a few years, unless entirely rebuilt, will become junk. As I stated in my minority report, in view of their inefficiency, and the destruction, damage, and delay which they cause to an enormous quantity of letters, I can not too strongly urge that the present tube systems be not only not purchased by the Government but that their use be discontinued entirely. I wish to state, however, that I am very much in favor of an underground system which will transport all mail of all classes in the congested districts of large cities, but I am not in favor of the purchase by the Government of an obsolete toy, which the present pneumatic-tube system is.

Mr. FRANCIS. Mr. Speaker, one of the recent speakers against the purchase of the pneumatic tubes opened his remarks by the assertion that none of the postmasters of the cities of the United States who knew anything was in favor of the tubes. The gentleman was probably not familiar with the testimony of Mr. E. M. Morgan, for 40 years in the Postal Service of the United States and until recently postmaster of New York City. In his letter of November 27, 1915, to the chairman of the committee on pneumatic-tube service, Washington, D. C., he said:

> The advantages of the pneumatic-tube system in this city are felt throughout the entire Postal Service of the country, by making possible later and more expeditious dispatches of outgoing domestic and foreign mail, as well as the rapid transmission of incoming mails, both of domestic and foreign origin.

Those were the sentiments of Mr. Morgan at that time and are his sentiments to-day. It is not necessary to speak of the reputation he acquired as the most efficient postmaster that New York City ever had.

I wish to present this question to the House not merely as a question of postal economy, but as one involving the business welfare of the entire Nation. Congress discovered last winter, in the midst of our unprecedented cold spell, that the port of New York was not merely a local convenience but was a great national institution. We found that when, through the lack of foresight of the Coal Administrator, sufficient coal was not being forwarded to the port of New York to meet the demands of commerce, and the cold weather brought on the crisis, manufacturers and producers all over the United States were injured by this critical delay in the greatest port of distribution on the Western Hemisphere. And I think that it was a realization of the fact that the port of New York was the common property of all the great United States and essential for our national welfare that made the House of Representatives vote so emphatically in favor of the 40-foot channel for its waters. In the same manner I think that a realization by the House of the fact that the postal system of New York City concerns the Nation and not the mere inhabitants of the place will prompt the House to view the question of pneumatic tubes in a liberal light. Just as it is true that the port of New York must be kept open to insure the welfare of the country, so it is true that the postal transportation facilities in New York City must be kept at their maximum capacity to insure the successful operation of the business affairs of the Nation, which to a great extent center there. The attitude of the city and State of New York on the question of the retention of these pneumatic tubes is very clear. On April 12, 1918, the Legislature of the State of New York passed the following resolution:

[State of New York, in Senate.]

ALBANY, *April 12, 1918.*

By Mr. Cromwell:

Whereas this legislature's action more than 25 years ago made possible the underground mail and parcel transportation which the metropolis enjoys and which all other cities of the State may also possess under the franchise granted by this body; and

Whereas the sentiment of New York, like that of the other large cities of the country where this modern mail-tube system has been tested, is emphatically in favor of it, as indicated by the press, and by public expression, by the great business organizations, and by the public generally: Therefore be it

Resolved (if the assembly concurs), That this legislature associates itself with the public's progressive enlightened demand for the retention and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; and be it further

Resolved, That a copy of this resolution be sent to the Vice President and Speaker of the House for presentation to Congress.

By order of the senate.

ERNEST A. FAY, *Clerk.*

In assembly, April 12, 1918.

Concurred in without amendment by order of the assembly.

FRED W. HAMMOND, *Clerk.*

On December 20, 1917, the Board of Aldermen of the City of New York passed the following resolution:

Whereas despite the fact that the postal service in the city of New York shows an excess of approximately $20,000,000 of receipts above expenditures annually, the Postmaster General in his annual report for 1917 urges that the pneumatic mail service of this city be discontinued and automobile service be substituted therefor, and has recommended no item for the continuance of such pneumatic-tube mail service in the postal appropriation bill now pending before Congress:

Resolved, That it is the sense of the Board of Aldermen of the City of New York that the pneumatic mail service now existing in this city is not only indispensable to the prompt and uninterrupted movement of letter mail but is also desirable as a means of lessening traffic congestion and danger, and that the abolition of that service would be seriously detrimental to the residents of this city, especially to the business interests.

Resolved further, That this board protests against the proposed curtailment of the city's mail facilities and urges upon Congress that a sufficient appropriation be made to continue the pneumatic mail-tube service.

The Merchants Association of the city of New York has repeatedly taken action in favor of the retention of the tube. I have only recently received the following telegram from it:

NEW YORK, N. Y., *June 7, 1918.*

Hon. GEORGE BLINN FRANCIS,
House of Representatives, Washington, D. C.:

The retention of the pneumatic-tube mail service in this and other cities will come before the House for final vote Monday afternoon. The retention of this service is vital not only to this city but to speed of mail service throughout the entire country. We urge you to be present on Monday and vote to retain the tubes.

THE MERCHANTS' ASSOCIATION OF NEW YORK.

As long ago as January 4, 1917, the Chamber of Commerce of the State of New York took action in favor of the pneumatic tubes and passed the following resolution:

Resolved, That the Chamber of Commerce of the State of New York herewith reaffirms its conviction in the advisability of continuing pneumatic-tube mail contracts as they apply to Greater New York of a

scope of service not less than the existing facilities, and on such terms as may insure to this highly concentrated postal district the best available facilities for reducing local congestion, maintaining speed of transmission, and continuing the capacity of the New York post office to render satisfactory service to the business community. And we emphatically protest against any proposal to curtail the facilities afforded by the pneumatic tubes.

The first of this week I received a telegram from the borough president, which I believe unquestionably expressed the sentiment of the borough of Manhattan:

NEW YORK, *June 5, 1918.*

Hon. GEORGE B. FRANCIS,
House of Representatives, Washington, D. C.:

In the name of borough of Manhattan and its great commercial and financial interests I appeal to you to make every effort to have retained in Post Office appropriation bill now in conference the provision for retention of pneumatic-tube mail service. This service now connects stations in this important section of the city, and suspension would be deplorable. Abandonment of pneumatic-tube service would result not only in harm to business interests but would increase danger from motor vehicles and add to present war-time congestion in principal highways.

FRANK L. DOWLING,
President Borough of Manhattan.

It would unduly lengthen the RECORD if I should insert all the favorable communications I have received from the city of New York with respect to the tubes. The situation from the local point of view is well expressed in an editorial of the New York Times, Saturday, June 1, 1918, in which it says:

The entire country has a grievance against the Post Office, but New York's grievance is greatest. The Post Office makes greater profits in this city than it does in the entire country, if it can be said really to make any true profits on a real accounting. Yet the department will not, if it can help it, allow this city to have the use of tubes which are said to carry 10,000,000 of the city's 20,000,000 letters daily. The department does not produce evidence of dissatisfaction with the tube service anywhere, and there is almost unlimited evidence of satisfaction to all except to the Post Office. Yet New York is to be deprived of its tubes, which earn their keep so handsomely, if the department can manage it.

I wish to appeal particularly to those Members of the House who are not as familiar as I am with the traffic congestion of the streets of New York not to be misled by the argument that post-office automobiles can always make sufficient speed to make connections, or that all that they need is the right of way over other traffic in order to give the Postal Service all the necessary expedition. Fifteen minutes casual observation of the mass of traffic on Broadway or on Fifth Avenue would convince anyone that the possession of the right of way over all other forms of traffic is of dubious value. Where the streets and avenues are crowded, as we all have seen them who live in New York, hour after hour with an absolutely unceasing line of traffic, the only conveyance that could overcome this congestion is an aeroplane. It is in fact impossible for postal automobiles, regardless of their traffic rights, to maintain a high or effective speed in the city streets, and when they attempt to do so they do it to the constant peril of hundreds of thousands of pedestrians who are constantly moving along the highways. It was demonstrated as long ago as 1915 that it was impossible for automobiles to make connections at certain portions of the year, particularly in the winter months. I quote the following testimony of Postmaster Morgan before the House Committee on the Post Office and Post Roads:

Mr. MORGAN. * * * The number of train connections missed and consequent delay to mails during December, 1915, and January, February, and March, 1916, due to irregularities in mail-wagon (auto) service occasioned by snow storms and resultant congested and slippery streets, was as follows:

December, 1915	30
January, 1916	8
February, 1916	51
March, 1916	120
Total	209

The CHAIRMAN. They missed the trains?

Mr. MORGAN. Yes, sir; notwithstanding they were given 30 minutes headway.

The Merchants Association of the city of New York has during the winter months of this year made further investigation of deliveries by mail autos to trains, which has confirmed these earlier figures. I insert them at length in the RECORD, because they are so convincing.

Partial list of failures of mail autos during specified days in January, February, March, and April, 1918, to connect with outgoing trains.

DELAWARE, LACKAWANNA & WESTERN RAILROAD.

Train No. 5, leaving 2.20 p. m.: Final autos from Pennsylvania terminal (also carrying mail from Grand Central terminal) failed to connect January 10, 11, 17, 18, 19, and 21.

Train No. 3, leaving 10.20 a. m.: Final autos from Hudson terminal failed to connect January 28 and March 6.

Train No. 11, leaving 9.45 p. m.: Final autos from Grand Central and Pennsylvania terminals failed to connect January 24 and 26. On January 25 the final letter mails, the registered mails, and the postal clerk all failed to connect, and the mails were forwarded on train 15 at 2.25 a. m.

Partial list of failures of mail autos, etc.—Continued.

NEW YORK CENTRAL R. R.—TRAINS 19 AND 35, LEAVING GRAND CENTRAL TERMINAL AT 5.30 P. M. AND 8.40 P. M., RESPECTIVELY.

Date.	Train 19: Connections missed by auto from Pennsylvania Terminal. Number pouches left.	Train 35: Connections missed by auto from Hudson Terminal. Number pouches left.	Train 35: Connections missed by auto from Pennsylvania Terminal. Number pouches left.
1918.			
Feb. 4			26
Feb. 6	15		
Feb. 7	16		29
Feb. 9		35	26
Feb. 13	18		33
Feb. 14		45	
Feb. 15	19		26
Feb. 16	27		
Feb. 18	17		28
Feb. 19			31
Feb. 22	14		
Feb. 23	25		
Mar. 2	21		
Mar. 8			29
Mar. 14	17		
Mar. 20		48	
Mar. 21	18		
Mar. 22	21		
Mar. 23			30
Mar. 25	21		
Mar. 26	18		
Mar. 27	19		
Apr. 2	20		
Apr. 3	16	31	

ERIE R. R.—TRAIN 5, LEAVING JERSEY CITY 7.45 P. M.

Date.	Connection missed by auto from Hudson Terminal. Bags letters left.	Connection missed by auto from Pennsylvania Terminal. Bags letters left.	Connection missed by auto from Grand Central Terminal. Bags letters left.
1918.			
Jan. 1	2	2	
Jan. 2	4		
Jan. 3	4		
Jan. 7	4		
Jan. 8	4	2	3
Jan. 9		2	3
Jan. 10	4		4
Jan. 11	4	2	2
Jan. 12	4	2	4
Jan. 14	4	2	4
Jan. 15	4	2	2
Jan. 16	4	2	3
Jan. 17			3
Jan. 18	4	2	2
Jan. 19			3
Jan. 21		2	
Jan. 22			2
Jan. 23		2	
Jan. 24			3
Jan. 27		3	
Jan. 29	4		3
Jan. 30	3		2
Jan. 31	4	2	2

During the last month the Rules Committee of the House has been taking testimony in hearings held upon a resolution introduced by me in Congress calling for the investigation of the Post Office Department, particularly with reference to delays arising out of the ineffective Railway Mail Service. In those hearings it was clearly brought out, chiefly through witnesses representing the Merchants' Association of the City of New York, that mails are not dispatched with former frequency; that they are not fully worked in transit; that much unworked mail is turned into the terminal stations and there materially delayed; and that insufficiency in the number of railway postal cars, their withdrawal from a great number of routes throughout the United States, and the reduction of their crews are the main causes of the present breakdown of the postal service in the United States. That this service has constantly been deteriorating in the last six years can not be disputed. The morale of the men in the service has been impaired by illtreatment, the Railway Mail Service has become more inefficient by the use of the space system and the introduction of terminal postal stations, and we now have the attempt of the Postmaster General to deal a final blow at post-office efficiency by removing the pneumatic tubes. These are absolutely essential for the business welfare of the Nation. A policy which would take the tubes out of New York City is as short-sighted as a policy that would let New York Harbor fill up with mud and sand;

and I appeal to the enlightened sentiment of the House to preserve them as a matter of national necessity.

Mr. MOON. I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Speaker, I do not want it assumed that I speak, except in a degree, for the city of New York, because I represent only 18 election districts in that great city, as my own district of Long Island adjoins the metropolis. But because many of my constituents are engaged in active business in New York, and due primarily to the fact, beyond dispute, that whatever affects the center of the Nation's business activities affects every business man in every district in the Union. I feel it incumbent upon me to rise here and protest against any action which might deprive our city of the pneumatic-tube service which has rendered such signal benefit during the years it has been in operation. This matter should not be viewed in the narrow light of sectionalism or local prejudice, but in that broad spirit of nationalism which spells advancement and progress to all parts of the country.

New York is your city as well as ours. You have contributed to her greatness and share in her glory as the premier city of the world. Her barometer of trade affects you as well as us, and the postal facilities of New York are nearly as important to your merchants as to ours, for the great bulk of the mail handled in the New York post office is interstate in its nature. The advantages of the tube system in New York are felt throughout the entire postal service of the Nation, for it makes possible later and more expeditious transmission of foreign and domestic mail, interstate as well as intrastate, both incoming and outgoing.

The pneumatic-tube service is a physical expression of the evolution of the times; a utility of efficiency. It means speed in the transmission of the mail, and rapidity in the transmission of commercial communications means success to the man who possesses it and failure to the man who has it not. I desire to recount an experience which was related to me by a personal friend in reference to transit upon the streets of New York about three weeks ago. My friend in an automobile endeavored to go from Eighty-eighth Street to Thirty-fourth Street upon Broadway. On account of the congestion of traffic at that time—and it is not an unusual condition—1 hour and 15 minutes were consumed in making the short trip, which should have been made in one-fourth the time. Mail wagons, while certain traffic concessions are made them, are also subject to delay caused by the congestion of our streets.

It has been contended here that the pneumatic-tube service, if abandoned, would only mean an increase of 1½ per cent, perhaps, in the number of automobiles now used upon the streets to carry the mail at present transported through the tubes. Whether it is 1½ per cent or 10 per cent, any increase in the traffic upon the streets of New York is a direct disadvantage to our people and a direct danger to every man, woman, and child who uses those streets. Every effort to-day should be made to take away from the streets all of the transportation that we possibly can, and we should not increase it by even 1 per cent.

I understand that the pneumatic-tube system of the greater city consists of approximately 27 miles of double 8-inch tubing, and that there are transmitted daily through the medium of this service about 80,000 containers carrying some 5,000,000 pieces of first-class mail. Let me here quote from Mr. Morgan, former postmaster of New York:

> Each carrier has a capacity of about 450 ordinary-size letters, or about 250 large-size letters. These carriers are dispatched at the rate of six and four per minute, respectively. The tubes are operated from 4 a. m. to 11 p. m. The carriers travel at the rate of 30 miles per hour.
>
> It is the opinion of this office that the continuance of the entire existing system of the pneumatic tubes in this city is justified because of the rapid service which it provides for the transmission of mail of the first class. If the tube service was replaced by wagon service it would, I believe, be far from satisfactory, and would result in overwhelming complaint from the public and adverse criticism of the service.

From the testimony of Mr. Morgan 85 per cent of the first-class mail matter handled by the New York office is transmitted through these tubes, and unless some means are provided to continue their use it will cause hardships to the commercial and industrial concerns of the entire country. As to the price paid for their use when operated by private parties or the price to be paid by the Government as a public utility, I am not prepared to speak. I have no interest whatever in the company which owns the tubes and am not concerned with that phase of the question at all, except to see that the amount paid by the Government shall be reasonable and just. I am satisfied with the honesty, integrity, and disinterestedness of the congressional committee which investigated the matter, five out of six of whom reported in favor of the Government purchasing the tubes, and am content to abide by their decision.

Mr. Speaker, in view of all the testimony that has been presented by the great business organizations of New York, supported by the statement of its former postmaster, we plead for a rapid and delay-free transmission of our mails. Upon it depend the prosperity of business and the convenience of commerce. The necessity of trade warrants it, and the security and safety of our citizens upon the highways demand that the pneumatic-tube system shall not be supplanted by street service.

By unanimous consent, Mr. SIEGEL was given leave to extend his remarks in the RECORD.

Mr. MOON. Mr. Speaker, I yield 20 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, this question of the purchase of the pneumatic tubes has never been before the House for its consideration before. At the close of the last Congress a commission was appointed, consisting of three Members of the House and three of the Senate, who were authorized to investigate the tube service and to make such recommendations as they might think to the advantage of the service. They have made that investigation. The understanding at the time of their appointment was that this commission would report at the beginning of the present session. The commission did not report until after the House had passed the Post Office appropriation bill. So the House had no opportunity whatever to consider the report of the commission. The report was not made until after the Senate began the consideration of the appropriation bill. The Senate included in the appropriation bill the recommendation of the commission. The recommendation of the commission is that the Government of the United States shall purchase the pneumatic tubes that are now operating for the transmission of mail in the cities of Boston, New York, Philadelphia, Chicago, and St. Louis. The upset price fixed by the commission and recommended by the Senate to the House in amendment, known as amendment 23, is $4,432,622. There is a provision in that recommendation to the effect that the Interstate Commerce Commission shall be required to ascertain whether the price fixed in amendment 23, namely, $4,432,622, is an equitable price. And in authorizing the Interstate Commerce Commission to ascertain the value of the tubes the provision directs that they shall ascertain this value from data now on file, and then report their findings before the 1st of July, 1918. I want to remind gentlemen here that this is the 13th of June, and any authority to the Interstate Commerce Commission to ascertain values of property said to be valued at practically $5,000,000 between now and the 1st of July is nothing more or less than a farce.

Mr. GILLETT. Will the gentleman yield? The gentleman knows that an amendment is to be offered to make it November instead of July.

Mr. MADDEN. "The gentleman" does not know it except by the statement of the gentleman from Massachusetts. I am dealing with the case before the House and not what is in the mind of any gentleman. I am not supposed to be able to read what is in the mind of any man.

Mr. MASON. If the gentleman will pardon me——

Mr. MADDEN. I decline to yield. If the gentleman is going to say that I heard some one state it, I deny it.

Mr. MASON. I am not going to make any statement if the gentleman does not want me to.

Mr. MADDEN. The question is, Should the Government of the United States own the tubes? And if we admit, for the sake of the argument, that the Government ought to own and operate them, the question is, What should be paid for them? Should the Government pay $4,432,622, or what sum should it pay? How do they ascertain the value of the tubes to be $4,432,622? By the report said to result from an investigation made by Stone & Webster, consulting engineers. Personally I am not in favor of accepting the report of any consulting engineers, no matter whether it is Stone & Webster or anybody else, as long as the United States has instrumentalities of its own upon which it can base action.

What instrumentalities has the Government of the United States? It has the Interstate Commerce Commission, consisting of men who have been educated in the work of ascertaining values and dealing with transportation facilities. We have taken away a large amount of the duties and responsibilities from the Interstate Commerce Commission since we turned the railroad management over to the President of the United States, and the result is that the Interstate Commerce Commission will have plenty of time and plenty of employees to engage in a comprehensive investigation of the value of these tubes; first, as an instrumentality for the expeditious movement of the mail; second, as to the utility of the tubes in the conduct of the Post Office Department; third, as to the value of the tubes in dollars, without respect to the utility of the instrumentality as a postal facility; fourth, whether the tubes themselves—that is, the

pipes—have deteriorated to any material extent since they have been placed in the ground as a result of electrolysis; and, fifth, whether the licenses under patents are of such a nature as to be able to be taken over by the Government of the United States to the exclusion of anyone else, and whether the franchises under which the tubes are operated in the various cities cover a sufficient period of time to justify the Government of the United States in making this enormous investment.

Now, it seems to me that before we foreclose the right of investigation and declare in favor of purchasing the utility we ought to have the opinion of an unprejudiced instrumentality such as the Interstate Commerce Commission is. I believe that the Interstate Commerce Commission should be given plenty of opportunity to make the investigation. I believe that if the people of the United States feel that the tubes are of great advantage to them they ought to have them. I believe that there ought to be a disposition on the part of all concerned to meet this issue fairly, and, above all, I believe that we ought not under any circumstances to foreclose the proposition of investigation by voting to purchase at a price which we are unable to say is fair or just to the Government.

What knowledge have we of the fairness of the price fixed in this bill? For myself I say I have no knowledge whaever, and my opposition to the adoption of amendment 23 does not necessarily mean that I do not want my people in Chicago to have every postal facility which they think they ought to have. But I do say it does mean that, whether they ought to have the facilities or not, personally I am responsible to my own conscience for my vote, and I am not going to vote to pay out of the Public Treasury $4,432,622 without having any knowledge whatever as to whether that vote is right or wrong. I propose to find out for myself. For, after all, as the years go by, I will have to answer to my own conscience. I will not be speaking on the floor of this House for a constituency all the time, but I will be compelled to live with myself as long as God lets me live, and while I am living with myself I want to feel that I am in respectable company. [Applause.] I insist upon the right of the most unprejudiced and most worthy body of investigators to furnish the information upon which I shall cast my vote on this question. Therefore I say that I want this question referred to the Interstate Commerce Commission for investigation.

Then the question arises whether, while the Interstate Commerce Commission is investigating this postal facility, it shall be discontinued. I apprehend that there is sufficient integrity of purpose and sufficient disposition on the part of the men who will finally have to shape the language of the provision for the instrumentalities that we are considering now to reach some satisfactory conclusion upon whether the tubes shall or shall not be continued in the service. The conferees will be charged with the responsibility of giving further consideration to this question if the House disapproves of the pending amendment. If the House in its wisdom shall conclude that the conferees shall not be given further right to consider, they will, of course, adopt the Senate amendment and that will foreclose the whole question, and with its foreclosure you will have obligated the Government to an expenditure of $4,432,622 without any knowledge on your part as to whether it is right or wrong.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. GALLAGHER. Is it not a fact that these franchises exist over a sufficient period of time to give plenty of time for investigation?

Mr. MADDEN. There ought not to be any great length of time required to investigate. Six months would be sufficient. At any rate, there could be no harm in giving the Interstate Commerce Commission six months, and I would be willing to say to the Interstate Commerce Commission, "Investigate and recommended, and when you have investigated and recommended I shall feel that you will have done justice to the case, and I am willing to vote for your recommendation." So, Mr. Speaker, this is not a question of whether we are to continue the tubes or not. This is a question of whether we are going to buy them.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. MOORE of Pennsylvania. Does not this Senate amendment provide for an Interstate Commerce Commission investigation?

Mr. MADDEN. It does—an Interstate Commerce Commission investigation of two weeks, and it limits the question of the investigation to the data now on file—an insult to the commission and to Members of Congress who want to know for themselves whether the facts are as stated or not.

Mr. MOORE of Pennsylvania. Does not the gentleman know that an amendment is to be offered extending the time?

Mr. MADDEN. I have just heard the gentleman from Massachusetts say so. He assumed that I knew that. I did not know it. I do not know it now from what he says.

Mr. MOORE of Pennsylvania. That would seem to answer the gentleman's suggestion about the Interstate Commerce Commission.

Mr. MADDEN. I do not want even the Interstate Commerce Commission to have the right to investigate with a provision that when they get through investigating we will have to purchase whether we want to purchase or not. That is the story.

I want the Interstate Commerce Commission to investigate without tying the Congress up to the purchase. I want the Interstate Commerce Commission to be free to investigate, free to recommend, and after they have made the investigation and the recommendation I want the Congress of the United States to be free to act, and does the gentleman from Pennsylvania [Mr. MOORE] assume to say that with any investigation made by the Interstate Commerce Commission under this provision of the bill, whether it is extended to November or not, the Congress will ever be called upon to act again? They have already foreclosed the right to act. Does not the gentleman agree to that?

Mr. MOORE of Pennsylvania. The idea is that confidence shall be placed in the Interstate Commerce Commission.

Mr. MADDEN. The idea of placing confidence in the Interstate Commerce Commission after we have already declared for the purchase is absurd.

Mr. MOORE of Pennsylvania. The gentleman knows there have been several reports upon this subject.

Mr. MADDEN. I know there have, but they have been so conflicting that nobody knows what they mean, and personally I am opposed to asking any respectable body of investigators to report upon a question that has already been foreclosed.

Mr. JUUL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. JUUL. It was stated upon the floor here, I believe, or in the report, that the ownership would revert to one of the cities in the period of, I think, five years.

Mr. MADDEN. In the city of Chicago the terms of the franchise provide that at the end of the franchise the property belongs to the city.

Mr. JUUL. Then what has the company or the owners of the tube system got to sell if, for instance, the Chicago tube system will belong to the city?

Mr. MADDEN. That is what I want the Interstate Commerce Commission to find out. That is the reason why I want to send it to them for a de novo investigation, without any strings tied to it and without any commitment on the part of Congress in advance to purchase. So that now we have before us not the question of the operation of the pneumatic tubes, not the question of whether this instrument is a facility that ought to be in the Postal Service, but the question of giving the Interstate Commerce Commission the right to investigate the question of the payment of $4,432,622, and giving, as a perfunctory appearance, the right to the Interstate Commerce Commission to investigate a thing we have already closed.

Mr. WELLING. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WELLING. I want to say I am very much in sympathy with what the gentleman has said. I think he intimated that he would accept the judgment of the Interstate Commerce Commission with reference to the value of these tubes.

Mr. MADDEN. Certainly; if they get the right to investigate.

Mr. WELLING. A commission already appointed, as I understand it, has investigated.

Mr. MADDEN. Yes.

Mr. WELLING. A commission of Congress. Is there any assurance that the Interstate Commerce Commission will make a fairer or more impartial investigation than has already been made?

Mr. MADDEN. There is only one thing certain. The Interstate Commerce Commission is a Government instrumentality; it has no object, can have no object, in making this investigation except to ascertain the facts.

Mr. WELLING. The gentleman would not assume——

Mr. MADDEN. I did not say the commission did. I say that any outside engineer which must be employed by any commission from the membership of this House or the Senate must of necessity employ men, regardless of whether they know they are prejudiced or not. I do not say that Stone & Webster are prejudiced. I have not said so. I do not say they are not good engineers. I do not say that they do not understand how to reach values. I deny that anybody can reach the conclusion that I have charged or intimated any prejudice on the part of the commission we have appointed. I would be the last man in

the world to do that, because I have the greatest confidence in them. But we have the instrumentality of a Government agency. They are educated in the work of investigating this kind of facility, and their judgment will be absolutely unbiased, unprejudiced, and uninfluenced.

Mr. WELLING. I assume, if I may be permitted, that the Interstate Commerce Commission in the investigation of this problem would be forced to employ the services of expert engineers.

Mr. MADDEN. They have them on their pay roll. They are permanent fixtures.

Mr. GALLAGHER. And they have them in the Government?

Mr. MADDEN. Yes; the Interstate Commerce Commission has engineers dealing with engineering problems, dealing with problems of Government, dealing with problems of transportation, and understanding the need for certain facilities.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

The SPEAKER pro tempore. Will the gentleman from Illinois yield to the gentleman from Pennsylvania?

Mr. MADDEN. Yes.

Mr. MOORE of Pennsylvania. The report of the joint commission, composed of Senators and Representatives, includes the statement of Engineer Fry, who is connected with the Treasury Department, estimating the cost for reproducing the pneumatic-tube service of 1912, brought up to date, at $4,432,622, the amount mentioned in this amendment. The Interstate Commerce Commission may fix a lower valuation.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MADDEN. I would like just one minute. Reproducing the present value under the worn-out condition of the tubes is a hard proposition; and I would like to get that from the Interstate Commerce Commission. [Applause.]

Mr. MOON. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Speaker and gentlemen, I shall include in my remarks a portion of an editorial from the Washington Times upon this subject, in which they congratulate Representative ROUSE for filing a minority report and calling attention to what it believes to be an attempt to unload upon the Government some junk by the Pneumatic Tube Co. I shall also include a statement from the Chicago Tribune, in which it opposes this pneumatic-tube service deal and suggests that a pneumatic-tube lobby is here in Washington urging this legislation.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HEFLIN. No; I have not the time.

Mr. MOORE of Pennsylvania. The gentleman can not without unanimous consent include in his remarks editorials and clippings from newspapers.

Mr. HEFLIN. My statement is already in the RECORD. I mean the reference to the matter mentioned in the newspapers mentioned.

Mr. MOORE of Pennsylvania. It is necessary to have unanimous consent.

Mr. HEFLIN. I ask unanimous consent, then, Mr. Speaker, to print in the RECORD these statements.

The SPEAKER pro tempore. The gentleman from Alabama [Mr. HEFLIN] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MOORE of Pennsylvania. Is the gentleman going to include an article from the New York Tribune relative to certain writings in the Hearst Magazine and papers?

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. I object.

Mr. HEFLIN. The gentleman from Massachusetts objects. Well, Mr. Speaker, it is known that there is a lobby being maintained in Washington. I have had people to tell me that they have seen members of this lobby asking this Government to unload upon itself this worthless pneumatic-tube service. Gentlemen, it is repudiated by the postal experts of the Government by the chairman of the committee in this House, and by the report of Mr. ROUSE, of Kentucky, and by the postmasters where it is operated, and by the Post Office Department of the United States. Now, if you gentlemen want to vote for it in the face of the testimony submitted by Mr. ROUSE, and in the face of the statement of Mr. MOON, the chairman of the committee in the House, do so, and you will be this fall like the fellow who conceived the idea of obtaining some lead pipes without cost to himself. And that is where the "lead-pipe cinch" originated. He went where they were constructing a large building near a river. He had with him a little pal, and he said to him, "I observe that the laborers leave the building at noon and return at 1 o'clock, and we can supply ourselves with lead pipe." The pal said, "How are you going to take it away without being seen?" He replied, "I will wrap it around my body above my hips to my arms, and put this big overcoat on, button it up, and go down to the ferryboat, and over the river, and we will repeat that process each day." So he supplied himself with some lead pipe and walked slowly down to the river. When they reached the river the ferryboat was moving away. The little fellow ran and jumped into the boat, but the big fellow jumped, missed the boat, and went down into 20 feet of water. The ferryman ran up with a pole in hand and said, "Everybody stand back." The little pal, with tears rolling down his face, said, "What are you holding the pole for?" The ferryman said for him to catch it when he comes up. The little pal said, mournfully, "He will never come up." [Applause and laughter.]

Gentlemen, in view of the minority report of Mr. ROUSE, of Kentucky, and the statement of Mr. MOON, of Tennessee, the chairman of the committee in the House, with the testimony in this case, with the testimony of the postal experts, of the postmasters where this thing is operated, and with the repudiation of the Postmaster General, if you tie this pneumatic-tube junk deal about your body, why, this fall, when you jump at the election boat on the river of honest electorates, you will miss it and go down, as did the lead-pipe fellow, and your friends will stand and say, "No use to hold the pole out, boys; by golly, he's gone." [Applause and laughter.]

Now, do you know what you had better do? You had better do what old Uncle Rufus said he was going to do with the turtle. He caught a big, fat, soft-shell turtle, weighing about 20 pounds, and as he was coming away from the river the turtle had his neck stretched out looking about at his new surroundings. Uncle Rufus said to him, "Do you know what I'm gwine to do? I sho am gwine to eat you." Just then he met a tramp who was also a ventriloquist. He asked Uncle Rufus for the turtle, but Uncle Rufus said, "Oh, no, sir;" and walking on, he said, "I sho am gwine to eat dis turtle." The ventriloquist threw his voice and from about the turtle's mouth these words came: "What is that you say you are going to do to me?" Whereupon Uncle Rufus said to him, "Do you know what I'm gwine to do? I sho to drap you right here." [Applause and laughter.]

Gentlemen, do you know what you had better do with this pneumatic-tube service? You had better drap it right here. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DONOVAN].

Mr. DONOVAN. Mr. Speaker, I am reminded, after listening to the gentleman from Alabama who has just concluded his remarks, of what I believe was his experience while on a moose-hunting trip in the State of Maine. Suddenly his guide discovered before them a doe and a buck, and immediately asked which Mr. HEFLIN preferred to shoot, and he immediately replied: "You shoot the doe; I shall shoot the bull. [Laughter.] And he added, "Because I best know how to shoot the bull." [Laughter.]

Gentlemen, I have listened attentively to the debate on the retention and purchase of the pneumatic tubes, which question is now before us for consideration, and it appears to me that it has now resolved itself into a discussion of expert accountants. There have been innumerable figures quoted. Thus far the gentlemen have lost sight of the human and utility features connected with the problem.

We have listened to a dissertation from the conscientious gentleman from Illinois [Mr. MADDEN], and there is no man in this House whom I respect more for his character and ability, but, unfortunately, through a remark of his made by him on the floor he has unwittingly made me an outlaw, and I find myself without the pale. He earnestly stated that in order to keep his conscience clear he could not vote for the amendment in question, for if he did he was sure that his conscience would not be in the state he preferred. I am going to vote for the amendment, and I claim equal standards of conscientious ideals as the gentleman from Illinois.

Referring to the question of figures and the expense entailed in the purchase or retention of the pneumatic-tube system, it may be permitted and tolerated that a man from New York be allowed to say a word. I do not know that I am so strong for the purchase of this tube system; but I do know that I am strongly and absolutely convinced that this service is swift, continuous, safe, efficient, and dependable, and that it should be retained in operation.

The question resolves itself into a contest between two rival modes of transporting the mail. New York City is the clearing house of nearly all the domestic mail and the greater part of

the foreign mail, and so the question before us is not one of a local character, but really one of a national aspect. It concerns and affects nearly every State in the Union as to the quick delivery and receipt of the mails.

This system was created and instituted for the carrying of first-class letter mail, and it is marvelous with what effect and dispatch it has solved this great problem. By a nonresident it is frequently thought that the postal matters in New York are operated from one or two stations. The fact is, however, that there are 26 miles of tubes and 26 stations from which they are operated.

The installation of the pneumatic-tube service was first suggested in 1889 by Hon. John Wanamaker, then Postmaster General. In 1893 an appropriation of $10,000 was given to experiment on the proposition, and in Philadelphia the first tube was installed. It was one-half mile in length. Since that time the tube service, with the exception of the period 1901–2, has expanded, and to-day it is more than 56 miles in length. These tubes dispatch every six to eight minutes 500 letters, at the rate of 30 miles an hour, for 20 hours during the day, to the 26 stations on Manhattan Island, taking 35 minutes in delivery from the general post office to the northern limit of the service at Station J, West One hundred and twenty-fifth Street. This same distance traversed by mail auto trucks occupies two and one-half hours.

A metropolis like the city of New York, with its vast volume of business transactions, demands that the mail be dispatched with the utmost speed and continuity. The pneumatic-tube service provides for these requisites admirably. The Government, banks, and commercial institutions demand not only the retention of this service, but also its extension to Harlem, Washington Heights, and The Bronx. The gentlemen advocating the dismemberment and abolishment of this service for a substitution of mail trucks urge that the expense saved thereby is the main element, and the only one, which should be given consideration. This I deny. To be sure, the contention has a strong element of thrift in its favor, but there is the human and efficiency side that far outweighs the amount of money that would be saved.

New York, with its 6,000,000 population and its 3,000,000 licensed vehicles, is now overcrowded. The island of Manhattan, which is but 2¼ miles long and 12 miles wide, is the most congested city in the United States, and has 1,000,000 children attending its schools. The traffic is so congested that it has spent and is now spending millions of dollars in the construction of subways to relieve this congestion, and has spent thousands of dollars in widening its streets and removing encroachments therefrom. The density of its traffic is renowned the world over, and at Fifty-ninth Street and Broadway, which is regarded as comparatively uptown, there pass 39,800 autos every 10 hours. It is estimated that one auto mail truck equals in hazard 10 commercial or private autos, for the reason that it is given "right of way," and policemen subconsciously allow it to pass at an unreasonable rate of speed.

It would be impossible in a city such as New York, with its ever-increasing and congested traffic, for mail auto trucks to proceed with any degree of schedule time or regularity under normal weather conditions, and would be absolutely noneffective during abnormal weather conditions, when the snow would impede them, as was the experience last winter and in 1914, when the city was snowbound for two days and all vehicular traffic suspended.

The trucks would have to attempt to attain a sufficient high degree of speed for connecting with departing trains and boats, and the lives of the children would be constantly in danger. Statistics of the traffic division of the police department disclose that one person is killed every 14 hours and one is injured every 23 minutes, and that trucks, and especially mail trucks, cause the greater part of these fatalities and injuries.

There is some talk of a lobby in the tube matter, and some talk of a lobby in the auto matter. Personally I do not believe such nonsense, and will not be alarmed until I am shown proof regarding it. If there is one, it is not the first one, and if there is going to be one created, as is intimated, in the purchase of the auto mail trucks it will probably not be the last one.

The crux of the situation to-day is, Do the cities of New York, Chicago, Philadelphia, and St. Louis demand the retention of this service? I can speak advisedly for the city of New York, and let me say to you gentlemen who cry "lobby" that a lobby may be able to influence some of the Members of Congress, but I deny that any lobby can influence, affect, or control the decision of the great civic bodies of such a character as the New York Chamber of Commerce, the Merchants' Association of New York, and the other commercial institutions that have declared themselves unreservedly for the retention and extension of the postal pneumatic-tube service in the city of New York.

Gentlemen, are you going to Alabama to find out what the city of New York demands in this regard? When the question of the price of a commodity such as cotton or oil is to be discussed, considered, or regulated in this body, do you gentlemen come to me, a New Yorker, and ask my opinion as to its production and commercial value? Of course you do not. Neither do I go to the gentlemen from Alabama and ask as to the regulation and disposal of oil. I go to the gentlemen of the South who raise cotton, and rely on their judgment, and go to the gentlemen from Oklahoma for matters to be known about oil, and this is just as I should do.

No matter how sincere and earnest the gentleman from Alabama may be, it may be that he has never seen New York and never has seen the operation of the system which he now desires to annihilate, and therefore I do not believe that he has the least idea of the efficiency and demand for this service, for it can only best be judged by the fact that it is the desire of all the people of the city of New York, its civic and commercial organizations, and that its congressional delegation demand that it be retained.

I would recall to the attention of the gentlemen who urge the abandonment of this service the fact that we take the people in the city of New York and transport them underground in swarms, so that they will not be injured or delayed in the traffic of the street, and yet these men now opposing the retention of this service demand that we take the letters out of the tubes and give them air and transport them through the streets, while we continue to transport our people underground. Is there anything more senseless than that? [Applause.]

In conclusion I would urge that this service be retained, so that the lives and limbs of the people of New York shall be saved, and that the saving of a few dollars be not made weightier than the lives and blood of innocent children.

Mr. MOON. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. OLIVER], and I wish that I had more time to yield, but I have not.

Mr. OLIVER of New York. Mr. Speaker and gentlemen, I want to thank the distinguished chairman of the committee for this allotment of time, this valuable three minutes, and for the valuable cooperation of the ranking Republican Member [Mr. STEENERSON], who is so very cautious in allotting the time. I may not be familiar with the manipulation of time in the House of Representatives, but I am familiar with some of the conditions that exist in the best city that God's sun shines on—my native city, where I first saw the light of day—and I am the only Member from New York City on the Committee on the Post Office and Post Roads. I am familiar with the conditions that exist in that city, inasmuch as my training has been along commercial lines, and I am not affiliated in any way with professions, part of whose business probably is the apt discussion of these things. Having resided in the original city of New York, county of New York, and in the Borough of Manhattan, I devoted much time to solving this problem, and it is a problem. It is a question of the mail service of this Empire City, not only the metropolis of this country but practically the metropolis of the world, first in business and, I think, by accurate estimates, first in population. We simply want the best mail service.

The Post Office Department in the city of New York employs two methods in the transportation of mail—(1) motor trucks and (2) pneumatic tubes—and the question in reality at issue is, "Shall the use of pneumatic tubes be discontinued and light automobile trucks substituted in their place?

The safe and speedy transmission of mail is essential to the commercial, financial, and social life and progress of the people of the city of New York. Realizing this vital condition, the New York Chamber of Commerce, the Merchants' Association, the maritime, produce, and all other exchanges, the banks and trust companies, the great New York press, and all the civic bodies that devote so much time and energy without any selfish purpose—all these have given earnest and serious study leading to the solution of this problem. They are united in the belief that the city of New York absolutely requires a complete, extensive, and efficient pneumatic-tube system of mail delivery, that both systems of mail transportation—the light automobile truck and the pneumatic tube—should be maintained with the highest degree of efficiency, and that either system should not take the place of the other, but that each should assist and supplement the other.

In New York City there are transmitted through pneumatic tubes about 80,000 pneumatic-tube carriers per day, carrying in round numbers about 5,000,000 pieces of mail. These carriers travel at the rate of 30 miles per hour from 4 a. m. until 11 p. m., and carry about 80 per cent of all first-class mail matter. The

pneumatic-tube system should be in operation not from 4 a. m. to 11 p. m. on week days, but during every hour of every day.

The number of tubes connecting main and branch post offices and railroad terminals should be doubled, trebled, or quadrupled to accommodate all mail matter mailed and to lessen and, if possible, eliminate all delay. Tubes should be constructed of various widths for the dispatch of the different kinds of mail matter; it is obvious that the 8-inch tubes now in use are suitable for the transmission of first-class mail and special-delivery letters; tubes of 20 and 30 inches should be built to transmit the lower classes of mail matter and parcels. Geographically, New York is not separated from the cities across the Hudson—Jersey City, Hoboken, and Weehawken. These cities are so closely related as to form actually a part of the city of New York. The pneumatic-tube system should be extended in length to interconnect all parts of the city, not only the five great boroughs but also the adjacent cities of the State of New Jersey. If the profits of the Post Office Department in New York City exceed annually $20,000,000, surely enough money may be appropriated to own, to construct, and to operate a pneumatic-tube system that would adequately meet the necessities of the people of New York. The advantages of the pneumatic-tube system in New York City are felt throughout the entire Postal Service of the country, by making possible later and more rapid transportation of outgoing mail, domestic and foreign, as well as the speedy delivery of incoming mails.

What are the advantages of a comprehensive, complete, and extensive system of pneumatic tubes? A high rate of speed—higher than the speed of any other system—for the transportation of mail of the first importance, letters, daily and financial papers, and mail matter bearing special-delivery stamps. The congestion of surface traffic, storms, and other surface conditions which make the speedy transportation of mail matter by light automobile trucks impossible are avoided, and the happiness of people through the decrease in the number of vehicles and the consequent removal of danger from accident is increased. The mails can be dispatched to any point at any time. The more rapid handling of mail would lessen and eliminate damage to mail matter and loss by theft. I am of the opinion that it would be a difficult matter to demonstrate that the cost of operation of an efficient tube system would be equal to the cost of operation of a light automobile truck system.

New York City, therefore, appeals to this House to give this matter respectful consideration, and to be fair, reasonable, and just by giving it an up-to-date progressive method of transporting mail by a comprehensive tube system.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. MOON. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. QUIN].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized.

Mr. QUIN. Mr. Speaker, I appreciate this time that the gentleman from Tennessee gives me. I am ashamed of this provision that the Senate has put on the Post Office appropriation bill. This report made by the commission, and this minority report made by the gentleman from Kentucky [Mr. ROUSE], if carefully read by any man, will make him reach the conclusion that this pneumatic-tube service is a failure, and for the Government to be put in the attitude of buying it and operating it is to be in the attitude of unloading a lot of useless and worthless junk on the taxpayers of the country.

The whole scheme is saturated with fraud. The gentleman from Minnesota [Mr. STEENERSON] forgets that less than 5 per cent of the volume of mail carried in these stations where the tube service operates is carried in these pneumatic tubes. It costs 13½ cents for every letter that goes through one of them, according to the statement of the Postmaster General, and yet the gentleman from Minnesota has the temerity to argue to this House that it is not any more expensive than the other way. The whole business is nothing but an absolute "frame up" on the Government.

When do these franchises expire? The one in Boston can expire at any minute, because it is left with the city council. The one in New York City expires 4 years from now. The one at Chicago expires in 5 years, the one in St. Louis in 10 years, and no time is fixed in the one at Philadelphia. Yet the gentleman proposes this thing, involving an expense, according to the Postmaster General, of $11,432,000 for an original purchase price, to be scattered over a term of years that will go twice as long as New York City's franchise exists.

These concerns have no more title to these franchises than I have. You gentlemen might as well talk about their transferring to the Government a title to the Milky Way or the aurora borealis as to transfer a title to any franchise in New York City or in Chicago or St. Louis or Boston or Philadelphia.

That is made clear in the report of the commission; and yet the gentleman from Minnesota thinks that this Congress ought to unload on the taxpayers of this country this old worn-out junk. Gentlemen claim that the continuance of the pneumatic-tube system will not even cause any mail to be lost or damaged. As to that, look at this nasty stuff! It would not make rags. With such an exhibition as that before you, gentlemen tell you that these tubes would not destroy or damage any mail. [Laughter and applause.]

This pile of torn, soiled, and emasculated letters came out of some of these penumatic tubes that the gentleman from Minnesota urges the Congress to foist and fasten upon the United States Government. This exhibition of ruined mail is a positive contradiction of his statement that the mail that was injured is infinitesimal in transmission through these pneumatic tubes. The proof and all of the testimony presented in the report plainly and manifestly demonstrates that these pneumatic tubes are inefficient, virtually worn out, and would have to be replaced with new and larger tubes within a few years. A further fact has developed from the report of the minority, and that is that these pneumatic-tube corporations have no title to any franchise which they could transfer to the United States Government. No court of law would hold, neither would any court of equity maintain, that the unexpired terms of these franchises could lawfully be transferred to the United States Government or to any other party. Certainly it is manifest that the franchise in the city of Boston could be revoked at any time on order of the city council. As to New York City, the franchise expires in the year 1922, only four years hence. As to the city of Chicago, the franchise expires on the 12th of October, 1923. As to St. Louis, the expiration date is in June, 1928. So you can see, under the terms of the proposed sale to the Government, as adopted by the Senate in its amendment of the appropriation bill of the Post Office and Post Roads Committee, that it is clear that these franchise rights would expire one in 4 years, one in 5 years, one in 10 years, and one at any time before it is proposed for the Government to acquire a title. Can any honest mind reach the conclusion that, as representatives of the people, we would be doing a good, right, clean, and honest thing to reach into the pockets of the people and take out $11,000,000 and give it to these pneumatic-tube corporations for a lot of old iron, tin, and leather, and a few accessories, fit for nothing except the scrap heap and junk pile, on the pretext that we give quick and efficient mail service to five cities of this country?

Gentlemen, the testimony and the proof show that it is not quick nor is it efficient service at all. On the contrary, the proof shows, and all the testimony establishes the fact, the Postmaster General asserts this fact, and all of the experts of the Post Office Department prove, that this tube service has limited capacity and is unreliable, and in many instances delays thousands of letters annually.

The same proof establishes beyond contradiction that these tubes are unreliable, due to breakdowns and stoppages of letters in the tubes that cause them to cease operation for hours and even days at a time, and it has been necessary to dig up the streets to get down to the tubes in order to open them and take out the clogged mail. The proof further shows that the defects and carelessness on the part of the operators and accidents to the tubes ruin thousands of letters. Now, my friends, in the face of this testimony and this incontrovertible proof, and in face of the violent objection of our able and splendid Postmaster General, the Hon. Albert S. Burleson, will this House adopt the Senate amendment and then fasten this fraudulent and useless and extravagant tube corporation upon the people who pay the taxes? Instead of hampering the administration, instead of hamstringing the able Postmaster General, who has administered the postal affairs in the most economical and efficient manner that the Government has ever before had, it appears to me that we should carry out his recommendation and the advice of his experts and kill this amendment and let this tube graft be a thing of the past. I have advocated and still maintain that the United States Government should own and operate the telegraph and telephone systems of this country, but when it comes to absorbing a useless and expensive burden that we know the pneumatic-tube corporations are I shall fight this "job work" of plunder as long as I have a voice in this Congress.

The people have a right to expect their Representatives in Congress to exercise due care and caution in the expenditure of all public moneys. Is there a man on this floor who would invest his own personal money in a pile of worn-out junk that the proof shows is a burden to operate with no prospects of receiving any dividends?

Why is it that the pneumatic tube corporations are so anxious to sell to the United States Government? Why is it that men who would holler themselves hoarse opposing that the

Government own the telegraph and telephone systems of this country are now advocating that the Government buy this old pile of junk? Why is it that so many newspapers have shown such manifest interest as to advise the Congress of the great benefit in buying this worthless pile of scrap?

It must be manifest to the minds of every Member that the Pneumatic Tube Corporations are either not making any money or that they can not renew their franchise privileges on the date of expiration. Do you think these newspapers are carrying all of the advertisement for nothing? Do you think these interested persons are writing letters to Members of Congress for pleasure or for love? Two years ago, when this proposition was up to again renew rental contracts with these Pneumatic Tube Corporations, the chairman of the Post Office Committee, the gentleman from Tennessee, opposed it then, and by his side I spoke and voted against the waste of public funds incident to the renewal of these unholy contracts.

Now, we have coming from the other end of the Capitol this Trojan horse, which is proposed to be ridden roughshod over the people who pay the taxes. To my mind the path is plain. One road leads to the plundering and exploitation of the people in adopting this amendment of the Senate to place this burden on the people in order that these pneumatic tube corporations can get the taxpayers' money for a pile of junk, and the other road leads to the interest of the people to kill this amendment and bury it for all the time. Shall we stand with and for the administration and with the Postmaster General in his work to further increase the efficiency in the development of the mail service of this country or shall we slap the administration in the face and place stumbling blocks in the way of the Postmaster General by forcing upon him this useless system that will be a burden so long as it exists? There is no jury of 12 honest men in the United States who would hear all of the facts, all of the testimony, and all of the proof that would decide that it would be proper and a good thing for the benefit of the people of the United States Government to buy, own, and operate these pneumatic tubes in the mail service of these cities. The verdict of any jury would be to sustain the Postmaster General and his experts and kill this outrageous and abominable amendment. No man can serve two masters. I am for the people, and I am going to demonstrate it in this vote, as I do in all other legislation.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. STEENERSON. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. TAGUE].

The SPEAKER pro tempore. The gentleman from Massachusetts is recognized for five minutes.

Mr. TAGUE. Mr. Speaker, the best argument advanced for the continuation and purchase of the pneumatic tubes has been advanced by the gentleman from Mississippi [Mr. QUIN], who positively showed that he does not know what he is talking about. [Laughter.] I do not think he ever saw a pneumatic tube, and I do not believe he would know one if he saw it.

Mr. JOHNSON of Washington. Does the gentleman from Massachusetts know whether the gentleman from Mississippi has ever been in New York? [Laughter.]

Mr. TAGUE. No. I think he would be lost if he went to New York. [Laughter.]

Mr. MOORE of Pennsylvania. Does not the gentleman think that the gentleman from Mississippi was influenced somewhat by that bundle of junk that was gathered up in the House Office Building? [Laughter.]

Mr. TAGUE. The opposition to this amendment is in keeping with the action of the committee of post-office experts who were sent by the Postmaster General to New York a short time ago to investigate the pneumatic-tube system, and when they arrived at New York they had to get a guide to show them where the pneumatic tubes were. The report made by them was so unfair that one of their number repudiated and condemned the report. [Laughter.]

I am in favor of the continuation of the pneumatic tubes as recommended by this report. Unless we accept the amendment offered by the Senate, immediately after July 1 the tubes are discontinued, no matter what those who are opposing it say.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. KEARNS. Why will it be discontinued?

Mr. TAGUE. Because no money is carried in the appropriation bill, and therefore there is no provision for continuing it. This report deals with the proposed purchase. You heard the voice of the master, the Postmaster General, when the gentleman from Alabama [Mr. HEFLIN] stands up here and tells you what you should do. Let me say to that gentleman, that if we Members from the eastern cities follow the advice and counsel of the gentleman from Alabama there will be fewer Members on this side of the House when Congress convenes next year. His action is governed by the Post Office Department.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. TAGUE. No; I have not the time. Otherwise, I would be glad to.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. TAGUE. The question, Mr. Speaker, is whether or not this Congress is willing to give to the business men of this country an opportunity to transact their mail business, as it should be, in a profitable and expeditious manner. Of all of the money collected from the postal resources of over $300,000,000, over one hundred million is collected in the cities that are now using the pneumatic-tube service, and yet not one single fair argument has been advanced for the discontinuance of that system. What is the argument? The only argument comes from the Postmaster General, who because he wants to punish some one, and for no other reason, tries to defeat this system. Why, Mr. Speaker, I have been in the post offices; I have been in the pneumatic-tube service rooms, and I have seen just such junk as that piled on the floor; and while I believe this exhibit was given by the Post Office Department to my colleague from Kentucky [Mr. ROUSE], for whom I have great respect, I still contend that that rubbish never went through the pneumatic tube.

Mr. MOORE of Pennsylvania. There are telegraph blanks and things like that mixed up in it.

Mr. TAGUE. Yes; and paper bags and covers. A short time ago in my own city, in the city of Boston, one of the automobiles of the Government, loaded down with almost three tons of mail, went into the river, and it took the Post Office Department over two months to dry that mail out. The people who were waiting for their mail had to wait for that mail to dry out before it could be delivered to them. So it shows that no matter how careful people are, accidents will happen.

Mr. MOORE of Pennsylvania. If the gentleman will yield, here is another bill that came out of that package. It is dated Chicago, March 3, 1917. The gentleman from Kentucky [Mr. ROUSE] says this was gathered up last week. [Laughter.]

Mr. ROUSE. I made no such statement. I said last month.

Mr. MOORE of Pennsylvania. I accept the gentleman's amendment—last month. This is dated March 3, 1917.

Mr. TAGUE. Mr. Speaker, is this being taken out of my time?

The SPEAKER pro tempore. This is taken out of the gentleman's time.

Mr. TAGUE. Mr. Speaker, I believe the time has come in this country when the business interests should receive some consideration in the great appropriations and in the expenditure of money. Great communities like the cities of New York, Philadelphia, Boston, Chicago, and St. Louis have had this service for many years and desire its continuance. And I want to say that this pneumatic-tube service should be in the other large cities, and would be if the representatives of those cities knew what it would mean to the Postal Service of their cities. When the business men of these cities which now have pneumatic tubes come before this Congress and ask for an appropriation to continue a service which means so much to them in the way of promoting their business, they should be given at least a fair return in service for the revenue they return to the Government. They are not asking for a new service, but for a continuance of a transportation facility which has proven efficient and expeditious for over 20 years.

[From the New York Tribune, May 6, 1918.]

BUY THE MAIL TUBES.

Postmaster General Burleson's opposition to the mail tubes is as impenetrable as it is persistent. Whether or not his attempt to influence the Senate against the recommendation that the Government acquire the tubes was unfair, as Senators BANKHEAD, HARDWICK, and WEEKS insist, it overlooked too many essential points in the controversy to be deemed accurate.

There has been no official report against the use of the tubes, as these Senators point out, by any of the five congressional committees which at various times have investigated the desirability of maintaining them. None of Mr. Burleson's predecessors has taken the stand he takes. In the cities where the tubes are in use there is unanimous sentiment on the part of commercial and civic organizations and business men in general against the abandonment of the surest and most rapid method of transmitting first-class mail. Protest is invariably against the substitution for them of the uncertain automobile trucks, which add so much to the congestion and dangers of street traffic.

The latest investigation by a Congress committee was full and fair. The Post Office Department was adequately represented, and full consideration was given to Mr. Burleson's point of view. In the face of this the committee reported in favor of Government capture of the tubes, under proper safeguarding as to valuation and the terms of purchase. Under the circumstances this ought to be conclusive. The mail service is bad enough now. Business men all over the country are complaining of inordinate delay in the handling of their letters. If Mr. Burleson had his way, this delay, which now hampers the transaction of business and costs the merchants and bankers and manufacturers of the country

much money, would become very much worse. The mail tubes are a necessity, not a luxury. If Congress deems them too costly when they are rented, its committee has pointed out the remedy.

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[From the New York American, Apr. 22, 1918.]

A CROWNING APPEAL FOR THE PNEUMATIC-MAIL-TUBE SERVICE.

On Friday, April 12, the New York Legislature in Albany adopted a concurrent resolution which, in its environment and significance, should be most interesting to the Congress of the United States.

This resolution was passed without a dissenting vote by both the senate and the entire assembly of the Empire State. Its entire passage through both houses consumed but a single day. It was introduced by Senator Cromwell, a Republican, of Richmond. It was indorsed and seconded by Senator Wagner, a Democrat, of New York. It was voted unanimously by both Democrats and Republicans, by Tammany men and administration men, by Socialists and Independents, and not a single vote was recorded in opposition from first to last. Here is the joint resolution with its enlightening preamble:

"Whereas this legislature's action more than 25 years ago made possible the underground mail and parcel transportation which the metropolis enjoys and which all other cities of the State may also possess under the franchise granted by this body; and

"Whereas the sentiment of New York, like that of the other cities of the country where this modern mail-tube system has been tested, is emphatically in favor of it as indicated by the press and by public expression, by the great business organizations, and by the public generally: Therefore be it

"*Resolved*, That this legislation associates itself with the public's progressive, enlightened demand for the retention and extension of such service as a necessity of the post office and a relief to the congestion of the already overcrowded thoroughfares of our larger cities; and be it further

"*Resolved*, That a copy of this resolution be sent to the Vice President and Speaker of the House for presentation to Congress."

Which has been done.

The city of New York, the city of Philadelphia, the city of Boston, the city of Chicago, and the city of St. Louis, speaking with extraordinary emphasis through their chambers of commerce, boards of trade, merchants' associations, public men, and through all their post-office officials, saving only those under the immediate direction of the Postmaster General, representing nearly 13,000,000 of the American people in the great centers of traffic which pay the great bulk of all the revenue which supports the Postal Department, and involving nearly one-sixth of the entire population of the United States, have definitely, decisively, and earnestly memorialized the Congress of the United States with the request that the fast underground pneumatic tube system for the mails should be perpetuated and extended.

It may be stated without any fear of contradiction that no such memorial, carrying such stately numbers, and with such emphatic representative earnestness, has ever made a request of the American Congress before that was not granted promptly and cordially.

And so was this memorial granted cordially and completely. Two Congresses of the United States, in both Houses, and two able and representative joint commissions, appointed by Congresses, after investigating all the facts and hearing all the evidence, responded to the request of the representative business men who made this appeal and passed resolutions perpetuating and extending the fast underground pneumatic system for the mails.

But against this overwhelming memorial, perhaps the most impressive ever presented to Congress, there has been opposed insistently and consistently the objection of the Postmaster General and his persistent opposition to the wish and the will of the Congress of the United States.

It is doubtful if ever before the will of a single officer of the Government, even the President, has persistently obstructed and thwarted the will of so many people so carefully and so respectfully expressed.

And now to this weight of testimony and appeal comes the sovereign Commonwealth of New York—the Empire State—the largest in wealth, in population, and in development in the Federal Union, and through its general assembly, speaking the unanimous request of both parties, makes one more gigantic appeal for what its business men know they wish, and know why they wish it, and express both the wish and the reason to the United States official in charge of this department, which was created to serve their interests and to do their will.

Now, there is no use to rail at the Postmaster General. There is nothing to gain by abusing him, and this newspaper has no desire to do either of these things.

But this newspaper, as one of those which from the beginning has advocated this progressive system of handling the United States mail in the greater cities, and which has had its place among the memorials and petitions which have respectfully gone in such overwhelming and representative numbers to the Postmaster General, must be permitted in the kindliest and most loyal way to express its astonishment and regret at the refusal which the Postmaster General has flung point blank into the faces of so many millions of American citizens.

It is enough to ask why—just why—the Postmaster General is not willing to answer the will of the people who are themselves so vitally involved. The Postmaster General is a Democrat. Many, if not most, of the official bodies that have spoken to him from these great cities are Democrats. The men from these cities are not stupid or ignorant.

Does the Postmaster General believe that these millions of men are ignorant and stupid and that after all these years they do not know what they wish?

Does the Postmaster General believe that these millions of men and these multitudes of official bodies and these five great cities and this great Empire State of New York are "corrupt" or "venal" or "prejudiced" or "bought" in these expressions of their judgment and their desire?

And if the Postmaster General does not so believe and is not willing to commit himself to this very unflattering if not insulting estimate of the public and private character of the memorialists, what are his reasons for denying and defying the expressed will of so many million sovereign citizens?

Mr. MOON. I yield one minute to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker and gentlemen of the House, I shall support the proposition to do away with the appropriation for these pneumatic tubes. I have here a newspaper showing a sample of the way in which they are spending money in the daily papers of the country advertising pneumatic mail tubes as a war necessity.

After reading that I took up the matter with the Postmaster General's Office as to be advised what his department had done. My inquiry was answered by letter. I have here that reply and a copy of a letter from the Postmaster General to Senator BANKHEAD, chairman of the Senate Post Office Committee, and I ask that it may be inserted in the RECORD as a part of my remarks.

Mr. MOORE of Pennsylvania. Reserving the right to object, how long is this letter?

Mr. RAKER. About three pages.

Mr. MOORE of Pennsylvania. Does this letter follow several visitations to the Capitol by the Postmaster General and other attachés of the department?

Mr. RAKER. I think not. He says in this letter——

Mr. MOORE of Pennsylvania. Reserving the right to object, does not the gentleman know that the Postmaster General is pretty clever himself at getting Members of Congress to support his propositions?

Mr. RAKER. He is sure bright, and to his credit. This is so just——

Mr. MOORE of Pennsylvania. Still reserving the right to object, Mr. Speaker, I would like to have the gentleman state whether he has seen the Postmaster General around this building within the last week?

Mr. RAKER. I have not. I am sorry to say——

Mr. MOORE of Pennsylvania. Has the gentleman seen him here displaying an interest in this bill at any time?

Mr. RAKER. I have not.

Mr. KING. I object.

The SPEAKER pro tempore. The gentleman from Illinois objects.

Mr. MOORE of Pennsylvania. It is fair to have the House know that the Postmaster General has been pretty busy.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. MOORE of Pennsylvania. Still reserving the right to object, I want to know if the gentleman has the answer that Senator BANKHEAD wrote to that letter of the Postmaster General.

Mr. RAKER. I have not.

Mr. MOORE of Pennsylvania. That letter bears upon the action of the Senator, and unless the gentleman from California is willing to put in Senator BANKHEAD's answer——

Mr. RAKER. I will put it in if I can get it, though I understood that Senator BANKHEAD's answer has already been inserted in the RECORD by a Senator.

Mr. MOORE of Pennsylvania. I will object until the gentleman gets the answer. Let us play fair here. There are two sides to this question.

Mr. AYRES. Regular order!

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. RAKER subsequently obtained unanimous consent to insert the following letter:

POST OFFICE DEPARTMENT,
FIRST ASSISTANT POSTMASTER GENERAL,
Washington, June 19, 1918.

Hon. JOHN E. RAKER,
House of Representatives.

MY DEAR MR. RAKER: I am handing you herewith copy of a letter which the Postmaster General addressed to Senator BANKHEAD on April 23, 1918, setting forth the reasons why the department believes the pneumatic tubes should be discontinued.

Sincerely, yours,

J. C. KOONS,
First Assistant Postmaster General.

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APRIL 23, 1918.

Hon. J. H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: The bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, carries an amendment beginning with line 14, on page 14, making an appropriation of $976,000 for the transmission of mail by pneumatic tubes, and provides for the purchase and operation of the tubes by the Government on and after July 1, 1918. The amendment also prescribes the method of purchase and fixes the maximum amount which can be paid for the properties at $4,432,622.

This amendment is not in the interest of the Postal Service, and I wish to vigorously protest against its enactment. My objections are based on the following reasons:

1. The tubes are unnecessary and a hindrance to efficient operation of the Postal Service. The volume of all classes of mail has so greatly increased and surface transportation so greatly improved, both as to speed and frequency, that the tubes are no longer of value. This

is illustrated by the fact that in 1913 it was estimated that 5,375,147 letters were advanced daily through the use of the tubes, while in 1915 only 2,837,638, or about one-half, were advanced. No doubt this ratio of reduction has continued and, if so, there is now little or no mail advanced by the tubes, notwithstanding the fact that the screen-wagon schedules are arranged so as to secure the greatest advantage of the tubes.

2. Because of their limited capacity the tubes can not be used to meet emergent conditions, and for that reason delay millions of letters annually.

3. Because of their unreliability, due to breakdowns and stoppages, the tubes cease operation for hours and even days at a time, and it is often necessary to dig up the streets to obtain the mail clogged in the tubes. When this occurs it is necessary to immediately substitute vehicle service, which results in confusion of schedules, thereby disorganizing the transportation and delivery services and causing delay to large quantities of letter mail.

4. Because of defects, carelessness on the part of operators, and accidents, the tubes soil or damage thousands of letters each year, and in many instances entirely destroy others, thus resulting in many complaints and great inconvenience and loss to the public.

5. Less than 50 per cent of the letter mail, or 5 per cent of the entire volume of mail handled at the stations having pneumatic tubes, is transported by the tubes. If they were abandoned, practically all of this mail could be handled more expeditiously and at less than one-third the cost by other means, and large quantities of mail now delayed by tubes advanced.

6. Notwithstanding the small quantity of mail transported by tube, the cost per mile is more than the entire amount paid for carrying the mail on all railroads entering New York; three times as much as is paid those entering Boston; and one-sixth as much as the entire cost of the screen-wagon, automobile, city delivery, and collection vehicle service for all the cities of the United States.

7. The cost of transporting mail by tube is excessive and an extravagant waste of public funds. Investigation shows that in Philadelphia it costs approximately 13½ cents for each letter advanced by tube. What is true in Philadelphia is equally true in other cities. This is more expensive than special-delivery service.

8. Because of the unreliability and the inefficiency of the tubes, it has become necessary to divert a large quantity of mail formerly dispatched through them to automobiles wherever close connections are required. It has been found that later closings can be made and closer connections assured by means of automobiles. This is true even in the congested sections of New York City.

9. The tubes can not be maintained and operated for the sum mentioned in the amendment—$500,000 per annum. In their report Stone and Webster state that the average cost of operation for the past 4½ years was $512,000 annually, and that the system can be operated by the Government for $453,000 annually. The average cost for the period mentioned is not a proper standard by which to measure present and future cost. Because of war conditions, increased wages, and shorter hours of Government employment, the tubes can not be operated for $500,000 per annum. No provision is made for depreciation or maintenance of the tubes, which are fast deteriorating, and which will have to be rebuilt long before final payment has been made. It will be necessary to ask for a large deficiency appropriation each year to operate and maintain the system.

10. Under the proposed plan of payment the franchises will expire in some cities before the tubes are even paid for. In one instance the property will revert to the city, and the Government will be required by the law to pay for and operate the system after the property has reverted to the city.

11. Because under the proposed plan, assuming that the maximum price of $4,432,622 is paid for the tubes, 11 years will have expired before final payment can be made, thus expending approximately $11,000,000 for which the Government will acquire and be compelled to operate 56 miles of worthless junk, and because of its use delay millions of letters annually.

12. The Government is under no moral obligation to purchase the tubes or continue their use on a rental basis, a fact that is admitted by the tube owners. This is even more apparent when it is known that the department has already paid more than $11,000,000 in rental for the tubes now in use, which is twice the estimated cost of construction.

13. The department would be compelled to purchase and hereafter operate the present obsolete pneumatic-tube system notwithstanding the fact that better means of underground transportation may be obtained. Even at this time the department has under consideration the utilization of subways for the transportation of all mail in the congested portions of the city of New York.

14. The proposed manner of purchase is not as favorable to the Government as that offered by one of the tube companies to the department in 1916, when it was stated that they expected to realize only that degree of value which the tubes possess to the Government service. They did not even ask that they be purchased at their physical value. To this offer the department replied that the tubes had so little utility value to the service that they would not be accepted as a gift.

The Post Office Department, because of war conditions, is conducting the Postal Service under many handicaps. Efficient postal service is of the utmost importance to the public, and its efficiency should not be intentionally impaired by requiring the purchase and further use of these tubes, which, in the opinion of those responsible for the postal service, as statements submitted to the commission show, are archaic, worn-out and useless junk.

At this critical period in the history of our country I think that we should conserve its resources and not expend large sums of money in a useless or wasteful manner at a time when our people are called upon, and will no doubt continue to be called upon, to make great sacrifices. The purchase of these tubes is so strongly protested against by the experts of the Postal Service, by the postmasters and supervisory officials at the offices where the tubes are operated, that I sincerely regret that your commission did not summon those persons before it and hear from them the many sound reasons why the tubes should be abandoned. That their judgment in this respect is sound is confirmed by the fact that the merchants of Boston more than 15 years ago abandoned the use of the 5 miles of tube built by them for underground transportation. The judgment of these officials is further corroborated by the opinion reached by a commission appointed by the Postmaster General of Great Britain which visited this country several years ago to investigate the pneumatic tube systems in use here and which reported to their Government that our tube system was no more efficient than the ordinary road van used on the streets of London.

In conclusion I wish to again earnestly protest against any appropriation being made for the purchase, operation, or rental of the present pneumatic-tube systems and urge that the use of these tubes be abandoned.

May I not ask that this letter be inserted in the RECORD when the item carrying this appropriation is under consideration so that it may be a matter of public record that no person connected with the Postal Service is in any way responsible for unloading this valueless property on the Government, but, on the contrary, that the department and the postal officials consistently opposed such action.

Respectfully,

(Signed) A. S. BURLESON,
Postmaster General.

Mr. STEENERSON. Mr. Speaker, I yield to the gentleman from Texas [Mr. EAGLE] eight minutes.

Mr. EAGLE. Mr. Speaker, with the information obtained by reading the hearings and the information stated on this floor and the information which in the course of several years has been given here session after session concerning the matter of these pneumatic tubes, and therefore with the light which I have before me, I should feel that I was stultifying myself—without in any sense intending by that expression to criticize any other gentleman—if I did not support the proposition embodied in this amendment No. 23, to acquire these tubes. I will state as briefly as may be the reasons why I am impelled to that conclusion. I have sat here for five years asking and insisting on—and being one of those who rejoiced when we succeeded in getting—an annual appropriation of some $40,000,000 or $50,000,000 for the purpose of keeping up and extending the Rural Mail Service. That service reaches a class of people throughout this Nation in whose facilities for receiving mail the men in Chicago, New York, Brooklyn, Boston, Philadelphia, and St. Louis have no particular interest; yet each time the men from those great cities have voted with me and in the interest of my constituents for those rural-mail facilities; and I will not at this time be niggardly with them when with an almost united front, and certainly when supported by all the facts and the logic as adduced in this debate, they ask for this rural-mail facility.

There are 30,000,000 pieces of first-class mail matter each day that go through the pneumatic tubes in those six great cities. The tendency of every city in this land, from the size of my own home city of Houston, Tex., of 150,000 people, up through all the gradations of size to the city of New York, is to get as much traffic and as much of the facilities for human convenience as possible placed below ground.

Franchise after franchise is sought to prevent congestion by putting things below ground. Here in the city of Washington, think what a great delight it is to have the trolleys that carry the street cars run from power below ground instead of on poles above ground? In the city of New York, where I suppose five or six million human beings dwell, where multiplied millions of pieces of first-class mail can be thrown into a pneumatic tube and by the pressure of the air quickly delivered into the post office down at the terminal, it seems to me an unthinkable piece of folly that we should now propose to inaugurate in those crowded streets a jitney service of taxicabs. [Laughter and applause.]

Here is another thing—and I address this to any gentleman like myself, a Representative from a country of rural people with rural mail routes—one-third of the rural mail routes of the United States do not pay expenses, and upon the score of wealth or population or the letters that go through the rural routes, not two-thirds of those routes could be maintained on their merit 24 hours; and yet the $100,000,000 out of $323,000,000 that it takes every year to run the Post Office Department is contributed by the mighty city of New York alone through its drop letter and mail letters of 3 cents to make up this deficit. Now, when that powerful city, industrially and commercially, New York, closely seconded by Chicago, Brooklyn, Philadelphia, Boston, and St. Louis, ask in the name of all the people who pay that $100,000,000, that you give them this facility, do not deny it to them, because they pay for the rural routes.

We make in the appropriation bill an appropriation each year of $900,000 to maintain this system of pneumatic mail transmission in these six large cities. Four hundred and fifty thousand dollars of it goes for the service and $450,000 goes for rent to the owners of those pneumatic tubes. This amendment provides the same amount—$900,000—so, by adopting this amendment, it will not cost the people of the Nation one penny more than it will to keep on the arrangement that we have been having for 10 or 15 years. The other $450,000 goes to the acquisition of the property itself, so that in 10 years' time the Postal Department will own absolutely those postal facilities that it is now paying $900,000 a year to use. I can see no logic in gentlemen declining to buy it. Besides, the upset price of $4,400,000 in round num-

bers provided in this amendment is not to be taken as final price. That is to be left to the Interstate Commerce Commission.

Four or five commissions appointed by the Senate and the House have investigated this same matter, and every one of them has decided in favor of this system.

Every Postmaster General's report, except for 1 year, for 16 years has decided in favor of the pneumatic-tube service; and why should it not? They drop a letter down where no human being has to care for it, and it is carried for miles and delivered at the right place. Now, it is seriously proposed to put the Government to the expense and put some gentlemen to the enormous responsibility and task of having to buy a thousand automobiles, hire a thousand drivers, patronize a thousand garages, and buy high-priced gasoline—that is a burden that I do not want to put upon anybody. [Applause.]

Mr. STEENERSON. Mr. Speaker, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Speaker, the gentleman from Texas [Mr. EAGLE] has admirably expressed the reasons which influence my mind on this question. The one issue, it seems to me, is: Shall the mail be carried on the streets or shall it be carried in the tubes? What is the great problem that we face in every large city in America to-day? Why, the one great problem is the congestion of traffic on the streets. That congestion is relieved by pneumatic tubes, and yet the proposition is made here to abandon the service of the last 10 years and adopt a system which, instead of relieving, will increase that congestion. That seems to me turning back the wheels of progress; so that I should think everyone's natural predisposition would be to believe that the tube is the proper and natural method of distribution.

Now, what objection is there to that? The real objection has been the bitter and fanatical opposition of the Postmaster General. I do not know what originated his hostility. I served with him many years in this House, where I became his warm friend and admired his ability; but I do not think that the expedition which has been shown in the transmission of mails since he became Postmaster General—not simply to France but in this country—speaks well for his efficiency as Postmaster General. I think, on the contrary, it shows that he can not qualify as a witness as to what is expeditious and efficient service. [Laughter and applause.]

Much has been said here about there being a lobby. Whether there is a lobby or not I do not know. I have seen no signs of it, but there has been much loose gossip. I read in one of the New York papers this morning charges about a lobby, and it said that Senator WEEKS, a member of the firm of Hornblower & Weeks, had stock in the pneumatic tubes. Senator WEEKS authorized me to say that he had not been a member of the firm since he entered the Senate, and that that firm had not a dollar in pneumatic-tube stock, although some stock stood in their name for clients. But no lobby, no matter how efficient, every Member of the House will admit, could be half so effectual in this House and the other branch as the persistent interest which the Postmaster General has given to the defeat of this project. [Laughter.] So that I do not think that outside influence has been on the side of the pneumatic tube. If we all admit that fundamentally service by pneumatic tube is better than service on the surface of the ground, then it seems to me no proposition could be worked out more fairly than it is in this Senate amendment. I am inclined to agree with what the gentleman from Illinois [Mr. MADDEN] said—that we, as Members of this House, can not go into details. We thought that we could not, and therefore we appointed a commission of three Members of the Senate and three Members of the House—men who had the confidence of both branches—and five out of six of that commission, after exhaustive investigation, told us the pneumatic tube was advisable. Therefore we are not obliged to go into details. We have had a high commission of our own choosing, which has given its decision. This amendment, following the recommendation of that commission, does not pretend to fix what price we shall pay, but it says that an impartial body, the Interstate Commerce Commission, shall determine what the price shall be. Mr. Speaker, it seems to me that every precaution of fairness, of good judgment, is provided; that there shall be no extravagance, no unfairness. We have appointed a commission in whom we have confidence; and it seems to me, on every ground of common sense and prudence and precedent, we ought to adopt the Senate amendment, amended as it will be to take effect in November instead of July.

Mr. RAKER. Mr. Speaker, in view of the remarks of the gentleman from Massachusetts [Mr. GILLETT], I ask unanimous consent that I may revise and extend my remarks in the RECORD by including therein a letter of the Postmaster General showing his reasons against this pneumatic-tube service.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the RECORD in the manner stated. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I do not intend to renew my objection, but I will ask the gentleman from California whether he will use his best endeavors to get Senator BANKHEAD's answer to that letter and insert it?

Mr. RAKER. I will.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, I yield three minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Speaker, the city of St. Louis is one of the cities that has this service at the present time. St. Louis has had this service for a good many years. The citizens of that town have urged repeatedly an extension of this service. It has been so beneficial to the best interests of St. Louis and of the Southwest that they have felt that it would be a great loss to them were the service terminated at this time or at any time. I have failed to find a single citizen of the city of St. Louis who has at any time since I have been a Member of this House—some seven years—appealed to me to vote against the service or even criticized the service. On the other hand, every organization, every business association of that city, the Merchants' Exchange, the Chamber of Commerce, and every industry, have repeatedly appeared before the commissions investigating this matter, earnestly pleading for its continuation as far as St. Louis is concerned, and also that it be extended. A short time ago this commission was in St. Louis and had an extensive hearing. The business interests appeared before it, citizens appeared before it, and every voice raised at that hearing was in favor of it, with one single exception, and that was a very mild one, that being from the postmaster of the city. He himself in years past had been one of the most enthusiastic men for the service, but since he had become postmaster he has changed his opinion in regard to it. That is due largely, I believe, to the attitude of the Postmaster General himself.

The people of the city wanted and they are willing to pay for it, and they have been paying for it out of the proceeds of that office. The post office at St. Louis is one of the most remunerative in the country. Its receipts are a great deal more than its expenses. The people of that city want this service, and the great cities, including St. Louis, are helping the Government. They are doing their part. St. Louis is doing more than its part. She is doing more than she is called upon to do, and we should have this service continued.

Mr. STEENERSON. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Speaker, three minutes is a very brief time in which to discuss so important a matter. I have given this matter some thought for the past 20 years, and the discussion that has been had to-day on the floor has displayed the greatest lack of knowledge of the usefulness of this utility of anything that I have ever observed in the House. My colleague and friend, Mr. MADDEN, called attention to the fact and says that he wants a disinterested commission. I suppose he was here and voted for the commission that was appointed, and I assume he believes that they were disinterested. They, being disinterested, recommend this thing by a majority of 5 to 1. In addition to that they do the very thing suggested by my colleague, leave it to the Interstate Commerce Commission, which is a fixed Government utility, and the commission provides that they shall not pay exceeding a certain sum, but shall pay the actual value. So that the very thing that the gentleman from Illinois [Mr. MADDEN] is asking for is contained in the bill.

As a matter of fact, when gas was discovered in London the candle makers thought it was a very bad thing, and they had a convention and passed a resolution to stop the use of it as an illuminant.

When it was proposed to carry passengers by steam from Philadelphia to New York, a convention of stage drivers resolved that this would be dangerous to human life and would interfere with the business of stage drivers. So with all of the activities of life. Every improvement is held back, and in this particular case the owners of the wagons have been able to embarrass the use of the pneumatic tube, but as soon as the strong hand of the automobile owner came in he has been able to make such an impression that Congress is hesitating as to whether we will go on with this useful service. There never has been a postmaster in the United States who recommended against the use of this until the present Postmaster General came into power, and the reason for that is apparent to every man who knows national politics and policies in this country.

They point to these torn papers down there on the desk as having been recovered from some tube in the city of Chicago. Mr. Speaker, for 20 years we have run the tubes in Chicago. I do not know what has happened lately, but everybody in the United States thanks God every time he gets a piece of mail since this man has been Postmaster General. [Laughter.] He does not understand just why he gets it or how he gets it. But the fault of those torn papers is not the fault of the pneumatic-tube system. The fault is in the management of the Post Office Department, which comes to Congress now and says it is the fault of this system. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MASON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. SIEGEL].

Mr. SIEGEL. Mr. Speaker, I am asking the gentlemen of the House to consider this matter from the human side. In the city of New York 22,772 people were injured last year by vehicles and 441 were killed by autmobiles. This year in the first five months 7,653 were injured and 158 were killed and 4,507 injured by automobiles. In January of this year the Postmaster General inaugurated what is called the Government automobile service in the city of New York, and lo and behold, the number of people killed and injured since the Government took it over is greater than before. In addition to that, we have this new form of burden of the Government placed upon the people of New York. The families that have lost the life of a member or that have suffered otherwise in consequence of the negligent operation of Government-owned automobiles can not sue the Government and can not recover a single cent. In many instances they have had to appeal to charitable organizations to take care of their injured. There has been some correspondence going on between the Postmaster General and myself in regard to that condition of affairs, and he suggests that the automobile drivers or chauffeurs be sued, and in that manner they can collect damages from them. The correspondence is as follows:

APRIL 30, 1918.

MY DEAR MR. BURLESON: Since the Government undertook to run its own auto mail trucks in New York City there have been a series of accidents in which pedestrians have been either hurt or killed. The way the law stands now the Government can not be sued in the Court of Claims, and apparently there is no relief for those who have lost members of their families or have been injured under the circumstances described by me.

May I therefore ask you to advise me what the policy of the Post Office Department is in reference to these matters and if there is any suggestion of legislation on your part to remedy the conditions which I have described herein?

Previous to January 1 the contractors were liable, and at the present time if any damage is done to the auto mail trucks the Government can sue the parties causing the damage. On the other hand, when the Government mail trucks damage some one else's property there is no relief either in the Court of Claims or otherwise in existence at the present time. With kindest regards,

Very sincerely, yours, ISAAC SIEGEL.

Hon. ALBERT S. BURLESON,
The Postmaster General.

WASHINGTON, D. C., *May 4, 1918.*

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: I wish to acknowledge the receipt of your letter of the 30th ultimo, inviting attention to the difficulty experienced in securing relief in those cases where persons are injured as the result of accidents involving the operation of Government-owned trucks engaged in mail transportation, and note your statement that as the law now stands the Government can not be sued in the Court of Claims, and apparently there is no relief for those persons who have lost members of their families or who have been injured under the circumstances related above.

The advisability of securing general legislation that would enable the department to adjust claims for injuries as they might arise has not been brought to the department's attention before, but in view of your representations I shall take pleasure in giving the matter careful consideration.

In this connection I desire to invite your attention to the fact that while the Government can not be held responsible in cases such as suggested in your letter, the person desiring relief would have the right of action against the driver of the Government-owned truck, provided it could be shown that the accident was caused by the carelessness or negligence of the chauffeur.

Very truly, yours, A. S. BURLESON,
Postmaster General.

MAY 7, 1918.

Hon. ALBERT S. BURLESON,
The Postmaster General.

MY DEAR MR. BURLESON: Acknowledging receipt of yours of the 4th instant, will state that I am pleased to note that you are going to give careful consideration to the advisability of securing general legislation which would enable the department to adjust claims for injuries caused by the operation of Government-owned trucks engaged in mail transportation.

Let me add that to simply sue the chauffeur of the Government-owned truck means nothing in New York, as not a single one of them has any financial responsibility of any kind or description.

I might suggest that the proper procedure would be that the Government require that these chauffeurs give a bond, so that in case any accidents happen that the person injured may be able to sue on the bond.

You can not realize the recklessness with which these chauffeurs are driving these mail-transportation trucks through the streets of New York. Were you personally to be in New York unannounced and to notice the manner in which they are racing through our streets you would be astounded.

Very sincerely, yours, ISAAC SIEGEL.

WASHINGTON, *May 10, 1918.*

Hon. ISAAC SIEGEL,
House of Representatives.

MY DEAR MR. SIEGEL: Replying to your letter of the 7th instant, addressed to the Postmaster General, in regard to securing general legislation that would enable the department to adjust claims for injuries resulting from accidents involving the operation of Government-owned trucks engaged in mail transportation, I wish to inform you that your suggestion that the Government require chauffeurs to give a bond upon which persons sustaining injuries would be able to bring suit will be given consideration before a decision is reached as to the method that shall be pursued in adjusting claims for damages arising out of accidents in the operation of mail trucks.

Very truly, yours,

J. W. JOHNSTON,
Acting First Assistant Postmaster General.

POLICE DEPARTMENT,
NEW YORK, *June 12, 1918.*

Hon. ISAAC SIEGEL,
House of Representatives, Washington, D. C.

DEAR SIR: Your letter of June 11 addressed to the police commissioner, and requesting statistics showing the number of people hurt in the city of New York by automobiles, has been received.

In reply the police commissioner directs me to furnish you with the following table of statistics:

	Year 1917.	First 5 months, 1918.
Number of accidents	23,933	8,669
Number of persons killed by autos	441	158
Number of persons killed by other vehicles	250	66
Total persons killed	691	224
Number of persons injured by autos	12,805	4,507
Number of persons injured by other vehicles	9,967	3,146
Total persons injured	22,772	7,653

N. B.—Can not give re mail wagons.

Very truly, yours,

J. C. HACKETT,
Secretary to Department.

I do not know how it may appeal to the Member coming from Alabama [Mr. HEFLIN], where perhaps the automobile drivers of the Government have not as yet killed some of the citizens and their children. It does not, however, appeal to the people of the big cities of the country, who contribute more than one-half of the money for the running of the postal system of the United States, and especially to the residents of the city of New York, to be told to turn around and sue chauffeurs for having their relatives and next of kin killed or injured. Now, we have heard considerable here about some rubbish which has been produced over there on the table. I have my sincere doubts as to whether that rubbish ever passed through any pneumatic tube in any city of this country. I have seen them operated. There are several up in my part of town. The post-office stations are up there, and I have never seen rubbish of that kind around the post offices of New York except when it was gathered together from the floors to be thrown out. I think I have visited the large post offices and the foreign branches perhaps as often as any other man has done, because in my congressional district, small in area but not in numbers—it is only a mile long and half a mile wide—we know the conditions on the streets, and the people of that city appeal to the Members of this House telling them that we have willingly given not only in money but in human life for the running of this war all that can be asked of us, and in return we ask the retention of this pneumatic system. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Speaker, the gentleman from New York who has just taken his seat referred to the fact that no postmasters in this country were ever opposed to the pneumatic-tube system until the present Postmaster General assumed office. In corroboration of that statement I wish to refer to the case of the postmaster at Boston. When he was a Mem-

ber of this House, representing a Boston constituency, he was in favor of the continuance of the pneumatic-tube service. Moreover, he was in favor of the pneumatic-tube service when he became postmaster of Boston, and he so told the business men of that city. Furthermore, when I was making a fight for better postal service for the city of Cambridge, which is just across the river from Boston and where the service was wretched and was constantly getting worse and the separation of Cambridge from the Boston postal district was advocated as a remedy, Mr. Murray, the postmaster of Boston, wrote a letter to the mayor of Cambridge, in which he opposed the establishment of a separate post office for Cambridge and suggested as his remedy for the existing situation in Cambridge the extension of the pneumatic-tube system to that city. Yet, in spite of the fact of that letter to the mayor of Cambridge, at the command of the Postmaster General the postmaster of Boston turned around and came out and said that the tubes were useless and worthless and that the system should be abandoned. That is the kind of pressure that the Postmaster General is exerting to defeat this facility, the usefulness and necessity of which have been repeatedly demonstrated and the retention and extension of which are asked for by the people of the large cities of this country, who pay almost one-half of the entire postal revenue.

Mr. Speaker, my city is united for the retention and extension of the pneumatic-tube system, and the people of New York City are unanimously in favor of the retention of the pneumatic-tube system and an extension of that system to The Bronx.

As the Representative of an important part of the metropolitan district of Boston, I appeal to the Members representing the rural districts in this House to give to us, who have always been ready and willing to give you rural free delivery—given at a loss to the Government—what we ask and what experience has demonstrated to be necessary for the continuance of quick and certain postal service in the large centers of population. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Speaker, I would like to ask the gentleman from Tennessee if he proposes to close debate in one speech.

Mr. MOON. I think there is only one speech to use up all of the remaining time.

Mr. STEENERSON. I yield five minutes to the gentleman from Pennsylvania [Mr. MOORE].

The SPEAKER pro tempore. The gentleman from Minnesota has only one minute remaining.

Mr. STEENERSON. I must have two. Will the gentleman from Tennessee give me a minute more?

Mr. MOON. No; the gentleman has had too much now to talk about a thing like this. [Laughter.]

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from Tennessee half promised to give another minute to this side, but if he does not want to do it we will do the best we can with the minute remaining.

Mr. MOON. I did not promise the gentleman a minute, but——

Mr. MOORE of Pennsylvania. The gentleman came over here in very good humor, the best humor I have seen him in for a long time——

Mr. MOON. I am always in a good humor.

Mr. MOORE of Pennsylvania. And indicated that he might give——

Mr. MOON. I will give the gentleman time.

Mr. MOORE of Pennsylvania. How much?

Mr. MOON. I will give the gentleman half a minute; that is all. [Laughter.]

Mr. MOORE of Pennsylvania. The gentleman is quite generous. He is making good the half a minute he has consumed. Gentlemen, the pneumatic-tube service is justified by law; let us get that clear in our minds. There is no attempted robbery here, such as gentlemen seem to indicate, but rather a confiscation of private property by the Government.

The use of the pneumatic tubes has been steadily authorized by law. It began in 1893, sanctioned by act of Congress, and from that year down to the present time has been approved and operated by the various Post Office Department administrations except the present one. It was regularly accepted by the Government and approved, with recommendations for increased appropriations to extend the service, because the business men of the country regarded it as an efficient service and demanded its continuance.

The members of the Philadelphia delegation are unanimous in their desire to have this service continued. They speak not for the tube companies but for the business interests of the city, for the trade and commercial bodies and the manufacturing interests, and all those in other sections of the country with whom they have to deal. The unobstructed facility with which the mails can be started clear out to Utah, if the Chair pleases, or out of the congested centers all the way down to Texas, is what actuates the business men in their desire to have this service sustained. In the great cities we seek to avoid the delays incident to street congestion. Gentlemen from outlying districts should appreciate our difficulty. We must go overhead or underground. We should not be forced to return to motors and vehicles on the surface. It is too dangerous, too slow, and too provincial. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. AYRES. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Kansas makes the point of no quorum. The Chair will count. [After counting.] Ninety-seven gentlemen are present, not a quorum.

Mr. MOON. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from Tennessee moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Fields	Kreider	Rainey, H. T.
Anthony	Flood	LaGuardia	Rainey, J. W.
Baer	Fordney	Langley	Reed
Blackmon	Foss	Lea, Cal.	Roberts
Borland	Fuller, Ill.	Lehlbach	Robinson
Brodbeck	Gard	Lever	Rowe
Brumbaugh	Goodall	Linthicum	Rowland
Caldwell	Graham, Pa.	Littlepage	Sanders, N. Y.
Carter, Mass.	Gregg	Longworth	Saunders, Va.
Cary	Hawley	Lufkin	Schall
Clark, Pa.	Hayes	Lundeen	Scott, Pa.
Classon	Heaton	Lunn	Shackleford
Coady	Heintz	McCormick	Sherwood
Cooper, Ohio.	Hilliard	McKinley	Small
Crago	Hollingsworth	McLaughlin, Pa.	Smith, Mich.
Crosser	Hood	McLemore	Smith, C. B.
Currie, Mich.	Houston	Mann	Snyder
Curry, Cal.	Howard	Martin	Stafford
Davidson	Hull, Iowa.	Morin	Steele
Davis	Husted	Mott	Sterling, Ill.
Denison	Hutchinson	Neely	Strong
Dewalt	Ireland	Norton	Templeton
Dies	James	O'Shaunessy	Treadway
Drukker	Johnson, S. Dak.	Polk	White, Ohio.
Emerson	Kahn	Porter	Wilson, Ill.
Estopinal	Kehoe	Powers	Winslow
Farr	Kelley, Mich.	Pratt	
Fess	Kitchin	Price	

The SPEAKER. On this call 319 Members—a quorum—have answered to their names.

Mr. AYRES. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors. The gentleman from Tennessee is recognized for 23 minutes.

Mr. MOON. Mr. Speaker, I do not know whether, in the state my voice is in, I can be heard very far, but I hope that in the time I shall attempt to address the House to be able to show that it is wrong to agree to Senate amendment 23, to purchase the tubes, and I hope that I may have your patient attention.

The great cities involved in this controversy furnish an immense amount of revenue to the Government. It is not the desire of the Committee on the Post Office and Post Roads or the majority of the conferees on this bill on the part of the House to deprive those cities of any benefits that they have. They now have in New York nine deliveries in the business part of the city and seven in the residential part. We propose to give them the same, but quicker and better service. But that is not the question. They are entitled to these benefits, and we are proposing to give them to them, and if we can give a better service for half a million dollars less per annum, is it not due to the National Treasury that it shall be done?

I make this suggestion, however, apart from the discussion of the question involved, and I want to say that while I intend to speak candidly for a few moments and say some things that I believe ought to be said, I am not calling into question either

the integrity or the good motives of any man in this House or out of it in reference to this question.

Now, I insist that as an economic proposition, as a legal proposition, as a moral proposition, this House can not afford to stand for the Senate amendment to purchase these tubes. First, what are the tubes? They are the conduits by which mail is carried from the station to the post office or from station to station in these cities. These tubes are owned exclusively and operated by private corporations, not by the Government. The Government pays $536,000 a year for this service. Is it the best service? Who knows? The inexperienced who testified, the men whose testimony is hearsay, the men whose testimony is purely negative in its character, or those whose knowledge is technical and expert and the result of actual experience? When we weigh testimony we must weigh it for the purpose of ascertaining the truth. It follows that no one except the experts upon these questions and the officials of the Government and those who handle these tubes would know; and all of this extraneous testimony, this expression of a desire to continue the tubes, amounts to nothing when you come to consider a great public question involving the expenditure of money. These tubes were in use for some years, and upon a report made to this House showing the enormous per cent of profit that was made by the owners the House 10 or 11 years ago abandoned the whole tube system. Then another law was enacted, a better law, the present law. But the taint of fraud connected with the original transaction was such that the House placed in the law a provision that at the expiration of that lease, unless five expert postal officials should recommend their continuance, they should be abandoned. The end of the lease came, the expert officials were appointed, they took the testimony of the officials in the cities where the tubes were operated, and the unanimous report was that they should be abandoned.

Then came this proposition to continue them pending an investigation by Senators and Representatives, who know nothing about the expert matters connected with this service. Their report, the third attempt made by these two companies to foist the tubes upon the Government, is made, and the majority report is in favor of it. Now, I venture to state that any intelligent man who will look over the testimony will find, first, that from all the competent testimony it is clearly established that the tubes are old and worn, that the day of their service is nearly past, that the Government of the United States can carry this mail overland at 30 to 40 per cent less than they can carry it by the tubes underground, that they can carry it overland at every office in the United States where the tubes are used in from 2 to 32 minutes less time than it can be carried by the tubes. That is the weight of the proof. Take the testimony of the postmasters in most of these cities, two excepted, and that is their testimony. That is the testimony of the officials, that is the testimony of the experts. Then it is established that the service is better overland, that the service is quicker overland, and that it is cheaper overland. Why, this very report recommending the purchase, this report made by these gentlemen, admits upon its face in express terms that you can carry this mail daily for $312 less overland than you can by these tubes. That ought to settle that question.

The truth is, gentlemen, when you get down to the bottom facts, you can carry this mail for thirty-odd per cent less per annum than the tubes carry it. And what part of the mail do they carry? To hear this argument you would think that they carry a great portion of the mail. They do not. They carry less than 12 per cent of the mail. If these cities must have tubes, if that is the best service which they can have, they ought to have a tube that will carry the mail, not the old 8-inch commercial tube, along the line of which there must be four or five rests in order to get the mail to the office, tubes that destroy mail frequently, as these do. Gentlemen, this is nothing on earth but a bold and daring attempt of these private corporations to foist their rotten and worthless junk upon the Government of the United States. [Applause.]

I have this to assert, too, as a matter of law: That these tube companies that propose to sell the tubes to you, while they own the patents, while they own the iron that goes under the ground and the conduits and the containers, they do not own, and as a matter of law can not own, a single foot of the right of way over which they pass. [Applause.] The Government can not get any better title than the tube companies have. What title have they? They have contracts with the cities to lay the mains that carry on the purposes of their private corporations. And mark the distinction. Private corporations are for private gain. They have no public function to perform. Public corporations, like municipalities or cities, are clothed with a part of the sovereignty of the Commonwealth that gives them existence. They have the right to confer powers upon semi or quasi public corporations, like street-car lines, or water mains, and telephone and telegraph companies. But I submit to you as a proposition of law that has not been controverted since men wrote legal decisions, that no board of aldermen, no legislature, and not the Congress itself has the power when a public street is once laid out and consigned to a municipality as trustees, to be operated in the interest of the people—that that municipality is absolutely without power to give any right on such a public street to a purely private corporation, and that is what has been done in this instance. A contract to give the right of way or a license for a number of years to a private company over a public street is strictly ultra vires, and confers no right on anyone but is absolutely void. That proposition is not true as to quasi public corporations, but it is true as to strictly private corporations; and the concession is made here in this report, and if it were not made in the report the terms of the charter show that this American Pneumatic Tube Company is only a private corporation. In most cities the municipality owns the fee of all the streets and holds it as trustee for the public use and benefit and can not divest itself of the trust. If the abutting-property owner owned to the center of the street, the city would be powerless under the Constitution to rest any servitude on the street other than that permitted in the Constitution and laws. You may take private property for public use upon compensation, but you can not take public property for private use under the Federal Constitution with or without compensation. Why? Because the Federal Government is one of limited powers, and no such power is delegated. The States have an inhibition upon the exercise of such power, and if not it would be void as against public policy. The board of aldermen, who as trustees exercise partial State sovereignty for the use and benefit of the people of the city, have gone beyond their power in every one of these instances, and have conferred no right. The Government, if it purchased, would have to take as a proprietor, and it would acquire no higher right than its vendor, the tube company, and could get us no better title than the company had. The company is only in legal effect a naked trespasser on the streets.

It is true the Government of the United States can exercise its paramount sovereignty and provide for the transmission of its mails in any way Congress may determine and can pass a law condemning the right of way to make safe and secure the transmission of mails. But these people could not sell a right they have not.

Now, I am not going into any extensive discussion of the reasons for every one of these propositions, but I will give up my contention if you can find a single authority in the United States courts or the State courts, or in the text books, that does not announce squarely the proposition that a municipality has no power and can acquire no power to give a private corporation a right to the use of a public street permanently, or fix upon it a permanent servitude for the benefit of a private corporation. So you know they have nothing to sell. They are only attempting to get money from the Government for nothing, and that is all there is in it. [Laughter and applause.] Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 10 minutes.

Mr. MOON. Well, if it is necessary, I can pay my respects to some gentlemen very well in that time.

I have spoken to you briefly as to the economic and legal features of the question involved. It does seem to me that if you take this worn-out material at two prices that you are making a very foolish trade for the Government. The suggestion that the Interstate Commerce Commission dispose of the matter is one that could not be too strongly condemned from a business point of view, inasmuch as you practically fix the upset price of the tubes and then indicate legislatively to the Interstate Commerce Commission that this is the figure it ought to give. You buy them in advance and expect the price possibly to be cut down later by the action of an independent body, and yet you intimate that you think the price of $4,442,000 is about right. That is just about three times the value of the tubes.

I have no purpose whatever of reflecting upon the integrity or the motives of any Member of this House, nor their good faith in this transaction, but I have a very poor opinion of what many of you think as to the interests of the Government in this matter.

I am going to speak of the matter in another light. There is a great lobby here unquestionably in the interest of the passage of this measure. It can be seen everywhere. I do not know that anybody has corruptly received any money in connection with the matter, but the suggestion I desire to make is this, that while large amounts of money are being used to force legislation through Congress, it is evident that some good benefit is to come to those who are expending the money.

Now, let us look at some of the circumstances connected with this transaction, but before doing so I want to express my surprise at the advocacy of this tube matter by certain gentlemen who appeared upon the floor in its behalf. It was almost inconceivable to me that the gentleman from Texas [Mr. EAGLE] could have aligned himself upon that side of the fight. Nobody questions his motives or his honesty, but he was not able to give a single substantial reason for his position, in my judgment.

Our good old friend, Mr. MASON, from Illinois, whose integrity nobody questions, is on that side of the question; but I find reason for his position in the following telegram, dated Chicago, Ill., October 1, 1915:

Hon. A. S. BURLESON,
Postmaster General, Washington, D. C.:

Replying to your telegram of the 30th to Senator LEWIS, I represent Mr. Mulholland, and thank you for extending hearing to the 10th.
WILLIAM E. MASON.

Mr. Mulholland referred to is the owner of the pneumatic tubes in Philadelphia. [Laughter and applause.] I am not now saying that the gentleman from Illinois is counsel now for Mr. Mulholland, or that he did anything wrong or would do anything wrong now.

Mr. MOORE of Pennsylvania. The gentleman from Illinois was not a member of the House at that time.

Mr. MOON. I do not care whether he was or not, he is now.

Mr. MOORE of Pennsylvania. It is fair to say that he was not.

Mr. MOON. I did not yield to the gentleman. Now, Mr. Speaker, I do not say this to affect the gentleman from Illinois; but I do say that if a man two years ago was counsel for one of these tube companies then, though he is not now, his sympathies would be along the lines of the position he once occupied as counsel. I am not going to charge Mr. MASON or anyone at all in connection with this matter with anything wrong, though I might doubt the propriety of the gentleman supporting the measure under the circumstances.

It has been said that $400,000 was set aside by the tube companies to force this measure through Congress. I do not know whether that is true or not. I do know that if they wanted to get an upset price of $4,442,000 they could readily afford to pay $1,000,000 for lobbying the measure through. They are asking this price for the tubes now. The largest one of these tubes, I am informed, could have been bought recently for less than $600,000. I have this statement in the paper lying before me. A Chicago paper now upon my table gives an account of the great lobby here seeking to press through this nefarious proposition against the interest of the Public Treasury.

I am going to make some inquiries of you, and ask you if you know about certain facts said to exist, and if you do not I am going to advise you that probably if you will call on the Postmaster General he can enlighten you on the subject. How many lawyers are engaged as counsel for these tube companies? How many are quartered in Washington? What legal questions are now under consideration that need this array of counsel? Be not mistaken. It is not legal counsel—it is gentlemen with political influence that they need.

Why do they send 1,500 miles and bring here an ex-Member of the House if it is not for political rather than legal influence? If a lawyer were needed, just as good or better ones could be obtained in Washington, Philadelphia, or New York. One of these distinguished lawyers signed his name as of counsel for the American Pneumatic Tube Co. He ought to have said "of the lobby of the pneumatic tube company." We would understand his attitude better. This gentleman, as many others, has written letters to you urging the acceptance of the tube proposition. Why, I have no doubt that the transaction between the counsel and the tube companies is altogether legitimate from a strictly legal standpoint if they had wanted a lawyer; but why should they go 1,500 miles to Texas and bring back an ex-Representative of Congress to represent them in legal matters, particularly when such Representative never distinguished himself greatly for legal ability when here? [Laughter and applause.] It means, gentlemen, this, if nothing more, that somebody has got money to pay for putting this proposition through Congress and that it is being used. Who else comes here as of counsel for the tube companies? They want counsel, not merely a member of the bar, but they are very anxious for counsel from the newspaper fraternity. I have lying before me a statement to the effect that certain newspaper writers for great metropolitan papers are employed by the tube companies to assist them in forcing the sale of the tubes to the Government; that their expenses are paid in Washington during the winter and that they live in cottages by the sea in the summer months on the bounty of the tube companies. I do not know whether it is so or not, but I believe if you will go to the Post Office Department you will find some names and facts there that would justify you in the conclusion that it is true. It is from that source my information came.

Again, what do you think of this? The President of the United States is said to have received a telegram from the mayor of the city of Boston advising adoption of the Senate amendment No. 23, and when he replied to the mayor the mayor said that he had never sent such a telegram to him. Who do you reckon forged the name of the city mayor to the telegram to the President? I can see no motive on the part of anyone except the owners of the pneumatic tubes or persons acting for them—a circumstance that you might look to in determining the good faith of this proposed transaction. If you want any proof upon that subject you can get it where I did—at the Post Office Department. Have you seen gentlemen sitting in the gallery looking down upon you on a previous occasion when telegrams were rained in upon this floor?

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. MOON. No; I do not.

Mr. MOORE of Pennsylvania. But I am making a point of order, Mr. Speaker.

The SPEAKER. What is the point of order?

Mr. MOORE of Pennsylvania. The point of order is that the gentleman is making charges——

Mr. MOON. I am not making a charge at all. I am asking you to make inquiries in reference to these matters.

The SPEAKER. What is the point of order?

Mr. MOORE of Pennsylvania. The gentleman is asking to insert in the RECORD certain documents, and he is now referring to charges and inviting the Members of the House to read these documents in the RECORD without stating their contents.

The SPEAKER. What is the point of order?

Mr. MOON. The gentleman from Tennessee has done nothing of the sort.

Mr. MOORE of Pennsylvania. That the gentleman can not insert those documents in the RECORD without the consent of the House.

Mr. MOON. The gentleman has not asked the consent of the House, and does not want to insert them.

The SPEAKER. There is nothing in the point of order.

Mr. MOON. The gentleman knew that when he made it. I will ask the gentleman to sit still until I tell him about the Philadelphia Bourse, if I conclude to do so.

Mr. MOORE of Pennsylvania. Will the gentleman yield for a little argument on that question?

Mr. MOON. No. How could I argue with a man whose whole soul is wrapped up in a continuation of the contract or purchase? [Applause and laughter.] There is no argument about it when fraud stalks abroad——

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask that the gentleman's statements be taken down. I may not have heard the gentleman correctly.

Mr. MOON. There is no fraud charged in reference to the gentleman.

Mr. MOORE of Pennsylvania. The voice of the gentleman from Tennessee is not in good condition to-day, although he states that he is in good humor. The gentleman made some reference to fraud.

Mr. MOON. None to the gentleman, however.

Mr. MOORE of Pennsylvania. Then I accept the gentleman's apology.

The SPEAKER. The gentleman has a right to talk about fraud.

Mr. MOON. You need not accept it as an apology. If I had the proof of fraud on the gentleman I would tell him about it. [Laughter.]

Mr. MOORE of Pennsylvania. I am frank enough to believe the gentleman would, and therefore he fails to produce any.

Mr. MOON. But I tell you one thing, I want you to keep away from that bourse, or you may be liable to such a charge.

Mr. MOORE of Pennsylvania. The gentleman has no knowledge of any bourse, and the gentleman ought not to make such an insinuation.

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MOON. I am sorry that I have not had the time to submit some very edifying testimony on this subject, but it is perhaps just as well not to do so, and I shall conclude.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended for five minutes, in which to conclude his address.

The SPEAKER. Is there objection?

There was no objection.

Mr. MOON. I am very much obliged to the gentleman.

Mr. GALLIVAN. I object.

Mr. MOON. Oh, it is too late; I already have the time and am using it. [Laughter.] I am very much obliged to the gentleman from Pennsylvania, but I do not know that I want to go any further in these matters. I wanted to refer to the matter of the gentleman in the gallery, ow hom I was speaking when I was shut off by the interruption of the gentleman from Pennsylvania. That man said that it was with the greatest delight that he looked down upon this House and saw the Members responding to the telegrams from their constituents which he had inspired, and how quickly they turned over and voted with him upon the tube question. He said he was delighted. Why, Mr. Speaker, strange to say, that man now is a major in the United States Army. They call him Maj. Hicks. For particulars see Post Office Department, where you can find out much other matter of interest on the tubes. These people have gone into the profession of the law, into the medical profession; they have gone into the Army and Navy; they have gone into the newspaper world; they have gone to the farms, and are bold enough to go into the ministry to help them in this undertaking. You have heard all of the facts. It is unnecessary for me to further relate them. You know the badges of fraud when you see them. You know the slime of the serpent as he trails through these transactions; you know he is coiled, ready to pour his venom and corruption into you if the opportunity is afforded.

Shall we deal with this question with simple justice and honor? Shall we, without power to name a single fact on circumstance that justifies it, vote this money out of the Public Treasury for private corporations? Is there a business condition that would justify it? Name a legal condition that would justify it. In view of the vast amount of money being used, whether legal or not, to put through this deal, I ask you, from the highest point of public morals, to name a single moral principle upon which you can justify a vote in behalf of the Senate amendment No. 23. If they have no title to the right of way, if the tubes are worn out, if they are proposing to sell them at three times their cost, if the overland service is better and quicker—and everything in this record conspires to show that to be true—then how will you justify your vote for this proposition? Are you going to allow it to resolve itself into the simple question of favoring a private corporation against the National Treasury? I am not prepared to say that every act in connection with the pneumatic-tube transaction from its inception to date is larcenous in all of its details, but it is sinister in every essential. We should further insist upon our disagreement to the Senate amendment. [Applause.]

The SPEAKER. Does the gentleman from Tennessee desire to make a motion?

Mr. MOON. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment numbered 23.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on its disagreement to the Senate amendment 23.

Mr. MOON. And on that I move the previous question.

Mr. STEENERSON. Mr. Speaker, I make the preferential motion that the House concur in the Senate amendment 23 with an amendment, page 16, line 3, striking out the word "July" and inserting "November."

The SPEAKER. The Clerk will report the amendment.

Mr. MOON. I move the previous question on the amendment.

The Clerk read as follows:

Mr. STEENERSON moves to concur in the Senate amendment with an amendment, page 16, line 3, strike out the word "July" and insert "November."

The SPEAKER. The gentleman from Tennessee moves the previous question on the preferential motion made by the gentleman from Minnesota who moves that the House recede from its disagreement to Senate amendment 23 and agree to the same with an amendment amending it by striking out the word "July" and inserting the word "November."

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Minnesota to recede and concur.

The question was taken; and the Speaker announced the noes seemed to have it.

Mr. STEENERSON. Division, Mr. Speaker. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman demands the yeas and nays.

The yeas and nays were ordered.

Mr. ALEXANDER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ALEXANDER. For a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALEXANDER. Is the question on concurring in the Senate amendment with an amendment striking out "July" and inserting "November"?

The SPEAKER. Yes.

The question was taken; and there were—yeas 139, nays 181, answered "present" 7, not voting 103, as follows:

YEAS—139.

Austin	Focht	London	Siegel
Bacharach	Francis	Longworth	Sinnott
Bankhead	Frear	McArthur	Slemp
Bell	Freeman	McFadden	Smith, Idaho
Browning	French	Magee	Smith, C. B.
Burroughs	Fuller, Ill.	Maher	Smith, T. F.
Cannon	Fuller, Mass.	Mason	Snell
Carew	Gallivan	Meeker	Steenerson
Chandler, N. Y.	Gillett	Merritt	Stiness
Chandler, Okla.	Glynn	Miller, Minn.	Sullivan
Cleary	Good	Moore, Pa.	Sweet
Cooper, Ohio	Gould	Moores, Ind.	Swift
Copley	Gray, Ala.	Morgan	Tague
Costello	Gray, N. J.	Mott	Temple
Dale, N. Y.	Green, Iowa	Mudd	Tilson
Dale, Vt.	Greene, Mass.	Nolan	Timberlake
Dallinger	Greene, Vt.	Oliver, N. Y.	Tinkham
Darrow	Griest	Olney	Towner
Delaney	Griffin	Osborne	Treadway
Dempsey	Hadley	Paige	Vare
Donovan	Hamil.	Parker, N. Y.	Vestal
Dooling	Hamilton, N. Y.	Peters	Voigt
Dunn	Haskell	Phelan	Volstead
Dupré	Hawley	Platt	Waldow
Dyer	Hayes	Purnell	Walsh
Eagan	Hersey	Ramsey	Ward
Eagle	Hicks	Rankin	Wason
Edmonds	Igoe	Rayburn	Watson, Pa.
Elliott	Johnson, Wash.	Riordan	White, Me.
Ellsworth	Kennedy, R. I.	Rodenberg	Williams
Elston	Kiess, Pa.	Rogers	Wood, Ind.
Esch	King	Sanders, Ind.	Woods, Iowa
Fairchild, B. L.	Knutson	Sanford	Woodyard
Fairfield	La Follette	Scott, Iowa	Young, N. Dak.
Flynn	Little	Scully	

NAYS—181.

Alexander	Doughton	Lazaro	Sears
Almon	Dowell	Lesher	Sells
Ashbrook	Drane	Linthicum	Shallenberger
Aswell	Evans	Lobeck	Shouse
Ayres	Fairchild, G. W.	Lonergan	Sims
Barkley	Ferris	McAndrews	Sisson
Barnhart	Fisher	McClintic	Sloan
Beakes	Flood	McCulloch	Small
Beshlin	Foster	McKenzie	Smith, Mich.
Blackmon	Gallagher	Madden	Snook
Bland	Gandy	Mansfield	Steagall
Blanton	Garrett, Tenn.	Mapes	Stedman
Booher	Garrett, Tex.	Martin	Stephens, Nebr.
Brand	Glass	Mays	Sterling, Ill.
Britten	Godwin, N. C.	Miller, Wash.	Sterling, Pa.
Browne	Goodwin, Ark.	Montague	Stevenson
Buchanan	Gordon	Moon	Summers
Byrnes, S. C.	Graham, Ill.	Nelson	Switzer
Byrns, Tenn.	Hamilton, Mich.	Nicholls, S. C.	Talbott
Campbell, Kans.	Hamlin	Nichols, Mich.	Taylor, Ark.
Campbell, Pa.	Hardy	Oldfield	Taylor, Colo.
Candler, Miss.	Harrison, Miss.	Oliver, Ala.	Thomas
Cantrill	Hastings	Overmyer	Thompson
Caraway	Haugen	Overstreet	Tillman
Carlin	Hayden	Padgett	Venable
Carter, Okla.	Heflin	Park	Vinson
Church	Helm	Parker, N. J.	Walker
Clark, Fla.	Helvering	Polk	Walton
Claypool	Hensley	Porter	Watkins
Collier	Holland	Quin	Watson, Va.
Connally, Tex.	Huddleston	Ragsdale	Weaver
Connelly, Kans.	Hull, Tenn.	Rainey, H. T.	Webb
Cooper, Wis.	Humphreys	Raker	Welling
Cox	Jacoway	Ramseyer	Welty
Cramton	Johnson, Ky.	Randall	Whaley
Crisp	Jones	Reavis	Wheeler
Decker	Juul	Robbins	White, Ohio
Dent	Keating	Romjue	Wilson, La.
Denton	Kelly, Pa.	Rose	Wilson, Tex.
Dickinson	Kennedy, Iowa	Rouse	Wingo
Dill	Kettner	Rubey	Wise
Dillon	Key, Ohio	Rucker	Wright
Dixon	Kincheloe	Russell	Young, Tex.
Dominick	Kinkaid	Sabath	
Doolittle	Kitchin	Sanders, La.	
Doremus	Larsen	Scott, Mich.	

ANSWERED "PRESENT"—7.

Burnett	Cooper, W. Va.	McKeown	Stephens, Miss.
Butler	Lee, Ga.	McLaughlin, Mich.	

NOT VOTING—103.

Anderson	Currie, Mich.	Garland	Ireland
Anthony	Curry, Cal.	Garner	James
Baer	Davidson	Goodall	Johnson, S. Dak.
Black	Davis	Graham, Pa.	Kahn
Borland	Denison	Gregg	Kearns
Bowers	Dewalt	Harrison, Va.	Kehoe
Brodbeck	Dies	Heaton	Kelley, Mich.
Brumbaugh	Drukker	Heintz	Kraus
Caldwell	Emerson	Hilliard	Kreider
Carter, Mass.	Estopinal	Hollingsworth	LaGuardia
Cary	Farr	Hood	Langley
Clark, Pa.	Fess	Houston	Lea, Cal.
Classon	Fields	Howard	Lehlbach
Condy	Fordney	Hull, Iowa	Lever
Crago	Foss	Husted	Littlepage
Crosser	Gard	Hutchinson	Lufkin

Lundeen	Norton	Rowe	Snyder
Lunn	O'Shaunessy	Rowland	Stafford
McCormick	Pou	Sanders, N. Y.	Steele
McKinley	Powers	Saunders, Va.	Strong
McLaughlin, Pa.	Pratt	Schall	Templeton
McLemore	Price	Scott, Pa.	Van Dyke
Mann	Rainey, J. W.	Shackleford	Wilson, Ill.
Mondell	Reed	Sherley	Winslow
Morin	Roberts	Sherwood	Zihlman
Neely	Robinson	Slayden	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. BOWERS (for pneumatic tubes) with Mr. LEE of Georgia (against).

Mr. CALDWELL (for pneumatic tubes) with Mr. BURNETT (against).

Mr. COOPER of West Virginia (for pneumatic tubes) with Mr. NEELY (against).

Mr. O'SHAUNESSY (for conference report) with Mr. MCLAUGHLIN of Pennsylvania (against).

Mr. GRAHAM of Pennsylvania (for pneumatic tubes) with Mr. STEPHENS of Mississippi (against).

Mr. LUFKIN (for pneumatic tubes) with Mr. HEATON (against).

Mr. KEARNS (for pneumatic tubes) with Mr. KEHOE (against).

Mr. MCKINLEY (for pneumatic tubes) with Mr. SLAYDEN (against).

Mr. SNYDER (for pneumatic tubes) with Mr. MCKEOWN (against).

Mr. WINSLOW (for pneumatic tubes) with Mr. DENISON (against).

Until further notice:

Mr. STEELE with Mr. BUTLER.

Mr. LEVER with Mr. MCLAUGHLIN of Michigan.

Mr. VAN DYKE with Mr. ANDERSON.

Mr. BLACK with Mr. GOODALL.

Mr. BORLAND with Mr. CARTER of Massachusetts.

Mr. COADY with Mr. DAVIS.

Mr. DEWALT with Mr. ANTHONY.

Mr. BRODBECK with Mr. CURRY of California.

Mr. DIES with Mr. CRAGO.

Mr. ESTOPINAL with Mr. CURRIE of Michigan.

Mr. FIELDS with Mr. DAVIDSON.

Mr. BRUMBAUGH with Mr. ZIHLMAN.

Mr. GARD with Mr. DRUKKER.

Mr. GARNER with Mr. EMERSON.

Mr. GREGG with Mr. FARR.

Mr. HARRISON of Virginia with Mr. FESS.

Mr. HILLIARD with Mr. FORDNEY.

Mr. HOOD with Mr. HUSTED.

Mr. HOUSTON with Mr. HUTCHINSON.

Mr. HOWARD with Mr. FOSS.

Mr. LEA of California with Mr. IRELAND.

Mr. LUNN with Mr. KELLEY of Michigan.

Mr. MCLEMORE with Mr. LANGLEY.

Mr. O'SHAUNESSY with Mr. LEHLBACH.

Mr. POU with Mr. LUNDEEN.

Mr. JOHN W. RAINEY with Mr. PRATT.

Mr. ROBINSON with Mr. ROBERTS.

Mr. PRICE with Mr. REED.

Mr. SAUNDERS of Virginia with Mr. STRONG.

Mr. SCHALL with Mr. KREIDER.

Mr. SHACKLEFORD with Mr. WILSON of Illinois.

Mr. SHERLEY with Mr. KAHN.

Mr. SHERWOOD with Mr. MORIN.

Mr. LITTLEPAGE with Mr. SANDERS of New York.

Mr. BURNETT. Mr. Speaker, is the gentleman from New York, Mr. CALDWELL, recorded as voting?

The SPEAKER. He did not vote.

Mr. BURNETT. I have a pair with him, and I desire to withdraw my vote of "yea" and answer "present."

Mr. BUTLER. Mr. Speaker, did the gentleman from Pennsylvania, Mr. STEELE, vote?

The SPEAKER. No.

Mr. BUTLER. I have a general pair with him, and I feel that I should withdraw my vote of "yea" and answer "present."

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I have a pair with the gentleman from South Carolina, Mr. LEVER. I think he did not vote.

The SPEAKER. He did not vote.

Mr. McLAUGHLIN of Michigan. I wish to withdraw my vote of "yea" and answer "present."

Mr. HICKS. Mr. Speaker, my colleague, Mr. ROWE, is unavoidably absent. If he were present, he would vote "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question recurs on the motion of the gentleman from Tennessee [Mr. MOON] to further insist on the House disagreement to Senate amendment No. 23.

The motion was agreed to.

LEAVE OF ABSENCE.

Mr. MILLER of Washington, by unanimous consent, was granted leave of absence for June 14, in order to make a Flag Day address in New York.

EXTENSION OF REMARKS.

Mr. KING. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. KING. I ask unanimous consent to extend my remarks in the RECORD on the subject of the pneumatic-tube mail service in the city of Chicago.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the subject of the pneumatic-tube service.

The SPEAKER. The gentleman from New York asks unanimous consent to revise and extend his remarks on the subject indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. VARE. Mr. Speaker, I make a similar request.

The SPEAKER. The gentleman from Pennsylvania makes a similar request. Is there objection? [After a pause.] The Chair hears none.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting the baccalaureate sermon delivered by Dr. Hoge, of Louisville, Ky., before the graduating class of the University of Virginia on last Sunday.

The SPEAKER. The gentleman from Arkansas [Mr. GOODWIN] asks unanimous consent to extend his remarks in the RECORD.

Mr. WALSH. Upon what subject?

Mr. GOODWIN of Arkansas. By inserting in the RECORD a baccalaureate sermon delivered by Dr. Hoge, of Louisville, Ky., delivered before the graduating class of the University of Virginia on last Sunday.

Mr. WALSH. Mr. Speaker, I object to the request of the gentleman from Arkansas.

Mr. MOON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House adjourned until to-morrow, Friday, June 14, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, submitting estimate of appropriation for inclusion in the sundry civil bill for additional boilers, etc., Bureau of Engraving and Printing, Washington, D. C. (H. Doc. No. 1167); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the chairman of the Committee on Public Information, submitting estimate of appropriation required by the Committee on Public Information for salaries and expenses in connection with its work in the United States for the fiscal year 1919 (H. Doc. No. 1168); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 12438) authorizing the conveyance of the United States jail, and land on which the same is located, at Guthrie, Okla., to Logan County, Okla., reported the same without amendment, accompanied by a report (No. 650), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McARTHUR: A bill (H. R. 12463) to designate the national service flag and national service emblem; to define organizations and persons who shall be entitled to display and wear the same; and for other purposes; to the Committee on the Judiciary.

By Mr. MADDEN: Resolution (H. Res. 392) requesting information at to the number of men in the service of the Food Administrator and Fuel Administrator who are within the draft age; to the Committee on Military Affairs.

By Mr. CRAMTON: Resolution (H. Res. 394) requesting the President to report to the House of Representatives whether any order has been issued restricting the supply of coal to persons engaged in the manufacture of intoxicating liquors; to the Committee on Agriculture.

By Mr. ROGERS: Joint resolution (H. J. Res. 302) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SIMS: Joint resolution (H. J. Res. 303) to extend the time within which the President may relinquish control of any railroad or system of transportation as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: Joint resolution (H. J. Res. 304) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. FLYNN: Memorial of the Legislature of the State of New York, urging the retention and extension of the underground mail service; to the Committee on the Post Offices and Post Roads.

By Mr. DALE of New York: Memorial of the Legislature of the State of New York, urging the retention and extension of the underground mail service; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 12464) granting an increase of pension to Leander Sawyers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12465) granting an increase of pension to John H. Rusie; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 12466) granting an increase of pension to Abraham Benner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12467) granting an increase of pension to William D. Mickley; to the Committee on Invalid Pensions.

By Mr. KETTNER: A bill (H. R. 12468) granting an increase of pension to Avril Harris; to the Committee on Invalid Pensions.

By Mr. KRAUS: A bill (H. R. 12469) granting a pension to Edward Gaines; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 12470) granting an increase of pension to Ernest B. Brown; to the Committee on Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 12471) to correct the military record of Francis E. Hale; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Memorial of The Bronx Board of Trade, urging the acquisition of the pneumatic tubes; also, memorial of the Chamber of Commerce of the State of New York, concerning slow delivery of mail; to the Committee on the Post Office and Post Roads.

Also, resolution of the Polish national defense committee, relative to Polish loyalty and war activities; to the Committee on Military Affairs.

Also, memorial of the Chamber of Commerce of the State of New York, against Senate bill 4426, guaranteeing bank deposits; to the Committee on Banking and Currency.

Also, memorial of the Chamber of Commerce of the State of New York, on proposed water-power legislation; to the Committee on Water Power.

Also, petition of Frank M. Dampman, and the memorials of the Federation of Illinois Colleges and of the Society of American Dramatists and Composers, protesting against the second-class postal rates of the war-revenue act and asking its repeal; to the Committee on Ways and Means.

By Mr. DOOLITTLE: Petition of citizens of Eskridge, Kans., favoring war prohibition; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petition of the Woman's Church Federation of Chicago, favoring passage of the minimum-wage bill for women; to the Committee on Labor.

By Mr. GOULD: Petition of sundry Bible class members of Baptist Church of Summit, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of the Potter (N. Y.) Women's Christian Temperance Union, favoring war prohibition; to the Committee on the Judiciary.

By Mr. RAKER: Petition of sundry citizens of Davis Creek, Cal., protesting against the zone system; to the Committee on Ways and Means.

Also, memorial of Anderson Valley Chamber of Commerce, of Boonville, Cal., indorsing the military system for the Pacific coast; to the Committee on Military Affairs.

Also, petition of 37 citizens of Colfax, Cal., asking for war prohibition; to the Committee on the Judiciary.

Also, memorial of Anderson Valley Chamber of Commerce, of Boonville, Cal., proposing the addition of a road from Garberville, through the Anderson Valley, to Cloverdale, to connect with the State highway; to the Committee on Roads.

By Mr. SCULLY: Memorial of members of New Jersey Bankers' Association, against passage of guaranty-deposit bill; to the Committee on Banking and Currency.

Also, memorial of the Chamber of Commerce of the United States, favoring adequate highway construction; to the Committee on Roads.

Also, petition of the liberty-loan committee of Elizabeth, N. J., and the Common Council of the City of Elizabeth, against periodicals printed in German; to the Committee on the Judiciary.

Also, memorial of the State Highway Commission of the State of New Jersey, favoring Government aid in repairing highways damaged by Army trucks; to the Committee on Roads.

Also, petition of the New Jersey Woman Suffrage Association, favoring military rank for Army nurses; to the Committee on Military Affairs.

By Mr. SMITH of Michigan: Petition of L. O. Miller, chairman of the Kalamazoo (Mich.) Trades and Labor Council, favoring House bill 123, relative to female labor; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Petition of the Ausable Chasm Church, Ausable Chasm, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church, Red Mills, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church, Flackville, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

SENATE.

FRIDAY, *June 14, 1918.*

Rev. Hugh T. Stevenson, of the city of Washington, offered the following prayer:

Eternal and ever-living God, we thank Thee that once more Thou hast called us to enter into Thy presence, to recognize that Thou art the supreme Ruler of the universe, and to receive from Thee that aid and strength which will enable us to do this day that which will bring glory and honor to Thee and advance the interests of our Nation and the welfare of humanity. To this end wilt Thou guide and watch over the affairs of the Senate and of the House and of the officials of our Government? Wilt Thou be with our Nation as this day they recall the gift of the flag? We thank Thee for what the flag has been in the history of our country. We thank Thee for the eternal principles it symbolizes which Thou hast given to us and through us to men. As Thou hast been with the men who followed that flag in every war in the past, so be with those who follow it now, and grant we may recognize when the end shall come and victory shall once more be given unto us that Thou art the Source of our strength and success, and may we serve Thee hereafter forever faithfully as a people. We ask it in the name of Our Lord and for His glory. Amen.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Myers	Smith, Ga.
Baird	Johnson, S. Dak.	Nelson	Smith, Md.
Bankhead	Kendrick	New	Smith, S. C.
Beckham	Kenyon	Norris	Smoot
Borah	King	Nugent	Sterling
Chamberlain	Kirby	Overman	Sutherland
Culberson	Knox	Owen	Thomas
Curtis	Lenroot	Page	Thompson
Dillingham	Lewis	Ransdell	Townsend
France	Lodge	Reed	Trammell
Frelinghuysen	McCumber	Sheppard	Vardaman
Gallinger	McKellar	Sherman	Warren
Gronna	McLean	Shields	
Gulon	McNary	Simmons	
Hale	Martin	Smith, Ariz.	

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from New York [Mr. CALDER]. I will let this announcement stand for the day.

I wish also to announce the unavoidable absence of the Senator from Washington [Mr. JONES]. I will let this announcement stand for the day.

I desire also to announce the unavoidable absence of the senior Senator from New York [Mr. WADSWORTH], and I will let this announcement stand for the day.

Mr. MYERS. My colleague [Mr. WALSH] is necessarily absent. He has a general pair with the Senator from New Jersey [Mr. FRELINGHUYSEN]. This announcement may stand for the day.

Mr. CURTIS. I wish to announce the unavoidable absence of the junior Senator from Ohio [Mr. HARDING]. I will let this announcement stand for the day.

Mr. THOMAS. I desire to announce the necessary absence of my colleague [Mr. SHAFROTH]. I will let this announcement stand for the day.

Mr. KENDRICK. I wish to announce that the junior Senator from Nevada [Mr. HENDERSON] is detained by death in his family.

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. SMITH of Arizona. I wish to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. THOMPSON. The Senator from California [Mr. PHELAN] is detained on official business.

Mr. McKELLAR. I wish to announce that the junior Senator from Delaware [Mr. WOLCOTT] is detained by illness.

Mr. POMERENE. The senior Senator from Delaware [Mr. SAULSBURY] and the senior Senator from Arkansas [Mr. ROBINSON] are necessarily absent from the Senate.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present. The Secretary will read the Journal of the proceedings of the preceding session.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, June 10, 1918, when, on request of Mr. OWEN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT. On the 5th day of October, 1917, just after the present occupant of the chair had vacated the chair, the Senate passed a resolution reading in part as follows:

Senate resolution 77.

Resolved, That only a brief statement of the contents, as provided for in Rule VII, paragraph 5, of such communications as are presented under the order of business "Presentation of petitions and memorials," shall be printed in the CONGRESSIONAL RECORD; and that no other portion of such communications shall be inserted in the RECORD unless specifically so ordered by vote of the Senate, as provided for in Rule XXIX, paragraph 1.

This rule was not pasted in the volume used by the present occupant of the chair, and my attention was not called to it until through the remarks of the Senator from Arizona [Mr. SMITH] a few days since.

It is a little difficult to construe this rule with reference to Rule XXIX, which, omitting certain portions of it, may for the purposes of this statement be summarized as follows: Every motion to print memorials and petitions shall, unless the Senate otherwise order, be referred to the Committee on Printing.

The Chair is inclined to make this statement: After mature consideration of the two rules the Chair believes that this is the way the rules should be construed and will be construed, unless there shall be an appeal and the Chair be reversed by the Senate, namely, that when petitions and memorials are presented, except those which come from legislatures or conventions lawfully called by a State, it will be the duty of the Reporter to only include in the RECORD a brief statement of the contents of the petition or memorial, and if a request is made to print any petition or memorial it will be the duty of the Chair to at once submit the question to the Senate for a vote as to whether the petition or memorial shall or shall not be printed in the RECORD.

This now, of course, is a moot decision, and it is not binding, but it will be made if the time comes to make it, and an appeal can be taken from it at that time.

Mr. GALLINGER. I assume when the Chair very properly suggests that when a request is made to print the entire petition it shall be submitted to the Senate, unanimous consent would cover that matter, and it will be done if there be no objection, if the Chair puts it in that form.

The VICE PRESIDENT. This is what the Chair intended to say: That if a request is made to print in full, and there be no objection, it will be printed. If there be an objection——

Mr. GALLINGER. It will be submitted to the Senate.

The VICE PRESIDENT. It will be submitted to the Senate for a vote.

Mr. GALLINGER. That is entirely fair.

Mr. SMITH of Arizona. Did I understand the Chair to say that under the rule if I or any other Member should object to the publication of a petition my objection would force a vote? Does it not follow under that rule that the Reporter will be bound to do what the rule says, and that is only print what the rule says may be printed in the RECORD on its presentation? If whoever presents a petition wants to have it printed, of course he must make the affirmative motion "I move that it be printed in the RECORD." That will bring the matter to the attention of those interested and give the Senate an opportunity to act. Otherwise the rule would be absolutely ineffective unless some one objected to it. I did not hear the Chair distinctly, and therefore I can not be criticizing what the Chair said or take exceptions to anything except what I barely understood. I think in the execution of the rule it becomes the duty of the Reporter, as the Chair stated in the opening, to print only in the RECORD on the presentation of a memorial or petition what the rule says shall be printed. If I rise to——

The VICE PRESIDENT. This is the view of the Chair, that when petitions or memorials not coming from legislatures or lawfully called conventions of States are presented pro forma by a Senator it is the duty of the Reporter to simply insert a brief statement of the contents of the petition or memorial, but if a Senator asks to have it printed in full certainly unanimous consent is as valuable as a vote.

Mr. SMITH of Arizona. But can the Chair under the rule properly entertain a request for unanimous consent that the rule shall be abrogated, which is tantamount to saying that there is no rule at all about it? A motion to print should accompany the presentation if the applicant wishes to have it printed.

Mr. GRONNA. Will the Senator yield for a question?

Mr. SMITH of Arizona. Yes.

Mr. GRONNA. Does the Senator mean to say that this resolution is the equivalent of a rule?

Mr. SMITH of Arizona. Unquestionably it is a rule.

Mr. GRONNA. The resolution was passed by this body. I agree with the construction placed upon it by the Chair, that we must obtain the permission of the Senate to print, but the Senator can not say that this is made a part of the rules of the Senate. The Senate has never had an opportunity to vote upon it as a rule.

Mr. SMITH of Arizona. You are giving no one any chance to have a vote on it by unanimous consent, when with only seven Senators present unanimous consent is granted.

The VICE PRESIDENT. This is the present view of the Chair. It may be entirely wrong. When unanimous consent is asked to print it will be tantamount to a unanimous vote of the Senate, if no one objects.

Mr. SMITH of Arizona. Then it is tantamount also to saying that whenever a Senator asks unanimous consent the same old rule shall go on, notwithstanding the feeling or the purpose of the committee who reported that provision, which was to relieve from that committee or any member of it the very unpleasant burden of having his friends raising objection to a thing that he had to do under the direction of the rule and under the request of the committee.

The VICE PRESIDENT. The Chair would not have the slightest doubt about the view of the Senator from Arizona if it were not for construing it in connection with Rule XXIX.

Mr. SMITH of Arizona. I have not Rule XXIX before me. I had it in the form of a resolution.

Mr. SMOOT. Mr. President, I think it will take some time for the Senator to study the tentative ruling of the Chair in connection with the resolution and Rule XXIX, paragraph 1, and I suggest to the Senator that it go over for future consideration. However, I wish simply to repeat that the Senator from Arizona

said that it was the object of the Committee on Printing to have the Senate take affirmative action before a petition could be printed in full in the RECORD. In other words, a resolution——

Mr. SMITH of Arizona. If the Senator will permit me, the affirmative action of the Senate does not mean unanimous consent suggested on one side; it means the action of the Senate.

Mr. SMOOT. But I think that——

The VICE PRESIDENT. I do not see how there could be anything more affirmative than the unanimous consent of the Senate.

Mr. SMOOT. I rather think that the Chair is right in his construction of the resolution in connection with——

The VICE PRESIDENT. With Rule XXIX.

Mr. SMOOT. In connection with Rule XXIX. I think the decision of the Chair is right, but yet I want to say that was not the intention of the committee in asking the Senate to adopt Senate resolution 77, which was agreed to October 5, 1917.

Mr. McKELLAR. Do I understand that memorials and resolutions in the nature of memorials are now in order?

The VICE PRESIDENT. They are.

Mr. McKELLAR. Mr. President, I send to the Secretary's desk three resolutions adopted at a mass meeting at Bristol, Va. and Tenn. They are very short, and in accordance with the ruling of the Chair I ask unanimous consent that they may be extended at length in the RECORD. I have been requested by the people of that city when these resolutions were passed to have them printed in the RECORD. The subject matter of the resolutions is the question of equal suffrage. The meeting was held under the auspices of the National Woman's Party on June 7, 1918, and it expressed itself strongly in favor of the national suffrage amendment now pending before the Senate and asked for an early vote on the amendment. I think those who adopted the resolutions are entitled to have them printed in the RECORD. I therefore ask unanimous consent at this time that they be printed in the RECORD in full, and especially as they are very short.

Mr. SMITH of Arizona. Mr. President, are the resolutions from the Legislature of the State of Tennessee?

Mr. McKELLAR. They are not.

Mr. SMITH of Arizona. Then I object.

Mr. McKELLAR. Then I move, under the ruling of the Chair, that the resolutions be printed in full in the RECORD.

Mr. SMITH of Arizona. On that I demand the yeas and nays.

The yeas and nays were ordered and taken.

Mr. CURTIS (after having voted in the negative). I have a pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withdraw my vote.

Mr. JOHNSON of South Dakota (after having voted in the negative). I have a pair with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the Senator from Missouri [Mr. WILFLEY] and will allow my vote to stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Colorado [Mr. SHAFROTH];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES]; and

The Senator from Washington [Mr. JONES] with the Senator from Virginia [Mr. SWANSON].

The result was announced—yeas 14, nays 34, not voting 48, as follows:

YEAS—14.

Chamberlain	Kirby	Ransdell	Thompson
France	Lewis	Sheppard	Vardaman
Gronna	McKellar	Sherman	
Guion	Myers	Shields	

NAYS—34.

Ashurst	Kendrick	Nelson	Smith, S. C.
Baird	Kenyon	New	Smoot
Bankhead	King	Norris	Sterling
Beckham	Lenroot	Nugent	Sutherland
Borah	Lodge	Overman	Thomas
Culberson	McCumber	Page	Trammell
Dillingham	McLean	Reed	Underwood
Hale	McNary	Smith, Ariz.	
Johnson, S. Dak.	Martin	Smith, Ga.	

NOT VOTING—48.

Brandegee	Gore	La Follette	Smith, Mich.
Calder	Harding	Owen	Swanson
Colt	Hardwick	Penrose	Tillman
Cummins	Henderson	Phelan	Townsend
Curtis	Hitchcock	Pittman	Wadsworth
Fall	Hollis	Poindexter	Walsh
Fernald	James	Pomerene	Warren
Fletcher	Johnson, Cal.	Robinson	Watson
Frelinghuysen	Jones, N. Mex.	Saulsbury	Weeks
Gallinger	Jones, Wash.	Shafroth	Wilfley
Gerry	Kellogg	Simmons	Williams
Goff	Knox	Smith, Md.	Wolcott

The VICE PRESIDENT. On the motion of the Senator from Tennessee [Mr. McKELLAR] the yeas are 14, and the nays are 34. The motion is rejected, and therefore only a brief statement of the contents of the resolutions will be printed in the RECORD.

The resolutions referred to were adopted at a public meeting under the auspices of the National Woman's Party in the city of Bristol, Tenn. and Va., on June 7, 1918.

The resolutions recited the work of the women in the war; the fact that they had no voice in the Government; a request to the President to press the national suffrage amendment for passage and that the resolutions be sent to the President, and to Senators MARTIN, GALLINGER, JONES of New Mexico, SWANSON, SHIELDS, and McKELLAR, with the request that said resolutions be read into the CONGRESSIONAL RECORD.

Mr. SMITH of Arizona. Mr. President, I have a resolution passed by the Legislature of the State of Arizona, which I have been requested to present to the Senate. It has, however, been mislaid, as there have been only recesses of the Senate for the past two days and consequently no morning hour. I am afraid I may be considered derelict in not having sooner presented the resolution to the Senate. I had it on my desk, and I do not want it to go forth that a resolution of the Legislature of Arizona, which the rule to which reference has been made provides shall be printed in the RECORD, has not been presented and so printed. I ask unanimous consent that when I find the resolution, which is in favor of the adoption of the woman-suffrage constitutional amendment, which the legislature desires to have presented to the Senate of the United States, I may file it at the Secretary's desk for printing in the RECORD, without waiting for another morning hour.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. SMITH of Arizona subsequently presented the resolution referred to, which is as follows:

Senate joint memorial 1, by Senator Fred T. Colter; adopted May 25, 1918.

To the Senate of the United States:

Your memorialists, the Third Legislature of the State of Arizona, in special session convened, respectfully represents—

That this Legislature for the State of Arizona is now ready and anxious to adopt the woman's suffrage amendment to the Constitution of the United States;

That Arizona believes its position on this question wise because it has found woman suffrage an unqualified success, and believes it finds evidence to this effect in the almost unequaled record it has made in all branches of our war activities;

That the cause of democracy will be immeasurably advanced when democracy's greatest exponent again declares its faith and grants to its enlightened and ennobled womanhood full opportunity of its citizenship:

Therefore, we beseech you, submit the woman-suffrage amendment and let America speak again.

That certified copies of this joint resolution be forwarded to the governor of this State, to the Secretary of State at Washington, to the Presiding Officer of the United States Senate, and to the Speaker of the House of Representatives of the United States.

Mr. BECKHAM. Mr. President, I present two resolutions, one adopted at a mass meeting of citizens at Louisville, Ky., and the other adopted at a mass meeting of citizens at Frankfort, Ky., in favor of the pending constitutional amendment granting equal suffrage to women. I have been requested in each instance to have the resolution printed in the RECORD, but in the light of the recent vote I feel that it can not be done. However, under the rule, I understand that a brief statement of each resolution may be placed in the RECORD. If such is the case, I make that request.

The VICE PRESIDENT. It will be so ordered.

Resolutions adopted at a mass meeting of citizens of Louisville, Ky., and resolutions adopted at a mass meeting of citizens at Frankfort, Ky., favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. MARTIN. Mr. President, I present a number of resolutions in favor of the woman-suffrage amendment to the Constitution. They include a resolution adopted at a joint meeting of the Lynchburg Equal Suffrage League and the Randolph-Macon Woman's College League of Virginia, a resolution adopted at a meeting of the Journeymen Tailors' Union at Norfolk, Va., a resolution adopted by the Twentieth Century Club at Norfolk, Va., and a resolution adopted at the meeting of the Virginia

Branch of the National Woman's Party held at Richmond, Va. I send these resolutions to the desk and ask that they may be properly referred.

The VICE PRESIDENT. The resolutions will lie on the table.

Mr. GRONNA presented a petition of sundry citizens of North Dakota, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Deering, N. Dak., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented a petition of the Equal Suffrage Club, of Winchester, Mass., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. CURTIS presented a petition of sundry druggists of Ottawa County, Kans., praying for the enactment of legislation to provide for the organization of a pharmaceutical corps in the Army, which was referred to the Committee on Military Affairs.

Mr. KNOX presented petitions of sundry citizens of the State of Pennsylvania, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented petitions of sundry citizens of Pennsylvania, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for an increase in the salaries of Federal judges, which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for a centralized Federal authority to determine and administer the highway policy of the Government, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy, which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Sington, Pa., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. McLEAN presented petitions of sundry citizens of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union, of East Hampton, Conn., praying for national prohibition and for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of the Garden Club of Salisbury, Conn., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. PHELAN presented a resolution of the Placer County Liberty League, of Auburn, Cal., relative to the treatment of American prisoners by Germany and Austria, which was referred to the Committee on Foreign Relations.

EMERGENCY AGRICULTURAL APPROPRIATIONS.

Mr. NORRIS. Mr. President, at a meeting of the Agricultural Committee this morning the bill (H. R. 11945) from the House of Representatives containing the so-called Randall amendment was ordered to be reported to the Senate with the Randall amendment stricken out and the so-called Jones amendment inserted. I wish to inquire whether the report has been formally made to the Senate by the acting chairman of the committee, the Senator from South Carolina [Mr. SMITH]?

Mr. SMITH of South Carolina. I will state to the Senator that, after the meeting was over, I was informed by quite a number of the members of the committee that they had mistaken the time at which the meeting was to be held, and, as there was not really a quorum present when the action referred to by the Senator from Nebraska was taken, although we operated under the old rule and decided to report the bill out in the absence of the suggestion of the lack of a quorum, Senators who were absent suggested that, inasmuch as the matter was of such importance, they desired to be heard. So the acting chairman of the committee called another meeting for 3 o'clock this afternoon, at which meeting he has a promise of a full membership being present.

Mr. NORRIS. I remember very distinctly that this morning the clerk of the committee stated that he had notified every Senator who was a member of the committee, and he gave the names of one or two who were absent from the city.

Mr. SMITH of South Carolina. I should like to say to the Senator that the clerk stated that he had notified their offices; but later I understood that some of the Senators thought the meeting was to be held at 10.30 and others thought it was to be held at 11 o'clock.

Mr. NORRIS. The committee was in session until after that time. I presume the object of the meeting this afternoon, then, is to reconsider the action taken?

Mr. SMITH of South Carolina. No; the object of the meeting is simply to give a majority of the committee an opportunity to express their views.

Mr. NORRIS. I am very glad to have the assurance of the acting chairman that there will be no attempt to reconsider the action of the committee.

Mr. SMITH of South Carolina. I wish to assure the Senator from Nebraska that no attempt will be made to reconsider anything, but to consider the bill, and whatever action a majority of the committee sees fit to take will be reported by the acting chairman when so instructed by the committee.

Mr. NORRIS. I have no doubt of that, and I am not finding fault at all with that; but I understood the chairman to say that the meeting was to be called only for the purpose of discussing the bill. As a matter of fact, the acting chairman was instructed at the meeting held this morning to report the bill to the Senate.

Mr. SMITH of South Carolina. That is true; but knowing that the question might be raised that there was not a majority of the members of the committee present, and inasmuch as Senators who were not present at the meeting afterwards came and insisted that they be heard there was nothing left for me, as acting chairman of the committee, to do but to call a meeting for a later hour, which I have done.

PARITY OF THE AMERICAN DOLLAR ABROAD.

The VICE PRESIDENT. The Chair lays before the Senate the following communication from the Secretary of the Treasury, which will be printed in the RECORD and referred to the Committee on Banking and Currency.

The communication is as follows:

THE SECRETARY OF THE TREASURY,
Washington, June 12, 1918.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES.

SIR: In response to the resolution adopted by the Senate of the United States on the 13th day of May, 1918, calling upon the Secretary of the Treasury for certain information, the following is respectfully submitted:

I. Agreements have been made with certain neutral countries in Europe and with countries in South America and elsewhere involving financial considerations and tending to protect the value of the American dollar. Agreements involving like considerations are in process of negotiation in other countries and in certain neutral countries steps have been taken to provide for payments required therein preliminary to the institution of negotiations. The amount of balances of neutral nations held by banks, trust companies, and bankers in the United States can probably be ascertained and stated with approximate accuracy as of about May 13, 1918. However, I am directed by the President to say that, in his judgment, it would be incompatible with the public interest to make a public record at this time of the terms of such agreements already made or in process of negotiation, or of the other steps that have been taken or are in contemplation to protect the value of the American dollar, or of the amount of balances of neutral countries in the United States, because chiefly of the very great value such information would be to the enemy.

II. I have given directions to have compiled, so far as the Federal authority can be exercised and the same can be made available, figures to show the amount severally of commercial and financial bills payable in terms of the currency of the neutral nations of Europe which have been bought and sold severally by the member banks of the Federal Reserve System and other banks and banking houses dealing in foreign exchange in the city of New York from January 1 to April 1, 1918, and the amount of profit in such transactions. It will take some time to compile this data, but as soon as it is obtained I shall furnish it. I am not at present able to state just how completely or accurately this information can be obtained.

Respectfully submitted. W. G. MCADOO,
Secretary of the Treasury.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House further insists upon its disagreement to the amendment of the Senate numbered 23 to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MOON, Mr. BELL, Mr. ROUSE, Mr. STEENERSON, and Mr. MADDEN managers at the further conference on the part of the House.

REPORTS OF COMMITTEE ON PUBLIC LANDS.

Mr. MYERS, from the Committee on Public Lands, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. 2864) to add certain lands to the Minam National Forest, Oreg. (Rept. No. 504);

A bill (S. 4524) to validate the homestead entry of Lizzie G. Garin (Rept. No. 505); and

A bill (S. 4569) to establish the Mount Desert National Park in the State of Maine (Rept. No. 503).

Mr. PHELAN, from the Committee on Public Lands, to which was referred the bill (S. 2323) authorizing Anton Hiersche to select other land in lieu of land now owned by him, required for reclamation purposes, reported it without amendment and submitted a report (No. 506) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 4698) to enlarge the boundaries of the Oregon National Forest; to the Committee on Public Lands.

By Mr. LENROOT:

A bill (S. 4699) for the relief of the St. Croix Chippewa Indians of Wisconsin; to the Committee on Indian Affairs.

By Mr. ASHURST:

A bill (S. 4700) for the relief of the widows and children of R. F. McBride, Martin R. Kempton, Thomas K. Wootan, and Mark Wildes; to the Committee on Finance.

By Mr. OWEN:

A bill (S. 4701) defining "lurking and trespassing upon and injuring oil properties and refineries," fixing the punishment therefor, and for other purposes; to the Committee on the Judiciary.

By Mr. PAGE:

A bill (S. 4702) granting an increase of pension to James A. Morgan (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 4703) granting a pension to Levisa W. Brown (with accompanying papers);

A bill (S. 4704) granting a pension to Catharine A. Brownlee (with accompanying papers);

A bill (S. 4705) granting a pension to Ida B. Willison (with accompanying papers);

A bill (S. 4706) granting an increase of pension to Leander T. Gage (with accompanying papers);

A bill (S. 4707) granting a pension to Robert Cook (with accompanying papers);

A bill (S. 4708) granting a pension to John C. Brewer (with accompanying papers);

A bill (S. 4709) granting an increase of pension to Nathaniel H. Kendrick (with accompanying papers);

A bill (S. 4710) granting an increase of pension to William B. Brooks (with accompanying papers); and

A bill (S. 4711) granting a pension to Janama Oldham (with accompanying papers); to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 4712) granting a pension to Zania Seal Trent; to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4713) granting an increase of pension to Peter Wilson; and

A bill (S. 4714) granting a pension to Jesse E. Ballinger; to the Committee on Pensions.

By Mr. STERLING:

A joint resolution (S. J. Res. 160) relating to the survey and study of public and other lands suitable for entry and occupancy for agricultural purposes by soldiers returning from the war; to the Committee on Public Lands.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. FALL submitted an amendment authorizing the Secretary of War to raise by draft, during the fiscal year 1919, not less than 3,000,000 men, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

He also submitted an amendment proposing to call into the service of the United States by enlistment for the term of the present war, three or more regiments of mounted volunteers, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. POMERENE submitted an amendment authorizing the Secretary of the Treasury to determine whether any contracts entered into prior to June 30, 1917, for the erection of public buildings under the supervision of the Treasury Department have become inequitable and unjust on account of increased costs of labor and materials, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CONSIDERATION OF TREATIES—AMENDMENT OF THE RULES.

Mr. BORAH. I present a notice to change the rules of the Senate, which I ask to have printed in the RECORD.

Mr. LODGE. Let it be read.

Mr. BORAH. I ask to have it read.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

I herewith and hereby give formal notice in accordance with the spirit and letter of Rule XL of the standing rules of the Senate, which prescribes the method by which the rules may be suspended, modified, or amended, that I will on to-morrow, if the Senate shall be in session on that day, and if not, upon the next day upon which the Senate is in session, or as soon as the motion or resolution can be heard, submit a resolution or motion for the amendment of paragraph 3 of Rule XXXVI of the standing rules of the Senate, as follows:

"Strike out all of paragraph 3 of Rule XXXVI, relating to proceedings relative to treaties, and insert the following:

"'That all treaties shall be considered and acted upon by the Senate in its open or legislative session unless two-thirds of the Members of the Senate, by yea-and-nay vote, shall determine to close the doors during the consideration of the particular treaty upon which the vote to close the doors is taken.'"

WILLIAM E. BORAH.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on this day approved and signed the act (S. 4151) to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, conferring jurisdiction upon district courts to partition lands belonging to full-blood heirs of allottees of the Five Civilized Tribes, and for other purposes.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. BANKHEAD. I submit the conference report on House bill 7237, known as the Post Office appropriation bill, which I ask may be printed and lie on the table.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 26, and 60.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 8, 11, 13, 14, 15, 16, 17, 18, 20, 25, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 55, 56, 61, 62, 64, and 65, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: On page 2 of the bill, in line 12, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: On page 3 of the bill, in line 4, after the

word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: On page 5 of the bill, in line 4, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: On page 10 of the bill, in line 23, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: On page 11 of the bill, in line 11, after the word "all," insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: On page 11 of the bill, in line 14, after the word "all," insert "including increases hereinafter provided" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,400,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out "$200,000" and insert in lieu thereof "$300,000"; strike out the word "the" after the words "payment of" and insert the word "this"; and strike out the words "contemplated by the appropriation title," so the amendment as amended will read as follows: "$6,700,000: *Provided*, That not to exceed $300,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: Of the matter inserted by the Senate, after the words "payment of" strike out "the" and insert "this"; strike out the words "contemplated by the appropriation title," so the amendment as amended will read as follows: "$2,700,000: *Provided*, That not to exceed $100,000 of the amount herein appropriated shall be available for the payment of this service during the fiscal year ending June 30, 1918"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In the amendment proposed by the Senate, after the word "Winnepasaukee" insert the following: "From the post office at Laconia"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: On page 15 of the bill, in line 27, after the word "all" insert "including increases hereinafter provided"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In the matter proposed by the Senate, after the word "compensation," where it last appears, and before the word "provided," insert "thus"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of "$400,000" proposed, insert "$370,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "nor shall any of said sum be expended for star-route service for a patronage a major portion of which has been served by Rural Delivery Service, unless the services of a qualified rural carrier can not be secured"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"*Provided further*, That on and after July 1, 1918, rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof based on actual mileage: *Provided further*, That the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,160 per annum."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows:

"SEC. 2. That during the fiscal year ending June 30, 1919, the annual salaries fixed by law for assistant postmasters at first and second class post offices, and supervisory officials, whose compensation is $2,200 and less per annum, shall be increased $200, and those whose compensation is in excess of $2,200 shall be increased 5 per centum; that clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows: First grade, salary $1,000; second grade, salary $1,100; third grade, salary $1,200; fourth grade, salary $1,300; fifth grade, salary $1,400; sixth grade, salary $1,500. Clerks and carriers shall be promoted successively to the sixth grade: *Provided*, That on July 1, 1918, clerks in first and second class post offices and letter carriers in the City Delivery Service who are in grades 2, 3, 4, 5, and 6, under the act of March 2, 1907, as amended, shall pass automatically from such grades, and the salaries they receive thereunder to the new grades, 1, 2, 3, 4, and 5, respectively, with the salaries provided for such grades in this act: *Provided further*, That the salaries of railway postal clerks shall be graded as follows: Grade 1 at $1,100; grade 2 at $1,200; grade 3 at $1,300; grade 4 at $1,400; grade 5 at $1,500; grade 6 at $1,600; grade 7 at $1,700; grade 8 at $1,800; grade 9 at $1,900; grade 10 at $2,000.

"The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows:

"Class A, $1,100 to $1,400; class B, $1,100 to $1,500; and class C, $1,100 to $1,700. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary, and fix their salaries within the grades provided by law without regard to the classification of railway post offices: *Provided*, That on July 1, 1918, railway postal clerks shall pass automatically from the grades they are in and the salaries they receive under the act of August 24, 1912, to the corresponding grade, with salaries provided for in this act: *Provided*, That the classifications and increases of salaries provided for in this section shall not be continued beyond the fiscal year ending June 30, 1919: *Provided further*, That the salary of clerks, carriers, and railway postal clerks shall be increased during the fiscal year 1919, not more than $200: *Provided further*, That the classifications herein provided for shall not become effective until July 1, 1918: *Provided further*, That the salaries of such other employees fixed by law or paid from lumpsum appropriations provided for in this act, including laborers in the Railway Mail Service, who receive $800 per annum or less shall be increased 20 per cent per annum; those who receive in excess of $800 and not more than $1,500 shall be increased 15 per cent per annum; and those who receive in excess of $1,500 and not more than $2,200 shall be increased 10 per cent per annum. Rural carriers assigned to horse-drawn vehicle routes now receiving a compensation of $1,200 or less per annum, exclusive of mileage allowance for miles on routes over 24 miles in length, shall receive, in addition thereto, 20 per cent of the amount of such compensation. Such increases shall not apply to the special assistant to the Attorney General appropriated for in this act and to postmasters at offices of the first, second, and third classes: *Provided further*, That postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent of the cancellations of the first $80 or less per quarter: *Provided further*, That, if the compensation does not exceed $50 for one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That hereafter substitute, temporary, or auxiliary clerks and letter carriers at first and second class post offices shall be paid at the rate of 40 cents an hour: *Provided further*, That the provisions of this section shall not apply

to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent and 10 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In the matter proposed by the Senate strike out the words "assistant postmasters and other supervisory employees and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the amendment proposed by the Senate insert the following:

"SEC. 4. That the Postmaster General is authorized to investigate conditions arising from contracts in the star route, screen wagon, and other vehicle service entered into prior to June 30, 1917, and from contracts for furnishing envelopes, blanks, and blank notes, and the Official Postal Guide, for contracts entered into prior to June 30, 1917, with a view to determining whether any adjustment should be made in the compensation and to adjust the same for materials or services hereafter to be furnished or rendered in cases where the facts disclose the necessity for such adjustment, or, in his discretion, with the consent of the contractor and his bondsmen, the Postmaster General may cancel such contracts."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$300,000"; and after the word "date" insert a period and strike out the remainder of the section reading as follows: "separately stating the income derived from the transportation of the mails and the transportation of farm products: *Provided*, That in establishing the routes they shall be equitably distributed among the several States"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: After the words "unsuitable for the purposes of the War Department" insert "but suitable for the use of the Postal Service"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: After the words "such positions," insert a period and strike out the remainder of the section, reading as follows: "and once in each month the immediate family of any such employee while in the military or naval service of the United States or of any member or individual connected with the American Expeditionary Forces in Europe may send to such employee or member or individual one package of mail, not exceeding 3 pounds in weight, other than letter mail, without the request required by order No. 1259 of the Postmaster General"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 23, relating to the purchase of the pneumatic mail-tube systems: The conferees have been unable to agree.

J. H. BANKHEAD,
THOMAS W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.
JOHN A. MOON,
THOMAS M. BELL,
A. B. ROUSE,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

INCREASE OF PENSIONS—CONFERENCE REPORTS.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7634) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, 8, 9, 10, 17, 21, 33, 34, 36, 37, 39, 42, 47, 49, 51, 53, 54, 55, 56, 59, and 61.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 7, 11, 12, 13, 15, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 35, 38, 40, 41, 43, 45, 46, 48, 50, 58, 60, and 62, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the matter stricken out amended to read as follows:

"The name of Mary Gehrens, former widow of Jacob Diehl, late of Company H, Twenty-fourth Regiment, and Company A, Forty-third Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.
JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8496) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 26, 27, 28, 40, 41, 45, 46, 50, and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 11, 17, 23, 25, 31, 32, 34, 35, 36, 38, 39, 42, 44, 47, 48, 49, 53, 54, and 55, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with

an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert the following:

"The name of John Waterhouse, late of Company E, Third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10477) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 8, 10, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 11, 12, and 13, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Albert N. Hopkins, late of regimental band, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Allen Parker, late of Company I, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving."

And the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9160) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 8, 10, 11, 13, 14, 15, 18, 19, 21, 24, 27, 28, 32, 35, 36, 38, 39, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 16, 17, 20, 22, 23, 26, 29, 30, 31, 33, 34, 37, 41, 42, and 43, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

That the House recede from its disagreement to the amendmnet of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9612) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 4, 7, 8, 9, 12, 14, 16, 17, 19, 20, 24, 25, 27, 37, 40, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, 10, 15, 18, 21, 22, 26, 28, 30, 31, 32, 33, 34, 43, and 44, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10027) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 28, 30, and 31.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 13, 14, 24, and 29, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert $36; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert $36; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert $40; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10859) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 10, 13, 18, 19, 21, 22, 24, 25, 30, 31, 32, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 11, 12, 14, 15, 16, 20, 23, 26, 27, 28, 29, and 34, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Annie Branigan, widow of John J. Branigan, late of Company C, Fourth Regiment, and Company L, Twelfth Regiment, Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11364) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 4, 5, 7, 8, 12, 13, 14, 16, 21, 22, 26, 28, 29, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 10, 15, 17, 18, 19, 20, 24, 27, 30, 31, 32, and 34, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Restore the matter stricken out, amended, to read as follows:

"The name of George Stoneking, late of Company I, Twentieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

Mr. JOHNSON of South Dakota submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11663) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 13, 15, 17, 18, 19, 21, 22, 31, 32, 34, 40, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 7, 8, 9, 10, 11, 12, 14, 20, 23, 24, 26, 29, 35, 39, and 41, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Hanson Harmon, late of Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Henry Stone, late of Company I, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Presley Jackson, late of Company F, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JOHN W. LANGLEY,
Managers on the part of the House.

The report was agreed to.

STATUE OF JAMES BUCHANAN.

Mr. SMITH of Maryland. I ask unanimous consent that the Senate proceed to the consideration of House joint resolution No. 70, authorizing the erection on the public grounds in the city of Washington, D. C., of a statue to James Buchanan, a former President of the United States.

Mr. LODGE. I object to unanimous consent, Mr. President, and I will give my reasons later.

Mr. SMITH of Maryland. Then, Mr. President, I move that the Senate proceed to the consideration of House joint resolution No. 70; and, in connection with that, I wish to say to the Senate that this joint resolution——

Mr. LODGE. I make the point of order that on the motion to take up the joint resolution no debate is in order.

The VICE PRESIDENT. The motion is not debatable before 2 o'clock. The question is on the motion of the Senator from Maryland. [Putting the question.] By the sound, the ayes seem to have it.

Mr. LODGE. I ask for a record vote.

Mr. SMITH of Maryland. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kenyon	Norris	Smoot
Baird	King	Nugent	Sterling
Bankhead	Kirby	Overman	Sutherland
Chamberlain	Knox	Owen	Thomas
Culberson	Lenroot	Page	Thompson
Curtis	Lodge	Ransdell	Tillman
France	McCumber	Sheppard	Trammell
Gallinger	McKellar	Shields	Underwood
Gronna	McNary	Simmons	Vardaman
Guion	Martin	Smith, Ariz.	Warren
Johnson, Cal.	Myers	Smith, Ga.	
Johnson, S. Dak.	Nelson	Smith, Md.	
Kendrick	New	Smith, S. C.	

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present. The Senator from Maryland moves that the Senate proceed to the consideration of House joint resolution 70. Upon that motion the Senator from Massachusetts requests the yeas and nays.

Mr. LODGE. I withdraw the request, Mr. President.

The VICE PRESIDENT. The question is on the motion of the Senator from Maryland.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Mr. SMITH of Maryland. Mr. President, I should like to submit a few observations, and I hope the Senate will have patience with me while I submit them.

Mr. President, the late Mrs. Harriet Lane Johnston, of Baltimore, by her will created a fund that now amounts to about $100,000, available for the erection in Washington, upon a suitable site designated by Congress, of a memorial to her uncle, James Buchanan, the fifteenth President of the United States.

This provision in Mrs. Johnston's will, if not accepted by Congress on or before July 1, 1918, will lapse, hence the necessity for prompt and favorable action by this body on House joint resolution 70, passed by the House of Representatives on February 21, 1918, designating a site for the Buchanan memorial. I will say, in this connection, that this joint resolution has passed the House twice.

I shall read the following letter sent me by Gen. Lawrason Riggs, of Baltimore, surviving trustee, under Mrs. Johnston's will, because Gen. Riggs very clearly and concisely states the facts and tells the history of this fund. Gen. Riggs writes:

MY DEAR SENATOR SMITH: As sole surviving trustee of a fund created under the will of the late Mrs. Harriet Lane Johnston, of Baltimore, I hold the sum of $100,000 for the erection of a memorial in Washington to President James Buchanan, who was the uncle of Mrs. Johnston. For more than two years I have been in close and friendly cooperation in this matter with the Commission of Fine Arts.

The Commission of Fine Arts, after careful consideration of the matter, suggested the southern end of Meridian Hill Park as a suitable site for this memorial.

A plan and design was prepared for the memorial by two young Baltimoreans, Mr. Hans Schuler, sculptor, and Mr. William Gordon Beacher, architect. This design had considerable study by the commission, meeting its hearty approval and it was formally approved by the commission.

On January 31, 1916, Senator Blair Lee, at the suggestion of some persons in Washington interested in the development of Meridian Hill Park, volunteered to me to introduce into the Senate of the United States a joint resolution authorizing the erection of this memorial as above set forth. The resolution is known as Senate joint resolution 93 of the Sixty-fourth Congress, first session. Later, at the same session of Congress, Mr. LINTHICUM introduced a similar resolution in the House. The House promptly passed the resolution as introduced, but in the Senate the Committee on the Library, misunderstanding the situation, and thinking that the resolution deprived the Commission of Fine Arts of the right of selecting a site, amended the resolution by striking out the definite location named therein. This was unfortunate and the result of a failure on the part of Senator Lee to advise the Committee on the Library that the site named in the resolution was the site selected by the Commission of Fine Arts, and specifically named at the request of the commission in order that no other memorial might secure this particular location.

I had an interview with Senator JOHN SHARP WILLIAMS, chairman of the Senate Committee on the Library, and after an explanation to him of the situation he, on December 18, 1916, reported the House joint resolution 145 without amendment, and submitted a report (Rept. No. 881) thereon. See CONGRESSIONAL RECORD of December 18, 1916, page 505.

The date, however, was too near the end of the session, and the resolution amended, as reported by Senator WILLIAMS, remained on the calendar unacted upon.

Mr. LINTHICUM has, at my request, introduced at this session a similar resolution, a copy of which I herewith inclose, and on Saturday I appeared before the House Committee on the Library and secured a prompt and unanimous approval of the resolution.

May I ask that you kindly introduce a similar resolution in the Senate and have it referred to the Committee on the Library and secure for me the privilege of appearing and explaining before that committee the situation. If this resolution can be placed upon the calendar, to be taken up later, it may save the memorial to the Government, because Mrs. Johnston's will states that if a site on public grounds is not secured before July 2, 1918, the fund will lapse.

Yours, very truly, LAWRASON RIGGS.

I will state, in this connection, that I introduced that joint resolution in the Senate and it has been favorably reported and is now on the calendar.

It is to be noted that this memorial to one of the Nation's former Presidents was designed by Mr. Hans Schuler, an artist of fine reputation; that his design meets with the entire approval of the Commission of Fine Arts and is of undoubted artistic merit; and that the memorial shall be of absolutely no expense to the Government.

Indeed, the resolution itself provides that the memorial may be erected in the southern portion of Meridian Hill Park and that the design and location of said memorial, and so forth, shall be approved by the Commission of Fine Arts, and that the United States shall be put to no expense in or by the erection of said memorial.

House joint resolution 70 is precisely identical with Senate joint resolution 49, introduced by me, and which was reported favorably without amendment by the Committee on the Library on January 18 last.

I earnestly recommend and ask that the House joint resolution now on the Senate calendar be passed by the Senate in lieu of the identical Senate joint resolution heretofore favorably reported, as I have said.

I regret there is any hesitation on the part of Congress in accepting this memorial and in designating a plot of ground on which it may stand in Washington.

What possible reason can the Congress of the United States have sufficient to justify rejecting that which is virtually a gift, and a princely gift, made to the Nation; made by one of the most cultured and gifted women our land has produced? The terms upon which the gift is offered are undoubtedly dignified and befitting the donor and the great people to whom she has offered this appropriate memorial, designed and conceived by a native-born artist of great distinction. What ground is there to justify the Congress of the United States in offering an affront to the memory of a man who was in his time the choice of the majority of the electoral vote of this land and of a plurality of the people for President of the United States? Is it now to be said by Congress that a former President, long dead, is not fit to have an artistic memorial erected through the loving generosity of an American woman placed in a comparatively obscure public park? His contemporaries, who knew him best, deemed him fit to have the place of places in the White House. Let Congress refuse him this slight token of nominal, national respect, besmirch his memory, the memory of a former President of the United States, and you affront those who put him in the President's chair. We at once stigmatize him and them as unfit, and advertise throughout the world, struggling as never before to attain the ideals of democracy, that the Congress of the United States stamps the results of free elections, the rule of democracy, as a failure. Otherwise, how could a man so unfit that his very memory, even at this late day, is studiously and officially insulted and his acts still reprobated, have been elected President of the United States?

But for the fact that an abortive effort was made at the other end of the Capitol to defeat this resolution and that I have heard that efforts may likewise be made in this Chamber to defeat this resolution, I should feel that I had done a gross injustice to the Congress of the United States to suggest the possibility that any Member could so far forget the influence of the example of this Republic among nations and the dignity of the presidential office that he would deny to former President Buchanan a few feet of ground as a site for a beautiful memorial gift to the Nation from a lovely woman, and proclaim to the world a belief, happily shared by few, that a man elevated by his fellows to the Presidency could be so black, so utterly unfit.

His critics say that President Buchanan was not opposed to slavery and believed in State rights. In his day and for many years before so thought the majority of the people of this country, and their Representatives in this body voted in harmony with such views. As well censure the greatest and wisest men, the founders and makers of this Nation, Washington, Jefferson, and hosts of others, who owned slaves. Buchanan ought not in justice to be judged by the present-day standards, which have advanced long since to the point that they condemn without reserve the institution of slavery, but rather in justice he should be judged according to the moral and political standards of his own day.

In his day judges, theologians, and statesmen in the best sense, men of the purest lives, of the highest ideals, justified the institution of slavery, now properly, and, fortunately, universally abominated. Curiously enough, however, good men of that time did not see and did not believe as do we. Witness the blood of my own nearest and dearest friends, which was spontaneously and freely offered between 1861 and 1865 as a sacrifice for principles they, as well as Buchanan, believed right and just and worth dying for. We see so clearly now they were wrong, and died for causes that, while mourning them, we do not attempt to excuse. But surely they were honest and noble and conscientious, and ought not to be condemned. Nor should he.

They acted according to their best light. Before Buchanan was elected, and even between 1857 and 1861, when he was President, this country, or the majority of the people in this country, were distinctly apathetic to the moral horror of slavery. It was regarded simply as a political and economic problem, except by the comparative few. Rare were the men of the Sumner, Garrison, and Phillips type, who opposed slavery vehemently and unselfishly as a moral wrong on moral grounds. Such men were generally classed as radical fanatics, and no man classed as a radical fanatic by the mass of his fellows ever has been or ever will be elected President.

The platform of 1856, on which Buchanan ran, defeating Pierce and Douglas for the nomination, declared in effect:

That Congress must not meddle with slavery in the States, the Territories, and the District of Columbia, and recognized the right of Kansas and Nebraska, acting through the fairly expressed will of the majority, to favor constitutions with or without slavery, and to be admitted to the Union.

And on that platform he was elected by a plurality vote over the opposing candidates, Fillmore and Gen. Fremont.

Undoubtedly, Buchanan's views were then the views of the masses of our people else he could not have been elected on such a platform, and we can not indict our whole Nation as morally wrong and unfit for holding views that accorded with their conscience.

Consider, too, for a moment, as further evidence of the sentiment and conscience of those times, the historical fact that in 1856 Seward was rejected by the Republican leaders as an impossible Republican candidate against Buchanan. And why? Seward was too radical to hope for popular approval because he demanded the abolition of slavery here in the District of Columbia, the seat of government, and the repeal of the fugitive-slave laws. His colors, mild enough as we see them to-day, were then considered too revolutionary for presidential timber.

Surely no one on either side of this Chamber can or will accuse Lincoln of beliefs unworthy of a patriot, yet we find that Lincoln, in the course of one of his debates with Douglas at Ottawa, Ill., took very conservative ground, and said:

I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.

And at Freeport he stated, as reported:

Gladly would I see slavery abolished in the District of Columbia, but not unless it was done gradually, with the consent of a majority of the qualified voters and with compensation to the owners of the slaves.

Slavery was surely then no great shock to Lincoln's moral sense; and at that very time Buchanan was President.

What radical and rapid changes developed in Lincoln's convictions when in time he reached the point of signing the emancipation proclamation not long thereafter.

Like the "white slave" question, the control of the use of narcotics, the buying of votes, the prohibition of alcoholic liquors in this generation, opinion on the slavery question in Buchanan's time was rapidly changing, always progressing apace.

As to secession—Horace Greeley, the ablest editor of his century, said editorially in the New York Tribune as late as February 23, 1861, that if the cotton States "choose to form an independent nation they have a clear moral right to do so"—an opinion far in advance of any Buchanan held or expressed on the "right" of secession. So that Buchanan was not far removed in his views from distinguished and honored men.

I recite these well-known and perhaps trite quotations and facts, not for the purpose by far of fanning old fires, but solely to prove that the public sentiment, the public conscience, has advanced a long way, and to recall only for an instant the backward state of public opinion, the public conscience, existing in Buchanan's time, as we are too apt to lose sight of the distance the world has traveled since 1861.

It is well that for a moment we consider what principles good, holy, patriotic men could, and did, honestly believe in during that generation; and Buchanan's views were certainly as sincere and pure and, perhaps, in advance of the overwhelming majority of his contemporaries.

What more can be expected, except of a superman?

Buchanan was confronted with enormous difficulties when President. Mexico then, as recently, was a source of deepest concern; likewise Cuba. Every indication pointed to a disruption of the country, to a civil war, that any President must have strained every nerve and energy, compromised in any honorable way, to avoid. Imagine the responsibility! Imagine anyone, whatever his ability, postponing indefinitely, much less averting entirely, that strife! Omnipotent power, omniscient skill alone could have warded off the Civil War. Of course Buchanan made mistakes. Anyone would. Of course he failed. Anyone would. Of course he displeased and disappointed many people, many powerful factions. Anyone would. Of course he was subjected to vile, harsh abuse. So was Washington, and so, indeed, was every President.

But none can say he did not act in good conscience, from pure motives, and in accord with the moral standard, the idea of law and rights that then obtained among the majority of the American Nation.

He did that which his conception of his oath, the law, and his duty required of him always.

Mr. Buchanan was not the greatest of our Presidents, nor yet the least. In patriotism, moral character, and intellect he measured above the average by far. His perplexities were terrible. We are not just if we censure him for failing where no finite genius could succeed, as we now well know.

It seems curious to think that the people of the section I, in part, represent, who suffered most in material things and in the shedding of blood from the Civil War—and lost—want to forgive without reserve and want to forget entirely the bitterness, the sorrow, the mutual mistakes of the period immediately preceding the War of 1861–1865, and that those who won seem barely satisfied to let those sorrow-burdened years be forgotten and apparently take pleasure in reviving old hates, old prejudices.

The policy of denying this, a rather commonplace, conventional compliment to a former President because he incurred certain antebellum hates, now over 60 years old, and that ought to be both dead and buried, seems to be shamed by the immense unity that now inspires our country to combine in a present-day struggle wherein past schisms lose identity and our all goes into the common cause.

It seems paltry and unworthy, with our boys in camp and our Army fighting in Picardy, Lorraine, and on the Marne, to tarry for talk over Sherman's march to the sea or the surrender at Appomattox, much less to think for a moment of the mistakes, the tears, and misunderstandings that preceded the war and arrayed on the one side men like Grant and the other Lee. Both, if alive, on this very day would be shoulder to shoulder, their genius pooled, in the fight to protect the world and to defend the United States.

Slavery, secession—both dead! Why not let the discussion of the painful memories, the dark history of their period, die?

Why not remember merely that Buchanan, like every President, was part and parcel of his times—and he was a good deal better than the conscience of his times, which is about as good as anyone ever is—that he was President of a great Nation, that his office is entitled to respect, and that he is entitled to respect, however mistaken though his views, gauged by present-day ideals, may have been?

Mrs. Johnston, his niece, a philanthropist, who has endowed a great hospital in Baltimore for the treatment of little, suffering children and also helpful in other charities, honored and respected Buchanan. Her philanthropies, however, were not in Baltimore alone. She did many other philanthropic acts, among which is included the presentation to the Smithsonian Institution of her large and magnificent collection of paintings to form a nucleus of a national art gallery. She was the hostess and mistress of the White House during his administration. No man who was unworthy could have held until death the love and respect of a woman of such culture and intellectuality. Why deny to her the opportunity to pay this last service affection bade her pay to the memory of her beloved uncle?

Few men in America have done what Buchanan did for his country. From 1814 until 1861 he was in public life. He served in the Legislature of Pennsylvania in 1814. For 10 years he was a Representative in Congress, and in 1832 he was appointed an envoy to Russia by President Jackson, and rendered signal service in negotiating a commercial treaty with that country. He sat for three terms in this Senate, and declined the Attorney Generalship of the United States, offered him by President Van Buren. He served with success and distinction as Secretary of State under President Polk, and was appointed our minister to England by President Pierce. His was a long, honorable, and most useful career. Never in all his long political life did the breath of scandal touch him. Only for his openly held and courageously expressed political views was he assailed.

To permit this contemplated memorial to President Buchanan can not in any sense, in any quarter, be construed as an indorsement of the views of the majority during the fifties, which were his views on slavery. Those views, potential enough then, are dead now. Nor by denying the erection of this memorial can we express any censure that can affect any living being. Surely it is poor sport for this body to condemn the conscientious official acts of a man so long dead, and when no proper purpose can be served.

By defeating this resolution would we do more or less than reflect upon the good sense, the forgiveness, the unified patriotism of this body? And say to the listening foreign peoples a thing they will misconstrue, to be an admission that our democracy is a fraud; that the people kept James Buchanan 46 years in public service, and in 1856 elevated him to the highest place; that the Senate in the wiser generation of 1918 repudiated his long public service, turns aside to heap posthumous insult upon him, despises his memory, brands him as unfit to share with hundreds of soldiers, statesmen, and lesser folk the honor of a public memorial in the Capital where he served his best.

Mr. LODGE. Mr. President, I had no idea until about half an hour ago that this question of the Buchanan statue was to come before the Senate. I have objected to this measure being taken up by unanimous consent, but I did not know it was to be pressed to a vote, and I have had other and graver things to occupy my mind and thoughts than the preparation of an elaborate discussion of the record of James Buchanan. It is necessarily a historical question. I should like to have time, if I could, to prepare what I desire to say in a reasonably condensed form and submit it to the Senate; perhaps quite uselessly; I do not know that I can do anything to prevent its passage, but I wish to enter my own protest, and I think that is a privilege the Senate will not be disposed to deny me. If, however, I am compelled to go on now I will do the best I can; but it will inevitably protract the debate, because I have to use books, and I can not condense offhand.

I feel personally rather strongly on this subject. Statues remain; they remain for the future generations to look at.

I should like as a preliminary to say one or two words with regard to some suggestions made by the Senator from Maryland [Mr. SMITH]. I do not oppose a statue of James Buchanan because he was a southerner or Confederate. He was neither. If he had been either I should have had greater respect for him than I have now. I am not opposing him on account of his friendship for slavery, hostile as I have always been to those who thought as he did.

I should be the last, Mr. President, to do anything to revive the differences between the South and the North during the Civil War. However widely I differ from the views of the statesmen and soldiers of the South, no one has ever heard me in the Senate reflect upon their motives, or do otherwise than give them the personal praise which I thought their due. It is not on account of Mr. Buchanan's southern sympathies; this has nothing to do with the South; nothing to do with the Civil War. That he was one of the weakest of our Presidents, nobody, I

think, will deny. I am opposed to setting up a statue to James Buchanan in a Capital City where there is no statue to the elder Adams, who signed the Declaration of Independence and the treaty of peace of 1782, who risked his life in the cause of the American Revolution; no statue to Thomas Jefferson, no statue to his great opponent Alexander Hamilton—I mean a statue out of doors in the city—no statue to James Madison, one of the makers of the Constitution; no statue to James Monroe, the author of the doctrine which has gone throughout the length and breadth of the world; no statue to the younger Adams, who helped to formulate the Monroe doctrine and who vindicated the right of petition in the House of Representatives. In a city so destitute of proper recognition of some of our great Presidents and great leaders, to erect a statue to James Buchanan seems like a reflection on the memory of every one of those really great men.

I know this bill happens to come before us owing to the legacy of his niece, a most admirable woman in every respect. That she should feel affection for her uncle was most natural; that she should leave money to build a statue to him in Washington is equally natural and wholly laudable; but when the Senator from Maryland [Mr. SMITH] suggests that because Mr. Buchanan retained the love of his niece he therefore should have a statue in Washington in a public park, seems to me to be going rather far.

Benedict Arnold retained, if I remember correctly, the love of his wife and the affection of his children; but I think that is hardly an argument for erecting a statue to his memory in Washington, on the ground that he was beloved by his own family, and that it is a time when we should allow old differences to die. It is what the man stands for that is of importance. Benedict Arnold has stood throughout all our history for treason in its worst possible form. Therefore no American would think of erecting a statue to him. We forgive André, young and gallant, risking his life, as Nathan Hale did, as a spy in the interest of his own country and the cause for which he fought, but we do not forgive the traitor, and we do not raise a statue to him in order to say to future generations and to the children who come after us that the men we select to whom to raise statues are the men of doubtful loyalty. I agree with the Senator from Maryland that this is a time when every section and all people, no matter what their opinions have been in the past, should be united; but that is not the question here.

The foreign nations, about whom the Senator from Maryland is disturbed, will not concern themselves in the least about a statue to James Buchanan in the city of Washington. The large, overwhelming mass of the people in foreign nations probably never heard of him, and those who are familiar with our history and have written upon it have what, I think, is the generally accepted opinion in regard to him. This is a time above all others when every one of us is called upon to show the utmost loyalty to his country. We demand it from everybody. This joint resolution proposes at this moment, in the midst of this war, to erect a statue to the only President upon whom rests the shadow of disloyalty in the great office to which he was elected.

Mr. SMITH of Maryland. Mr. President, if the Senator from Massachusetts will pardon me, this resolution was introduced two years before we had anything to do with this war.

Mr. LODGE. That makes it no better. Age can not justify disloyalty. It does not make any difference when this joint resolution was introduced. The argument was made here this morning that this was a time for loyalty. If we erect this statue at all, we are going to erect it, with all its disloyal associations, in the midst of a great foreign war, when we are appealing to our people for loyalty.

I repeat that the proposition is to erect for the admiration of our children in coming generations a statue of the one President upon whom the dark shadow of disloyalty rests. It was not that he was loyal to the South. He had no part in the misfortunes of the South or the war of the South; he did not suffer with them; he did not die with them; he did nothing. He was not a southerner; he was a northerner. As I have already said, had he been a southerner and had he fought for the other side, I should have hesitated long before I said anything.

The Senator from Virginia [Mr. MARTIN], who does me the honor to listen to me, will perhaps remember what I said on this floor in regard to the late Senator Daniel after his death. They were kind enough, I believe, to put some words of mine on the statue of the great soldier and Senator when it was erected, and those words illustrate my feeling toward the men of the South who fought the war. That is a different thing. Buchanan fought no war. He was elected President of the United States, and was sworn to defend the great charge put into his hands. He did not defend it; he did not protect it.

The best thing that can ever be said of him is that he was weak; but a very large proportion of those who are familiar with the history of the time believe, as I shall later attempt to show, that he was not only weak but that he was also disloyal.

Mr. President, contrast him with Andrew Jackson, one of the great figures of the Democratic Party in our history, with whose political principles I, brought up in another school, profoundly disagree. Andrew Jackson was not the opponent of slavery; I think he was a slave owner. He was not a friend of the protective tariff; he was a staunch, thoroughgoing Democrat in all principles of the party of that day.

But when the hour came, when there was opposition to the Government of the United States, of which he was the head, sworn to protect it, sworn to uphold it, no man was truer to his trust than Andrew Jackson. He defied South Carolina; he would not permit the thought of nullification; he put an end to the incipient resistance to the United States at that time; in other words, he was a loyal man. I differ from him as widely in his general political principles as it is possible to differ, but when it came to the question of loyalty to the Government of which he had been made the head there was no hesitation on the part of Andrew Jackson. That was not the attitude or the action of Mr. Buchanan.

Mr. President, I should like very much if this joint resolution could be allowed to go over and I could be permitted to present the historical side of it which I intend to present in some way, in a condensed and moderate form, so that I need take no undue time of the Senate. I believe I can justify fully all I have said, but I must have time to do it and to get it into proper form. If, however, I am compelled to go on now I will go on as best I may, but my remarks would be very hasty and would involve a great deal of reading from authorities.

Mr. SMITH of Maryland. Mr. President, if the Senator from Massachusetts will pardon me, so far as I am concerned I dislike to refuse any request that may be made by the Senator from Massachusetts, but this joint resolution has been on the calendar, I think, since January. It has been brought up in the regular order three or four times when called on the calendar and has been objected to. The money which has been given for the purpose of the erection of this memorial lapses on the 1st of July, and, so far as I am concerned, I feel that the Senator from Massachusetts is thoroughly able to say what he may desire to say on this matter without further delay.

Mr. LODGE. Very well, Mr. President, if the intention is to refuse on this joint resolution the ordinary courtesies of the Senate, I will proceed. The joint resolution, however, never came over here from the House until the 21st of February. I am not aware that every Senator on this floor is always prepared to debate every bill on the calendar to which he happens to object.

Mr. SMITH of Maryland. I will say that I took occasion to speak to the Senator this morning——

Mr. LODGE. The Senator spoke to me five minutes before the resolution came up.

Mr. SMITH of Maryland. Five or ten minutes. I did not think it was necessary to say that, because I took it for granted that the Senator was able to defend his opposition to the measure whenever he saw proper. I think this House joint resolution has been on the calendar since February 22, 1918.

Mr. LODGE. That is what I said.

Mr. SMITH of Maryland. But there was another joint resolution on the same subject on the calendar at an earlier date than that.

Mr. LODGE. The Senator refers to the Senate resolution.

Mr. SMITH of Maryland. I refer to the Senate resolution, which was reported January 18, 1918.

Mr. LODGE. I should like to ask the Senator from Maryland at that point if he is prepared to speak now on every bill on the calendar?

Mr. SMITH of Maryland. No, sir; but I take it for granted, Mr. President, that the Senator is prepared to speak on this question, for the reason that I talked with him two months ago in regard to the matter and tried to dissuade him from opposing this measure; in fact, I had two talks with him soon after the resolution was reported, and he told me that he was going to speak against it, and I took it for granted that he was prepared and is prepared. I think it unfair to ask that this joint resolution go over any further, for the reason that there are only a few days before the time elapses in which the money can be used.

Mr. LODGE. The money can be used up to September.

Mr. SMITH of Maryland. Yes, sir; but the appropriation has to be accepted by the Government and the site selected for the memorial in order that the money may be used.

Mr. LODGE. I understand the legacy does not lapse until the 1st of September.

Mr. SMITH of Maryland. It lapses on the 1st of July.

Mr. LODGE. The House report, which I looked at the other day, states that it lapses in September.

Mr. SMITH of Maryland. It lapses on the 1st of July. I have already read a letter from Gen. Lawrason Riggs, in which he gave the date at which it lapses, which is July 2, to be exact.

Mr. LODGE. Then the House report which I read is in error.

Mr. SMITH of Maryland. I presume it is. Gen. Riggs writes me as follows:

If this resolution can be placed upon the calendar, to be taken up later, it may save the memorial to the Government, because Mrs. Johnston's will states that if a site on public grounds is not secured before July 2, 1918, the fund will lapse.

Mr. President, I think that this matter has been before the Senate long enough. As I have said, the resolution has come up in the regular order on the calendar three or four times, and each and every time there has been objection to taking it up. I know, if the Senator from Massachusetts will pardon me, that he has had it in his mind to oppose this matter, because he told me soon after the joint resolution was reported that he intended to oppose it.

Mr. LODGE. Of course I intend to oppose it.

Mr. SMITH of Maryland. And I take it for granted that he has had full time to prepare himself.

Mr. LODGE. Very well, Mr. President, if the Senator chooses to take that method——

Mr. KENYON. Mr. President——

The PRESIDING OFFICER (Mr. SMITH of South Carolina in the chair). Does the Senator from Massachusetts yield to the Senator from Iowa?

Mr. LODGE. In one moment. If the Senator from Maryland chooses to take that method, I venture to say that it will not quicken the passage of the joint resolution. I now yield to the Senator from Iowa.

Mr. KENYON. I should like to ask the Senator from Maryland if, when the unfinished business comes before the Senate, this matter will end?

Mr. SMITH of Maryland. That will have to be determined at 2 o'clock; I do not know.

Mr. KENYON. I think the Senator is making no progress with this joint resolution by the course he is pursuing. I suggest the absence of a quorum, Mr. President.

Mr. LODGE. If the Senator will withhold that for one moment——

The PRESIDING OFFICER. Will the Senator from Iowa withhold his point?

Mr. KENYON. I withhold it.

Mr. LODGE. Simply to show that I was not mistaken, I hold in my hand the House report, from which I quote as follows:

Under the terms of Mrs. Johnston's will, the bequest of $100,000 for a monument to President Buchanan will revert to the estate if no provision for the erection of the memorial shall have been made by September, 1918.

Mr. SMITH of Maryland. Mr. President, I think that the trustee ought to know, and the trustee says that it lapses on July 2, 1918.

Mr. LODGE. I do not question that the Senator is correct. I merely read from the House report to indicate that the friends of the proposed statue had better agree about their dates.

Mr. SMITH of Maryland. I think there is a mistake about that; for, unless a site is selected in Washington, D. C., before July 2, 1918, the money which has been provided for this memorial lapses.

Mr. KENYON. Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Myers	Smith, Ga.
Chamberlain	Johnson, S. Dak.	Nelson	Smith, Md.
Culberson	Kendrick	New	Smith, S. C.
Curtis	Kenyon	Norris	Smoot
Dillingham	King	Page	Sterling
Fall	Knox	Pittman	Sutherland
France	Lenroot	Poindexter	Thompson
Gallinger	Lodge	Ransdell	Tillman
Gronna	McCumber	Sheppard	Trammell
Gulon	McKellar	Shields	Underwood
Hitchcock	Martin	Smith, Ariz.	Vardaman

The PRESIDING OFFICER. Forty-four Senators have answered to the roll call. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. BORAH, Mr. OVERMAN, Mr. SIMMONS, and Mr. WARREN answered to their names when called.

The PRESIDING OFFICER. Forty-eight Senators have answered to their names. There is still not a quorum present.

Mr. SMITH of Maryland. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant-at-Arms will carry out the instructions of the Senate.

Mr. ASHURST entered the Chamber and answered to his name.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. SMITH of Maryland. I move that the order by which the Sergeant at Arms was directed to request the attendance of absent Senators be rescinded.

The motion was agreed to.

Mr. LODGE. Mr. President, as the Senator from Maryland is determined to show neither mercy nor courtesy, I am compelled to go forward in my own way and bring forward as best I can the historical authorities—it will be very awkwardly done—as I talk.

I wish to restate, as Senators have come in who were not here when I began, that this statue is to be erected on Meridian Hill. We have there a park of 10 acres, bought by the United States Government, which cost nearly $500,000. In proportion to its size I think it is probably the most expensive park in the world. A great deal has been spent on it since. A great deal more will have to be spent on it in order to make the surroundings decent. It is a park that will be little used, for it is not in a crowded quarter of the city, but it is desired to ornament it for the benefit of the neighborhood; and when the Senator from Maryland, as a part of his argument, suggested that it is a rather obscure place to put the statue of Buchanan, I agree with him. It is rather obscure, and that, of course, is a merit so far as it goes; but that is one purpose of the statue, and the ornamentation of that park is one of the strong reasons why it is being pressed on the attention of Congress. That park has had powerful friends. It required powerful friends to secure $500,000 from Congress to buy 10 acres of land wholly unsuitable for park purposes. The money for the statue, of course, is furnished by Mrs. Harriet Lane Johnston, a woman who commanded the admiration and respect of everyone, and whose affection and loyalty to the memory of her uncle is worthy of all praise.

I have tried, and I will not go over the ground again, to point out that the question involved in this statue has nothing whatever to do with the Civil War or with the division between the North and South or with Mr. Buchanan's opinions on slavery—nothing whatever. I would not even rest the opposition to it on the ground that he was one of the weakest of our Presidents.

That is admitted even by his friends. It is the excuse they give for what he did; and, as a broad, general proposition, to erect a statue to a man merely because he happened to be the weakest of all our Presidents seems an insufficient ground. My principal interest in this thing is that Mr. Buchanan was elected by the American people to the greatest office in their gift, one of the greatest offices in the world; that his one overmastering and overpowering duty was to defend that Government against all comers, to maintain it as it was handed to him; and in that he failed, and all the world knows it. The excuse given by his friends is that he was well meaning, but weak; and though that may be an excuse, mere possession of good intentions does not seem to be a wholly satisfactory reason for raising a statue for after ages to admire and wonder at. The other and very general belief—I think a pretty well-settled belief, and one which I hope in due time to demonstrate from the history of the country sufficiently—is that he was not loyal to his trust; that his weakness amounted to disloyalty. It was the universal belief at the time. The South did not trust him, and there was no reason why they should, at that critical moment.

The North absolutely did not trust him. He was compelled by mere force of public opinion to change his Cabinet in order that he should have in his Cabinet men who, whatever their politics, were known to be loyal to the Government, which Mr. Buchanan was sworn to defend.

Mr. President, I have sent for various books relative to that time, and I am sorry to be obliged to weary the Senate by picking out the passages here which I desire to cite as proving my case when I could save the Senate a good deal of time if they

would give me a day or two to do it at my house or at my office; but as the Senator from Maryland prefers that I should do it in this way, I shall try to do it.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

VOCATIONAL REHABILITATION.

Mr. SMITH of Georgia. Mr. President, I wish to call to the attention of the Senate the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes. The House has passed the Senate bill with four amendments. Three of these amendments are changes in phraseology. I think they might be properly so termed. The first substitutes "an act to amend an act entitled" for "an act as amended." The war-risk insurance laws grow out of two main acts, the act passed in 1914 and the amendatory act of 1917. In the bill which the Senate passed we referred to the provisions in the amendatory act of 1917 as provisions of the act of 1914 as amended. The House changed that language and referred to it as the act of 1917 and an act to amend the act of 1914. They simply describe the act in a somewhat different way.

Their next amendment is to use "October 6, 1917," instead of "September 2, 1914, as amended," changing their mode of referring to the same measure.

Their next amendment strikes out two provisos, leaving the language really with the same meaning that it would have if neither of the two provisos was in the act.

Their fourth amendment is a new section. It reads:

SEC. 11. No person of draft age physically fit for military service shall be exempted from such service on account of being employed under the terms of this act.

I am not in favor of changing the general rules applicable to the draft law which, under certain circumstances, exempts men from military service.

Mr. NORRIS. Will the Senator read that new section again?

Mr. SMITH of Georgia. Yes.

No person of draft age physically fit for military service shall be exempted from such service on account of being employed under the terms of this act.

Mr. NORRIS. What class of people does that apply to?

Mr. SMITH of Georgia. I was just going to say that I am opposed to provisions of this kind. I think that the general rule of exemption under the draft age should not be changed by special legislation of this character, but should be broad in its effects, and if the exemptions permitted under the general draft act would take out of the service temporarily men employed under this act they should be taken out of it. But I have consulted with members of the Vocational Board and they tell me that none of their employees will come under this provision, and they do not think this particular provision would affect their work at all.

Mr. NORRIS. It would then have no effect whatever.

Mr. SMITH of Georgia. It will have no effect; so I do not object to it in this act, although I was explaining the reason why I did not object to it—that it is because I do not think it will have any effect.

Mr. NORRIS. Now, what is the act referred to?

Mr. SMITH of Georgia. This is the act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States.

Mr. NORRIS. The language the Senator has read applies to employees under that particular act?

Mr. SMITH of Georgia. Under this act only.

Mr. NORRIS. And if they have no one within the draft age it will have no effect?

Mr. SMITH of Georgia. They have none, and it is not contemplated they will have any. They stated that their assistants would be of ages greater than the draft age, and they expressed the view that they did not object to this provision. I object to provisions of this kind, but I do not think it will have any unfortunate effect in the present instance, and after consulting with several members of the committee, those who were on the floor yesterday, I was requested by the committee to move concurrence in the amendments of the House.

Mr. NELSON. Will the Senator allow me? I came in while the Senator was speaking. Is this the soldiers' vocational law?

Mr. SMITH of Georgia. It is.

Mr. NELSON. And this amendment is simply to exempt civilian employees?

Mr. SMITH of Georgia. No; the amendment provides that its civilian employees shall not be exempted if they are of draft age.

Mr. NELSON. I understood it to be exempting civil employees connected with this board.

Mr. SMOOT. I will read to the Senator the provision:

No person of draft age physically fit for military service shall be exempted from such service on account of being employed under the terms of this act.

Mr. NELSON. That is exactly the way I understand it—that no man liable to draft physically fit for military service shall be exempted because he is employed in connection with this act.

Mr. SMITH of Georgia. That is it.

Mr. SMOOT. That is it.

Mr. NELSON. I heartily approve of it. It is a good plan.

Mr. SMITH of Georgia. I wish to say that after conferring with members of the committee we desire to ask the Senate to accept the amendments put on the bill by the House.

Mr. SMOOT. Do I understand the Senator to say that in the War-Risk Insurance Bureau in the Treasury Department there are men employed now of draft age?

Mr. SMITH of Georgia. Not at all. This bill does not apply to employees of the War-Risk Bureau. These men will be the employees of the Federal Board for Vocational Education engaged in rehabilitation work among injured soldiers. They have none of their force under the draft age, and they do not contemplate selecting any of their force under the draft age. They can select their force entirely outside of those who are subject to military service, and therefore they do not object to this provision at all.

Mr. SMOOT. I do not think there would be any within the draft age myself. Therefore it seems to me it would be nonsense to put in this provision.

Mr. SMITH of Georgia. I do not think there was any necessity for it, but I do not think there is any harm in it, and therefore I intend to move that the Senate concur in the House amendment.

Mr. SMOOT. The bill has not been handed down from the desk.

Mr. SMITH of Georgia. I move that the Senate concur in the amendments of the House to Senate bill 4557.

Mr. SMOOT. For the RECORD I should like to ask the Chair if the House bill has yet been presented to the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the action of the House of Representatives upon the bill. It will be read:

The Secretary read as follows:

Resolved, That the bill from the Senate (S. 4557) entitled "An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," do pass with the following amendments:

Page 1, line 12, after "entitled," insert: "An act to amend an act entitled."

Page 1, line 14, and page 2, line 1, strike out "September 2, 1914, as amended," and insert: "October 6, 1917."

Page 4, line 5, after "hereof," strike out all down to and including the word "act" in line 11.

Page 8, after line 21, insert:

"SEC. 11. No person of draft age physically fit for military service shall be exempted from such service on account of being employed under the terms of this act."

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

Mr. CURTIS. Mr. President, a question of order. Can the amendments be considered at this time with the unfinished business pending?

Mr. SMITH of Georgia. Undoubtedly.

The PRESIDING OFFICER. It is a message from the House and is therefore in order to be laid before the Senate.

Mr. SMITH of Georgia. The rule specifically provides for it.

Mr. GALLINGER. It is in order to be laid before the Senate, but not to be considered. It seems to me that the unfinished business ought to be temporarily laid aside. If the Senator from Maryland is willing, and I trust he is, to temporarily lay aside the unfinished business until the Senator from Georgia has the amendments concurred in, I think it ought to be done.

Mr. LODGE. I object to laying it temporarily aside because I know——

Mr. GALLINGER. The Senator can not object for the reason that the suggestion has not been made.

Mr. LODGE. I would object if the joint resolution for the Buchanan statue is to follow.

Mr. GALLINGER. No one has suggested that the Buchanan joint resolution is to follow.

Mr. LODGE. If the Senator from New Hampshire will pardon me, after the sort of treatment I received this morning I have grown suspicious.

Mr. GALLINGER. The Senator has had two years to grow suspicious over this measure.

Mr. LODGE. A man does not can a speech two years for a bill on the calendar. This joint resolution has been on the calendar since February 21.

Mr. GALLINGER. This bill has been on the calendar for two years, I will say to the Senator. I voted to put it there two years ago.

Mr. SMITH of Georgia. The rule provides that—

The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives, and any question pending at that time shall be suspended for this purpose. Any motion so made shall be determined without debate.

I move to concur in the House amendments. We can dispose of the matter in a moment, I think.

The PRESIDING OFFICER. The Senator from Georgia moves that the Senate concur in the House amendment.

The motion was agreed to.

STATUE OF JAMES BUCHANAN.

Mr. SMITH of Maryland. Mr. President, may I ask the Senator from Massachusetts what day he would suggest when he would be ready to debate House joint resolution 70?

Mr. LODGE. I will be ready to go on with the matter on Monday. I am ready to go on now if the Senator insists, but I would go on in a very awkward, time-consuming way. However, I shall do the best I can.

Mr. SMITH of Maryland. Then the Senator would be satisfied if the joint resolution is taken up on Monday. At what time?

Mr. LODGE. The Senator is in charge of the measure, and it is for him to take it up when he can, and get it through after the Senate has debated it. If the plan is to set appropriation bills aside in order that we may erect a statue to James Buchanan, I hope the country will know it.

Mr. SMITH of Maryland. I say to the Senator no proposition of that character has been made yet.

Mr. GALLINGER. It has not been suggested.

Mr. SMITH of Maryland. It has not been suggested.

Mr. LODGE. Then why do we not go on with the District of Columbia appropriation bill?

Mr. SMITH of Maryland. We will probably do so, but I wanted to see if we could come to some terms in regard to the time when the Senator from Massachusetts would be prepared to make his speech.

Mr. LODGE. I shall be better prepared on Monday than I am now.

Mr. GALLINGER. I suggest to the Senator from Maryland that he give notice that at the conclusion of the routine morning business on Monday he will move to take up the joint resolution and let the matter go over until then.

Mr. SMITH of Maryland. If that is satisfactory to the Senator from Massachusetts, it is satisfactory to me, and I shall make that motion.

Mr. LODGE. I have no opinions to express about it. I am ready to go on right now, and I will be ready to-morrow.

Mr. SMITH of Maryland. Then I will make the motion.

The PRESIDING OFFICER. It is not necessary to make a motion now.

Mr. LODGE. It is merely a notice.

Mr. SMITH of Maryland. I give the notice.

The PRESIDING OFFICER. The unfinished business is before the Senate.

LOCAL SELF-GOVERNMENT.

Mr. UNDERWOOD. Mr. President, in the midst of the strife and turmoil of the world's greatest conflict of arms, when men of our race are called upon to give their lives that the great principles of Democracy may continue to live for the freedom and safety of the people of the world, we are compelled to face a proposal to change fundamentally the organic form of our Government and to establish precedents that may ultimately lead to the entire overthrow of the form of government that has fostered our Nation and protected our people ever since George Washington was first inaugurated President of the United States.

An amendment has been proposed by the Congress, and submitted to the States for ratification or rejection, so changing the Federal Constitution as to allow the National Government to exercise the power to police the several States in all matters relating to the manufacture and sale of alcoholic liquors.

A resolution is now pending in the Senate of the United States, which has already passed the House of Representatives, proposing an amendment to the Constitution of the United States, which partially takes away from the States the power to establish and regulate by local enactment the privilege of voting in the several States. This resolution may be passed and the question involved submitted to the States for ratification or rejection during the session of the present Congress.

At this time I do not intend to discuss the questions of prohibition or woman's suffrage on the primary issues involved, but will confine myself to the graver question as to whether the surrender of great powers to the Federal Government by the States is in contravention of the fundamental principles of constitutional government as understood and agreed to by the Thirteen Original States in their desire to form a more perfect Union and at the same time to preserve for themselves and their children the blessing of a free government, the assurance of domestic tranquillity in the management of their local affairs, and the certainty that the personal liberty of the citizens of the States would not be destroyed by the Federal Government.

These principles are protected and preserved in and by virtue of our dual form of government. It is just as vital to the preservation of the Union and all it stands for that the reserved rights of the States should be maintained in all their original power and integrity as it is to vitalize and develop within its proper sphere the powers delegated to the central government.

I ask you to bear in mind that no government can or will remain free unless it possesses the unrestricted right to levy taxes for its maintenance, to prescribe the terms on which the electorate may exercise the privilege of voting for officers, and the unrestricted right to police its own governmental territory in regard to all matters that immediately affect the lives, the liberty, and the property of its citizens. In my judgment the proposed amendment would seriously impair and jeopardize these great powers as now controlled by the people of the several States.

At the very birth of the Nation the first and most vital question to all was the preservation of the local rights of the people in the States. Even with all the restrictions placed in the Constitution to assure and preserve local self-government, the fear that a centralization of power might destroy the local governments created such antagonism as to seriously jeopardize the adoption of the Constitution, and even then its ratification was not secured except with the express understanding that the first ten amendments should be approved as a bill of rights for the protection of the people.

In a clear and convincing paragraph Justice Brewer has expressed the sentiment of the people in insisting on these additional guarantees of their liberty. He said:

The first ten amendments to the Constitution, adopted, as they were, soon after the adoption of the Constitution, are in the nature of a bill of rights and were adopted in order to quiet the apprehension of many, that without some such declaration of rights the Government would assume, and might be held to possess, the power to trespass upon those rights of person and property which by the Declaration of Independence were affirmed to be inalienable rights.

Are those principles less "inalienable rights" now than they were in the beginning? That is the real question that confronts the American people in the consideration of the proposed amendments.

The Tenth Amendment to the Constitution of the United States clearly defines the dividing line between the powers that may be exercised by the Federal Government at Washington and those powers that continue to be exercised and controlled by the several States. This amendment declares:

The powers not delegated to the United States by the Constitution nor prohibited by it to the several States are reserved to the States respectively or to the people.

Let us now consider what powers were directly granted by the States to the Federal Government and then we may clearly understand the powers that were reserved to the States. Our relations with foreign nations and all questions involving the safety and national defense, the regulation of commerce between the several States and with foreign countries, a uniform system for the collection of taxes at the customhouse, and the establishment of a Federal judiciary were directly conferred upon the Federal Government. All questions relating to the suffrage, the local police power, the laws relating to marriage and divorce, the inheritance and disposition of property, in fact practically all questions that directly related to the lives, the liberty, and the health of the local community were retained by the States for their determination and enforcement.

Mr. Harry St. George Tucker, in his work on Woman's Suffrage, clearly defines the dividing line between national and State control. He says:

The words "local self-government" are not, as is supposed by many, mere words to conjure with; oftentimes invoked by politicians, because of their hoary and honorable lineage, to lead the people into devious and slippery paths. These words had their origin in the profoundest

political philosophy. They are the answer which free government makes to the oppressed. They are the response that liberty makes to tyranny. They are the guaranty of the safety of the home, the recognition of the trusteeship of man as the defender of the home and the guardian of its sacred precincts. They single out the individual, arm him with the greatest political power that can possibly be given to an individual, and hold him responsible for its exercise in the development of home and neighborhood; and thus is demanded at his hands the exercise of the highest and most sacred duties that can ever be the portion of an American citizen.

In the last analysis just laws should be the reflection of the combined sentiment of the people who must live under them and who must adjust their lives to them. Much of the law that is found on the statute books to-day originated in the customs of the people and the necessities that confront them in their daily lives. Men recognize that the custom of a local community has behind it an element of justice in the dealings between man and man and in order that justice might prevail they enacted custom into law and provided penalties for its violation. Consider how difficult it would be to establish the law of custom in a country that extends its territory from the ice-clad hills of the North to the tropical seas of the South; that reaches 3,000 miles across a continent that embraces fertile fields and arid deserts, treeless prairies and virgin forests, snow-capped mountain ranges and the impassable quagmire of the river bottoms, agriculture feeding industry and manufacture supplying husbandry, unlimited mineral resources and boundless fisheries, areas possessed of unrivaled transportation facilities and regions where communication is practically impossible. A country possessing almost every variety of climate, soil, and crops that the world can produce; a Nation under whose flag every race of man abideth and every civilization is represented. A people whose religious views are as far apart as are the civilizations of the Occident and Orient. A new people reborn in a new world out of the prejudices and passions, the virtues and talents of the contending civilizations of the ages that have passed, with every habit of life, every standard of living, and every moral attitude that man can possess. Is it within the range of the possible that such a people could establish law by custom and usage that would reflect their wishes and maintain their principles?

Is any one so bold as to assert that the representatives of these people assembled at Washington can enact laws about local conditions that will reflect the high ideals, the common needs, and the imperative necessities of all these people, that must have the breadth and scope of the Nation to rest upon?

It was not thought possible of attainment in the beginning when we were a homogeneous people and it certainly is not possible of accomplishment when multiformity is our pervading characteristic as a people. The customs that were crystallized into law in Minnesota would work oppression to the people of Texas. The laws that may be necessary to preserve the integrity of our civilization in Alabama would probably prove offensive to the people of Maine. The Federal Government can not enact a law for one State and a different law for another State. The legislation passed by the Federal Government must be uniform and applied with geographical uniformity throughout the Nation.

Let us suppose that the State governments were abolished in their entirety and the entire power to legislate was concentrated in the Government at Washington, and that the Congress of the United States attempted to pass uniform legislation in reference to marriage and divorce. Is it at all probable that the national legislation would prescribe racial distinctions in legalizing the marriage relations? If it did not, what effect would its failure to do so have on a State that has maintained for half a century laws prohibiting miscegenation in order to protect the integrity of the white race?

In some portions of the United States there is great scarcity of timber. Undoubtedly it would be beneficial to the people living within these States to pass laws encouraging the growth of timber and penalizing the destruction of forest growth. On the other hand, there still remain portions of the United States where great forests occupy fertile fields that men are anxious to clear in order to build homes and develop the country. It must be apparent to all that a uniform law passed by the Federal Government could not be written that would work out the ends of justice and satisfy the people living in communities which have as different surroundings as those I have just described.

Woodrow Wilson once wrote:

> The United States are not a single, homogeneous community. In spite of a certain superficial sameness which seems to impart to Americans a common type and point of view, they still contain communities at almost every stage of development, illustrating in their social and economic structure almost every modern variety of interest and prejudice, following occupations of every kind in climates of every sort that the Temperate Zone affords. This variety of fact and condition, these substantial economic and social contrasts, do not in all cases follow State lines. They are often contrasts between region and region rather than between State and State. But they are none the less real and in many instances permanent and ineradicable.

I might proceed for hours, giving illustrations of laws that might be passed that would be entirely satisfactory to one community and work out the ruin and destruction of another. It must be clear to all that the preservation of the power of the local people to govern themselves about their local affairs is as necessary to the maintenance of the integrity of the National Government as the exercise of the power granted to the Federal Government in dealing with strictly national affairs.

The wisest statesman of his day, the author of the Declaration of Independence, once said:

> I believe the States can best govern our home concerns, the General Government our foreign ones. I wish, therefore, to see maintained that wholesome distribution of powers established by the Constitution for the limitation of both, and never to see all offices transferred to Washington, where, further withdrawn from the eyes of the people, they may more secretly be bought and sold as at a market.

Nowhere in America has the principle of local self-government been more thoroughly ingrained into the hearts and minds of the people than in the New England States. The town meeting grew out of colonial conditions and the desire of the first settlers to establish local laws to protect the morals, health, and happiness of each local community. It is a part of the very soil of New England. An attempt to tear it out would be resisted to the last degree, and yet, under the enthusiasm of a great moral endeavor or under the desire to find and establish a universal right that is more theoretical than actual, many of our best citizens would establish precedents that open the way to tear down all the principles that protect the people in the exercise of their local government and the management of their domestic affairs.

The people of the South should remember that the loyalty of the people of the North to the great principle of local self-government, as taught them and their fathers in the town meetings of New England, stood as a bulwark of strength to protect the South and lead it away from the hand of the oppressor in its hour of greatest need. Yet when the situation is reversed we are asked to prove ourselves recreant to the very principle that preserved our racial integrity.

Let me again call attention to the prophetic words of Thomas Jefferson directly relating to the question of local self-government and worthy of the thoughtful consideration of every man in this hour of national distress and danger.

In his autobiography he said:

> It is not by the consolidation or concentration of powers, but by their distribution, that good government is effected. Were not this country already divided into States, that division must be made that each might do for itself what concerns itself directly, and what it can so much better do than a distant authority. Every State is again divided into counties, each to take care of what lies within its local bounds; each county again into townships or wards, to manage minuter details; and every ward into farms, to be governed each by its individual proprietor. Were we directed from Washington when to sow and when to reap, we should soon want bread. It is by this partition of cares, descending in gradation from general to particular, that the mass of human affairs may be best managed for the good and prosperity of all.

I can hear now those who contend for a strong Federal Government; those who would yield the power of local self-government but once because they desire to force a condition on other people who disagree with them, answer all I have said by the statement that the pending amendments do not destroy the State governments entirely, do not vest all the power in the Federal Government at Washington, that the new authority given to the Federal Government is limited in its scope and effect and is intended only to carry out a specific purpose, there intended to halt and that the arm of oppression will go no further.

To them I say they must not forget the history of the past. Governments rarely fall in a day. The slow process of disintegration has marked the downfall of nations. It is the history of the past and we can not with safety close our eyes to it. Yield the fundamental principles that have protected the national life for more than a century under which we have grown great and powerful, under which we have developed the highest civilization known to the history of man, and you will undoubtedly bring into our midst errors of government and dangers of administration that have not beset our paths in the past and were guarded against by the founders of the Constitution.

President Wilson, in his book on Constitutional Government in the United States, says:

> It would be fatal to our political vitality to strip the States of their powers and transfer them to the Federal Government. It can not be too often repeated that it has been the privilege of separate development secured to the several regions of the country by the Constitution, and not the privilege of separate development only, but also that other more fundamental privilege that lies back of it, the privilege

of independent local opinion and individual convictions, which has given speed, facility, vigor, and certainty to the process of our economic and political growth. To buy temporary ease and convenience for the performance of a few great tasks of the hour at the expense of that would be to pay too great a price and to cheat all generations for the sake of one.

Shall we cheat the generations of the future in their priceless inheritance of government in order that ease and convenience may be regarded in the consideration of the grave matters proposed for adoption by the constitutional amendments?

You may contend that the ideals you seek are in the interest of good government, but do not forget that good government at its best often is not a substitute for self-government, and that it is far better that each community should be allowed to develop its own experiments and pay the penalty for its own mistakes rather than lack the power to initiate, for only in this way can it obtain the high ideals of citizenship.

You must allow every community absolute freedom of action if you intend to endow it with the freedom of growth. We must intrust every local problem to the determination of the citizenship of each local community if in the end we desire to obtain just, fair, and enduring laws. I know that there are some even in this enlightened day and time who still believe that after all a benevolent despotism is the best form of government, but there are not many of these people living on this side of the Atlantic Ocean, and most of them fight beneath the banners of the autocratic power that seeks to control the destinies of the world.

President Wilson, in an address to the New York Press Club, said:

> Liberty has never come from the government. Liberty has always come from the subjects of it. The history of liberty is a history of the limitation of governmental power, not the increase of it.

A few days before, at the "Workman's Dinner" in New York, President Wilson said:

> When we resist, therefore—when I, as a Democrat, resist the concentration of powers, I am resisting the process of death, because concentration of power is what always precedes the destruction of human energy.

Will not the people be warned before it is too late against the direct efforts to take away their liberty by the concentration of powers in the Central Government?

Where can you find a more exalted example, productive of the accomplishment of high ideals, than where you find a strong, virtuous, and independent people, master of their own lives and building for themselves; each community the reservoir of its own future greatness and the constructor of its own destiny? Wonderful training camps for the future growth of the Nation these local communities become. Can we doubt the future greatness and virtue of our people if we remain true to the teaching of our fathers and loyal to the great principles on which the foundations of the Republic rest? Remember always that one sovereign people can not and must not rule over another.

Lest you forget, let me recall what our democratic fathers taught in the beginning. Man in his individual entity is the controlling unit of any community that desires development and progress. His personal liberty is the source of his personal initiative and is the foundation of the power and development of the State. All progress made in the unfolding of our resources and the creation of national wealth depends more upon the individual liberty of the citizen than upon all other causes combined.

Liberty has higher ends to attain than to stir the heart to action and to win high political results. Liberty is not a means to an end. It is the end itself. No higher political end can be achieved than to endow a people with all the blessing that freedom of thought and action must of necessity bring to them. Liberty nourishes self-respect, self-reliance, and all the impulses of a higher and a greater life. It is the birthplace of learning, literature, and art. It is the source of all the higher impulses and aspirations of men. On the contrary, a centralized, usurping government directs the energy and intelligence of its people away from the higher ideals of life and turns their attention to foreign politics, dazzles them with the desire for military glory, and destroys their aspiration for liberty. With our sons fighting for the great principles of democracy, surely the importance to our country of preserving the integrity of our local governments, as the only bulwark that will assuredly protect our liberty at home, justifies a discussion of the political danger that confronts us and makes defensible an appeal to the sturdy manhood of America to withstand the insidious attack that now threatens the integrity of their State governments.

A united and free government at Washington is assured for all time, but the rights and liberties of the people can be preserved only through the independent sovereignty of the States. If you would remain assured as to the vital principles of our Republic, the preservation of the States in all the completeness of their independence and power must remain with us for all time to come.

Mr. CURTIS. Mr. President, I merely wish to take a moment of the Senate's time. I desire to state that the best answer to the argument that has been made by the junior Senator from Alabama [Mr. UNDERWOOD] is that the amendment providing for woman suffrage stands upon the same footing with every other amendment to the Constitution which has been submitted to the States for ratification. The proposed amendment can not go to the States until a joint resolution providing for its submission shall have been passed by a two-thirds vote of both Houses. Then it does not become operative until it shall have been adopted by the legislatures of three-fourths of the several States. It in no way abridges or interferes with the rights of the States to enact their laws. All that it does is to give to the women of the country, who are taxpayers, who are property owners, who are as well educated as are the men, who attend the same schools and colleges, and who are entitled to, and should be given, equal rights with the men—it gives them a voice in all the questions which are presented to the States that affect their property and their rights and in which they are as deeply interested and concerned as are the men.

Mr. UNDERWOOD. Mr. President, if the Senator from Kansas will allow me, I desire to say, although I thank him for listening carefully to the address which I have just made, that he entirely misinterprets it. I have not at all contended that we may not modify the Constitution or amend it; that it is not possible for the people to do so. My argument was directed to the fact that there was a certain form of government which has been established preserving certain powers to the local governments in the States. You may take that away from them by constitutional amendment. If you had the votes, you might establish a monarchy in this country; you might establish an absolute despotism; but because you might have the power to do so if you had the votes would not at all contravene the fact that you were overthrowing the government which was established by the fathers in the beginning.

Mr. CURTIS. Mr. President, the Constitution was adopted and provision was made for its amendment. This amendment is being presented in the regular way, and our form of government is in no more danger because of its submission than it would be because of the submission of any other amendment. The argument of the Senator from Alabama [Mr. UNDERWOOD] would be applicable to any amendment to the Constitution which in any way might affect any so-called State rights.

TREATY WITH COLOMBIA.

Mr. THOMAS. Mr. President, two days ago I gave notice that at the conclusion of morning business I would to-day submit some remarks to the Senate regarding our difference with the Republic of Colombia and express some reasons why, in my judgment, a treaty of amity should be concluded with that country. The business of the day, however, has been of such a character as to make it inconvenient for me to take the floor for that purpose, and the Senator from Maryland [Mr. SMITH], having charge of the District of Columbia appropriation bill, seems to think that he may be able to have the bill passed this afternoon. I shall not, therefore, stand in his way, but shall content myself with delivering on some future occasion such thoughts as I have upon the subject to which I have referred.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. BANKHEAD. I ask unanimous consent that the Senate proceed to the consideration of the conference report on the Post Office appropriation bill.

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

Mr. BANKHEAD. Mr. President, the conferees have agreed as to every item in the bill; in fact, there were no items in the bill that provoked any particular discussion in conference except amendment No. 23, which relates to pneumatic tubes. Every other item has been agreed to, that amendment alone being in disagreement. I move that the conference report be adopted.

Mr. SMOOT. Mr. President, I wish to ask the Senator a question.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Alabama yield to the Senator from Utah?

Mr. BANKHEAD. I do.

Mr. SMOOT. I wish to ask the Senator if I understood his statement as to what the report contains. Do I understand that all the amendments in disagreement between the House and the Senate have been agreed to with the exception of one?

Mr. BANKHEAD. That is right.

Mr. SMOOT. And this conference report is simply a partial report?

Mr. BANKHEAD. That is right.

Mr. SMOOT. And the question of the tubes goes back to conference?

Mr. BANKHEAD. That is right.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. BANKHEAD. Certainly.

Mr. LODGE. Mr. President, the Senator knows that I have no opposition to his motion at all. I am in favor of it, but I wish to say a single word in connection with the pneumatic-tube question, which is in disagreement between the two Houses, about a matter which has come up and which was mentioned in the other House yesterday.

The New York Tribune published an article or a dispatch from Washington—I do not know which—which casts reflections upon my colleague [Mr. WEEKS] of the gravest character. I need not say to the Senate, which knows him and knows him well, that there is no man of higher honor or more unblemished integrity or finer character than my colleague, who represents with me the State of Massachusetts, and the statement of the New York Tribune in regard to him was a slander of the basest kind and one that ought never to have been made, because the facts have been brought forward before and entirely explained.

I desire to read a brief letter which Senator WEEKS wrote to Mr. Reid, editor of the New York Tribune:

UNITED STATES SENATE,
Washington D. C., June 13, 1918.

O. M. REID, Esq.,
Editor The New York Tribune,
154 Nassau Street, New York City.

DEAR MR. REID: I desire to call your attention to an article which appeared on the fourth page of the Tribune this morning relating to the American pneumatic-tube situation. I do not take this action to call attention to the numerous exaggerations and errors in the article—such as the statement that the purchase was to cost ten or eleven million dollars, when the maximum amount recommended by the tube commission, to which reference is made, was $4,427,000, to be reduced to such an amount as the Interstate Commerce Commission might determine—or to the connecting of Mr. John E. Mulholland with the New York, Boston, Chicago, and St. Louis tube systems. The information before the commission was to the effect that he had no interest whatever in the tubes located in those cities.

But what I wish to particularly call your attention to is the reference made to the firm of Hornblower & Weeks, of which I was a member until I entered the Senate, and to myself. The slightest investigation or inquiry on the part of your Washington correspondent would have demonstrated the absolute unfairness—in fact, untruthfulness—of the statement made, and I can not refrain from entering my protest against such references and attacks as are made against me in this article.

The facts are that in 1916 a list of the stockholders in the American pneumatic-tube service was published in the CONGRESSIONAL RECORD, and that list showed some stock standing in the name of Hornblower & Weeks, but an investigation which I made at that time demonstrated that the stock belonged to a customer of the firm and that the firm itself did not and never had owned a share of the company's stock. The same statement is true of every member of the firm and of myself. I do not now and never have had the slightest interest in this company and yet I am exposed to the public as a member of a commission and a Member of the Senate urging the adoption of a report relating to a company in which it is charged I have financial interest or that those formerly connected with me and in whom I would naturally have some personal interest have a financial interest. The unfairness and unrighteousness of such an accusation without any attempt to investigate its truth must appeal to you, and I trust that you will take such action as seems to you fair to correct the impression which the article in your paper has given.

Yours, very truly,

JOHN W. WEEKS.

Senator WEEKS left the firm of Hornblower & Weeks after he was elected to the Senate and has had no connection whatever with it for six years. The firm never owned stock in the company, as my colleague suggests in his letter, and he never had any stock or interest in it in the remotest way. It is hardly necessary for me to say to the Senate, which knows him and knows him well, that he is a man utterly incapable of taking part in or urging legislation which affected anything in which he had the slightest financial or personal interest.

Mr. MARTIN subsequently said: Mr. President, I came into the Senate while the Senator from Massachusetts [Mr. LODGE] was alluding to some imputations that had been made against his colleague [Mr. WEEKS]; and while I realize that he needs no defense, and perhaps there is no occasion for me to say anything, my natural impulse is to say something; and I can not let the opportunity pass without saying that I concur in the fullest and broadest sense with all that the Senator from Massachusetts [Mr. LODGE] has said about his colleague. Senator WEEKS in his service in this body has established a reputation that can not be broken down by irresponsible newspaper statements or statements of any kind. His personal and his official integrity are beyond reproach, and I know nothing could be done that I would not do in vindicating him from any attack that might be made upon his personal or official integrity. I do not believe there is a man in this body who is more devoted to his official work or possesses a higher integrity, personally and officially, than Senator WEEKS, and I simply desire to express my opinion and bear testimony to that effect now while the matter has been alluded to in the Senate.

Mr. BANKHEAD. I move the adoption of the conference report.

The report was agreed to.

Mr. BANKHEAD. I move that the Senate further insist upon its amendment numbered 23, disagreed to by the House of Representatives, and agree to the further conference asked for by the House, the Chair to appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. BANKHEAD, Mr. HARDWICK, and Mr. TOWNSEND conferees at the further conference on the part of the Senate.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SMITH of Maryland. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the amendments of the committee to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 1, line 2, after the word "assembled," to strike out:

That the following sums are appropriated out of the revenues of the District of Columbia to the extent that they are sufficient therefor and the remainder out of any money in the Treasury not otherwise appropriated, but the amount to be paid from the Treasury of the United States shall in no event be as much as one-half of said expenses, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, except amounts to pay the interest and sinking fund on the funded debt of said District, of which amounts one half is appropriated out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia, namely:

And insert:

That one half of the following sums, respectively, is appropriated, out of any money in the Treasury not otherwise appropriated, and the other half out of the revenues of the District of Columbia, in full for the following expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, namely:

The amendment was agreed to.

WOMAN SUFFRAGE.

Mr. THOMPSON. Mr. President, I have here a copy of a letter written by the President of the United States to Mrs. Carrie Chapman Catt, president of the International Woman Suffrage Alliance, on the question of woman suffrage, which is now before the Senate; and I should like to have it printed in the RECORD, as bearing on this question, and which I believe is the strongest statement yet from the President on this subject. The sentiment therein expressed will aid materially in the consideration of the suffrage amendment, which I hope will soon be passed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas?

Mr. SMOOT. Mr. President, we have just had a vote of the Senate upon the question of putting letters of this sort in the RECORD. The letter has already been published, I suppose, in nearly every paper in the United States; and the Senator from Kansas knows that just a few days ago we had four or five pages of the RECORD filled with petitions and letters upon this subject. I can not see what earthly good can come from having the RECORD encumbered with letters of any kind, because it is not going to influence a vote in this body; and I hope the Senator will not ask that that letter be put in the RECORD.

Mr. THOMPSON. Mr. President, I hope the Senator will withdraw any objection to the printing of this letter. If he insists on the objection, I shall be obliged to read it. In view of the fact that this is a letter from the President, I think the Senator from Utah ought not to make any objection to it.

Mr. SMOOT. Of course, if the Senator appeals to me on the ground that it is a letter from the President of the United

States I will say no more and let it go in the RECORD; but I do not believe it is right.

Mr. THOMPSON. Very well. I think it is entirely proper, and very pertinent at this time, and the best help we have had for woman suffrage for some time.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

Mr. OWEN subsequently said: This morning there was introduced in the RECORD a letter from the President answering a memorial of the French Union for Woman Suffrage, transmitted to him by Mrs. Catt. In order to make the RECORD clear the memorial itself and letter of transmittal ought to be attached. I ask unanimous consent to have that done. I hope no one will object to it because it is to make clear the RECORD; otherwise the President's utterance is not perfectly clear.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. No; let it go in.

There being no objection, the letter and memorial were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, June 7, 1918.

MRS. CARRIE CHAPMAN CATT,
President International Woman Suffrage Alliance.

MY DEAR MRS. CATT: May I not thank you for transmitting to me the very interesting memorial of the French Union for Woman Suffrage, addressed to me under the date of February 1, last? Since you have been kind enough to transmit this interesting and impressive message to me, will you not be good enough to convey to the subscribers this answer?

I have read your message with the deepest interest, and I welcome the opportunity to say that I agree without reservation that the full and sincere democratic reconstruction of the world, for which we are striving and which we are determined to bring about at any cost, will not have been completely or adequately attained until women are admitted to the suffrage, and that only by that action can the nations of the world realize for the benefit of future generations the full ideal force of opinion or the full humane forces of action. The services of women during this supreme crisis of the world's history have been of the most signal usefulness and distinction. The war could not have been fought without them or its sacrifices endured. It is high time that some part of our debt of gratitude to them should be acknowledged and paid, and the only acknowledgment they ask is their admission to the suffrage. Can we justly refuse it? As for America, it is my earnest hope that the Senate of the United States will give an unmistakable answer to this question by passing the suffrage amendment to our Federal Constitution before the end of this session.

Cordially and sincerely, yours,

WOODROW WILSON.

—

WASHINGTON, D. C., *June 13, 1918.*

To His Excellency PRESIDENT OF THE UNITED STATES,
The White House, Washington, D. C.

MY DEAR MR. PRESIDENT: On behalf of the National American Woman Suffrage Association, as well as on behalf of the suffrage associations of France, Great Britain, Belgium, Italy, and Portugal, for whom we transmitted a memorial to you asking for a message to the world upon the subject of woman suffrage, I express most grateful appreciation for your letter of June 7.

Particularly do I want to say that your strong stand for the early passage of the Federal suffrage amendment is of both national and interfational import as a renewed guaranty to the world that America is indeed and in truth fighting for democracy.

But two parliaments since the beginning of the war have pronounced against woman suffrage. These two are those of Germany and Hungary, while the parliaments of several of our allies have either given or promised the ballot to women. Surely the United States Senate can not longer stand with our enemy countries in this matter of fundamental democracy.

Your message will give courage and hope to the women of our allied countries, who are bearing such tragic burdens in this titanic struggle for freedom, and it is a continued gratification to suffragists in this country to know that we have a loyal friend in the White House.

Sincerely, yours,

CARRIE CHAPMAN CATT, *President.*

—

NATIONAL AMERICAN WOMAN SUFFRAGE ASSOCIATION,
PRESS DEPARTMENT, NEWS SERVICE,
NEW YORK.

Union Française pour le Suffrage des Femmes. Address de la présidente: Paris, 14 Rue Pierre-Charron; secrétariat: Paris, 53 Rue Scheffer.

PARIS, *February 1, 1918.*

To the PRESIDENT OF THE UNITED STATES.

THE PRESIDENT: In the historic message which announced to the world the entry into the struggle of American force and thought, you declared unforgettable formulæ upon which your great Republic awaits a victory—the right of peoples to self-determination and a durable peace for generations to come.

The French suffragists and those of the allied countries have heard your beautiful and strong words and they unite in prayer to you for the accomplishment of the following resolution:

"Considering that from this war there has come a new international right, founded upon the right of peoples to self-determination;

"That nothing can be claimed to speak authoritatively in the name of the people which excludes women from the life of nations;

"Considering, moreover, that women during the actual conflict have shown the value of the social work which they are capable of performing;

"Considering that the participation of wives and mothers in the suffrage would be the greatest guarantee of the peace to come, the need that the belligerent countries have of their help in the present conflict, the sufferings, moral as well as physical, which this war has cost them, have given definite proof that no longer, without iniquity and imprudence, can one refuse to give them through their vote an influence in the undertakings which decide peace and war:

"The women of the allied countries express the wish that President Wilson, in one of his future messages, will proclaim the principle of woman suffrage one of the fundamental rights of the future."

We have read with emotion in the Woman Citizen, Mr. President, the very profound words which you have spoken in response to the delegation of women from New York. If we recite them here it is because they are the same words that we would ask you to address to all humanity in one of your declarations which resound throughout the world.

It is a struggle which goes deeper and touches more of the foundation of the organized life of men than any struggle that has ever taken place before, and no settlement of the questions that lie on the surface can satisfy a situation which requires that the questions which lie underneath and at the foundation should also be settled, and settled right. I am free to say that I think the question of woman suffrage is one of those questions which lie at the foundation.

I beg you to accept, Mr. President, the expression of our great appreciation of our American sisters and our profound admiration for the high moral tone of the declarations which you have uttered in their name. It is this which encourages us to ask your aid, which will be a powerful influence for women suffrage in the entire world.

For the committee of the Union Francaise pour le Suffrage des Femmes, and in the name of the other national committees, of which the list is joined hereto.

DE WITT SCHLUMBERGER, *President.*

Vice presidents de l'Alliance Internationale du Suffrage des Femmes, Jane Misme and Marie Louise Le Verrier; secretary, Cecile L. Brunschvicg; treasurer, Marguerite Desavis; secretary, Marguerite Pichon Landry; secretary, Suzanne Grinberg.

This memorial was signed by the suffrage associations of Great Britain, France, Belgium, Italy, and Portugal.

DISTRICT OF COLUMBIA APPROPRIATION.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SMOOT. Mr. President, there are a number of Senators who desire to be present when the District of Columbia bill is considered, and therefore I suggest the absence of a quorum.

The PRESIDING OFFICER. The lack of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Chamberlain	King	Overman	Smith, Mich.
Curtis	Kirby	Page	Smith, S. C.
Dillingham	Knox	Pittman	Smoot
France	Lodge	Poindexter	Thomas
Gallinger	McCumber	Ransdell	Thompson
Gronna	McKellar	Sheppard	Trammell
Guion	McNary	Shields	Underwood
Johnson, Cal.	Martin	Smith, Ariz.	Vardaman
Johnson, S. Dak.	New	Smith, Ga.	Warren
Kenyon	Norris	Smith, Md.	

Mr. KIRBY. The junior Senator from Kentucky [Mr. BECKHAM] is detained on official business.

Mr. SMITH of Michigan. My colleague [Mr. TOWNSEND] is absent on official business. I should like the RECORD to show this announcement.

Mr. KIRBY. I announce the unavoidable absence of my colleague [Mr. ROBINSON] on public business.

The PRESIDING OFFICER. Thirty-nine Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. CULBERSON, Mr. POMERENE, Mr. SUTHERLAND, and Mr. TILLMAN answered to their names when called.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. SMITH of Maryland. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. PHELAN entered the Chamber and answered to his name.

Mr. PITTMAN. I announce the absence of my colleague [Mr. HENDERSON] on account of death in his family.

Mr. GERRY entered the Chamber and answered to his name.

Mr. POINDEXTER. Mr. President, a parliamentary inquiry. Would it be in order at this time to move that all speeches on this bill be limited to an hour and a half each? [Laughter.]

The PRESIDING OFFICER. It would not.

Mr. KENDRICK, Mr. OWEN, and Mr. NELSON entered the Chamber and answered to their names.

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum is present. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment was, under the head of "General expenses," on page 3, line 2, after the words "purchasing officer," to strike out "$1,600" and insert "$1,800"; in line 3, after the word "each," to insert "one $1,000"; in line 4, before the words "at $900 each," to strike out "three" and insert "nine"; in the same line, after the word "each," to strike out "seven at $720 each"; and in line 7, after the word "materials," to strike out "$1,200" and insert "$1,400"; so as to make the clause read:

Purchasing division: Purchasing officer, $3,000; deputy purchasing officer, $1,800; computer, $1,440; clerks—2 at $1,500 each, 6 at $1,200 each, 1 $1,000, 9 at $900 each; inspector of fuel, $1,500; assistant inspector of fuel, $1,100; storekeeper, $1,200; messenger, $600; driver, $600; inspectors—1 of materials $1,400, 2 at $900 each; 2 laborers, at $600 each; 2 property-yard keepers, at $1,000 each; temporary labor, $200.

The amendment was agreed to.

The next amendment was, on page 3, line 16, after the word "chief," to strike out "$1,500" and insert "$1,800," so as to make the clause read:

Building inspection division: Inspector of buildings, $3,000; assistant inspectors of buildings—principal $2,000, 1 $1,500, 1 $1,400, 10 at $1,200 each; fire-escape inspector, $1,400; temporary employment of additional assistant inspectors for such time as their services may be necessary, $1,500; civil engineers or computers—1 $2,000, 1 $1,500; clerks—chief $1,800, 1 $1,050, 1 $1,000, 1 (who shall be a stenographer and typewriter) $1,000, 1 $900; messenger, $600; assistant inspector, $1,500.

The amendment was agreed to.

The next amendment was, on page 4, line 6, after the word "necessary," to strike out "$2,000" and insert "$3,000," so as to make the clause read:

Plumbing inspection division: Inspector of plumbing, $2,000; assistant inspectors of plumbing—principal $1,550, 6 at $1,200 each; clerks—2 at $1,200 each, 1 $900; temporary employment of additional assistant inspectors of plumbing and laborers for such time as their services may be necessary, $3,000; draftsmen, $1,350; sewer tapper, $1,000; 3 members of plumbing board, at $150 each.

The amendment was agreed to.

The next amendment was, on page 4, line 12, after the words "Executive Office," to strike out "$123,060" and insert "$125,720," so as to make the clause read:

In all, Executive Office, $125,720.

The amendment was agreed to.

The next amendment was, on page 4, line 14, after the words "chief engineer," to strike out "$1,400" and insert "$1,600"; in line 15, after the word "electrician," to strike out "$1,200" and insert "$1,400"; in line 16, after the word "at," to strike out "$720" and insert "$840"; and in line 23, after the words "in all," to strike out "$37,250" and insert "$38,010," so as to make the clause read:

Care of District Building: Assistant superintendent, $2,000; chief engineer, $1,600; 3 assistant engineers, at $1,000 each; electrician, $1,400; 2 dynamo tenders, at $875 each; 3 firemen, at $840 each; 3 coal passers, at $600 each; electrician's helper, $840; 8 elevator conductors, at $600 each; laborers—2 at $660 each, 2 at $500 each; 2 chief cleaners (who shall also have charge of the lavatories), at $500 each; 33 cleaners, at $240 each; chief watchman, $1,000; assistant chief watchman, $660; 8 watchmen, at $600 each; pneumatic-tube operator, $600; in all, $38,010.

The amendment was agreed to.

The next amendment was, on page 5, line 25, after "$1,800," to strike out "clerk, $1,200" and insert "two clerks, at $1,200 each," and in line 26, after the words "in all," to strike out "$26,600" and insert "$27,800," so as to make the clause read:

Personal Tax Board: Two assistant assessors of personal taxes, at $3,000 each; appraiser of personal property, $1,800; clerk, $1,400; assistant clerk, $1,000; 2 inspectors, at $1,200 each (one transferred to collector's office); extra clerk hire, $2,000; intangible personal property—2 clerks at $1,500 each, 5 inspectors at $1,200 each, clerk to board of personal tax appraisers, $1,800; 2 clerks, at $1,200 each; in all, $27,800.

The amendment was agreed to.

The next amendment was, on page 6, line 21, after the words "chief clerk," to strike out "$2,250" and insert "$2,500," and on page 7, line 3, after the words "in all," to strike out "$48,776" and insert "$49,026," so as to make the clause read:

Auditor's office: Auditor, $4,000; chief clerk, $2,500; bookkeeper, $1,800; accountant, $1,500; clerks—3 at $1,600 each, 3 at $1,400 each, 1 $1,350, 4 at $1,200 each, 7 at $1,000 each, 1 $936, 2 at $900 each, 2 at $720 each; messenger, $600; property survey officer, $1,800; disbursing officer, $3,000; deputy disbursing officer, $1,600; clerks—2 at $1,200 each, 2 at $1,000 each, 1 $900; messenger, $600; in all, $49,026.

The amendment was agreed to.

The next amendment was, on page 7, line 6, after the word "first," to strike out "$2,500" and insert "$2,750," and in line 9, after the words "in all," to strike out "$21,670" and insert "$21,420," so as to make the clause read:

Office of corporation counsel: Corporation counsel, $4,500; assistants—first $2,750, second $2,500, third $2,000, fourth $1,800, fifth $1,500, sixth $1,500; clerk and stenographer, $1,400; stenographer and typewriter, $1,200; 2 stenographers, at $900 each; clerk, $720; in all $21,670.

The amendment was agreed to.

The next amendment was, on page 9, line 1, before the words "at $1,200 each," to strike out "three" and insert "five"; in the same line, after the word "each," to strike out "two at $1,000 each"; in line 2, before the word "laborers," to strike out "three" and insert "four"; and in the same line, after the words "in all," to strike out "$12,600" and insert "$13,600," so as to make the clause read:

Office of superintendent of weights, measures, and markets: Superintendent, $2,500; inspectors—chief $1,500, five at $1,200 each; clerk, $1,200; four laborers at $600 each; in all, $13,600.

The amendment was agreed to.

The next amendment was, on page 9, line 7, after the word "measure," to strike out "$100" and insert "$200," so as to make the clause read:

For the purchase of small quantities of groceries, meats, provisions, and so forth, including personal services, in connection with investigation and detection of sales of short weight and measure, $200.

The amendment was agreed to.

The next amendment was, on page 9, line 17, after the word "rodmen," to strike out "four" and insert "eight"; in the same line, before the words "at $780 each," to strike out "eight" and insert "four"; in the same line, after the word "each," where it occurs the second time, to insert "six chainmen, at $720 each"; in line 18, before the word "chainman," where it occurs the second time, to strike out "twelve" and insert "six"; on page 10, line 6, after "$900," to strike out "one $840, two at $750 each" and insert "three at $840 each"; and in line 14, after the words "in all," to strike out "$179,640" and insert "$180,720," so as to make the clause read:

Engineer Commissioner's office: Engineer of highways, $3,000; engineer of bridges, $2,500; superintendents—one of streets $2,000, one of suburban roads $2,250; sanitary engineer, $3,300; asphalt and cements—inspector $2,400, assistant inspector $1,500; trees and parkings—superintendent $2,000, assistant superintendent $1,350; assistant engineers—two at $2,200 each, four at $1,800 each, two at $1,600 each, four at $1,500 each, two at $1,350 each, one $1,200; transitmen—three at $1,200 each, one $1,050; rodmen—eight at $900 each, four at $780 each; six chainmen, at $720 each; six chainmen, at $650 each; draftsmen—one $1,500, two at $1,200 each, one $1,050; general inspector of sewers, $1,300; inspector of sewers, $1,200; bridge inspector, $1,200; inspectors—two at $1,500 each, five (including two of streets) at $1,200 each, one $1,000, one $900; foremen—twelve at $1,200 each, one $1,050, ten at $900 each; foreman, Rock Creek Park, $1,200; three subforemen, at $1,050 each; bridge keepers—one $650, three at $600 each; chief clerk, $2,250; permit clerk, $1,500; assistant permit clerk, $1,000; clerks—one $1,800, three at $1,500 each, one $1,400, two at $1,350 each, seven at $1,200 each, two at $1,000 each, one $900, three at $840 each, one $720, one $600; seven messengers, at $600 each; skilled laborers—one $625, two at $600 each; janitor, $720; steam engineers—principal $1,800, three at $1,200 each, three assistants at $1,050 each; six oilers, at $600 each; six firemen, at $875 each; inspector, $1,400; storekeeper, $900; superintendent of stables, $1,500; blacksmith, $975; two watchmen, at $630 each; two drivers, at $630 each; in all, $180,720.

The amendment was agreed to.

The next amendment was, on page 10, line 17, after the words "chief draftsman," to strike out "$1,800" and insert "$2,000"; in line 20, after the words "assistant superintendent of repairs," to strike out "$1,200" and insert "$1,350"; in line 22, before the word "each," to strike out "$1,200" and insert "$1,350"; in line 23, after the word "machinist," to strike out "$1,200" and insert "$1,350"; and in line 25, after the words "in all," to strike out "$31,310" and insert "$32,710," so as to make the clause read:

Municipal architect's office: Municipal architect, $3,600; engineering assistant, $2,400; superintendent of construction, $2,000; chief draftsman, $2,000; draftsmen—1 $1,400, 1 $1,300; heating, ventilating, and sanitary engineer, $2,000; superintendent of repairs, $1,800; assistant superintendent of repairs, $1,350; boss carpenter, boss tinner, boss painter, boss plumber, boss steam fitter, boss grader, 6 in all, at $1,350 each; machinist, $1,350; clerks—1 $1,200, 1 $1,050, 1 (office of superintendent of repairs) $1,000, 1 $720; copyist, $840; driver, $600; in all, $32,710.

The amendment was agreed to.

The next amendment was, on page 11, line 3, after the word "one," to strike out "$1,000" and insert "$1,200," so as to make the clause read:

Public Utilities Commission: For salaries (including inspector of gas and meters, $2,000; assistant inspectors of gas and meters—1 $1,200, 2, at $900 each; messenger, $600); in all, $33,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding $4,000 per annum.

The amendment was agreed to.

The next amendment was, on page 31, line 2, after the words "assistant librarian," to strike out "$1,500" and insert "$2,000"; in line 3, after the word "department," to strike out "$1,200" and insert "$1,500"; in line 4, after "$1,000," to strike out "assistant in charge of school work, $1,000" and insert "supervisor of school work, $1,200"; in line 6, after the word "secretary," to strike out "$1,000" and insert "$1,200"; in line 8, after the word "librarian," to strike out "$1,000" and insert "$1,200"; in line 9, after "$1,200," to insert "director of library training class, $1,500"; in line 13, before the word "each," to strike out "$540" and insert "$600"; in line 14, after the word "copyist," to strike out "$540" and insert "$600"; in the same line, after "$600," to insert "chief, catalogue department, $1,500"; in line 18, after the word "collator," to strike out "$540" and insert "$600"; in line 19, before the word "each," where it occurs the second time, to strike out "$480" and insert "$600"; and in line 23, after the words "in all," to strike out "$59,540" and insert "$64,600," so as to make the clause read:

Free Public Library, including Takoma Park branch: Librarian, $4,000; assistant librarian, $2,000; chief circulating department, $1,500; director of children's work, $1,500; children's librarian, $1,000; supervisor of school work, $1,200; librarian's secretary, $1,200; Takoma Park branch librarian, $1,000; chiefs of divisions—order and accessions $1,200, industrial $1,200; reference librarian, $1,200; director of library training class, $1,500; assistants—1 $1,000, 1 in charge of periodicals $1,000, 1 $900, 7 at $840 each, 7 (including 1 for the Takoma Park branch) at $720 each, 3 at $600 each, 3 (including 1 for Takoma Park branch) at $600 each; copyist, $600; chief, catalogue department, $1,500; classifier, $900; cataloguers—1 $840, 1 $720, 2 at $600 each; stenographers and typewriters—1 $900, 1 $720; attendants—1 $720, 6 at $600 each, 5 at $540 each; collator $600; 3 messengers, at $600 each; 10 pages, at $420 each; 3 janitors, at $600 each, 1 of whom shall act as night watchman; janitor of Takoma Park branch, $480; engineer, $1,200; fireman, $720; workman, $600; library guard, $720; two cloakroom attendants, at $360 each; 6 charwomen, at $240 each; in all, $64,600.

The amendment was agreed to.

The next amendment was, on page 14, line 3, after the word "librarian," to strike out "$2,000" and insert "$3,000," so as to make the clause read:

For substitutes and other special and temporary service, including the conducting of stations in public-school buildings, at the discretion of the librarian, $3,000.

The amendment was agreed to.

The next amendment was, under the head of "Contingent and miscellaneous expenses," on page 14, after line 17, to insert:

Central Garage: Superintendent, $1,500; 2 mechanics and drivers, at $1,000 each; in all, $3,500.

The amendment was agreed to.

The next amendment was, in the item of appropriation for printing, checks, books, law books, books of reference, periodicals, stationery, etc., on page 15, line 14, after the word "cement," to strike out "$40,000" and insert "$45,000," so as to read:

Superintendent of weights, measures, and markets office, and department of insurance, and purchase of new apparatus and laboratory equipment in office of inspector of asphalt and cement, $45,000.

The amendment was agreed to.

The next amendment was, on page 17, line 20, after the word "sewers," to insert "assistant superintendent of the street-cleaning division"; in line 21, after the word "division," to insert "inspector of plumbing"; and in line 23, after the word "officer," to insert "assistant health officer," so as to make the clause read:

Telephones may be maintained in the residences of the superintendent of the water department, superintendent of sewers, assistant superintendent of the street-cleaning division, chief inspector of the street-cleaning division, inspector of plumbing, secretary of the Board of Charities, health officer, assistant health officer, chief engineer of the fire department, superintendent of police, electrical inspector in charge of the fire-alarm system, 1 fire-alarm operator, and 2 fire-alarm repair men, under appropriations contained in this act. The commissioners may connect any or all of these telephones to either the system of the Chesapeake & Potomac Telephone Co. or the telephone system maintained by the District of Columbia, as in their judgment may be most economical to the District.

The amendment was agreed to.

The next amendment was, on page 21, after line 3, to insert:

For repairs to pavement in courtyard and terrace walk, Western Market, $600.

The amendment was agreed to.

The next amendment was, under the head of "Improvements and repairs," on page 22, line 2, after the date "nineteen hundred and nineteen," to strike out "$80,900" and insert "$92,900," so as to make the clause read:

Work on streets and avenues: For work on streets and avenues named in Appendix K, Book of Estimates, 1919, $92,900, to be expended in the discretion of the commissioners upon streets and avenues specified in the schedules named in said appendix and in the aggregate for each schedule as stated herein, namely:

The amendment was agreed to.

The next amendment was, on page 22, line 14, after the word "schedule," to strike out "$21,500" and insert "$33,500," so as to make the clause read:

Southeast section schedule, $33,500.

The amendment was agreed to.

The next amendment was, on page 23, line 2, after "$85,000," to insert "and for the extension of existing water mains, the laying of new mains, and for other work in connection therewith, $30,000; in all, $115,000," so as to make the clause read:

For the necessary and adequate means of approach and access to existing buildings, or to temporary buildings which may hereafter be erected in the District of Columbia for the use of the United States, including the grading, paving, improvement, and repair of such streets, avenues, and roads as in the judgment of the commissioners shall be necessary, including all necessary incidental work, $85,000, and for the extension of existing water mains, the laying of new mains, and for other work in connection therewith, $30,000; in all, $115,000, to be available immediately: *Provided*, That the foregoing work shall be done under the direction of the commissioners, by contract, day labor, or in such other manner as in their judgment may be most advantageous to the Government.

The amendment was agreed to.

The next amendment was, on page 23, after line 15, to insert:

For repaving with asphalt the roadway of Eleventh Street SE., from Potomac Avenue to M Street, 55 feet wide, $6,500.

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to insert:

For repaving with asphalt the roadway of Eleventh Street SE., from M Street to bridge, 55 feet wide, $15,500.

The amendment was agreed to.

The next amendment was, on page 24, after line 3, to insert:

Damages and payment for ground on account of condemnation proceedings: To pay Thomas W. and Alice N. Keller for ground taken and damages on account of condemnation proceedings in square No. 2838, in the city of Washington, $3,820.

The amendment was agreed to.

The next amendment was, on page 26, after line 22, to insert:

Northwest. New Hampshire Avenue, Georgia Avenue to Park Road, pave, $20,000.

The amendment was agreed to.

The next amendment was, at the top of page 27, to insert:

Northwest. Whittier Street, Georgia Avenue to Piney Branch Road, grade and improve, $6,300.

The amendment was agreed to.

The next amendment was, on page 27, after line 2, to insert:

Northeast. New York Avenue and U Street, Florida Avenue to Bladensburg Road, grade, $45,000.

The amendment was agreed to.

The next amendment was, on page 27, after line 4, to insert:

Southeast. Minnesota Avenue, Good Hope Road to Pennsylvania Avenue, grade and improve, $25,100.

The amendment was agreed to.

The next amendment was, on page 27, after line 6, to insert:

Northwest. Kalorama Road, from Champlain Street to Sixteenth Street and from Seventeenth Street to Sixteenth Street, grade and pave, $32,100.

The amendment was agreed to.

The next amendment was, on page 27, line 10, after the words "In all," to strike out "$217,400" and insert "$345,900," so as to make the clause read:

In all, $345,900.

The amendment was agreed to.

The next amendment was, at the top of page 28, to insert:

Piney Branch Road, abandonment of certain part of as a public highway: The Commissioners of the District of Columbia are authorized and directed, upon the opening of Buchanan Street for traffic between Piney Branch Road and Sixteenth Street NW., in the District of Columbia, to abandon as a public highway that part of Piney Branch Road lying between the north line of Allison Street and the south line of Buchanan Street, and the title to the land contained in said abandoned part of road shall revert to the owners of the land abutting thereon.

The amendment was agreed to.

The next amendment was, on page 29, after line 19, to insert:

Emergency repairs and improvements on account of the existing war: For temporary personal services not otherwise specifically provided for in this act, when such services are required for the timely and effective prosecution of any work of improvement, maintenance, or repair, or for the operation of any service or plant, such work, service, or plant being otherwise authorized in this act or by existing law, $25,000: *Provided*, That the employment of such services shall be authorized by the Commissioners of the District of Columbia upon the recommendation of the engineer commissioner: *And provided further*, That such employment shall be made only when, in the judgment of said commissioners, it shall be necessary for the public health, safety, comfort, or welfare, to correct or improve adverse conditions which may arise in the District of Columbia due to the existing war, to prevent the occurrence of such conditions, or to create conditions favorable to the efficient conduct of business pertaining to the existing war.

The amendment was agreed to.

The next amendment was, on page 30, after line 12, to insert:

To insure the timely and effective prosecution of any work of improvement, maintenance, or repair, and the proper and continued operation of any service or plant, such work, service, or plant being authorized in this act, or otherwise authorized by existing law, $150,000, to be expended when authorized by the Commissioners of the District of Columbia upon the recommendation of the engineer commissioner: *Provided*, That the total expenditure on any such work or service or in the operation of any such plant shall not be increased, by reason of the authority and funds hereby provided, by an amount in excess of 25 per cent of the total of any appropriation or appropriations contained in this act or heretofore provided for such purpose: *And provided further*, That expenditures from this appropriation shall be authorized by the aforesaid commissioners only when in their judgment such expenditures shall be necessary for the public health, safety, comfort, or welfare, to correct or improve adverse conditions which may arise in the District of Columbia due to the existing war, or to prevent the occurrence of such conditions, or to create conditions favorable to the efficient conduct of business pertaining to the existing war.

The amendment was agreed to.

The next amendment was, on page 31, after line 8, to insert:

To effect any work or works of permanent or temporary public improvement in the District of Columbia which may be urgently required in connection with the conduct of business pertaining to the existing war, and which is not otherwise authorized in this act or by existing law, $100,000, or so much thereof as may be necessary, to be expended under the direction of the Commissioners of the District of Columbia: *Provided*, That expenditures from this appropriation shall be recommended by the Commissioners of the District of Columbia and authorized by the President of the United States; in all, $275,000.

The amendment was agreed to.

The next amendment was, on page 31, after line 19, to insert:

Any unexpended balances of the appropriations contained in the District of Columbia appropriation act for the fiscal year 1918, or in the urgent deficiency act approved March 28, 1918, for "Work on streets and avenues," "Construction of suburban roads," "Repairs—Streets, avenues, and alleys," and for "Repairs to suburban roads" are reappropriated and made available during the fiscal year 1919.

The amendment was agreed to.

The next amendment was, under the head of "Streets," in the item of appropriation for dust prevention, cleaning, and snow removal, on page 35, line 10, after the word "expenses," to strike out "$320,000" and insert "$340,000," so as to read:

Purchase, maintenance, and repair of motor-propelled vehicles necessary in cleaning streets; purchase, maintenance, and repair of bicycles; and necessary incidental expenses, $340,000.

The amendment was agreed to.

The next amendment was in the item of appropriation for the disposal of city refuse, on page 36, line 15, after the word "law," to insert: "*Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels, places of business, large apartment or boarding houses," so as to read:

That every person, corporation, association, or institution in the District of Columbia shall be permitted to transport in closed metal containers from the place of origin to places outside of the District of Columbia any table refuse, including meat, bread, and vegetables, not in a decayed or decomposed condition, to be fed to poultry, pigs, or other live stock at any place where such feeding is not prohibited by law: *Provided further*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels, places of business, large apartment or boarding houses.

The amendment was agreed to.

The next amendment was, on page 37, line 1, after the word "Superintendent," to strike out "$600" and insert "$840"; in line 2, before the word "each," to strike out "$480" and insert "$600"; in line 3, after the word "maintenance," to strike out "$2,500" and insert "$5,000"; in line 4, after the word "grounds," to strike out "$1,400" and insert "$2,000"; and in line 5, after the words "in all," to strike out "$5,400" and insert "$9,040," so as to make the clause read:

Bathing beach: Superintendent, $840; two watchmen, at $600 each; temporary services, supplies, and maintenance, $5,000; for repairs to buildings, pools, and upkeep of grounds, $2,000, to be available immediately; in all, $9,040.

The amendment was agreed to.

The next amendment was, on page 37, line 17, before the words "per month," to strike out "$65" and insert "$75"; in line 24, before the words "per month," to strike out "$45" and insert "$50"; and on page 38, line 3, after the words "in all," to strike out "$38,530" and insert "$40,830," so as to make the clause read:

For salaries: Supervisor, $2,500; inspector of playgrounds, $1,200; clerk (stenographer and typewriter), $1,200; to be employed not exceeding 10 months—20 directors of playgrounds or recreation centers at $75 per month each, assistant director at $60 per month, general utility man at $60 per month; to be employed not exceeding 7 months—2 assistant directors at $60 per month each, 3 assistant directors at $50 per month each; to be employed not exceeding 3 months—3 assistant directors at $60 per month each, 20 assistants at $50 per month each; to be employed 12 months—20 watchmen at $50 per month each, clerk (who shall be a bookkeeper) at $75 per month; for services of extra directors at not exceeding 35 cents per hour, $800; for services of extra watchmen at not exceeding 25 cents per hour, $600; in all, $40,830.

The amendment was agreed to.

The next amendment was, on page 38, line 10, after the word "playgrounds," to strike out "$67,730, to be paid wholly out of the revenues of the District of Columbia" and insert "$70,030," so as to make the clause read:

In all, for playgrounds, $70,030.

The amendment was agreed to.

The next amendment was, on page 38, after line 11, to insert:

The appropriations made for the fiscal years 1917 and 1918 for the construction of two swimming pools, shower baths, appurtenances, and equipment are made available for the same purposes for the fiscal year 1919.

The amendment was agreed to.

The next amendment was, on page 38, after line 17, to insert:

Playground site: The plot of land known as reservation 126, in the District of Columbia, is hereby transferred to the commissioners of said District for playground purposes.

The amendment was agreed to.

The next amendment was, under the head of "Electrical department," on page 39, line 13, after the word "operators," to strike out "three at $720 each" and insert "chief $900, three at $840, one $720"; in line 15, before the word "one," to strike out "five at $540 each" and insert "ten at $660 each"; in the same line, after the word "one," to strike out "$450" and insert "$600"; in line 19, after "$750," to strike out "assistant repairmen—two at $620 each, two at $540 each" and insert "assistant repairman, $620"; in line 21, before the words "at $600 each," to strike out "three" and insert "two"; and in the same line, after the words "in all," to strike out "$51,195" and insert "$54,835," so as to make the clause read:

Electrical engineer, $2,750; assistant electrical engineer, $2,000; inspectors—one $1,000, four at $900 each; electrician, $1,200; two draftsmen, at $1,000 each; four telegraph operators, at $1,000 each; repairmen—expert $1,200; three at $900 each, one $840; telephone operators—chief $900, three at $840, one $720, ten at $660 each, one $600; electrical inspectors—one $2,000, one $1,800, one $1,350, four at $1,200 each; assistant electrician, $1,200; clerks—one $1,400, one $1,200, two at $1,125 each, one $1,050, one $750; assistant repairman, $620; laborers—one $630, two at $600 each, two at $540 each; storekeeper, $875; in all, $54,835.

The amendment was agreed to.

The next amendment was, under the head of "Public schools," on page 42, after line 15, to insert:

Assistant principal of the Central High School, $1,800: *Provided*, That said assistant principal shall be placed at a basic salary of $1,800 per annum and shall be entitled to an increase of $100 per annum for five years: *Provided further*, That for the year ending June 30, 1919, the assistant principal of the Central High School, if such person shall have been previous to his appointment an employee of the board of education, shall receive the salary in his class next above his present salary.

The amendment was agreed to.

The next amendment was, on page 44, line 17, after the word "each," and insert "*Provided*, That all teachers herein provided for shall be entitled to the full amount of any increased compensation granted for the fiscal year 1919 regardless of the increase herein made," so as to make the clause read:

Class 1, 90 at $750 each: *Provided*, That all teachers herein provided for shall be entitled, etc.

The amendment was agreed.

The next amendment was, on page 44, line 23, after the word "teachers," to strike out "$1,727,150" and insert "$1,728,950," so as to make the clause read:

In all for teachers, $1,728,950.

The amendment was agreed to.

The next amendment was, on page 45, line 4, after the word "herein," to insert "*Provided*, That for the year ending June 30, 1919, each of the teachers in said classes shall receive placing in the class to which assigned, so that each teacher shall receive in addition to the basic salary herein provided a longevity increase which shall be equal to the longevity increase which is next above that received June 30, 1918," so as to make the clause read:

The salaries appropriated herein for teachers in classes 1, 2, and 3, during the fiscal year 1919, shall be in lieu of the present basic or initial salaries for such classes, and the present rates of longevity increases of pay for the said classes shall apply to the basic or initial salaries appropriated herein: *Provided*, That for the year ending June 30, 1919, etc.

The amendment was agreed to.

The next amendment was, on page 45, line 19, after the word "schools," to strike out "$7,000" and insert "$12,000," so as to make the clause read:

Vacation schools and playgrounds: For the proper care, instruction, and supervision of children in the vacation schools and playgrounds, and directors, supervisors, teachers, and janitors of vacation schools and playgrounds may also be directors, supervisors, teachers, and janitors of day schools, $12,000.

The amendment was agreed to.

The next amendment was, on page 45, after line 20, to strike out:

Librarian in class 4—one $800; librarians and clerks 14 in class 3 at $650 each, 8 in class 2 at $600 each, 15 in class 1 at $500 each (including 1 additional for Central High School); in all, $22,200.

The amendment was agreed to.

The next amendment was, on page 45, after line 24, to strike out:

Ten librarians in high and normal schools, at $950 each; 28 clerks, at $800 each; in all, $31,900.

The amendment was agreed to.

The next amendment was, on page 47, line 14, after the word "electrician," to strike out "$1,000" and insert "$1,200"; in line 15, before the word "each," to strike out "$600" and insert "$720"; in line 18, before the word "each," to strike out "$400" and insert "$500"; and in the same line, after the words "in all," to strike out "$17,660" and insert "$19,620," so as to make the clause read:

Central High School (new): Engineer, $1,500; 2 assistant engineers, at $900 each; electrician, $1,200; 3 firemen, at $720 each; coal passer, $540; janitor, $1,100; 2 assistant janitors, at $900 each; gardener, $840; night watchman, $720; 2 charwomen, at $480 each; 14 laborers, at $500 each; in all, $19,620.

The amendment was agreed to.

The next amendment was, on page 47, line 21, before the word "each," to strike out "$600" and insert "$720"; in line 23, before the word "each," to strike out "$400" and insert "$500"; and in line 24, after the words "in all," to strike out "$11,120" and insert "$12,660," so as to make the clause read:

Dunbar High School: Engineer, $1,200; assistant engineer, $1,000; 2 firemen, at $720 each; coal passer, $540; janitor, $1,000; assistant janitor, $900; 9 laborers, at $500 each; 2 charwomen, at $480 each; night watchman, $720; in all, $12,260.

The amendment was agreed to.

The next amendment was, on page 48, line 1, after the word "laborers," to strike out "two at $480 each, two at $400 each" and insert "four at $500 each"; and, in line 2, after the words "in all," to strike out "$2,760" and insert "$3,000," so as to make the clause read:

Central High School (old) and annex: Janitor, $1,000; laborers—four at $500 each; in all, $3,000.

The amendment was agreed to.

The next amendment was, on page 48, line 3, after the word "laborers," to strike out "2 at $480 each, 2 at $400 each" and insert "4 at $500 each"; and in line 4, after the words "in all," to strike out "$2,760" and insert "$3,000," so as to make the clause read:

Business High School: Janitor, $1,000; laborers—4 at $500 each; in all, $3,000.

The amendment was agreed to.

The next amendment was, on page 48, line 7, after the word "watchman," to strike out "$600" and insert "$720"; in line 8, after the word "laborers," to strike out "2 at $420 each, 2 at $400 each" and insert "4 at $500 each"; and in line 9, after the words "in all," to strike out "$4,040" and insert "$4,520," so as to make the clause read:

J. Ormond Wilson Normal School and Ross School: Engineer, $1,000; janitor, $800; night watchman, $720; laborers—4 at $500 each; in all, $4,520.

The amendment was agreed to.

The next amendment was, on page 48, line 11, before the word "each," to strike out "$420" and insert "$500"; and in the same line, after the words "in all," to strike out "$1,840" and insert "$2,000," so as to make the clause read:

Jefferson School: Janitor, $1,000; 2 laborers, at $500 each; in all, $2,000.

The amendment was agreed to.

The next amendment was, on page 48, line 12, after the word "laborers," to strike out "2 at $480 each, 2 at $400 each" and insert "4 at $500 each"; and in line 13, after the words "in all," to strike out "$2,860" and insert "$3,100," so as to make the clause read:

Western High School: Janitor, $1,100; laborers—4 at $500 each; in all, $3,100.

The amendment was agreed to.

The next amendment was, on page 48, line 15, after the word "laborers," to strike out "1 $420, 2 at $400 each" and insert "3 at $500 each"; and in line 16, after the words "in all," to strike out "$2,220" and insert "$2,500," so as to make the clause read:

Franklin School: Janitor, $1,000; laborers— 3 at $500 each; in all, $2,500.

The amendment was agreed to.

The next amendment was, on page 48, line 17, after the word "laborers," to strike out "1 $480, 2 at $400 each" and insert "3 at $500 each"; and in line 19, after the words "in all," to strike out "$2,760" and insert "$2,980," so as to make the clause read:

Myrtilla Miner Normal School: Janitor, $1,000; laborers—3 at $500 each; charwoman, $480; in all, $2,980.

The amendment was agreed to.

The next amendment was, on page 48, line 20, after the word "laborers," to strike out "one $420, one $400," and insert "two at $500 each"; and in line 21, after the words "in all," to strike out "$1,820" and insert "$2,000," so as to make the clause read:

Eastern High School: Janitor, $1,000; laborers, two at $500 each; in all, $2,000.

The amendment was agreed to.

The next amendment was, on page 48, line 23, before the word "each," to strike out "$420" and insert "$500"; and in the same line, after the words "in all," to strike out "$1,840" and insert "$2,000," so as to make the clause read:

Stevens School: Janitor, $1,000; two laborers, at $500 each; in all, $2,000.

The amendment was agreed to.

The next amendment was, on page 49, line 1, after the word "watchman," to strike out "$600" and insert "$720"; in line 2, after the word "fireman," to strike out "one $600, one $480" and insert "two at $720 each"; in line 3, after the word "laborers," to strike out "one $480, two at $400 each" and insert "three at $500 each"; and in line 4, after the words "in all," to strike out "$7,180" and insert "$7,880," so as to make the clause read:

McKinley Manual Training School: Janitor, $1,000; engineer and instructor in steam engineering, $1,500; assistant engineer, $1,000; assistant janitor, $720; night watchman, $720; firemen, two at $720 each; laborers, three at $500 each; in all, $7,880.

The amendment was agreed to.

The next amendment was, on page 49, line 7, after the word "watchman," to strike out "$600" and insert "$720"; in line 8, after the word "fireman," to strike out "$480" and insert "$720"; in line 9, before the word "each," to strike out "$400" and insert "$500"; and in the same line, after the words "in all," to strike out "$5,520" and insert "$6,080," so as to make the clause read:

Armstrong Manual Training School: Janitor, $1,000; assistant janitor, $720; engineer and instructor in steam engineering, $1,200; assistant engineer, $720; night watchman, $720; fireman, $720; two laborers, at $500 each; in all, $6,080.

The amendment was agreed to.

The next amendment was, on page 49, line 11, after the word "laborers," to strike out "one $420, three at $400 each" and insert "four, at $500 each"; and in line 12, after the words "in all," to strike out "$3,520" and insert "$3,900," so as to make the clause read:

M Street High School (Old) and Douglass and Simmons Schools: Engineer, $1,000; janitor, $900; laborers, four, at $500 each; in all, $3,900.

The amendment was agreed to.

The next amendment was, on page 49, line 17, before the word "each," where it occurs the second time, to strike out "$480" and insert "$500"; and in the same line, after the words "in all," to strike out "$16,280" and insert "$16,500," so as to make the clause read:

Birney and annex, Elizabeth V. Brown, Emery, New Mott, Henry D. Cooke, Gage, Park View, Petworth, Powell, Van Buren, and Wallach Schools: Eleven janitors, at $1,000 each; eleven laborers, at $500 each; in all, $16,500.

The amendment was agreed to.

The next amendment was, on page 49, line 24, before the word "each," to strike out "$400" and insert "$500," and in the same line, after the words "in all," to strike out "$27,280" and insert "$29,480," so as to make the clause read:

Brookland, Bryan, Congress Heights, Curtis, Dennison, Force, Gales, Garfield, Garnet, Grant, Grover Cleveland, Henry, Langdon, Lincoln, Lovejoy, Monroe and addition, Peabody, Randall, Seaton, Sumner, Webster, and Strong John Thomson Schools: Twenty-two janitors, at $840 each; 22 laborers, at $500 each; in all, $29,480.

The amendment was agreed to.

The next amendment was, on page 50, line 24, before the word "each," to strike out "$480" and insert "$600," and in the same line, after the words "in all," to strike out "$4,800" and insert "$6,000," so as to make the clause read:

Bunker Hill, Deanwood, Hamilton, Orr, Reno, Reservoir, Smothers, Stanton, Threlkeld, and Military Road Schools: Ten janitors, at $600 each; in all, $6,000.

The amendment was agreed to.

The next amendment was, on page 51, line 2, before the word "each," to strike out "$150" and insert "$250," and in the same line, after the words "in all," to strike out "$450" and insert "$750," so as to make the clause read:

Conduit Road, Chain Bridge Road, and Fort Slocum Schools: Three janitors, at $250 each; in all, $750.

The amendment was agreed to.

The next amendment was, on page 51, line 9, after the words "In all," to strike out "$186,070" and insert "$196,930," so as to make the clause read:

In all, $196,930.

The amendment was agreed to.

The next amendment was, on page 52, line 5, before the words "dental operators," to strike out "Six" and insert "Twelve"; in line 6, before the words "at $900 each," to strike out "three dental nurses" and insert "six dental prophylactic operators"; in line 7, after the word "supplies," to strike out "$6,000" and insert "$11,060"; and, in the same line, after the words "in all," to strike out "$12,900" and insert "$24,860," so as to make the clause read:

For the establishment of free dental clinics in the public schools: Twelve dental operators, at $700 each; six dental prophylactic operators, at $900 each; equipment and supplies, $11,060; in all, $24,860.

The amendment was agreed to.

The next amendment was, on page 52, line 22, after the word "same," to strike out "$150,000" and insert "$175,000," so as to make the clause read:

For repairs and improvements to school buildings and grounds and for repairing and renewing heating, plumbing, and ventilating apparatus, and installation of sanitary drinking fountains in buildings not supplied with same, $175,000.

The amendment was agreed to.

The next amendment was, on page 53, line 4, after the word "therewith," to strike out "$35,000" and insert "$42,500," so as to make the clause read:

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual training, and incidental expenses connected therewith, $42,500.

The amendment was agreed to.

The next amendment was, on page 54, after line 17, to insert:

For the purchase of typewriters and typewriter tables for the Business High School, $16,000: *Provided*, That the provisions of section 4 of the legislative, executive, and judicial appropriation act for the fiscal year 1919 shall not apply to the purchase of typewriters required for use in the public schools of the District of Columbia during said fiscal year.

The amendment was agreed to.

The next amendment was, on page 55, line 3, after the word "playgrounds," to strike out "$900" and insert "$1,200," so as to make the clause read:

For equipment, grading, and improving six additional school playgrounds, $1,200.

The amendment was agreed to.

The next amendment was, on page 55, line 5, after the word "established," to strike out "$3,000" and insert "$4,000," so as to make the clause read:

For maintenance and repairing 72 playgrounds now established, $4,000.

The amendment was agreed to.

The next amendment was, on page 55, line 7, after the word "gardens," to strike out "$3,000" and insert "$4,000," so as to make the clause read:

For utensils, material, and labor for establishment and maintenance of school gardens, $4,000.

The amendment was agreed to.

The next amendment was, on page 56, line 15, after the words "civic centers," to strike out "$10,000" and insert "$15,000," so as to make the clause read:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, and employees of the day schools may also be employees of the community forums and civic centers, $15,000.

The amendment was agreed to.

The reading of the bill was continued to line 7, on page 59.

Mr. SMOOT. I ask the Senator having the bill in charge to allow the amendments in relation to the Metropolitan police to be passed over for the present, until we get through with the reading of the bill.

Mr. SMITH of Maryland. Very good.

Mr. SMOOT. If the Senator does not wish to grant the request, I can take up the question now, but I think it would be better to defer it.

Mr. GALLINGER. Let the amendments go over.

Mr. SMITH of Maryland. Yes; let them be passed over.

The SECRETARY. Pass over, beginning with line 8, page 59, down to and including line 23, page 60.

The reading of the bill was resumed.

The next amendment was, on page 61, in line 22, after the word "grounds," to strike out "$7,000" and insert "$10,000," so as to make the clause read:

For repairs and improvements to police stations and grounds, $10,000.

The amendment was agreed to.

The next amendment was, on page 62, line 9, after the word "expenses," to strike out "$35,000" and insert "$40,000," so as to make the clause read:

For miscellaneous and contingent expenses, including purchase of new wagons, rewards for fugitives, modern revolvers, maintenance of card system, stationery, city directories, books of reference, periodicals, telegraphing, telephoning, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repairs thereto, beds and bed clothing, insignia of office, purchase of horses, bicycles, motorcycles, police equipments and repairs to same, harness, forage, repairs to vehicles, van, patrol wagons, motor patrol, and saddles, mounted equipments, and expenses incurred in prevention and detection of crime, and other necessary expenses, $40,000, of which amount a sum not exceeding $500 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the War Department may, in its discretion, furnish the commissioners, for use of the police, upon requisition, such worn mounted equipment as may be required.

The amendment was agreed to.

The next amendment was, on page 62, line 19, after the word "halyards," to strike out "$100" and insert "$200," so as to make the clause read:

For flags and halyards, $200.

The amendment was agreed to.

The next amendment was, on page 62, line 19, after the words "in all," to strike out "$68,100" and insert "$76,200," so as to make the clause read:

In all, $76,200.

The amendment was agreed to.

The next amendment was, on page 63, after line 16, to insert:

For purchase of site and building occupied by house of detention, or so much thereof as may be necessary, $22,500.

Mr. GALLINGER. The words "or so much thereof as may be necessary" should be transferred and come in after the numerals.

Mr. SMITH of Maryland. Yes; let that amendment to the amendment be made.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 63, line 22, in the items for harbor patrol, after the word "incidentals," to strike out "$3,000" and insert "$4,000," so as to make the clause read:

For fuel, construction, maintenance, repairs, and incidentals, $4,000.

The amendment was agreed to.

The next amendment was, on page 63, after line 23, to insert:

One gasoline launch, $7,500.

The amendment was agreed to.

The next amendment was, on page 63, in line 25, after the words "in all," to strike out "$8,000" and insert "$16,500," so as to make the clause read:

In all, $16,500.

The amendment was agreed to.

The next amendment was, under the head of "Fire department," on page 64, line 8, after "$1,400," to strike out "2 inspectors, at $1,080 each" and insert "4 inspectors, at $1,140 each"; in line 10, after "$1,400," to insert "clerk, who shall be a stenographer and typewriter, $1,200"; in line 13, after the word "machinery," to strike out "$2,000" and insert "$2,250"; in line 14, after the word "machinery," to strike out "$1,200" and insert "$1,500"; in line 19, before the word "each," to strike out "$720" and insert "$840"; and in line 22, after the words "in all," to strike out "$757,220" and insert "$761,610," so as to make the clause read:

Chief engineer, $3,500; 2 deputy chief engineers, at $2,500 each; 8 battalion chief engineers, at $2,000 each; fire marshal, $2,000; deputy fire marshal, $1,400; 4 inspectors, at $1,140 each; chief clerk, $2,000; clerk, $1,400; clerk, who shall be a stenographer and typewriter, $1,200; 38 captains, at $1,500 each; 40 lieutenants, at $1,320 each; 41 sergeants, at $1,200 each; superintendent of machinery, $2,250; assistant superintendent of machinery, $1,500; 27 engineers, at $1,200 each; 27 assistant engineers, at $1,140 each; 2 pilots, at $1,150 each; 2 marine engineers, at $1,200 each; 2 assistant marine engineers, at $1,140 each; 2 marine firemen, at $840 each; 342 privates of class 2, at $1,140 each; 103 privates of class 1, at $960 each; hostler, $600; laborer, $600; in all, $761,610.

The amendment was agreed to.

The next amendment was, on page 66, after line 4, to insert:

For one concrete and frame drill tower, to be erected adjacent to No. 8 engine house, on North Carolina Avenue, between Sixth and Seventh Streets SE., on land owned by the District of Columbia, $5,760.

The amendment was agreed to.

The next amendment was, on page 66, line 9, after the words "in all," to strike out "$76,200" and insert "$81,960," so as to make the clause read:

In all, $81,960.

The amendment was agreed to.

The next amendment was, on page 66, line 11, after the word "officer," to strike out "$4,000" and insert "$4,500"; in the

same line, after the word "officer," where it occurs the second time, to strike out "$2,500" and insert "$3,000"; in line 16, before the words "at $1,200 each," to strike out "eight" and insert "nine"; in line 19, after the word "chemist," to strike out "$2,000" and insert "$2,250"; in the same line, after the word "chemist," where it occurs the second time, to strike out "$1,200" and insert "$1,500"; "chief of bureau of preventable diseases and director of bacteriological laboratory, $3,000"; in line 22, after the word "each," to insert "laboratory assistant, $840"; in line 23, after the word "laborers," to strike out "two at $720 each" and insert "one, $720"; in line 25, before the word "each" to strike out "$600" and insert "$720"; and on page 67, line 1, after the words "in all," to strike out "$81,850" and insert "$87,970," so as to make the clause read:

Health officer, $4,500; assistant health officer, $3,000; chief clerk and deputy health officer, $2,500; chief, bureau of vital statistics, $1,800; clerks—1 $1,600, 5 at $1,200 each, 4 at $1,000 each, 2 at $900 each, 1 $720; sanitary inspector—chief $1,800, assistant chief $1,400, 9 at $1,200 each, 2 at $1,000 each, 3 at $900 each; food inspectors—chief $1,800, assistant chief $1,400, 2 at $1,400 each, 5 at $1,200 each, 6 at $1,000 each, 5 at $900 each; chemist, $2,250; assistant chemist, $1,500; chief of bureau of preventable diseases and director of bacteriological laboratory, $3,000; serologist, $2,500; 2 assistant bacteriologists, at $1,200 each; laboratory assistant, $840; skilled laborers—1 $720, 1 $600; 2 messengers at $600 each; 2 chauffeurs at $720 each; poundmaster, $1,400; watchman, $600; laborers, at not exceeding $50 per month each, $2,400; in all, $87,970.

The amendment was agreed to.

The next amendment was, on page 67, line 19, after the word "services," to strike out "not exceeding $17,000"; and on page 68, line 1, after the word "hospital," to strike out "$35,000" and insert "$45,000," so as to make the clause read:

For enforcement of the provisions of an act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897, and an act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907, and an act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District, approved May 13, 1908, under the direction of the health officer of said District, manufacture of serums, including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, including salaries or compensation for personal services, when ordered in writing by the commissioners and necessary for the enforcement and execution of said acts, and for the prevention of such other communicable diseases as hereinbefore provided, purchase and maintenance of necessary horses, wagons, and harness, purchase of reference books and medical journals, and maintenance of quarantine station and smallpox hospital, $45,000: *Provided*, That any bacteriologist employed under this appropriation shall not be paid more than $7 per day and may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary work as, in the judgment of the health officer, will promote the public health, whether such examinations be or be not directly related to contagious diseases.

The amendment was agreed to.

The next amendment was, on page 70, after line 21, to insert:

For one motor ambulance, at a cost of not exceeding $2,200, and for equipping, maintaining, and operating the same and keeping it in good order, $600, $2,800.

The amendment was agreed to.

The next amendment was, on page 71, after line 2, to insert:

For clinical examination, advice, care, and maintenance of children under 6 years of age, under a contract to be made with the Washington Diet Kitchin, $15,000.

The amendment was agreed to.

The next amendment was, on page 71, after line 5, to insert:

For the maintenance of a dispensary or dispensaries for the treatment of persons suffering from tuberculosis and of persons suffering from venereal diseases, including payment for personal service, rent, and supplies: *Provided*, That the commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service, $15,000.

The amendment was agreed to.

The next amendment was, under the head of "Courts," in the item of probation system, Supreme Court, on page 72, line 1, after the word "assistant," to strike out "$800" and insert "$900," and in line 4, after the words "in all," to strike out "$4,685" and insert "$4,785," so as to make the clause read:

Probation system, Supreme Court: Probation officer, $2,000; assistant probation officer, $1,200; stenographer and typewriter and assistant, $900; contingent expenses, $325; maintenance of motor vehicle used in performance of official duties, at not to exceed $30 per month, $360, to be available immediately; in all, $4,785.

The amendment was agreed to.

The next amendment was, under the head of "Charities and corrections," on page 78, line 1, after "$3,500," to strike out "stenographer, $1,400" and insert "assistant secretary and stenographer, $1,600," and in line 8, after the words "in all," to strike out "$19,780" and insert "$19,980," so as to make the clause read:

Board of Charities: Secretary, $3,500; assistant secretary and stenographer, $1,600; clerk, $1,400; messenger, $600; inspectors—two at $1,200 each, three at $1,000 each, two at $900 each, two at $840 each; drivers—one (who shall also act as foreman of stables) $900, three at $720 each; hostler, $540; traveling expenses, including attendance on conventions, $400; in all, $19,980.

The amendment was agreed to.

The next amendment was, under the subhead "Reformatories and correctional institutions," on page 78, in line 14, after the word "clerk," to strike out "$840" and insert "$1,000"; in line 19, after the word "cook," to strike out "$600" and insert "$720"; in line 24, before the word "each," to strike out "$300" and insert "$400"; on page 79, line 1, before the words "per annum," to strike out "$120" and insert "$200"; in line 2, before the words "per annum," to strike out "$150" and insert "$225"; in line 3, after the word "service," to strike out "$3,500" and insert "$4,450"; in line 5, after the word "laundryman," to strike out "$600" and insert "$800"; in line 6, after the words "assistant laundryman," to strike out "$365" and insert "$500"; and in line 10, after the words "in all," to strike out "$30,110" and insert "$32,675," so as to make the clause read:

Washington Asylum and Jail: Superintendent, $1,800; visiting physician, $1,200; resident physician, $480; 2 assistant resident physicians, at $120 each; clerk, $1,000; engineer, $900; 3 assistant engineers, at $600 each; night watchman, $480; blacksmith and woodworker, $560; driver for dead wagon, $365; hostler and driver, for supply and laundry wagon, at $240 each; hospital cook, $720; assistant cooks—2 at $300 each, 1 $180; trained nurse, who shall act as superintendent of nursing, $1,200; 2 graduate nurses, at $480 each; graduate nurse for receiving ward, $480; 2 nurses for annex wards, at $540 each; nurse for operating room, $540; 8 orderlies, and 2 orderlies for annex wards, at $400 each; pupil nurses, not less than 21 in number (nurses to be paid not to exceed $200 per annum during the first year of service, and not to exceed $225 per annum during second year of service), $4,450; registered pharmacist, who shall act as hospital clerk, $720; gardener, $540; seamstress, $300; housekeeper, $420; laundryman, $800; assistant laundryman, $500; 5 laundresses, at $360 each; 2 chambermaids, 3 waiters, and 7 ward maids, at $180 each; temporary labor, not to exceed $1,200; operator of X-ray machine, $600; pathologist, $600; anesthetist, $300; in all, $32,675;

The amendment was agreed to.

The next amendment was, on page 79, in line 14, after the word "items," to strike out "$70,000" and insert: "including an allowance to the superintendent of not exceeding $360 per annum for maintenance of vehicle for use in discharge of his official duties, $75,000," so as to make the clause read:

Hospital: For provisions, fuel, forage, harness and vehicles and repair to same, gas, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items including an allowance to the superintendent of not exceeding $360 per annum for maintenance of vehicle for use in discharge of his official duties, $75,000;

The amendment was agreed to.

The next amendment was, on page 80, in line 10, after the word "therein," to strike out "$60,000" and insert: "expenses incurred in identifying and pursuing escaped prisoners, and rewards for their recapture, repair and improvements to buildings, cells, and locking devices, and for the support of prisoners, $65,000," so as to make the clause read:

Support of prisoners: For maintenance of jail prisoners of the District of Columbia at the Washington Asylum and Jail, including pay of guards and all other necessary personal services, and for support of prisoners therein, expenses incurred in identifying and pursuing escaped prisoners and rewards for their recapture, repair and improvements to buildings, cells, and locking devices, and for the support of prisoners, $65,000;

The amendment was agreed to.

The next amendment was, on page 80, in line 19, after the words "Washington Asylum and Jail," to strike out "$171,360" and insert "$183,925," so as to make the clause read:

In all, Washington Asylum and Jail, $183,925.

The amendment was agreed to.

The next amendment was, on page 80, line 20, after the word "Superintendent," to strike out "$1,200" and insert "$1,500"; on page 81, line 3, after the word "repair," to strike out "$720" and insert "$840"; in line 4, after the word "farmer," to strike out "$540" and insert "$720"; and in line 7, after the words "in all," to strike out "$17,192" and insert "$17,792," so as to make the clause read:

Home for Aged and Infirm: Superintendent, $1,500; clerk, $900; matron, $600; chief cook, $720; baker and laundryman, at $540 each; chief engineer, $1,000; assistant engineer, $720; physician and pharmacist, $480; second assistant engineer, $480; 2 male attendants and 2 nurses, at $360 each; 2 female attendants, at $300 each; 3 firemen, at $360 each; assistant cooks—1 $360, 1 $180; foreman of construction and repair, $840; blacksmith and woodworker, $540; farmer, $720; 4 farm hands, dairyman, and tailor, at $360 each; seamstress, $240; laundress, hostler and driver, at $240 each; 3 servants, at $144 each; night watchman, $240; temporary labor, $1,000; in all, $17,792;

The amendment was agreed to.

The next amendment was, on page 81, line 18, after the words "Home for Aged and Infirm," to strike out "$62,992" and insert "$63,592," so as to make the clause read:

In all, Home for Aged and Infirm, $63,592.

The amendment was agreed to.

The next amendment was, on page 81, after line 18, to insert:

The commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the Home for the Aged and Infirm, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 82, line 23, after "$150," to strike out "$20,000" and insert "$25,000," so as to make the clause read:

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, hack hire, transportation, labor, sewing machines, fixtures, books, stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, including compensation not exceeding $500 for additional labor or services, for identifying and pursuing escaped inmates and for rewards for their capture, and for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, not exceeding $150, $25,000.

The amendment was agreed to.

The next amendment was, on page 82, line 24, after the words "National Training School for Girls," to strike out "$32,480" and insert "$37,480," so as to make the clause read:

In all, National Training School for Girls, $37,480.

The reading of the bill was continued to line 14, page 83, the last paragraph read being as follows:

For care and treatment of indigent patients, under a contract to be made with National Homeopathic Hospital Association by the Board of Charities, not to exceed $10,000.

Mr. GALLINGER. I desire to offer an amendment to the provision just read. It is a proviso that I offer in behalf of the committee.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 83, line 14, after "$10,000," insert a colon and the following proviso:

Provided, That in case the National Homeopathic Hospital, with its present facilities, is unable to enter into a contract with the Board of Charities for the care of indigent patients said board is authorized to expend so much of the amount in this paragraph appropriated as may be necessary to provide for the care of indigent patients in other existing hospitals in the District of Columbia.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, under the subhead "Medical charities," on page 83, line 21, after the words "Eastern Dispensary," to insert "and Casualty Hospital"; and in line 22, after the words "Board of Charities," to strike out "$15,000" and insert "$25,000," so as to make the clause read:

For emergency care and treatment of, and free dispensary service to, indigent patients under a contract or agreement to be made with Eastern Dispensary and Casualty Hospital by the Board of Charities, $25,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 22, to insert:

Toward the payment on obligations heretofore incurred in the rebuilding, remodeling, and refitting the buildings of the Eastern Dispensary and Casualty Hospital, $10,000.

The amendment was agreed to.

The reading was continued to line 6, page 84.

Mr. GALLINGER. In behalf of the committee I desire to move an amendment, in line 6, page 84, increasing the amount from $5,000 to $7,500, which is the amount estimated, and which is really needed for that hospital.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 84, line 6, strike out "$5,000" and insert "$7,500," so as to read:

For care and treatment of indigent patients under a contract to be made with Georgetown University Hospital by the Board of Charities, $7,500.

The amendment was agreed to.

The next paragraph was read by the Secretary.

Mr. GALLINGER. In line 9, page 84, I move to strike out "$5,000," and insert "$6,500," which is also the amount estimated and needed for the hospital.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 84, line 9, strike out "$5,000" and insert "$6,500," so as to read:

For care and treatment of indigent patients under a contract to be made with George Washington University Hospital by the Board of Charities, $6,500.

The amendment was agreed to.

The next amendment was, on page 84, in line 16, after the words "assistant engineer," to strike out "$480" and insert "$600," and, in line 20, after the words "in all," to strike out "$20,520" and insert "$20,640," so as to make the clause read:

Tuberculosis Hospital: Superintendent, $1,800; resident physician, $600; assistant resident physician, $300; roentgenologist, $600; pharmacist and clerk, $700; superintendent of nurses, and engineer, at $720 each; pathologist, $300; matron, dietician, chief cook, assistant engineer, laundryman, and eight graduate nurses, at $600 each; assistant cooks—one $360, two at $240 each; assistant engineer, $600; elevator conductor, $300; three laundresses, at $240 each; farmer, laborer, night watchman, four orderlies, and assistant laundryman, at $360 each; three ward maids, at $240 each; four servants, at $240 each; in all, $20,640.

The amendment was agreed to.

The next amendment was, on page 85, after line 4, to insert:

For the extension of the Tuberculosis Hospital by the construction of separate additional buildings for the treatment of incipient cases of tuberculosis, $200,000.

The amendment was agreed to.

The next amendment was, on page 85, line 8, after the words "Tuberculosis Hospital," to strike out "$67,520" and insert "$267,640," so as to make the clause read:

In all, Tuberculosis Hospital, $267,640.

The amendment was agreed to.

The next amendment was, on page 85, line 13, after the date "nineteen hundred and eighteen," to strike out "$150,000" and insert "$353,590," so as to make the clause read:

Gallinger Municipal Hospital: For continuing the construction of the Gallinger Municipal Hospital in accordance with the provision for that purpose in the District of Columbia appropriation act for the fiscal year 1918, $353,590.

The amendment was agreed to.

The next amendment was, under the subhead "Child-caring institutions," on page 85, line 19, after the word "Agent," to strike out "$1,800" and insert "$2,000"; in line 21, before the words "at $900 each," to strike out "eight" and insert "nine"; in line 22, after the word "messenger," to strike out "$480" and insert "$600"; in line 22, after the word "laborer," to strike out "$480" and insert "$600"; and, in line 23, after the words "in all," to strike out "$17,260" and insert "$18,600," so as to make the clause read:

Salaries: Agent, $2,000; clerks—one $1,200, one $900; stenographer, $900; placing and investigating officers—two at $1,200 each, one $1,000, nine at $900 each; record clerk, $900; messenger, $600; laborer, $600; in all, $18,600.

The amendment was agreed to.

The next amendment was, on page 86, line 7, after the word "board," to strike out "$100,000" and insert "$120,000," so as to make the clause read:

For board and care of all children committed to the guardianship of said board by the courts of the District and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $1,500 to institutions adjudged to be under sectarian control and not more than $400 for burial of children dying while under charge of the board, $120,000.

The amendment was agreed to.

The next amendment was, on page 86, line 9, after the words "Board of Children's Guardians," to strike out "$150,760" and insert "$172,100," so as to make the clause read:

In all, Board of Children's Guardians, $172,100.

The amendment was agreed to.

The next amendment was, on page 88, after line 6, in the items for Industrial Home School, to insert:

For purchase of new site, $40,000.

The amendment was agreed to.

The next amendment was, on page 88, in line 8, after the words "Industrial Home School," to strike out "$36,540" and insert "$76,540," so as to make the clause read:

In all, Industrial Home School, $76,540.

The amendment was agreed to.

The next amendment was, under the subhead "Temporary homes," on page 89, after line 11, to insert:

National Library for the Blind: For aid and support of the National Library for the Blind, located at 1729 H Street NW., to be expended under the direction of the Commissioners of the District of Columbia, $5,000.

The amendment was agreed to.

The next amendment was, on page 89, after line 16, to insert:

Columbia Polytechnic Institute: To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street NW., to be expended under the direction of the Commissioners of the District Columbia, $1,500.

The amendment was agreed to.

The next amendment was, on page 91, after the words "chief engineer," to strike out "and electrician"; in line 3, after "$1,200," to insert "electrician, $1,200"; and in line 4, after the words "in all," to strike out "$6,960" and insert "$8,160," so as to make the clause read:

Workhouse and reformatory: Superintendent, $3,000; physician, $1,680; chief engineer, $1,200; electrician, $1,200; superintendent of commissary, $1,080; in all, $8,160.

The amendment was agreed to.

The next amendment was, on page 91, line 6, after the words "Assistant superintendent," to strike out "$1,680" and insert "$1,800"; and in the same line, after "$1,200," to insert "head matron, $900," so as to make the clause read:

Workhouse (administration): Assistant superintendent, $1,800; chief clerk, $1,200; head matron, $900; stenographer, $720; stenographer and officer, $600.

The amendment was agreed to.

The next amendment was, on page 91, line 20, after the words "in all," to strike out "$52,140" and insert "$53,160," so as to make the clause read:

Maintenance: Superintendent of clothing and laundry, $840; storekeeper, $720; steward, $900; stewardess, $600; veterinary and officer, $880; captain of guards, $1,200; captain of night watch, $900; two receiving and discharging officers, at $1,000 each; superintendent of laundry, $720; day guards—two at $900 each; twenty-two at $840 each; twelve night guards, at $720 each; day officer, $600; three night officers, at $600 each; hospital nurse, $600; captain of steamboat, $1,100; engineer of steamboat, $1,000; in all, $53,160.

The amendment was agreed to.

The next amendment was, in the items for workhouse, on page 92, line 4, after the word "and," to strike out "labor" and insert "personal services"; and in line 5, after the word "items," to strike out "$90,000" and insert "$100,000," so as to make the clause read:

For maintenance, including superintendence, custody, clothing, guarding, care, and support of prisoners; rewards for fugitives; provisions, subsistence, medical and hospital instruments, furniture, and quarters for guards and other employees and inmates; purchase of tools and equipment; purchase and maintenance of farm implements, live stock, tools, equipment, and miscellaneous items; transportation; maintenance and operation of means of transportation, and means of transportation; supplies and personal services, and all other necessary items, $100,000.

The amendment was agreed to.

The next amendment was, in the items for workhouse, on page 92, line 11, after the words "In all," to strike out "$191,140" and insert "$202,160," so as to make the clause read:

In all, $202,160, which sum shall be expended under the direction of the commissioners.

The amendment was agreed to.

The next amendment was, on page 92, line 13, after the words "Assistant superintendent," to strike out "$1,680" and insert "$1,800"; in line 14, after "$1,200," to strike out "stenographer, $720," and insert "assistant clerk and stenographer, $1,000"; in line 15, after the word "steward," to strike out "$900" and insert "$1,500"; in line 16, before the word "instructors," to strike out "four" and insert "six"; in line 17, before the word "each," to strike out "$720" and insert "$900"; in line 18, after the word "force," to strike out "$900" and insert "$1,200"; in line 18, before the word "each," to strike out "$600" and insert "$720"; and in line 19, after the words "in all," to strike out "$21,000" and insert "$26,980," so as to make the clause read:

Reformatory: Assistant superintendent, $1,800; chief clerk, $1,200; assistant clerk and stenographer, $1,000; steward, $1,500; captain of day officers, $1,200; 6 instructors, at $1,200 each; 10 day officers, at $900 each; captain of night force, $1,200; 4 night officers, at $720 each; in all, $26,980.

The amendment was agreed to.

The next amendment was, on page 93, line 6, after the word "and," to strike out "labor" and insert "personal services," so as to make the clause read:

For maintenance, including superintendence, custody, clothing, guarding, care and support of inmates; rewards for fugitives; provisions, subsistence, medicine and hospital instruments, furniture, and quarters for guards and other employees and inmates; purchase of tools and equipment; purchase and maintenance of farm implements, live stock, tools, equipment; transportation and means of transportation; maintenance and operation of means of transportation; supplies and personal services, and all other necessary items, $50,000.

The amendment was agreed to.

The next amendment was, on page 93, after the words "In all," to strike out "$113,000" and insert "$118,980," so as to make the clause read:

In all, $118,980, which sum shall be expended under the direction of the commissioners.

The amendment was agreed to.

The next amendment was, on page 93, after line 10, to insert:

The commissioners are authorized, under such regulations as they may prescribe, to sell the surplus products of the said workhouse and the said reformatory, and all moneys derived from such sales shall be paid into the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

The amendment was agreed to.

The reading was continued to line 24 on page 94.

Mr. SMITH of Maryland. I wish to offer a committee amendment at this point. On page 94, after line 24, I move to insert:

The appropriations made in the District of Columbia appropriation act for the fiscal year 1918 for the militia of the District of Columbia are made available for the same purpose as for the fiscal year 1919.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 95, after line 13, to insert:

ANACOSTIA RIVER AND FLATS.

For continuing the reclamation and development of the Anacostia River and Flats from the mouth of the river to the District line, to be expended, so far as concerns the section from the Anacostia Bridge to the District line, for the purposes and under the conditions specified in the item for this improvement contained in the "District of Columbia appropriation act for the fiscal year 1915" as amended by the District of Columbia appropriation act for the fiscal year 1918, $272,000, and so far as concerns the section from the mouth of the river to the Anacostia Bridge in accordance with the approved project printed in House Document No. 87, Fifty-fifth Congress, third session, there is hereby appropriated any available funds from appropriations heretofore made for said reclamation and development from the Anacostia Bridge northeast to the District line, which said funds are also hereby made available for said reclamation work from the mouth of the river to the Anacostia Bridge: *And provided further*, That the entire area reclaimed and to be reclaimed from the mouth of the river to the District line be, and the same is hereby, made and declared a part of the park system of the District of Columbia and designated Anacostia Park: *And provided further*, That the assessment for special benefits provided for in said District of Columbia appropriation act for the fiscal year 1915, for the reclamation and development of the Anacostia River and Flats from the Anacostia Bridge northeast to the District line, shall be extended to include the special benefits arising from the reclamation and development of said river and flats from the mouth of the river to the District line.

The amendment was agreed to.

The next amendment was, on page 96, after line 21, to strike out:

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses of the water department, namely:

The amendment was agreed to.

The next amendment was, on page 97, after line 20, to insert:

For completing the purchase, installation, and maintenance of water meters, to be placed on the water services to the United States buildings, reservations, or grounds in the District of Columbia and for each and every purpose connected therewith, said meters to be purchased, installed, and maintained by, and remain under the observation of the officer in charge of the Washington Aqueduct, $32,000.

The amendment was agreed to.

The next amendment was, on page 98, after line 5, to insert:

The Chief of Engineers is hereby authorized to transfer all that portion of the land of the Washington Aqueduct adjacent to the Champlain Avenue pumping station and lying outside of the existing fence around said pumping station to the control and jurisdiction of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "Water department," on page 98, after line 23, to insert:

The following sums are appropriated to carry on the operations of the water department, to be paid wholly from its revenues, namely:

The amendment was agreed to.

The next amendment was, on page 99, line 4, before the words "meter computers," to strike out "seven" and insert "eight," so as to make the clause read:

For revenue and inspection branch: Water registrar, who shall also perform the duties of chief clerk, $2,400; clerks—1 $1,500, 1 $1,200, 3 at $1,000 each; index clerk, $1,400; 8 meter computers, at $1,000 each; meter clerk, $1,200; tap clerk, $1,000; inspectors—chief, $1,000; 19 at $900 each; messenger, $600.

The amendment was agreed to.

The next amendment was, on page 99, line 9, after the words "master mechanic," to strike out "$2,000" and insert "$2,250"; in line 11, before the word "each," to strike out "$1,100" and insert "$1,200"; in line 17, before the word "each," strike out "$610" and insert "$720"; in the same line, before the word "each" where it occurs the second time, to strike out "$875" and insert "$900"; and in line 20, after the words "in all," to strike out "$93,230" and insert "$95,195," so as to make the clause read:

For distribution branch: Superintendent, $3,300; engineer, $2,400; assistant engineers—1 $1,800, 1 $1,700; master mechanic, $2,250; foreman, $1,800; assistant foremen—1 $1,275, 1 $1,200, 1 $1,125, 1 $900; steam engineers—chief $1,750, 2 at $1,200 each, 3 assistants at $1,000 each; chief inspector of valves, $1,600; leveler, $1,200; inspector, $1,200; draftsman, $1,050; clerks—1 $1,800, 1 $1,500, 4 at $1,200 each, stores clerk $1,500, 2 at $1,000 each; timekeeper, $900; 2 rodmen at $900 each; 2 chainmen at $675 each; 4 oilers at $720 each; 3 firemen at $900 each; janitor, $900; watchmen—1 $875, 1 $700, 1 $610; drivers—1 $700, 1 $630; 2 messengers at $600 each; in all, $95,195.

The amendment was agreed to.

The next amendment was, on page 100, after the word "work," to strike out "not to exceed $420,685 of the amount available in the water fund during the fiscal year 1919 after providing for the expenditures hereinbefore authorized," and insert "so much as may be available in the water fund during the fiscal year 1919, after providing for the expenditures hereinbefore authorized, is appropriated," so as to make the clause read:

For continuing the extension of and maintaining the high-service system of water distribution, laying necessary service and trunk mains for low service, and purchasing, installing, and maintaining water meters on services to such private residences and to such business places as may not be required to install meters under existing regulations as may be directed by the commissioners, said meters at all times to remain

the property of the District of Columbia, to include all necessary land, machinery, buildings, mains, and appurtenances, and labor, and purchase and maintenance of horses, wagons, carts, and harness necessary for the proper execution of this work, so much as may be available in the water fund during the fiscal year 1919, after providing for the expenditures hereinbefore authorized, is appropriated.

The amendment was agreed to.

The next amendment was, in section 2, page 101, line 22, after the word "exceed," to strike out "$80,000" and insert "$90,000," so as to make the section read:

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, street, street-cleaning, or road work or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably charged against the sums appropriated for said work; and the commissioners in their annual estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed $90,000 during the fiscal year 1919.

The amendment was agreed to.

The next amendment was, in section 6, page 105, line 6, after the word "laborers," to strike out "special policemen stationed at street-railway crossings," so as to make the section read:

SEC. 6. That the commissioners are authorized to employ in the execution of work the cost of which is payable from the appropriation account created in the District of Columbia appropriation act for the fiscal year 1905, approved April 27, 1904, and known as the "Miscellaneous trust-fund deposits, District of Columbia," all necessary inspectors, overseers, foremen, sewer tappers, skilled laborers, mechanics, laborers, one inspector of gas fitting, two janitors for laboratories of the Washington and Georgetown Gas Light Cos., market master, assistant market master, watchman, horses, carts, and wagons, and to incur all necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, such services and expenses to be paid from said appropriation account.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. SMITH of Maryland. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from Maryland will be stated.

The SECRETARY. On page 73, line 9, it is proposed to strike out "one $1,500" and to insert "two at $1,500 each"; in lines 10 and 11 to strike out "one (who shall be a stenographer and typewriter) $1,200"; and in line 17, after the word "all," to strike out "$33,180" and insert "$33,480," so as to make the clause read:

Police court: Two judges, at $3,600 each; clerk, $2,200; deputy clerks—one $1,600, two at $1,500 each, two at $1,200 each; deputy financial clerk, $1,500; probation officer, $1,500; assistant probation officer, $1,200; seven bailiffs, at $900 each; deputy marshal, $1,000; janitor, $600; engineer, $900; assistant engineer, $720; fireman, $600; two assistant janitors, at $200 each; matron, $600; three cleaners, at $360 each; telephone operator, $480; in all, $33,480.

The amendment was agreed to.

The VICE PRESIDENT. The first amendment passed over will be stated.

The SECRETARY. The first amendment passed over is on page 59, under the head of "Metropolitan police."

Mr. SMOOT. I have no objection to the first amendment under that head.

The VICE PRESIDENT. The amendment passed over will be stated.

The SECRETARY. The first amendment passed over was, under the head of "Metropolitan police," in line 11, before the word "captains," to strike out "eleven" and insert "twelve"; in line 12, after the word "clerk," to strike out "$2,000" and insert "$2,250"; in line 25, before the word "lieutenants," to strike out "eighteen" and insert "nineteen"; on page 60, line 2, before the word "sergeants," to strike out "fifty-four" and insert "fifty-seven," so as to read:

Major and superintendent, $4,000; assistant superintendent, with rank of inspector, $2,500; 3 inspectors, at $2,000 each; 12 captains, at $2,000 each; chief clerk (who shall also be property clerk), $2,250; clerk (who shall be a stenographer), $1,800; clerk and stenographer, $1,500; clerks—1 (who shall be assistant property clerk) $1,200, 3 at $1,000 each, 1 $700; 4 surgeons of the police and fire departments, at $840 each; additional compensation for 30 privates detailed for special service in the detection and prevention of crime, $14,400, or so much thereof as may be necessary; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of $120 per annum, $1,680, or so much thereof as may be necessary; additional compensation for one inspector or captain detailed for special service in the detection and prevention of crime, $400; 19 lieutenants, one of whom shall be harbor master, at $1,000 each; 57 sergeants, one of whom may be detailed for duty in the harbor patrol, at $1,400 each.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was, in the same clause on page 60, line 3, after the word "each," to strike out "492 privates of class 3, at $1,200 each," and to insert "513 privates of class 3 (including crossing policemen), at $1,320 each."

Mr. SMOOT. Mr. President, I should like to say to the Senator from Maryland that I desire to have a vote upon that and the next two amendments. I do not really know that we could get a quorum here to-night. Would the Senator like to have the bill go over until to-morrow morning and take it up the first thing in the morning?

Mr. SMITH of Maryland. To what item does the Senator from Utah refer?

Mr. SMOOT. I suggest to the Senator that in the past there have been 56 men employed by the street railroads to watch the railroad crossings, and under the amendment which has just been reported and the following two amendments the effect would be this: It takes these 56 men who are watching railroad crossings in the District, who have in the past been paid by the railroads, and transfers them to the police force of the District of Columbia to be paid by the Government of the United States and the District.

On behalf of the Senator from Colorado [Mr. SHAFROTH], a member of the Committee on the District of Columbia, and in my own right, I desire a vote in the Senate upon these amendments after a full explanation of them has been given. I dislike to delay the bill, but I will say to the Senator from Maryland that I promised the Senator from Colorado that I would call attention to the matter in his absence. He was called to New York to-day. I do not think it will take very long to explain the amendments, but I think it is absolutely necessary that we have a vote in the Senate upon them. I am afraid, however, to suggest the absence of a quorum at this time, because I do not believe we could now obtain a quorum.

Mr. SMITH of Maryland. Mr. President, in regard to the amendments, I will say that this matter in reference to these policemen being paid by the railroad companies has frequently been brought before the subcommittee. It has been again brought up at this time. I desire to say, in the first place, that the railroad companies had nothing whatever to do with this action on our part.

Mr. SMOOT. I have not intimated that they have had.

Mr. SMITH of Maryland. We have in no way been solicited or approached by any railroad interests whatever, but the subcommittee and also the full committee agreed that the police of the District of Columbia should be governed entirely by the District, and that they should not in any way feel that they were under any obligation to any corporation. So far as my knowledge goes, this is the only city where a part of the police force is paid by a corporation. These policemen render service just as much in the interest of the public as of the railroad companies, and should be subject, as they are, to the control of the District Commissioners, as are other policemen. We felt that they ought to be so controlled, and they should be removed in every way from any connection with a corporation. For that reason we inserted the amendment. Of course, if the Senate feel that it is not the right thing to do, it is a matter for them to determine. Our judgment, however, was that it was not proper that the police of the District of Columbia should receive their pay from a corporation. I do not mean to say there would be any undue effort made to control them or to manage them in any way, but there is to a certain extent an obligation possibly that may be felt on the part of the policemen to the corporations. We felt that that ought to be entirely abolished. For that reason, as I have stated, we inserted the amendment.

Mr. SMOOT. Mr. President, I desire to say to the Senator from Maryland that I think his statement is too broad, when he says that the watchmen at the crossings of the railroads throughout the country are members of the police force of the cities at which those crossings are found. I know that the railroads in my State pay every watchman who stands at a railway crossing.

Mr. SMITH of Maryland. At street railway crossings?

Mr. SMOOT. Yes.

Mr. SMITH of Maryland. This refers to street railway crossings.

Mr. SMOOT. I know it refers to street railway crossings.

Mr. SMITH of Maryland. In our State the cities pay the street railway policemen.

Mr. SMOOT. I should have said "street railroads," because this applies to street railroads. If the Senator from Maryland does not object, I should like very much to have the bill go over until to-morrow.

Mr. McKELLAR. Mr. President, before the bill goes over I should like to be indulged for about three minutes of time to speak on another matter.

Mr. SMITH of Maryland. I yield to the Senator from Tennessee.

WOMAN SUFFRAGE.

Mr. McKELLAR. I am not going to discuss the amendment which is now before the Senate, but I do desire to discuss for a moment a resolution which was passed at the meeting which was held at Bristol, in my State, on June 7, last. There were three meetings held and three short resolutions were passed in favor of the equal-suffrage amendment which is now before the Senate.

Mr. President, under the first amendment to the Constitution the right of the people to assemble and to petition for a redress of grievances was guaranteed; and while there was no attempt to interfere with that, these good people down there on June 7 undertook not only to pass resolutions, but they have specifically asked that those resolutions may be published in the RECORD. I hope I am not intruding upon the time or the patience of the Senate when I read those resolutions, which are as follows:

Resolution adopted at a meeting held in the Virginia Court House, in the city of Bristol, Va. and Tenn., under the auspices of the National Woman's Party on June 7, 1918:

Whereas the women of this Nation are making every sacrifice to further the prosecution of the war and are doing service in every kind of work that this country calls upon them to do; and

Whereas each day of war makes this Nation and this Nation's future more dependent upon its women, the majority of whom have no voice in the laws of this Government under which they work: Therefore be it

Resolved, That this meeting call upon President Wilson to further press for the passage of the national suffrage amendment, to the end that it may be passed by the Senate without longer delay; be it also

Resolved, That this resolution be sent to the President; Senator THOMAS MARTIN, Democratic leader in the Senate; Senator JACOB GALLINGER, Republican leader; Senator A. A. JONES, chairman of the Senate Woman Suffrage Committee; Senator SWANSON; Senator SHIELDS; and Senator MCKELLAR, with the request that this resolution be read into the CONGRESSIONAL RECORD.

The other two resolutions I shall not read, but they are of the exact tenor and effect. They were adopted by two other meetings, one held in the city of Bristol, Va., and the other held in the city of Bristol, Tenn.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

Mr. KENYON. Mr. President, I should like to inquire if the bill is now open to general amendment?

The VICE PRESIDENT. There seems to have been reached no conclusion with regard to the pending amendment.

Mr. SMOOT. I ask unanimous consent that the pending amendment go over.

Mr. SMITH of Maryland. I shall make no objection to that.

The VICE PRESIDENT. There being no objection, the amendment will go over. That completes the committee amendments, and the bill is open to amendment.

Mr. SMITH of Maryland. The committee has no further amendments to offer.

Mr. KENYON. Then I offer the amendment, which I send to the desk, proposing to incorporate a new section at the end of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to insert the following:

That a joint commission to report a plan for adoption of a national budget system is hereby established. Its membership shall consist of the Secretary of the Treasury and two other officials of the executive department of the Government, to be appointed by the President; three Members of the Senate and three Members of the House, to be appointed by the presiding officer of the House and Senate, respectively.

That no compensation shall be paid to any member of said commission.

That said commission is hereby empowered and directed to report by the first day of the next session of Congress a plan for the adoption of a national budget system for the Government of the United States, and showing therein what changes, amendments, or adjustments the adoption of said budget system would cause in the rules of the Senate and the House in the laws now in operation relative to revenues and expenditures, in the organization of the Treasury Department, in the forms and method of preparation of the departmental estimates, in the method of presenting said estimates to the Congress, in the methods of accounting and audit, and such other and further information as said commission may see fit to lay before the Congress.

That said commission is authorized to employ such experts and such clerical assistance as may be necessary to carry out the provisions of this resolution.

That the sum of $20,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

That said commission shall expire on the 1st day of January, 1919.

Mr. KENYON. Mr. President, I know that the amendment is subject to a point of order, and the chairman of the committee informs me that he will make the point of order, but I wish to take just a moment in regard to the subject matter of the amendment I have offered.

I am going to keep on offering amendments or resolutions of this character, providing for some kind of a budget system, until the time shall come when the Congress will have received sufficient light from some source to adopt such a system for this Government.

In years gone by there have been commissions appointed by the House to investigate this matter, but I think never by the Senate, and Congress on this subject seems to be suffering from legislative inertia. I do not believe there is a Member of the Senate—at least those with whom I have talked so express themselves—who is not willing to concede that there must be some change in our methods of appropriation and some kind of a budget plan for this Government. I propose to keep pounding away at it; and I believe the day will come when the President of the United States will request Congress to adopt a budget system. It will be in line with his writings and in accordance with his teachings and his lectures in the past; and I think the change will never be brought about until the President, with his wonderful power of visioning things, shall vision this to Congress.

Although we are spending I do not know how many billions of dollars this year, there is no coordination between committees, and no committee knows what other committees are doing in recommending appropriations. There ought to be one great committee to handle all appropriations. There ought to be some itemized business program for the fiscal year; there ought to be same ratification by Congress of that kind of a program, the cardinal points of which would be executive responsibility, then the spending of the money by the executive departments of the Government, and then some system of accounting entirely disconnected from the executive departments.

President Taft recommended to Congress on January 17, 1912, not, perhaps, the particular objects I have suggested, but a general budget system. In that message he said:

The United States is the only great Nation whose Government is operated without a budget. This fact seems to be more striking when it is considered that budgets and budget procedures are the outgrowth of democratic doctrines and have had an important part in the development of modern constitutional rights. The American Commonwealth has suffered much from irresponsibility on the part of its governing agencies. The constitutional purpose of a budget is to make government responsive to public opinion and responsible for its acts. A budget should be the means of getting before the legislative branch, before the press, and before the people a definite annual program of business to be financed; it should be in the nature of a prospectus, both of revenues and expenditures; it should comprehend every relation of the Government to the people, whether with reference to the raising of revenues or the rendering of service.

There is not a business on the face of this earth that could exist for 60 days if it carried on its affairs as our Government carries on its affairs and allowed to go unquestioned indefensible items such as sometimes go into appropriation bills.

President Wilson in his work on "Congressional Government," being his lectures delivered at Columbia University, I think, can fairly be said to take a position in favor of a budget system. He describes the logrolling methods of Congress. I will not say that the criticism is as true now as it was then, but there is a great deal of legislation because of congressional favoritism and congressional friendship. After the President's election, on January 30, 1913, he wrote a letter to Senator TILLMAN on the subject, which was made public, in which he said:

Ever since I was a youngster I have been deeply interested in our methods of financial legislation. Ever since then I have insisted upon the absolute necessity of a carefully considered and wisely planned budget, and one of the objects I shall have most in mind when I get to Washington will be conferences with my legislative colleagues there, with a view to bringing some budget system into existence. This business of building up the expense of the Nation piece by piece will certainly lead us to error and perhaps embarrassment.

Mr. President, in 1916 every one of the three political parties advocated a budget system, and Mr. Hughes in his speech accepting the Republican nomination declared in favor of it. The Democratic platform was especially strong in its indorsement of the system.

I wish that we could have such a commission, that could summon to its help economists who have studied the subject, and who, I know, would be glad to devote their time to the Government free of any expense. I only make this prophecy that in the expenditure of billions upon billions of dollars, about which the American people know very little and in regard to which they have a right to insist that every care shall be exercised, the time is coming before we get through with this war when Congress will be compelled by the force of public opinion to adopt some budget system of finance.

Mr. SMITH of Maryland. Mr. President, this amendment is general legislation and has no place on this bill. Therefore I must raise the point of order against the amendment.

The VICE PRESIDENT. The Senator offering the amendment and the chairman of the committee both agreeing that it is general legislation, the Chair sustains the point of order.

Mr. KENYON. If the Chair entertains a different view of the subject, I would not desire him to stand firmly by my opinion.

The VICE PRESIDENT. The Chair is inclined to agree with the Senator from Iowa.

ADDRESS BY SENATOR M'KELLAR.

Mr. BANKHEAD. Mr. President, on May 28 the junior Senator from Tennessee [Mr. MCKELLAR] delivered the alumni address at the commencement exercises of the University of Alabama, of which institution he is an alumnus. His subject was "The Winning of the War." It is an intensely patriotic address, and I ask unanimous consent to have it printed in the RECORD. It is short.

Mr. SMOOT. Does the Senator wish to have it printed in the RECORD or as a public document?

Mr. BANKHEAD. I desire to have it printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The address referred to is as follows:

WINNING OF THE WAR.

The great public mind of America is now engrossed with but one tense thought, and that is the winning of this war. My friends, America must win this war. The events in Europe of the past year have shown conclusively that only America can win the war. In saying this, I do not mean to minimize in the slightest degree the splendid and heroic defense that our European allies have been and are making. No nations and no peoples could have done better. But with all their efforts, with all their courage, with all their resources, it has been demonstrated that they can not overcome the tremendous forces that Germany has mustered against them.

According to our best information, Germany now has about 5,300,000 soldiers on the western front. The allies have about 5,500,000. For nearly four years the battle along this front has been substantially a draw. We have already sent 700,000 men to France. We have more than 1,000,000 more men training over here that we can send and are sending at the rate of 100,000 to 200,000 or more a month. We are training men at the rate of more than 1,500,000 a year. If it takes a million to turn the tide of battle against Germany on that front, we are going to send them. If it takes two million or five million or ten million, we are going to send them, because this Nation is determined to win this fight.

CAUSES OF THE WAR.

With the causes of the war we are not now much concerned, but lest some of us should forget, it must not be overlooked at all times that our cause is just. If there had been nothing else but the sinking of the *Lusitania* and the consequent loss of lives of men, women, and children on that ill-fated vessel, it would have been enough. Indeed, we ought to have declared war then, but this Government stood this infamous action upon the part of Germany, accepted her promise of what reparation could be made and apologies, and what was the result? Instead of keeping these promises, she basely disregarded them and continued the sinking of our ships, the murdering of our citizens, the destruction of our property upon the high seas.

My friends, since the days of the early Phoenicians the right of all peoples to ply the seas has been an established one. No principle of international law is better settled than that of the right of all nations to ply the seas at will unmolested, except within the 3 miles from the coast zone. But Germany disregarded this principle of international law and marked off thousands of miles of the ocean and said to the American people, "You can not send your ships on this part of the seas. If you do, we will send your ships to the bottom." Now, America had and has an unquestioned right to all parts of those seas. That right is just as much a property right as her right to the soil of Massachusetts or Alabama, and, indeed, that zone being around Europe, it was the most profitable property that this Government had. Germany undertook to deprive America of that property right, and in the light of this ultimatum can any red-blooded American citizen say that we ought not to have gone to war for this invasion of American rights?

But this was not all. Germany then began negotiations with Mexico and Japan, and, according to the undisputed proof, offered to make an agreement with these two nations to join with them in a war upon America, agreeing to subjugate it and divide it up. Germany was to take that part east of the Mississippi River, Mexico was to be given Texas, New Mexico, and Arizona, and Japan, according to Germany's offer, was to take the great West. Can any man doubt that we ought to have gone to war for this reason alone?

GERMANY'S AIMS.

But over and above all these reasons is the right of every nation to live in peace and work out its own destiny in its own way and under its own institutions. Germany was not only a menace to this right of other nations but was a menace to the right of this Nation to live in peace. She was a menace to the free institutions of America, and the war had to come and it was just a question of whether we would wait until she had conquered Europe and then have to fight on our own shores or whether we would join the allies and have the fight on European shores.

For more than 40 years Germany has been preparing for world conquest under the infamous and inhuman monster that is now at the head of her Government. She had been prepared by building up her Navy and by training and enlarging her armies so that she might capture the world, and undoubtedly she would have done it but for the interference of America. It must also be remembered that our great Nation interfered not for conquest, not for commercial reasons, not to increase her power, but we interfered for reasons of self-defense, of self-preservation, and the preservation of humanity. We interfered in behalf of democratic institutions, in behalf of Christian institutions, in behalf of the weak as against the strong, in behalf of the downtrodden as against the mighty, in behalf of the right of peoples to rule themselves as against the rule of the Kaiser—not in partnership with God, as he blasphemously claims, but the Kaiser in partnership with hell and the devil. It is a fight between democracy and autocracy, and it is a fight to the finish.

THE BARBARITIES OF GERMANY.

The barbarities of the German Army and the German nation in this war beggar description. They have violated treaties and called them but scraps of paper. They have robbed friends and enemies. They have sold their own honor and have trafficked in the dishonor of others whom they could influence or purchase. They have put spies and plotters in every city in the world. Their armies have destroyed churches, hospitals, homes for the aged, orphanages, asylums for the insane, libraries, schools of learning, and every other humanitarian institution that they could lay their hands on. They have massacred prisoners, cut off the hands of children and babies, and violated the person of every woman that they could lay their hands on.

The truth is that the German nation, under the leadership of the Kaiser, is simply a criminal at large, defying the world, and it must be arrested and confined or destroyed. As long as it exists in its present form it is a menace to Christianity; it is a menace to humanity; it is a menace to civilization; it is a menace to morality, to liberty, to democracy, and to everything that the human heart holds dear.

WHAT CONGRESS HAS DONE IN FURTHERANCE OF THE WAR.

Occasionally we hear critics of the Congress say that it has not done all that it should in this war. Accordingly I am going to call your attention to some of the larger things that have been accomplished by this Congress since the declaration of war.

It declared war on Germany on April 6, 1917.

It appropriated $21,000,000,000 last year to the expense of the war, and by the close of this session of Congress it is estimated that we will appropriate between twenty-five and thirty billions of dollars for the ensuing year.

It passed an Army reorganization bill, providing both for volunteers and drafted men and tremendously increasing our Army. It raised the Army from about 250,000 men to nearly 2,000,000 men last year, and this Congress will raise the limit to not less than 5,000,000 of men, and we will enlist and train all the men necessary to win this war.

It passed a law adding to our Navy as fast as our naval plants could build war vessels, and it increased our naval personnel from about 61,000 to 300,000.

It appropriated last year between one and two billions of dollars for our Navy and will appropriate an even larger sum this year.

It appropriated five and one-half billions for our Army last year and will probably appropriate $12,000,000,000 for the Army the ensuing year.

It authorized the loan of $7,000,000,000 to our allies, and we have already lent more than $5,000,000,000 to them and will continue to lend them during the war. I am glad to say that more than 75 per cent of all these loans have been spent in this country, so in reality we are lending them goods and supplies rather than money, and our citizens are making the profits thereon.

It passed all proper alien and sedition acts.

It passed an act directing the President to take over all alien property, and Mr. Mitchell Palmer, his representative in this service, has taken over between four hundred and five hundred millions of dollars worth of alien property, and he is the head of perhaps the largest trust company in America.

It passed an act taking over more than 100 German merchant ships, and they are all now not only flying the American flag but carrying American soldiers to Europe. I need not add that this splendid fleet of vessels will never be returned to Germany.

It has passed a law creating the largest merchant marine of any nation on earth. There have been many backsets in our shipbuilding programs, many errors, and many difficulties, but we are now turning out a ship every day and the average output of more than 20,000 tons of shipping per day, or nearly 4,000,000,000 tons per year. Of course, it will not take long to put an end to shipping difficulties if we continue and improve this record as we will do. The appointment of Mr. Charles M. Schwab as the head of the shipbuilding program was one of the most important and efficient steps that has been taken by our administration in the conduct of this phase of the war.

It has passed a law known as the Overman bill, centralizing all the executive power in the President and giving him the power to consolidate and coordinate all the executive branches of the Government in order that the greatest efficiency can be had in the execution of our war plans.

It has passed a war insurance bill, insuring the lives of our soldiers for the benefit of their families.

It has passed a moratorium bill, saving to the soldier in the Army his property while he is there.

It passed a law more than doubling the pay of the soldier and in addition providing a liberal allowance for his dependent wife and children while he is away. I think it is safe to say that soldiers of no war have ever been better treated than this Congress has treated the soldiers of America.

We have just reported out of the Senate committee a bill, which will shortly become a law, providing for vocational training schools, in which to train the maimed and wounded soldiers when they come back. We are going to prepare them so that each one will have some trade or profession by which he can earn his own way.

All these things are but simple justice to the soldier. After all, they are making the supreme sacrifice of the war. There is nothing too good for them. I believe that they constitute the best-fed Army in the world. Shortly we will have them the best-clothed Army in the world. They have the best medical skill and attention of any army in the world. They are the most sober Army in the world, and every moral and uplifting force that can be devised by reasonable men has been placed about them. I want to assure the mothers and fathers of these boys that the Congress will leave no stone unturned to stand by, to uphold and protect them, to provide for their physical and moral welfare, and to furnish them with every necessary and, as far as possible, every comfort.

The Congress has voted in behalf of this fight every dollar that has been asked for, every man that has been asked for, every resource that has been asked for, and every power that has been asked for, and we shall continue that policy until we have won this fight.

THE ARMY.

Our Army is in excellent condition. As I have stated before, we have over 700,000 men in Europe, and our understanding is that they are acquitting themselves with the greatest courage and devotion to duty. We have never had a complaint about their progress over there. Here in the United States we have had many difficulties to contend with. When the war broke out we were unprepared. We lacked everything. In addition, many mistakes have been made in our preparations since the war began. We do not attempt to minimize or defend them. We can only say that we have promptly found them out and vigorously undertaken to correct them, and I am glad to say that they have, for the most part, been corrected. There has never been any trouble about feeding the Army. There was trouble last winter about clothing the Army, but after the experience those in charge of clothing the Army had last winter there is no likelihood that it will ever occur

again. Indeed, such vigorous steps have been taken already, we can safely say, that the Army will be properly clothed from now on, winter or summer. At first there was considerable sickness in the camps, due to lack of clothing and improper housing and tentage, but Gen. Gorgas personally visited all the camps last November, and immediately instituted changes that have worked wonders, and now the death rate and the sick rate in our Army is phenomenally low—lower now than that of any other army. Tuscaloosa and all Alabama, and indeed our entire country, should feel very proud of Gen. Gorgas. He has done perhaps more for the comfort, health, and welfare of the American soldier than any other man. We had many troubles about rifles and machine guns and artillery. The rifle trouble has been eradicated entirely, and we have now all the rifles and more than are necessary and are manufacturing them faster than we are calling men to the colors. We were exceedingly behind on machine guns, but the manufacture of those guns has been accelerated in a remarkable degree, and we are now getting all the machine guns necessary. In artillery we are still behind, but rapidly catching up, and it will not be long before we are manufacturing all the artillery that will be needed. Our aircraft manufacture has been a great disappointment. It is true that we are now manufacturing all the primary training and advanced training planes that are necessary, and we are also manufacturing a considerable number of bombing planes, but our battle-plane program has been a great disappointment. I need not discuss this, as it is being daily discussed in the papers, further than to say that if there is anything wrong in it we are going to clear it up and are going to manufacture battle planes in this country which are as good as any of those of any other country, and that when our Army advances to Berlin it will be following battle planes made in America. We have set our hands to the plow, and even though disappointment has come in this particular branch of the service we are going to succeed in it also.

Taken all in all, and remembering that we were wholly unprepared to begin with, we have made remarkable progress. I do not for a moment excuse the mistakes or worse that have been made, but all I can say is that we are going to correct these mistakes, correct any abuses that may have occurred, and make good.

Our man power is superb. We have not the slightest lack of it, and probably never will. Our officers' training camps have been great successes, and, in my humble judgment, there is no better soldier on earth to-day than the American soldier, and I am confident he will prove it in the near future.

SECRETARY BAKER.

Of course, the greatest burden in this war, next to that laid on the President himself, has fallen upon Secretary of War Baker. His department has been, from time to time, criticized, and it is only fair to say in many respects justly criticized. I frankly admit that many mistakes have occurred in that department. At the same time I want to say that Mr. Baker and his department have profited by these mistakes, have profited by these criticisms, have profited by the necessary experience they have had, with the result, with the exception of aircraft, and we are rapidly going forward with that, the department is doing splendidly, and if Secretary Baker keeps up his present stride in war activities he will earn the grateful appreciation of the American people.

He is one of the most active and industrious men I know. He is honest, able, straightforward, and patriotic, and has but one single purpose, and that is to win this war. Owing to our absolute unpreparedness for such a war and the magnitude of our war preparations, it has been a most difficult and trying position, but Secretary Baker is getting the machine in fine working order, and I believe the entire Nation will soon have cause to rejoice over the greatest Army in the world.

OUR NAVY.

Mr. President, in my judgment, the most perfect naval organization in the world to-day is the American Navy. Some years ago it was popular among newspapers and magazines to criticize the Secretary of the Navy. They spoke of him derisively as a man of archaic ideas and foolish notions, but from the moment he took hold of the Navy he took a real hold and become its real head. He thought that the American Navy should be a sober Navy, and he enforced his views. He thought that there was too much red tape in the Navy and he cut it out. He found that there were cliques and rings in the Navy, and he used the big stick on them and broke them up. He has instituted many reforms, and he has built up probably the strongest and best naval organization that was ever known in any country, and I say, all honor to Josephus Daniels, who will go down in history as the greatest Secretary of the Navy that this country has ever had. Our Navy is in the pink of condition. It is true that we have had no spectacular naval fights up to date, but that is because the German Navy is bottled up in the Baltic Sea, and Germany has the channels entering thereto so mined and defended by land batteries that our Navy can't get at them, but if ever they risk a battle I, for one, feel perfectly sure that the American Navy will do what it has done in every war that we have ever had—acquit itself with the greatest honor and distinction.

But while our Navy has done no spectacular work, yet it has done a service without which this war could not be carried on. It has convoyed already 700,000 American soldiers to France, and it has convoyed the ships that are required to carry them, and without the loss up to date of a single vessel or a single soldier. It is true that we lost a few soldiers on an American vessel, but that vessel was being convoyed by a British convoy and not by the American Navy.

THE PEOPLE'S PART IN THE WAR.

As I have said before, our boys at the front are required to make the supreme sacrifice; but that does not mean that the people back home are not doing their part. They are doing it and they are doing that part splendidly. I doubt if any nation at war in the history of the world ever had the more cordial and enthusiastic backing of its people than America has in this war. I believe that more than 95 per cent of the people are thoroughly patriotic and thoroughly determined to win this war. They have shown this in every conceivable way. They have shown this in giving up their sons. They have shown this in buying liberty bonds. They have shown this in making Red Cross subscriptions. They have shown this in making Y. M. C. A. contributions. They have shown this in hundreds of different ways. No people was ever more loyal or more patriotic, and what gives me the greatest pleasure of all is that no part of our country has shown such splendid loyalty as that section of our country commonly known as the South. Here we have no Bolsheviki; here we have no I. W. W.; here we have no men who are fighting their Government openly or secretly; here we have no hyphenated citizens; here even the black man, as well as the white man, is doing his part. In no part of our common country is there less complaint, less dissatisfaction or more patriotism or a greater desire to win this war.

WILLIAM G. M'ADOO.

Mr. President, while mentioning liberty bonds and while talking about the part that the South is playing in this war, I must call the attention of this audience to the present financial policy of the Government under a distinguished southerner. Heretofore when a Secretary of the Treasury needed money with which to defray the extraordinary expenses of a war and had to borrow it he took his hat in his hand and went over to see the financiers of New York and begged them for the money. That day has passed. This Secretary of the Treasury did not do that. On the contrary, he got on the train, put on his smile, prepared his speech, and went to every State in the Union, asking the people to lend him the money. He called on the people of New York just like he called on the people of Alabama, and the people are behind him to the man, and every loan that he asked for has been largely oversubscribed, and I want here and now to pay this tribute of just praise to the greatest Secretary of the Treasury that America has ever had—the Hon. William G. McAdoo.

THE WOMEN.

The part the women have played in this war has been magnificent. They are not citizens. They do not even have the privileges of the negroes down South. Yet they have been as loyal as the best of citizens. They have taken an active part in liberty loans. They have taken an active part in Red Cross and Y. M. C. A. work. They have done everything possible for the comfort and protection of the soldiers. Many of them are taking the places of the men who have gone to the front. They are engaged in war work everywhere, and when the final account is taken it will be found that the women of America have done as much for a successful conclusion of the war as any class of citizens that we have. If they have not been entitled to suffrage before, their conduct during this war has given them that right. They have justly won it. They are always right, and I trust them just as fully as I do the men.

NEWSPAPERS.

Mr. President, no greater service has been done the country during this war than has been done by the newspapers of the land. They have made a fight from the beginning, not only for the war but for everything that pertained to the war. They have submitted to every restriction that has been made for the purpose of furthering the war. In every State in the Union they have done their part and done it well, and they are entitled to every credit for it. The advertising that they have given voluntarily, if it had to be paid for in dollars and cents, would reach an enormous sum. All honor and praise to the patriotic newspapers of our land.

THE PRESIDENT OF THE UNITED STATES.

Mr. President, I have told you of the part that our Army and Navy are playing in this war. I have told you of the part that the people are playing in this war. I have told you of the part that the departments are playing in this war. I have told you of the part that the people are playing in this war, and I now want to say a word on behalf of our great leader in this war. In the beginning he did not want this war. He only went into it because he was forced to go into it, but since he has got into it he has shown himself every inch a leader. No man on earth could have managed the matter more admirably. Of all the great leaders that have been produced by this war, the President of the United States, Woodrow Wilson, stands out as the very first of them, and it is safe to say that when the readjustment comes he will sit at the head of the world table. You may talk about Joffre, or Clemenceau, or Lloyd-George, or about whomsoever you will in the wide, wide world to-day, but Woodrow Wilson overtops them all. His is the one real world figure developed by this war.

NO PEACE.

Mr. President, many misguided people in America ask the question: "What about peace?" I want to say that that is a word which no American should use at this time—we should cut it out of our vocabulary. What would peace with Germany mean at this time? If a thief and a murderer entered your house and killed your wife and child, then robbed you of your possessions, and was getting away with it, would you approach him to make peace with him? And yet anyone who talks about peace with Germany would have this country do that very thing. The Bolsheviki of Russia made peace with Germany, and what did it mean? Germany simply took over the Bolsheviki, Russia, and all. Roumania made peace with Germany, and Roumania was promptly annexed. If France were to undertake to make peace with Germany now, it would only result in France being annexed. There is but one kind of peace that can ever be had with Germany, and that is a peace by the sword; a peace with victory on the part of the allies, a peace with Germany under terror. Any other kind of peace would mean no peace at all, but simply a prolongation of the war. With Germany actually controlling Austria-Hungary, Turkey, all the Balkan States and Russia, practically all of Belgium, and a large part of France, there is no way to negotiate a peace that would be of any value, and I for one would never be willing to agree to a peace until we have broken the German line on the western front and driven Germany's armies out of Belgium and out of France and back into Germany. I do not know how others may feel about it, but as for me I would never agree to peace until there is no German soldier on French soil, until Belgium has been evacuated, with the agreement that she shall be rehabilitated by Germany, until Russia has been restored to its people, and until the German Navy has either been sunk, dismantled, or divided up, and until this infamous Kaiser has been sent to St. Helena or to some other place having a similar sounding name. The time to talk about peace is after the American Army shall have planted the Stars and Stripes over the Brandenburg gates and the place at which we should discuss that peace is at Potsdam, after we have captured Berlin.

RECESS.

Mr. SMITH of Maryland. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.) the Senate took a recess until to-morrow, Saturday, June 15, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 14, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God of Hosts, whose tender mercies and loving-kindness have been the inspiration of our people to deeds of heroism and glory in all the past, continue, we beseech Thee, Thy blessings unto us that we may live and grow.

We thank Thee that this day has been set apart in memory of our National Ensign, a thing of beauty, the embodiment of law and order, liberty, justice, and righteousness.

Grant that it may continue to float in triumph in the present crisis as it has in all the past.

It has been called by many an endearing name—the Flag of the Free, the Star-Gemmed Banner, the Star-Spangled Banner, the Red, White, and Blue, the Old Flag, but the most endearing name, especially to those who have carried it to victory on a thousand fields of battle, is Old Glory.

May the lessons of the day serve to strengthen our love for the principles it represents, intensify our patriotism, and inspire our soldiers and sailors to deeds of heroism and valor in the present conflict, that they may bring it safely back untarnished, in the name of Him who taught us from the Cross of Calvary liberty, truth, justice, righteousness. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

REAL ESTATE PROFITEERING, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 9248, known as the antirent profiteering bill, disagree to the Senate amendment, and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

A bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take that bill from the Speaker's table, a House bill with a Senate amendment, disagree to the Senate amendment, and agree to the conference asked by the Senate.

Mr. COOPER of Wisconsin. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Kentucky a question or two. The subject which he has brought before us is one of exceeding importance. Of course the great subject before us, as it is before the American people, is the winning of the war, and the next in importance is the protection of our people at home who are unable to protect themselves against the conscienceless exactions of "profiteers." I would like to ask the gentleman from Kentucky, who, under the rules, and rightfully, will be the chairman of the House conferees, what he thinks of this bill or Pomerene resolution, or whatever it is——

Mr. JOHNSON of Kentucky. It is a bill; it is the so-called Pomerene amendment to the House bill.

Mr. COOPER of Wisconsin. And tell us in what respect it differs from or is an improvement upon the measure passed by the House on the same subject.

Mr. JOHNSON of Kentucky. Mr. Speaker, I certainly can not say that the amendment known as the Pomerene amendment is an improvement on the House bill, for the reason that the House bill is written from the standpoint of the tenant, and I believe it would be a reflection on the ability of the author of the amendment to say that it was not written from the standpoint of the landlord. I have a copy of the Pomerene amendment, and I do not object at all to pointing out some of the differences about which the gentleman inquiries.

Mr. COOPER of Wisconsin. I think it would be advisable for the gentleman from Kentucky to point out some of these differences, so that we will have an understanding of just what will be before the conferees.

Mr. JOHNSON of Kentucky. On page 9 of the bill, which is almost at the beginning of the Pomerene amendment, I find this language:

Provided, That nothing herein contained shall be construed to affect or bring within the scope of this act properties wherein during the period of its limitations the character of the same has been changed or converted from dwelling to business use.

Mr. MADDEN. Now, while the gentleman is on that, it gives me a thought. I assume that the Government of the United States has purchased a lot of property in the District of Columbia, or rented a lot of property in the District of Columbia, or perhaps both, since war was declared, and in some cases has converted residential property into business property, and in some cases has purchased property for the purpose of making it business property for the uses of the Government. Is there anything in the clause of the Senate bill just read that would give the Government of the United States protection against possible profiteering by owners of property within the District of Columbia or any other place in the United States?

Mr. JOHNSON of Kentucky. I was about to state that in my judgment that section of the Pomerene bill is a very vicious one. In other words, it would legalize and justify profiteering in a house if that house had ever been a residence, whereas it might be unlawful under the Pomerene bill—I use the word "might" advisedly—to profiteer in any other sort of a house. But I can not possibly see the wisdom or the justice or the equity in legalizing profiteering in a house because it has been used as a residence.

Mr. MADDEN. If the gentleman from Kentucky will yield, are there any cases to which the attention of the gentleman from Kentucky has been called during his investigation of this very important matter in which profiteering has been practiced against the Government by people in the District of Columbia?

Mr. JOHNSON of Kentucky. Yes; I think I have a number of those instances.

Mr. MADDEN. Would the gentleman be willing to state them?

Mr. JOHNSON of Kentucky. With the language just quoted still in mind, I think I can see one object, in that some residences and apartment houses have been taken over by the Government and now are being used by the Government for offices. That use would be for "business" purposes. This language would in those cases permit the owners of that property to profiteer without restraint against the Government, because the apartment house had at some time or other been used as a "residence."

Mr. MADDEN. Will the gentleman yield again? The gentleman states that it would permit the owner of property to profiteer against the Government without restraint. Does the gentleman mean to say that the Government officials would allow that to be done?

Mr. JOHNSON of Kentucky. I do not know that any official of the Government has allowed that to be done in the way of rent, unless it be a case down back of the Pan American Building, of which I heard ex-Congressman Levy, of the State of New York, speak recently. He said there was a tract of vacant land down there that had been offered for sale at 25 cents a square foot, and that the Government was now renting it at 9 cents a square foot. In other words, the three years' rental would pay for the land. It has been rented, not purchased, notwithstanding three years' rental would pay for it.

Another feature of the Pomerene bill is that, the way it is written, the landlord would be permitted to collect 7 per cent net on 150 per cent value of the property. It is contended by the author of the bill that it does not mean 150, but he admits that it does mean 105 per cent. Just why the 5 per cent should be given to the landlord instead of to the tenant I do not know, unless it is sought to be consistently for the landlord throughout.

Then there is the idle language used on the same page, *"Elevator and other service as furnished on said date shall continue."*

If it does not continue, then what? There is nothing obligatory about it, and therefore I call the language idle.

Mr. COOPER of Wisconsin. Will the gentleman permit an interruption?

Mr. JOHNSON of Kentucky. Yes.

Mr. COOPER of Wisconsin. Has the gentleman from Kentucky received any information touching the general subject since the bill was before the House which ought to be laid before the House at the present time?

Mr. JOHNSON of Kentucky. Yes; but permit me first to invite attention to other points in the Pomerene bill. The House passed a bill taking care of the tenant, and the Senate has stricken out everything in the bill—even the title—and has written in its stead that which is clearly intended for the benefit of the landlord and the disadvantage of the tenant.

If I may be indulged, I will read a part of a letter dated May 28, 1918, signed by George W. Worthington, chairman of

convention committee, Woodward Building. This is a letter sent by Mr. Worthington, of the subcommittee of Real Estate Brokers' Association, Washington, D. C., asking as many as can do so to go to the St. Louis convention of the National Real Estate Brokers' Association. The letter starts out:

FELLOW REALTOR: Are you going to the St. Louis convention? Well, you should go. Why? Because the national association has gone out of its way and *spent considerable money to help us in our local fight in Congress.*

The landlords asked for a rent administrator. They got it in the Pomerene bill. The landlords then asked that the rent administrator be a resident of the District of Columbia, and they got it in the Pomerene bill. Mr. Worthington says that the national association "spent considerable money to help us in the local fight in Congress." Then the Pomerene bill goes further and provides that the rent administrator shall be confirmed by the Senate. Mr. Worthington says that the national association has "spent considerable money to help us win our local fight in Congress."

On page 11 of the Pomerene bill this language is used:

The landlord or lessor and lessee may make contracts or leases for daily, weekly, monthly, or yearly rental of real estate so as to net the landlord or lessor not exceeding 7 per cent per annum for the use or occupancy thereof on the value of the property.

That, if not nullified later along, would permit a mutual contract between the landlord and tenant; but under other terms of the Pomerene bill that contract would not last any longer than the tenant got into the property. As soon as he moved his effects in, then section 6 would apply; and that reads:

That if the rent of real estate as herein permitted shall not equal 7 per cent per annum net on the valuation thereof as herein determined, then upon application by the landlord it may be increased by the Rent Administrator so as not to exceed said amount.

Mr. GARNER. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. GARNER. The gentleman's statement is quite interesting, and shows the vast difference between the House and the Senate bills. Does the gentleman have any reasonable hope that the conferees can ever come to an agreement?

Mr. JOHNSON of Kentucky. Either the House or the Senate conferees will have a long road to travel. They are nearly as far apart as the poles. But I believe that if we can get past a certain stage in the game there are enough votes in the Senate to pass a good bill—one that will help the oppressed tenant instead of shielding the profiteering landlord.

Mr. GARNER. I wish the gentleman success in playing the game.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. COOPER of Wisconsin. That is a very suggestive letter which the gentleman from Kentucky has just read, coming from the board of real estate men in this city. It mentions the fact that the National Association of Real Estate Brokers has contributed money to help the local brokers in their contest in Congress.

Mr. JOHNSON of Kentucky. That is what the letter says.

Mr. COOPER of Wisconsin. How could money contributed by the real estate brokers in Cincinnati, Chicago, St. Louis, and New Orleans, or any other city, be used in Congress to put that bill through?

Mr. JOHNSON of Kentucky. I myself have wondered. The real estate people here always have gotten, some way or some how, everything they want, no matter what it is. They get everything they go after.

Mr. MADDEN. What have they been getting lately?

Mr. JOHNSON of Kentucky. The president of the National Association of Real Estate Brokers, just referred to, is a California man. He is quite active also, I understand, in the Rotary Club.

Mr. MADDEN. What is the Rotary Club?

Mr. JOHNSON of Kentucky. It is a civic club, and its present work is to look after the interests of the United States. I have before me one sample of the way it looks after the interests of the United States:

Squares between Seventeenth and Nineteenth, E and East Capitol Streets SE., are to be taken over by the Government. The assessor of the District of Columbia values that property at $211,830. The Board of Trade, which is but another name for the real estate association, have valued the same property at $235,076. The chamber of commerce, which is but still another name for the real estate association, has valued it at $279,992. Then the Rotary Club, of which Mr. Garland, of California, the national president of the Real Estate Brokers' Association, is a member, comes in and values it at $355,463—approximately $143,000 more than the local assessor values it at. Mr. Garland is the man, so I am informed, who purchases property for housing all over the United States.

Mr. MADDEN. Does the gentleman mean for the Government?

Mr. JOHNSON of Kentucky. For the Government, yes. He is also the same man who, I am informed, stated in a speech before the local Real Estate Brokers' Association on the night of the 5th of this present month that his association was ready to help the local board financially in their fight in Congress. Several years ago I got a list of the condemnation juries and commissions in the District of Columbia, and by that list I found in the five years then next preceding there had been 141 condemnation juries and commissions and that only 162 men had made up those juries and commissions; that about 73 per cent of the cases had had on those juries 25 particular men. Now the chamber of commerce sends out five men to appraise this property. Those five men are W. S. Gude, George W. White, P. T. Moran, A. Lisner and John Brewer. I went back and looked over that list of standing and ever-ready juries; they are men of means, however, but they are professional in the sense that they are always called on to value land in condemnation proceedings here in the District of Columbia. W. F. Gude served on 24 of those juries, P. T. Moran served on 13, and A. Lisner served on 2. In other words, the chamber of commerce selected three-fifths of their appraisers from that list.

Mr. BROWNE. Mr. Speaker, I would like to ask the gentleman who appoints those experts, those jurors?

Mr. JOHNSON of Kentucky. If they were jurors, they were summoned by the United States marshal, and if they were commissioners they were appointed by the court.

Mr. HUMPHREYS. The gentleman speaks of 25 particular men.

Mr. JOHNSON of Kentucky. Yes; the same 25 men composed 40 per cent or more of 112 juries out of 141. There were only 10 juries out of the 141 upon which none of the favored 25 men served. Virtually all of the 25 favorite jurymen are either directly or indirectly interested in real estate transactions, and their respective occupations are as real estate dealers, builders, lenders of money on real estate, sellers of lumber, sellers of brick, sellers of building hardware, and sellers of paint and glass and fire insurance.

Mr. NOLAN. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Kentucky. Yes.

Mr. NOLAN. I would like to ask the chairman of the District Committee if he has made any general investigation regarding the purchase of property and leaseholds by the Government here in the District of Columbia since the beginning of the war.

Mr. JOHNSON of Kentucky. I have made no particular investigation, but I have unavoidably come across some things that a blind man could not miss.

Mr. NOLAN. I would suggest, if it would take any considerable time, that if the gentleman has any data upon that the House would be benefited by it if he would insert it in the RECORD.

Mr. JOHNSON of Kentucky. I now have one case in mind. I refer to the Bureau of Standards, away out on Connecticut Avenue. On February 28, 1918, the United States purchased from the Chevy Chase Land Co. 10.79 acres of land on Connecticut Avenue extended, just north of Van Ness Street, for the use of the Bureau of Standards. The deed was recorded on April 15, 1918. The consideration was $81,500, or approximately $7,550 per acre. The 1914–15 triennial assessment of this property was $3,500 per acre—basis of assessment $5,250 per acre. It was fixed tentatively at the same figure for the 1917–18 triennial assessment, but was reduced for this latter assessment to $2,500 per acre—basis of assesment, $3,750 per acre—being the result of an appeal taken by the Chevy Chase Land Co. to the board of assessment appeals in July, 1917. On this appeal the Chevy Chase Land Co. stated in writing, on July 24, 1917, that it would accept at the rate of $3,500 per acre for this property, less 10 per cent; or, in other words, at the rate of $3,150 per acre. The same statement was made verbally before the board on the hearing of the appeal. This statement was made by the principal owner of the property. These statements induced the assessors to reduce the assessment to $2,500 per acre—basis of assessment, $3,750 per acre—except the assessment covering a very small strip containing forty-one one-hundredths of an acre, which was assessed at $3,500—basis of assessment, $5,250 per acre.

Neither the Bureau of Standards nor anyone else representing the United States in the purchase of this property asked the District of Columbia assessor's office for information as to the assessment or the value of the property, although in the past

information of this sort has frequently been asked of that office in cases where land in the District of Columbia was to be purchased by the Government.

So this land was valued by the assessor, upon the insistence of its owners, at $3,150 per acre, and the Government, without inquiry, bought it at $7,550 an acre; in other words, they paid $4,400 more per acre for it than the owners stated shortly before they were willing to take for it. Therefore they paid $47,476 more than the owners themselves declared it was worth, and that declaration was made only a short time before the sale.

Mr. MADDEN. Who made that purchase?

Mr. JOHNSON of Kentucky. According to the chief clerk of the Bureau of Standards, Albert L. Thurman, Solicitor for the Department of Commerce, acted for the Government in the transaction.

Mr. MADDEN. That must have been with the approval of the Secretary of Commerce, I suppose.

Mr. JOHNSON of Kentucky. I have no information as to that.

Mr. MADDEN. That gentleman is often the Acting Secretary of Commerce, is he not? I have had correspondence from that department in that name as Acting Secretary.

Mr. JOHNSON of Kentucky. I just stated that the information came over the telephone from the chief clerk of the Bureau of Standards.

Mr. CRAMTON. I have often had letters from the Department of Commerce signed by that name as Acting Secretary.

Mr. MOORE of Pennsylvania. Will the gentleman from Kentucky yield?

Mr. JOHNSON of Kentucky. I yield to the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. The gentleman states that this purchase was made for the Government without inquiry.

Mr. JOHNSON of Kentucky. Without inquiry of the assessor's office.

Mr. MOORE of Pennsylvania. Is the purchasing agent to whom the gentleman has referred absolute in the matter of a purchase like that?

Mr. JOHNSON of Kentucky. I have no information on that subject.

Mr. MOORE of Pennsylvania. Does the gentleman know whether title has been passed in that case?

Mr. JOHNSON of Kentucky. Yes; the title has been passed and the money paid, as I recited a few moments ago.

Mr. MOORE of Pennsylvania. Can the gentleman quote the law under which a solicitor could make a purchase of that kind?

Mr. JOHNSON of Kentucky. No.

Mr. CAMPBELL of Kansas. Will the gentleman from Kentucky yield?

Mr. JOHNSON of Kentucky. I yield to the gentleman from Kansas.

Mr. CAMPBELL of Kansas. The case to which the gentleman from Kentucky has just referred, the purchase of this property for the Bureau of Standards, is no more extraordinary than the purchase of the Arlington Hotel property by the President and the Secretary of the Treasury, if it is as extraordinary.

Mr. JOHNSON of Kentucky. A good many public speeches have been made against what is known as the Johnson bill, and also against the Saulsbury resolution. On May 27 a public speech was made on the resolution in which the speaker said:

> This is probably the only legislation that will be enacted upon this subject and we must consider it from that standpoint.

I am inclined to believe, in fact I must believe, that the wish was father to the thought.

And then, on May 21, in another speech on the subject of rent profiteering, the same speaker said:

> It seems to me it involves a monstrous proposition.

And then, again, in the same speech he said:

> I never heard of such a monstrous proposition. It is absurd. It is too ridiculous, it seems to me, to be urged for a moment.

Further, in a public speech made May 27, the same speaker said:

> It is a monstrous proposition, helpful to nobody except the people who are actually occupying the premises—

And so forth.

Also, in the same speech, he said:

> * * * If I were a landlord and the Government wanted my property, if the Government needed my property, I stand absolutely ready on the minute to deed it to the Government.

One would infer from that language that he is not a "landlord" and that he spoke from a strictly disinterested standpoint. But I find that something has happened, just as I said in a speech here more than a month ago probably would happen. That was that if profiteering was to be punished by a fine and imprisonment, you could not imprison a corporation. There is no provision in the Pomerene bill for the imprisonment of anybody in a corporation. Following that thought, I said that everybody who wanted to profiteer would convert himself into a corporation and would make himself president, and perhaps make his wife the secretary, and one of the children or one of the family the treasurer, and then pay themselves such salaries as they wanted to pay. They would collect that from the tenant and then still make the tenant pay 7 per cent net. Now, the public speaker whose remarks I have just quoted holds his property through a corporation called the National Investment Co. (Inc.). That corporation owns the apartment house at 1627 Sixteenth Street, which for assessment purposes is valued at $60,150. It certainly is worth more than that. In my humble judgment it is worth nearly $100,000. A few years ago $52,000 was borrowed on it. Therefore it must be worth more than $60,000.

The same corporation owns the Luray apartment house at 1320 R Street, which is valued by the assessor at $16,136. This same corporation owns the Woodward apartment house at 510 Third Street NW., which is valued at $15,914 by the assessor.

The same corporation owns the McKinley Apartment, at Third and E Streets, which is valued at $26,568 by the assessor. Then, the gentleman who made that public speech owns a piece of property on Massachusetts Avenue that is valued by the assessor at $19,217. In other words, the total assessed value of these properties is $137,985, and they are, I think, easily worth $200,000. Yet we are urged from that source to defeat the bill; but the general trend of his argument was to do nothing except pass the Saulsbury resolution, and even then the opinion was expressed that that should last only during the present session of Congress.

Getting back to the Pomerene bill, I find that by taking October 1, 1917, instead of the day before, the landlords are helped very much. The annual leases made on October 1, 1916, expired September 30, 1917. This difference of one day is another thing which the landlords have been most anxious, indeed, to have written into the law.

Mr. Worthington said in his letter to his fellow "realtors" that the national association "spent considerable money to help us in our local fight in Congress."

On page 13 of the Pomerene bill I find the following language:

> *Provided*, That any tenant who, in the opinion of the Rent Administrator, is charging exorbitant rents in subletting the premises, or any part thereof occupied by him, either furnished or unfurnished, shall be deemed an undesirable tenant, within the meaning of this section, and shall be liable to forfeiture of his lease.

I can not but be apprehensive that under that language the tenant who profiteered would escape all penalty except that of being "deemed an undesirable tenant and held liable to a forfeiture of his lease."

The latter part of section 6 of the Pomerene bill treats of "hotels" without defining what a hotel is. Anybody can call his residence or apartment house a hotel and avail himself of the advantages given to hotels.

Section 7 allows the landlord to charge an annual rental of 30 per cent of the value of the furniture for its use. In that way the landlord could cause the tenant to pay the value of the furniture in approximately three years.

Under section 9 the Pomerene bill requires the Rent Administrator to be confirmed by the Senate. The President was permitted to appoint a Food Administrator and a Fuel Administrator for the entire United States, neither of whom had to be confirmed by the Senate. The District of Columbia also has a fuel administrator and a food administrator not confirmed by the Senate, but when the question of profiteering in house rents is reached the Rent Administrator must not only be a resident of the District of Columbia but he must be confirmed by the Senate. Mr. Worthington in his letter to his fellow "realtors" said that the National Real Estate Brokers' Association "has spent considerable money to help us in our local fight in Congress."

Without the Pomerene bill the owner of the property, the landlord, and the tenant could enter into mutual bargain and trade for the use of the premises; but under the Pomerene bill the "mortgagee" is given the right to step in by way of appeal in order to see that the rent is high enough. Mr. Worthington in his letter to his fellow "realtors" says that the National Real Estate Brokers' Association "has spent considerable money to help us in our local fight in Congress."

An overwhelming per cent of the tenants in the District of Columbia are small-salaried people working for the Government. They can not lose a day from their work without losing a part of their compensation. Yet the Pomerene bill puts obstacle after obstacle in the way of the tenant by permitting not

only the landlord but the mortgagee of the premises, if there be one, to keep him from his work day after day, and perhaps week after week, by carrying him from one place to another by the use of the several appeals provided for in the bill.

On page 18 of the Pomerene bill I find this language:

In fixing rents of real estate there shall be taken in account the taxes and assessment thereon, the cost of reasonable repair and maintenance actually incurred, of insurance, and of light, heat, water, and elevator and other service where furnished, as well as a proper allowance for depreciation and nonoccupancy.

Recently the gentleman from Illinois [Mr. MADDEN], who, I believe, is an experienced contractor and builder, stated that buildings depreciate 5 per cent each year. If he is correct in that statement, a building depreciates 100 per cent in 20 years. Several years ago when the House Committee on the District of Columbia was investigating some local insurance companies and the value of the Southern Building was in question, a number of builders and business men made virtually the same statement. Not only the District of Columbia, but every other community in the world, is full of good houses that are more than 20 years old. However, if the Pomerene bill should become a law and that basis of depreciation accepted, then the tenants would be compelled during the run of the 20 years not only to pay for the full value of the house, but also to pay the taxes, insurance, and repairs during that time. In addition to that, under the Pomerene bill the tenant would be compelled to pay the cost of sidewalks, street improvements, sewers, water mains, and so forth. Under that bill, no matter what the annual depreciation may be, whether it be more or less than 5 per cent, the tenant would have to pay it. While all that is bad enough, yet it is not so cruelly unjust as that provision of the Pomerene bill which would compel the tenant to pay rent for the property while he is in it, as well as to pay the rent during the time that it may have been vacant. Under the Pomerene bill the rent administrator, who must be a resident of the District of Columbia and who must be confirmed by the Senate, must fix the rate of rental in such an amount as will give the landlord 7 per cent net, on more than the full value of the property, after the tenant has paid the landlord's taxes, the upkeep of his property, the building of sidewalks, the construction of streets, the building of sewers, the laying of water pipes, and even assessments levied for the purchase and improvement of a park which may be located too far from the rented premises for the tenant even to see it unless he owns an automobile. Besides that the tenant, under the Pomerene bill, must, as I have said, account in rentals for the time that the premises may have been vacant.

Mr. Worthington said in his letter to his fellow real-estate dealers that the National Real Estate Brokers' Association "had spent considerable money to help us in our local fight in Congress."

Section 12 of the Pomerene bill reads as follows:

That any person who shall knowingly receive rents on real estate in excess of those permitted by the terms of the act, or who shall knowingly by any sale or transfer or by any act or subterfuge, evade or attempt to evade its provisions shall be guilty of a misdemeanor and be subject to a fine not exceeding $1,000 or to imprisonment not exceeding six months, or both.

Under that section a profiteer could escape all punishment by stubbornly refusing to know the law. There is an old saying that ignorance of the law excuses no man. However, the Pomerene bill fixes a premium upon all ignorance of the law.

But that is not the worst part of section 12. Everybody in this Chamber has information to the effect that there are a number of instances in the District of Columbia where profiteering against the United States runs into the thousands and thousands of dollars annually. We know of one instance where the United States is now renting 10,500 square feet of space at an annual rental of $10,000, and that the landlord has served notice upon the United States that beginning the 1st of July this rental will be increased to $3 per square foot. That would be an increase of $21,500. It is quite plain that this particular landlord, a corporation, can go ahead and charge this additional annual rental of $21,500, pay the $1,000 fine, and have $20,500 of its extortion left as profit. I wish to impress that this landlord is a corporation, and that no provision is made in the Pomerene bill for imprisoning any officer of a corporation which may profiteer.

We know of another instance, that of the Washington Market Co., which is using Government land with which to profiteer against the Government to the extent of $14,000 a year. That company could pay the $1,000 fine and still have $13,000 of its extortion left. That company, too, is a corporation, and under the Pomerene bill nobody could be imprisoned. But I take the broad position that no jury ever could be impaneled in the District of Columbia which would convict anybody for profiteering in real estate rentals. Many of these profiteers, particularly those who are subleasing, are women. I can not but believe, in fact, I feel I know that some landlords are having their female tenants profiteer upon the Government war workers and then turn the extortion over to them—the landlords. If indictments should be found and trials come on, it is reasonably certain that acquittals would be the result, and the excuse given that they were not willing to convict a woman. If a man should be indicted for profiteering in rents, I feel certain in my own mind that no 12 men on a jury in the District of Columbia would ever agree to conviction, as it would be next to impossible to get a jury of 12 men without getting one or more who were fellow profiteers.

The real estate interests in the District of Columbia dominate and control everything in the District. They have even dictated the bills introduced in Congress which are intended for their own control. It is useless to say that those bills are not worth the paper on which they are written.

In proof of this statement, on March 26, 1918, before the Senate District Committee, then conducting hearings on House bill 9248—the Johnson bill—the following colloquy occurred between Mr. Bates Warren, who was spokesman for the local Real Estate Brokers' Association, and Senator HOLLIS (Hearings, pt. 1, p. 18):

Senator HOLLIS. Are you familiar with any place where they do have a rent administrator?
Mr. WARREN. Not in rents.
Senator HOLLIS. Is that an invention of your own, Mr. Warren?
Mr. WARREN. I will not claim it as my own. We all discussed it and it comes out. I drafted the bill.

On March 27, 1918, Mr. Charles S. Shreve, real estate agent, addressing the same committee, said (Hearings, pt. 2, p. 94):

I wish to state—and I think I violate no confidence in stating it—that I believe Mr. Colladay, the chairman of my committee, on the request of Mr. TINKHAM, drafted this bill which Mr. TINKHAM introduced. * * *

The bills introduced by the gentleman from Massachusetts [Mr. TINKHAM] contain everything that the landlords have asked for publicly. The Pomerene bill to some extent changes the language and the order of sequence of the so-called Tinkham bills, but that, too, gives the landlords all that they have asked for publicly, and in addition something more.

I have just cited some instances where the real estate owners have been able not only to get what they asked for their land when selling it to the Government, but in some instances more than they asked for it. This is no new thing. They have been in power here throughout many years. Only a few years ago the Baltimore & Ohio Railroad conceived the idea that a park between the Union Station and the Capitol Building would be a thing of beauty. That plan, however, involved the scheme of having the Government purchase property of the Baltimore & Ohio Railroad Co. on the site of the proposed park. Through their principal attorney in the District of Columbia they submitted a proposition to the Government that they would take the original cost, plus 6 per cent interest, for their holdings. However, when the condemnation commission had made its awards it was found that the Baltimore & Ohio Railroad was allowed approximately $565,000 more for its property than it had said it was willing to take. However, the President declined to approve the payment of the money and no part of it has been made. It is now contemplated to erect some war-emergency buildings on the ground between the Union Station and the Capitol. We shall wait and see whether those buildings will be erected on land owned by the Government or on land to be purchased from the Baltimore & Ohio Railroad Co. under some authority other than the one just spoken of.

No; this thing of paying more for property in the District of Columbia than the owners ask for it is not new by any means. A few years ago Congress appropriated $190,000 with which to purchase an addition to the McKinley School. At that time a man by the name of Myers was principal of that school. Having an interest in the school and the welfare of his Government, he set about to see the twenty-odd owners of the several pieces of property to be acquired in order to ascertain the lowest figures they would take for their property. At that time a man by the name of Groomes was the real estate agent for those owners. But just at that time Mr. Joseph I. Weller, who enjoyed the reputation of being better able than any other man to sell property for school purposes, came upon the scene. Mr. Groomes was retired as agent and Mr. Weller became the agent. One of the first things Mr. Weller did after becoming agent for the sale of the property was to write to one of the then principal officers of the Board of Education and suggest that he stop Mr. Myers. Thereupon the Board of Education official wrote Mr. Myers several letters, in one of which he said:

Since my recent letter to you and the conversation we had regarding its contents concerning the inquiries you and your janitor had been making in the neighborhood of the McKinley School I have been told that you have sent to the District Commissioners a full statement showing the result of your investigations.

This information was not a little surprising to me, because you were told that by your action you were interfering with the business of the board of education, and that such proceedings were not in keeping with your duties as principal. Kindly advise me of the facts in the case and oblige,

Very truly, yours, ——— ———.

Mr. Myers, in his answer to that communication, said, in part:

Your letter of April 26 just received. I inclose a copy of the statement concerning the value of the property offered by Mr. Weller. This statement is one which I prepared for the use of the board's committee on sites, buildings, etc., and presented to Mr. ——— and Mr. ———. I also handed a copy of it to Mr. Garges, chief clerk of the engineer commissioner. All of the information contained in this statement concerning the rents received from this property was secured by me from Mr. Groomes, who was agent for the property at the time that the information was secured, only a few days before it was offered to the commissioners. The information concerning the taxes on the property was secured from the assessor's office. I am informed on good authority that Mr. Groomes placed the property in the hands of Mr. Weller because he believed that Mr. Weller could get a better price for it from the commissioners. * * * As a matter of fact, this information had been secured from Mr. Groomes and the assessor's office previous to the receipt of your letter. My whole purpose in securing such information was to be of service to your board in the purchase of the property and, if possible, to increase the amount which we are able to purchase beyond that which was offered by Mr. Weller. I feel very strongly that the price asked for the property is about 50 per cent above its value and see no reason why the District should be obliged to pay that figure if I can render any service in preventing it.

I regret if the efforts I have made have interfered in any way with the work of your board, but feel that Mr. Weller's complaint is due entirely to the fear that the information furnished may interfere with his securing an unreasonable price for the property. I am very sure that it will not interfere in the least with his receiving what the property is worth. Of course I shall take no further steps in the matter whatever if you think best.

Yours, very respectfully, MYERS, *Principal.*

After the board of education official received that letter he addressed the following letter to Mr. Myers:

Replying to your favor of the 27th ultimo, I have to state that this action of yours, following as it did my letter to you and our subsequent conversation, is much of a surprise to me. I can not view it in any other light than an act of presumption on your part, as a principal and teacher in the schools, to interfere with the business of the board of education.

Whenever your services or advice are required in connection with business matters, we shall be glad to inform you. I shall avail myself of the first opportunity to bring this matter to the attention of the board of education.

Very truly, yours, ——— ———.

If I am correctly advised, the whole property was appraised by the assessor for taxation at $42,321. That figure was supposed to be two-thirds of its real value; consequently the total value would have been $63,481. It is needless to say that Mr. Myers lost his position as principal of the McKinley School and that the property was purchased at a price many thousands of dollars more than it was worth.

Mr. Worthington wrote his fellow "realtors" that the national association had "spent considerable money to help us in our local fight in Congress."

Mr. Myron M. Parker is one of those who recently appeared before the Senate District Committee in a hearing which it was conducting to complain that the proposed law—the Johnson bill—unjustly affected the building in town known as the Atlantic Building. However, Mr. Parker had nothing whatever to say about a recent sale made by him to the Government of some land to be used by the Walter Reed Hospital, where our sick soldier boys are. I am advised by Commissioner Brownlow that Mr. Parker offered to sell 19.76 acres to the Government for the Walter Reed Hospital at $4,000 per acre. Mr. Brownlow says that when Mr. Parker's proposal reached the Secretary of War he requested Mr. Brownlow to have an appraisal made by some one familiar with real estate values in the District of Columbia. The property was then appraised by one of the assistant assessors, who made a careful study of the sales in that locality, and an examination of the contour of the ground, and concluded that the basis of the assessment on the property, namely, $2,550 per acre, was about right when made, but that giving due allowance to an increase in value, brought about by the new opening of Sixteenth Street extended, it was worth at most not over $3,000 per acre. Mr. Brownlow further says that in an effort to show that the valuation of the assistant assessor was too low, Mr. Parker submitted appraisals made by several well-known real estate dealers, who valued the property at $4,000 per acre, $4,500 per acre, and one as high as $5,000 per acre. Mr. Parker also submitted a report from the appraisal committee of the Washington Real Estate Brokers' Association in which this property was valued at $4,500. The property was finally purchased by the Government at $3,000 per acre, but not until after those representing the Government had indicated that they would purchase other adjacent property at $2,500 per acre.

Mr. Worthington, in his letter to his fellow "realtors," says that the National Real Estate Brokers' Association—

spent considerable money to help us in our local fight in Congress.

Earlier in my remarks I stated that I knew of some instances where the owners of the property had prevailed upon their female tenants to charge their roomers more in order that the landlord himself might have more. A day or two ago I was informed by Commissioner Brownlow of a recent outrageous instance of this form of profiteering. Mr. Brownlow says that on September 15, 1917, Mr. George L. Whitford, brother to the president of the Washington Market Co., leased to Mrs. Della M. Knapp, through the real estate firm of Thomas J. Fisher & Co., an apartment in the Lowell apartment house, 1909 Fourteenth Street NW., for one year for $360, payable in monthly installments of $30 each. On April 15 last the agent notified Mrs. Knapp to remove from and quit the premises at the expiration of 30 days. Several days after the notice to quit the agent submitted a proposal to rent the apartment to Mrs. Knapp as a "month-to-month" tenant from May 15, 1918, at $45 a month, notwithstanding the fact that the present lease does not expire until next September. It appears that the notice to vacate was served pursuant to the directions of Mr. Whitford, who alleged that the terms of the lease had been violated by the tenant because the tenant had rented a room to a Government worker. This, Mr. Whitford claimed, was a violation of that part of the lease by which the tenant agreed not to sublet the apartment without the written consent of the lessor. Mrs. Knapp subsequently saw Mr. Whitford and told him that she did not believe that she was subletting the premises in violation of the contract because she had taken a young woman lodger, whom she charged $4 a week, this amount including laundry. She also told Mr. Whitford that she was not able to pay $45 a month. Mr. Whitford thereupon suggested that she could raise the rent of the lodger to $7 a week and thus get approximately the other $15 a month that he wanted for the apartment. Mr. Brownlow informs me that this statement made by Mrs. Knapp was afterwards admitted by Mr. Whitford in a conversation with him in his office. It is but fair to the Thomas J. Fisher Real Estate Co. to state that they asked Mr. Whitford to relieve them from the agency for the property. Mr. Brownlow further informs me that when Mrs. Knapp tendered $30 in payment of her rent in advance for the month of June that the money was refused upon specific instructions from Mr. Whitford on the contention that the proposed increase of 50 per cent in rents was necessary in order to yield a return of 7 per cent net provided for in the Pomerene bill.

Mr. Worthington, in his letter to his fellow "realtors," says the National Real Estate Brokers' Association—

spent considerable money to help us in our local fight in Congress.

Remember, please, that Mr. Garland is president of the National Real Estate Brokers' Association, and that in his address before the local branch of that association on the evening of the 5th of this month he assured them of further "moral and financial backing" in their fight in Congress.

And remember, also, that it is he who is purchasing all the housing sites throughout the United States for the Government.

Frequently the Washington papers say to the people of the States, "This is your city."

If paying for it over and over again makes it theirs, then it is their city. But while the war workers who are here continue, month after month, to pay for it, the Washingtonian still holds the title and still claims the right to extortionate rents from those to whom the Washington papers continue to say, "This is your city."

We shall calmly await legislative decision between landlord and tenant, remembering the while that Mr. Worthington wrote his fellow "realters" that the National Real Estate Brokers' Association—

spent considerable money to help us in our local fight in Congress.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky that the House disagree to the Senate amendment to the bill and agree to the conference asked by the Senate?

There was no objection.

The SPEAKER announced as conferees on the part of the House Mr. JOHNSON of Kentucky, Mr. CROSSER, and Mr. CARY.

LEAVE OF ABSENCE.

By unanimous consent, Mr. MCLEMORE was granted leave of absence for June 13, 14, and 15, on account of important business.

PENSION LEGISLATION.

Mr. KEY of Ohio. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. KEY of Ohio. Mr. Speaker, this is pension day for bills on the Private Calendar, and, while I do not care to interfere with the consideration of the sundry civil bill, I would like to reach some agreement, and I am going to ask unanimous consent to take up pension bills—we have three Senate bills—and consider them immediately after the passage of the sundry civil bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent, immediately after the conclusion of the pending appropriation bill, that he be permitted to take up Senate bills——

Mr. LITTLE. Mr. Speaker, reserving the right to object, I would like to be assured that I will have time to be heard on the Swarts amendment.

Mr. KEY of Ohio. I shall be glad to give the gentleman an opportunity to be heard.

Mr. GILLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. GILLETT. For the purpose of reserving the right to object. I do not wish to be discourteous, but I think if the program which has been suggested is to be followed it would be well not to tie ourselves up so that we can not take up the fortification bill immediately after the sundry civil bill. After that we will be waiting for the Senate to dispose of those two bills, and we could readily take up the gentleman's bill and some others, and I think it wise for the present to object.

The SPEAKER. The gentleman from Massachusetts objects.

PERMISSION TO ADDRESS THE HOUSE.

Mr. SMITH of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. SMITH of Michigan. I would like to address the House for five minutes.

The SPEAKER. The gentleman from Michigan asks unanimous consent to address the House for five minutes.

Mr. GARRETT of Tennessee. Mr. Speaker, there is a special order to-day, and I think it ought to be carried out first.

The SPEAKER. The gentleman from Tennessee objects for the reason there is a special order. The gentleman from Kentucky [Mr. BARKLEY] is entitled to 20 minutes.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent to extend and revise my remarks.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BARKLEY. Mr. Speaker, I do not know that I shall need it, but I desire to ask for an additional five minutes.

The SPEAKER. The gentleman from Kentucky asks that his time be extended for five additional minutes, if it be necessary, to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

THE FLAG TO-DAY.

Mr. BARKLEY. Mr. Speaker and Members of the House, I have asked the indulgence of the House for a little while to-day in order that I may give brief expression to some of the thoughts which stir us on this the birthday of the flag.

This is the one hundred and forty-first anniversary of the establishment of the Stars and Stripes as the flag of the new Republic of the Western World. As time is measured in the life of humanity, this is but a brief span across the limitless expanse of the ages, yet no nation in so brief a period ever made such unexampled progress in wealth, the increase in population and territory, or the success of her political institutions as that Nation whose banner will to-day be commemorated by every lover of liberty throughout the world. [Applause.]

The changes which have come over us and over the world in habits of life and thought, in the relationship of citizen and nation, in vision and outlook upon the affairs of the world, since this flag was first unfurled have been so rapid and complex that we comprehend them with difficulty and confusion. Ours was the first great Republic of the modern world. A century and a half ago the assumption of divine right in the government of nations was in its flower, and ours was the first and then became the greatest Nation to demonstrate the fallacy of that ancient political relic. We may gather some conception of the tremendous force of our example and of our success when we recall that there are now 27 republics in the world instead of the one feeble Republic of the Revolution, and that even in many nations which still retain the forms of monarchy the essential principles of freedom and self-government prevail among the people.

The fundamental principles of human liberty and justice do not change with the passing years, though their application to changing circumstances may undergo constant readjustment. The right to work out the destiny of peoples and to choose the paths of freedom rather than slavery has always been the same, whether hoped for by the children of Israel under Moses or by the people of the Thirteen Colonies under Washington. [Applause.] The yearning for self-government and the exercise of inherent human rights and the desire to escape the thralldom of the despot in '76 was not entirely unlike the yearning under which the world labors to-day to maintain the rights of humanity against the outrageous and infamous barbarism of central Europe.

It is not always easy to designate specific causes which have led to obvious results. It is likewise difficult to prophesy precisely what course we must pursue in our future march toward world peace and world security. What in 1776 was a mere revolution to secure redress for specific wrongs by some Providential interference grew into the greatest movement for the liberation of men that has been inaugurated since the dawn of history. [Applause.] Shall we say it was the imposition of a small stamp tax that kindled the fires of that conflict? Shall we say that but for the romantic performance of the Boston Tea Party this mighty movement would have been choked and stifled? To say that is to place the destiny of man at the caprice of fortune. These were the mere instrumentalities by which the fires of liberty were kindled, which have not been and shall not be permitted to smoulder until every race and clime and creed shall stand out free and unafraid, with hearts fit for the service of the world. [Applause.]

While it would stir our hearts with pride to review the unparalleled growth of our population, drawn from everywhere, since our flag was first established, or to trace the course of our empire to the Pacific, the Hawaiian and Philippine Islands, gathering Alaska to our bosom on the way; while we might love to dwell upon unexampled growth in material wealth, the circumstances in which we find ourselves and the world to-day preclude anything that might seem akin to self-glorification. We are confronted to-day with problems differing only in degree from those which confronted the fathers of the Republic. They kindled the light of liberty. It was theirs to fan and strengthen its flickering blaze until it could burn of its own force. Ours is the duty to make sure that it shall not be extinguished by the storm of irresponsible and brutal military ambition now seeking to overwhelm it. Not only is it our duty to see that what our forefathers fought and died to establish shall not be destroyed or polluted on the shores of America, but as a part of the social and political fabric of the world, recognizing and ready to perform our share of the burden and the sacrifice, we must not falter nor hesitate until the full force of our blows shall fall with such deadly and disastrous weight that our enemy and the enemy of our allies and of humanity shall be driven back in utter and overwhelming defeat and made to acknowledge and atone for the infamy which makes his name anathema in every civilized land. [Applause.]

It is fortunate that since the birth of this new Nation and this new flag we have been able to accumulate the forces necessary for the conflict. It is fortunate that in wealth we have outstripped every other nation. It is fortunate that in morality and religion we have been among the leaders of modern thought and activity. It is fortunate that in education we have recognized the duty of the State to the citizen of to-day and of to-morrow. It is fortunate that we have coined our brain into the instrumentalities through which the pursuits of peace may be advanced, and since the conflict had to come it is fortunate that we have the ingenuity which will coin that brain into the instrumentalities by which organized militarism and brutal autocracy shall be unhorsed and the great institutions of the world set again upon their feet.

We can not deny that in participating in the marvelous national progress which had blessed us in the accumulation of wealth and the enjoyment of the pleasures of peace we had become somewhat idealistic in our hopes for the future of man until the European war broke the spell of our dream. And even then in our astonishment we only partially discerned its meaning and ultimate course. But, notwithstanding our efforts to mitigate its influence, notwithstanding for a while our people failed to recognize its intimate bearings upon our foreign and domestic relations, the conflict was inevitably, ruthlessly, and against our will forced upon us; and though shun it we would, if possible, we could not escape the influence of that world tragedy upon our Nation and its welfare. And gradually as the war spread its fires across the continent of Europe and then threatened to leap across the waters and consume our traditions

of the past and our hopes for the future we saw our isolation disappear. It came to us as a test and challenge of all our theories of the past. It shook our opinions and undermined our faith in the peaceful progress of humanity. Americans who a little while ago would abolish both Army and Navy now bear arms in defense of themselves and all that their traditions and their history have held dear. We have laid aside, for the time being, our hopes for a world at peace and stand with shimmering sword to guard our Nation and the world against the blasphemous brutality of the historic enemy of civilization. We find that the Atlantic Ocean has narrowed to the proportions of a mere stream dividing us from the shores of western Europe. Our boasted isolation has dwindled, and we find that dreadnaughts, submarines, and airships can reach us and our commerce and industries, and we find that, for the present at least, our ambition and our destiny are interwoven with those of Europe and the rest of the world, because we can no longer hold ourselves aloof from the world.

It is therefore in circumstances like these that our Nation will to-day observe the birthday of our flag, not in jollification, not in light-hearted festivity, but rather in solemn consecration for the high though fearful duty which God has placed upon our shoulders to perform. We had hoped that we might run our course unhindered and unthreatened by the influence of foreign ambitions and intrigues. We had hoped that we would not be compelled to draw the sword, thinking at first that the present conflict was wholly European. But when the veil was lifted we found that the ruthless ambition for world conquest was not limited by the boundaries of Europe nor of Asia. We found that it regarded neither friend nor foe, neutral or belligerent. We found that every art of diplomacy, every power of persuasion, every appeal to justice, to international law, and to respectability, was wasted upon the mad group which now seeks to dominate the world. We could no longer ignore the fundamental cause of the war nor the designs of those who brought it about. We knew we were not responsible for it, nor for anything that brought it about. But when we saw that we could no longer preserve the undisputed rights of a free people, and that an intolerable slavery would be the fate of our posterity if brute force were set upon a throne with the world at its feet, we did what we have done in every great crisis of our Nation's history—we unfurled the banner of our fathers, as they did before us, in behalf of human rights and for the preservation of the blessings of a Christian civilization. And behind that banner we are sending as fearless an Army as ever marched to battle since history began, and it will not return to our shores until it has planted that flag in triumph over every brutal barbarian who receives his orders or his inspiration from the saber rattlers of Potsdam, who insult the world by attempting to excuse their infamy on the ground of self-defense. [Applause.]

It is a tribute to the world's sense of justice that this excuse has not passed unchallenged; and it is not strange that such hypocrisy has arrayed against the Hapsburgs and the Hohenzollerns and their military caste the public opinion of the civilized world. Self-defense, indeed! Self-defense against little Serbia and against Belgium, whose women and children have been outraged and mutilated and murdered, and whose free and unoffending institutions have been demolished. Self-defense, indeed, against heroic France, whose people have been rebaptized with the spirit of Lafayette, who came to our shores to help establish the liberty for which we and they and all our allies are now fighting. [Applause.]

We have come to realize that if all Europe can be made the victim of an ambitious and unscrupulous military despotism, ruthless, corrupt, and unrelenting, without firing the spirit of mankind, then our own Nation and its institutions could not longer remain free from the same scourge. Therefore we are in the conflict on the only side where we could feel at home.

We are in it on that side where Washington would be, where Franklin would be, where Jefferson would be, where Jackson would be, if they were alive and in our midst to-day. We are in it on that side where we may be inspired by the exalted spirit of Lafayette and Kosciusco, who recognized that human freedom and the aspiration of the human heart are not circumscribed by the imaginary boundaries set between nations. We are in it on that side where Lincoln and Davis would be if their counsel could reach our ears. Yea, if I might recount all the martyrs to human freedom throughout the past, I would not fear to assert that our alignment in behalf of democracy and against the unscrupulous edicts of barbarism worthy of the Middle Ages would receive their approval and benediction.

It is in such a cause as this that we are to become the servants of humanity. While we all hate war and hope for peace, it is a glorious thing to feel that if wars must be fought those who follow our flag on land or sea are the soldiers of liberty. As such they stand by the side of Washington, whose grave is the shrine of American freedom. As such they partake of the glories of Old Hickory Jackson, whose campaign insured forever the freedom of the seas. As such their faces will brighten with the spirit of Grant and Lee. As such they will encircle the globe with the inspiration of that banner which Dewey left at Manila. God grant that they may return it to our shores and to their homes, as return it they will, unstained and unconquered, to wave over a nation and in a world fit and safe for the hopes of free men and women.

Patriotism, however, is something more than admiration for the beauties of the flag. Patriotism sinks into the soul, like the love of home and of God, and stirs it with a celestial emotion. It looks beyond the folds and colors and sees the hardships and heroic sacrifices which gave them birth and meaning. Patriotism is patient with the cries of the oppressed, but intolerant of an oppressor. Patriotism does not end where the lips begin, but yields up freely the devotions of the heart. For it countless millions have offered themselves upon the altar of their country, and it has not called in vain for the manhood of our times nor died for lack of true response.

We love the flag. But we love it for what it means to us. We love it because it speaks the language of liberty. We love it because it floats over no nation of bondmen. We love it because, whether at Concord or Yorktown, whether flying over cotton bales at New Orleans or upon the heights of Chapultapec, whether on fields of fraternal glory in the Civil War or upon the peaceful waters of Manila Bay, it has been the emblem of freemen and the hope of the world's oppressed. And as such it shall remain until time shall be swallowed up in the eternity of God. As it brought freedom to America, so shall it bring new hope and new courage to those who suffer now to vindicate the rights of man throughout the world; and as they look upon it for the first time in its history as it advances over the historic fields of France and Belgium beside those of our allies, they will rise again from their sacred ruins and vow again their faith in international justice.

In the Old World, as in the new, the Stars and Stripes will betoken the dawn of a day brighter and fuller in hope for justice and equality than all that have gone before. It will not be strange, therefore, when this flag is borne in Europe by our sons, if men, women, and children, broken and set adrift by the brutalities of the German war machine, shall thank God for the history, the example, and the unselfish help of the American Republic. Then let it wave, if wave it must on foreign soil, as the unconquered and unconquerable emblem of a free and mighty people bent on justice to all nations, until the bloody hands of despotism and international villainy shall be cut asunder and peace and vindication shall come to the brave nations which have stemmed the tide of national murder and suffered the agonies begotten by imperial infamy.

We have been asked at times, "Why are we at war?" But the answer, if not on every patriotic lip, is in every patriotic heart. It is reflected in the stern countenance of the Nation. It is reflected in the grim determination to consecrate all that we are and have to the cause of human freedom. It is reflected in the enthusiasm with which 10,000,000 American youths signed a covenant to serve their country. It is reflected in the hearts of American womanhood, whose sons must fight the battles. We are at war because we are unwilling to be false to our forefathers or to our posterity. We are not willing that our children shall inherit a land less free or less courageous than that which was given to us by our fathers; and as we recall with swelling hearts their deathless glory upon freedom's battle ground, so will those who follow us recount by the fireside's cheerful glow the unselfish devotion of the men of this day who keep burning and fan into even a fuller blaze the torch of human liberty, which shall become brighter and brighter unto the perfect day. [Applause.]

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil bill.

Mr. SMALL. Mr. Speaker, pending that, may I ask unanimous consent to extend my remarks in the RECORD by publishing an address of Secretary of State Lansing several days ago at the commencement exercises at Union College, New York?

The SPEAKER. The gentleman from North Carolina asks unanimous consent to extend his remarks by printing a speech made by the Secretary of State. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441,

the sundry civil bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

MISCELLANEOUS OBJECTS, TREASURY DEPARTMENT.

To enable the Secretary of the Treasury to refund money covered into the Treasury as internal-revenue collections, under the provisions of the act approved May 27, 1908, $75,000.

Mr. RAKER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I desire to ask unanimous consent that I may proceed for five minutes upon a subject not contained in the bill.

The CHAIRMAN. The gentleman from California asks unanimous consent to proceed for five minutes upon a subject other than that contained in the bill. Is there objection?

Mr. WALSH. Mr. Chairman, reserving the right to object, what is the subject?

Mr. RAKER. The subject closely follows the eloquent speech of the gentleman from Kentucky, and, as I view it, is one of the second declarations of emancipation in the United States—one by Lincoln and now by the present President of the United States, requesting that the Senate of the United States pass the constitutional amendment enfranchising the women of this country. I desire to read the President's statement.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. GILLETT. Has this been published?

Mr. RAKER. I think not.

Mr. GILLETT. Is it a private statement to the gentleman?

Mr. RAKER. No; it is not.

Mr. GILLETT. How does the gentleman come by it?

Mr. RAKER. I got this from Mrs. Carrie Chapman Catt, president of the International Woman's Suffrage Association, and it was sent to me this morning.

The CHAIRMAN. Is there objection to the request of the gentleman from California to proceed for five minutes upon a subject other than that contained in the bill? [After a pause.] The Chair hears none.

Mr. RAKER. Mr. Chairman and gentlemen, first I desire to say there was a letter presented by this association to the President from the women of France and other countries under date of February 1, 1918, asking the President to make a statement in regard to this vital and important question. This letter in reply was issued by the President on June 13, and reads as follows:

THE WHITE HOUSE,
Washington, June 13, 1918.

Mrs. CARRIE CHAPMAN CATT,
President International Woman Suffrage Alliance,
1626 Rhode Island Avenue.

MY DEAR MRS. CATT: May I not thank you for transmitting to me the very interesting memorial addressed to me by the French Union for Woman Suffrage under date of February 1, last?

Since you have been kind enough to transmit this interesting and impressive message to me, will you not be good enough to convey to the subscribers this answer?

"I have read your message with the deepest interest, and I welcome the opportunity to say that I agree without reservation that the full and sincere democratic reconstruction of the world, for which we are striving and which we are determined to bring about at any cost will not have been completely or adequately attained until women are admitted to the suffrage, and that only by that action can the nations of the world realize for the benefit of future generations the full ideal force of opinion or the full humane forces of action.

"The services of women during this supreme crisis of the world's history have been of the most signal usefulness and distinction. The war could not have been fought without them or its sacrifices endured It is high time that some part of our debt of gratitude to them should be acknowledged and paid, and the only acknowledgment they ask is their admission to the suffrage. Can we justly refuse it? As for America, it is my earnest hope that the Senate of the United States will give an unmistakable answer to this question by passing the suffrage amendment to our Federal Constitution before the end of this session."

Cordially and sincerely, yours, WOODROW WILSON.

And to that I ask that there be printed in the RECORD the statement of the French women to the President in regard to the matter to which the President made his answer.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing the matter indicated. Is there objection? [After a pause.] The Chair hears none.

The statement is as follows:

Union Française pour le Suffrage des Femmes. Adresse de la présidente: Paris, 14 Rue Pierre-Charron; secrétariat: Paris, 53 Rue Scheffer.

PARIS, *February 1, 1918.*

In the historic message which announced to the world the entry into the struggle of American force and thought you declared unforgettable formulas upon which your great Republic awaits a victory—the right of peoples to self-determination and a durable peace for generations to come.

The French suffragists and those of the allied countries have heard your beautiful and strong words and they unite in prayer to you for the accomplishment of the following resolution:

"Considering that from this war there has come a new international right, founded upon the right of peoples to self-determination;

"That nothing can be claimed to speak authoritatively in the name of the people which excludes women from the life of nations;

"Considering, moreover, that women during the actual conflict have shown the value of the social work which they are capable of performing;

"Considering that the participation of wives and mothers in the suffrage would be the greatest guaranty of the peace to come, the need that the belligerent countries have of their help in the present conflict, the sufferings, moral as well as physical, which this war has cost them, have given definite proof that no longer, without iniquity and imprudence, can one refuse to give them through their vote an influence in the undertakings which decide peace and war:

"The women of the allied countries express the wish that President Wilson in one of his future messages will proclaim the principle of woman suffrage one of the fundamental rights of the future."

We have read with emotion in the Woman Citizen, Mr. President, the very profound words which you have spoken in response to the delegation of women from New York. If we recite them here it is because they are the same words that we would ask you to address to all humanity in one of your declarations which resound throughout the world:

"It is a struggle which goes deeper and touches more of the foundation of the organized life of men than any struggle that has ever taken place before, and no settlement of the questions that lie on the surface can satisfy a situation which requires that the questions which lie underneath and at the foundation should also be settled, and settled right. I am free to say that I think the question of woman suffrage is one of those questions which lie at the foundation."

I beg you to accept, Mr. President, the expression of our great appreciation of our American sisters and our profound admiration for the high moral tone of the declarations which you have uttered in their name. It is this which encourages us to ask your aid, which will be a powerful influence for woman suffrage in the entire world.

For the committee of the Union Française pour le Suffrage des Femmes, and in the name of other national committees of which the list is joined hereto.

President, de Witt Schlumberger, vice president de l'Alliance Internationale du Suffrage des Femmes; Jane Misme, vice president; Marie Louise Le Verrier, vice president; Cecile L. Brunschvieg, secretary; Marguerite Desavis, treasurer; Marguerite Pichon Landry, secretary; Suzanne Grinberg, secretary.

This memorial was signed by the suffrage associations of Great Britain, France, Belgium, Italy, and Portugal.

Mr. RAKER. Mr. Chairman, I want to say this in conclusion, that this statement of the President's, to my mind, carries out my idea of his views and his statements on this great question to the public since he has been President of the United States.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read:

The Clerk read as follows:

Money laundry machines: For all miscellaneous expenses in connection with the installation and maintenance of money laundry machines, including repairs and purchase of supplies, for machines at Washington, D. C., and in the various Subtreasury offices, $5,500.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. In the preceding paragraph the expression is used, "recoinage of worn and uncurrent minor coins." What does "uncurrent minor coins of the United States" mean?

Mr. SHERLEY. Uncurrent coin is coin so close to the tolerance that is permitted for current coin that if put into circulation again it would be light-weight coin before it got back to the Treasury.

Mr. WALSH. Well, is it different from worn coin?

Mr. SHERLEY. Well, it is worn coin, but the difference is this: There is a certain tolerance allowed in coin over the standard weight that it should have. Now, this is so near the maximum allowance that if put into circulation it would almost immediately become uncurrent coin.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For journals and scientific books, $500.

Mr. LINTHICUM. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LINTHICUM: Page 27, after line 23, insert the following: "For the purchase of the quarantine station at Baltimore, Md., $176,775."

Mr. LINTHICUM. Mr. Chairman, this amendment provides for the purchase of the quarantine station at Baltimore for the sum of $176,775. It was understood between the Public Health

Service and the officials of the city of Baltimore that they would take over the quarantine station at Baltimore for that sum of money. Appraisers were appointed, and these appraisers went to Baltimore, two of them on the part of the city and one on the part of the Government, and appraised the property at this sum, as shown by page 263 of the hearings:

OCTOBER 25, 1916.

The honorable the BOARD OF ESTIMATES OF BALTIMORE CITY.

GENTLEMEN: Complying with the request contained in the resolution of your honorable board, passed October 18, relative to the appraisal of land and buildings of the Baltimore quarantine station, we have the honor to report that after a careful investigation of all the property, a comparison of values thereof, we have arrived at the conclusion that the land, buildings, and appurtenances thereon and therein are, in our judgment, worth the net sum of $176,775, divided approximately as follows:

Buildings, wharf, retaining walls, etc	$90,687
Floating property, consisting of 1 tug and 1 gasoline launch	24,500
Implements, live stock, household furniture, etc	3,138
Water, light, and power plants	8,250
20 acres of land, at $2,500 per acre	50,000
One small parcel of land	200
Total	176,775

Respectfully,

THOS. J. LINDSEY,
HARRY E. SILBERT.
On behalf of the city of Baltimore.
N. V. PERRY,
Supervising Superintendent,
On behalf of the Treasury Department.

It being distinctly understood that just as soon as the Public Health Service could do it they would take over this quarantine station.

Now, on April 1, 1918, in conformity with this agreement, the mayor of Baltimore city telegraphed the Public Health Service, saying:

A strike of the engineers and firemen at quarantine ties up our quarantine inspection. Is the Government ready to take this quarantine property over?

In response to that telegram the Secretary of the Treasury answered:

Department is willing to take over and operate Baltimore quarantine station immediately on basis of lease at nominal sum. Funds not yet available, however, for reimbursement of city for property. This item is included in pending legislation, to be effective July 1 if favorably acted upon by Congress.

Now, that was the reply of the Treasury Department to the city officials, and upon that reply the city of Baltimore immediately turned over to the Government, at $1 per year, its quarantine property and all the appurtenances, the tug and other boats connected therewith. With the understanding that the Government was going to take over this property at appraised value, absolutely agreed upon by the Public Health Service and the city of Baltimore, and for the payment of which they were told there was legislation pending, the city turned over to the Government the entire quarantine property at $1 per year, with the expectation that when this bill came before the House the money would be provided.

Mr. WALSH. Will the gentleman yield? The gentleman does not think that the amendment offered to this bill is all the authority needed to take that property over?

Mr. LINTHICUM. No; that is not all the authority that is needed, but if the gentleman will look at the provisions of the act of February 15, 1893, he will see that it reads:

SEC. 8. That whenever the proper authorities of a State shall surrender to the United States the use of the buildings and disinfecting apparatus at a State quarantine station, the Secretary of the Treasury shall be authorized to receive them and to pay a reasonable compensation to the State for their use * * *.

Now, under that provision 67 of the quarantine stations of this country have already been taken over. The last one so taken over was the station at Boston. So the next in order to be taken over was the one at the city of Baltimore, and we had every reason to believe that the Government would carry out its contract, especially after we had turned over the property to it. And we had hoped that we might build with that money a contagious-disease hospital, which would be beneficial to the Government as well as to the city of Baltimore, as there are thousands and thousands of troops now all around the city in the various camps and in the Quartermaster Department in Maryland.

This has hampered us a great deal. It puts us in a position of having turned over our property with the understanding that it would be taken. But the sundry civil bill comes in without the item specified by the Secretary of the Treasury to take over this quarantine station which has been eliminated by the Committee on Appropriations, just as they also eliminated the New York item, which station, however, had not been turned over.

It does seem to me that Baltimore is entitled to the consideration that the other cities of the country have been receiving, and it being the policy of the Public Health Service to take over these stations, I do not see why it ought not to be done at this time. This station is not only for the city of Baltimore. The city has been running it satisfactorily and it is now in the hands of the Government. Great shipments are being made and people are coming in there to go to all parts of the country. Soldiers surround the city, some of them being sent abroad, others returning. The station is of more importance to the Government at this time than ever. The sum is not large. We are giving abundant consideration for every dollar agreed upon to be paid. It cost the city of Baltimore far more than the appraised value by the Government and the city appraisers. This small sum of money ought not to interfere with its being taken over by the Government at this time. We have acted in good faith. We have turned over the property.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. We have turned over the property to the Government and we have carried out our part of the contract. The value is appraised by the officials and recommended by the Secretary of the Treasury in his items sent to the Appropriations Committee. And I hope the House will treat us as fairly and justly as it has treated 67 other quarantine stations in this country. We were not anxious to dispose of it, but having done so, payment as recommended by the Secretary of the Treasury should be made. The mayor has not been hasty, as shown by an extract from a letter of Surg. Gen. Blue to me dated June 13, which says:

Until the recent strike, tying up all the operations of the quarantine station, prospective negotiations have never been pushed by the city authorities of Baltimore, and for that reason action was not expedited by the department.

Mr. SHERLEY. Mr. Chairman, I trust the committee will not act favorably upon the amendment offered by the gentleman from Maryland [Mr. LINTHICUM]. The gentlemen seem to think they have been induced to do something that they would not have done otherwise, and that unless we appropriate this money out of the Treasury they will have been taken advantage of. If there is any advantage that is being taken, it is of the Government of the United States. The Public Health Service knew perfectly well at the time they took over this property that the Appropriations Committee was not going to recommend the appropriation of this money. And they knew that by what occurred at the hearings and what has occurred in previous hearings. What they have done is simply this, namely: They have taken under a nominal lease the control of this service, with the result of relieving the city of Baltimore of the expense and putting it upon the Federal Government. We did take over some time ago the quarantine station at Boston, and we have been paying for our mistake ever since.

We have got a lot of things there at the assessed value that were not worth anything like what the Government paid. I am not prepared to say, and I very seriously doubt, whether this property is worth anything like the sum that the Government is requested to pay for it. If we are going to take over this property, it ought to be taken over only as the result of an examination made fully, and not simply by a representative of the Supervising Architect's Office.

That same Supervising Architect's Office some time ago recommended to the committee to appropriate nearly $20,000 for the building of a medical-officers' quarters. I cite that as an evidence of their viewpoint of economy.

If it is desirable to take over the Baltimore quarantine station, a bill ought to be introduced, considered by the Committee on Interstate and Foreign Commerce, and reported favorably to the House, and the matter taken up in that way. For us now to undertake to appropriate this money in order to ratify the attempt on the part of the city officials of Baltimore and the Public Health Service to force Congress would be to invite similar action on the part of that service in the future. And altogether, aside from the case at Baltimore, there could be no graver mistake made than for Congress to permit the Public Health Service to put them in such a situation as this and then to ratify it.

Mr. LINTHICUM. This is entirely in the hands of the Secretary of the Treasury, and he was authorized to do this.

Mr. SHERLEY. No; I do not think he was authorized to do anything of the kind. The language that the gentleman read authorized him to take over the property for the use of the Government and make compensation for that use. That is what he has done. What the gentleman is trying to do now is to get Congress to appropriate money for the acquirement of this

property, and to do it on the basis that the mayor of Baltimore was able to persuade the head of the Public Health Service to enter this lease on the ground that if he did not they were likely to have a strike there and would not be able to run their own affairs.

Mr. LINTHICUM. The mayor of the city of Baltimore has never undertaken to force this.

Mr. SHERLEY. The gentleman read that letter, and——

Mr. LINTHICUM. He sent a telegram asking when they were able to take it over. He has never been anxious to get rid of it.

Mr. SHERLEY. Will the gentleman say there has not been a determined effort on the part of the city of Baltimore to have the Government take this station over?

Mr. LINTHICUM. No; there has not been a determined effort on the part of the city of Baltimore to have the Government take this over, but there has been a determined effort on the part of the Public Health Service to take it over.

Mr. SHERLEY. The city of Baltimore is simply permitting the Federal Government to operate it at the expense of the Federal Government at this time. Now, if I understand the gentleman aright, at this time he says the city of Baltimore is not anxious to turn it over.

Mr. TALBOTT. So far as that transaction goes, it has been completed and the Federal Government is obligated to pay the debt.

Mr. SHERLEY. The gentleman is not speaking of what came before the committee.

Mr. TALBOTT. I can not help what is before the committee. This is a completed transaction between the city of Baltimore and the United States Government, and the Congress should appropriate this money.

Mr. SHERLEY. The Treasury sent in an estimate for over a million dollars for taking over the service at New York. At that time, at the time the hearings were had, and at the time the Public Health Service knew that the Committee on Appropriations would not make this recommendation, there was no contract entered into with the city of Baltimore. It has been done since those hearings were held.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman?

There was no objection.

Mr. SHERLEY. It has been done since the hearings and long since the estimate which was prepared last fall was submitted to Congress.

Now, if we are to permit the officials of the city of Baltimore and the Public Health Service to enter into an arrangement, as the result of an exchange of telegrams, and then force the Congress of the United States to ratify it by appropriating money, we might as well let these administrative officers determine altogether what moneys shall be appropriated. I am sure that this House is not going to be swept off its feet by the demand of these gentlemen representing the local desires of Baltimore. It is to me a matter of extreme surprise that the gentleman tells us that now only has the city of Baltimore been wanting to get rid of this property. The impression that had been made before the Committee on Appropriations for two or three years past by advocates, in Congress and out of it, of the city of Baltimore, was that they were anxious to have the Government take over this property. I hope the committee will vote down this amendment.

Mr. LINTHICUM Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Kentucky has the floor. Does the gentleman yield the floor?

Mr. SHERLEY. Yes.

Mr. MONDELL rose.

The CHAIRMAN. The gentleman from Wyoming, a member of the committee, is recognized.

Mr. MONDELL. Mr. Chairman, the gentleman from Maryland complains because the Federal Government has relieved the city of Baltimore of the very considerable expense of conducting its quarantine station. That is what has occurred. The Federal Government is now paying the expense of the maintenance of the quarantine station, and the gentleman from Maryland seems to complain about it. It may be true that the Public Health Service, without any warrant, made some promises to the city of Baltimore relative to the purchase of that quarantine station. But, as the chairman of the committee has just stated, those gentlemen must have known, at the time they made that arrangement, that the committee, or the subcommittee at least, was of the opinion that in these times of war and stress and great expenditure we were not justified in taking over these quarantine stations and paying for them; least of all, paying for them.

There is an estimate of one million six hundred thousand and odd dollars for the acquisition of the quarantine station in New York City. The committee did not feel justified in recommending an appropriation for that purpose. The great city of Baltimore is benefiting quite as much as any other large community in the Union from the activities of the war. A very great many of them are in that general locality and vicinity, and Baltimore could very properly have continued to pay the expenses of its own quarantine station in these times of stress and very great public expense, and not have asked the Federal Government to take charge of it. It may be true that the Public Health Service officials desire to take it over, but it is very clear that if Baltimore and the Baltimore officials had not been perfectly willing to have the Federal Government take it over and incur the expense and go to the trouble of running their station, that would not have been done. Baltimore can very well wait until the Treasury is in a little better condition, and New York, also, before asking the Federal Government not only to relieve them from the cost of running these stations, which is very considerable, but also to pay for them.

I think possibly it is wise to have the Federal Government eventually take over all of the quarantine stations, but there is some doubt in regard to that. But my opinion, as I expressed it in the Boston case, was and is now, in the Baltimore case and in the New York case, that all of these cities and their good citizens have a good deal of nerve when they ask the Federal Government to relieve them from an enormous financial obligation and from a very great deal of administrative trouble and then pay them a very fat and juicy price for the property that they turn over, the turning over of which results in relieving them of large expenditures.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LINTHICUM. I want to say to the gentleman in all sincerity that Baltimore never tried to persuade the Government to take over this quarantine station, but the Government wanted to carry out the very idea that the gentleman has expressed of having all of these quarantine stations under the Public Health Service, and they got Baltimore to appoint appraisers and to agree upon this sum. Now, Baltimore has carried out its contract, has delivered the property, and the Secretary of the Treasury has asked that the money be appropriated to pay for it.

Mr. MONDELL. If the Public Health Service has taken action that it had no authority to take, this Congress should not be coerced in that way, and I do not think it will be coerced in that way. Furthermore, I repeat that it is asking a good deal, and would be asking a good deal even in time of peace and with an overflowing Treasury, to ask that the Federal Government pay for the relief given to these cities when they turn over their quarantine stations to the United States Government. Undoubtedly we will take them over eventually, but in the meantime Baltimore is faring very well indeed in being relieved of the cost and trouble of running the station.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Maryland [Mr. LINTHICUM].

The amendment was rejected.

The Clerk read as follows:

All taxes heretofore or hereafter lawfully assessed by any body politic against money or other property held by the Alien Property Custodian shall be paid out of such money or other property, and if that be insufficient, shall be charged thereto and paid out of any other moneys or properties required from the same enemy or ally of enemy.

Mr. WALSH. Mr. Chairman, I should like to direct the attention of the chairman of the committee [Mr. SHERLEY] to the concluding words of this paragraph:

And paid out of any other moneys or properties required from the same enemy or ally of enemy.

Does that mean "required" or "acquired"? It would seem to me that the word "acquired" would be the proper one. I do not know of any provisions of law which "require" money or other property from the enemy or their allies.

Mr. SHERLEY. I think the reason the word "required" was used was because in the act creating the alien-property custodian and defining his duties, it is required that property of the enemy or allies of the enemy shall be turned over to him. The language is practically in the form in which it was prepared by the counsel for the alien-property custodian. I think it ought to be "required," though frankly it does not read very smoothly. Without further consideration I think it would be a mistake to change it to "acquired."

Mr. PARKER of New Jersey. I think the word "required" is in the law. We had to go over that the other day, and I remember we suggested that the word "requested" or "de-

manded" be put in its place. The alien custodian makes out a requirement that certain property be turned over to him.

Mr. SHERLEY. I have just been handed a copy of the law, and I find that the word "required" runs through the act. For instance, it reads:

If the President shall so require any money or other property owned by or belonging to or held for, by, or on account of or on behalf of or for the benefit of an enemy or ally of enemy not holding a license granted by the President hereunder—

And so forth.

Mr. WALSH. Yes; but this language says moneys or properties required from the same enemy or ally of enemy.

Now, we do not require the enemy to turn over that property.

Mr. SHERLEY. Yes, we do. That is exactly what we do. We require that the property that belongs to any national of an enemy or an ally of the enemy shall be turned over.

Mr. WALSH. We only require the alien in whose custody or charge that property is to turn it over.

Mr. SHERLEY. No matter whether it is in the custody of an alien or not, if it belongs to a national of the enemy or an ally of the enemy, then under the act we require it to be turned over to the alien property custodian. I think the gentleman will find that the language is right.

The Clerk read as follows:

Valuation of property of carriers: To enable the Interstate Commerce Commission to carry out the objects of the act entitled "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof," by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities, approved March 1, 1913, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and including not exceeding $15,000 for rent of buildings in the District of Columbia, $3,500,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1918.

Mr. WALSH. Mr. Chairman, I move to strike out the section.

I am quite sure that nobody who has given any attention to this very important measure can conclude that the committee in framing it have not sought to economize in the conduct of the various departments of the Government which are not intimately associated with our war activities. In many instances they have reduced the appropriations very materially, and so in offering this motion I do not wish to have it considered as in any wise a criticism of the committee who have recommended a continuation of this appropriation. But let me direct the attention of the committee to the fact that here is a work costing millions of dollars annually, providing for the valuation of the railroads of this country, and for this year we are asked to appropriate $3,515,000 in addition to any unexpended balance. This work started several years ago and has dragged along from year to year. The purpose of it was to secure as nearly as could be some estimate of the value of the rail carriers of the country, and it has been contended that now, in view of the Government operation of the railroads, the Government certainly ought to know something about their value. That possibly is true. My criticism is that the work now has continued so long that the values in every other line of industry and every kind of property have advanced to such an extent that work done five years ago in estimating the value of railroad property in the far West, or even near the congested centers, will be of but little real value. I have not heard of any method or scheme whereby the commission can bring that work up to date, so to speak, or can by any estimate ascertain what the value of the properties are at the present time.

Now, if it is intended to be urged in the future, when the war shall have been won, that the Government shall take over the railroads and that we shall be launched on a program of Government ownership, this work of valuation which has been done during the last five years can not be of any controlling benefit, nor can it enter into the computation for fixing the price to be paid to the carriers, because this valuation, as I understand it, is only the physical valuation of the railroad property, and in estimating this no attempt has been made to place or attempt to place a value upon corporations as going concerns.

It seems to me whether that be true or not, here is an opportunity to economize to the extent of $3,500,000. When we are appropriating millions for purposes intimately connected with the war, and even if this valuation is to be taken into account later, one year's cessation of it, or two years, or its cessation from now until the completion of the war, would not, it seems to me, seriously affect the report which will be made at some distant day by the commission.

Mr. McKENZIE. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. McKENZIE. Is it not a fact that the statement submitted a few days ago in compliance with the resolution introduced by the gentleman from Illinois [Mr. MADDEN], to ascertain the number of employees under this branch of the Government service who had been exempted from military service on account of services to the United States, shows that a large number of these exempted employees are designated as civil engineers doing this kind of work?

Mr. WALSH. Yes; that is true. It is well known that this commission employs a large force of men in the field, some of whom are civil engineers and expert engineers. The Government is in need of their services in our war work. The statement submitted in response to the resolution which the gentleman from Illinois [Mr. McKENZIE] mentions, shows that here is a large number of men assigned to that class of work by the Interstate Commerce Commission that might properly be assigned to work in connection with the military activities, and it is for this reason, I think, this paragraph ought to be stricken out, that we may economize by dispensing with this appropriation at this time.

The CHAIRMAN. Does the gentleman from Louisiana [Mr. DUPRÉ] wish to be heard?

Mr. DUPRÉ. I do not.

Mr. SHERLEY. Mr. Chairman, one of the real difficult problems that confronted the committee in the preparation of this bill was to determine what activities and to what extent such activities should continue now in these times of war, when there should be a conservation both of money and energy on the part of the people of the country, so as to use it for the one primary purpose of winning the war. Therefore, I am not without sympathy with the gentleman from Massachusetts in making his motion, even though I differ with him as to the wisdom of the application of that view to the particular matter in issue.

This field work is 70 per cent finished. It will be completed in January, 1920. The office work should be completed a year later than that. The work has been so conducted as to enable it when completed in its entirety to represent the value of the roads at the time of the completion of the whole work. There is proposed now a division whose special duty it will be to check up the additions made by railroads in the way of expenditure for betterments and improvements so that not only their returns but the checking of other returns will give the Government a knowledge of the actual value of such property.

Mr. JUUL. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. JUUL. I desire to ask the chairman of the committee if in his opinion, when the commission finishes its work, the report furnished by the commission will give the valuation of the railroad property at the date of the publication of the report.

Mr. SHERLEY. That is my understanding that it will.

Mr. JUUL. How will the commission get at the increase of advance and of value from the date of the extension of the work until they finish?

Mr. SHERLEY. I am not able to answer the gentleman exactly.

Mr. JUUL. Approximately?

Mr. SHERLEY. It was gone into a year ago or two years ago when the same objection was made that the time taken in the valuation of the road would make the valuation worthless. I am prepared to state, on the authority of the Interstate Commerce Commission, that they are so valuing and gathering such data as to enable them to make a report that will be current at the time it is made.

Now, if the gentleman will permit, no one is quite wise enough in this day of rapid change of governmental activity and governmental thought to say what will be the policy of this Nation touching railroads. That it is never going to be quite what it was I think all of us will agree. Personally I hope, and have always hoped, that it would not be necessary for the Government to become the permanent owner of the railroads. I believe the time will come when there will be permitted such consolidation of the railroads as will make possible these economies that are not possible under the competitive system, and that that will be done under such regulations as will safeguard the public. But whether the development takes such a line or takes the line of complete Government ownership, or goes back into the old status that existed prior to the war, this is certain: A knowledge of the values of these roads upon the part of the Government will be fundamentally essential in order properly to control and regulate such railroads.

Mr. JUUL. I wish to say to the gentleman that I realize the necessity of having a valuation.

Mr. SHERLEY. If that be true, being in this work, which is 70 per cent completed, I submit to the House that it is not the part of wisdom to stop it. If the report loses value because of delay in the making of a finished report, there is all

the more reason why we should not add to that delay by having a cessation of the work at this particular period. We have been reading in the papers of proposals looking to the expenditure of nearly a billion of dollars upon our railroads. The country is going through a material, physical transformation greater than has happened in two or three decades, and in less than two years there will have been greater changes made in the routes of trade, in the movement of commodities, in port facilities, in the habits of the people, than have occurred in any 20 years previously. With that tremendously rapid evolution it did not seem to the committee the part of wisdom to stop this work. I am in sympathy with the viewpoint that wants to conserve the energies of the Nation for the primary object of winning the war, and yet we can not carry that thought so far as to stop all other activities.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. AUSTIN. What was the estimated cost of this work in the beginning, and how much have we already expended and what will it require to complete it?

Mr. SHERLEY. The estimated cost depended on who made the estimate. I personally made an estimate which was pretty close to what we are about to expend. We have expended $12,800,000 and we are carrying $3,500,000 in this bill, which would give a total of $16,300,000. I suspect that, first and last, it will cost about $20,000,000 to get a physical valuation of the railroads.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask for just a moment more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. I never deceived myself when the matter was under consideration on the floor and we heard talk of a few million dollars for this work. I think I could hunt the RECORD up in which I spoke of the fact that it would cost much more than that, and it is only fair to say of Judge Prouty, who has had the directing charge of this work, that he also in his estimates never put them at anything like the low figure that some of the extreme advocates of the work placed it at.

Mr. AUSTIN. Was not this original proposition brought forward by Senator LA FOLLETTE, and was there not an estimate at that time made which is considerably lower than the amount stated?

Mr. SHERLEY. I do not recall whether Senator LA FOLLETTE was the mover in the matter. I know that he was one of the advocates of it, and it may be that he and others made estimates very much lower; but for a number of years past the House has known pretty accurately what this work was costing and was going to cost. I think the hearings of last year show practically the same as they do now. I am advised that the original estimates ran from a minimum of $12,000,000 to a maximum of $20,000,000.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. JUUL. Mr. Chairman, I ask that his time be extended for a minute longer.

Mr. WALSH. Make it five minutes.

The CHAIRMAN. Without objection, the gentleman from Kentucky will be recognized for five minutes.

There was no objection.

Mr. JUUL. When this work is finished and we have the report of the commission, will we have the valuation of every mile of railway within the country, rolling stock and stations and engines and all.

Mr. SHERLEY. The gentleman will find on page 425 of the hearings, I think it is, a statement as to the amount of work that has been done, the mileage and the roads over which it is being done. There are approximately 250,000 miles of railroad in the country, and there have been completed about 175 miles of roadway, and that includes, of course, not only the road beds, but the stations, rolling stock, and so forth.

Mr. WALSH. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. WALSH. It is not a fact that the railroads whose property is being valued also carry a number of employees or have heretofore who have cooperated with the Government officials and experts in ascertaining the valuation.

Mr. SHERLEY. The word "cooperate" perhaps is a little strong. This is the fact. The railroads have been taking their own valuations and have been having their own employees make reports as a basis for checking and challenging the Government reports and there have been from time to time and there are now a number of matters in dispute, some of them having been disposed of and some not, between the railroads and the commission as to the basis of valuation. Those are matters of argument and adjustment and finally of decision and presumably as to fundamental matters in the last analysis will be subject to appeal. But this work of the railroads is work that is necessary for them to do and in large measure will be done irrespective of the governmental work.

Mr. WALSH. But now that the Government has taken over the control and operation of the railroads it would seem to be unnecessary.

Mr. SHERLEY. I think that would not affect it at all, because while the Government has taken over the operation of the railroads, it has not acquired the property. Therefore it is to the owners of the railroads just as important, and perhaps more important, that they should know something of the cost and value of their property, something as to expenditure. I do not understand that the Government in operating the railroads now takes the position of owner in the sense that it is solely interested in what moneys are expended upon the roads or what record is kept of the values of the property.

Mr. WALSH. I think the Government is paying these employees that are making this valuation for the owners of the roads. I think the gentleman will find that the civil engineer force of the various roads is on the Government pay roll, even though they may be doing this work for the particular benefit of the railroad owners, the stockholders.

Mr. SHERLEY. This, of course, is what is happening. I take it that there are certain expenses of the railroads that are being allowed as a proper charge in connection with the final adjustment between the railroads and the Government, which perhaps bears no direct value to the Federal Government as the operator of the railroads. And yet it would be manifestly inequitable for the Federal Government to say to the railroads we will only allow as one expense incident to the railroad such expenses as are of value to us, and the basis of compensation could not, of course, in equity be fixed on any such plan as that.

Mr. WALSH. But does not the gentleman think it seems rather paradoxical that the Government should be paying the Interstate Commerce Commission for putting a valuation upon these properties of the railroads and at the same time be paying experts and engineers employed by the railroads to put the valuation upon the same property for the private benefit of the stockholders of the roads?

Mr. SHERLEY. The gentleman raises an interesting inquiry and an inquiry that is pertinent not only here but pertinent to questions such as the inspection that the Government makes as to safety appliances, and so forth.

Now, if you are going to carry your theory to its logical conclusion the Government either ought to cease doing all of the work that it has been doing heretofore under the Commerce Commission or it ought to cease permitting the railroads to do any of that sort of work, and that is predicated upon the conception of a status that I think is not warranted. The Government is not the owner of these railroads; it is the lessee, and it is the lessee under conditions that have been fixed in connection with the taking over of the roads.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I ask that the gentleman have two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. I think that it can not in justice deny to railroad owners the right to take such steps as are necessary for the proper safeguard of their property and interests, and that within reason those steps must be allowed as part of the expenses of the railroad that should be taken into account when payment is made. But that is a matter that I think we can not settle here now on the floor.

Mr. WALSH. It is establishing apparently a very interesting principle which may turn into a precedent that will rise up to plague us in the future I think.

Mr. SHERLEY. I think our voting moneys to continue the valuation of railroads can not possibly make a precedent as to what Mr. McAdoo, as the officer in charge of the railroads, shall do touching allowances of salaries to be paid employees of the railroad. That is his problem, and for my part I have too much trouble now to take it on my shoulders.

Mr. WALSH. But if we discontinue these appropriations at the present time we might avoid the complication that I think may arise.

Mr. SHERLEY. I do not so see it. I think the probabilities are that the railroads will have to continue the work just as much and probably even more so, because they can not afford to

go ahead and have money spent on the railroads, not knowing something of their valuation.

The CHAIRMAN. The time of the gentleman has again expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SANDERS of Louisiana having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, had further insisted upon its amendments disagreed to by the House of Representatives, had agreed to the further conference asked by the House, and had appointed Mr. BANKHEAD, Mr. HARDWICK, and Mr. TOWNSEND as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4557) to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

SUNDRY CIVIL APPROPRIARION BILL.

The committee resumed its session.

Mr. MONDELL. Mr. Chairman, just a moment. I think there is one matter that should be kept in mind in connection with this work of valuation. At the close of the war some action will have to be taken with regard to the railroads. What it is to be we do not know. It would be a bold man indeed who would venture to guess at this time as to what the final determination in Congress on that subject will be, but at any rate in the settlement of that question it will be tremendously important to have all the information obtainable relative to the value of the property. Just how valuable this information we are securing through the Bureau of Valuation will be we can none of us say at this time. There are wide differences of opinion on the question, but at any rate it will be the only information we have on the subject, and it is tremendously important that we shall have it and have the work approximately completed. It was in that view of the case that we believe that the committee was fully justified in continuing this work even in time of war when we are utilizing some men in this work who would otherwise be engaged in war service or in productive enterprises. The work will be completed if appropriations are carried on in a regular and orderly way within a couple of years at the outside. I am firmly convinced that it would be very unwise to suspend the work of valuation at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; traveling expenses of members and employees; office supplies, printing, and other miscellaneous expenses; equipment, maintenance, and operation of research laboratory, and construction of additional buildings necessary in connection therewith; personal services in the field and in the District of Columbia: *Provided*, That the sum to be paid out of this appropriation for clerical, drafting, watchmen, and messenger service for the fiscal year ending June 30, 1919, shall not exceed $43,000; in all, $200,000: *Provided*, That the Secretary of War is authorized and directed to furnish office space to the National Advisory Committee for Aeronautics in governmental buildings occupied by the Signal Corps.

Mr. WALSH. Mr. Chairman, I would like to ask the chairman of the committee with reference to this appropriation. It seems to be a distinctively scientific investigation that is to be made. Has this committee anything to do with the production of aircraft—that is to say, does it supervise in any way the designing of the aeroplanes that we expect and have expected to be furnished our military forces?

Mr. SHERLEY. The National Advisory Committee for Aeronautics was created several years ago and was to be composed of men of scientific attainments who study the purely scientific questions in connection with aeronautics and to whom should be referred any matter for study and investigation that the Army and Navy or other governmental agencies dealing particularly with the question may desire. The committee took occasion to have some very interesting testimony, covering quite a number of pages, from Dr. Stratton, of the Bureau of Standards, Dr. Walcott, and also from some gentlemen engaged in aircraft work on the part of the Army and Navy.

Mr. WALSH. Is that Mr. Walcott of the Smithsonian?

Mr. SHERLEY. Yes. That testimony, I think, will interest the gentleman by throwing some light upon many matters that have been the subject of controversy touching the aeroplane program. This committee does not undertake to function on any military problems in connection with aeronautics, but they do endeavor to test out and to solve problems that arise in connection with construction and flight and to be of such help and aid in the way of advice as is possible. Questions of the effect of the rarification of air in high altitudes, upon the action of moisture, upon the cooling system, the lubricating system, the effect upon propellers, and matters of that sort, are gone into. According to their statement and the statements of these other gentlemen they have been of value in the solution of these problems.

Mr. WALSH. Well, that is not the only source the Government has for information upon those matters, is it? The Signal Corps, of course, knows all about those things, I assume.

Mr. SHERLEY. That is not the only source, but it is the only governmental scientific agency that has been created for dealing with these matters.

Mr. WALSH. They only give this advice when they are asked. They have no authority——

Mr. SHERLEY. They have no power to direct the doing of things, but there is on the committee a representative of the Army and Navy, and presumably there is brought to the committee information as to the production side and the problems that are occurring there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I ask for just one minute in order to ask another question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Does the gentleman know whether this advisory commission had anything to do with or whether it passed upon the motive power of any of the airplanes we are building?

Mr. SHERLEY. There is some interesting testimony on the part of Dr. Stratton and Dr. Walcott touching the Liberty motor. They had nothing to do, I think, in designing it, but they have been parties to the tests of some parts of it and of the completed motor, and have testified as to their judgment of its value.

Mr. McKENZIE. I would like to ask the gentleman one question. Is it not a fact that the Bureau of Standards does a good deal of this same character of investigating, and this is rather auxiliary to the Bureau of Standards?

Mr. SHERLEY. I do not know just which way you would put it, whether the Bureau of Standards is auxiliary to it or it to the Bureau of Standards. Dr. Stratton, at the head of the

Bureau of Standards, is a member of this advisory committee, and the Bureau of Standards is frequently the workshop for the doing of work suggested by this committee and paid for by this committee out of funds that have been allowed it.

Mr. McKENZIE. Well, the Bureau of Standards has been long recognized as the one branch of our Government service to carry on all manner of investigations of this character.

Mr. SHERLEY. I think this committee does not undertake in any way to usurp the normal or even the present unusual activities of the Bureau of Standards. But as a committee it considers the problem from the standpoint of scientific inquiry and research, and then frequently suggests and sometimes inaugurates at the Bureau of Standards those actual experiments that will solve or help to solve the problem that has been presented to them.

Mr. McKENZIE. Now, if the gentleman will permit me, my idea is not to criticize——

Mr. SHERLEY. I understand that.

Mr. McKENZIE. But is not this an effort or an attempt to in a way decentralize the functions of the Bureau of Standards by engrafting on one new additional body to do independent investigating, and will it not add to the burdens of the Government in the future by overhead charges?

Mr. SHERLEY. I am not prepared to say it will not add to the burdens of the Government, because all of these committees and commissions do, but I think it was not ever created with the idea of in any way taking from the Bureau of Standards its legitimate work. However, there is certain work in connection with aeronautics that the Bureau of Standards could not do except as there might be sent to it——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask unanimous consent for one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Except as there might be sent to it a problem physically to work out and test. But there are a number of things the Bureau is not equipped for doing, and that these gentlemen will endeavor to have done. They expect to make certain experiments down near Newport, at Langley Field. This committee had nothing to do with originating that committee. It was created by law. It has had an appropriation heretofore. It came to us with a regularly submitted estimate. We did not allow everything that was asked, but it made a statement in its own behalf that is exceedingly interesting, and I think the testimony of Dr. Stratton, Dr. Walcott, Gen. Squier, Admiral Taylor, and Col. Deeds, touching the aeroplane situation and the problems they undertake to deal with, is of interest and of value in this whole matter that has been so much the subject of controversy and dispute.

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. SHERLEY. Yes.

Mr. LINTHICUM. Some time back we had under consideration the question of a boat by John Hays Hammond, jr., electrically controlled or wirelessly controlled. We passed certain legislation about that. If the gentleman is informed, I would like to know what was developed out of it. It is a little aside from the subject under discussion, but I am curious to know how it developed.

Mr. SHERLEY. The final determination as to whether or not the complete invention by Mr. Hammond should be acquired by the Government at the price stated in the legislation that authorized the matter has not been arrived at. You will recall that that legislation called for a joint board of Army and Navy officers and a favorable report by them, which report should be approved by the President, before the money should be paid. I had something to do with the legislation, and we safeguarded it in that way. That experimentation is going on, and going on in connection particularly with its use with aeroplanes. I do not feel at liberty to state just exactly what has developed, but I think this is true, that, aside from the use of the invention in the way of control of torpedoes or other weapons of defense, there has been developed and is now being used such system of wireless control as is of marked value to the Army and Navy in connection with wireless, altogether aside from the use that was first thought of in connection with the invention.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

National Museum: For cases, furniture, fixtures, and appliances required for the exhibition and safe-keeping of collections, including necessary employees, $15,000;

For heating, lighting, electrical, telegraphic, and telephonic service, $55,000;

For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including necessary employees, all other necessary expenses, and not exceeding $5,500 for drawings and illustrations for publications, $300,000;

For repairs of buildings, shops, and sheds, including all necessary labor and material, $10,000;

For purchase of books, pamphlets, and periodicals for reference, $2,000;

For postage stamps and foreign postal cards, $500;

In all, National Museum, $382,500.

Mr. PLATT. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question of the chairman of the committee.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. PLATT. Nobody appreciates more fully than I do a good deal of the work done by the Smithsonian Institution. Much of it is work in which I am interested, but I wondered whether in these times of war it is wise to continue these appropriations, not that the money amounts to so much, but could not a lot of the clerical assistants be transferred to other work at this time?

Mr. SHERLEY. Well, if the gentleman could have been present at the hearings and heard the pitiful pleas made for many things that we could not consider for a moment—for the reason the gentleman has suggested—that in war times it is not wise to be doing such things—I think he perhaps would be in sympathy with what we have carried. We have tried only to carry along those things that could not be interrupted without a real loss. For instance, the International Catalogue of Scientific Literature is a catalogue that has a tremendous value, and its value is dependent upon the completeness of it, and it is a work that goes along year after year and could not be stopped without materially, if not permanently, impairing the value of the work.

As to the Astrophysical Observatory, there has just recently been an eclipse of the sun. The gentleman may recall that we carried, a year ago, a provision of several thousand dollars for some special observations of that. These men, who have spent their lives in that sort of work and who are fitted for no other work, if denied the power to continue to a slight extent their observations, would think that all of their work and its continuity and its value had gone to smash. The committee has carefully refrained from in any way increasing in the slightest degree the activities; we have curtailed the activities. What we have presented here represents neither in money nor in men a sufficient outlay as to interfere with the conduct of the war in any material way, and the testimony before the committee was that practically all of the nations at war were, at least to the extent of activities of this sort, continuing their scientific work.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BLAND. Has this anything to do with the appropriations made for the Naval Observatory?

Mr. SHERLEY. Not here.

Mr. BLAND. Is it not true that the appropriation for the Naval Observatory carried with it the right to investigate this eclipse and pay the expense out of that appropriation?

Mr. SHERLEY. I have no doubt of it, and I have no doubt that not only that observatory and the Astrophysical Observatory, but a hundred others in America made observations and examinations, and that the value of any one work is dependent in large measure upon the checking of it given by virtue of the others.

Mr. BLAND. And the Naval Observatory people discovered the new star by reason of the expenditures made by Congress?

Mr. SHERLEY. I do not know as to that.

Mr. BLAND. They did. I found it out last night.

Mr. PLATT. The item on line 21 of page 44 is for continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and so forth, $300,000. Those expeditions, as a rule, take young men, do they not? I am greatly interested in them. I would not like to see them cut off, but I doubt the wisdom of some of this work at this time.

Mr. SHERLEY. That is not for an expedition. That is for preserving and exhibiting the collections that have already been obtained as the result of previous explorations.

Mr. PLATT. And their classification, and so forth?

Mr. SHERLEY. Yes. There is a great deal of material in the Smithsonian Institution that has never been completely classified or arranged for exhibition. The statement was made that much of it would suffer irreparable loss if the institution did not continue its work upon them and preserve them for permanent exhibition. They asked for more money than we gave them. We cut them down.

Now, the men who are engaged in this work are, many of them, men who have passed the meridian of life, who have given 20 or 30 years of their lives to just this particular line of work—of curing and preserving and mounting specimens—and not to supply the money would simply mean to break up this organization. Some of these men have been working for years upon very meager salaries, and they continue their labors out of a scientific devotion to their work that takes no account of their personal profit.

Mr. PLATT. I know that is true.

Mr. SHERLEY. They would be useless individuals, like Othello, with their occupation gone, if they will not have this work to do.

Mr. LONDON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from New York moves to strike out the last two words.

Mr. LONDON. Just to make an observation. The distinguished and able chairman of the Committee on Appropriations, who is called upon to know everything and to advise us on everything, including scientific matters, has done very well in his reply to the gentleman from New York.

I want to make this observation that some field of human endeavor must be kept free from the spirit of war. The realm of science should be saved from the malady of war. Let there be somewhere in society a group of people who shall be privileged to forget that men are fighting now. Let them deal with the world-wide, universal, abstract propositions that are good for all time, that are beautiful for all time, that are true for all time. Let us save the scientist at least from the horrors of war.

The CHAIRMAN. The pro forma amendment will be withdrawn.

The Clerk will read.

The Clerk read as follows:

Flood control: For prosecuting work of flood control in accordance with the provisions of the flood-control act approved March 1, 1917, as follows:

Mississippi River, $5,670,000.

Mr. HUMPHREYS. Mr. Chairman, I move to amend by striking out "$5,670,000" and inserting in lieu thereof "$8,000,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREYS: Page 68, line 24, strike out "$5,670,000" and insert in lieu thereof "$8,000,000."

Mr. HUMPHREYS. Mr. Chairman, I am satisfied there has been some mistake in this item because it fails to take care of the work that is authorized and which the Mississippi River Commission and the Chief of Engineers say is absolutely necessary in order to carry on the work as directed by the flood-control act. I will read a letter which I received from the Chief of Engineers on this subject. He says:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, June 13, 1918.

Hon. BENJAMIN G. HUMPHREYS,
House of Representatives.

DEAR SIR: 1. In response to your oral inquiry inviting my attention to the fact that the item carried in the pending sundry civil bill for flood-control work on the Mississippi River provides only $5,650,000 instead of the estimate of $10,000,000 submitted by the War Department for this work, I have the honor to state that the estimate of $10,000,000 was only submitted after careful consideration of the needs of this work, and, as in the case of other items, was viewed in the light of existing war conditions, which require all estimates to be reduced to the lowest limit deemed compatible with a due regard to the public interests involved.

2. Information received from the president of the Mississippi River Commission indicates that the sums already offered by levee boards as their share of levee work, together with the bank revetment and dredging works that are most urgently needed, will require an appropriation of at least $8,000,000. This sum, however, would make practically no provision for contingencies which may arise, nor would it permit the full prosecution of the work in accordance with the authority given in the flood-control act which is deemed so important in view of the enormous interests involved. I believe that, if practicable, the full $10,000,000 should be provided for this important work.

Very respectfully,

W. M. BLACK,
Major General, Chief of Engineers.

I realize, of course, that in the emergency which confronts us we must shave all appropriations below what we expected to get and would have insisted upon and no doubt would have gotten in normal times. With that in view I took up this matter with the engineers, and after going over it very carefully they said that the hazard was too great; that they could not and would not indorse any proposition to reduce this amount below $8,000,000. The items which go to make this up are—first, $3,400,000 of revetment work, which the commission and the engineers agree is absolutely essential to preserve the work that has been done, because if the banks are permitted to cave and the levee to tumble into the river we not only will have the disaster of an overflow, but much of the work that has already been done will be wiped out and will have to be done over again.

Mr. SNELL. Will the gentleman yield?

Mr. HUMPHREYS. I yield to the gentleman from New York.

Mr. SNELL. How much of this work has already been done?

Mr. HUMPHREYS. Since the flood-control bill was passed?

Mr. SNELL. Yes.

Mr. HUMPHREYS. The flood-control bill was approved on the 1st of March, 1917. Prior to that time appropriations had been carried for this work at the rate of $6,000,000 a year in the river and harbor bill, and the river and harbor bill for the Sixty-fourth Congress, last session, carried that item. That failed in the Senate, as did many other appropriation bills, the sundry civil bill among the number, so that when we met in the extra session last year the sundry civil bill was simply reintroduced exactly as it had passed, with no provision for this at all, and it went to the Senate. In the meantime the River and Harbor Committee had been deprived of jurisdiction in the matter by the passage of the flood-control act. When the sundry civil bill got to the Senate the Senate put this item in just as the river and harbor bill had carried it, to take care of the work for this year, $6,000,000, assuming that this pending sundry civil bill would, as contemplated when the flood-control act was passed, be the first to undertake to carry out the provisions of the flood-control act. That answers the gentleman's question. There was $6,000,000.

Mr. SNELL. There was $6,000,000 spent there last year?

Mr. HUMPHREYS. Yes; that is, $6,000,000 by the Government.

Mr. SNELL. That is what I mean. Now, how much by private interests?

Mr. HUMPHREYS. The private interests contributed in the neighborhood of $3,000,000. Under the terms of the law private interests are required to put up $1 for every $2 put into levees. As a matter of fact they do contribute toward the revetment, and in some districts they build levees where the Government does not contribute at all. One of the levee districts in my congressional district, for instance, is just now about two-thirds through with a $800,000 contract for levee work that the Government would not contribute to at all, so it is something more than $3,000,000.

Now, under the terms of the flood-control act they have levied their taxes and raised $2,800,000, which they have tendered to the commission, but under this bill the commission will not have enough money to put up against it; because, when we do anything, the first essential is to revet the banks. That is $3,400,000 there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. HUMPHREYS. Now, we have to keep the channel open. They have estimated $1,000,000 for dredging and for various channel work and miscellaneous expenses. They propose to cut that down to $600,000, which they say is as far as they can come. That makes $4,000,000 for revetment work and channel work, leaving only $1,600,00 for levees. Now, we propose to put up 2 to 1. The local interests have come up with theirs. They have levied their taxes and raised the money, and they have got $2,800,000, which would make $10,000,000. But, as I say, we are willing now to make it $8,000,000.

Mr. SNELL. Are you not experiencing the same shortage of labor that they are elsewhere in the country?

Mr. HUMPHREYS. Yes; it is very difficult to get labor, and the work is more expensive.

Mr. SNELL. Will they be able to get labor so that the full amount can be expended during the coming year?

Mr. HUMPHREYS. Yes; they could expend $10,000,000, but they will not get as much work done as they ought to get and as they would get done in normal times. For instance, probably $6,000,000 last year would do as much work as $7,500,000 now, for there is an increase of at least 25 per cent in the cost of the labor. This levee district in my congressional district, just mentioned, has this contract for $800,000 for levee work, which was something like half completed. A month or so ago the levee board raised the contractor's price 50 per cent, because it either meant that or bankruptcy for the contractor. They raised it 50 per cent.

Now, aside from the economic waste that would come if we should have a flood next spring—and nobody can tell whether we will have one or not—I want to call the attention of the House to the fact that in 1912, according to the statement of Mr. Bush, the president of the Iron Mountain road, his road had 617 miles put out of commission—300 miles of it for five months—on that one road by the flood of that year. There are nearly 4,000 miles of railroad protected by the levees. Now, the gentleman will understand that we are committed to spend this money——

Mr. SNELL. I know that.

Mr. HUMPHREYS. So we are not saving the money. All we are saving now by the reduction is the interest on the amount that we withhold. Can we for that amount, in this emergency, take a gambler's chance on having a flood next year that may put out of commission two or three thousand miles of railroad?

Is not that too great a chance for us to take, laying aside every other consideration? As I say, the revetment work must be done. They all agree on that. The people down there behind the levees agree to that. They say, "If you have not money to do everything, revet the banks," because otherwise where the levees are threatened they will cave into the river. Then, of course, the other amount is to go for keeping the channel open. So that will leave us only $1,600,000, whereas we have pledged those people that we are going to give them $5,600,000 for levees. In this amendment, however, I am not asking for that. I am only asking an increase of $1,800,000.

Mr. SNELL. You say the people down there have already levied their taxes?

Mr. HUMPHREYS. Yes. My friend from Illinois [Mr. GRAHAM] can explain that to you. They have already raised the money and tendered it to the commission. The commission have on hand to-day out of that last appropriation only $450,000. I have a telegram from the Mississippi River Commission that they now have on hand $450,000, and they can not spend that, and I will tell you why.

When the great floods come they must have some money on hand. They can not let it all out by contract; they try to keep $1,000,000 on hand for an emergency. In the flood of 1912, in addition to the $52,000,000 worth of property that was utterly destroyed Congress was forced to appropriate a million and a quarter dollars for emergency work down there among the people who were driven from their homes and who were ruined. So that you see the unreasonableness, gentlemen—and I say it advisedly—of the gambler's chance in this matter when we withhold an appropriation which the engineers warn us is a chance that we can not afford to take.

Mr. SNELL. Why does the Appropriation Committee cut it down if the engineers recommended this sum?

Mr. HUMPHREYS. I am of the opinion that the committee gave the amount given last year.

Mr. SNELL. Did they not have hearings on it?

Mr. HUMPHREYS. They had Col. Newcomer before them, and he asked for the $10,000,000, but they did not seem to go into all the details, I am sorry to say. I said at the start, and I repeat it, that I think they made a mistake. [Applause.]

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I have some personal knowledge of facts that perhaps may throw some light on this matter. The levee districts in the country do not entirely lie in the South, but extend up along the Mississippi River to a point in Whiteside County, about 25 miles north of the city of Rock Island, near the northern boundary line of Illinois. From that point south to the southern line of Illinois there is almost a continuous line of levees on both sides of the Mississippi River at this time. I know in the particular district I represent of 170 miles along the Mississippi River, about one-half of the entire distance on my side is protected by levees.

Now, this is the situation: It is very apparent, it is true, as the gentleman from Mississippi [Mr. HUMPHREYS] has told you, that all the money now proposed to be appropriated by this item will be required for revetment work and administration expenses, except a little over $1,000,000. I know that in the various districts along the river this money will be required up to the amount asked for by the gentleman from Mississippi—$8,000,000—if all the work heretofore proposed is carried on to a conclusion. The Mississippi River Commission require the various communities to put up the full amount of money in cash and have it on hand in the Treasury before they will appropriate any money to spend on levees. In Illinois we have a law that provides that all this money raised for the building of levees shall be raised by special assessment upon the lands contained within the district. There is a similar law in the State of Iowa, across the river, and in some of the States farther south, but in Illinois particularly all the money is raised by special assessment against the lands in the district.

The procedure is this: As soon as they find out how much money they will need—and they find out by ascertaining how much the commission will give and, therefore, how much the district must raise—they proceed in a court of record to file a petition for an additional assessment against the land. Then there is an assessment spread, if it is allowed, against the lands of the district, and on that assessment, with the assessment as a basis, they issue bonds.

Those bonds have been issued in many districts, in my congressional district, and all up and down the river in Iowa and down South and are to-day outstanding obligations against the lands in these districts. They are paying 6 per cent interest in many cases on this money levied against their land. They are paying it year by year, and if this money is not forthcoming then the Government has induced them by its action to do a thing which is absolutely valueless and brings no results to them.

Mr. RUSSELL. Will the gentleman yield?

Mr. GRAHAM of Illinois. Yes.

Mr. RUSSELL. If I understand, this is simply asking the Government to appropriate a part of the $45,000,000 that has already been authorized. This amount of money the Government has some time got to pay, and if they pay a million or two more now than the bill provides for they will have so much less to pay hereafter; it is costing the Government nothing at all more to pay it now than it will two years hence, except probably the interest.

Mr. GRAHAM of Illinois. The gentleman is absolutely correct. Here is another proposition: There are thousands of acres of the best land in the United States contained in these levee districts. In my country the best land we have is there. Last year in one district 5,000 acres of this land were planted in crops and were destroyed to the value of $200,000 because of the failure of those who built the levees to build them high enough to resist the high waters that came last year. There has been an appropriation made by the Mississippi River Commission for this district, and if the money is not forthcoming they can not reclaim those levees. It is only keeping good faith up and down the Mississippi River for the Government to fulfill its obligations when it has induced the landowners to invest their money, bond their land, and put up the cash from time to time. I sincerely hope that the amendment offered by the gentleman from Mississippi will be adopted and permit the Government to fulfill those obligations and permit these lands to be reclaimed, so that we can raise as much as is possible. We have spent millions of dollars in this Congress that will not do as much good as it will to take care of this matter now. [Applause.]

Mr. SHERLEY. Mr. Chairman, the Committee on Appropriations tried to deal as fairly with this subject as they have tried to deal with all the others. They are not infallible, but they are quite sure that the amendment of the gentleman from Mississippi [Mr. HUMPHREYS] ought not to prevail. The hearings do not disclose such a situation in the work of this commission as will warrant us, in this time of want and shortage of labor in America, in increasing the sum $2,340,000 over last year's work. We provided in the bill $10,000 more for the Mississippi River than was provided last year. It is within the memory of Members of this House when one-half of the amount that the gentleman from Mississippi is now asking for was considered a very large amount for the Mississippi River. The time was when $2,000,000 annually expended was looked on as a very large amount. The very law which authorized this separate expenditure fixed a maximum of $10,000,000 yearly, and gentlemen seem to think that unless we go to the extreme with them they are not being treated fairly and equitably. There is not an activity in this bill unrelated to the war that shows an increase over last year proportionately to what the gentleman from Mississippi is asking from this House. It seems to me that if gentlemen who are vitally interested in this work were to come forward with reasonable criticism as to the committee's action they might receive at the hands of the committee some disposition to consider their viewpoint; but if they think that we are wrong $2,340,000, then, for my part, on behalf of the committee, I am prepared to stand by what the committee says and let the issue be tested through the last final vote that can be had upon it.

I say that not in the way of a threat, but I say it because I think something is due to the Committee on Appropriations who have worked on this matter and have had the hearings on the bill. We have endeavored to deal fairly with all of the different projects. We are making a cut of a considerable amount in connection with Alaska that does not meet with the views of those who are interested in Alaska, and yet the committee felt it was justified. I can take item after item in this bill showing cuts that have been made in matters that are of infinitely more vital importance from the standpoint of direct relationship to

the safety and progress of this country than is the Mississippi River project. There is no evidence to my mind that warrants the belief that $8,000,000 can be wisely expended in the next fiscal year.

There is still another situation. Congress meets again in December. The short session adjourns on the 4th of March. If the situation in the Mississippi Valley becomes so acute as to require additional moneys the Congress will be in session, but for it now to appropriate this amount of money is to show toward this project a liberality in these war times which has been shown to no other project, and I insist that the advocates of this increase are not showing that moderation that is calculated to win converts to their judgment. I hope the amendment will be defeated.

Mr. MONDELL. Mr. Chairman, the committee, in making up this bill, considered this item, as it did every other item, with the utmost care. I was born on the banks of the Mississippi River, and all of my life I have lived in the valley of that great stream. I am in harmony and in sympathy with the proposition of flood control, of levee building, revetment, and protection of the banks provided in the flood-control law, under which we are making appropriations. I approached the consideration of this item with entire sympathy, with the desire to do ample and complete justice. What are the facts in regard to this work and the current appropriation for it and the situation as to the future? There was an appropriation of $6,000,000 for this work for the current year, of which $5,600,000 was apportioned to the Mississippi River. On the 1st of January there remained in the Treasury of that $5,600,000 an unexpended balance of $4,700,000, of which sum practically $2,000,000 was represented by contracts then entered into. There was then a free balance of $2,700,000 in the Treasury, and it appeared at the hearings that in all probability it would not be possible to even award the contracts before the 1st of July covering the entire sum of $2,700,000 then free in the Treasury, much less do the work under those contracts. The probability is that when the fiscal year opens there will be work under contract and far from completion on the Mississippi River under the current appropriation amounting to over $3,000,000.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SNELL. I do not understand from what the gentleman said was the unexpended balance last year.

Mr. MONDELL. The 1st of January the unexpended balance was $4,700,000 out of a total of $5,600,000, of which $2,700,000 was a free balance not covered by contracts, and the Chief of Engineers expressed some doubt as to whether he could enter into contracts during the balance of the fiscal year to cover all the remaining $2,700,000.

Mr. SNELL. On that basis it would be absolutely impossible to expend this money next year that has been asked for.

Mr. MONDELL. There is no sort or manner of doubt in my mind—and I think we went into this matter carefully—that it would be physically impossible to spend or waste the amount of money originally estimated.

Mr. SNELL. I understood from the gentleman from Mississippi [Mr. HUMPHREYS] that we had expended practically the full amount.

Mr. HUMPHREYS. All but $450,000.

Mr. MONDELL. Where does the gentleman get that sum?

Mr. HUMPHREYS. I get it in a telegram from the Mississippi River Commission, dated day before yesterday.

Mr. MONDELL. The hearings are very recent, and they show clearly and definitely that there was $4,700,000 on the 1st of January unexpended, of which $2,700,000 was a free balance, and in answer to questions as to whether or not it would be possible to make contracts during the remainder of the fiscal year in that amount the engineers expressed doubts as to whether it could be done.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. MONDELL. And even if that were done there would still be a large amount of work to be done under the contracts because those contracts frequently cover two seasons.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. MONDELL. It developed in the hearings that all work under contracts which were let prior to the 1st of January would not be done at the end of the fiscal year; that in addition to that there was $2,700,000 to be utilized in new work. We all know that those contracts entered into during the last months of the present fiscal year could only be fairly under way when the new fiscal year started.

Mr. SNELL. Will the gentleman yield for another question?

Mr. MONDELL. I do.

Mr. SNELL. Would it be possible to let contracts at the present to do a great amount of work of that character?

Mr. MONDELL. I do not pretend to know as to the situation in the Mississippi River Valley, except as we know of the country generally, and we know that it is difficult to let large contracts of any sort except at very great cost. The committee was in no wise disposed to curtail this work, to check it, or to do otherwise than to allow it to proceed along reasonable and normal lines of development, but realizing there would probably be considerable free money, from two to three million dollars, of incompleted contracts at the beginning of the fiscal year, we felt that the sum we granted was under all circumstances sufficient.

The large items in this bill are in the main predicated on knowledge of the fact that Congress will be back here in December, that the next sundry civil bill will pass before the 4th of March, in all human probability, and that we can take care of any extraordinary situation at that time. Now, personally, if the balance of the committee were so disposed I should have no objection to an additional reasonable sum for this work. I realize that we are not appropriating overliberally in this item, or in many other items in the bill, but I believe we did recommend as liberally as we were justified in doing under all the circumstances. I believe we granted as large a sum as is likely to be used and utilized economically under present circumstances within the period for which the appropriation is made. At any rate, the additional sum now asked is clearly excessive and should not be granted.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I desire to offer an amendment to strike out the figures "$5,670,000" and insert in lieu thereof the figures "$6,670,000."

The CHAIRMAN. The gentleman from South Carolina offers an amendment by way of a substitute for the amendment proposed by the gentleman from Mississippi, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina as a substitute for the Humphreys amendment: Strike out the figures "$5,670,000" and insert in lieu thereof "$6,670,000."

Mr. HARRISON of Mississippi. May I ask the gentleman from Kentucky that we add $1,000,000 so as to get together on this proposition?

Mr. BYRNES of South Carolina. Mr. Chairman, I am satisfied that any Member who will take the trouble to read the hearings contained on pages 633 and 634 will become convinced that it is absolutely impossible for the engineers wisely to expend more than the sum I have named in my amendment. The engineer stated that he did not expect to expend the amount appropriated for this fiscal year, and that in his opinion it might go until the end of this calendar year, and now at a time when every man of our country is needed for other work certainly we should not increase the appropriation for this work more than $1,000,000, which increase is contained in the amendment which I have offered.

Mr. SHERLEY. Mr. Chairman, I desire to say just this——

The CHAIRMAN. Does the gentleman yield?

Mr. SHERLEY. I ask for recognition in my own right. The committee has brought in a bill which carries nearly $1,000,000,000. The committee does not claim absolute wisdom. It does claim conscientious labor extending over months. It has given all of the items that are in this bill its most careful consideration. This matter is one of importance—of importance even in this day of great events. I believe that the table on page 638 of the hearings justifies the action of the committee. Many of these gentlemen have a detailed personal knowledge of the matter that is not possessed at least by myself. Their proposal of $8,000,000 was so far out of reason that in my judgment it could not be defended. I should not have been willing to have seen it voted without having had a final roll call to test the opinion of every Member of this House; but I said to those gentlemen informally that if the committee had made a mistake and had brought in a sum that would not properly take care of the work, having all things in mind, that the committee did not want to be arbitrary and would be glad to consider the matter.

The membership of the subcommittee that dealt with this matter did consider it. We took the trouble of going over our hearings, and it became the final judgment of all of us, Republicans and Democrats, that we would be justified in agreeing upon the amount that has been named by the gentleman from South Carolina [Mr. BYRNES], but that we would not be justified in agreeing to a cent more. And in doing that we think we

have gone to the extreme of liberality in connection with this work.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. GOODWIN of Arkansas. In reaching the amount set forth in the item did the committee take into consideration the increased cost of working material?

Mr. SHERLEY. Yes. And the committee took into consideration also the increased difficulty in getting people to work and the increased reasons for not having them work at anything other than direct war work. I am perfectly willing to agree to the amendment, but I would not agree, either here or elsewhere, to a cent more.

The CHAIRMAN. The question is on the amendment offered by the gentleman from——

Mr. MONDELL. Mr. Chairman, just one word. As I said a moment ago, I believe that the sum the committee recommended is probably sufficient for this work for the period intended to be covered. I believe it is about as much as can be economically used. Conditions might arise that would require or warrant the use of a larger sum. In view of the fact that it is tremendously important work, and that there may be use for a larger sum, I am willing to agree to the increase proposed by the gentleman from South Carolina, a member of the committee. I want to say in regard to it, however, that I think in doing this we are going the limit, and, for one, I should not be disposed under any circumstances to at any time agree to another penny for this work for the coming fiscal year.

Mr. GILLETT. Mr. Chairman, this is a bill which touches almost every district in the country, and nearly every Member of the House is interested in some section of the bill. Now, the committee has appreciated that at this juncture we must exercise great forbearance and economy for two reasons. One is because all the energies of the country should be devoted to war purposes; and, secondly, because the ordinary expense of any improvement at this time is so much more than in normal times, and consequently the money will not accomplish as much. And I must say that most Members of the House have recognized that fact and been extremely reasonable, and in the appropriations that come to their districts have been moderate in their demands and have recognized that at this time they could not expect, and so they have not demanded of the Committee on Appropriations, and they do not intend to demand of the Committee of the Whole, that it shall be liberal in the appropriations. And I confess I am sorry that in one great appropriation like this, in which, of course, many Members of the House are interested, which applies to one section of the country, that local Members instead of recognizing that at this time we should all be moderate and economical should try to force a large appropriation upon us. I see present in this small attendance of the Committee of the Whole many Members from that section directly interested in this particular item. It may be that a majority who happen to be present just now are so interested, but I trust that they will not expect that in this item the committee is going to depart from the principle that we have tried to follow throughout, to be moderate and economical, and to recognize that under these war conditions we must restrain expenses. And whereas possibly there might be a majority in this small audience here I can not believe that a majority of the House will approve that in one sectional proposition like this we should depart from the principle which has governed the formulation of this bill. So I trust the Members directly interested will not urge this amendment which the gentleman from Mississippi [Mr. HUMPHREYS] has suggested, but will recognize that in this coming year such an appropriation would be extravagant; that we must curtail that whole type of expense; that the work would cost a great deal more this year than at any other time; and that we must all of us try to moderate our demands upon the Treasury. I trust the gentleman will not try, even, to take advantage of present conditions to urge the amendment which he has presented.

The CHAIRMAN. The question is on the amendment proposed by way of substitute by the gentleman from South Carolina [Mr. BYRNES].

The amendment by way of substitute was agreed to.

The CHAIRMAN. The question is now on the amendment as amended.

The amendment as amended was agreed to.

The Clerk read as follows:

For hospital, including the same objects specified under this head for the Central Branch, $60,000.

Mr. OSBORNE. Mr. Chairman, I desire to offer an amendment to the paragraph.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OSBORNE: Section 1, page 77, after the figures "$60,000" and semicolon, insert the words "for the construction and equipment of a sanitary fireproof hospital on the grounds of the Pacific Branch of the National Home for Disabled Volunteer Soldiers in Los Angeles County, Cal., to be expended under the direction of the Board of Managers of the National Home for Disabled Volunteer Soldiers, $500,000"; line 10, page 77, erase the figures "$558,500" and insert the figures "$1,058,500."

Mr. OSBORNE. Mr. Chairman, the National Home for Disabled Soldiers at Santa Monica has the largest number of members of any of the soldiers' homes in the United States. It has a membership of 3,500, and there are in constant attendance at the home about 2,500 survivors of the war. The hospital, with which I am personally very familiar, as I have visited it a great many times, is composed of wooden buildings three stories in height, and they are extremely dangerous. The inmates of the hospital are, many of them, in the second and third stories of these buildings, and in the event of a fire, which is quite possible, they would be in serious danger of a great disaster. I introduced a bill into the House about a year ago making this provision for a sanitary fireproof hospital. It was presented to the members of the Board of Managers of the National Soldiers' Home, and they all agreed that it ought to be done, but they did not feel that they could ask for the amount necessary. Since then great changes have taken place, and it is altogether probable that all these soldiers' homes will be occupied soon with victims of the present war. This home ought to be put in condition for the reception of those people. We ought to have a fireproof hospital there, one that is safe and up to date, and I offer this amendment, hoping the committee will consider it favorably.

Mr. BYRNES of South Carolina. Mr. Chairman, the construction of this building has not been estimated for, and it is not asked for by the board of managers, and there is no representation to the committee that it is either necessary or advisable to start a building at this time. Certainly now we should not engage in the construction of any building which is not necessary, and the board of managers, in charge of these hospitals and homes, ought to know what construction is necessary for the proper care of them. And I hope the amendment will be defeated.

The CHAIRMAN. It occurs to the Chair that the vote on this amendment ought to be taken upon the first part of the amendment first.

Mr. BYRNES of South Carolina. We have not reached line 10, and therefore it could not be considered at this point.

The CHAIRMAN. The question is on the first part of the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OSBORNE: Section 1, page 77, after the figures "$60,000" and semicolon, insert the words: "For the construction and equipment of a sanitary fireproof hospital on the grounds of the Pacific branch of the National Home for Disabled Volunteer Soldiers in Los Angeles County, Cal., to be expended under the direction of the board of managers of the National Home for Disabled Volunteer Soldiers, $500,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the amendment was rejected.

Mr. OSBORNE. Mr. Chairman, I withdraw the second.

The CHAIRMAN. The gentleman from California asks unanimous consent to withdraw the other part of the amendment. Without objection, the amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Opening Indian reservations (reimbursable): For expenses pertaining to the opening to entry and settlement of such Indian reservation lands as may be opened during the fiscal year 1919: *Provided*, That the expenses pertaining to the opening of each of said reservations and paid for out of this appropriation shall be reimbursed to the United States from the money received from the sale of the lands embraced in said reservations, respectively, $10,000.

Mr. SANFORD. Mr. Chairman, I ask unanimous consent to go back for a moment to page 52, line 10, for the purpose of offering an amendment, which is understood by the committee.

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to page 52, line 10, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SANFORD: Page 52, line 10, strike out line 10 and insert "For rebuilding main roads, including one public road running through the arsenal grounds, $32,000."

Mr. SANFORD. Mr. Chairman, I desire to explain very briefly the purpose of this amendment at this time. It is to

include in the bill an item an estimate for which came from the War Department too late to reach the committee before the bill was drawn.

The purpose for this increase in the appropriation is to restore an old road that the Government built with an appropriation carried in a bill similar to this in 1892. By reason of the unusual work that is being done at that arsenal at this time that road has become comparatively impassable. Those old blocks that were put in 25 years ago have sunk and the road is so rough that ordinary transportation is almost impossible over it, and the Government officials, the War Department, and the commandant at the arsenal and all those acquainted with the situation united in urging upon the committee the consideration of this item at this time.

Mr. SHERLEY. Mr. Chairman, as chairman of the Committee on Appropriations, I have received a letter from Gen. Williams, the Acting Chief of Ordnance, relative to the road to which the gentleman has referred. A road runs through the arsenal that is a main line of travel and is used by the arsenal in conveying material to and from the plant. From the statement made in the letter of Gen. Williams, the amendment offered by the gentleman from New York seems to be a proper one, and the committee has no objection to its adoption.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from New York [Mr. SANFORD].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

In all, United States Geological Survey, $1,260,215.50.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. I do that for the purpose of saying a word about the item for topographic surveys, $142,196. Probably most of the members of the committee are aware of the fact that the topographic mapping of the Geological Survey is now being done almost wholly along the Atlantic coast, particularly the south Atlantic coast, and somewhat on the Pacific and Gulf coasts, and that the general topographic mapping in the interior of the country has, for the time being, been very largely suspended. The committee would have granted a considerably larger appropriation for this work had it not been for the fact that the Army appropriation bill carries a very considerable appropriation—$800,000, I think it is—for topographic surveys.

Mr. SHERLEY. Eight hundred and fifty thousand dollars, as I recall.

Mr. MONDELL. As a large part of that sum will be transferred to the Geological Survey and will be expended by the Geological Survey in the topographic mapping that they will carry on this year, the committee did not feel justified in carrying as large an appropriation in this bill as otherwise would have been carried. We believe that the sums herein provided, together with such sums as will be turned over to the survey by the War Department, will be quite sufficient to carry on all the necessary war work and to continue such other work as may now be under way in other parts of the country. There was no disposition to curtail the activities of the Geological Survey in this regard. They will, as a matter of fact, be largely extended this year over their activities in ordinary times.

Mr. SINNOTT. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. Yes.

Mr. SINNOTT. Not exactly on this item, but I wish to refer to the appropriation for testing conditions favorable to the boring of artesian wells. Can the gentleman give the committee any information as to what the department has been doing in that regard? How has that money been expended? I have had the matter up a number of times with the Geological Survey, to get them to make some tests in my districts, but so far I have been unsuccessful, and I would like to have some information concerning their operations.

Mr. MONDELL. The probability is that the gentleman can get very much more detailed information from the survey than I can possibly give him. The appropriation has not been large, and it has not been possible to do a very great deal of actual drilling. The committee felt that at this time—and we think the people of the survey were of that opinion—we would scarcely be justified in making very large expenditures on that character of work.

Mr. SINNOTT. Does the gentleman know whether or not they have done any drilling, and, if so, where it has been done?

Mr. MONDELL. My recollection is that they did some drilling, but I will not be real certain about that. They anticipated doing some, and, I think, did so, but I am not clear as to that.

Mr. SINNOTT. I have presented requests to the Geological Survey from year to year since I have been in Congress, and yearly I have been informed that possibly next year, when they will secure larger appropriations, they may be able to give some attention to my district. I think that generally is the experience of other Members from the public-land States.

Mr. MONDELL. The gentleman realizes that it would require a very considerable appropriation to do any very extensive drilling. That is rather extensive work, and the Congress so far has not shown a disposition to make very large appropriations for that purpose. Generally, as my friend knows, private parties undertake drilling for one purpose or another. That develops the situation with regard to the presence of artesian water. By and large and in the main it is not a work that we should engage in in a very large way out of appropriations from the Public Treasury. A certain amount of that work may be essential where there are conditions warranting the belief that artesian waters are available but where there is no incentive on the part of individuals to make the test. My own hope is that in the future we may be able to continue such work, to a certain limited extent at least, in regions of that character.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For investigation as to the causes of mine explosions, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, and other inquiries and technologic investigations pertinent to the mining industry, and including all equipment, supplies, and expenses of travel and subsistence, $370,000.

Mr. BLAND. Mr. Chairman, I move to strike out, in line 23, page 93, the figures "$370,000" and insert in lieu thereof "$387,210."

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 93, line 23, strike out "$370,000" and insert in lieu thereof "$387,210."

Mr. BLAND. Mr. Chairman and gentlemen of the committee, I have only asked to increase this appropriation for the Bureau of Mines to the extent of $17,210. This is certainly a modest request, since we are all the time talking about millions and billions here. Some one has suggested that I would stand a better chance of getting the amendment passed if it was for a much larger sum, but I feel that the justness of the proposition will appeal to you, and I ask your careful attention for only a very few moments while I explain to you the peculiar situation that requires the adoption of this amendment.

As some of you know, we have in the south central portion of Indiana some of the largest coal mines in the world. We have mines producing 7,000 tons of coal a day. They are not hillside, ground-hog mines, but they go down into the bowels of the earth and mine out thousands of acres of coal, which lays almost parallel with the surface.

Different kinds of gases are found in these veins of coal, and it is not an uncommon occurrence for the mines to explode when this accumulated gas comes in contact with the miners' lamps or electric sparks. Some of these large mines have been known to be sealed for many weeks after the explosion because the coal in the mine was set on fire. Lives are frequently lost and great damage done to property. One of the most recent and destructive explosions, which closed one of our mines for several weeks, fortunately occurred when there were only a few of its several hundred employees in the mine.

In this field in south central Indiana there has been enormous development in the last few years, and the development is increasing, but it is very much handicapped for the lack of men and mine equipment. As new development progresses there is an increased probability of gas explosion.

Aside from the humanitarian standpoint which requires the passage of this amendment, I urge that it is distinctly a war necessity. We must encourage men to work in the mines. We must let them know that this Government, while praising them for their patriotism and urging them to speed up the coal production, is willing to do everything in its power to protect their lives and the happiness of their wives and children. The mining occupation at the best is a hazardous one. I have lived almost all of my life among the coal miners of Indiana, and I am proud to say that during all of my public life I have been trying to make conditions better for them.

There are almost a dozen miners' rescue stations and nine well-equipped rescue railroad cars scattered over the United States, and some of them are in places where there is probably but little possibility of gas explosions compared to the section of

Indiana I speak of. In this great bituminous field, where the possibility of a disastrous explosion is imminent, the Federal Government has given but little attention. The rescue car which is stationed at Evansville is an old, worn-out Pullman, which, according to the testimony of Director Manning, is so old that the railroads ofttimes refuse to haul it.

What we need is a centrally located mine-rescue training station, where proper helmets and appliances are kept in repair and ready for use in training as well as in actual rescue work.

Mr. Manning has assured me that if this amendment passes he will established this training station in the most convenient and most advisable place in the heart of this coal field where the training is most needed and the danger is most imminent.

The operators of my district, and especially in Knox County, recognizing the imminent danger to the lives of their men and to their own property, have made some steps in the direction of rescue and training work, but we need the help of the Federal Government to buy an auto truck and to furnish at Government expense the necessary apparatus and chemicals, together with at least five expert employees, who will devote their time to educating miner and operator as how best to defend themselves against these terrible explosions which frequently visit the bituminous coal mines in our section of the country.

The Director of Mines, Mr. Van. H. Manning, is thoroughly awake to the alarming conditions in this section of the State, and during my frequent visits to see him concerning Government aid for the mines in my district he has assured me of his earnest desire to be of assistance and explained to me the necessity of this appropriation. On May 22, 1918, he wrote me a letter in which he stated that he favored my proposal and would give me an estimate of the cost of the equipment of the rescue station I desire. I read you his letter, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, May 22, 1918.

Hon. OSCAR E. BLAND,
House of Representatives.

MY DEAR MR. BLAND: I received your letter of May 15 regarding the establishment of a mine-rescue station by the Federal Government, to be located in the most convenient place in southern Indiana where the most gaseous mining district is found.

The bureau has the following fixed mine safety stations: Pittsburgh, Pa.; Birmingham, Ala.; McAlester, Okla.; Jellico, Tenn.; and Seattle, Wash. The personnel in each case consists of a district mining engineer and a foreman miner. These men are paid out of the lump-sum mine accident appropriation of the bureau, the salary of the district mining engineer ranging from $2,000 to $4,000 per annum and the foreman miners from $1,500 to $1,900. In addition to these stations, there is a station at Norton, Va., established by Congress. This station has allotted to it $6,800 for the employment of a foreman miner at $1,800 and a first-aid miner at $1,500, the remaining $3,500 being for supplies and equipment. This amount was added to the lump-sum appropriation for mine accidents.

You ask my views on the necessities for and the benefits to be derived from such an institution. The bureau's experience has generally been in favor of movable stations; in other words, mine safety cars operating on railroads except in such districts where the mines can be readily reached in a short time over good roads by use of auto trucks. I am informed that the roads in the coal districts of Indiana are kept in good condition, which is favorable for the establishment of a station provided with a rescue auto truck.

The Federal Government's activities in this direction primarily have been for the education of the operators and miners in the needs and use of rescue apparatus and first-aid methods. Neither the Federal Government nor the State government should be asked indefinitely to take care of the individual rescue and safety work of operators, since such work should be the function of the operators and miners themselves.

In order that rescue work shall be effective a station must be close at hand. If any large number of men are entombed in a mine by an explosion or mine fire, they must be rescued generally within the first half hour or so, as the gases are frequently very deadly. Manifestly it would be impossible for the State or Federal Government to establish stations at every mine or every group of mines in the United States, but the initiative must be undertaken by the Government.

For many years it has been the regulation in the principal countries of continental Europe that a certain proportion of the miners must be trained in rescue and first-aid work. More recently (1911) Great Britain adopted a similar method. It is advisable that at least 10 per cent of the men of every shift on a mine be thoroughly trained and be able to act as a professional city fireman does in fighting fire.

The bureau has been asked to recommend the establishment of stations in many parts of the country, and Congress has appropriated funds for the establishment of 5 stations and 11 movable stations of cars. Eight of the latter are in service, five of which are old wooden cars which will soon have to be scrapped. There are three modern steel cars and three will shortly be completed. One of the cars is headquartered at Evansville, Ind., and circulates through western Kentucky, Indiana, and Illinois. This car is an old one and can not be handled on fast trains, but will be supplanted by a modern steel car as soon as the latter can be constructed. One more car has been authorized by Congress. It is believed that with the final establishment of these cars and stations, and appropriations of ample funds to keep them going at maximum capacity, that the requirements in an educational way can be well taken care of, with possibly a few exceptional places.

The fixed stations are provided with mine rescue auto trucks. To make the station worth while it must be well equipped and well manned, and I am willing to recommend that Congress authorize the establishment of a cooperative station with the State of Indiana for educational purposes at a point deemed most appropriate as regards nearness and convenience to the most dangerous portion of the coal-mining field of Indiana.

I estimate the following annual cost of equipping, repairing, and maintaining mine rescue and first-aid equipment:

1 mining engineer		$4,000
1 foreman miner		1,800
1 first-aid miner		1,500
1 stenographer and clerk		1,500
1 laborer		900
Total for personnel		9,700
6 sets new apparatus	$810	
Repairs and renewals	400	
Oxygen and soda supplies	1,000	
Miscellaneous equipment and renewals	500	
		2,710
Travel and subsistence when away from headquarters		1,200
Grand total		13,610
Auto truck		4,000
		17,610

You will note that in the foregoing no sums are included for the erection or rental of a building or buildings or the maintenance of buildings and ground. To erect a new building to properly house such a station with suitable training galleries and with exterior walls of brick or concrete, judging from past experience, would cost at least $15,000, and the furnishing and equipping thereof about $5,000 more. To heat, light, repair, and otherwise maintain such a building I estimate that it would cost at least $5,000 per annum.

I favor the establishment of a station such as described above to be located at the most convenient place in Indiana to the most dangerous coal mines.

Quarters for the station at Norton, Va., were provided for in the public-building act approved March 4, 1913 (37 Stat., p. 876), in the following language:

"United States post office at Norton, Va., $75,000, and the Secretary of the Treasury is authorized and directed to provide in said building suitable quarters for a mine rescue station."

Cordially, yours,

VAN. H. MANNING, *Director.*

I have not asked for seventy-five or a hundred thousand dollars for the building of a new building, because I think this can be taken care of in another way. In fact, I have been assured that provision will be made for suitable headquarters for this station.

I believe if the Committee on Appropriations had been thoroughly familiar with the facts that the present bill would have provided for this station, but owing to a misunderstanding as to what the bill was to contain when it came out of committee, I did not appear before the committee to give them the facts.

Mr. GILLETT. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Massachusetts.

Mr. GILLETT. I think I ought to say, confirming what the gentleman from Indiana has said, that he spoke to me about the item when the matter was before the committee, and I misunderstood the exact character of what he desired and misled him as to the appropriation, for which I am sorry.

Mr. BLAND. I am blaming no one about the matter, and thank the gentleman for his generous statement.

Now, gentlemen, if you will allow this amendment to pass and give us this small sum, I guarantee you that the operators and miners of my district will cooperate with the Government and assist in every way toward making this expenditure one of the best business propositions contained in this bill. If the Federal Government will encourage us in Indiana, I believe the State legislature will, at its next session, make such provisions and appropriations as to fully cooperate in the splendid work of mine rescue training.

Illinois, as has been said by Mr. FOSTER, chairman of the Committee on Mines, has provided three rescue cars at State expense. Illinois is helping itself in this work now, but you must remember that the Government first helped it and it has had for many years an experimental and rescue station at Urbana, Ill.

Mr. MONDELL. Will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Wyoming.

Mr. MONDELL. The gentleman says his mines are gaseous?

Mr. BLAND. Yes.

Mr. MONDELL. Do not the operators in those mines maintain apparatus?

Mr. BLAND. Does the gentleman mean in each mine?

Mr. MONDELL. At the mine or in the vicinity of the mine.

Mr. BLAND. No; they do not. Some of the operators have got together and have some equipment; but the big factor is that we need to train these men, and back of this training we need men of recognized experience and ability, men who are salaried and kept by the Government and who receive the benefits of the investigations by the Bureau of Mines, for which you are spending so much money in this appropriation bill.

Mr. MONDELL. Yes; but, in addition to that, some one ought to suggest to the gentlemen operating these mines that each and every one of them ought to have this equipment.

Mr. BLAND. They have been and they are contributing toward that equipment.

Mr. MADDEN. Will the gentleman yield?

Mr. BLAND. I will.

Mr. MADDEN. The equipment such as the gentleman is advocating is furnished to other sections of the country?

Mr. BLAND. Absolutely; in 17 different ways.

Mr. MADDEN. And there is no more important mining country than that which the gentleman represents?

Mr. BLAND. That is absolutely true.

Mr. MADDEN. It seems that when we are spending billions of dollars, much of which is wasted, we could not spend $17,000 more justly or advantageously than to provide for the protection of the lives of the miners in that section of the country from which the gentleman comes.

Mr. BLAND. I appreciate the gentleman's statement, and it it absolutely correct. Gentlemen, I promise you that if we get this appropriation Mr. Manning says that he can provide the equipment. If this amendment is adopted, and if we can get this, I assure you that we will take care of the training of the men in the mines in my State, and the State legislature will help us out next spring.

Mr. SNELL. Will the gentleman yield?

Mr. BLAND. Yes.

Mr. SNELL. Do I understand that the Government is maintaining in other sections of the country what the gentleman is asking for?

Mr. BLAND. Indeed it is.

Mr. SNELL. And the gentleman represents one of the most important mining sections in the country?

Mr. BLAND. Yes.

Now, my colleagues, I want to give you some additional reasons why you should recognize the miners of Indiana and let them know that you are interested in their welfare. When this war was declared the coal miner, regardless of politics, nationality, or personal views, realized that the successful winning of the war largely depended upon his strong right arm in getting out the coal to supply the energies to munition the greatest army the world will ever know. He has not complained, although his task has been a hard one. He has not only given his toil uncomplainingly, but he has given his son to this great cause. No class of men in America have responded more quickly, more loyally, or more unanimously than the coal miner of the State of Indiana. When liberty bonds were to be purchased he not only contributed out of his own purse, but he voted in his local union that it should contribute, and with the same earnestness and enthusiasm the district organization voted large sums of money for the purpose of buying liberty bonds.

I desire to read to you a letter from Ed Stewart, president of District No. 11, United Mine Workers of America:

TERRE HAUTE, IND., *May 6, 1918.*

Mr. OSCAR BLAND,
Washington, D. C.

DEAR OSCAR: In answer to your telegram of May 4, asking me to write you a letter as to the attitude of the coal miners toward the war and liberty loan, as to how much the organization had subscribed, I will give you the best information I have. It is impossible for me to give you any way near the accurate amount subscribed in liberty bonds.

As to the attitude of the coal miners toward the war, will say while the miners as a general rule have always been opposed to war, but no more so than the ordinary American citizen, they realize now, as much as any other citizen, if not more, that this war must be fought to a final and successful conclusion. They have repeatedly gone on record as pledging to the Government of the United States their last dollar and last man, if necessary. The record in the international office shows up to this time that we have in the service of the United States about 23,000 coal miners and more yet to follow.

Most of the local unions have bought liberty bonds out of their local treasury, some to the extent of $15,000. There is scarcely a miner in this community—and I think this will hold good, taking the district over—who has not purchased a liberty bond. The district organizations have bought liberty bonds very liberally. Our district being rather weak financially, so far as the treasury is concerned, has deposited with the international organization $25,000 to be used to purchase liberty bonds. Each district deposited certain amounts for that purpose, and the total amount deposited by each district organization for that purpose was something like $800,000. The international organization has already purchased something like $100,000 worth of bonds previous to this. Illinois alone, out of its district office, has purchased $400,000 worth, and I am not in a position to say just what other districts have done, but I know they have purchased very liberally.

I think we would be safe in saying that the mine workers' district organizations now hold several million dollars' worth of bonds. Individual members hold several million dollars' worth. I do not think we would be in excess of, say, twenty million. In addition to that, I am sending you a statement of 10 local unions who have subscribed to the Vigo County war fund, giving you the per cent of members subscribing from those 10 local unions. I have not been able to secure any more than the 10 locals up to this time.

Practically every coal miner in Indiana is wearing a Red Cross button, and I am sure you can go on record as saying that the coal miners' attitude in this war is as above stated, with their last dollar and last man if necessary.

Hoping this information will be of some service to you, and with best personal regards, I am,

Yours, truly, ED STEWART, *President.*

I am informed that the national organization of United Mine Workers of America has purchased in round numbers a million dollars' worth of liberty bonds, and I desire to say right here that this great, powerful, progressive organization of men never did an act that will establish them in the hearts of the citizens of the United States more than this splendid act of patriotism. Here is a clipping from a small local paper which shows the attitude of the coal miners of my district. Listen to this:

Indian Creek miners to a man—and there are 433 of them—voted to give $1 a month for five months to the Red Cross work. The Oliphant-Johnson miners did likewise, 418 of them.

It makes my heart swell with pride to know that these men who toil so hard for the necessities of life, and who are surrounded by such peril while they work, willingly give up a portion of their monthly wage voluntarily and enthusiastically that the soldier boys at the front may receive all the comforts and necessities possible while fighting in this great war for human liberty. I do not know how you feel about it, but I think I know. You will not begrudge the Indiana miners this pittance toward saving their lives and limbs for future patriotic deeds of sacrifice and devotion to country. I believe there are about 8,000 coal miners in my district and I know most of them and wish you knew them as I know them. A great many of them have been called to the front and they are making splendid soldiers. I had a letter yesterday from one in France. He was enthusiastic, reckless, and daring, anxious to offer his life for Old Glory, and I shall not forget one statement in that letter. He said:

Oscar, lay the hammer on the slacker and the unpatriotic trouble-maker when you get home.

And in my answer to him I pledged him that I would do so.

I hope, gentlemen, that you will not withhold your consent to do this small act of justice to these men who are at this time doing so much for the country. They are entitled to it and I think it is a splendid investment.

Mr. FOSTER. Mr. Chairman, there is no question but that the district from which the gentleman from Indiana comes has large coal-mining interests and that they have gaseous mines. It is not the intention of the Government to establish a mine rescue station in every coal field in the United States. As to the particular location of any station, that should be left to the department and not decided here. There is a car located at Evansville, Ind., which can be utilized for Indiana, southern Illinois, and Kentucky. The greatest work that the Government does along this line is the training of miners, training those who may become skilled in mine rescue work. There ought to be in every coal-mining center, maintained by operators, an equipment necessary to do this work. No first-class operators now maintain their coal mines without supplying the equipment that is so necessary in case of explosion. I do not know what the State of Indiana does in reference to this work. The intention of the Government is to provide these cars and the necessary apparatus to train miners so that they may become skilled in this work and know how to use helmets and go into mines to rescue those who may be shut in on account of explosions.

The coal fields of Indiana, situated in the gentleman's district, in Knox, Greene, Sullivan, and other counties, are quite extensive and these miners ought to be trained. If the State of Indiana is not doing it, it ought to be done by the Federal Government. The intention of the Federal Government is not to maintain for all time to come these mine rescue cars and stations, but it is the intention of the Government, as I have stated on the floor a number of times, to make investigations and teach people how to do the work, and eventually the Federal Government to withdraw from this work. We have established stations with that idea in view.

Now, I think this work could be done to great advantage in Indiana and would be the means of educating these miners, which would probably mean the saving of the lives of many. As the gentleman says, coal miners throughout the United States have been loyal and have worked and contributed liberally of money for the success of the Government in this war.

For the saving of human lives, the preventing of these horrible accidents which occur, when hundreds of men lose their lives at one time, we ought to furnish sufficient money to carry on the work. The Federal Government ought to be willing to do what is necessary to carry on this work, and if possible reduce these accidents occurring each year.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FOSTER. Yes.

Mr. SMITH of Michigan. While the work is rather local in its character, does not the Federal Government generally receive the benefit from the output of these coal mines?

Mr. FOSTER. Certainly; the whole country receives the benefit of the coal mined.

Mr. SMITH of Michigan. So it is not purely a local matter.

Mr. FOSTER. Up to the time that the Bureau of Mines was established the Government did very little work along these lines. The State of Illinois has already established mine rescue stations and cars, locating them in the principal coal fields of the State. They go to different mines and instruct the miners. As a result we have hundreds of men in Illinois who have become experts in this particular work. The State of Indiana should do its part of the work also along these lines. That has been the result of the starting of this work by the Federal Government, and I have no doubt the same thing would occur in the gentleman's district if the interest were shown in starting this kind of training.

Mr. BYRNES of South Carolina. Mr. Chairman, it was never the purpose of the United States Government to undertake to establish one of these stations at every coal mine, or even in every coal area. The work of the United States Government has been a work of education to induce the operators to realize the value of training the miners how to use this apparatus and to send their mine rescue cars around to every mine in order to train the miners. This bill carries an appropriation for mine rescue cars, the very purpose of which is to go to the mines in every area and there educate the miners to the importance of this work, showing them how to do it. In nearly every State, by legislation, the operators are compelled to maintain stations. If that is not true in Indiana, it ought to be.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BLAND. There is no law requiring them to do it in Indiana; the operator is required to furnish certain first-aid equipment, and so forth; but I would like to direct the gentleman's attention to the fact that at Evansville, as mentioned by the chairman of the Committee on Mines, they have one of these rescue cars, and it is one of these old Pullman cars that has been worked over. The gentleman from Indiana who sits by the gentleman's side will tell him that that car, being an old car, is in such shape that the railroad trains will not always carry it over the country. It is in a sense condemned, and is going to be abandoned.

Mr. BYRNES of South Carolina. And because that is true this bill carries appropriations for new cars, and they are being furnished year by year to take the place of these old cars. New cars are provided for, and there is no reason why one of the new cars can not be sent to the area in which the gentleman is interested to perform the duty heretofore performed by this old one.

Mr. BLAND. That car serves the entire western Kentucky field.

Mr. BYRNES of South Carolina. But the fact that that car has deteriorated and is no longer serviceable does not mean that the work is to be abandoned. The very purpose of these appropriations is to provide new cars for the cars which are no longer of service, in order to provide for the extension of the work as well as its maintenance, and this bill carries an appropriation of $17,000 more than the appropriation of last year, so that the Director of the Bureau of Mines, if he so desires, can take one of his new cars—and he has the money to even supply new equipment—and send it around there and tell the operators what they ought to do and show the miners what they ought to do. The gentleman from Indiana [Mr. BLAND] knows it is the duty of the operators to spend their own money to protect the lives of the men who are working for them in these mines. They are doing it in every State of the Union, and I have no doubt that they are doing it in the district represented by the gentleman.

Mr. BLAND. I think I can safely say this mine rescue car of which the gentleman speaks has not been in my district half a dozen times in all the history of the movement, and when it is there it is only there a very short time and does not get in touch with the miners whom we are so desirous of getting interested in this work. We need a stationary place where the miner can study the situation. In the gentleman's consideration of this bill has the committee been advised that probably the greatest new coal development in bituminous mines of the United States is in this particular section, and that they have the largest mines in the United States, and that new mines are still being opened, and that there is gas in these mines? Has the committee been so advised?

Mr. BYRNES of South Carolina. No; and we have not been advised that the operators or the State of Indiana have failed to perform their duty. If they have not so failed in their duty, then I know the State has called to the attention of the operators the necessity of affording this training. This bill provides for $17,000 more than was expended last year for this purpose. If the amendment of the gentleman from Indiana is adopted, an amount would be appropriated in excess of the estimate furnished by the Bureau of Mines for this purpose.

Our experience has been that you can always rely upon the director of a bureau asking for every dollar that he can wisely spend, and generally he allows a fair margin for the extension of his activities. He has not done it here. The gentleman's amendment will give him more money than he has asked for.

Mr. BLAND. Will the gentleman yield for a statement showing that Mr. Manning, the Director of the Bureau of Mines, says this over his own signature:

I favor the establishment of a station, such as described above, to be located at the most convenient place in Indiana to the most dangerous coal mines.

Mr. BYRNES of South Carolina. The Director of the Bureau of Mines was before the committee for more than a day and made no request for this appropriation.

Mr. BLAND. I am sorry that this was not called to his attention.

Mr. BYRNES of South Carolina. Why did he not present it in his estimate? Then the committee could have examined him and made inquiries in respect to the matter. On the contrary, we have given him $17,000 more than he had to expend last year and if it is necessary he can expend some of this money.

Mr. BLAND. I would be glad to answer the gentleman's question, why.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. Where does the gentleman from Indiana desire this money to be expended?

Mr. BLAND. Does the gentleman mean to say how or in what place?

Mr. CANNON. What places or zones in the coal fields?

Mr. BLAND. Mr. Manning assures me if this appropriation is increased as I have asked that he will go to the place most needed on account of the surrounding gaseous mines and will establish training among the men. Personally I think it would be at Vincennes, Ind., as I think they are the most gaseous mines in the State or in any other State anywhere near it.

Mr. CANNON. Let me ask the gentleman: I am somewhat familiar with the coal fields of Illinois and Indiana, especially the coal fields beginning at Danville, Ill., and in the counties of Parke, Knox, Sullivan, Ind., and from thence to Evansville, Ind., and westward to St. Louis and covering southern and central Illinois. I understand in the Sullivan, Ind., field the mining is especially dangerous.

Mr. BLAND. And there are gas mines in Sullivan.

Mr. CANNON. Where is there a station in the Evansville country?

Mr. BLAND. There is none.

Mr. CANNON. There is none in that stretch of country from Evansville to Vincennes?

Mr. BLAND. There is no relief there, and at Evansville there is this old Pullman car, which was condemned, and from there clear up to Danville, Ill.——

Mr. BYRNES of South Carolina. Will the gentleman yield for a second?

Mr. CANNON. Certainly.

Mr. BYRNES of South Carolina. I wish to call attention to the fact that this appropriation for $370,000, an increase of $17,000, is not limited to any point, but discretion is placed in the director to use that money at any point he wishes, and he can use it in this area. If he does not think they require it, it will be useless to add another $17,000 with no string tied to it, because if the director does not think it is necessary he will not use the other $17,000.

Mr. BLAND. The director says he will use it in that way, and I believe he is an honest man.

Mr. BYRNES of South Carolina. We have given him $17,000 more than he had last year.

Mr. BLAND. I will tell the gentleman what he asked for if the gentleman will allow me. Will the gentleman pardon me? Will the gentleman from Illinois yield?

Mr. CANNON. I will yield for the gentleman to make a short statement.

Mr. BLAND. As I stated originally, the gentleman from Massachusetts [Mr. GILLETT] had informed me that the appropriation would take care of this particular condition. When I took it up with Director Manning, he said "No," that the appropriation was to take care of the other places already established, and as the result this was not included, although I was asleep on the proposition and did not discuss with the committee the dangers of leaving these places unattended to. The gentleman knows I have letters here——

Mr. BYRNES of South Carolina. We gave him $17,000 more than he had last year.

Mr. CANNON. Mr. Chairman, I would like to have five minutes more.

The CHAIRMAN. The gentleman has three minutes remaining.

Mr. CANNON. Well, possibly I can get through with the three minutes remaining. The coal development in southern Indiana and a portion of central Indiana and southern Illinois runs as far north as my own county of Vermilion, is very extensive, and has an output, if I recollect aright, in Vermilion County of a tonnage of 4,000,000 a year. It is 120 miles south of Chicago and is close enough to Chicago to answer the purposes of South Chicago, Gary, and Joliet.

Now, I want to be exactly fair about it. This mining bureau covering the whole country is a very extensive one. I believe I have always voted for the appropriations for it, because I am in harmony with all proper attention by the Federal Government, with or without—and it is frequently without—cooperation such as ought to be given by the State governments, for the preservation of life, especially where you mine bituminous coal, where in mining it requires careful construction, and where there is need for protection from the gases that are generated and instruction of those engaged in mining to avoid accidents and explosions. And all these require, for the conservation of life, something of expenditures. Considering the number of accidents and considering the desirability of giving security to the men who are down from 200 to 1,000 feet in the earth and who are met with explosions from time to time with great loss of life, I for one, from a humanitarian standpoint, in former years have felt, as I feel now, that while from one standpoint the Federal Government is perhaps not required to cooperate, yet from the standpoint of humanity, as long as we are engaged in this work, such assistance as it renders ought to be fairly commensurate with the service that should be given.

And hence I asked the gentleman whether there was any rescue station in this field. Perhaps it is not necessary to have a station. He replied that there is one obsolete car that goes into Kentucky, but that it is in such condition that it can not run upon the railway tracks, and that there ought to be near by the proper relief for these accidents which come very frequently.

I was not present when this hearing was had, and I have not read it, but from what the gentleman has said this is not an increase of the appropriation for improvements in Knox County, or in the adjacent county of Sullivan alone, or south to Evansville, or across the river over to southern Illinois, or in central Illinois, but it is a lump fund to be used, what for? For taking care of this service. And in my judgment it will not be used unless it is necessary to use it. The gentleman says, and I think it is agreed on all sides, that it is in the discretion of those in charge of these aids to save life as to the expenditure of this money, and therefore, it being in their discretion, in supporting this service I feel, from the statements that have been made, that we can safely give this additional $17,000 or $18,000 that we are assured will not be expended unless it is necessary that it should be expended. [Applause.]

Mr. SHERLEY. Mr. Chairman, with much of what the gentleman from Illinois has just said I am in entire accord. Perhaps if I looked at the matter from a purely geographical standpoint I would have as much or more reason to advocate the amendment than either the gentleman who offered it or the gentleman who has just supported it, because Kentucky has extensive coal fields, and this car which the gentleman complains of is not even in the State of Kentucky, but only serves sections of Kentucky after Indiana and Illinois get through with using it.

Mr. CANNON. It is pretty close to Kentucky, if the gentleman will yield—just across the river.

Mr. SHERLEY. It is not nearly as close as it is to Indiana, it happening to be in that State; and it is close to Illinois. And the coal fields that are near to Indiana and Illinois are only the small coal fields of Kentucky. The big coal fields are up in another part of the State.

Mr. BLAND. Will the gentleman yield?

Mr. SHERLEY. In just a moment. But this matter is a good deal bigger, of course, than questions of locality.

Now, the committee did this: It gave $17,000 more money than last year, because it was in sympathy with the purposes of this item, and it gave an amount that is very close to the total sum that was asked by the bureau. The gentleman from Illinois [Mr. CANNON] says if it is not needed it will not be expended. I should not have been surprised at that statement from a new Member, but the distinguished ex-chairman of the Committee on Appropriations has sufficient knowledge of the Bureau of Mines in particular, as well as the bureaus of the Government in general, to know that whatever is given is expended if the ingenuity of man can find methods for expending it.

Now, the committee has no pride of opinion about this matter; We are desirous of providing all of the money that can properly be used in the safeguarding of human life, though I would like to put the emphasis, rather than the soft pedal, as the gentleman from Illinois [Mr. CANNON] did, upon the need of the States and the localities and the mine owners to perform some of their functions, and not always ask it of the Federal Government. The tendency has grown up of late years, and is still growing, to shoulder everything off on to Uncle Sam, and that tendency will continue just to the extent that we acquiesce in it by increasing appropriations.

Now, I find from the last annual report of the Director of the Bureau of Mines this statement:

> Because of their condition five of the old Pullman cars being used as rescue cars had to be extensively repaired. These cars were practically idle in September, and in October went to the repair shop in Chicago. In May, 1917, the three new specially designed all-steel cars, authorized by Congress, were placed in active operation. They are known as cars 1, 2, and 5, with headquarters at Reno, Nev.; Raton, N. Mex.; and Butte, Mont. Cars 3, 4, 6, 7, and 8 were returned from the repair shop in April and May in good order. Their headquarters are Evansville, Ind.; Pittsburg, Kans.; Pittsburgh, Pa.; Ironwood, Mich.; and Huntington, W. Va.

Mr. BLAND. Mr. Chairman, will the gentleman yield at that point?

Mr. SHERLEY. Yes.

Mr. BLAND. In the hearings before your committee, on page 1061, Mr. Manning says:

> Three cars were delivered last year, three are under construction now, and this is the remaining seventh car. These cars will eventually have to take the place of the five old cars in the service, because I imagine that in the next two or three years the old cars will have to be scrapped. These cars were old Pullman cars and they will soon have to be put out of service. In many cases the railroads refuse to haul them because of their unsafe condition.

That was the testimony just a little while back, just a few days ago. That is the condition of those cars down there.

Mr. SHERLEY. The gentleman, I think, is mistaken in his full conclusion. There were more than these five cars.

Mr. BLAND. We do not get any of them.

Mr. SHERLEY. Some of them were not capable of being repaired; but the statement made by the director in the report showed that those cars were repaired and that they are being used.

Now, the gentleman's situation is no different from—it is very much better than—the situation of a great many other mine fields in America, and we are asked to appropriate this $17,000 on the basis of having it expended for the benefit of his district. That is the statement he makes to us, because he says he is assured that if he gets this appropriation increased, the Bureau of Mines will use the amount by which he gets it increased for the purpose that he desires. Incidentally, I may remark that it is always possible to get any bureau of this Government to make that agreement. If you go to them to get something done in your district they will always tell you, "We have not the money, but if you get the appropriation increased by a certain amount of money, we will take that money and spend it in your district," which is a very good trading arrangement.

Mr. BLAND. The gentleman assumes that I must have some influence with the splendid official. I assure you I have none.

Mr. SHERLEY. I do not mean that the gentleman has any improper influence or any influence other than that which properly belongs to a Member. I commend the gentleman's zeal for his district. But I have had some experience with the habits and the breed of directors of bureaus. I tell you that it is a universal habit always to agree that to the extent you increase their money they will expend it in your district, if you can give them anything like a prima facie case.

Now, the whole question is simply this, and it is up to the Committee of the Whole: We have increased by $17,000 the money for this bureau over last year. We have been liberal with them. The amount that the gentleman asks is in excess of what the director submitted as an estimate to the Congress. If the Committee of the Whole wants to go beyond the estimate that the Bureau of Mines submitted to the Congress, the responsibility is upon them.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last two words.

Mr. AUSTIN. Mr. Chairman, I undertake to say, considering the time consumed in the discussion of this $17,000 item, that the cost of maintaining and running this House for that length of time would far exceed that amount.

Now, there is not a more efficient, faithful, painstaking bureau chief in this Government than Mr. Van. H. Manning, of the Bureau of Mines and Mining, the worthy son of a former leading Member of Congress from Mississippi. He says this work is needed and he has recommended it in a letter which has been read in our hearing, and the Committee on Appropriations, in fixing the amount carried in the pending bill, has been guided by his recommendations. In the consideration of this Indiana case, before the bill has been acted upon by this House, why should we not give weight and consideration to Mr. Manning's subsequent or final recommendations? If there were two lives lost in a railroad accident through no fault of the person killed, an American jury would assess damages perhaps in excess of the amount asked for in the proposed amendment, which involves the protection of the lives of many thousand industrial workers. During this session of Congress we will appropriate, doubtless, $21,000,000,000, and yet Members are opposing this item of $17,000. If we were to examine carefully the many supply bills of this Government I doubt whether we could find in any of them a better investment or a more valuable investment, considering the amount involved, than is contained in the amendment offered by the gentleman from Indiana [Mr. BLAND]. This Indiana coal field is being rapidly enlarged and extended. The coal-mining industry is of vital importance to our Government and the people, especially at this time, and the Members of Congress owe a very serious and a very great duty and responsibility to the men who are risking their lives every day in these dangerous, gaseous coal mines.

I do not understand why any Member of this House should hesitate to vote this insignificant sum of money, which means so much to the miners of Indiana. It is no argument to say that the original purpose of this legislation was to inaugurate mine rescue stations and then abandon and leave them to the States or the coal operators. The Federal Government never abandons work of this character and value. It does not abandon its annual appropriations for the eradication of the tick or the boll weevil. We do not stop a great work of that kind on account of the failure of a local community or of a State to take it up. I represent a great mining district, the one which secured the first mine rescue station in the South. Had this great work been inaugurated about seventeen years ago we would perhaps have saved the lives of 160 miners, every one of whom perished in a mine disaster at Fratersville, Tenn. I speak from some personal knowledge of the value and importance of this great work, which has been in operation in the coal fields of my State for 10 years. How many men are stationed at these mine rescue headquarters? One or two? How much territory and how many mining camps can two men cover? To how many miners can this needful aid and instruction be carried with a few stations and a limited office or station force? In the name of justice and humanity, we can not afford to take the position that because there is one rescue station in a great mining State like Indiana it is sufficient to cover an immense and far-reaching coal field. If we fail to adopt this amendment, provide for this additional rescue station, and a fatal mine disaster should occur in that State for lack of this great service, what a responsibility will be upon the minds and consciences of the Members of this House! [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. BLAND].

The question being taken, on a division (demanded by Mr. BLAND), there were—ayes 30, noes 19.

Accordingly, the amendment was agreed to.

The clerk read as follows:

For investigation of mineral fuels and unfinished mineral products belonging to or for the use of the United States, with a view to their most efficient mining, preparation, treatment, and use, and to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and including all equipment, supplies, and expenses of travel and subsistence, $135,000.

Mr. MONDELL. Mr. Chairman, while we are on the subject of mine explosions I want to call attention to the fact that while the Federal Government has for a number of years past taken an active interest and appropriated liberally for the purpose of installing apparatus and giving aid, assistance, and instruction with a view of decreasing mine accidents, it is an unfortunate fact that mine accidents have increased in the last year. I shall place in the RECORD a brief statement of the mine accidents for the years 1916 and 1917:

Fatalities at coal mines for the years ended Dec. 31, 1916 and 1917.

Cause.	Number killed.	
	1916	1917
Underground:		
Falls of roof or face	962	1,147
Mine cars and locomotives	390	482
Gas and dust explosions	170	199
Explosives	146	111
Electricity	90	79
Miscellaneous underground	269	361
Total underground	2,027	2,379
Shaft	49	52
Surface:		
Haulage	75	114
Machinery	26	51
Miscellaneous	49	109
Total surface	150	255
Grand total	2,226	2,696

It will be noted there was an increase in the number of fatal accidents due to dust and gas explosions in 1917 over 1916 of 29. The total number of fatal accidents increased from 2,226 in 1916 to 2,696 in 1917, an increase of 470.

Mr. FARR. In the entire United States?

Mr. MONDELL. In the entire United States.

Mr. FARR. Does the gentleman include both bituminous and anthracite mines?

Mr. MONDELL. Yes; this includes all the mines of the country. That is a very great and lamentable toll of lives sacrificed to this great industry, and it is our hope and expectation that we may be able to reduce that total very largely in the future.

The Director of the Bureau of Mines, in reply to questions by members of the subcommittee, said that he was not entirely clear as to all the causes for this increase of accidents, but it was possibly due largely to a very great effort that was made during 1917 to increase and speed up the coal production. Whenever an effort of that sort is made there is a tendency to grow careless and to fail to utilize all the instrumentalities useful in the prevention of accidents.

During the present year and until the close of the war there will be a very earnest effort to speed up production. We ought to increase the coal production in this country 60,000,000 tons during the year 1918 over last year. There is great danger in doing this that there may be an increase in accidents. We have now granted the Bureau of Mines all and a trifle more than they asked, and a sufficient sum to enable them to reasonably assist in safeguarding coal-mining operations in the country, so far as the Federal Government has been able to cover the field up to this time. Eventually we ought to cover the field more thoroughly than we have. It is also tremendously important that the mine operators shall themselves realize their very great responsibility in this matter.

Until recently there was scarcely a mine in the country, even the most gaseous of the mines, where gas helmets were kept, where the operators maintained apparatus needed for rescue work in the case of gas explosions. We are all familiar with the frequent lack of care in safeguarding the miners, so essential in this dangerous industry.

I am rather inclined to believe that the Federal Government has permanently entered on this work, but the Federal Government can not entirely cover the field. That is impossible. The best the Federal Government can do is to give aid and assistance at the most important mining centers, to endeavor to build up a public sentiment in the State and in the communities that will lead to the exercise of greater care and caution by the men themselves and by the operators and that will bring the operators to a realizing sense of their responsibility, in order that they may provide the safest possible conditions in and about the mines. This is a very great, a very useful, and a very helpful work. We can not do all that we would like to do; we can not cover the whole field; but the Government is doing a splendid work, and it is highly essential that the work shall be kept at the highest state of efficiency at this time, when we are making such an earnest effort to speed up the coal production of the country. [Applause.]

The Clerk read as follows:

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances, with a view to improving health conditions and in-

creasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel, and subsistence: *Provided*, That no part thereof may be used for investigation in behalf of any private party, $100,000.

Mr. FOSTER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 94, line 16, strike out the figures "$100,000" and insert "$200,000."

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12441, the sundry civil appropriation bill, and had come to no resolution thereon.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 3391. An act to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

PENSIONS.

Mr. RUSSELL. Mr. Speaker, I present conference reports on the pensions bills H. R. 7634, 8496, 9160, 9612, 10027, 10477, 10850, 11364, and 11663 for printing in the RECORD under the rule.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until to-morrow, Saturday, June 15, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of Commerce submitting a supplemental estimate of appropriation for protecting the seal and salmon fisheries of Alaska for the fiscal year 1919 (H. Doc. No. 1170); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting a compilation of statistics of income prepared by the Commissioner of Internal Revenue (H. Doc. No. 1169); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BURNETT, from the Committee on Public Buildings and Grounds, to which was referred the bill (H. R. 12404) authorizing the construction of a building for the Public Health Service in the city of Washington, D. C., reported the same with amendment, accompanied by a report (No. 651), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. EDMONDS, from the Committee on Claims, to which was referred the bill (H. R. 1623) granting the sum of $549.12 to Clara Kane, dependent parent, by reason of the death of William A. Yenser, late civil employee, killed as a result of an accident at the Philadelphia Navy Yard, reported the same without amendment, accompanied by a report (No. 652), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 1446) for the relief of Mrs. Annie M. Lepley, as postmaster at Plymouth, Amador County, Cal., for money, postal money orders, and postage stamps stolen, reported the same without amendment, accompanied by a report (No. 653), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. STEVENSON introduced a bill (H. R. 12472) to provide for payment of judgments against common carriers under Federal control, which was referred to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GALLIVAN: A bill (H. R. 12473) granting a pension to Annie F. Trainor; to the Committee on Invalid Pensions.

By Mr. SCHALL: A bill (H. R. 12474) granting a pension to Caroline B. Stirk; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 12475) granting an increase of pension to John Weiss; to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 12476) granting a pension to John P. Yingling; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Merchants' Association of New York, urging compensation for liquor business destroyed by prohibition; to the Committee on the Judiciary.

Also, petition of Russian-American Educational Association, Chicago, Ill., asking aid for Russia; to the Committee on Military Affairs.

Also (by request), petition of Koerber-Brenner Co., St. Louis, Mo., favoring zone system for second-class postage; to the Committee on Ways and Means.

Also (by request), petitions of manufacturers of New York, New Jersey, Pennsylvania, Massachusetts, Connecticut, and Delaware, pledging support to the President and the Government in the prosecution of the war; to the Committee on Military Affairs.

By Mr. DILLON: Petition of sundry citizens of South Dakota, favoring war prohibition; to the Committee on the Judiciary.

Also, petition of sundry citizens of South Dakota, against zone system for second-class postage; to the Committee on Ways and Means.

By Mr. GRAHAM of Pennsylvania: Resolutions of the Lumbermen's Exchange of the city of Philadelphia and the Grocers and Importers' Exchange of Philadelphia, urging a system of intercoastal waterways to link our Atlantic ports with the navigable streams and bays of our eastern seaboard; to the Committee on Rivers and Harbors.

By Mr. HILLIARD: Resolutions adopted by the El Paso Club of Colorado Springs, Colo., protesting against increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petitions of the Citizens' National Bank and the Drovers' and Mechanics' National Bank, both of Baltimore, Md., against Senate bill 4426, providing for the guaranty of certain deposits in national banks; to the Committee on Banking and Currency.

By Mr. McFADDEN: Resolution from East Lemon Grange, No. 400, Patrons of Husbandry, Factoryville, Pa., opposing Sunday baseball in Washington, D. C.; to the Committee on the District of Columbia.

By Mr. NOLAN: Petition of R. R. Rogers Chemical Co., San Francisco, and 8 others, favoring postal legislation being put into effect as originally ordered in revenue bill July 1, 1918; to the Committee on Ways and Means.

By Mr. PLATT: Petitions of St. John's Methodist Episcopal Sunday School, of Newburgh, N. Y., and Civic Club, of Middletown, N. Y., favoring prohibition during the war; to the Committee on the Judiciary.

By Mr. STINESS: Petition of the Providence (R. I.) Chamber of Commerce, protesting against Senate bill 4426, guaranteeing bank deposits; to the Committee on Banking and Currency.

SENATE.

SATURDAY, *June 15, 1918.*

(Legislative day of Friday, June 14, 1918.)

The Senate met at 12 o'clock noon.

STATISTICS OF INCOME.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a compilation of statistics of income prepared by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury, which will be referred to the Committee on Printing.

ADDRESS OF ELMER ELLSWORTH BROWN.

The VICE PRESIDENT. The Chair refers to the Committee on Printing an address delivered by Elmer Ellsworth Brown, chancellor of the New York University, at the eighty-sixth commencement, for determination as to whether it ought to be printed in the RECORD or referred to the Committee on Education and Labor.

AIDS TO NAVIGATION.

Mr. RANSDELL. I ask unanimous consent to submit a report from the Committee on Commerce. From that committee I report back favorably, without amendment, the bill (H. R. 11284) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, and I submit a report (No. 507) thereon. I will say that this is a bill of very great public importance, and the Commerce Committee authorized me to report it without amendment as it came from the House, and to ask for its immediate consideration. I do not think it will take more than a moment. Of course, if there is objection I do not want to break in upon the consideration of the bill which is the unfinished business.

Mr. SMOOT. I should like to have it go to the calendar. I would like at least to read it and see what it is.

Mr. RANSDELL. I hope the Senator from Utah will not insist on that course. I have a letter from the President asking that the bill be passed as a war measure.

Mr. SMOOT. Everything is presented to Congress as a war measure.

Mr. NELSON. Will the Senator yield to me?

Mr. RANSDELL. I yield to the Senator from Minnesota.

Mr. NELSON. This is a very important bill. The President has written a letter about it. It is very urgent. It relates to the Lighthouse Service, and there are some points where it is a matter of vital interest in connection with our naval operations. It is substantially the bill which was passed in the Senate, with only two changes, or possibly three. It will take but a moment.

Mr. SMOOT. It is a House bill?

Mr. RANSDELL. It is a bill which passed the House, and the committee reported it without any change as it came from the House.

Mr. SMITH of Maryland. Having in charge the District of Columbia appropriation bill, I will offer no objection to its consideration, as I think we can get through with the appropriation bill very shortly.

Mr. SMOOT. Let the bill be read so that we may see what it is.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. SMITH of Maryland. I ask that the District of Columbia appropriation bill be laid aside temporarily in order to consider this bill.

The VICE PRESIDENT. Is there objection to the consideration of the bill which has been read?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. RANSDELL. I move that the bill (S. 4427) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, being order of business 433, be indefinitely postponed.

The motion was agreed to.

WAR-RISK INSURANCE—CONFERENCE REPORT (S. DOC. NO. 238).

Mr. SMITH of Georgia. Mr. President——

The VICE PRESIDENT. Does the Senator from Maryland yield to the Senator from Georgia?

Mr. SMITH of Maryland. I yield.

Mr. SMITH of Georgia. A few days ago I presented a conference report upon the disagreeing votes of the two Houses upon the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended. Later in the day the conferees found several verbal errors in the report which was presented, and I asked leave to withdraw that report, which was done. I now present a corrected report, which I ask may be printed in the RECORD and lie on the table.

The VICE PRESIDENT. Without objection, it is so ordered.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed by the House insert the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second subdivision (4) of section 22 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, relating to the definition of the term 'parent,' is hereby amended to read as follows:

"'(4) The term "parent" includes a father, mother, grandfather, grandmother, father through adoption, mother through adoption, stepfather, and stepmother, either of the person in the service or of the spouse.'

"SEC. 2. That four new sections are hereby added to article I of said act, to be known as sections 27, 28, 29, and 30, respectively, and to read as follows:

"'SEC. 27. That whoever shall obtain or receive any money, check, allotment, family allowance, compensation, or insurance under articles 2, 3, or 4 of this act, without being entitled thereto, with intent to defraud the United States or any person in the military or naval forces of the United States, shall be punished by a fine of not more than $2,000, or by imprisonment for not more than one year, or both.

"'SEC. 28. That the allotments and family allowances, compensation, and insurance payable under articles 2, 3, and 4, respectively, shall not be assignable; shall not be subject to the claims of creditors of any person to whom an award is made under articles 2, 3, or 4; and shall be exempt from all taxation: *Provided*, That such allotments and family allowances, compensation, and insurance shall be subject to any claims which the United States may have, under articles 2, 3, and 4, against the person on whose account the allotments and family allowances, compensation, or insurance is payable.

"'SEC. 29. That the discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien, conscientious objector, or a deserter, or as guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct shall terminate any insurance granted on the life of such person under the provisions of article 4, and shall bar all rights to any compensation under article 3 or any insurance under article 4.

"'SEC. 30. That this act may be cited as the war-risk insurance act.'

"SEC. 3. That section 200 of said act is hereby amended to read as follows:

"'SEC. 200. That the provisions of this article shall apply to all enlisted men in the military or naval forces of the United States, except the Philippine Scouts, the insular force of the Navy, and the Samoan native guard and band of the Navy.'

"SEC. 4. That the second and third paragraphs of section 201 of said act are hereby amended to read as follows:

"'The monthly compulsory allotment shall be $15. For a wife living separate and apart from her husband under court order or written agreement, or for a former wife divorced, the monthly compulsory allotment shall not exceed the amount specified in the court order, decree, or written agreement to be paid to her, and for an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree.

"'If there is a compulsory allotment for a wife or child, then a former wife divorced who has not remarried and to whom alimony has been decreed, shall not be entitled to a compulsory allotment, but shall be entitled to a family allowance as hereinafter provided.'

"SEC. 5. That section 203 of said act is hereby amended to read as follows:

"'SEC. 203. That in case one-half of an enlisted man's monthly pay is not allotted, regulations to be made by the

Secretary of War and the Secretary of the Navy, respectively, may require, under circumstances and conditions as may be prescribed in such regulations, that any proportion of such one-half pay as is not allotted shall be deposited to his credit, to be held during such period of his service as may be prescribed. Such deposit shall bear interest at the same rate as United States bonds bear for the same period, and, when payable, shall be paid principal and interest to the enlisted man, if living, otherwise to any beneficiary or beneficiaries he may have designated, or if there be no such beneficiary, then to the person or persons who, under the laws of the State of his residence, would be entitled to his personal property in case of intestacy.'

"SEC. 6. That the third and fourth paragraphs of section 204 of said act are hereby amended to read as follows:

"'Class A. In the case of a man to his wife (including a former wife divorced) and to his child or children—

"'(a) If there is a wife but no child, $15;

"'(b) If there is a wife and one child, $25;

"'(c) If there is a wife and two children, $32.50, with $5 per month for each additional child;

"'(d) If there is no wife, but one child, $5;

"'(e) If there is no wife, but two children, $12.50;

"'(f) If there is no wife, but three children, $20;

"'(g) If there is no wife, but four children, $30, with $5 per month additional for each additional child;

"'(h) If there is a former wife divorced who has not remarried and to whom alimony has been decreed, $15.

"'Class B. In the case of a man or woman to a grandchild, a parent, brother, or sister—

"'(a) If there is one parent, $10;

"'(b) If there are two parents, $20;

"'(c) If there is a grandchild, brother, sister, or additional parent, $5 for each.

"'In the case of a woman, the family allowances for a husband and children shall be in the same amounts, respectively, as are payable, in the case of a man, to a wife and children, provided she makes a voluntary allotment of $15 as a basis therefor, and provided, further, that dependency exists as required in section 206.'

"SEC. 7. That section 206 of said act is hereby amended to read as follows:

"'SEC. 206. That family allowances to members of class B shall be paid only if and while the members are dependent in whole or in part on the enlisted man, and then only if and while the enlisted man makes a monthly allotment of his pay for such members in the following amounts:

"'(a) If an enlisted man is not making a compulsory allotment for class A the allotment for class B required as a condition to the family allowance shall be $15;

"'(b) If an enlisted man is making a compulsory allotment for class A the additional allotment for class B required as a condition to the family allowance shall be $5, or if a woman is making an allotment of $15 for a dependent husband or child the additional allotment for the other members of class B required as a condition to the family allowance shall be $5.'

"SEC. 8. That section 210 of said act is hereby amended to read as follows:

"'SEC. 210. That upon receipt of any application for family allowance, the commissioner shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. Whenever the commissioner shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. The amount of each monthly allotment and allowance shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 9. That sections 4, 6, 7, and 8 of this act shall take effect on the 1st day of July, 1918.

"SEC. 10. That section 300 of said act is hereby amended to read as follows:

"'SEC. 300. That for death or disability resulting from personal injury suffered or disease contracted in the line of duty, by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided further*, That this section, as amended, shall be deemed to become effective as of October 6, 1917.'

"SEC. 11. That section 301 of said act is hereby amended to read as follows:

"'SEC. 301. That if death results from injury—

"'If the deceased leaves a widow or child, or if he leaves a mother or father either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"'(a) If there is a widow but no child, $25;

"'(b) If there is a widow and one child, $35;

"'(c) If there is a widow and two children, $42.50, with $5 for each additional child up to two;

"'(d) If there is no widow, but one child, $20;

"'(e) If there is no widow, but two children, $30;

"'(f) If there is no widow, but three children, $40, with $5 for each additional child up to two;

"'(g) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if the dependent mother is in receipt of compensation under the provisions of this article for the death of her husband. Such compensation shall be payable whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"'If the death occurs before discharge or resignation from service, the United States shall pay for burial expenses and the return of the body to his home a sum not to exceed $100, as may be fixed by regulations.

"'The payment of compensation to a widow shall continue until her death or remarriage.

"'The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be incapable, because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

"'Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"'As between the widow and the children not in her custody, and as between children, the amount of the compensation shall be apportioned as may be prescribed by regulation.

"'The term "widow" as used in this section shall not include one who shall have married the deceased later than 10 years after the time of injury, and shall include a widower, whenever his condition is such that, if the deceased person were living, he would have been dependent upon her for support.'

"SEC. 12. That subdivision (1) of section 302 of said act is hereby amended to read as follows:

"'(1) If and while the disability is total, the monthly compensation shall be the following amounts:

"'(a) If the disabled person has neither wife nor child living, $30;

"'(b) If he has a wife but no child living, $45;

"'(c) If he has a wife and one child living, $55;

"'(d) If he has a wife and two children living, $65;

"'(e) If he has a wife and three or more children living, $75;

"'(f) If he has no wife but one child living, $40, with $10 for each additional child up to two;

"'(g) If he has a mother or father, either or both dependent on him for support, then in addition to the above amounts, $10 for each;

"'(h) If he is totally disabled and in addition so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $20 per month, as the director may deem reasonable: *Provided, however*, That for the loss of both feet or both hands or both eyes, or for becoming totally blind or becoming helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States, the rate of compensation shall be $100 per month: *Provided further*, That where the rate of compensation is $100 per month, no allowance shall be made for a nurse or attendant.'

"SEC. 13. That subdivision (4) of section 302 of said act is hereby amended to read as follows:

"'(4) The amount of each monthly payment shall be determined according to the family conditions existing on the 1st day of the month.'

"SEC. 14. That two new subdivisions are hereby added to section 302 of said act, to be known as subdivisions (5) and (6), respectively, and to read as follows:

"'(5) Where the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation shall be apportioned as may be prescribed by regulations.

"'(6) The term "wife" as used in this section shall include "husband" if the husband is dependent upon the wife for support.'

"SEC. 15. That where section 301 of said act is amended by striking out the provisions that a mother is entitled to compensation only when she is widowed and substitute provisions are included to the effect that compensation is payable to a dependent mother or dependent father, such substitute provisions shall be deemed to be in effect as of October 6, 1917.

"SEC. 16. That section 311 of said act is hereby repealed.

"SEC. 17. That section 312 of said act is hereby amended to read as follows:

"'SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"'Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.'

"SEC. 18. That section 313 of said act is hereby amended to read as follows:

"'SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"'If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable, or which may become payable, to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"'(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person, other than the United States or the enemy, to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"'(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent, true discount, compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"'A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"'Nothing in this section shall be construed to impose any administrative duties upon the War or Navy Departments.'

"SEC. 19. That section 401 of said act is hereby amended to read as follows:

"'SEC. 401. That such insurance must be applied for within 120 days after enlistment or after entrance into or employment in the active service and before discharge or resignation, except that those persons who are in the active war service at the time of the publication of the terms and conditions of such contract of insurance may apply at any time within 120 days thereafter and while in such service. Any person in the active service on or after the 6th day of April, 1917, who, while in such service and before the expiration of 120 days from and after such publication, becomes or has become totally and permanently disabled, or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance, payable to such person during his life in monthly installments of $25 each. If he shall die either before he shall have received any of such monthly installments or before he shall have received 240 of such monthly installments, then $25 per month shall be paid to his widow from the time of his death and during her widowhood, or if there is no widow surviving him, then to his child or children, or if there is no child surviving him, then to his mother, or if there is no mother surviving him, then to his father, if and while they survive him: *Provided, however*, That not more than 240 of such monthly installments, including those received by such person during his total and permanent disability, shall be so paid. The amount of the monthly installments shall be apportioned between children as may be provided by regulations.'

"SEC. 20. That section 19 of this act amending section 401 of the act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, shall be deemed to be in effect as of October 6, 1917: *Provided*, That nothing herein shall be construed to interfere with the payment of monthly installments, authorized to be made under the provisions of said section 401 as originally enacted, for the months up to and including June, 1918: *Provided further*, That all awards of automatic insurance under the provisions of said section 401 as originally enacted shall be revised as of the 1st day of July, 1918, in accordance with the provisions of said section 401 as amended by section 19 of this act.

"SEC. 21. That section 402 of said act is hereby amended to read as follows:

"'SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured,

the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. If no such person survive the insured, then there shall be paid to the estate of the insured an amount equal to the reserve value, if any, of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and 3½ per cent interest in full of all obligations under the contract of insurance.'"

And the House agree to the same.

HOKE SMITH,
J. F. NUGENT,
REED SMOOT,
Managers on the part of the Senate.

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

THE COAL SITUATION.

Mr. SMITH of Michigan. Mr. President, may I say, as there seems to be a temporary lull here, that I hope some relief is going to be afforded to the country at the present time regarding our coal supply. We are in a bad situation in the Northern States. The zone system seems to be interfering——

Mr. SMITH of Maryland. I trust the Senator will not interfere with the consideration of the appropriation bill.

Mr. SMITH of Michigan. I was only going to say——

Mr. SMITH of Maryland. We ought to get through with the appropriation bill in a short time, and the matter which the Senator proposes to bring up will, I have no doubt, occasion considerable debate.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum; and then, after obtaining a quorum, we will go on with the appropriation bill.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Chamberlain	King	Page	Smith, Mich.
Culberson	Lenroot	Pittman	Smoot
Dillingham	McKellar	Ransdell	Sterling
Gulon	McLean	Sheppard	Thompson
Henderson	Martin	Sherman	Tillman
Hitchcock	Nelson	Smith, Ariz.	Trammell
Johnson, S. Dak.	New	Smith, Ga.	Warren
Kenyon	Nugent	Smith, Md.	

The VICE PRESIDENT. Thirty-one Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. FALL, Mr. JOHNSON of California, Mr. KIRBY, Mr. MCNARY, Mr. NORRIS, Mr. POINDEXTER, Mr. SUTHERLAND, and Mr. THOMAS answered to their names when called.

Mr. LODGE, Mr. GALLINGER, and Mr. CURTIS entered the Chamber and answered to their names.

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. CURTIS. I wish to announce the unavoidable absence of the senior Senator from New York [Mr. WADSWORTH], the junior Senator from New York [Mr. CALDER], the Senator from Washington [Mr. JONES], and the Senator from Minnesota [Mr. KELLOGG]. I will let this announcement stand for the day.

Mr. GRONNA entered the Chamber and answered to his name.

Mr. KIRBY. The junior Senator from Kentucky [Mr. BECKHAM] and the senior Senator from California [Mr. PHELAN] are detained on official business.

Mr. SMITH of Arizona. I wish to announce that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. TRAMMELL. I desire to announce the absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. SHEPPARD. I wish to announce the absence of the Senator from Mississippi [Mr. VARDAMAN] on official business, and also that the senior Senator from Kentucky [Mr. JAMES] is detained by illness.

Mr. THOMAS. I desire to announce the unavoidable absence from the city of my colleague [Mr. SHAFROTH]. I will let the announcement stand for the day.

The VICE PRESIDENT. Forty-four Senators have answered to the roll call. There is not a quorum present.

Mr. SMITH of Maryland. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. FRANCE entered the Chamber and answered to his name.

Mr. McKELLAR. I wish to announce that the Senator from Missouri [Mr. REED] and the Senator from Tennessee [Mr. SHIELDS] are detained on public business. I wish also to announce that the junior Senator from Delaware [Mr. WOLCOTT] is detained by illness.

Mr. POMERENE and Mr. KENDRICK entered the Chamber and answered to their names.

Mr. SMITH of Michigan. I should like to have the RECORD show that my colleague [Mr. TOWNSEND] is unavoidably detained from the Chamber on official business.

Mr. SHIELDS and Mr. GERRY entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators having answered to the roll call, there is a quorum present.

Mr. SMITH of Maryland. I ask that the order directing the Sergeant at Arms to request the attendance of absent Senators be rescinded.

The VICE PRESIDENT. Without objection, the order will be rescinded.

PETITIONS.

Mr. WARREN presented a petition of sundry railroad men and shopmen of Greybull, Wyo., praying for the enactment of further prohibition legislation as a war measure, which was ordered to lie on the table.

Mr. LODGE presented petitions of the Equal Suffrage League, of Arlington, of the twelfth district Massachusetts Equal Suffrage Association, and of the Equal Suffrage Association of Boston, all in the State of Massachusetts, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a resolution adopted by the City Council of Cambridge, Mass., favoring the enactment of legislation granting pensions to widows and minor children of veterans of the Spanish-American War, which was referred to the Committee on Pensions.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NEW:

A bill (S. 4715) granting a pension to Margaret Mattler;

A bill (S. 4716) granting an increase of pension to Richard Dobson (with accompanying papers);

A bill (S. 4717) granting an increase of pension to William D. Thompson (with accompanying papers);

A bill (S. 4718) granting an increase of pension to George Graham (with accompanying papers);

A bill (S. 4719) granting a pension to Richard F. Sharrard;

A bill (S. 4720) granting a pension to George Hart (with accompanying papers); and

A bill (S. 4721) granting a pension to Perry Freeman (with accompanying papers); to the Committee on Pensions.

PENSIONS TO SPANISH WAR VETERANS.

Mr. CURTIS submitted an amendment intended to be proposed by him to the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, the Philippine insurrection, and in China, which was ordered to lie on the table and be printed.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SMITH of Maryland. I move to reconsider the vote adopting the committee amendment on page 45, lines 25 and 26.

The VICE PRESIDENT. The amendment referred to by the Senator from Maryland will be stated.

The SECRETARY. On page 45, after line 24, the following amendment was inserted:

Ten librarians in high and normal schools, at $950 each; 28 clerks, at $800 each; in all, $31,900.

The VICE PRESIDENT. The vote whereby the amendment was adopted will be reconsidered, without objection.

Mr. SMITH of Maryland. Mr. President, I offer the amendment, which I send to the desk, as a committee amendment.

Mr. GALLINGER. I will ask the Senator from Maryland if he has a substitute for the amendment which has just been stated?

Mr. SMITH of Maryland. I am offering a substitute for it now. I will say that we inadvertently reduced the salaries of some officials and took away from them their longevity pay, which we desire to reinstate.

The VICE PRESIDENT. The amendment proposed by the Senator from Maryland will be stated.

The SECRETARY. In lieu of the amendment previously adopted, it is proposed to insert the following:

Ten librarians in high and normal schools in class 5, at $950 each; 28 clerks in class 4, at $800 each; in all, $31,900.

The VICE PRESIDENT. Without objection, the amendment is agreed to.

Mr. SMITH of Maryland. Mr. President, when the Senate took a recess yesterday afternoon we postponed the further consideration of the bill because, as I understood, the Senator from Utah [Mr. SMOOT] desired to sumbit some remarks in regard to the item relative to the Metropolitan police.

Mr. SMOOT. Mr. President, as I understand, the pending amendment is on page 60, in line 3, after the word "each," where the Committee on the District of Columbia propose to strike out the words "492 privates of class 3, at $1,200 each," and in lieu thereof to insert "513 privates of class 3 (including crossing policemen), at $1,320 each."

Mr. President, the only question involved in this amendment is whether or not we are to appropriate to pay the policemen who are guarding the crossings of the street railroads in the District of Columbia or they are to be paid by the street railways, as they have been in the past. Last evening, immediately after the conclusion of the session of the Senate, a representative of the street railroads called upon me and directed my attention to the fact that in the hearings before the subcommittee on the District of Columbia appropriation bill there was submitted in writing to the committee a communication signed by Mr. B. H. Warner, jr., who, I understand, is the counsel for the Washington Railway & Electric Co. I want now to read that short communication, because it will give the Senate the history of the matter. I also want the Senate to understand the attitude of the street railroads themselves. I read from the communication as follows:

WASHINGTON, D. C., *May 16, 1918.*

Hon. JOHN WALTER SMITH,
Chairman Subcommittee on
District of Columbia Appropriations,
Washington, D. C.

In the matter of crossing policemen.

MY DEAR SIR: By act approved June 24, 1898 (30 Stat. L., 489), entitled "An act to define the rights of purchasers of the Belt Railway, and for other purposes," under section 3 thereof, Congress enacted "That the Commissioners of the District of Columbia are hereby authorized and required to station special policemen at such street railway crossings and intersections in the city of Washington as the said commissioners may deem necessary, the expense of such service to be paid pro rata by the respective companies" * * *.

This section was added in conference. I have examined the record relating to the passage of this act, as well as all of the reports of the committees of both the House and the Senate, and can find nothing that would indicate that any railway in the District of Columbia knew of this proposed legislation.

This action on the part of Congress was protested against by my clients, the Washington Railway & Electric Co., time and again. All of which protests have been ignored. We have presented this matter to your committee at previous sessions in the hope that some relief might be granted us. In place of being granted relief our burdens have been made the more oppressive finally in the passage of the act approved September 1, 1916, an act making appropriations for the District of Columbia for the year ending June 30, 1917. (See last paragraph on p. 50 of said act.) This action made crossing policemen regular members of the Metropolitan force, except that their pay had to continue to fall upon the railway companies.

The committee may recollect that in the hearings before it, in the Sixty-third Congress, third session, on H. R. 19422, it was recommended by the commissioners that the railway companies be relieved of the burden of paying for these crossing policemen. (See pp. 79 to 82, and 122 and 123 thereof.)

In the Sixty-fourth Congress, H. R. 14670, introduced by Mr. CARLIN, was favorably reported by the Committee on the District of Columbia. This bill, except for the pay feature, was inserted by the conferees in the appropriation bill for the year ending June 30, 1917.

We have come to you again this year, at the suggestion of the president of the Board of District Commissioners, and ask that you relieve us of this crossing policemen burden.

Our cause has not only the approval of the commissioners and the chief of police but the engineer of the public utilities commission as well.

The street railway companies of the District of Columbia are required to sell six tickets for 25 cents. This makes their gross receipts practically 16⅔ per cent less than most other cities in this country. When you take into account the further restriction that a passenger must be hauled from one end of the District to the other for one fare, the gross receipts are fully 20 per cent less than in any other city.

The street railway companies, in addition to paying the regular tax of 4 per cent on gross receipts and the usual real estate taxes, are required to pay for paving between the tracks and a distance of 2 feet on either side thereof and for the removal of snow at certain crossings. No other form of traffic pays any portion of the paving or removal of snow.

Mr. President, I am not going to take up the time of the Senate to read the remainder of this letter, but it succinctly states the position of the street railroad companies of Washington. Mr. Warner told me last night that the burden of maintaining these policemen—he calls it a burden—falls upon the two street railway companies of the District, and the amount paid by both for this purpose is about $75,000 per annum. In other words, Mr. President, if we take——

Mr. SMITH of Maryland. Mr. President, it is a matter of very small concern, but the exact amount is $68,040.

Mr. SMOOT. What I have stated is what Mr. Warner told me last evening.

Mr. NELSON. Mr. President, will the Senator yield to me for a moment?

Mr. SMOOT. Certainly.

Mr. NELSON. I wish to say to the Senator in regard to these crossing policemen that I look upon them as a necessary protection against the automobiles. I am not afraid of the street cars; they can be seen; but the streets at certain places in the city are filled with automobiles, and it is for the protection of the people against the automobiles more than against the street cars that we need the crossing policemen. I think the authorities of the city are negligent in allowing our streets to be blockaded with automobiles, and certainly at the street crossings we need protection against them more than we do against the street cars. That is the reason, so long as the District Commissioners allow automobiles to run as they do, why we ought to have these crossing policemen, and they ought to be charged to the city.

Mr. McKELLAR. Mr. President——

Mr. SMOOT. I will yield to the Senator in just a moment. I agree with the Senator from Minnesota as to the necessity of the crossing policemen to guard the public against automobiles. I myself think that three-fourths of all the traffic that is directed by the crossing policemen is made up of automobiles and trucks.

Mr. NELSON. If the Senator will allow me further, whenever I approach these crossings I am not worried about the street cars; I am not looking for them, but I am looking for those "cussed" automobiles that run all over, regardless of the life and limb of citizens. We need protection against them rather than against the street cars.

Mr. SMOOT. Mr. President, I will say to the Senator that in the large cities of the country before there were any automobiles there were policemen at the street crossings to protect the people against vehicular traffic and the street cars; in fact, policemen were required at busy corners to direct the traffic in order that it might proceed at all. I know what the Senator says, so far as automobiles are concerned, is true, but even if automobiles were not a part of the traffic, the general traffic would be so congested unless directed by some one that vehicles would be running into each other and would hardly be able to move without accidents occurring.

Mr. GALLINGER. Mr. President, as a member of the committee I have taken little interest in this matter, although I have always felt that these crossing policemen ought to be a part of the Metropolitan police force. I wish to ask the Senator whether he has knowledge as to the rule in other cities? I know that in Boston and in New York the regular policemen guard at least the pedestrians crossing the streets. I have always supposed they were a part of the regular force. Does the Senator know whether in any other city the surface railroads are required to pay the salaries of crossing policemen?

Mr. SMOOT. I have not a list of the cities, but I am informed, Mr. President, that there are a great many cities where the street railroad companies are compelled to pay the policemen who stand at the crossings and whose only duty is to protect the public from accidents. I also know that there are other cities where that work is done by the city police force.

Mr. GALLINGER. Members of the regular force?

Mr. SMOOT. Members of the regular force, paid by the city. So that I do not think there is any universal practice in this regard.

Now I yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, I wish to ask the Senator a question about crossing policemen. Do they have any other duties except to act as crossing policemen?

Mr. SMOOT. I think they spend all of their time at the crossings.

Mr. McKELLAR. Their entire time is taken up in looking after the crossings?

Mr. SMOOT. Their time is taken up in looking after the crossings.

Mr. McKELLAR. Has the city any jurisdiction over them?

Mr. SMOOT. It has.

Mr. McKELLAR. To what extent?

Mr. SMOOT. They are now, under the act of September 1, 1916, under the direction of the Metropolitan police.

Mr. McKELLAR. They are under the direction of the Metropolitan police, but their duties are confined solely to the crossings?

Mr. SMOOT. To the crossings.

Mr. McKELLAR. By whom are they appointed?

Mr. SMOOT. I presume, however, that they have the power to arrest anyone violating the ordinances of the District.

Mr. McKELLAR. Any ordinance of the District?

Mr. SMOOT. Yes; but they do not patrol regular beats as other policemen do. They stand at the center of the crossing, where the street railroad tracks turn or cross, and their duty is to direct the traffic at that one spot.

Mr. McKELLAR. Then their duties are solely to prevent accidents at those crossings?

Mr. SMOOT. I think that is their whole duty.

Mr. McKELLAR. And, of course, it is to the very great advantage of the street railway companies to prevent accidents?

Mr. SMOOT. It is of advantage to the street railway companies, and it is also an advantage to the District of Columbia. I will admit that. It is only a question of policy; it is a question as to whether the street railroads shall pay these policemen, as they have done in the past, or whether the burden shall be transferred to the District of Columbia.

Mr. GALLINGER. And the General Government.

Mr. SMOOT. And the General Government—half to be paid by the District and half to be paid by the Treasury of the United States.

Mr. McKELLAR. How long has this system of the street car companies paying the crossing policemen been in vogue?

Mr. SMOOT. Ever since June 24, 1898. I will state that was the act which was first passed, which was entitled "An act to define the rights of purchasers of the Belt Railway, and for other purposes."

Mr. McKELLAR. What special reason is given by the committee for overturning that long-established custom?

Mr. SMOOT. Well, Mr. Warner, the attorney of one of the railroad companies, representing them, thinks that it is an injustice. He also points to the fact that many other cities pay the police for doing similar duty, and he says that in the District six tickets are required to be sold for a quarter, while nearly all other cities charge 5 cents straight. He also calls attention to the fact that the law requires the street railroads to carry their passengers from one end of the District to the other without additional fare, and figures that the street railroads of the District of Columbia are at a disadvantage as compared with the street railroads of other cities.

Mr. McKELLAR. If the Senator will indulge me again, I wish to ask this question: Did the original act by which the street railway companies were required to maintain policemen at the crossings grow out of some relationship with the city? In other words, in 1898 did the street railway companies or other railway companies obtain any grant or privilege from the city? Is that one of the agreements that was made at that time?

Mr. SMOOT. Mr. President, I will say that I have not read this act carefully. All that the attorney refers to is found in his letter, and reads as follows——

Mr. McKELLAR. I heard the Senator read that. I was present and heard that letter.

Mr. SMOOT. Then I will not read it again.

Mr. McKELLAR. Will the Senator from Utah permit me to ask a question of the chairman of the committee?

Mr. SMOOT. Yes; I shall be glad to yield for that purpose.

Mr. McKELLAR. Did this arrangement by which the street car companies pay for the policemen at the crossings grow out of a contractual relation between the street car companies and the city in 1898? Very frequently, of course, as the Senator knows, in all large cities from time to time there are agreements made between the cities and the street railway companies, and quite frequently the street railway companies agree to certain terms and conditions upon which contracts or privileges or extensions of privileges are granted them. I should like to know whether or not there was anything of that kind in this case.

Mr. SMITH of Maryland. Mr. President, in answer to the Senator's question I will say that the fact is that this matter has been brought to the attention of the subcommittee on several occasions, and they have felt that it was a wrong policy. I agree with the Senator from Utah that it is a matter of policy. When the matter was brought up this time it was insisted upon that the railway people should be divorced from the Metropolitan police and that the police should be under no obligations whatever to any corporation. So far as I am concerned, I know nothing about the corporations' interest in this matter; but as a matter of principle and a matter of policy it is wrong that the police of the city of Washington should be in any way dominated, by pay or in any other way, by a corporation. We felt that it was best that this matter should be taken out of the hands of the street railway companies and that the amount involved should be paid by the city government, and that they should have full power to direct these policemen—which they have now, in a way—as they see proper, and they should be under no obligations to any corporation. If the street railway corporations are making more money than they ought to, let us tax them more; but let us not get it by allowing them in any way to have control over the police of the city of Washington.

Mr. McKELLAR. Mr. President, will the Senator yield again?

Mr. SMOOT. Just a moment. I want to say, Mr. President, that Congress took specific action in this regard. The law itself says:

> That the Commissioners of the District of Columbia are hereby authorized and required to station special policemen at such street-railway crossings and intersections in the city of Washington as the said commissioners may deem necessary, the expense of such service to be paid pro rata by the respective companies.

In other words, the railroads have nothing whatever to do with selecting these policemen. The Commissioners of the District do it, and they are not beholden to the railroads at all.

Mr. McKELLAR. For their appointment or anything else?

Mr. SMOOT. No.

Mr. McKELLAR. I have an idea, just from the general trend of the thing, that in 1898 the companies must have been asking for some privileges, and must have agreed, in return for privileges contracted with the city, to pay the salaries of necessary policemen at the crossings. If such were the case, it would materially affect our action here. Certainly it would materially affect my action. I do not know whether it is the case or not; and I should like to know, from the chairman of the committee or any member of the committee, what the facts are.

Mr. SMITH of Maryland. Mr. President, I want to say to the Senator that I was very much struck with what the Senator from Minnesota [Mr. NELSON] had to say in regard to these crossings—that it is much more important to protect the people from the automobiles than to protect them from the street cars. From 70 to 80 per cent of the traffic is automobile traffic, and I do not think there ought to be any restriction whatever. I think the police ought to be absolutely under the control of the Commissioners of the District of Columbia, and they should be under no obligations to perform any special work. They should be there for general work and all work.

Mr. GALLINGER rose.

Mr. McKELLAR. I can understand the suggestion that the Senator makes, but what I am asking about is a fact. In other words, I want to say, with perfect frankness, that if this particular system grows out of a contractual relation with the city I am going to vote to maintain it. If it is a question of general policy, that is a wholly different question; and I should like to know if the Senator from New Hampshire can enlighten me on that point.

Mr. GALLINGER. Mr. President, I will say to the Senator that I think the street railroads had nothing to do with this one way or the other. It was put in the bill in conference without any consultation with the railroads, and they certainly did not ask for it, nor did they oppose it, as I remember. I do not know that I was a member of the conference committee at that time.

Mr. McKELLAR. It just came up in an appropriation bill, did it?

Mr. GALLINGER. No; there was legislation in reference to a small railroad in the District of Columbia, I think, called the Belt Railroad Line. As the Senator knows, we had 14 or 15 railroad corporations in the District of Columbia at that time.

Mr. McKELLAR. I recall it, by reputation.

Mr. GALLINGER. I think 11 of them were consolidated into the Washington Railway & Electric Line, as it is known now. Pending that legislation concerning the railroad, which I think was not a matter of any consequence, except that we were constantly dealing with those questions, this amendment got into the bill in conference. That is my recollection of it. I may be wrong, but that is the way I recall it. I will ask the Senator from Utah if that is not so?

Mr. NELSON. Mr. President, will the Senator yield?

Mr. SMOOT. Yes.

Mr. NELSON. I think the answer to the question of the Senator from Tennessee is this: I do not think this burden was imposed upon the railroad companies in connection with any franchise that was given to them. It is a burden that was imposed upon them directly by legislation, without any direct consideration, and you can not call it a part of the franchise in any sense. That is my understanding. While I have not been a member of the District Committee, I have, to some extent, kept track of this matter, and I do not think it can be treated in any way as a burden imposed upon them in consideration of or as a part of any franchise that has been given to them.

Mr. McKELLAR. I do not see just how the Congress would have been willing to put this tax on them, just for certain crossing policemen——

Mr. NELSON. They did it by main force.

Mr. McKELLAR. Unless it was in consideration of permission to consolidate, or to use each other's tracks, or to use the streets, or something of that kind; and if so, I think we ought to know exactly what the facts are about it before we vote on the question. I hope the Senator will let that particular amendment go over until we do ascertain what the facts are.

Mr. GALLINGER. Mr. President, I understand that the Senator from Utah has the original act now.

Mr. McKELLAR. I hope the Senator will read it for our enlightenment.

Mr. SMOOT. Mr. President, I have sent for the statute, and I have the act itself, and therefore I will read the whole of it:

Be it enacted, etc., That any corporation operating a street railroad within the District of Columbia be, and it is hereby, authorized to purchase the property and franchises of the Belt Railway Co. under any sale thereof by decree of court or otherwise; and such corporation so purchasing may operate the property and franchises so purchased as a part of its system, subject to all rights and obligations imposed by existing legislation or by this act, so far as the same shall be applicable; and in case the property and franchises of said Belt Railway be purchased by any person or persons at any sale thereof under decree of court or otherwise, such person or persons, or his or their associates and assigns, shall possess and enjoy all the corporate rights, privileges, and franchises heretofore conferred on the said Belt Railway Co. by the act of Congress approved March 3, 1875, and the acts amendatory thereof and supplemental thereto, as well as the right to be a corporation under this act; and the incorporation as hereby provided shall be completed and become effective whenever the said purchaser or purchasers and his or their associates or assigns shall file for record with the recorder of deeds for the District of Columbia a certificate of incorporation hereunder, duly acknowledged, specifying the name of such new corporation, its officers, and the names of its directors for the first year, and the amount of its proposed capital stock and bonds. The capital stock of the corporation herein authorized shall be divided into shares, each of the par value of $100; and any corporation so purchasing or so created and organized hereunder is authorized to issue its bonds and capital stock either for cash or in exchange for the stock, bonds, property, or franchises of the said Belt Railway Co.: *Provided*, That stock and bonds may be issued to such an amount and upon such terms as may be agreed upon by a majority vote of the stockholders of such company: *And provided further*, That the issue of such stock and bonds shall not in the aggregate exceed the amount necessary for effecting any such purchase, lease, or acquisition and for the construction, reconstruction, and equipment of said Belt Railway, and shall in no case exceed the sum of $150,000 per mile of single track. And within one year from the ratification by the court of such sale the existing railroad company purchasing the said Belt Railway, or the corporation created and operating hereunder, shall, under the supervision of the Commissioners of the District of Columbia, construct and put into full operation on the entire line of said railway as now constructed an underground electric system similar to the one now in use by the Metropolitan Railroad Co., upon plans to be submitted to and approved by the said commissioners. And the said commissioners are hereby authorized to require such slight changes of tracks along the streets upon which the said Belt Railway is now constructed as may be necessary for the public convenience, and all expenses incident thereto to be borne by said railway company. And the right is hereby expressly reserved to Congress to require at any time the owner or owners of said railroad to widen any of the streets along or over which said railroad line is now constructed, or to change the route thereof, and the entire expense of such widening of such street and all expenses incident or to a change of route thereto shall be borne by the owner or owners of said railroad.

SEC. 2. That the purchaser or purchasers of the said Belt Railway shall, immediately after said purchase shall have been ratified as herein provided for, and before any permit shall be issued to begin such work, pay all taxes and special assessments due and unpaid to the District of Columbia, and all indebtedness due the employees for labor, or due others for coal, feed, horseshoes and other supplies, contracted for by the receiver of the said Belt Railway Co., duly appointed by the court, and used on behalf and for the benefit of said company during such receivership, and to be approved by the court appointing said receiver, and shall begin the construction of the underground electric system herein provided for; and if said system shall not have been completed at the expiration of one year from the ratification of the purchase of said railway as authorized by this act the purchaser or purchasers thereof shall pay to the District of Columbia, in addition to all other taxes now required to be paid by the said Belt Railway Co., or by the purchaser or purchasers thereof, the sum of $50 for each and every day thereafter until said road shall be completed.

SEC. 3. That the Commissioners of the District of Columbia are hereby authorized and required to station special policemen at such street railway crossings and intersections in the city of Washington as the said commissioners may deem necessary, the expense of such service to be paid pro rata by the respective companies; every car shall be brought to a full stop immediately before making such crossing or intersection. Neglect or failure to pay for the service monthly, or to stop any car, as herein provided for shall subject the company to a fine of not to exceed $25 for every such neglect or failure, to be recovered in any court of competent jurisdiction.

SEC. 4. That the company or corporation installing an underground electric system under authority of this act shall deposit such sum or sums as the commissioners may require to cover the cost of District inspection and the cost of changes to public works in the streets.

SEC. 5. That nothing herein shall be construed to relieve the said Belt Railway Co. from any just liability, nor in any manner as affecting any valid subsisting claim of any creditor against said corporation.

SEC. 6. That Congress reserves the right to alter, amend, or repeal this act.

Mr. GALLINGER. Mr. President, I think I am not mistaken when I say that this Belt Railroad was a bankrupt corporation and that nobody, so far as I recollect, gained any advantage out of this legislation; so that this provision, whether it is wise or unwise, can not properly be said to apply to corporate rights that were granted to any company. It was put in, perhaps, as a wise general provision, at least so regarded; but I am sure it was not placed there as an offset to any advantages that were gained by any corporation in the District.

Mr. SMOOT. Or, in other words, when the law was passed in 1898 the Congress thought that that burden should be borne by the railroads.

Mr. GALLINGER. I think that is a proper statement of the case. As I said a moment ago, we had 13 or 14 little corporations here that had been granted charters from time to time. Most of them were in bankruptcy, and in due time we got rid of them by making a consolidation; but this was not a part of that consolidation scheme. It was simply to get rid of one of these corporations that was bankrupt.

Mr. KIRBY. Mr. President, I should like to ask the Senator from Utah a question.

Mr. SMOOT. Certainly; I yield.

Mr. KIRBY. Is it understood that by this amendment we will add 135 extra policemen to the Government pay roll, at a cost of about $156,000?

Mr. SMOOT. No; not one.

Mr. KIRBY. Not an extra one?

Mr. SMOOT. Not one. The 56 extra are the street-crossing policemen. They are added, as the Senator will see, in the bill. There are three amendments——

Mr. KIRBY. Yes; I see there are.

Mr. SMOOT. There are 21 in the first grade, 21 in the second grade, and 14 in the third grade. That makes 56 policemen that are to-day paid by the street railroads. If these amendments are adopted the street railroads will be relieved of the payment of these 56 policemen and the District and the Government will pay the amount.

Mr. GALLINGER. But there will be no increase in the number of the policemen.

Mr. SMOOT. No; there will be no increase in the number of the policemen.

Mr. KIRBY. But the amendment here provides for 513 privates, whereas the part stricken out says 492.

Mr. SMOOT. But that increase comes from the police that are now paid by the railroads. There is not an increase in the policemen in the District under this bill, but there are 56 more policemen provided for in this bill to be paid by the District of Columbia and the Government who have heretofore been paid by the railroad companies. That is all there is to the whole question.

Mr. McKELLAR. Mr. President, will the Senator kindly yield to me again?

Mr. SMOOT. Yes.

Mr. McKELLAR. I just want to say that, as it seems to me, it is perfectly apparent from reading chapter 496 of the Acts of 1898, on pages 488 and 489, that this payment of policemen is in reality a franchise tax. Under that act these several corporations were allowed to consolidate and become one or two companies, as the case may be, I do not recall just which; but, anyhow, they were allowed to consolidate. As a consideration for this consolidation and for other privileges given the companies they agreed to pay the salaries of these policemen. That was one of the considerations. It is a contractual relation. The street railways are under a contract with the city of Washington to pay this amount, and they have paid it since the law passed.

The question is not a question of policy at all, because these policemen are city policemen. The street railway company has nothing to do with employing or placing them. They can not say who they shall be. They can not say when or where they may go or what hours they shall work. They have no more to do than any Senator in this body with the selection or discharge of policemen at these track crossings.

Mr. GALLINGER. Mr. President——

Mr. McKELLAR. I will take pleasure in yielding to the Senator from New Hampshire in just a moment. These men are just exactly like any other policemen, except that they have been assigned to duty at these crossings. This act has nothing in the world to do with it, except that as a consideration for being permitted to consolidate and to operate the companies agreed to pay such policemen as the Commissioners might establish at these crossings.

The amount involved is $68,000. It is not a question of policy at all, but purely a business proposition. The question before the Senate is whether we think we ought to relieve the street car companies from that contractual relation. They have borne it for 20 years. They have received and are now enjoying the consideration for it. They have consolidated as provided under the contract that was entered into at that time.

Mr. GALLINGER. Mr. President, that is where I want to interrupt the Senator.

Mr. McKELLAR. There is no reason in the world offered by the committee why we should release them from their contract at this time. There are no facts whatever before us justifying it.

Mr. GALLINGER. That is the very point on which I wanted to ask the Senator a question. Does the Senator say that under that statute the general consolidation was made in which 11 or 12 railroads were consolidated into the Washington Railway & Electric Co.?

Mr. McKELLAR. It so states. It was authorized, and since then it has been carried out. The act says so on its face. It is all in the same act.

Mr. GALLINGER. Will the Senator read it?

Mr. McKELLAR. I will.

Mr. GALLINGER. I will say, before the Senator reads it, that I had the impression that the consolidation came in connection with legislation relating to the Anacostia Railroad. I am quite clear on that point. The general consolidation was made after that time.

Mr. McKELLAR. The language is very broad and would include the Anacostia as well as various other roads. Here is what it says:

That any corporation operating a street railroad within the District of Columbia be, and it is hereby, authorized to purchase the property and franchises of the Belt Railway Co. under any sale thereof by decree of court or otherwise.

Evidently there was property in the hands of the receiver, and it was contemplated that there should be a sale.

Mr. GALLINGER. But there were 11 or 12 other railroads.

Mr. McKELLAR. Of course; but by the purchase of the property of those 10 or 12 others these companies were enjoying the privileges granted by this act.

Mr. GALLINGER. I think that was a different act, a later act.

Mr. McKELLAR. I will continue to read the act:

And such corporation so purchasing may operate the property and franchises so purchased as a part of its system, subject to all rights and obligations imposed by existing legislation or by this act, so far as the same shall be applicable; and in case the property and franchises of said Belt Railway be purchased by any person or persons at any sale thereof, under decree of court or otherwise, such person or persons, or his or their associates and assigns, shall possess and enjoy all the corporate rights, privileges, and franchises heretofore conferred on the said Belt Railway Co. by the act of Congress approved March 3, 1875——

Mr. GALLINGER. But manifestly that is not an act to consolidate these 12 roads.

Mr. McKELLAR. It permits them to do it.

Mr. GALLINGER. No; there was subsequent legislation on that point which permitted the consolidation.

Mr. McKELLAR. At all events, the present railway companies have received certain rights and are operating under this statute, and one of the agreements made or one of the considerations that passed to the city for that act was the payment of the salaries of these crossing policemen. I say that where they have deliberately contracted to pay these crossing policemen, where the crossing policemen are for the benefit of the railroad lines of the city and the city has given a quid pro quo for it, there is no reason in the world for the statement that we should violate the obligation of that contract.

Mr. GALLINGER. Just now I am not arguing that point, but I do want the Senator from Tennessee, who is always fair and who is a good lawyer, and I have watched him——

Mr. McKELLAR. I thank the Senator.

Mr. GALLINGER. I believe that to be true. I want the Senator to understand that the legislation related to one little railroad, called the Belt Railroad, and subsequent legislation was enacted. I wish I had time to get the statute—I have it not now—in connection with the Anacostia road which permitted the consolidation of 10 or 11 of these little what I used to call sore-thumb roads, which amounted to very little and which were not paying their expenses into one corporation called the Washington & Electric Railway Co., which has been, I believe, reasonably successful since then. But this legislation related simply to one little railroad, and it can not be said that they rendered quid pro quo for any benefit they derived from that particular statute.

I am not offering an opinion as to whether the amendment ought to be agreed to or not. I shall vote for it because I acted in committee with my associates in favor of putting it in the bill. But, of course, I recognize there is ground for a different opinion on that point. Some of the street-crossing policemen in the past certainly have been very arrogant because they thought they were independent of the District Commissioners, as they were being paid by the railroads, and I can cite instances where I think they ought to have been disciplined more severely than they were. I have an impression that if they were put under the regular Metropolitan police, as far as appointment and discipline are concerned, and also their compensation, it would be a better system. That is my view. I can not cite cases definitely, but I am sure that the railroads do not pay crossing policemen in the city of Boston or the city of New York. I will ask the Senator from Maryland whether or not they do it in Baltimore?

Mr. McKELLAR. I wish to say to the Senator it seems to me the street car companies under this act would have no more right to interfere in any way, directly or indirectly, with the crossing policemen than with any other policeman. The street car companies do not know who they are. They are assigned there by the commissioners, and the commissioners might assign one policeman for half of the day and another policemen for the other half of the day.

Mr. GALLINGER. I quite agree with that statement.

Mr. McKELLAR. The policemen themselves are under no obligations whatever to the street car companies. It is simply a franchise tax, as a matter of fact. The Senator may be entirely correct that there was some other act than this.

Mr. GALLINGER. Oh, yes; undoubtedly.

Mr. McKELLAR. If that is the case, ought we not to have that other act before the Senate agrees to this amendment by which they wipe out the contractual compensation rendered to the city of $68,000 a year during all these years? Ought we not to have that act and all the facts and have a report here showing the reason why this contract should be violated by the street car companies? The companies are enjoying their privileges granted them by the act. Why should they not continue to pay the Government as agreed by them?

Mr. GALLINGER. I do not think that is any reason for delaying the vote on this question. That act does not, in my judgment, deal with the matter of paying policemen.

Mr. McKELLAR. The railroad company has agreed for 20 years to pay it and apparently has paid it promptly; there was no question about it, and it has never denied the contract. It is just a question whether we will voluntarily contribute to the railroad companies $68,000 a year from now on instead of the city getting $68,000 a year from the companies for privileges granted to them.

Mr. GALLINGER. That is a correct statement, and upon that I am ready to vote.

Mr. SMITH of Maryland. The Senator from New Hampshire asked me a question in regard to Baltimore. I will say, no; and I will go further and say that I do not know of any city in the Union of any size where any part of the police force is paid by the street railway companies.

Mr. GALLINGER. I know of a great many smaller cities where they are not paid by the street railway companies.

Mr. McKELLAR. I happen, in the city in which I live, the city of Memphis, to have been interested in the lighting business, among other projects more or less doubtful, and I know that the lighting company with which I was connected furnishes so many street lights to the city free of charge. They contracted to do it, and I imagine that is the case with almost every city of the country.

Mr. GALLINGER. They do here.

Mr. McKELLAR. It is due not to policy, but it is in the nature of a franchise tax. In other words, when the company was asking the city for the privileges—I do not recall what they were; I do not believe I was connected with the company at that time—but when asked for these privileges the city said, "We will give you those privileges provided that you contribute so much to the lighting of the city."

Mr. GALLINGER. Under duress.

Mr. McKELLAR. No; not under duress but by voluntary contract. It is exactly as if the city of Washington 20 years ago said, through its then government, to the companies that it was perfectly willing for the companies to consolidate, but it shall be on certain terms, and one of those terms, as shown, was that the companies would pay the crossing policemen; and surely no more proper or useful terms could be made for a city than that. We all realize that these crossing policemen are necessary. They are the best policemen we have. I differ with the Senator who says they do not do their duty or that they go beyond their duty. I do not think we could get along without them. They are absolutely necessary, and I want to commend the wisdom of the gentlemen who put that in the contract 20 years ago. We ought to hold onto it. The street cars would probably kill hundreds of people if it were not for these regulations and these policemen. These policemen are doing an excellent work. The necessity for them was never greater than now while we have so many strangers within our gates. They work for the city only. They have nothing to do with street car companies except to make them obey the law just like they make the automobiles, the wagons, the carriages, and the pedestrians obey the law at these crossings. Incidentally I have no doubt they save the street car companies

many times their combined salaries in saving them damages for accidents that would take place but for them.

Mr. GALLINGER. I call the Senator's attention—and I am not going to make any argument about it; I think we ought to vote on this matter—that the statute consolidating these roads was passed June 5, 1900, and it provides that the Anacostia & Potomac River Railroad Co., the Brightwood Railway Co. of the District of Columbia, the Capital Railway Co., the City & Suburban Railway Co., the Columbia Railway Co., the Georgetown & Tennallytown Railway Co., and various others shall be consolidated. That is the act which gave a franchise to one company due to the consolidation of 10 or 11 or 12 companies, as I recall it, and no provision of this kind was put in that act. So it can not be said that in providing for the sale of this one little bankrupt, defunct corporation any franchise benefit was derived. That is all that I want to say about it.

Mr. McKELLAR. Evidently, if the Senator will permit me, they are enjoying the privileges granted by this act, and if they are enjoying them they ought to enjoy the burdens. If this act did not apply to them, they would not be paying according to its terms, and they would not be interested in having this amendment adopted.

Mr. GALLINGER. That is about the case.

Mr. SMOOT. Mr. President, I wanted to have a vote upon this amendment, but I realize that it is next to impossible to get a quorum, and therefore I will be content, as far as I am concerned, with a viva voce vote. I did promise one Senator that I would ask for a yea-and-nay vote on it, but it is Saturday afternoon; there are very few Senators present; and it will be next to impossible to get a quorum. Therefore all I want is a viva voce vote on the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The VICE PRESIDENT. The next amendment will be stated.

The SECRETARY. On page 60, lines 6 and 7, the committee proposes to strike out "78 privates of class 2, at $1,080 each," and insert "99 privates of class 2 (including crossing policemen), at $1,200 each."

Mr. SMOOT. The other two amendments are the same.

The VICE PRESIDENT. They are the same; and unless there is objection, they will be disagreed to.

Mr. SMOOT. There are four amendments on page 60.

The VICE PRESIDENT. They will be disagreed to, and the Senate will disagree to the total reported by the committee in line 23.

Mr. SMITH of Maryland. I ask that the Secretary be instructed to correct all totals.

The VICE PRESIDENT. If there be no objection, the Secretary will correct the totals in the bill.

Mr. KING. Mr. President, I offer the following amendment.

The VICE PRESIDENT. The Senator from Utah offers an amendment, which will be read.

The SECRETARY. On page 44, after line 23, insert the following:

The German language shall not be taught in the public schools of the District of Columbia, and no part of the appropriations made by this act shall be used for the payment of any teacher to give instruction in the German language or for the purchase of any books for use in such instruction.

Mr. GALLINGER. Mr. President, I have no doubt the Senator from Utah has conscientious convictions about this matter of teaching German in the public schools of the District of Columbia, but it does not appeal to me. We can go too far in our prejudices sometimes and in our desire to punish somebody or something. The German language would have been very useful to me a few evenings ago, when I was riding in a street car and overhearing a conversation I did not understand. I do not know that I would have been given possession of any very valuable information, but really at that time I very much wished that I was a German scholar.

It is one of the languages accepted by the world and taught in every school and university on earth. I believe that in some instances they have passed legislation such as the Senator suggests—I think they have in Chicago—but I do not see any good that comes from it. For the life of me I can not see that any good is to come of it.

As I chance to know, a few years ago English and French were taught in every school in the German Empire. I do not know that Germany has taken some——

Mr. SMOOT. It was required.

Mr. GALLINGER. It was required by law that English and French should be taught in every school in Germany; and just now why we should, in a moment of hate, as it may be, for the German Empire, interfere with the educational processes of our country at the Capital of our country is more than I can understand.

Mr. KENYON. May I ask the Senator a question?

Mr. GALLINGER. Certainly.

Mr. KENYON. Does not the Senator think that the passage of such laws by Congress or by a legislature or by a city municipality tends in a way to brand Germany as a world outlaw? The Senator speaks of hate. I confess that I never imagined that I could develop such hatred toward a nation as I have toward Germany. I think Germany should be branded as a world outlaw, and we should never have anything to do with her again as long as this Union lasts.

Mr. GALLINGER. We may brand as much as we please, but we will have something to do with Germany after this war closes.

Mr. KENYON. In a commercial way, I very much doubt it. I do not believe that we can compel the people of the United States to trade with Germany or to buy German goods.

Mr. GALLINGER. As long as commercialism exists in American hearts, as it certainly does now, I imagine we will trade where we can trade to our best advantage—that is my judgment—after the war is over and peace is declared, and we once more get rid of the horrible, terrible, sickening war we are in now. I do not think we ought to carry our hatred to such an extent as to interfere with educational processes in our country.

Mr. President, I make a point of order against the amendment, that it is general legislation upon an appropriation bill.

Mr. KENYON. Mr. President, I am a member of the District of Columbia Committee. I knew the amendment of the Senator from Utah was before that committee, and as a member of that committee I would heartily support the amendment if given an opportunity in the committee or on the floor. The matter I understand never came up in the committee with reference to this bill. I spoke to some members about it and some of them thought it was not a proper place to bring up this question, but in making a point of order it is not made in behalf of the committee in any way.

Mr. KING. Mr. President, if I had any idea that the Chair would sustain the point of order I would make some remarks in discussing the point of order in answer to the statement made by the Senator from New Hampshire.

The VICE PRESIDENT. The Chair is in grave doubt as to what the Chair ought to do about it. The first part of the amendment is clearly subject to a point of order; the last part of it is not.

Mr. KING. Mr. President, I do not think that either part is subject to a point of order, but in view of the suggestion just made by the Chair I withdraw that amendment and offer the following.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 44, after line 23, strike out the period and insert a colon and the following words:

Provided, That no part of said appropriation or any appropriation herein shall be used for the payment of any teacher to give instruction in the German language or for the purchase of any books for use in such instruction.

Mr. GALLINGER. Mr. President, beyond a question a point of order would not lie against this amendment. I have no desire to delay a vote on it or to discuss it. I think we ought to vote on it now and settle it without taking much of our time. I shall vote against it, but if a majority think otherwise, that settles it, so far as I am concerned.

Mr. STERLING. Mr. President, in pursuance of the suggestion just made by the Senator from Utah, I had prepared an amendment to his amendment which I was about to offer; but I am informed that the appropriations carried by this bill go only to the public schools, and therefore the amendment that I contemplated would not be appropriate.

Mr. GALLINGER. Mr. President, I have no disposition to discuss this matter at all. I was impressed by what the senior Senator from Minnesota [Mr. NELSON] said. The German boys who are on the high seas and in France fighting for the principles in which we believe are the sons of hundreds of thousands of Germans who fought on the Union side during the Civil War. I have never believed, and I never will believe, that any very large proportion of those men have had any intention of being disloyal to this Government. Their sons are not disloyal now. I do not believe those men who went through the hell of the Civil War, carrying the banner of the United States, had any thought of being disloyal. But in this emergency, when we want to encourage those men to stand with us in this great contest in which we believe we will be triumphant in the end, why adopt an amendment of this kind, excluding from the schools the teaching of the language that they were taught to love by their mothers and their fathers, and that, so far as I can see, can do no harm?

Mr. President, that is all I care to say. If it is thought wise to do that, I have no complaint; but it does seem to me that we

might well let matters remain as they are so far as our educational institutions are concerned, and all unite, as we are all united, to win this war, and settle once for all the question of German supremacy in the world. I do not think you will add anything to the probability or the possibility of our winning the war by passing an amendment of this kind striking down the German language in the public schools of the Capital of the Nation.

I am ready for the vote.

The PRESIDING OFFICER. The question is on the adoption of the amendment proposed by the Senator from Utah [Mr. KING].

On a division, the amendment was agreed to.

Mr. SMOOT obtained the floor.

Mr. GALLINGER. Will the Senator yield to me one moment?

Mr. SMOOT. Certainly.

Mr. GALLINGER. Mr. President, I fear that Mr. Creel is encouraging German ideas and German kultur by printing his pamphlets in the German language, a copy of one of which I hold in my hand. I presume the matter in the pamphlet is all right, but according to the decision of the Senate, just announced, it strikes me that it is the duty of the Government in printing documents to ignore the German language and use plain English.

Mr. SMOOT. Mr. President, I am not going to offer an amendment, but I simply want to take a few moments of the time of the Senator to direct attention to a provision of the bill, but shall not oppose the appropriation provided for in the bill. On page 56 of the bill I find this item:

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, and employees of the day schools may also be employees of the community forums and civic centers, $15,000.

Mr. President, when this item was first appropriated for we were told that it never would require very much of an appropriation, that it was simply to provide a fund to pay the expenses of opening the schoolhouses for certain purposes. I am not going to complain of this appropriation and I did not complain of the amount appropriated in one of the deficiency appropriation bills for the same purpose, but I think the amount asked for is growing rather rapidly and I expect it will grow more so in the future. I told the Senate at the time that it would grow, but I do not like to see it growing with leaps and bounds within so short a time.

Mr. President, what is the program of the people having these appropriations in hand? I have here a memorandum for the Senate Committee on Appropriations, and I say if this program is carried out we will have to appropriate as much for the service as we appropriated for the District schools, and perhaps more.

The activities provided for under the act carried out in the various centers are under the following heads: This is a statement from the officers of the community forum work. Under the head of educational we find these are the subjects to be treated. This is what we are expected to appropriate the money for in future to carry out the ideas and plans of the organization for which we must pay. As under the head of educational we find:

Stenography, typewriting, French, Spanish, English, cooking, sewing, millinery, knitting, crocheting, embroidery, business arithmetic, bookkeeping, decimal filing, violin for youths, and other branches as asked for.

It is unlimited. Under the head of "Civic" we find:

Liberty loan, war-savings stamps, thrift stamps, food conservation, liberty war kitchen, cooking demonstrations, war gardening, community buying, Red Cross, surgical dressing, first aid, child welfare, reconstruction of garments, parent-teacher meetings, citizens' associations, lectures on war topics.

Mr. SMITH of Arizona. If the Senator will permit me, where are they to receive all these blessings?

Mr. SMOOT. From the community forum, and to be conducted in the school buildings.

Mr. SMITH of Arizona. At what time?

Mr. SMOOT. At whatever time the officers shall designate.

Mr. SMITH of Arizona. The schools are to stop, for instance, to fiddle during the session of the schools.

Mr. SMOOT. They are not supposed to.

Mr. SMITH of Arizona. I am thoroughly in accord with the Senator. I see where it is going to lead in time.

Mr. SMOOT. Under the head of "Recreational" we have the following:

Social dancing, rythmic dancing, folk dancing, dramatic art, glee club, community orchestra, community band, choral society, literary club, swimming, rowing, rifle club, basket ball, baseball, gymnasium work, Boy Scouts, Girl Scouts, library.

Mr. President, can not we see where we are drifting? Is it possible that we are going to make a precedent here, to be followed or pointed to by all the States of the Union, and say that notwithstanding the wonderful public-school system that is established in every State of this Union, which every citizen in the Union approves of and every citizen says, "Tax me to the limit for the education of the American child, whether I have children or not," we are going to embark upon this sort of so-called education and to be carried on in the public-school buildings?

I believe in the proper education in most of the subjects named, but the work should not be connected with our District schools. The Senator from Arizona lives in a part of the country where he knows there are organizations for carrying on a great deal of this work, but they are not organizations the officers of which are paid annual salaries and given clerks and extravagant expenses paid.

Mr. SMITH of Arizona. Nor connected with the public schools.

Mr. SMOOT. Nor connected with the public schools, as the Senator suggests. If this program is carried out, what time of the day is going to be occupied in the teaching of our children? The schoolhouses are to be used in the evening, I suppose, for dancing and recreation. If stenography and typewriting and crocheting and knitting and cooking are to be taught, it must be done in the daytime, I think. Where will all this lead?

Mr. President, I am not going to complain further, only to say that the program is started, and Senators know whenever there is an item put in an appropriation bill, particularly where it provides for the employment of any number of people, it never gets out of the future appropriation bills and never grows less in amount. Since I have been a Member of this body I have seen the initial appropriation provide for a few thousand dollars, and the statement made upon the floor in explanation of it that it was only a temporary matter, and that a similar appropriation would never again be requested. I have seen appropriations grow from $5,000 per annum up until they exceed at present a quarter of a million dollars. I wondered whether this appropriation is going to be one of the same character. I hope not.

Mr. President, I do not ask for a reconsideration of the vote increasing the appropriation from $10,000 to $15,000; I do not ask for a vote upon it; but I felt that it was my duty to call attention to the program that is mapped out, so that it would appear in the RECORD for future reference.

The PRESIDING OFFICER (Mr. HENDERSON in the chair). If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendments made as in Committee of the Whole.

The amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. THOMPSON obtained the floor.

Mr. SMITH of Maryland. I move that the Senate adjourn.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Maryland?

Mr. SMITH of Maryland. I will withhold the motion for a moment.

SPANISH WAR AND PHILIPPINE INSURRECTION PENSIONS.

Mr. THOMPSON. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China. It is not my purpose to press the bill at this time if it is the desire of the Senate to adjourn, but I should like to have it made the unfinished business.

Mr. SMITH of Maryland. I hope the Senator will not insist on that. Of course, it would necessitate the calling of a quorum, and it would be utterly impossible to get a quorum here this afternoon.

Mr. THOMPSON. I do not see why it should be necessary to call for a quorum. The bill is on the calendar, and we can certainly pass on a motion of this character by a viva voce vote. This is the manner in which it is usually done.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kansas.

Mr. SMITH of Maryland. I think it will necessitate calling for a quorum, because there are other measures that have the right of way.

Mr. THOMPSON. I hope the Senator will not call for a quorum. I know of no other measure that has the right of way, and this is an important bill and has already been too long delayed.

Mr. SMITH of Maryland. I shall be compelled to do so if the Senator insists on his motion to call up the bill.

Mr. KING. I suggest the absence of a quorum.

Mr. THOMPSON. I hope the Senator will withdraw that now.

Mr. KING. The Senator can prefer his request on Monday just as well.

Mr. SMOOT. Let me suggest to the Senator from Kansas that he give notice that on Monday at the first opportunity he will make a motion to take up the bill. Then Senators will have notice given that this is the Senator's intention and then he can follow up that notice with action.

Mr. KING. Will the Senator yield to me?

Mr. THOMPSON. Certainly.

Mr. KING. I wish to say that I made that suggestion for the reason that I know a number of Senators understand that there are some measures of very great importance which have the right of way, if I may be permitted to use that expression, and they would have been here to-day if they had suspected that a motion was to be submitted to bring some other measure before the Senate for consideration. I have no objection at all to the consideration of the measure offered by the Senator from Kansas, but I feel, in justice to the understanding of a number of Senators, that it would be improper not to make the call for a quorum if the Senator insists upon calling up the bill now.

The PRESIDING OFFICER. Does the Senator from Kansas withdraw his motion?

Mr. THOMPSON. I wish to say that I know of no bill which has the right of way, and this is the first favorable opportunity I have had to present this matter. I make the motion at the request of a large number of Senators and numerous constituents, who are interested in the bill. I am satisfied that a majority of the Senate want to consider this measure at an early date. But in view of what the Senator from Maryland has said, that the chances are we will be unable to obtain a quorum this afternoon, and in line with the suggestion made by the Senator from Utah, I give notice now that at the first opportunity, at the close of the routine business on Monday, June 17, I shall move to take this bill from the calendar. I adopt this course now in order to save the calling for a quorum, which I am satisfied we could not obtain, and we would be compelled to adjourn without action on my motion.

Mr. KING. I should like to make one observation. Permit me to say in this connection that there is a measure I am very much interested in and that I should like to have moved at this time to make the special order for consideration on Monday; but in deference to the wishes of others, and in view of the fact that a number of Senators are not here who would have been here if they had anticipated that any business was to be called up to-day for consideration on Monday, I did not even urge the consideration of my own measure.

Mr. CURTIS. I desire to offer an amendment to the bill called up by my colleague, the senior Senator from Kansas, and have it printed and lie on the table.

The PRESIDING OFFICER. It will be so ordered.

Mr. SMITH of Maryland. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, June 17, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 15, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, whose ways are past finding out, help us with the eye of faith to penetrate the vale that we may see somewhat beyond the inscrutable mysteries which surround us, that we may live to our best thoughts, to our highest and noblest aspirations, and thus fulfill Thy commands and satisfy our own desires. Let Thy blessing be upon our soldiers, sailors, and aviators, and guide them to victory, that peace and tranquillity may once more smile upon the world, for liberty, justice, and mercy, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CORRECTION.

Mr. MOORE of Pennsylvania. Mr. Speaker, in the CONGRESSIONAL RECORD of yesterday, June 14, 1918, appears the speech of the gentleman from Tennessee [Mr. MOON], made on June 13, on the Post Office appropriation bill. In the course of the speech, referring to the pneumatic tubes, the following colloquy is reported as having occurred between the gentleman from Tennessee and myself:

Mr. MOON. You need not accept it as an apology. If I had the proof of fraud on the gentleman, I would tell him about it. [Laughter.]

Mr. MOORE of Pennsylvania. I am frank enough to believe the gentleman would, and therefore he fails to produce any.

Mr. MOON. But I tell you one thing, I want you to keep away from that bourse, or you may be liable to such a charge.

Mr. MOORE of Pennsylvania. The gentleman has no knowledge of any bourse, and the gentleman ought not to make such an insinuation.

Mr. ROUSE. Mr. Speaker, I will ask the gentleman to defer this for a moment as I have sent for the chairman of the Committee on the Post Office and Post Roads.

Mr. MOORE of Pennsylvania. This involves no controversy, it is simply a clerical error. The gentleman from Tennessee [Mr. MOON] was speaking in a low tone of voice and his words were not distinct. His reference to fraud in connection with the pneumatic tubes was challenged by me and some pleasantries occurred between the gentleman from Tennessee and myself. I did not quite hear all that the gentleman from Tennessee said, but when I obtained a copy of the reporter's notes I found that the gentleman was reported as saying:

But I tell you one thing, I want you to keep away from that boss, or you may be liable to such a charge.

Then I revised the reporter's notes of my answer to the gentleman from Tennessee so that it would correspond as follows:

The gentleman has no knowledge of any "boss" and the gentleman ought not to make such an insinuation.

I now find as the speech is finally revised by the gentleman from Tennessee that he has stricken out the word "boss" as it appeared in his statement and inserted "bourse," and that the word "boss" is stricken out in my reply, so that I am made to say:

The gentleman has no knowledge of any bourse, and the gentleman ought not to make such an insinuation.

I do have knowledge of a bourse. The bourse is a large business institution in my city which has opposed the Postmaster General and also the gentleman from Tennessee on the pneumatic-tube question about which we were contending. To say I had no knowledge of it would have been a ridiculous statement. What I did say in answer to what I understood the gentleman from Tennessee to say, and which he was reported as saying, was that I had no knowledge of a "boss." I do not know just how they interpret the term "boss" down in Tennessee, but it is more or less offensive in the State of Pennsylvania, and I was impelled to resent it as it appeared in the notes. If the gentleman said "bourse" and not "boss," I can understand the situation, but it leaves me in an awkward position.

The SPEAKER. What is the gentleman's suggestion?

Mr. MOORE of Pennsylvania. I ask that the RECORD be corrected so far as I am made to say that I "knew no bourse." I certainly do know there is a bourse in my city, a very influential organization.

Mr. MOON. Mr. Speaker, as a matter of fact I did not say "boss" at all; I did not refer to "boss" in any way, shape, or form. My only reference in the world was to the Philadelphia Bourse, and that is the matter I said I wanted to talk with the gentleman about. I did not mention any boss. I did not know the gentleman had any boss in Philadelphia. It is mighty hard to boss him down here, I know. [Laughter.] I made no reference to a boss at all and did not intend to say anything about a boss. If he talked about a boss, then he is at liberty to make any correction he desires. I was talking about the bourse.

Mr. MOORE of Pennsylvania. I am glad the gentleman is so pleasant about it.

The SPEAKER. What is it that the gentleman desires to do?

Mr. MOORE of Pennsylvania. Nothing more than to accept the statement of the gentleman from Tennessee, which clarifies the RECORD. The gentleman confirms what I try to affirm myself, that I know no boss—except my wife. [Laughter.]

THE SPACE PLAN OF CARRYING MAIL.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from the Postmaster General with reference to the change from the weight to the space plan in carrying the mail.

The SPEAKER. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD by inserting therein a letter from the Postmaster General. Is there objection?

There was no objection.

The letter referred to is as follows:

POST OFFICE DEPARTMENT,
Washington, D. C., June 15, 1918.

Hon. WILLIAM A. AYRES,
House of Representatives.

MY DEAR MR. AYRES: Referring to your inquiry as to the economy effected in the transportation of the mails through the establishment of the space basis of pay, which economy has been brought into question by Representative STEENERSON in his speech on June 13, I beg to advise as follows:

Representative STEENERSON was wrong in saying that "the last report of the Postmaster General shows that they paid $3,250,000 more than they would have paid under the weight plan." The annual report referred to makes no such statement. The report shows what the Post Office Department has always contended, that if the service exacted of the railroads under the weight basis were paid for under the space basis the cost of the service would be greater than under the weight basis, but that under the space basis of pay economies in loading and dispatching could be made that would enable the department to save to the public several millions of dollars in the cost of transporting the mails.

The space basis went into effect at midnight of October 31, 1916. At that instant not the actual pay but the annual rate of pay to the railroads increased $3,250,000. However, the Post Office Department immediately began its readjustment of the transportation service by a system of intensive loading and of more rational dispatching of the mail, with the result that the annual rate of pay to the railroads quickly and steadily declined.

The Post Office Department's expectation of saving $7,000,000, referred to by Representative STEENERSON, is fully justified, as will be seen from the following reports on authorized annual rate of pay to the railroads at various dates:

Oct. 31, 1916, on weight basis	$62,242,000
Nov. 1, 1916, weight and space combined	65,492,000
July 1, 1917, weight and space combined	58,518,000
Sept. 30, 1917, weight and space combined	56,509,000
Dec. 31, 1917, weight and space combined	55,046,000
Mar. 31, 1918, weight and space combined	53,890,000

If there is still doubt in the mind of anyone as to whether the Post Office Department has reduced the cost of carrying the mails on railway lines, let him ask the railroads.

Sincerely, yours,
A. S. BURLESON,
Postmaster General.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441, the sundry civil appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Illinois [Mr. FOSTER].

Mr. MONDELL. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Page 94, line 16, strike out the figures "$100,000" and insert "$200,000."

Mr. FOSTER. Mr. Chairman, this seeks to increase this appropriation by $100,000. In the urgent deficiency appropriation bill of March 28, 1918, there was carried the following appropriation:

War materials investigations: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances which are particularly needed for carrying on the war, in connection with military and manufacturing purposes, and which have heretofore been largely imported, with a view to developing domestic sources of supply and substitutes for such ores and mineral products as are particularly needed, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel, and subsistence, and not exceeding $5,340 for personal services in the District of Columbia; to continue available during the fiscal year 1919, $150,000.

As that passed the Senate it appropriated $250,000, but as finally agreed upon by the conferees it carried $150,000. I thought that the extra $100,000, to be used during the coming year, would be appropriated in the sundry civil appropriation bill, but the bill does not carry any amount. For that reason I have offered this amendment to increase this amount, to restore it to the amount as originally provided in the Senate. This is an important work, and one that ought to be carried on in the coming year, and there ought to be sufficient money with which to do it.

This investigation is made to develop, if possible, sources of minerals for war needs in our own country. We passed, as you remember, a bill which provided for the Government taking over, if necessary, and controlling all the mineral resources necessary for war purposes. This investigation is going forward and the appropriation of $150,000, true, is available for the year 1919, and does not expire with the coming 1st of July; but the work is so important in connection with this war that we ought to make sure that there is sufficient money to do this work during the year 1919, and I submit that these materials, which are necessary for the Government, which must be had in the manufacture of steel and the manufacture of munitions, must be had. We must get them somewhere, and if they are not developed in this country we must import them, and now we all know that the question of importation is a serious proposition for our own country and we ought to relieve the imports of this country to just as small a margin as possible, and if we can possibly secure what is necessary here it ought to be done. We have not paid so much attention to these low-grade ores in the past by which we might secure manganese, tungsten, and other materials which are absolutely necessary, and the war can not be waged without these materials, and for that reason I have introduced this amendment to appropriate $100,000, and I think that there is reason why it should be done in connection with the war.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. MOORE of Pennsylvania. Can the gentleman state what is being done to get tungsten from South America?

Mr. FOSTER. I do not know; I can not tell the gentleman; but I know we are developing now more tungsten in this country than was ever developed before, and part of the work—part of this $250,000, if it shall become available, shall be used for developing tungsten in our own country and increasing our own supply, so that we may, if possible, be independent of any imports which might have to come from another country.

Mr. MOORE of Pennsylvania. I am informed, and I shall submit the information to the gentleman who is chairman of the Committee on Mines, that a number of Americans are interested in the development of tungsten in Bolivia, but are very much hampered in getting it now by reason of the shipping conditions.

Mr. FOSTER. There is no doubt the gentleman is correct about that, because we know shipping has been taken for use for other purposes and there are no ships to import that material into this country now.

Mr. MOORE of Pennsylvania. Banking conditions have something to do with that, also.

Mr. FOSTER. I think that is true.

Mr. MOORE of Pennsylvania. Will any of the money which the gentleman proposes to have appropriated by his amendment to be used in any way toward the development of foreign ores?

Mr. FOSTER. Not at all.

Mr. MOORE of Pennsylvania. It is simply for use in the United States?

Mr. FOSTER. In the United States.

Mr. MOORE of Pennsylvania. Is his amendment in anticipation of the mining bill which was passed by the House some time ago—the $10,000,000 bill?

Mr. FOSTER. This has nothing to do with that any more than to help the development——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask that the gentleman be given five minutes additional.

The CHAIRMAN. Is there objection to the request? [After a pause.] The Chair hears none.

Mr. FOSTER. And if possible find those ores in sufficient quantities.

Mr. MOORE of Pennsylvania. Is it necessary to adopt this amendment now in view of the mining bill?

Mr. FOSTER. Well, the mining bill has not become a law and I do not know whether it will.

Mr. MOORE of Pennsylvania. This is in anticipation of that bill?

Mr. FOSTER. That went to the Senate some time ago, and it is still there. I do not know what they are going to do, but I submit it is an urgent and important matter for the carrying on of the war that we shall find out where these ores are and, if possible, secure them.

Mr. MOORE of Pennsylvania. May I ask the gentleman this: Is the gentleman preparing to provide for this inquiry whether the $10,000,000 mining bill passes or not?

Mr. FOSTER. Yes.

Mr. MOORE of Pennsylvania. And if the mining bill does not pass, then he would have this $100,000 appropriation to go upon?

Mr. FOSTER. That is correct. There would be some help to secure the necessary war materials.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. FOSTER. I will.

Mr. SLAYDEN. I would like to ask the gentleman whether we are now progressed in the development of tungsten and manganese ores to any appreciable extent in this country?

Mr. FOSTER. I will say to the gentleman we are, and also with chrome. They are making investigations so as to enable our Government to secure more manganese, more tungsten, and more chrome than we have ever done before.

Mr. SLAYDEN. Where does the tungsten come from?

Mr. FOSTER. Largely from Colorado.

Mr. SLAYDEN. I do not know whether it is true, because a good many fictions come out of Mexico, but I have been told in that country there are important deposits containing tungsten.

Mr. FOSTER. I do not doubt that is true.

Mr. SLAYDEN. The gentleman has not investigated that, however?

Mr. FOSTER. I do not remember as to that now.

Mr. SLAYDEN. As to manganese I am sure they have it in large quantities. In obtaining it from there we would not be bothered with the question of ships or water transportation.

Mr. FOSTER. Not at all.

Mr. SLAYDEN. But by some other troubles.

Mr. FOSTER. But we are trying to develop so if any emergencies should possibly arise so that we can not secure these materials which are now being imported, that we may be able to rely absolutely upon our own country and have these materials necessary for war purposes developed right here at home.

Now, that is the situation. Of course, it is for the House to do what it thinks best in the matter, but I submit that $100,000 in war times to make investigations to be sure that we have within the United States war material is not a large amount, and I think the Bureau of Mines ought to be given that amount to make these investigations, if possible, that we may be more independent from the world.

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, the estimate of the Secretary of the Interior for this investigation was $200,000. After that estimate was furnished to the committee an estimate was submitted for a deficiency of $150,000, which appropriation was granted in the deficiency bill, and that appropriation is made available for the next fiscal year. So that for the next fiscal year the bureau now has an appropriation of $150,000. In addition to that $150,000, this bill carries an appropriation of $100,000, making a total appropriation of $250,000 for the purpose of prosecuting this work, which is in excess of the amount first estimated for by the Department of the Interior.

Mr. HAMLIN. Will the gentleman yield right there?

Mr. BYRNES of South Carolina. If you will excuse me, I will yield to you later.

Mr. HAMLIN. Right at that point.

Mr. BYRNES of South Carolina. I can not.

Last year the bureau had for this purpose $100,000. Under the deficiency bill they have secured an additional appropriation of $150,000. Mr. Manning, when before the committee, in reply to the following inquiry, said:

Mr. BYRNES. How much of it do you expect to spend by July 1?
Mr. MANNING. Of the $150,000?
Mr. BYRNES. Yes.
Mr. MANNING. I can not tell, because an organization must be created. It is difficult to get men at the regular salaries that the Government is paying now. The bureau is getting some of the highest-priced men in the country who are giving their services gratuitously to the Government.

Mr. Manning practically stated that he did not believe he could perfect an organization to prosecute this work until the beginning of this next fiscal year. And from July 1 on he will have $250,000 to pursue the work.

Now, Congress is not going to adjourn forever. Even if $250,000, in the opinion of the gentleman from Illinois [Mr. FOSTER], is not sufficient for this work, notwithstanding the department asked for only $200,000 originally, the Congress will be in session in December, and if this organization is perfected and they enter upon the work, and an additional amount is desired, he can come before the committee, and in the appropriation bills that will be passed at the short session money can be provided for this work just as we anticipate providing it for other work mentioned in this bill.

Now, the gentleman from Illinois [Mr. FOSTER] refers to his mining bill, providing for similar investigation, which has gone to the Senate.

Mr. HAMLIN. Will the gentleman yield before he leaves that? I would like to call his attention to a letter——

Mr. BYRNES of South Carolina. I can not yield now.

And the gentleman from Illinois says that this appropriation is in anticipation of that. But he did not mean that. It is in extension of the work provided for in his mining bill. He states it is pending in the Senate and may not pass. Because that bill may not pass, he asks for this appropriation of $100,000. In justice to himself he ought to make it $10,000,000. But if the original bill, providing $10,000,000, does not pass the Senate we have no assurance that an appropriation here for $10,000,000 or an additional $100,000 will pass the Senate. We have to rely on the director of the bureau asking for the money that he thinks essential for the prosecution of this work at this time. He asked for $200,000 in his original estimate, and if you adopt the report of the committee you will give him $250,000.

Mr. FOSTER. Of the $10,000,000 authorized to be appropriated in the other bill not one cent of that money can be used for this purpose, not a penny, because it is a different proposition entirely and so provides in the bill. Now, the $500,000 appropriated in that bill is for the administration of the work. So there is not a dollar, when you come to think about this, in that bill that can be used for this work.

Mr. BYRNES of South Carolina. The gentleman from Illinois mentioned that bill, and for that reason alone I referred to it. It does not affect in any way the question here that the director of the bureau asked for $200,000, and if you adopt the report of the committee you will have given him $250,000. I think he ought to know the work he can perform, and he stated in April he had not perfected his organization.

Mr. FOSTER. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. FOSTER. The gentleman says this can all be used. Now, in the regular appropriation of this money which has existed for several years, there is other work to be done with this $100,000.

The CHAIRMAN. The time of the gentleman has expired. The question is on agreeing to the amendment.

Mr. HAMLIN. Mr. Chairman, I desire to call the attention of the committee to a letter written by the Acting Secretary of the Interior, or rather to such portions of it as apply to this particular item. The gentleman from South Carolina [Mr. BYRNES] says that this work is not organized and can not be organized within the very near future. The Acting Secretary of the Interior does not seem to agree with him, for he says, after referring to another matter in this bill:

The second item is for $100,000 for mineral mining with reference to special war minerals required in the conduct of the war. In the urgent deficiency bill, passed in March of this year, $150,000 was provided for this same purpose. The work on these war minerals has been started under this appropriation and can be continued for some months longer, but unless this additional $100,000 is authorized this work will come to a standstill without having brought to a successful conclusion the work now under way to secure the information necessary to insure this country having an adequate supply of special minerals absolutely essential in the conduct of the war.

Now, that is the statement in a letter to the chairman of the Committee on Appropriations, the gentleman from Kentucky [Mr. SHERLEY], in regard to this particular item. I am in entire sympathy with the policy of the Appropriations Committee, as I understand it, and that is to practice economy wherever it can be done without injury, of course, to the interests of the Government. But I submit, Mr. Chairman and members of the committee, that there are two different ways to practice economy, or, rather, there are two kinds of extravagances. There is one kind of extravagance, for instance, where we would throw open wide the doors of the Treasury and appropriate money for every purpose that might be suggested and without any regard to the amount appropriated. That would, of course, be unreasonable extravagance. On the other hand, we can be just as extravagant, so far as the effect goes, if we were to withhold the necessary appropriations to carry out work already in progress and for which the Government has already expended hundreds of thousands of dollars, and in that way lose the benefit of the money already expended.

I have been convinced, as a member of the Committee on Mines and Mining, that there is scarcely anything connected with the prosecution of this war that is of more vital importance than the conservation and the production of essentially necessary minerals in this country. It is impossible for us to continue to import necessary materials for the manufacture of arms and ammunition in this country on account of the lack of ships.

I have here a letter from the Bureau of Mines which gives information that may be of great interest, and I think will be interesting to Members of the House. I read:

The Bureau of Mines has completed a survey of the pyrite mines of the country and of the principal sulphur deposits. It has made a preliminary study of the concentrated acid plants with a view to increasing their output. It has cooperated with the work leading to the establishment of nitrate plants. It has examined the principal manganese districts of the country and undertaken to analyze metallurgical practice as related to the use of lower grade alloys and ores. It has undertaken a study of the nonessential uses of chromite, although at the same time making a detailed study of the steps necessary to increase production. It is studying milling and grading methods to increase the output of graphite produced in this country.

and to overcome the difficulties involved in its use for crucibles. Investigations in many other minerals are under way. The principal technical work essential to these problems has been laid out, but will be brought to a standstill through a lack of funds, unless additional appropriation is made.

The importance of these minerals—

Referring to the minerals which we have been talking about—

is far greater than either their tonnage or value would indicate. The two fundamental materials for the production of all modern high-power explosives are nitrate, chiefly as nitric acid, and concentrated sulphuric acid made from pyrite or sulphur. Manganese is the most essential alloy for high-grade steel for munitions and important industrial uses. Flake graphite is used for crucibles required in the production of brass and crucible steel. Mercury is used as fulminate to explode cartridges and shells, and is essential for the safe and effective use of all high explosives. Potash is used chiefly for fertilizer with smaller amounts for explosives, soap, glass, and chemicals. Tungsten is an essential alloy for high-speed tool steel. Antimony is required for hardening lead for bullets. Chromite is used to make an alloy for tool steel, and as a refractory lining in basic open-hearth steel furnaces. Magnesite is used as a refractory in metallurgical plants. Mica is indispensable as an insulating material in the manufacture of electric apparatus.

The supply of these minerals is now inadequate, due to scarcity of ships and interrupted import and to greatly increased military requirements. The minerals to be considered represent an import tonnage of about 2,000,000 tons, requiring the constant use of from 300,000 to 400,000 tons on dead-weight shipping.

These are figures that ought to attract the attention of Members of the House. I read further:

The continuance of this import is becoming more uncertain every day, due to the need for ships to transport troops. Besides the ship tonnage required, dependence on foreign import for essential minerals may involve diplomatic concessions, foreign financial obligations, inadequate supply, and congestion of port facilities.

In 1918 the probable value of these minerals produced in the United States will be about $100,000,000. The value of these minerals imported will be about $170,000,000, and the value of the alloys and chemicals produced from them will be $230,000,000, making a total of $500,000,000.

A large part of the domestic development has taken place since the war, and if these industries are to be permanent, so that the country will be self-sustaining in its supply of these essential minerals, all possible technical assistance and stimulation must be given.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HAMLIN. Now, I submit that this statement appeals to my reason. I do not know personally whether this Bureau of Mines needs this additional $100,000 or not. I take it that they do. They say so. The Acting Secretary of the Interior says so, and Mr. Manning, the Director of the Bureau of Mines, says so.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. In just a moment. Now, I am not in sympathy with the statement that I heard on the floor yesterday to the effect that the chiefs of these different bureaus are profligate and extravagant in their requests for money, and that whatever we give them they spend, whether they spend it rightly or wrongly. I do know that these people in their desire and ambition to develop and crowd forward the work of their departments sometimes perhaps are not as economical as you or I would be. Yet I do not believe that those officials are absolutely unconcerned about the welfare of the country or the condition of the Treasury in making these requests. I have learned to believe that down at the Bureau of Mines we have got some of the best scientists on earth and men just as patriotic as they can be; that they realize that we have in this country to-day the essential raw, basic materials that are necessary to make this country self-sustaining in this war, and that all that we need to do is to give them the opportunity to teach the public, to demonstrate to private capital in this country that these minerals can be developed and can be treated in a commercial way that will pay them to go into the business.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. HAMLIN. And give to this country the benefit of those materials and not have to depend on Germany or any other country for them. Now I yield.

Mr. SHERLEY. Is that the reason the gentleman wanted to appropriate $50,000,000—to get private capital to develop the work?

Mr. HAMLIN. The gentleman from Missouri was advocating not the appropriation of $50,000,000. If the gentleman from Kentucky will only remember, the gentleman from Missouri said on that occasion that he was not wedded to any special amount; that if $50,000,000 were necessary, then he wanted it appropriated. If $10,000,000 would serve the purpose, then that would be satisfactory.

Mr. SHERLEY. What I was talking about was the gentleman's talking about educating private industry to do it itself, and yet the other day, when we had up the $50,000,000, he was talking about the need of the Treasury to step in and get it done.

Mr. HAMLIN. The gentleman fails to distinguish between the purposes of that bill and this additional appropriation of $100,000 to the Bureau of Mines.

Mr. SHERLEY. I was just struck with the facility of the gentleman to make arguments to meet the needs of the hour.

Mr. HAMLIN. The gentleman from Missouri was entirely consistent in advocating that bill which provided for the development and treatment of certain rare materials in this country, and this appropriation is to carry on work for which the gentleman's committee has already appropriated $150,000, but which the Secretary of the Interior says must stop within the next few months unless this extra $100,000 is added.

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. HAMLIN. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, in making up this bill the committee endeavored to exercise economy in all items, but the committee was very careful not to reduce estimates made for war purposes unless it was very clearly developed that the estimates were excessive.

In this case the committee not only gave, in view of what had been given in the deficiency bill about two months ago, all that was estimated but $50,000 more, and my own personal opinion of the matter, based upon some information, is that the Director of the Bureau of Mines was reasonably satisfied with what the committee did. But chiefs are sometimes persuaded by gentlemen who imagine that there should be increased appropriations and approach them with that theory, and generally in a case of that kind the chief is willing to admit that if he had more money he would try to spend it.

Now, what are the facts in regard to this particular appropriation? Last October the bureau estimated $200,000 as the sum necessary for carrying on this work relative to what may be called the minor, though important and essential, war minerals—alloys, principally; but in March he concluded that he needed some of that money before the beginning of the fiscal year. An estimate was made to the committee for $150,000 in advance, and that $150,000 was granted, and Mr. Manning, when he appeared before the committee a very short time ago with the opportunity to explain fully to the committee, with the committee sympathetic with his aims and purposes, made this answer to the question of the gentleman from South Carolina. I will read this again in order to emphasize it:

Asked if he had been able to spend this money, or how much of it he had spent, he did not say that he had spent any of it. Asked as to how much he expected to spend before the 1st of July, he said:

I can not tell, because an organization must be created.

That was six weeks ago, and he then had $150,000 on hand. The organization had not been created. He said it was difficult to get men at the regular salary the Government is paying, and so forth and so on.

When the committee reached this item of $200,000, it necessarily took into consideration the situation, to wit, that $150,000 of the $200,000 had already been appropriated and was on hand, largely unused, unexpended; and instead of giving the balance of $50,000, we gave $100,000, or $50,000 more in all than had been estimated as being necessary and essential. Now, to give an additional sum would be simply pressing on this bureau a sum of money that they could not intelligently or economically use. Now one thing more on that subject——

Mr. HAMLIN. Will the gentleman yield?

Mr. MONDELL. In a moment.

Mr. HAMLIN. I want to ask you a question right at that point.

Mr. MONDELL. I will yield to the gentleman.

Mr. HAMLIN. If the gentleman understood that no part of this $150,000 had been used, and that they were only asking for $200,000, how did the committee happen to give them $100,000 more?

Mr. MONDELL. We are dealing not only fairly but liberally in this bill with every war industry; and if the gentleman's case has so little foundation that he now quibbles——

Mr. HAMLIN. I am not quibbling.

Mr. MONDELL. And complains because the committee gave more than the original estimate, I can not yield to him further to discuss the proposition from that standpoint.

Now, Mr. Chairman, what is the situation with regard to these matters?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended for five minutes. Is there objection?

Mr. HAMLIN. Will the gentleman yield to me for a question?

Mr. MONDELL. I can not yield now.

Mr. HAMLIN. Reserving the right to object, the gentleman was criticizing my position, and I asked him to yield. Unless he is willing to yield, I shall certainly object to his request.

Mr. MONDELL. If the gentleman desires to object, that is his privilege, and I have no objection.

Mr. HAMLIN. I certainly will, unless the gentleman does me the courtesy to yield for a question.

The CHAIRMAN. When one makes a request for an extension of time, the Chair hardly thinks that another Member can reserve the right to object in order to propound a question. It must be a matter of objection or no objection.

Mr. HAMLIN. If the Chair will permit me, under ordinary circumstances I think that is correct; but the gentleman from Wyoming referred to the gentleman from Missouri in a rather uncomplimentary way, and I had already asked him if he would yield, and he had declined to do so. Unless he yields I shall certainly object.

Mr. MONDELL. I think that no one made any such condition when the gentleman himself asked an extension.

Mr. HAMLIN. Oh, I will not object. Let the gentleman go ahead.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

Mr. MONDELL. Now I yield to the gentleman from Missouri.

Mr. HAMLIN. I was just going to say that I think the gentleman from Wyoming had no right to refer to what I said as "quibbling." The point I was trying to get at was this: Did not the committee have some information before them, something to lead them to believe that this Bureau of Mines would need more than the additional $50,000, and was not that the reason they gave them the $100,000?

Mr. MONDELL. The committee felt that this was, so far as it was necessary to carry it on, an essential war service.

Mr. HAMLIN. And that perhaps $50,000 additional would not be enough.

Mr. MONDELL. This sum that was granted on the deficiency bill was granted some little time ago. A small amount of it might have been spent. There could not have been much of it spent, and the committee felt that in granting $100,000 they were unquestionably granting a sum which, with the sum still on hand, would give the bureau practically its entire estimate at the beginning of the fiscal year.

Mr. HAMLIN. I do not doubt the good faith of the committee. I think the gentleman is fair in his statement, but it now appears that they need an extra $50,000, as shown by the statement of the Acting Secretary of the Interior, which I read a few moments ago.

Mr. MONDELL. Well, Acting Secretaries sometimes have considerable basis of information for their communication, frequently do; but do not always have any very considerable amount of information on which to base their communications, as we all of us know who have been here any considerable length of time.

Now, Mr. Chairman, this is the situation by and large with regard to this and many other important matters: The Federal Government can render some assistance. The Federal Government ought to render all the assistance it can in reason, but my personal opinion, based on some knowledge of the situation, is that after all there is not so very much that the Federal Government can do in the matter of encouraging the production of steel alloys at this time.

As a matter of fact there is some question as to the need that there shall be much done by the Federal Government in that direction. I say that after having agreed to give these people all they ask.

The present market price of all these metals—tungsten, chromium, vanadium, and the like—is very high. The demand for them is very great. That situation itself stimulates production to the very limit. There is comparatively little that the Federal Government can do further to stimulate that production. The high price and the great demand stimulate the production in a marked degree, and we are increasing our production of these metals continuously all the time, and will do so as long as production is stimulated by this great demand and these very high prices. I question whether we can do very much to help, though I am willing to spend $200,000 in trying.

Why, Mr. Chairman, yesterday I was informed, when I asked a neighbor about some very fine berries that he had, that while it was impossible to secure these berries in good condition and at a reasonable price at the Washington market I could get all I wanted for the picking if I would go out on the farms of Maryland or Virginia where they grow. He said the farmers found it impossible to hire help to pick fruits. They have a wonderful crop, in splendid condition, which is spoiling on the trees and bushes. What we need these days is not men going nosing about, inquiring into this thing, that thing, and the other, taking the time of busy folks, of people who are actually doing the work of the country and actually producing things themselves. I confess to but little patience with this harping on the necessity of the Government spending the good money of the people hiring folks to go around and get in the way of busy people who are accomplishing things. [Applause.]

Mr. SHERLEY. Mr. Chairman, there is more than the $100,000 involved in the amendment offered by the gentleman from Illinois. I think this committee ought to come to a conclusion as to whether it wants the Bureau of Mines or an Acting Secretary of the Interior to determine the judgment of Congress. We have hearings before the committee for the purpose of affording various departments an opportunity to present their views. It never was expected that, having presented their case, because they did not agree with the judgment of the committee that they should then be permitted to write ex parte letters that are not subject to cross-examination and send copies of them to the various Members of the House with the idea of building a back fire upon the committee and upon Congress. That at one time was the habit of the Geological Survey, and one of the most historic fights that ever took place on this floor took place in order to teach the Geological Survey its proper functions in connection with the Congress of the United States.

I had hoped that lesson was recent enough for the Bureau of Mines and other departments to appreciate it. Here is a letter that has been read from by the gentleman from Missouri, signed by Mr. Vogelsang as Acting Secretary. What happened, I assume—because it happens in all cases that I investigate—was like this: The bureau involved comes to the Acting Secretary complaining that they are not getting what they should have, and the Secretary says, "Suppose you prepare me a memorandum." They write a letter, which goes to the Secretary's desk, and he signs it in routine with a lot of other things. It is brought to the House, and gentlemen get up and talk about the Secretary or the Acting Secretary saying this, that, and other things. The Committee on Appropriations takes with due allowance such letters coming in after the bill is marked. Mr. Manning had his opportunity before the committee, subject to cross-examination. If we are to be controlled by the letters written afterwards we had better dispense with the labor and time consumed in examining these men. If they are to tell us and their judgment is to be final, we are wasting a great deal of time. It is useless.

The testimony under cross-examination does not show any justification for this additional $100,000. They got in March $150,000 as a deficiency, and they testified on the 1st of April, 1918, that they did not know how much of that money could be spent during this fiscal year, because it was a matter of getting their organization under way. Manifestly at that time little or none of it had been spent, and yet they now write a letter and say if they are not given $100,000 more the work will have to stop. If that is true, what they have asked for is nothing like an adequate amount. According to their own statement, even with the additional $100,000 it will make it useless to appropriate it now, and we had better wait for a deficiency.

The Bureau of Mines from its inception has been undertaking to expand at a rate that is equaled by hardly any other bureau of the Government. I am in sympathy with much of its activities, but if we are to be swept off our feet because of the zeal of the director in getting letters written after bills are reported we had better dispense with our hearings. The gentleman from Missouri says that he has found the people there do not spend money unless they think it ought to be spent. I am not denying it, but here is a proposition that he overlooks. Every man is an advocate of the special work that he does. There are men engaged in scientific pursuits here who honestly believe that their work is more important than any work in connection with the winning of the war, although it has no more to do with the winning of the war than the sun spots have, but they are zealous and enthusiastic in regard to the work of their particular bureau. While it is commendable for them to have that viewpoint, it would be absurd for Congress to have that viewpoint. The very function of Congress is to measure the needs of different bureaus, having in mind always that the

Government does not get something for nothing; that it does not create money even by printing presses without the people having to pay; and every time you increase an appropriation you are increasing the taxes of the people. I say to gentlemen that the time is coming in America when they who are paying the taxes are going to ask a more accurate accounting from their Representatives in voting moneys on such cases as are made by ex parte letters. I hope the amendment will be defeated. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words.

Mr. GORDON. Mr. Chairman, a point of order. Is not debate exhausted upon this amendment?

The CHAIRMAN. But the gentleman from Tennessee has moved to strike out the last two words.

Mr. GORDON. But that is a dilatory motion. You can continue a debate on an item here all day by moving to strike out the last word.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, while it is usual always for those in charge of a bill to close debate, I am perfectly willing that the gentleman from Tennessee [Mr. AUSTIN] shall talk five minutes if he wants to.

Mr. AUSTIN. I am gratified to know of this new position of our colleague from Ohio [Mr. GORDON].

Mr. GORDON. I want to hurry along this war legislation.

Mr. AUSTIN. And I take it we will never hear him in this House take advantage of the opportunity to strike out the last word or two.

I have listened to two members of the Committee on Appropriations, who are opposing this amendment, endeavor to answer the statement submitted to the House by the gentleman from Missouri [Mr. HAMLIN], and I think that should be all-controlling in this matter and that upon it the decision of the House should be determined. Those charged with the responsibility of this important work, 60 days after the hearing, after the organization and equipment for this work, state in a letter that unless this additional amount is appropriated this work will have to stop, and the public investment that we have already made of $150,000 will be practically wasted—thrown away.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. Yes.

Mr. MONDELL. And against that statement, or that alleged statement, is the unquestioned fact that there is $150,000 now available, that $100,000 is carried in this bill, making in all $250,000, and that only $200,000 was originally asked for.

Mr. AUSTIN. Mr. Chairman, the importance of this work was recognized by this Congress and by the Committee on Appropriations when they made a prior allowance of $150,000. Here is a statement from those charged with the responsibility of the work:

> The work on these war materials has been started under this appropriation and can be continued for some months longer, but unless this additional $100,000 is authorized, this work will come to a standstill without having brought to successful conclusion the work now under way to secure the information necessary to assure this country having an adequate supply of special minerals absolutely essential to the conduct of this war.

I say that statement has not been answered.

Mr. SHERLEY. Mr. Chairman, if the gentleman will yield, I say that the statement has not been backed up by any proof. It is an ex parte statement made after the examination of the man who makes it, and it does not fit in at all with his examination before the committee when he was subject to examination.

Mr. AUSTIN. This House placed its seal of approval upon the efficiency of this bureau by voting $150,000 and by directing that this important work go forward.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. If I can get some more time; yes.

Mr. SHERLEY. I do not want the gentleman to yield on terms. The gentleman should either yield or not yield.

Mr. AUSTIN. I yield to the gentleman with pleasure.

Mr. SHERLEY. Does the gentleman think that because we voted one sum that is a guaranty that the House must always vote any additional sums? I take it that it is a reason for placing the burden upon those who wish it to show why we should vote an additional sum.

Mr. AUSTIN. Against the statement of the gentleman from Kentucky [Mr. SHERLEY], who is not in direct charge of the prosecution of this work, who is not a miner, who is not at the head of the Bureau of Mines, I place the statement of the gentleman who is, and I prefer to take the statement of the chief of that bureau rather than the statement of the members of the Committee on Appropriations, who are not charged with the responsibility of this work, who are not in touch with it, and who can not state to this House to an absolute certainty whether it is necessary or not. As long as these men fill these positions, appointed by the President of the United States, we have a right to presume that they are honest, that they are truthful, and that they would not misrepresent this matter to the American Congress.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. AUSTIN. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAMLIN. And will the gentleman not also state in connection with that very important statement, which I think he has made, the further fact that the very things that this bureau is now seeking to work out are vitally necessary to the manufacture of arms and ammunition that we must have, if we are to win the war?

Mr. AUSTIN. That is the statement made here, and it is not contradicted and can not be successfully contradicted.

Mr. HAMLIN. It is a vital thing.

Mr. MONDELL. Was the gentleman here during the early part of the debate, and did he hear what was said?

Mr. AUSTIN. I can not stay here during all of the speeches that are made. I am frequently called out by constituents or urgent official matters.

Mr. MONDELL. The gentleman does not know what has been controverted.

Mr. AUSTIN. We have been discussing this amendment which has been brought forward this morning. There has been discussion of it and the development of these facts. Of course, this Bureau of Mines has expanded. It is a new bureau, established by the Sixty-first Congress. This great, immense Empire with its undeveloped resources stood without this important agency for industrial development for more than 100 years. We have attempted in 10 years to do what ought to have been done by the American Congress years and years ago, and there has not been a useless dollar voted for the Bureau of Mines. The record of its achievements, and the excellent and useful work which it has done and is doing in this country, will compare favorably with the work of any other bureau for the same length of time and the same amount of money expended. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

> For the employment of personal services and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, authorized by the act approved March 3, 1915, $510,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 96, line 8, strike out the sum "$510,000" and insert in lieu thereof the sum "150,000."

Mr. BYRNES of South Carolina. Mr. Chairman, in explanation of that I desire to say it is simply a typographical error in the bill.

Mr. FOSTER. Mr. Chairman, I move to substitute $225,000 for $150,000.

The CHAIRMAN. The gentleman from Illinois offers an amendment by way of a substitute which the Clerk will report.

The Clerk read as follows:

> Substitute by Mr. FOSTER to the committee amendment. Strike out "$150,000" and insert in lieu thereof, "$225,000."

Mr. FOSTER. Mr. Chairman, I just want to offer a word of explanation in reference to this amendment. This paragraph refers to the act of March 3, 1915. This was the law which established a certain number of mine safety stations and mining experiment stations, and also provided that not more than three should be established in any one year. Now, this year the committee has appropriated for those already in existence, but have not appropriated for those to be established as was intended by the passage of the law in 1915. This is to restore the $75,000 for the establishment of those mining experiment stations. Those stations are doing good work and they ought to be continued.

Mr. FARR. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. FARR. How many are there?

Mr. FOSTER. Six established.

Mr. FARR. And their locations?

Mr. FOSTER. I think I can tell the gentleman. One at Berkeley, Cal.; one at Tucson, Ariz.; one at Golden, Colo.; one

at Bartlesville, Okla., that has to do with oil; one at Pittsburgh; one at Columbus, Ohio, that has to do with clay; one at Urbana, Ill.; one at Minneapolis, Minn.

Mr. FARR. Not one in the anthracite coal region?

Mr. FOSTER. There is one at Pittsburgh.

Mr. FARR. That is bituminous?

Mr. FOSTER. Yes.

Mr. FARR. Does not the gentleman think there ought to be one of these in the anthracite region?

Mr. FOSTER. These are mine experiment stations, not safety cars.

Mr. FARR. The gentleman realizes the conditions operating in the mining of anthracite and soft coal are entirely dissimilar?

Mr. FOSTER. Well, this is more particularly for minerals and not coal.

Mr. FARR. At Pittsburgh?

Mr. FOSTER. Well, Pittsburgh is the main station where the building is located. Now, these stations, scattered as they are throughout the United States, lack these others which ought to be established in order to complete this work. While the war is on we all want to save expenses for that purpose, yet I feel that this work is so important it ought to go forward and we ought to carry out the law as it passed in 1915 and establish these stations. There are three of them, costing $25,000 each.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DECKER. Mr. Chairman, I would like to speak a word in behalf of this amendment. I have the honor to represent the greatest zinc-mining district in the world, and I believe that this would be a good thing for the zinc-mining industry and a good thing for our country. I have several times presented to the head of the Mining Bureau the need for an experiment station of this kind in Missouri, where, as you know, we have a large production of zinc and lead, and I have been assured at different times by the Mining Bureau that in due course, according to the law as heretofore enacted, that Missouri and the zinc industry will receive its due attention. Like the gentleman from Illinois [Mr. FOSTER] I appreciate the feeling that in this time of war every effort for economy should be made, but I do believe that this would be economy. I might mention just one way in which I believe experimental and research work and study could be carried on beneficially to the country, and that is as to the uses that zinc could be put to commercially and in many ways to facilitate this war. The common impression throughout the country is that zinc at this time is an expensive metal. It is true that prior to our entrance into the war zinc was at a very high price, but since our entrance into the war for many reasons which would not be pertinent for me to mention now the price of zinc is very low; and I believe that if we have a station like this doing research work many uses could be found for this metal to take the place of the much more expensive metals, and I hope that this amendment will receive the favorable consideration of the committee. [Applause.]

Mr. GANDY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I am not concerned at this time with relation to any proposed location of the stations which might be created with the money that will be appropriated if this amendment should pass, but I am concerned about the general mineral-development proposition in the United States. It seems to me that if ever there was a time when we ought to take stock of our mineral resources, when we ought to look out for the mining output, this is the time. If there ever was a time in the history of this Nation when this Government ought to take a prospector by the hand and do everything possible to assist him, this is the time.

There are minerals that are vitally needed in this country for which we are almost entirely dependent at this time upon other lands, and it is the fondest hope of mining men that there may be found in this country a sufficient supply of these minerals to take care of our needs. We have made a very commendable progress in the potash proposition. There is now being studied and investigated in the West the tin proposition. Along many other lines these investigations should be followed and the prospector should be helped by having near at hand stations where he can go for advice, where he can have help to solve the problems that confront him. While men from agricultural States might think the problem is general, the problem is specific. Practically each mineral belt of the Nation has its own problems that are peculiar only to that locality. By establishing mineral stations widespread over the country we will secure the greatest possible benefit in the production of the minerals that we need so badly.

Let me cite to you the situation in the Black Hills of South Dakota. The nearest station there at this time is 500 miles away, and it is not a station that is dealing with the class of minerals that we have. The problems of mining in the Black Hills are peculiar only to the Hills, and that condition also exists with relation to other mineral belts.

Four stations have been authorized by law that have not been located. This amendment seeks to provide that three new ones shall be located. And it seems to me, gentlemen of the committee, that this Congress ought to go ahead with this work; that these stations whose location is contemplated should be provided for; that the prospector may have the assistance that he needs; and, in the end, that the Government and the people generally may have the minerals that are needed so badly in these days of war.

Mr. SHERLEY. Mr. Chairman, can we not come to some understanding? The committee does not want to confine debate, but there have been three speeches made in favor of this amendment and none against it, and if each Member who speaks wants to get one of these stations in his district it will take an hour or two.

Mr. HAMLIN. To ease the mind of the gentleman from Kentucky, I do not expect to get any station in my district.

Mr. SHERLEY. That makes it even worse. When you take those who do not with those who do it will occupy a great deal of time.

The CHAIRMAN. The Chair will state that if any Member desires to close debate on the amendment——

Mr. SHERLEY. I desire to close debate. And it seems to me that to give them three to one is a very bad proposition. I ask unanimous consent that the debate close in 10 minutes.

Mr. AUSTIN. Mr. Chairman, I want five minutes. I want to be honest. I wish to get one of these stations in my district.

Mr. SHERLEY. After we appropriate the money, I do not know anybody who can claim more credit for getting it than the gentleman.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the debate on this amendment and amendments thereto shall terminate in 10 minutes, of which the gentleman from Missouri [Mr. HAMLIN] shall have 5 and the gentle- from Kentucky [Mr. SHERLEY] 5.

Mr. SHERLEY. I will take only one minute.

Mr. FARR. I want five minutes. I wish the gentleman would amend his request.

Mr. SHERLEY. Mr. Chairman, I will make it 15 minutes, and I ask to have 1 minute of the 15 minutes.

Mr. HAMLIN. I will give you one out of my five.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that debate on this amendment and all amendments thereto shall close in 15 minutes, of which he is to have 1 minute, and the gentleman from Tennessee [Mr. AUSTIN] and the gentleman from Pennsylvania [Mr. FARR] and the gentleman from Missouri [Mr. HAMLIN] to have the other 14. Is there objection?

Mr. MONDELL. May I have about three minutes?

Mr. SHERLEY. Mr. Chairman, I ask that the debate close in 20 minutes.

The CHAIRMAN. The gentleman modifies his request and makes it 20 minutes. Does the gentleman desire the same division of time?

Mr. SHERLEY. Five minutes to be divided by the gentleman from Wyoming [Mr. MONDELL] and myself, and these other gentlemen can have the 15 minutes.

The CHAIRMAN. Of which time the gentleman from Kentucky [Mr. SHERLEY] and the gentleman from Wyoming [Mr. MONDELL] can divide five minutes between them. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMLIN. Mr. Chairman, personally I have no interest on earth in this matter. It does not make any personal difference to me whether this amendment goes into the bill or not. But from the information I have I am convinced it is a mistake to leave out of this bill this appropriation of $75,000 to establish three stations, since they have been heretofore authorized by law. On March 3, 1915, the Congress authorized the establishment of 10 stations, 3 to be established each year. Six of them have been established, and the locations are as mentioned by the gentleman from Illinois [Mr. FOSTER] a few minutes ago. For some reason, in this bill the $75,000 to establish the three stations that would in the ordinary course be established this year is left out. The purpose of the amendment is to put in the $75,000 and let these other three stations be established in the regular order this year, as this Congress determined they should be heretofore.

The station at Columbus, Ohio, is entirely engaged on work having direct bearing on essential industries, both during and after the war. It is carrying on investigations dealing with graphite crucibles, the use of chrome and magnesite for lining for steel furnaces, and the development of domestic ores and

clays to supply the materials required and whose import has been cut off by the war.

The Minneapolis (Minn.) station is engaged entirely on the problem of concentration of domestic manganese ores for the steel industry, ships for whose import from Brazil are no longer available.

The Bartlesville (Okla.) station is an oil station.

The Tucson (Ariz.) station is taking up the problems of copper production and supply and the survey of western manganese deposits.

The Seattle (Wash.) station is carrying on work on the concentration of chrome, manganese, tin, and mercury ores for war purposes, and is investigating the recovery of waste tin, the development of the electrometallurgical industries, and the conditions of the western coal situation.

The Fairbanks (Alaska) station is working on the development of Alaskan resources.

The amendment just offered by the gentleman from Illinois [Mr. FOSTER] provides for the establishment of three new stations this next fiscal year. The first of these stations is to be in the South, which will deal with essential chemical and electrometallurgical industries, and particularly with the manganese, pyrite, and graphite industries, which are just developing to meet war requirements. The second of these stations is to be in the Mississippi Valley and will deal with the lead and zinc problems, which also involves the production of large quantities of sulphuric acid for munitions as a by-product from the zinc smelters.

Now, that does not, as I stated in the beginning, affect me personally one way or another. The only question for us to determine, it seems to me, is, Is the work of these institutions beneficial to the Government and the people generally at this time?

If they ever were necessary, undoubtedly they are now that this war is on, when these materials are needed in the manufacture of war munitions. If I have a correct understanding of the work of these stations, then they are vitally necessary.

Seventy-five thousand dollars provides for the establishment of three stations. The gentleman may get a wrong idea about that. I had a wrong idea about this until I talked with a gentleman representing the Bureau of Mines yesterday. I supposed that some part of this $75,000 was used in the erection of a building, maybe, or some place where they could do this work. That is not correct. Every dollar of the $75,000 is used in the actual work of these stations. Wherever they locate a station the State furnishes the building and a large portion of the equipment. As a matter of fact, they do this work largely in connection with the State universities of the various States.

I concede that there is some talk, although I have no assurance of it, that if this goes into the bill there may be established one of these stations in the State of Missouri. If so it will be established at Rolla, in all probability, in connection with the School of Mines and Metallurgy, a division or portion of our State University. I have said that I have no assurance that it will be established there. Rolla is not in my district. But if it is established in Missouri I was told it would be established in Rolla in connection with the School of Mines and Metallurgy, and that is the way this money is to be used.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. HAMLIN. Mr. Chairman, I ask unanimous consent to extend my remarks so as to put in some information that I think would be beneficial.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting certain matter indicated. Is there objection?

There was no objection.

Mr. HAMLIN. These are the documents I wish to submit:

JUNE 12, 1918.

Hon. SWAGAR SHERLEY,
Chairman Committee on Appropriations,
House of Representatives, Washington, D. C.

MY DEAR MR. SHERLEY: Although fully appreciating the necessity at this time for cutting off all requests for the appropriation of funds for any activity which can be dispensed with or which has no direct bearing on war work, I wish to call your attention to two items relating to appropriations for the Bureau of Mines which have been omitted from the sundry civil bill, recently reported to your committee, and which I believe to be important as war measures.

The first item relates to an increased appropriation of $75,000 for the establishment of three new mining experiment stations as authorized by the act approved March 3, 1915. This amount is in addition to the $150,000 for the maintenance of the six stations already established. As 90 per cent of the work of the bureau is now related to the war and is largely being carried out through these various stations which give direct contact with the mining districts of the country, I feel that it would be most unwise not to extend this work and thus to carry out the purpose of the act establishing these stations.

The second item is for $100,000 for mineral mining with reference to special war minerals required in the conduct of the war. In the urgent deficiency bill passed in March of this year, $150,000 was provided for this same purpose. The work on these war minerals has been started under this appropriation and can be continued for some months longer, but unless this additional $100,000 is authorized this work will come to a standstill without having brought to a successful conclusion the work now under way to secure the information necessary to insure this country having an adequate supply of special minerals absolutely essential in the conduct of the war.

As can be readily seen, both of these items have direct bearing on the war situation, and, as has been indicated by the action by Congress in both cases, have been approved as essential and necessary measures. I feel that the importance of this work is so great that this appropriation should not be omitted from the sundry civil bill. I therefore wish to ask that you consider favorably an amendment to the sundry civil bill by which these two items may be restored to the appropriation asked for by the Bureau of Mines. I feel that this matter is of such importance that I am justified in urging your favorable action.

Cordially, yours,

(Signed) ALEXANDER T. VOGELSANG,
Acting Secretary.

—

JUNE 14, 1918.

Of the 10 stations authorized by the act of March 3, 1915, 6 have already been established.

The Columbus, Ohio, station is entirely engaged on work having direct bearing on essential industries, both during and after the war. It is carrying on investigations dealing with graphite crucibles, the use of chrome and magnesite for lining for steel furnaces, and the development of domestic ores and clays to supply the materials required and whose import has been cut off by the war.

The Minneapolis, Minn., station is engaged entirely on the problem of concentration of domestic manganese ores for the steel industry, ships for whose import from Brazil are no longer available.

The Bartlesville, Okla., station is a petroleum and natural-gas station, dealing with the problems of securing an adequate supply of oils to meet our greatly increased war-time requirements.

The Tucson, Ariz., station is taking up the problem of copper production and supply and of the survey of western manganese deposits.

The Seattle, Wash., station is carrying on work on the concentration of chrome, manganese, tin, and mercury ores for war purposes, and is investigating the recovery of waste tin, the development of the electrometallurgical industries, and the conditions of the western coal situation.

The Fairbanks, Alaska, station is working on the development of Alaskan resources.

Thus all these stations which have thus far been established are almost entirely working on mineral problems relating directly to essential supplies and minerals for war purposes. The work which these stations are doing will have equally important bearing on the permanent development of many of the new industries which have been undertaken since the beginning of the war to meet our requirements, which were formerly met by imports. This means the development of domestic resources to replace the magnesite which formerly came from Austria and the potash which came from Germany, the manganese which requires ships to import from Brazil, the pyrite from Spain, chrome from South Africa and Pacific islands.

The amendment asked under the sundry civil bill provides for the establishment of three new stations. The first of these stations is to be in the South, which will deal with essential chemical and electrometallurgical industries, and particularly with the manganese, pyrite, and graphite industries, which are just developing to meet war requirements. The second of these stations is to be in the Mississippi Valley, and will deal with the lead and zinc problems, which also involves the production of large quantities of sulphuric acid for munitions as a by-product from the zinc smelters. Lead and zinc are most essential war materials, and the industry will need every technical assistance if it is to be permanent and thrive after the war.

Mr. FARR. Mr. Chairman, I am in favor of this amendment to increase the number of stations, and I want to submit to members of the committee the claims of the anthracite coal regions of Pennsylvania, where from eighty to ninety millions of tons of coal are mined each year without a station of this kind.

It is not sufficient that you have one of these stations at Pittsburgh, representing the soft coal region, because that will not enable them to conduct the research work necessary to know all about the anthracite coal workings. I want to inform the members of this committee now that fatalities are increasing very rapidly in the coal-mining industry of this country, and in the anthracite region, with a shortage of nearly 20 per cent of the workers in and around the mines, the fatalities last year and for the five months this year have largely increased.

Pennsylvania mines more coal than all the rest of the mining parts of the country put together. We have not been a burden upon the Nation. We have splendid laws in our State governing coal miners. We need cooperation, however, on the part of the Bureau of Mines. We need the additional knowledge that they are getting through this research work in order to stimulate greater interest in Pennsylvania, with a view to saving lives and lessening accidents.

I think one of these stations should be established in the anthracite coal regions. I am not going to say that it should necessarily be placed in the district I have the honor to represent. I represent only one county of the great anthracite coal counties of Pennsylvania. Forty-three thousand men are employed in and around the anthracite coal mines in my district—one county. But a station of this kind ought to be established somewhere in the anthracite coal regions, and I refer that matter particularly to the chairman of this committee, and through him to the Bureau of Mines.

Mr. AUSTIN. Mr. Chairman, I wish to call attention to the fact that Congress has already authorized this appropriation.

It did it four years ago, and the Committee on Appropriations, complying, as was customary and usual with the authorization, brought in bills here bearing appropriations which enabled the department to establish 6 of these 10 authorized stations.

Now, of the six authorized, only one is south of the Potomac River, in the State of Oklahoma, dealing entirely, according to the report from the Bureau of Mines, with petroleum. There are more undeveloped mineral resources south of the Ohio River, a greater variety, than in any other section of this country. The district I have the honor to represent is to-day turning out aluminum, pig iron, zinc, barytes, marble, manganese, coal, and oil, and just across the line, in the district represented by my colleague [Mr. MOON] they are mining copper. Those of us in this House representing southern districts ought to see to it that this additional appropriation is voted, and that that section of this great country be recognized in carrying on this important work; and I appeal to the gentleman from Kentucky [Mr. SHERLEY], representng a district south of the Ohio River and a State largely engaged in mining operations, not to oppose this proposition, which means so much for the industrial development of the South.

Now, this war has brought to us all a realization of the importance of discovering and developing the mineral resources of America. We have been compelled to no longer look to Germany, Austria, India, and Brazil for minerals absolutely needed in connection with war activities, and if we are to make our country independent at the close of this war, from an industrial standpoint, we owe it to our constituents, we owe it to America, to make it certain now that when this war closes our own mines shall supply all of these necessary minerals which are important in peace times as well as during war times.

Members of Congress must look beyond the present hour, for when the men of our conquering Army and Navy return from Europe and are disbanded they are going to demand of Congress legislation which will furnish them employment.

Mr. BLACK. Mr. Chairman, will the gentleman yield for a question?

Mr. AUSTIN. Yes.

Mr. BLACK. Does the gentleman really think that Congress can furnish employment by legislation; that you can create industry by just passing a law?

Mr. AUSTIN. We can furnish employment to our people by developing the manganese industry, the potash industry, and all of these mineral resources named in this report. We can do it by giving this bureau the amount of money necessary to develop and open these resources to American capital and American activities; and then we can go a step further and pass the economic laws necessary to protect these industries from foreign competition at the close of the war. I am not prepared to join the gentleman from Texas in the opinion that the American Congress is useless or is absolutely unable to render the necessary service in passing legislation which will mean employment and work for the patriotic men composing our Army when it returns from Europe, and the party in this House, or the Members, who can not see it and realize it and help take advantage of it will be held responsible by the people.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SHERLEY. Mr. Chairman, I shall use but two of the five minutes remaining. The Committee on Appropriations were confronted with a number of proposals for the enlargement of activities and did not feel that this was a good time to be spending money for enlarging activities which in peace time might receive favorable consideration. These stations have nothing to do with the saving of human life. They are simply stations for experiments in connection with mining. Six of these stations have recently been established, and with the shortage of labor in the country, with the need for direct war activities, there did not seem any justification for creating three additional stations. Now, the gentleman from Tennessee [Mr. AUSTIN] makes an appeal to me as a southern man to vote for this amendment. I am glad to say to him that I believe a man has not any right to represent a district in his work as chairman of the Committee on Appropriations; and whether this matter would go South or North or East or West makes no difference to the committee in considering the merits of the case. I might acquire merit, as Kim once said, among some people who measure service by appropriations for districts, by standing not only for this but for a great many other things that might go into my State or affect my State; but I believe that the peculiar duty of the chairman of the Committee on Appropriations is to be an advocate of the Treasury of the United States, and that field is not so fully occupied as to make me fear being crowded.

Mr. AUSTIN. May I ask the gentleman one question?

Mr. SHERLEY. Yes.

Mr. AUSTIN. Does not the gentleman think that one of these stations ought to go south of the Ohio River, when six of them have gone elsewhere in the United States?

Mr. SHERLEY. It might or might not; but I would not care if all four of them were going south of the Ohio River; I would not vote for the proposition just for that reason. I think it is a good time not to be building additional stations. It is a good time to conserve the resources of the country in money and in men.

Mr. MONDELL. Mr. Chairman, the members of the Committee on Appropriations are laboring under an advantage or a disadvantage, as you may view it, in the consideration of this item, compared with the gentlemen who have discussed it and who are approving the increase. We are viewing the matter from the standpoint of the general public interest, or we are trying to do so, while all the gentlemen who have spoken in support of the amendment have urged its importance, based on a hope, I assume, that one of these stations will be located in their particular vicinity. There are only three of these stations, and I think we have on the floor now six candidates for the location of them. Some of these gentlemen would have to be disappointed in any event.

Mr. FOSTER. Will the gentleman yield?

Mr. MONDELL. I will yield to the gentleman from Illinois.

Mr. FOSTER. I can assure the gentleman that I am not expecting the location of one of these stations in my vicinity.

Mr. MONDELL. I except the gentleman who has just spoken.

Mr. FOSTER. I am doing what I can for the good of the country.

Mr. MONDELL. I except the gentleman from the general category of those who have favored the increase.

Mr. AUSTIN. I plead guilty. I am going after one of these stations. The gentleman has got one in his neighborhood, in Montana, right next to his State, and I want one for Tennessee.

Mr. MONDELL. No; we have not one of this sort of stations in Montana, but we do have a lively hope and expectation that in the region of country in which I live—not necessarily in my immediate vicinity—one of these stations will be located before they are all established. But I have tried to consider this matter as a member of the Committee on Appropriations, not from the standpoint of our hopes and expectations locally, but from the viewpoint of the general good and interest.

Mr. AUSTIN. They have one in Colorado, a State adjoining Wyoming.

Mr. MONDELL. I do not know that one of these six stations is in Colorado. There may be one.

Mr. HAMLIN. There is one at Golden, right near the north line of Colorado and near the south line of Wyoming.

Mr. FOSTER. And there is one at Salt Lake City.

Mr. MONDELL. The echo of those stations has scarcely reached us, which may possibly be an argument against the establishment of more stations.

I am in favor of the establishment of these stations as soon as possible, but as a member of the committee, I did not feel we were justified in building them at this time of high cost and short man power. I doubt if they could be of any value as a war aid unless the war lasts longer than we anticipate.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The time of the gentleman has expired. All time has expired. The question is on the substitute offered by the gentleman from Illinois [Mr. FOSTER].

The question being taken, on a division (demanded by Mr. FOSTER) there were—ayes 17, noes 31.

Accordingly the substitute was rejected.

The CHAIRMAN. The question now recurs on the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

For the establishment of the fuel storage and distributing yards herein authorized, including the procurement of the necessary land, wharves, railroad sidings and trestles; storing, handling, and distributing equipment, including motor-propelled passenger-carrying vehicles for inspectors; and all other expenses requisite for and incident thereto, including personal services in the District of Columbia, $482,300, to be available immediately.

Mr. SNELL. Mr. Chairman, I make a point of order against this section, providing for a Government fuel yard in the District of Columbia.

Mr. FOSTER. Mr. Chairman, the first paragraph has been read, and it is too late for the gentleman to make a point of order against that. The gentleman can not make a point of order against the establishment. It is already passed.

Mr. SNELL. At what time would it be proper to make the point of order, Mr. Chairman?

The CHAIRMAN (Mr. ALEXANDER). Against what provision does the gentleman wish to make the point of order?

Mr. SNELL. I want to make a point of order against the whole proposition for establishing a Federal fuel storage and distributing yard in the District of Columbia.

The CHAIRMAN. The gentleman is too late to make a point of order to that paragraph beginning on line 13, page 99, and ending in line 7, page 100. If that is the one to which he wishes to direct his point of order, he is too late.

Mr. SNELL. I want to make the point of order at the end of the section.

The CHAIRMAN. The bill is being read by paragraphs.

Mr. SNELL. I supposed that I could make it at the end of the whole section.

Mr. SHERLEY. Mr. Chairman, if I understand, the gentleman desires to make a point of order to all of the language beginning on page 13 and running to line 3 on page 101, and I would like to submit to the Chair that the point of order to be effective must be made as each paragraph is reached. One paragraph ends on line 7, page 100. That has been read. Now, if the gentleman is in order, if he desires to insist on the point of order on that part of the language which is contained in lines 8 to 15, inclusive, page 100, which is the item carrying the money, I suggest to the gentleman—I do not want to take advantage of him—that he make his point, or reserve it, touching those lines, so that a statement can be made as to the purpose sought to be accomplished.

Mr. SNELL. Mr. Chairman, I will reserve a point of order on the paragraph beginning at line 8 and ending in line 15, page 100.

The CHAIRMAN. The Chair has indicated to the gentleman that it is too late to make the point of order to the preceding paragraph.

Mr. SHERLEY. Mr. Chairman, this proposal came to the Committee on Appropriations from the Department of the Interior in connection with the hearings on the Bureau of Mines, having in view the doing for all the governmental departments in the city of Washington what is now being done in a small way for the Department of the Interior; that is, the purchase and storage of coal by the Government in the District of Columbia for subsequent sale to the departments. It is not a proposal looking to the purchase of coal for sale to individual residents of the District. In other words, it is not for the establishment of a municipal yard in the sense that citizens will be supplied, nor is it intended in any way to interfere with the supply of such citizens through the ordinary private coal concerns. But it is an effort to establish a central purchasing and distributing agency for coal for the Government and the District of Columbia, with such storage capacity as will absolutely insure the Government against a shortage in the future.

We have been within a few hours, at different times, of a coal shortage for various departments of the Government here in Washington. The figures and facts presented to the committee seemed to warrant, both from the standpoint of economy and from the standpoint of safety against coal famine, that this proposal should be recommended to the Congress.

Mr. SNELL. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. SNELL. Is there any coal in the yards in Washington at the present time?

Mr. SHERLEY. I did not go into the question of how much coal there may be in storage in private yards, and so I can not answer the question.

Mr. SNELL. I understand that they are all nearly empty at the present time.

Mr. SHERLEY. I understand there is very little storage facilities now in the way of private yards. Certainly this is true, that whether these yards are empty or full, we had an experience in the immediate past that warrants the fear that if we depend entirely on private concerns the Government may be short.

Mr. SNELL. Has not experience proved that it is a matter of transportation instead of storage?

Mr. SHERLEY. It is a matter of both. If you have sufficient transportation at all times, you would not need storage; but storage is necessarily a safeguard against interrupted transportation. I think the overwhelming evidence is that the most serious thing in connection with the prosecution of this war is going to be the inadequacy of transportation facilities in America. To leave the Government institutions to be subjected to the uncertainties of coal supply now is a risk that I think Congress would not be warranted in taking.

Mr. SNELL. How much coal in storage has the Government at the present time? According to the hearings, they have storage capacity at present for at least 105 tons.

Mr. SHERLEY. The Government has only a limited storage capacity.

Mr. SNELL. Is that storage capacity that they have full at the present time?

Mr. SHERLEY. My understanding is that the storage, which seems large in the aggregate, is arrived at by taking the storage that exists in the different plants, and that storage at some periods is entirely full and at other times it is less, just as the storage in a man's house may be entirely full at the first of the winter, but becomes less as the season advances.

Mr. SNELL. Is there any trouble in letting contracts to supply coal to the Government, provided there is a guaranty to deliver it by railroad transportation?

Mr. SHERLEY. If we should guarantee to the mines that they should get the cars and then guarantee transportation of those cars to Washington, you would get the coal here; but if we should guarantee the coal dealers of Washington a priority over the dealers everywhere else in order to guarantee the Government a supply of coal, that would be remedying the situation at a price that would be almost unconscionable to the rest of the country.

Mr. SNELL. I agree with the gentleman; but you have got to get the coal to Washington before you can store it. I understand it is impossible to get coal from the mines at this time, so that it is a matter of transportation rather than of storage that causes the shortage, and I can not see how increased storage is going to help under the present conditions.

Mr. SHERLEY. Yes; but it is a proposition of the Government primarily over and above simply the desire of the coal dealers themselves.

Mr. SNELL. I appreciate that.

Mr. SHERLEY. Then I think that it is a justifiable proposition from the standpoint of economy. I see no more reason why the Government should buy sporadically from the various coal dealers except for their benefit than that it should buy other supplies. We have been centralizing the purchase of supplies for purposes of economy for a number of years past. If the gentleman is prepared to challenge successfully the figures that are presented as to the financial side of the question, that would present a reason why this matter should not be agreed to by the House.

Mr. SNELL. I maintain that this is not the proper time to invest $432,000 in coal-handling machinery here in Washington, when it is not an absolute necessity, and considering the large amount of money we must raise to prosecute the war.

Mr. SHERLEY. I think if by that we can absolutely guarantee that the Government at all times in the future will be freed of any risk of shortage that it is money well spent.

Mr. SNELL. But you can not guarantee it by simply building storage facilities. If that ended it, I would agree to it. I still maintain it is primarily a question of getting the coal to Washington.

Mr. SHERLEY. No.

Mr. SNELL. And that is the way you propose to guarantee it in this bill—by simply building storage.

Mr. SHERLEY. You can not guarantee it without building storage.

Mr. SNELL. I think the storage we have should be first used before we invest this money.

Mr. SHERLEY. I think all the storage we have in private yards is necessary in order to enable those yards to deal with private customers. This city has gone through a tremendous expansion in population, an expansion altogether beyond the facility of these coal dealers properly to meet the situation, and if the gentleman wants any proof of that he only has to remember what happened last winter.

Mr. SNELL. I appreciate that.

Mr. SHERLEY. A more incompetent handling of the coal situation I never witnessed in any district in America at any time.

Mr. SNELL. I am not arguing in favor of the present plan. But I base my contention upon the very questions that the gentleman himself asked Mr. Manning. My mind is in the same doubt you were in when you started the examination, and I can not find anywhere that he answered the gentleman's questions in such a manner or gave any information that would change my opinion.

Mr. SHERLEY. The gentleman pays me a compliment, for which I am indebted. I endeavored on behalf of the House, as I always endeavor in cross-examining people who submit estimates, to cross-examine from the standpoint of hostility to the proposition, in order that they may justify in full degree what they are proposing. I think that the chairman of the committee owes it to the House not to lead a witness so as to make a case, but to cross-examine a witness so as to break his case, if he

can, and then, if the witness, in spite of the cross-examination, presents what seems to be a reasonable case, the committee presents it to the House for its consideration.

Mr. SNELL. I read that testimony as carefully as I was able to, several times, in fact, and I can not see that he answered the gentleman's questions. It afforded no proof, to my mind, and I feel at this time, with all of the extra expense of the Government, where we get about only 25 cents value in return for every dollar expended, that it is a poor plan to invest $432,000 for a Government coal yard. Furthermore, according to the testimony, it will be necessary to commandeer some of the trestles already used in Washington for the same purpose. It is not proposed to build any new ones, but in that way cripple the companies now using these yards and put them to so much more inconvenience.

Mr. SHERLEY. These are trestles not connected with the storage. As I recall the testimony, they figure a saving of over $150,000 a year.

Mr. SNELL. I know Mr. Manning said that, but he also said the figures were made a long time ago, and he also said since he made those estimates labor had gone up in price 100 per cent and material 250 per cent.

Mr. SHERLEY. If the gentleman will look at the hearing, I think he will find that the figures have been verified as of recent date. On page 1098 of the hearings there was a note submitted which undertakes to show the saving.

I will read the statement there made:

> The above estimate of $0.9162 per ton for haulage by the Government is higher than the average cost of Interior Department haulage due to increased cost of labor and material and to cost of placing coal in storage and rehandling same. It is conservatively estimated that a saving of $0.50 per ton can be made on all coal purchased by the Government, which, based on next year's estimated requirements of 315,000 tons, makes a total saving of $157,500 on a total investment cost of $432,300.

That very sentence shows that the figures are predicated upon the increased cost of labor and supplies.

Mr. SNELL. Are they absolutely made on the extra cost, too?

Mr. SHERLEY. That is my understanding.

Mr. SNELL. In the table above, where he says what he is going to do, he figures on getting laborers at $720 a year. I do not believe you can get laborers to work in a coal yard at the present time at $720 a year, nor can you get men to handle a truck drawing coal at $900 a year.

Mr. SHERLEY. The Government is employing several hundred people at those figures now.

Mr. SNELL. Yes; but they are all complaining, and we will have to raise their wages, and besides they are not handling coal, the hardest kind of work, work that always commands the highest wages, because it takes good men to do it.

Mr. SHERLEY. They are complaining, and they are getting an increase of $120 a year.

Mr. SNELL. That $120 is not put down here, and I think there are many other expenses not included in the list.

Mr. SHERLEY. I am not prepared to claim that the total saving that is claimed here will be made, but if you cut it in half——

Mr. SNELL. Do I understand the gentleman to say that he actually believes it will be made?

Mr. SHERLEY. If you cut it in half and reduce it from $157,000 to $75,000, and that amount represented a saving on an investment of less than half a million dollars, as a business man would not the gentleman believe in it?

Mr. SNELL. I would if I were sure that I could do it, but I do not believe you can do it from the testimony given.

Mr. SHERLEY. I am taking their statement and discounting it by 50 per cent.

Mr. SNELL. I think a statement of that kind you ought to be obliged to discount 50 per cent.

Mr. SHERLEY. All right. I am doing it for the sake of argument in order to meet the gentleman's position. Assuming that they are wrong, and that only half of what they say will come true, you have still a showing that economically warrants the investment. All I desire to say to the gentleman is this: I have no pride about this matter. There was no dissent in the subcommittee that dealt with the matter.

What I think is the proper thing to do if the gentleman does not agree with this is to let the Committee of the Whole decide it. Of course, if the gentleman wants to make the point of order I am willing to admit the point of order is well taken.

Mr. SNELL. I do not think there is any question about the point of order.

Mr. SHERLEY. I say I admit that. If the gentleman wants to take the responsibility of making a point of order I am not going to quarrel with him, but we present this to the House for such consideration as it wants to give it.

Mr. SNELL. Out of deference to the committee I will reserve the point of order for the present.

Mr. MONDELL. Mr. Chairman, I trust the gentleman from New York will not make the point of order. I admit that I approached these hearings relative to the establishment of a Government coal yard with some feeling of doubt, almost hostility. The committee went into the matter very carefully. The printed page does not give all the discussion which was had by any manner of means, although I think it gives the essential facts of the discussion. After listening to the statements and the arguments, with my knowledge of the local situation, I felt this was a wise investment of money at this time. I think this is a fact that applies generally, that we need to encourage coal storage in this country. I have felt very earnestly on that subject for a long time; have discussed it frequently on the floor of the House——

Mr. SNELL. Will the gentleman yield right there?

Mr. MONDELL. In just a second. We live altogether too much from hand to mouth in this matter of coal, to the very great inconvenience and annoyance of people and the very great detriment of the coal-mining industry. I now yield to the gentleman.

Mr. SNELL. Is there any place in the country that is not in favor of coal storage? The only question is to get the coal to put in the yards that exist at the present time.

Mr. MONDELL. The gentleman has asked if there is any place not in favor of coal storage. I assume the gentleman is not, as he interposed a point of order against an item that proposes large coal storage. The coal industry is one of the very great industries of the Nation which has not been on a very satisfactory basis. The mines are rushed during the winter season and are idle a good part of the time during the summer. Frequently in the midsummer there is a surplus of railway transportation and cars. There has always been a shortage and always will be a shortage of transportation and cars at the peak of demand in midwinter, and that is particularly true in unusually severe winters, and especially so in times of general congestion of transportation, such as those we are now passing through. It is wise to encocourage the storage of coal generally. It is wise to encourage it locally. The Federal Government could well, in my opinion, encourage large storage if there is to be no saving from that storage, but after having listened to this discussion pretty carefully and having given the matter considerable investigation outside the hearings I am of the opinion there will be a larger saving in the running of the years than suggested by the gentlemen who appeared before the committee in their estimate. I think the estimate is low rather than high, conservative rather than optimistic.

When you take into consideration the fact that with a storage yard here we can utilize to a very much greater extent than we do now the coal-carrying capacity of the Chesapeake & Ohio Canal; when you take into consideration the fact that we are not far distant from the great sources of coal supply and could secure a considerable amount of that supply during the summer; when you take into consideration the fact that we have many departments and bureaus of the Government which buy independently, each depending upon its little meager storage in or about its plant; and then when in addition to this you take into consideration the unusual congestion that always comes in the winter, and that is bound to come with unusual force the coming winter and every winter while we are in this war, you will realize we are fronting a situation which demands and requires the careful attention and consideration of the Congress.

Mr. FARR. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. FARR. Would these storage facilities be in readiness for this year's use?

Mr. MONDELL. It is hoped that a very considerable amount of storage facilities could be afforded very quickly. The proposed storage yard is between two railroads already constructed, between two main lines, and it will take but a very short time to put in the necessary sidings to accommodate the cars and afford the necessary storage facilities.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. I have some doubt about the matter of saving, but entirely aside from that, if this will stimulate the storage of coal I would be very much in favor of the proposition of storing under present circumstances; but did the gentlemen of the committee take any testimony before the committee as to whether the canal boats would be run to full capacity if we had this place for storage?

Mr. MONDELL. Well, no; we did not investigate that matter, but we all of us know that the canal is used for coal transportation, and I presume gentlemen know that the canal has never been used to its full capacity in the past.

Mr. GREEN of Iowa. I think that is true.

Mr. MONDELL. At the time when there is the greatest demand for coal the canal is frozen up, and as long as there is no considerable amount of storage here the canal can not be utilized to its full capacity on this class of work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have two minutes more.

Mr. BYRNES of South Carolina. Will not the gentleman ask for three, as I desire to call his attention to a matter?

Mr. MONDELL. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wyoming? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. In answer to the question of the gentleman from New York, I think it was, who asked in regard to the saving, let me call the attention of the gentleman to the statement of Dr. Manning. He said this——

Mr. SNELL. What page?

Mr. BYRNES of South Carolina. Page 1078:

> The short experience we have had during the period of six or eight months indicates that we can save, as we have saved, about 67 cents per ton on coal delivered to the Interior Department, charging off all overhead expenses, including depreciation in the value of trucks, etc.

He said there was 67 cents per ton saving at the time of this testimony.

Mr. MONDELL. I am of the opinion that by the establishment of this central storage yard and the four local delivery yards which are proposed, we can get the coal business of the Government down to a sound financial and business basis. A central agency having this particular matter in charge, able to make its contracts long in advance, can see to it that the various bureaus and departments fill up their storage capacity early and at a time when the coal can be sent direct to those storage places.

Mr. FARR. And at the lowest price.

Mr. MONDELL. The gentleman from Pennsylvania [Mr. FARR] has just reminded me that these periods when we ought to be storing coal is the time when the coal is the cheapest. We are now frequently buying it on the peak of the market. I believe that this is a sound business proposition, abundantly justified at any time, and especially justified at this particular time.

The CHAIRMAN. The time of the gentleman has expired. Does the gentleman from New York [Mr. SNELL] insist on his point of order?

Mr. SNELL. Mr. Chairman, while I am against any new Government activities here in Washington, I will not insist on the point of order if the gentleman feels that it ought to be withdrawn. So I withdraw it.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

> Salt River project, Arizona: For maintenance, operation, continuation of construction, and incidental operations, $797,000.

Mr. SNELL. Mr. Chairman, I move to strike out the last word for the purpose of getting a little information from the committee.

I would like to know what the general proposition or conditions are under which the Government takes up one of these reclamation projects.

Mr. SHERLEY. The gentleman will recall that in 1902 there was a law passed by Congress which determined the policy of irrigation, and more recently there was an act of Congress which gave extensions of time in the payment of moneys due to the Government by the settlers on these projects. At the time of enacting the latter law the Committee on Appropriations made a fight on the floor, that was successful, to require the submission of these annual estimates. Prior to that all of certain classes of money that were received from the sale of public lands in public-land States went into the reclamation fund, as it does now, but without need of appropriation before expenditure. The Interior Department was authorized to expend such moneys upon reclamation projects. We believed that as a result of that some projects had been undertaken that perhaps were not wise, and that there was a likelihood of the same thing occurring again.

Mr. SNELL. Right there. Who determines or decides upon these projects?

Mr. SHERLEY. Just a moment. So that we required that in the future there should be submitted to Congress estimates of the money that was needed for existing and new projects. Now, in order to establish a new project there has to be action by Congress, and it ought to be by virtue of the action of the Committee on Irrigation that deals with such matters.

Mr. SNELL. Have there been any new projects established lately?

Mr. SHERLEY. No new projects have been started, but one or two State projects have been taken over.

Mr. SNELL. Does the Government advance all the money?

Mr. SHERLEY. The Government advances all of this money, but it is to be returned by payment of the charges for construction, for the use of the water and of power by the settlers. Presumably, if the projects are successful, we will recover all of the money; but we will not recover it all with interest. I was one of the men on the floor of the House who believed that with this extension that was granted to settlers should have gone a requirement for the payment of interest, but Congress did not agree with me.

Mr. SNELL. What is the responsibility or obligation on the people who own land in irrigation districts?

Mr. SHERLEY. It depends on the extent of the project. There is a responsibility for the repayment of the moneys that are put into the project, the construction charges, and then, after the project is completed and taken over by the settlers, they have to assume the cost of maintenance and pay, as water users, for the maintenance.

Mr. SNELL. There have not been many taken over, have there?

Mr. SHERLEY. No. Most of them have not been so completed as to be in shape to be entirely taken over, but there are a number of projects in which the payments that are being made are sufficient to make it certain that the Government will recoup itself entirely for the investment, leaving out of it the question of the interest.

Mr. SNELL. What does the expression "lands of public notice" mean? I noticed that in the hearings.

Mr. SHERLEY. Certain public notice is given by which the payment of that which is chargeable against the land has been fixed, and then the owners of the land and users of the water under the Reclamation Service are responsible under that notice for their pro rata share. The gentleman from Wyoming [Mr. MONDELL] can give the gentleman more accurate detailed information than I can. In a general way, I think I am familiar with the situation, but I have not that detailed information touching the reclamation law that is possessed by him and gentlemen who live in the semiarid country.

The CHAIRMAN. The time of the gentleman from New York [Mr. SNELL] has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SNELL. I notice some of the farmers in the reclamation district take advantage of the water and some do not. What are the conditions? Is there anything that forces a man to take the water in these districts?

Mr. MONDELL. The lands under reclamation projects are held either as homestead lands, taken up subject to the projects, or they are privately owned lands, lands privately owned at the time the project was taken up. In the case of the homestead settler he can not secure a patent to his land, he can not secure his certified water right, until he has paid all of the charges for a water right. Under a recent amendment to the law he may have a limited patent, evidencing the fact of his residence and improvement prior to all the payments, but a full patent is not issued until all payments are made.

As regards the private owner, he purchases a water right at so much per acre, and the water can be turned off at any time in case he declines to make his payments.

Mr. SNELL. I notice there are a good many delinquent payments. What is done in those cases?

Mr. MONDELL. On most of the projects there are but few delinquent payments, except the delinquencies that are inevitable in any large business. At the end of the fiscal year, at the time the report is made, there is frequently some delinquency, sometimes running into a few thousand dollars. For some reason or other a man may not have been able to make his payments at the time when they were due, but those payments then become subject to an interest charge. On most of the projects the payments are being kept up in good shape. There are a few projects that for various reasons are not in a very favorable situation and there is a considerable amount of delinquency on several of them.

Mr. SNELL. Does the Government have a claim on the land?

Mr. MONDELL. The Government has a complete claim on the land if it is homestead land. If it was private land at the time the project was established, it has no claim on the land, but it has complete control of the water, and in an arid region the land is of very little value without water.

Mr. SNELL. I notice that this bill carries something over $8,000,000 for the Reclamation Service this year. Is it not possible that that can be cut down at this time of extreme expense?

Mr. MONDELL. None of that money comes out of the Treasury. It comes out of a fund which can not be used without a change of law for any purpose except this.

Mr. SNELL. None of this comes out of the Treasury?

Mr. MONDELL. It is all obtained from the receipts from the sale of public lands, and therefore if we reduced these items it would not increase the amount of free money in the Treasury.

Now, Mr. Chairman, I would like to be recognized for five minutes in my own right, having used most of the time of the gentleman from New York [Mr. SNELL].

The gentleman from New York [Mr. SNELL] asks whether any of the projects under the Reclamation Service had been taken over by the settlers. The project upon which his remarks are predicated—the Salt River project—is one of such projects. As a matter of fact, it is not necessary to carry this item for the Salt River project, because the project has been taken over by the settlers, and they are managing it and meeting all payments. But the estimate was made before that arrangement was consummated, and it is a matter of indifference, so far as the fund is concerned, whether we carry the item or not. The item is carried this year as a sort of insurance, so that if for any reason—and nothing of the sort is anticipated—the people should fail in their contract, the Reclamation Service would then be prepared to go on and maintain the work.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

Mr. MONDELL. Yes.

Mr. GREEN of Iowa. The gentleman was just stating in his remarks something that I was about to state myself—that the Salt River project was completed. I did not understand why this appropriation was carried here. Does the gentleman know what it is in the way of further construction that they expect to do there?

Mr. MONDELL. There is practically nothing of further construction on the Salt River project except a little minor work necessary for the irrigation of some Indian lands that lie under the project. There may be from time to time some minor extensions on the fringes of the project, as you might say. But in the main the project is complete and in complete operation now.

Mr. GREEN of Iowa. Just a word right there, if the gentleman will pardon me.

Mr. MONDELL. Very well.

Mr. GREEN of Iowa. That is what I understood, that there was practically nothing but some extension of these Indian lands. But here is an enormous sum, comparatively speaking—it would have been thought so before the war—nearly three-quarters of a million dollars, which is to be expended on that project, and I am at a loss to understand why they should need so much money expended there.

Mr. MONDELL. These sums are for maintenance and operation items. This is almost entirely a maintenance item. It is the cost of the maintenance of the work and of the ditches, and if those settlers had not taken over the Salt River project approximately this sum of money would have been spent and a little more paid into the Treasury. Perhaps the gentleman was not present when I said at the beginning of my remarks that this item is carried here merely as an insurance. Not a penny of it will be spent unless the settlers conclude not to carry out their contracts. There is no expectation that they will so determine. But if they do, this money would be expended and a somewhat greater sum would be paid back into the fund, so that it is six of one and half a dozen of the other. If it is expended a greater sum will be paid into the fund, and if it is not expended nothing will be paid into the fund for operation and maintenance. In either event, the annual payment on the construction cost will be forthcoming. This is no drain on the reclamation fund unless it is used, and if it is used the reclamation fund will be reimbursed by a sum slightly in excess of the appropriation for operation and maintenance, so that, as I say, it does not affect the reclamation fund materially one way or the other whether the item is carried and utilized or not.

Some inquiries have been made as to the general condition of the reclamation projects. I am very glad to be able to say that in the main they are in very excellent condition. There are some unfortunate and lamentable exceptions, but they are in the main the smaller projects undertaken in the twilight zone between aridity and humidity.

It is very difficult to educate people in a humid region to the advantages of irrigation. There are some regions of the world, notably northern Italy and parts of Spain, that are humid and where crops can be grown with safety without irrigation, but where, nevertheless, large sums have been spent and very large works have been built for the irrigation of the lands. In those regions people have learned that the irrigation of the lands very largely increases their productive capacity. But Americans have never learned that, and an irrigation project in our country does not seem to be successful except in a region and under conditions where irrigation is an absolute necessity, where little or nothing can be grown without it.

I am glad to be able to say that there is not a project undertaken by the Reclamation Service in a distinctively arid section that is not either progressing well and up to our expectation or getting on to its feet, if I may use that expression, and into a condition of prosperity. In one way that is evidenced by the prompt payment both of the building and maintenance charges.

We confidently hope and expect that as to all projects in distinctively arid sections the Government will be reimbursed for practically or approximately its entire outlay. There will inevitably be some loss on certain projects. We have already written off what we spent on the pumping plant at Garden City, Kans. We have also a pumping project that is somewhat questionable on the Missouri River, but there is some hope still for that project. There is a project on the Lower Yellowstone, in the twilight zone, in Montana, where conditions are not favorable, and where we may meet something of a loss. I hope that project will eventually work out, although the possibility is that the people may not be able to return the entire investment. We have one project, a small one, the Hondo, where the engineers were mistaken as to the holding capacity of the reservoir, where it developed that the reservoir would not hold water and that it could not be so puddled or cemented as to make it hold water, and we shall incur quite a loss there. The works of the Reclamation Service have stood up well. They have served their purposes splendidly, and many of them are very fine monuments to the skill and judgment of the engineers of the Reclamation Service.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

King Hill project, Idaho: For continuing construction and incidental operations, $423,000: *Provided*, That said project shall be subject to the reclamation act of June 17, 1902, and all acts amendatory thereof or supplementary thereto, so far as applicable and consistent with contract heretofore made between the United States and King Hill irrigation district: *Provided further*, That for the purposes of issuing patent to lands reclaimed, the reclamation effected by the operations of the United States Reclamation Service may be considered by the Secretary of the Interior as equivalent to reclamation effected by the State of Idaho, under the Carey Act of August 18, 1894.

Mr. MONDELL. Mr. Chairman, the gentleman from New York [Mr. SNELL] made inquiry a short time ago as to whether any new reclamation projects had been taken up recently. One such project has been taken up quite recently, the first appropriation being made last year—the King-Hill project in Idaho. This is, however, not a new irrigation project. It was undertaken under the Carey Act and a large amount of money had been spent upon it. The first company failed and lost, I believe, a large part of their entire investment. The settlers took up the project, and cleared of the incubus and burden of some of the first cost of construction the settlers endeavored to carry the project on, but conditions arose under which it was impossible for them to get the necessary funds, whereupon last year the project was taken over by the Reclamation Service. We are now making the second appropriation. This is a complicated project, not one of the easiest projects in the world to work out, but there is every reason to believe that it will work out and that the settlers under the project will develop a very fine section of country, and that they will be able to make their payments as they become due.

It developed in connection with this project that there was some question as to whether or not the Secretary of the Interior could accept the reclamation accomplished through Federal expenditure as the reclamation required on behalf of the State under the Carey Act. Therefore it was deemed wise to put in the second proviso, which has just been read, in order to make it clear that the reclamation thus accomplished should be accepted as though it had been accomplished under the Carey Act. The first proviso is necessary only for the purpose of making it more clear and definite, although it is probably sufficiently so, that this project is undertaken under the reclamation law and its amendments.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Okanogan project, Washington: For maintenance, operation, and incidental operations, $29,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. The appropriation for the Rio Grande project, $1,296,000,

is $175,000 above the estimate. That came about in this way: After the estimates were submitted the reclamation officials were of the opinion that the storage which had been contemplated in connection with the Truckee-Carson project could not be wisely undertaken at this time. They therefore withdrew $175,000 of their estimate for the Truckee-Carson project and suggested that the same amount be added to the estimate for the Rio Grande. The major portion of this very large sum appropriated or proposed to be appropriated for the Rio Grande project is for the purpose of drainage. It will be recalled that the Rio Grande project covers territory some of which has been under irrigation at least 350 years, and probably many hundreds of years before the white men first saw the country. It is one of the old Indian irrigation districts of the United States, and irrigation was carried on there extensively by the Indians, the Spaniards, and Mexicans for many years before the United States acquired the territory. Early in the history of irrigation in this country our people began the development of the Rincon and Mesilla and other valleys in New Mexico, north of the El Paso Valley, where irrigation was so early practiced. These regions are all low lying. Some of them have long been troubled with an excess of water as well as at times a shortage. The first great need there was a steady supply. That has been furnished by the building of the Elephant Butte Dam. The second great need was a very extensive system of drainage. It has taken some time to bring the people to a realizing sense of the necessity of the very large investment and expenditure essential to that drainage. In order to make it certain that the sums expended for these purposes shall be returned the proviso which has just been read was carried in this item last year. Of all the items for reclamation projects this is the only one that, in my opinion, can be considered liberal. The others have been cut down to what were considered the necessary, essential amounts under present conditions. If we had not had the extra $175,000 available from the Truckee-Carson project, the probability is that this item would not have been increased that amount; but we believe the money can be spent economically and advantageously. The moment these lands are drained they become immediately productive, because they are largely already under ditch. Much of the land requiring drainage has already been cultivated at one time or another. Therefore every dollar spent for drainage on that project should mean the immediate growing of needed agricultural products. Therefore, inasmuch as the other projects had been reasonably cared for and the money was available in the fund, we felt that we were justified in adding this sum to the appropriation for the Rio Grande.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Rio Grande project, New Mexico-Texas: For maintenance, operation, continuation of construction, and incidental operations, $1,296,000, together with the unexpended balance of the sum appropriated for this project for the fiscal year 1918: *Provided*, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of all project investments.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 106, line 3, after the word "for," insert the word "construction," and in line 4, strike out the sum "$29,000" and insert the sum "$154,000."

Mr. SHERLEY. Mr. Chairman, in justification of the amendment which has just been offered I send to the desk a letter from the head of the Reclamation Service to the Secretary of the Interior, which I wish to have read.

The CHAIRMAN. Without objection, the Clerk will read the letter.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
UNITED STATES RECLAMATION SERVICE,
June 8, 1918.

The SECRETARY OF THE INTERIOR.

DEAR MR. SECRETARY: The Okanogan project of the Reclamation Service in northern Washington is threatened with an unprecedented water shortage. In no time in the record of over 15 years has the water supply been as low as this season. The reservoir contains water enough for only about one irrigation, and there is very little snow in the mountains, so that no repletion of the reservoir can be expected.

Unless rains entirely unexpected and unprecedented should occur the project is threatened by an acute water shortage that will certainly destroy all crops this year and probably kill all, or nearly all, the orchards, which are the result of 10 years' struggle and sacrifice on the part of the settlers, the apple crop being the principal dependence of this project.

There are several ways of increasing the water supply: One is by pumping from the Okanogan River, one is by pumping from Salmon Lake, and another by pumping from Green Lake. Still another means is by means of a ditch leading a small amount of water from the neighboring drainage area. These matters are now under investigation by a board of engineers, who telegraph a strong recommendation for an increase of $125,000 in the appropriation for the Okanogan project now pending in Congress. The Water Users' Association has indicated its willingness to enter into the proper contracts for the repayment of this sum, which will, of course, be required before its expenditure.

It is recommended that the said increase be urged upon Congress in order to save large values now threatened with destruction.

Respectfully submitted.

A. P. DAVIS,
Director and Chief Engineer.

June 8, 1918: Recommendation approved.

(Signed) ALEXANDER T. VOGELSANG,
Acting Secretary.

Mr. DILL. Mr. Chairman, I want to say just a word in support of the statement of the Director of the Reclamation Service. This project has orchards on it which are 9 or 10 years old. They are now in bearing. Unless something of this kind is done, they will be ruined by the drought and lack of water described by the letter from the Director of the Reclamation Service. I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Kentucky [Mr. SHERLEY].

The amendment was agreed to.

The Clerk read as follows:

Shoshone project, Wyoming: For maintenance, operation, continuation of construction, and incidental operations, $400,000, together with the unexpended balance of the sum appropriated for this project for the fiscal year 1918.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. I do that for the purpose of saying a word about the Shoshone project. This is the only one of the very large reclamation projects undertaken by the Government that in every way exemplifies what we had in mind in passing the reclamation law. It is a very large project, and practically every acre of the project was raw land when the project was initiated, and all belonged to the Government. Not an acre of it was in private ownership. No considerable work had been undertaken for the irrigation of this area when the Government took hold.

The Shoshone project is a splendid illustration of what can be done by the judicious expenditure of public money in making new homes in new territory. It has had its difficulties. At first the Reclamation Service was not as favorably disposed to this project as to some others, from the fact that it is not in a fruit-growing section. It is in a northern latitude and a high altitude. The soil is not as deep or naturally as rich as it is on some of the other projects. And yet it has been singularly successful in spite of the fact that it developed seepage, entirely unanticipated at the time the project was undertaken. The best engineers who examined the section were of the opinion that underground drainage was perfect and no artificial drainage would be required. And yet it has required rather more drainage than other large projects. That drainage is now well under way. The people have had a hard and trying time there. They have had to practice severe and trying economies, but they are coming out in good shape.

If this project were not in my State and I was not a member of the subcommittee that drafted the bill I should have been justified in saying that I think the estimate for this project is too small. I have not felt justified in making such a suggestion either in the subcommittee or in the committee, and I only make it now to emphasize the fact that this is a splendid growing project, with every prospect of rapid settlement of the land and tilling of the soil as the water is supplied. It is a project whose people have been singularly faithful in meeting their obligations to the Government and it is a project that is entitled to rapid development, more rapid than can be secured by this sum. But we are in war and distressing times and we want to carry all the projects on in a reasonable way, and therefore I am making no complaint.

When fully developed, as I have no doubt it will be, this will be the largest irrigated area in America receiving water from a single source and united in one general system.

Up to this time it has not been so extended, but it is a large project, a thing of beauty and a joy forever, as you view the growing towns and the splendid farms with their magnificent crops, their wonderful fields of alfalfa and grain extending miles up and down the valley, which when I first saw and traversed it had little more vegetation than grows on this floor, valueless except as it afforded a very sparse growth of salt sage, utilized to a very limited degree in winter for the feeding of sheep.

On this formerly desolate stretch of valley have now been established successful American communities, with their splendid farms, growing towns, and fine community institutions. Their prosperity is all based on the beautiful body of water impounded by the great wall of concrete that spans the mountain gorge and the magnificently constructed series of canals that carry the fructifying waters to the foothills and out over the lands. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Secondary projects: For cooperative and other miscellaneous investigations, $100,000.

Mr. SINNOTT. Mr. Chairman, this item of $100,000 and the item of $100,000 on the following page are designed in part to comply with the recommendation of the Secretary of the Interior, Mr. Lane, that investigation should be made so that lands may be ready for homes and farms for our returning soldiers after the war.

No one knows how long this war may be prolonged and no one knows how soon it may be concluded. The matter of getting ready these homes and farms for the returning soldiers should not be delayed to wait for extended investigations.

I believe that the entire Nation will unanimously indorse any well-considered movement or legislation designed to reward our returning soldiers by furnishing them with homes or the opportunity to earn them, by giving them, or their families, a tract of the very land they are to-day so bravely hazarding and sacrificing their very lives to defend.

Any tax necessary for that purpose, Mr. Chairman, will be willingly and ungrudgingly paid by a grateful Nation. It will be the most popular tax ever levied. It will be willingly and unselfishly paid by the people, realizing that they owe the very integrity of their fortunes, the security of their lives and persons, and their very honor to the boys who are daily leaving our shores and who are now battling across the water.

I say no one knows how soon this war may be concluded, and therefore our patriotic purpose should not be delayed. It should not wait for extensive protracted investigations. This is not the time for "watchful waiting." We should commence now.

While I approve this item, yet I hope that this administration and the Congress will not consider it necessary to defer action until these additional investigations may be had. The Reclamation Service at the present time has extensive reports, has had data for the past three or four years, now ample and available, justifying the immediate inauguration of this work. I have in my hand five printed reports prepared by the Reclamation Service in conjunction with the State of Oregon.

The State of Oregon appropriated $50,000 for this purpose and the Government appropriated $50,000 for the purpose. Here is a detailed printed report showing the topography, showing the available water, showing the engineering features and the land that may be irrigated. It is a report of 201 pages, referring to the Malheur and Owyhee projects, in the State of Oregon. This report shows 50,000 acres of land that may be irrigated, with water available.

Mr. LONDON. Of what date is that report?

Mr. SINNOTT. February, 1916. Here is another report, of the Ochoco project and Crooked River investigations, covering 98 pages and 55,000 acres of land. Here is another report, prepared by the Government and the State of Oregon, of 179 pages, with maps and all data, of the Silver Lake project, covering 77,000 acres. Here is another report, of 147 pages, the Deschutes project, in Oregon, showing elaborate details and surveys covering 200,000 acres that may be irrigated.

Mr. MOORE of Pennsylvania. Have we come to a point yet where anything has been suggested of a practical nature showing how these lands might be distributed to our returned soldiers?

Mr. SINNOTT. That may be very easily done. You can adopt the provisions of the reclamation law, and with just a slight change to give preference rights that law can be made the instrument of turning a part of these lands over to our returned soldiers.

Mr. MOORE of Pennsylvania. Will any new legislation be necessary?

Mr. SINNOTT. Very little new legislation. It can be drawn and comprehended in 20 lines. I hold in my hand another report, of 185 pages, covering the John Day project, in Oregon, showing 225,000 acres of land that may be irrigated.

These reports show between 500,000 and 600,000 acres of land that may be irrigated. These reports have been carefully made, at great expense, showing maps, plans, and necessary data for immediate work. All of this land can be made to grow from 30 to 50 bushels of wheat per acre.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GARNER. What is the cost of these projects to which the gentleman refers?

Mr. SINNOTT. They vary from $25 an acre to something like $100 an acre. The general average would be about $50 per acre. As I said, these lands will produce from 30 to 50 bushels of wheat to the acre, if we estimate the yield in wheat, and I think it is generally more intelligible to the Members of the House to do that. Of course, they would raise probably other crops also, such as clover, hay, and alfalfa, and they would also raise hogs, sheep, and cattle on these lands.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. SINNOTT. For a question.

Mr. MONDELL. The question of legislation has been raised. So far as these reclamation projects to which the gentleman has referred are concerned, no new legislation beyond the legislation of the reclamation law is necessary. All that is needed is more money. Is not that true?

Mr. SINNOTT. I think, generally speaking, that is true. Very little additional legislation will be needed other than the granting of preference rights to the soldiers. What is needed at once is to increase the reclamation fund.

Mr. LONDON. Can we not find a precedent for some other legislation in previous wars? I understand that after the Revolutionary War and the War of 1812 something similar was done.

Mr. SINNOTT. After the Revolutionary War they gave the soldiers land through land warrants, and also after the War of 1812 and the Mexican War, and after the Civil War they passed the homestead law and granted special privileges to soldiers.

Mr. Chairman, it does seem to me that we ought to commence at once on this work and not wait for these contemplated investigations in order to prepare the lands for the returning soldiers. If we had the money, we could begin at once on the projects in the reports I have exhibited.

We have appropriated $500,000,000 to finance and rehabilitate the railroads. We have appropriated $500,000,000 for the War Finance Corporation to protect the business of the country. Why not commence at once to care for and rehabilitate our returning soldiers?

We have appropriated, it seems to me, almost every sum that any whim or fancy or the ingenuity of the Food Administration or the Fuel Administration could suggest for the welfare and comfort of those of us who are safe at home, and we ought to do at least as much for the future comfort and welfare of the boys who are now fighting to uphold the flag and fighting for our security. Increase the reclamation fund so that we may take this up at once.

Let us enter upon this work in order to enthuse and inspire those boys "over there." Let us inspire them with the word that a grateful Nation, a grateful people, proposes at this time to dedicate a portion at least of the very home land they are so valiantly defending, as homes and farms for these boys and their wives and children, and when we do this we shall do little enough. At best it will be a scant, a meager, recognition indeed of the great debt that we shall owe to these heroes when this war is over.

The Clerk read as follows:

For an investigation to be made by the Reclamation Service of the reclamation by drainage of lands situated in States other than those enumerated in the "reclamation law," including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000.

Mr. SHERLEY. Mr. Chairman, I move to strike out the last word, and I do so for the purpose of calling the attention of the House to the paragraph that has just been read and the purpose of it. It marks a departure, and therefore I think the House is entitled to understand what is being proposed in connection with it. It carries $100,000 for investigation by the Reclamation Service of the reclamation by drainage of lands situated in States other than those enumerated in the reclamation law. The gentleman from Oregon [Mr. SINNOTT] a few moments ago called attention to the provision of $100,000 in connection with secondary projects under the reclamation law. That money is to be used for investigation of projects as heretofore in connection with public-land States.

This proposal is to go outside of the public-land States, and is put in by the committee with this purpose in mind. There is considerable proper agitation for the development and reclamation of land for the use of the soldiers who return from the war. I have sympathy with that proposal, but unlike the gentleman from Oregon [Mr. SINNOTT] I am not willing and ready to go into it without investigation and without knowledge. Neither do I think it is altogether desirable that all soldiers should be sent to Oregon to live, delightful as that State is and anxious as its Representative is to have reclamation work extended and expedited so that all of this land in Oregon that has been made the subject of study and of personal thought shall be developed. In nearly every State in this Union there are thou-

sands of acres that are capable of reclamation, some of them capable of reclamation by putting water on them and others by taking water off of them; some of them in a climate very much more favorable than others, and yet under the restrictions of existing law only land within the public-land States would be considered. I believe that the very essence of statesmanship consists not so much in undertaking to prevent movements as in directing and controlling them. If this agitation for reclamation is left to run riot, as so many advocates would have it, we will have a repetition of the mistakes and sad experiences we had in connection with the reclamation of some of the arid lands, when we had projects undertaken that had no excuse for them except the control of their advocates, projects undertaken where reservoirs were made that could not hold the water that they were supposed to impound, and if the thing is to be done intelligently it must be done as a result of a survey.

We have built up a splendid service in the Reclamation Service, and the head of that service is a man of very level-headed judgment. The Committee on Appropriations felt that it would be performing a distinct service, and a needed and real service, if it gave to that bureau the money necessary to make a preliminary survey of the United States and to get from it information that will enable Congress intelligently to spend money in reclaiming the land rather than to be dependent upon the enthusiasm of advocates of particular projects in particular localities. The matter is of great importance. There have been many bills heretofore introduced in Congress for the drainage of swamp lands, bills for the further reclamation of arid lands, bills for the reclamation of cut-over and burnt-over land. We ought to have a real policy before we start into the expenditure of the millions that will flow from the adoption of any of these schemes under the various authorizations of the different bills which I have enumerated. That is the justification of the item that is carried in this bill, and I felt it was due to the House that it should know just what was being proposed and that it might not be adopted without explanation.

Mr. GANDY. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. GANDY. I want to ask the chairman of the Committee on Appropriations, but before asking him the question let me say that the Secretary of the Interior in his letter on the subject recommended three lines of investigation. One of reclamation by irrigation, the other reclamation by drainage, and the third investigation of cut-over and burnt-over land. I want to ask the chairman of the committee if it is his idea that the provision for surveys of secondary projects, line 15, page 106, for cooperative and other miscellaneous investigation——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for another five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GANDY (continuing). Would cover the investigation of cut-over and burnt-over land?

Mr. SHERLEY. Mr. Chairman, in answer to the gentleman I desire first to say this: This proposal is not the result of the letter which the Secretary of the Interior sent to a great many Members. When I received that letter I wrote him and said that prior to its receipt and without knowledge of it the Committee on Appropriations had taken this action, and I say that because that was the view of the committee and was not the result of the views expressed, admirable though they may be, by the Secretary of the Interior. Now, answering the direct inquiry of the gentleman, my own judgment is that the language contained on page 106, lines 15 and 16, is sufficiently broad to include surveys in connection with cut-over land.

Mr. LONDON. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONDON. Would the gentleman favor an investigation of the entire subject of restoring the returned soldiers to civil employment? I intend to offer an amendment when we come to the labor department, and since the gentleman has shown the true quality of a statesman by indicating that it is a function of a statesman to direct himself——

Mr. SHERLEY. I hope the gentleman has enough of the quality of statesmanship not to let a very flattering compliment lead him into dangerous paths. [Laughter.]

Mr. LONDON. I have not received a compliment, and it can not lead me astray. Is the gentleman ready to take up that side of the question?

Mr. SHERLEY. A bill passed by the House just recently, which has for its purpose the rehabilitation of wounded——

Mr. LONDON. But that bill deals only with wounded, crippled, and the mutilated. I am speaking of men who will be returned——

Mr. SHERLEY. I will answer the gentleman in this way: In my judgment the soldier who comes home unwounded and uninjured by virtue of his service will not need the directing hand of the Government to enable him to make a useful citizen. He is going to be a very useful citizen in the first instance, and he is quite apt to have intelligence enough to tell us what to do than we tell him what to do. And if we simply give him the opportunity for additional land, we well can trust to his judgment to make the use of it that will redound to the glory of the Nation. I am not afraid of the ability of the American soldier to take care of himself either in war or in peace.

Mr. LONDON. The gentleman does not favor an investigation of the entire subject?

Mr. SHERLEY. I do not favor any leading strings for him. I think he is amply able to take care of himself. But I do favor making land available for his use when he comes back.

Mr. BYRNES of South Carolina. Mr. Chairman and gentlemen of the committee, at the close of this war it is probable that we will have under arms more than 3,000,000 men and that an equal number will be engaged in the munitions plants and other war industries. With the cessation of hostilities we will be confronted with the problem of absorbing into our industrial life these 6,000,000 able-bodied men. The places they vacated in order to enter war work have been filled by machinery, by women, and by boys and girls who have entered into gainful occupations earlier than usual in order to meet the extraordinary demands for labor. It is certain that these people will not vacate their employment in order to make room for the returning soldiers and war workers. It therefore requires but little thought for us to realize the serious problem with which we will be confronted, and it behooves us to plan in time of war for the solution of a problem we are certain to face in time of peace.

The other nations engaged in this world-wide conflict will, of course, be confronted with the same problem, and most of them are now planning to meet it. Australia has already appropriated over $100,000,000 for the purchase and improvement of lands for its returning soldiers. Other countries are planning similar measures.

The Department of the Interior, through the Director of the Reclamation Service, presented to our committee a request for an appropriation of $200,000 to enable them to make a survey of the public lands in order to determine upon a plan whereby the returning soldiers might be engaged in the work of reclaiming lands in those States either by irrigation or by drainage.

It was my opinion that it would be unfair to ask of the returning soldiers that in order to secure employment they should leave their homes and concentrate in public-land States. I therefore suggested, and the committee determined to recommend, the appropriation of $100,000 for a survey in the public-land States and $100,000 for a similar survey of swamp lands outside of the public-land States. In the latter States there are approximately 75,000,000 acres of swamp and overflow lands, and the greater part of these waste lands can be drained at less expense than we now incur in the irrigation of the arid lands in the public-land States. In addition, these swamp lands, when drained, will be the most productive lands in the country. Being, as a rule, near the center of population, they will be in greater demand and will consequently be of greater value.

I am satisfied I need not elaborate upon the benefits certain to result from our undertaking this great work. By furnishing employment to returning soldiers it will solve for us the serious problem of having in our midst immediately after the war several million men without employment. Just as Australia has devised a plan for the purchase and improvement of lands for the men who are to-day fighting for democracy, so can we devise a plan either by the purchase of some of this waste land or by an arrangement whereby in return for the investment of the capital necessary to drain a district a given proportion of the land drained in each district be deeded to the Government. If such an arrangement is made, then the soldiers can be given an opportunity to purchase the very land reclaimed by them and be allowed 20 years within which to pay for it, as are the settlers upon the irrigated lands owned by the Government in the West. This will result in making the returning soldiers producers and these waste lands productive farms.

In addition to the economic benefits, this work will result in saving the lives of human beings. To-day these swamp lands produce nothing but mosquitoes and malaria. The construction of an effective drainage system will remove these hotbeds of disease and will increase the efficiency of those who live in the surrounding country. In my Congressional district there are thousands of acres of swamp lands which by drainage can be

made most productive. In the entire country there are about 52,000,000 acres of swamp lands unfit for cultivation or grazing. It is, of course, not to be expected that we could undertake immediately the reclamation of all of these lands. The very purpose of this survey is to have the Reclamation Service investigate the swamp and cut-over lands of the country and ascertain those areas which can be most easily drained and which when drained will be most productive and most attractive to settlers. A plan as comprehensive as this must be, in order to accomplish the desired end, can not be framed in an hour or a day. It will require the best thought of the men who have given up their lives to the study of reclamation problems. It was for this reason that we placed the work in the hands of the Reclamation Service. Upon the Government-owned lands of the West the experts of that department have been engaged in drainage work in connection with the irrigation projects. Their experience in the public-land States will enable them to intelligently approach the great task involved, and I am satisfied that if this appropriation is made it will result in the final adoption of a plan whereby our returning soldiers will be furnished employment, our waste lands made productive, our national wealth increased, and our health conditions improved.

Mr. FRENCH. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. FRENCH offers the following amendment: Page 107, line 25, after the word "reclamation," strike out the balance of line 25, all of line 26, and the word "law" on page 108, line 1, and insert: "of lands by drainage or other methods," so that as amended the paragraph will read:

"For an investigation to be made by the Reclamation Service of the reclamation of lands by drainage or other methods, including personal services in the District of Columbia," etc.

Mr. FRENCH. Mr. Chairman, the place where the amendment should be is in line 25, following the word "reclamation." I will say to the committee that what this amendment proposes to do is to provide that the examination or investigation may be made in all States, regardless of whether they are included in the States enumerated in the reclamation act or not. The purpose, as I understand it, is to inquire into the regions where there is a possibility of reclamation by drainage.

Mr. BYRNES of South Carolina. Does not the gentleman know that such was the purpose of the item on the preceding page of $100,000?

Mr. FRENCH. I do not think that is for drainage except drainage in connection with an irrigation project.

Mr. BYRNES of South Carolina. The object the gentleman wishes to accomplish is accomplished by that appropriation.

Mr. FRENCH. I am satisfied the gentleman is in error, and that the only drainage that could be accomplished under that item on page 106 is in connection with an irrigation system. In the hearings before the committee Mr. Davis, the Director of Reclamation, said that it would not be possible to use the reclamation funds for drainage, as I understand it, in substance, except in connection with the reclamation project. Now, what I have in mind is this, namely, broadening the language of the paragraph at the bottom of page 107 so that if a drainage project shall be found to exist in a State to which the reclamation act applies an investigation may be made. For instance, in the northern part of my State we have several rivers that overflow. There are lands along them that should be drained, and the same is true in the State of California, and the same is true in the State of Oregon. And it would seem that while the Government is making this investigation it ought to extend the scope of its work so as to include areas that exist in States whether they are in reclamation regions or not. Now, that should be the purpose of the inquiry.

Then, I have used the words "or other methods" so that if advisable the department might inquire into the reclamation of lands that have been covered with timbers and from which the timbers have been removed—cut-over land. I am in perfect sympathy with the paragraph and believe it ought to go into the bill.

At the close of the late Civil War the West was largely unsettled. It was a vast empire inviting settlement, and we were able to take care of all the people who were returning from the war at that time and who had rather gotten out of touch with their previous occupation, and we enabled them to lay the foundations for splendid homes through the homestead law. Now, we have got to do a little more than was done at that time. As a Government we have got to take the initiative of providing opportunity for these men who will return from the war and who will find conditions so changed, some of them at least, that they will want to engage in other lines of work. This is merely one of the ways of providing opportunity. I approve generally of the proposition whether my amendment shall prevail or not, but I think the amendment I propose should prevail, in order that the examination may be made in all the States and not in just some of them.

Mr. BYRNES of South Carolina. The gentleman has in mind no drainage proposition there except in connection with an irrigation proposition?

Mr. FRENCH. Yes. There are drainage propositions in my State far removed from irrigation. For instance, the northern part of my State is 500 miles from the southern part. One hundred miles north of me will be found several rivers whose valleys ought to be reclaimed by drainage and not by irrigation.

Mr. BYRNES of South Carolina. Which would really be a flood-control proposition.

Mr. FRENCH. Well, it would be that in part; yes. And I think the examination ought to be big enough to include all.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Idaho [Mr. FRENCH].

Mr. SHERLEY. Mr. Chairman, let us have the amendment reported again.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

Mr. SHERLEY. Mr. Chairman, I am not willing to have that amendment accepted. The result of it would be to destroy the very purpose of the provision that has been put in here. The only way to make an investigation by the Reclamation Service of lands outside of the public-land States is to provide that they shall be made in States other than the public-land States, because under the existing law that service is restricted now to the public-land States.

There is a provision carried in this bill for $100,000 for cooperative and other miscellaneous investigations in connection with public-land States. If the gentleman wanted to enlarge the scope of such investigations, that was the place to do it. The effect of the gentleman's amendment now would be to confine this $100,000 to public-land States, and the very purpose of putting in the language we did was to take it away from the public-land States.

Mr. FRENCH. If there is any question about it——

Mr. SHERLEY. There is no doubt about it.

Mr. FRENCH. If there is any question as to the meaning of my amendment, I certainly would be glad to have it worded so that it would be broad enough to comprehend all the States. I thought by omitting the words I have omitted it would be broad enough to reach all the States.

Mr. SHERLEY. It would be, except under the existing law the Reclamation Service is confined to public-land States. Now, if you eliminate the words that we have put in there, words that extend their activities, then they come right back to their present status, which limits them to the public-land States.

Mr. FRENCH. Would the amendment in these words, "in those States," following the words "public lands," cure the amendment?

Mr. SHERLEY. I think it would be possible to change the language, perhaps, by making it read, "for an investigation to be made by the Reclamation Service of the reclamation by drainage of lands situated in any of the States of the United States" or "by drainage of land situated anywhere in the United States"; but it would have to be language clearly indicating that you are broadening their present power.

Mr. FRENCH. Then I ask unanimous consent, Mr. Chairman, to amend the amendment that I have offered by inserting after the word "lands"——

Mr. SHERLEY. I would like to ask the gentleman what reason there is for the amendment at all? I do not understand that the public-land States are having any difficulty as to investigations of any projects. What the gentlemen from the public-land States usually are complaining about is that they do not get money enough. They get more than anybody else, but they do not get enough for them.

Mr. FRENCH. There is no question but that under the reclamation law incidental investigations may be made looking to the drainage of lands incident to reclamation projects as a part of the projects.

Mr. SHERLEY. Yes; and I am not certain whether investigations may be made looking to the reclamation of lands that are not within existing reclamation projects.

Mr. FRENCH. Not by drainage.

Mr. MONDELL. This is the situation: Under the item of $100,000 within reclamation States no investigation could be made looking to reclamation distinctly by drainage as separated from reclamation by irrigation.

Mr. SHERLEY. I suggest to the gentleman from Idaho that if he desires he could ask unanimous consent to return to page 106, lines 15 and 16, to amend that paragraph by adding, "including drainage apart from irrigation." I shall not personally object. That will enable him, out of funds from public lands, to enlarge it for that purpose.

Mr. SMITH of Idaho. Should not the language in line 25 be modified so that "cut-over" lands will be embraced in the provisions of this section? There is a great deal of cut-over land, not only in the Northwestern but in the Southern States, that ought to be examined in connection with the plan to reclaim unoccupied swamp lands. The words "by other methods" should be inserted after the word "drainage."

Mr. SHERLEY. I have no objection to the words being added here in regard to drainage, although I am perfectly frank to say that gentlemen in their eagerness to embrace all creation may destroy the whole purpose of these appropriations. They are not big enough to undertake to examine into detailed projects, and they do not undertake it. I am not standing here to advocate the execution of any particular project anywhere, but I want a broad survey made of this country in a manner so that when we do come to undertake it we can go into it intelligently with the purpose of really serving the returning soldiers and not merely to serve localities and to carry out pet propositions.

Mr. MONDELL. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. SHERLEY. Certainly.

Mr. MONDELL. I suggest, particularly to the gentleman from Idaho [Mr. FRENCH], that we are just beginning this work. Why not begin it along the lines that the committee has outlined? I agree with the gentleman that ultimately the investigations, with a view to drainage, should be in the irrigation States as well as elsewhere, but for the time being I am rather inclined to the opinion that it would be just as well to leave the provisions just as they now stand in the bill. When we undertake reclamation by drainage it will undoubtedly be undertaken in all parts of the country. California needs drainage. California is one of the irrigation States. Idaho needs drainage. Idaho is one of the irrigation States. But I think we might confuse the matter now, and at least at the beginning of these investigations why not leave them for the present as they are?

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The question is on agreeing to the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. SMITH of Idaho. Mr. Chairman, I wish to offer an amendment; Page 108, line 6, strike out "$100,000" and insert "$1,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Idaho: Page 108, line 6, strike out "$100,000" and insert "$1,000,000."

Mr. SMITH of Idaho. Mr. Chairman, 16 years ago Congress passed, and the President approved, a law for the reclamation of arid lands and authorized the appropriation of receipts from the sale and disposal of public lands, in certain States and Territories, in the administration of the law. The matter had been under consideration for many years, engaging the attention of publicists and economists, as well as the Senators and Representatives in Congress, especially from the Western States. Preliminary investigations had been made by the Director of the Geological Survey, under the direction of the Secretary of the Interior, and he was able to submit, the day after the bill was approved by the President, a comprehensive plan for beginning work under the new law. The plan was approved by the Secretary of the Interior on July 8, 1902, and steps were immediately taken to commence operations in the construction of six projects in as many different States.

It is rather interesting to review the accomplishments of the Reclamation Service during the intervening years, and the wonderful progress which has been made toward transforming the desert into a garden.

Thirty distinct projects are under way or completed in 15 States, embracing over 3,000,000 acres of land, or 60,000 farms. Nearly 2,000,000 acres of land are now under water furnished by the Reclamation Service, and over 1,000,000 additional acres will be reclaimed as soon as the necessary works now under construction can be completed. There has been expended on these projects nearly $120,000,000, about $8,000,000 of which has been paid by the settlers under their contract for water, and all of which must be repaid within 20 years.

The value of the 1917 crop on lands within Government reclamation projects amounted to over $50,000,000, nearly five times the value of farm products for one year in the State of Maine, and greater by $7,000,000 than the combined annual crops of New Hampshire and Vermont, and nearly as much as the total value of crops for one year in Massachusetts and Connecticut. On some projects the value of the crops harvested last year equaled the entire cost of the project.

The demand for irrigated land is in excess of the supply, and as soon as it is open to entry settlers flock upon it. The rapidly increasing values of farm land and the high price that is being received for farm products are attracting thousands of people to agricultural pursuits, and there is no question but what the land will continue to be entered as rapidly as water can be made available for irrigation purposes.

The work of constructing the various projects proceeds comparatively slowly on account of the inadequacy of the reclamation fund. In view of the scarcity and high price of food products and the desire of the people to enter upon the land, as well as the importance of making some provision for the employment and homes for the returning soldiers and sailors, it would appear that it is incumbent upon the Government to make some provision toward more rapidly reclaiming the arid lands of the West. The same argument will apply to the reclamation of the swamp lands, which can be made available for agriculture at a comparatively small price per acre. The Reclamation Service, through its splendid organization of engineers and with its experience covering a period of nearly two decades, would be able to extend its activities so as to reclaim millions of acres of land each year, if funds were available.

The Secretary of the Interior, in a recent communication to the President and Members of Congress, urged the importance of reclaiming the arid and swamp lands with the least possible delay, from which I quote:

> This is an immediate duty. It will be too late to plan for these things when the war is over. Our thought now should be given to the problem. And I therefore desire to bring to your mind the wisdom of immediately supplying the Interior Department with a sufficient fund with which to make the necessary surveys and studies. We should know by the time the war ends not merely how much arid land can be irrigated, nor how much swamp land reclaimed, nor where the grazing land is and how many cattle it will support, nor how much cut-over land can be cleared, but we should know with definiteness where it is practicable to begin new irrigation projects, what the character of the land is, what the nature of the improvements needed will be, and what the cost will be. We should know also, not in a general way but with particularity, what definite areas of swamp land may be reclaimed, how they can be drained, what the cost of drainage will be, and what crops they will raise. We should have in mind specific areas of grazing lands, with a knowledge of the cattle which are best adapted to them, and the practicability of supporting a family upon them. So, too, with our cut-over lands. We should know what it would cost to pull or "blow out" stumps and to put the land into condition for a farm home.
>
> And all this should be done upon a definite planning basis. We should think as carefully of each one of these projects as George Washington thought of the planning of the city of Washington. We should know what it will cost to buy these lands if they are in private hands. In short, at the conclusion of the war the United States should be able to say to its returned soldiers: "If you wish to go upon a farm, here are a variety of farms of which you may take your pick, which the Government has prepared against the time of your returning."

Secretary Lane estimates that more than 3,000,000 acres of arid land could be reclaimed by the completion of the upper and lower Colorado Basin projects, and that there are 15,000,000 acres of irrigable land now remaining in the public domain for which water would be available for irrigation by the construction of dams and reservoirs. Also that there are 60,000,000 acres of swamp land in the Southern States, in the Mississippi Delta, and in Missouri, Indiana, Michigan, Minnesota, Wisconsin, and California which by drainage could be made available for cultivation. Statistics show that over 15,000,000 acres have already been reclaimed by drainage in the Mississippi Valley.

On account of the large appropriations necessary to be made in conducting the war, it may be necessary to devise a plan which would be attractive to private capital to undertake and carry on the reclamation of these millions of acres of land throughout the country after the initial investigations may be made. The latter part of last Congress I introduced a bill which provides a comprehensive plan of reclaiming the arid and swamp lands, which I reintroduced early in the present Congress, and which is now pending in the Committee on Arid Lands, and to which I desire to invite the attention of the Members of the House. A supplementary bill which I introduced gives preference in employment on the Government reclamation projects and preference right of entry upon the lands to honorably discharged soldiers and sailors.

In view of the high rate of interest being paid by the Government for loans, it will, of course, be necessary to increase the

rate of interest mentioned in the bill by at least 1 per cent. The enactment of the proposed law guaranteeing the payment of principal and interest on irrigation district bonds would be as attractive to capitalists as any industrial bonds. It is believed that many of those of a philanthropic turn of mind will be interested in having their name identified with some individual project which would make homes for thousands of people and convert what is now worthless land into productive farms and prosperous communities, and that if this law is enacted all of the bonds on some of the smaller projects would be taken by a single individual.

The merits of the proposed legislation are well set forth in an article contributed by Hon. Will R. King, chief counsel of the United States Reclamation Service, to the Irrigation Age, in the March number:

All agree that it is the present paramount duty of the United States to wage war upon the Teutonic powers until victory may be assured. Second only to this duty is the work essential to the preparation for conditions to be confronted after the peace shall be declared.

All great wars have produced changes in the fundamental circumstances and in the character of nations engaged. Of this, the greatest of all wars recorded in history, the same will be still more fundamentally true.

It is well known that Great Britain, France, and Germany, notwithstanding their exhaustive efforts as manifested in the making of war, are looking far enough ahead to appreciate the duty of devoting much time to preparations of meeting the inevitable condition to accrue in the after-the-war period. Various commissions are appointed and the best ability is being devoted to the period which sooner or later will come for rejuvenation and the hoped-for peaceful developments. The United States will doubtless take similar precautions.

Historians have universally recognized the fact that the wounds created by the American Civil War were healed far more quickly than would otherwise have been possible had it not been for the availability of the vast areas of public land, which at the close of that great conflict were immediately opened for settlement.

It is well recognized that the attitude of mind of returning war veterans in all wars, but particularly in the case of members of the Anglo-Saxon race, has been found to have been deeply changed during the period of their long and strenuous camp life. Exceedingly difficult was it in the majority of cases for the soldier returning from our Civil War—no matter how glad he may have been to return to his old home—thereafter fully to adjust himself to his former life and surroundings. Soldiers, both of the North and of the South, on returning from war, in a vast number of cases soon became dissatisfied; and, to a large extent, it was they who peopled the West during the sixties and seventies following that conflict.

Except those of Alaska, free lands are now practically exhausted. If the American Nation is not to lose to Canada, Australia, and South Africa many of its most enterprising returned soldiers, provision should at once be made for giving to them in our own country, with the change of scene which they desire, the opportunities to which they are entitled of building homes for themselves.

It would seem there is but one way by which the United States may provide the much-needed remedy. That must be by extension and development of the idea embodied in the Federal reclamation act of June 17, 1902, so as to increase the development of the arid lands of the West by the diversion and use of the mountain streams in irrigation, and simultaneously by the reclamation of the swamp and overflow lands existing in large areas in more than half of the States of the Union.

The remaining lands in the arid and semiarid States susceptible of profitable reclamation have been estimated by the Census Bureau as 17,372,657 acres, while the swamp lands susceptible of reclamation at reasonable cost are estimated by the Geological Survey as 82,000,000 acres.

It is to be hoped that Congress will see the necessity of the immediate provision, as a loan if not otherwise, of sufficient funds to begin at once as many new projects, at least, as are now constructed. This would at once furnish employment and homes to thousands who will be seeking work on their return from Europe.

But to provide for continued meeting of these demands and increase the conversion of idle lands into productive homes, some bill should be enacted to meet the conditions. This is thought by practically all who have examined the subject to be embodied in what is known as the Chamberlain-Smith bill (S. 758, H. R. 2772, 65th Cong., 1st sess.), now before Congress.

This bill provides for the construction by the United States of irrigation and drainage projects after adequate investigation and contract with the irrigation or drainage district, as the case may be, such districts to be organized under the various State laws. Under its provisions whenever the people of a locality desire to have an irrigation project constructed (and the same applies with reference to draining swamp and overflowed lands), a petition is filed with the Secretary of the Interior asking that the necessary investigation be made to determine the feasibility thereof. Should the Secretary of the Interior conclude such project is feasible, it will be so reported and petitioners informed that upon the proper formation of an irrigation or drainage district, as the case may be, and the issuance of bonds sufficient in amount to cover the estimated cost, to be followed by subsequent bond issues in case the cost should exceed the first cost estimates, etc., and the depositing of the same with the Secretary of the Interior as security, the department will proceed with the construction of such project in the same manner and under like circumstances as that of the irrigation projects constructed under the present reclamation act.

The district will then issue bonds, to be validated by the State law courts in accordance with confirmation acts of the various States, after which deposit, as security, will be made with the Secretary of the Interior. The Secretary is then authorized to issue certificates of indebtedness of the United States (in multiples to be decided upon) in an amount not to exceed the face value of the district bonds, both bonds and certificates to run for such period as may be fixed by the Secretary of the Interior, not to exceed 50 years, with interest at a maximum rate of 4 per cent per annum, thereby enabling the Secretary to provide for the reimbursement of the fund in full under what is known as the amortization plan of depositing a part of the moneys paid for interest annually until the full principal is paid.

From the proceeds of the sales of the Federal certificates of indebtedness the moneys will be forthcoming for the construction of such project undertaken.

The certificates of indebtedness are exempt from taxes or duties of the United States and from taxes under State or municipal authority.

To protect the Government against occasional and unavoidable losses, a special fund is created by drawing from the reclamation fund annually $350,000 until the special fund shall reach the sum of $10,000,000.

A plan is provided for the sale at public auction of public lands proposed to be reclaimed after division into farm units of suitable size. The Secretary may also provide for payment by purchasers upon an installment basis, and the land sold is required to be placed under progressive reclamation during a period of years. The proceeds from the sales are turned into the reclamation fund to be used for the construction of projects, either under the Chamberlain-Smith or the present reclamation act.

The bill also provides for sales of excess private lands to the United States upon appraisal to be approved by the Secretary of the Interior, and a resale of the land to settlers, the funds to be credited as partial payments upon the bonds of the district.

When the bonds and certificates issued from time to time by the Government for construction of projects are fully paid, the bonds issued by the district will be returned for cancellation.

The plan contemplated by this bill will enable each meritorious project to build itself, as it were, through the assistance of the Government, without calling on Congress from time to time for appropriations therefor.

The certificates to be issued in the construction of the projects will only be issued in quantities as needed, thereby obviating the necessity of interest accumulating upon the bonds or any part thereof before the money is actually invested in the construction of the project.

This bill will permit not only the reclamation of arid but swamp lands as well, and provide employment and homes for the thousands of returning soldiers after the war who may be seeking such homes and employment.

This measure should receive the careful attention and support of the public, and it is hoped that any improvements therein that may occur to students of the question will be suggested to Members of Congress as an aid in procuring the best possible bill upon the subject. When it is remembered that under this bill about 100,000,000 acres of land may be reclaimed, in addition to the area already reclaimed under the reclamation law, its great importance must be appreciated by everyone interested in the future welfare of the country.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. SMITH of Idaho. I ask unanimous consent, Mr. Chairman, to extend my remarks.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Idaho [Mr. SMITH].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Alaska Engineering Commission: For carrying out the provisions of the act approved March 12, 1914 (38 Stats., p. 305), entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," including expenses incident to conducting hearings and examining estimates for appropriations in Alaska, to continue available until expended, $5,250,000.

Mr. SULZER. Mr. Chairman, I offer the following amendment: On page 108, line 22, strike out the figures "$5,250,000" and insert in lieu thereof "$7,250,000."

The CHAIRMAN. The gentleman from Alaska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. SULZER offers the following amendment: Page 108, line 22, strike out "$5,250,000" and insert in lieu thereof "$7,250,000."

Mr. SULZER. Mr. Chairman and gentlemen of the committee, I know that the chairman of the Appropriations Committee and the subcommittee which had charge of this particular item in this bill devoted a great deal of consideration to this project. They held extensive hearings and had the members of the Alaska Engineering Commission before them, and I feel that they did not desire in any way to handicap this great project in the Territory of Alaska, which is now well on the way toward completion.

During the past few months there have been placed before Members of Congress criticisms of the manner in which this enterprise has been conducted. I am satisfied these protests were entirely of a personal character and not made with any degree of good faith, but rather to serve personal ends. I am happy to find that the Appropriations Committee paid no attention to this propaganda, and for the information of Congress and the country I wish to read a letter I have received from the President on this subject, as follows:

THE WHITE HOUSE,
Washington, June 1, 1918.

Hon. CHARLES A. SULZER,
House of Representatives.

MY DEAR MR. SULZER: I am very sorry to learn from your letter of yesterday that serious misinformation concerning the construction of the Government railway in Alaska is finding its way to Members of Congress. There is, of course, no secret about anything connected with the construction of the railway, and the reports of the Secretary of the Interior are full and frank. I have followed the matter myself as closely

as it was possible for me to do so amidst so many matters that demanded my attention, and have upon each inquiry been satisfied that matters were going as well as could have been expected. If there is any particular way in which I can help clear up misunderstandings, I will be very much obliged if you would suggest it.

Cordially and sincerely, yours,

WOODROW WILSON.

I am grateful that the committee have placed in this bill the amount of $5,250,000; that they did not see fit to let this work stop; and when I offer this amendment to increase this item I do not wish to be understood as criticizing the committee in any manner. I feel that they have done what they thought was wise, and that they believed that in reducing the estimate to the extent of $2,100,000 they would not seriously handicap the work which is going on toward completion of the Alaskan Railway.

Mr. Chairman, I regret that I can not agree with the committee in that respect. I have devoted a great deal of thought and study to this work and this project. I have talked the matter over very carefully with members of the commission and with officials of the Interior Department who are responsible for the work. They all advise me that this reduction will have a very serious effect upon their organization. The amount of the original estimate which was prepared last fall by the officials of the Interior Department after very careful consideration was a minimum figure, every possible item being reduced or eliminated by the Secretary of the Interior in seeking to cut out every expense that could be avoided under the circumstances and conditions existing at this time. If the departmental estimate is reduced we all feel that it will handicap this work to a great extent at this time, and that it will be a serious detriment, financially and otherwise, to the completion of the railroad.

Last year the Alaskan Engineering Commission obtained $14,000,000 for this work. We all realize that we are in a great war, and that not a dollar should be spent by the Government unless it is a matter of absolute necessity; and the Secretary of the Interior has reduced the estimates 50 per cent—cut them in half—so that this year the Alaskan Engineering Commission request only $7,350,000. In reducing the estimates to this amount it is believed they have been cut down to the very limit consistent with economical prosecution of the project, and that a less amount would not enable the commission to hold together through the coming fiscal year its organization, which has been built up through the course of several years, and is now at its perfection. To break up and scatter this splendid organization will bring about irreparable injury and greatly delay completion of the project.

The reduction made by the committee cuts out two items which were in the estimates; one extending from the Susitna River to Hurricane Gulch, or, in other words, the extension proposed on the north end of the Anchorage division; the other item that has been cut out of the estimates is the extension from Lignite to Riley Creek, or the south extension of the interior division. In other words, the committee have seen fit to allow the work to continue on both ends, but not to extend it toward completion from both ends in order to close the gap and connect the great interior mineral and agricultural lands with the coast, as you see here on the map which I have had placed before you. I know the committee feel no harm is being done by delaying work on these extensions, but I can not see the logic of cutting down the appropriation at this time and thus delaying the connection of the coast and interior divisions, when it is of such vital necessity that this connection be made at the earliest time. If the increase asked for is not allowed it is most probable that next fall the commission will be out of funds, and while it has been suggested they may then ask for a deficiency appropriation it would be far wiser to grant the money now in order that they may perfect their plans and hold their organization together throughout the year. I have a letter from the Acting Secretary of the Interior and a telegram from the Governor of Alaska which show the existing situation clearly, and which read:

DEPARTMENT OF THE INTERIOR,
Washington, June 13, 1918.

Hon. CHARLES A. SULZER,
House of Representatives.

MY DEAR MR. SULZER: In reply to your letter of the 11th June, concerning the decrease of about $2,300,000 in the estimates submitted for construction of the Alaska Railroad, as shown by the sundry civil bill, I beg to say that in the opinion of the department such decrease is a serious hardship, which the enterprise should not now suffer. By careful attention and watchfulness we have been able to retain upon our rolls a majority of the workmen, and are now employing a force of over 2,500 men. If the figures now carried in the bill be maintained we fear that dispersal of our working force may result. This would be very unfortunate, since most of these men would leave the Territory for the outside, and for some years to come it would probably be impossible to again assemble a similar force. In our judgment the work should proceed to completion as speedily as possible without breaking the present organization.

It is true that we suffer in common with all other builders from increase of cost of labor and supplies, but we feel that the loss to the Government by disruption of this organized force and delayed completion, involving inevitable deterioration of already completed work, would be infinitely greater. We sincerely hope that the Appropriations Committee may assent to a restoration of the appropriation to the original figures submitted by us.

Cordially and sincerely, ALEXANDER T. VOGELSANG,
Acting Secretary.

JUNEAU, ALASKA, *June 12, 1918.*

Hon. CHARLES A. SULZER,
House of Representatives, Washington, D. C.:

Since estimates were made August last for railroad cost of supplies and freight have increased 30 to 80 per cent, so estimates will not cover work contemplated thereunder. This is especially true of work interior of Alaska where completion coal fields to Fairbanks are most essential. Most shortsighted policy not to allow commission to work at Peak always and push construction to finish as unconnected line is source of double overhead expense with heavy freight rates on material which could be handled over completed railroad. Ultimate cost would be increased. Endeavor to have full estimate replaced.

RIGGS, *Governor.*

Mr. LONDON. What does the yellow line on this map indicate?

Mr. SULZER. The yellow line indicates the completed work. You will see a small crossline inside of the yellow line, which indicates the line that is now in operation with the rails laid and all work completed.

The CHAIRMAN. The time of the gentleman from Alaska has expired.

Mr. SULZER. I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Alaska asks unanimous consent that he may have five minutes more. Is there objection?

There was no objection.

Mr. SULZER. That includes the line from Seward, the Pacific coast terminus, up to the Susitna River here [indicating on the map], and also that shown as completed on the interior division.

Mr. MILLER of Washington. Can the gentleman state approximately the number of miles of line completed?

Mr. SULZER. There are 288.4 miles of main line, 26 miles of siding, spurs, and tracks, and 49.2 miles of narrow-gauge line.

Mr. SMITH of Michigan. Are they operating cars on the main line now?

Mr. SULZER. Oh, yes. The operating receipts during 1917 were over $60,000. At the present time 65 per cent of this entire project of 553 miles is completed, according to actual mileage, but there is a great deal more of the project completed, as a matter of fact, because the commission in undertaking this great work up in Alaska had to start at the grass roots and had to establish a base from which to work, and they have built very extensive bases at Seward, at Anchorage, and Nenana, and partly so at Fairbanks. They have built roundhouses, machine shops, hospitals, and various works and equipment of all kinds necessary to start this work and to keep it going in first-class manner in all respects. That has all been done. It will not be necessary to extend any such work as that from now on, but it simply remains to complete the line between these two points [indicating on map].

Mr. SMITH of Michigan. How far is it between these two points?

Mr. SULZER. If the $7,250,000 for which the estimate was submitted, and which amount is contained in the amendment which I have offered, is agreed to by the House, this entire project can be completed this year, except 100 miles through the Broad Pass country. That is a very easy piece of work; there is a broad pass going through, little rockwork, and no serious difficulties whatever in connection with it. So that if this allowance is made it should complete the entire project with the exception of that 100 miles, which, I think, can be done next year probably, or early in 1920.

Mr. LONDON. Can this project be completed within the fiscal year for which this bill provides?

Mr. SULZER. No; I do not think so. The estimates contemplate completing everything except that 100 miles, which can be completed next year or early in 1920.

Mr. Chairman, I have been very much interested in listening to the remarks that have been made by various gentlemen within the past hour in regard to what is going to be done for our soldiers who are fighting our battles in France at this time, and who will continue to do so.

Mr. Chairman and gentlemen of this committee, there is no place upon the continent where better opportunities can be granted to our soldiers when they return than there is in Alaska. There is a great territory of 600,000 square miles, with millions of acres of virgin land, still in the public domain, and there is where the Government can do a great deal for those who are fighting our battles now. The completion of this railroad project will enable that to be done. The railroad will open up this vast interior territory where the best agricultural lands are, and it will not only open up the agricultural land but it will open up

the mineral lands. It will afford opportunities for our soldiers that can be found in no other section of our country, and we should now speedily prepare this great area of virgin country so that it will be ready for our returning heroes when they have won the great victory.

Mr. Chairman, I want to ask to have read at this time a letter from the Secretary of the Treasury in regard to the great necessity for the production of gold at this time.

The Clerk read as follows:

TREASURY DEPARTMENT,
Washington, June 10, 1918.

Hon. CHARLES A. SULZER,
House of Representatives, Washington, D. C.

MY DEAR MR. SULZER: I beg leave to acknowledge receipt of your letter of June 1, in relation to the present conditions surrounding the production of gold in Alaska. I fully appreciate that, with the rising cost of raw material and labor and with a fixed value for their output, the gold miners of the world are facing difficult conditions. I should be sorry, however, if for this reason there were any relaxation in the effort to produce gold. At no time has this country so much required the largest possible production of gold as at present. Next to food and ammunition, gold is one of the most needed war essentials. In order to place the enormous amount of Government bonds required to finance our war expenditures a large credit structure will inevitably be erected on our gold reserves, and it is necessary that those reserves, which are the foundation of the structure, shall be maintained on the broadest possible basis.

The United States and its associates in the war are heavy purchasers of raw materials and other commodities for the war in many neutral countries, and our war requirements make it impossible for us to pay our bills in those neutral countries as we have been in the habit of paying them in times of peace, viz, through the shipment of manufactured goods and commodities which those countries are eager to buy from us. This means that a certain amount of debt to those countries must be paid for in credits or in gold.

This brief statement will, I hope, make clear to your constituents the great necessity that exists for the maintenance of gold production at the maximum point. The man or the community that maintains or increases its production of gold in the face of difficulties and discouragement is performing a patriotic service which deserves recognition no less than the more obvious but not less useful services that are more in the public eye.

I remain, with best wishes,
Very sincerely, yours,
W. G. MCADOO,
Secretary.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. SULZER. I will.

Mr. SMITH of Michigan. The 600,000 square miles the gentleman spoke about, which can be made available for the soldiers when they return, is it suitable for agriculture?

Mr. SULZER. Not all of it is suitable for agriculture.

Mr. SMITH of Michigan. What could the soldiers do with it?

Mr. SULZER. Two hundred and fifty thousand square miles is excellent agricultural land. This has been demonstrated by actual developments and by experiments that have been carried on by the Government showing this area to contain some of the finest agricultural land there is in the world. Equally satisfactory results are obtained in Alaska as in Norway, Sweden, Finland, or Denmark, which are largely agricultural countries.

Now, in regard to the production of gold, the Territory of Alaska up to this time has produced $300,000,000 in gold; $750,000,000 worth of products most vital and essential to the Government have been produced by Alaska since its purchase by the United States, and about $100,000,000, or nearly one-seventh of that production, was obtained during the year 1917.

The truth about the gold fields of Alaska is that thus far the miners have only been able to work the bonanza ground, the very rich ground, on account of the very high cost of operation, and that high cost is due to lack of transportation. It is impossible to get labor at a reasonable cost or get supplies in there until we have adequate transportation. The people know that it is impossible to open up the low-grade placer and the quartz gold fields in the interior of Alaska until they are provided with adequate transportation, and if they could be provided with transportation that would be all that is necessary to multiply the output. Many people feel that all this railroad will do is the opening of the Alaska coal fields, but there are other and equally important things to be accomplished by the building of this railroad. It will open the heart of the country and will permit the building of feeder railroads, wagon roads, and trails until the country is made economically accessible, and it will enable the miners to get their machinery and supplies at a reasonable cost and will greatly increase the gold supply and the supply of all the various metals so abundantly distributed throughout Alaska.

The money recommended by the Appropriations Committee for this railroad work will, we hope, be sufficient to construct the railroad from the Matanuska coal fields to tidewater and to connect the Nenana coal fields with Fairbanks, the center of the great mining district of the Tanana Valley. Thus will the Nation be enabled to obtain the benefit for its Navy of the fuel from the Matanuska fields; and the miners of the interior, who are using thousands of cords of wood annually, will be able to reduce their expenses materially by the use of coal.

But that is not all that was intended or expected of this railroad. This line of steel, it was planned, would be the means of not only supplying fuel for the Navy and for the miners but was also expected to be the means of reducing freight rates to the interior of Alaska to such an extent that it would be possible to operate thousands of acres of low-grade placer ground that are now lying idle; to develop a country which would furnish a market for the farmers who are making such wonderful strides, and to open the way to many industries that always follow railroads into pioneer countries.

At the present time the people of interior Alaska pay freight rates ranging from $90 to $150 per ton on their supplies, so that this, added to the original purchase price, makes it prohibitive to operate any but the bonanzas.

There may be some who do not know of conditions in the interior, and for their benefit I would like to consume a very short time in explaining the situation.

Fairbanks, in the Tanana Valley, was a wilderness in the spring of 1902. During that year gold was first struck on one of the creeks adjacent to what is now the town of Fairbanks. As the news of the strike spread, miners and prospectors, principally from Dawson and the upper Yukon River, stampeded to the Tanana Valley during the years 1903 and 1904, but the big inrush was at its height in 1905, I believe. As a placer camp it developed that the strike was second only to that of the great Klondike. The claims were rich, there was plenty of timber for fuel in the immediate vicinity of the mining properties, and during the years ever since 1903 the camp has been yielding its millions, which, in the aggregate reach almost the hundred million dollar mark; almost three times the amount the Government was authorized to spend in the building of this railroad.

And now, after all this gold has been extracted from the ground, according to estimates made by the United States Geological Survey, there is almost an equal amount of gold yet to be taken from that district. And that does not take into account the many promising quartz prospects, antimony, tin, tungsten, or the other rare metals.

But while there are yet millions of dollars to be extracted, the timber for fuel has been exhausted almost entirely. While the miners of some years ago could land wood on their properties for seven, eight, and nine dollars a cord, they are now compelled to pay as high as $16 per cord. Think of it! The enormous cost of operation. And in addition to that they must pay freight charges on their machinery, tools, and other supplies that are almost prohibitive.

The connecting of the coal fields of the Nenana with Fairbanks will reduce the cost of mining operations greatly, for, in all probability, coal will be delivered there per ton for about one-third what some of the miners are now paying per cord for wood. And one ton of coal will replace practically two cords of wood.

To work the mines of the interior to the maximum this railroad must be completed to land the fuel at the mines and to deliver the supplies to the people of the Tanana Valley at prices far below what is being paid now.

And that is not the only question to be considered. To develop the tonnage for the railroad which must be developed if it is to become self-sustaining, the railroad must be built over the territory, at least, which it was originally planned to cover.

NENANA-BROAD PASS.

And, Mr. Chairman, in addition to the Fairbanks district, we have that great country to the south of Nenana, which is known as the Broad Pass country. Prospectors have located in that section great areas of copper property that will be available and workable as soon as the railroad is completed, and throughout a large surrounding country there are miles of low-grade placer gold properties which are lying dormant waiting for transportation facilities.

All of these will add inestimable wealth to the Nation and will supply many of the so-called war metals which are badly needed at the present time.

I am reliably informed that there are one or two properties alone in Kantishna country, adjacent to the railroad, which alone would supply thousands of tons of rich antimony ore if it was possible to ship it to tidewater.

And over the railroad would go a heavy tonnage for points on the lower Tanana River and central Alaska Yukon River points which now goes hundreds of miles around through Canadian and northern Alaska points to reach its destination. This railroad when completed will make it possible, at the points just mentioned, for the miners and others to receive their supplies much earlier in the spring and at less cost than at the present time.

Many of you realize what beneficent effect the production from the gold fields of California had on the credit of the Nation

during and after the Civil War. The same thing will be true of Alaska during the present war. It is not only of great importance to stimulate and increase the gold supply, but it is also important to stimulate the supply of rarer metals vital to the interests of the Nation in carrying on the war, such as tungsten, tin, antimony, chrome, and other rare metals.

I have a letter from Dr. Van. H. Manning, Director of the Bureau of Mines, which shows the great urgency of increasing the production and providing transportation facilities, which I will read:

DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, June 11, 1918.

Hon. CHARLES A. SULZER,
House of Representatives, Washington, D. C.

MY DEAR MR. SULZER: As you know, there is a very grave deficiency in the supplies of various minerals, such as tungsten, chrome, manganese, antimony, quicksilver, and others that have come to be known as war minerals. The Government is making efforts to stimulate their production with the particular purpose of meeting war needs and also of developing local supplies to cover those formerly imported, but which can now no longer be had because of the shortage of shipping. From letters and documents already supplied you by this bureau and the Geological Survey, you are aware that Alaska contains very promising deposits of many of these minerals. It happens that the balance of trade is such that the shipping problem does not enter into the matter of bringing such products down from Alaska. One of the difficulties met in developing the deposits has been the lack of roads, trails, and railways; in fact, the inland transportation is one of the most serious matters to be considered in this case. I hope it may be possible for you to do something to assure improved facilities to the Alaska mines, and I can assure you that any money spent in this direction will be of real service to the country.

Trusting that you may find a way to bring this about, I am,
Very cordially, yours,

VAN. H. MANNING, *Director.*

Mr. Chairman, some months ago I received this splendid letter from the Anchorage Chamber of Commerce, which reads as follows:

ANCHORAGE, ALASKA, *December 20, 1917.*

Hon. CHARLES A. SULZER,
Delegate from Alaska, House of Representatives,
Washington, D. C.

DEAR MR. SULZER: At a recent meeting of the Chamber of Commerce of Anchorage, Alaska, it was unanimously decided that a letter should be written you and copies thereof sent to Senator PITTMAN, chairman of the Committee on Territories of the Senate, and Congressman HOUSTON, chairman of the Committee on the Territories of the House of Representatives; to Secretary Lane, and to Mr. Edes, chairman of the Alaskan Engineering Commission, urging the necessity of the completion of the construction of the Government railroad between Seward and Fairbanks.

Some time ago a statement appeared in the local papers to the effect that the Secretary of the Interior had stated before the Committee on Appropriations of the House of Representatives that the question of the advisability of completing the road, in view of the increased cost of labor and material, was under consideration.

We are now informed that a committee was appointed by the Secretary of the Interior for the purpose of reporting to him upon this matter, and that said committee urged the completion of the road at the earliest date practicable, and, as a consequence, the Secretary has asked for an appropriation of $7,500,000 for next year's work. This request was approved by the Secretary of the Treasury and, we are informed, included in the Book of Estimates for 1919.

It may be that there will be no opposition to the appropriation of the $7,500,000 for this purpose; we are satisfied that you will do all within your power to see that it is authorized by Congress, but inasmuch as we, the people of Anchorage, as well as all of the people along the line of the railroad, are most vitally interested, we beg to submit for your consideration what we consider good reasons for the continuation of the work, and we trust that you will be able to make beneficial use of it.

NUMBER OF MILES WHICH WILL BE COMPLETED WITH PRESENT APPROPRIATION.

At the present time approximately 256½ miles of rail has been laid. It is expected by next June or July connection will be made between Anchorage and Seward, thus making a completed roadbed between Seward and Talkeetna, a distance of approximately 227 miles. In addition thereto there are 38 miles of steel on the Matanuska coal branch, and by next June or July it is expected that rail will be laid from Nenana 50 miles south to the Nenana coal fields. By July or August, 1918, it is expected that with the present appropriation there will be approximately 315 miles of track laid.

It is planned to construct approximately 508 miles of railroad, being 470 miles from Seward to Fairbanks and 38 miles into the Matanuska coal fields. It will thus be seen that there will be approximately 195 miles of track to be laid after July or August, 1918. This consists of 145 miles from Talkeetna to the Nenana coal fields and 50 miles from Nenana to Fairbanks. A portion of the 195 miles has already been cleared and some of it graded and ready for steel, and it would be unfortunate, to say the least, if the grading should be left for several years without steel and without being kept in repair.

RESOURCES AFFECTED BY NOT COMPLETING THE RAILROAD.

The declared purpose of Congress in authorizing the construction of the railroad in Alaska was to aid in the development of the resources of the Territory. At present the railroad has reached the principal coal field in Alaska, and by next year shipping facilities will have been established, mines will have been opened, and coal can then be shipped; the railroad will also have reached the vicinity of some of the principal gold-mining camps in the Susitna River watershed, but the greatest benefit to the Territory will not accrue until the completion of the railroad into the interior.

Many of the gold mines in the interior, including both placer and quartz, were compelled to close during the past season because of the high cost of labor, material, and supplies. They are all awaiting the completion of the Government railroad so as to bring the interior into closer touch with the labor market of the States and enable them to secure their machinery and other material and supplies cheaper.

Many people have come into the territory; have invested their capital and made plans on the assumption that the railroad would be completed. If there should be a cessation of construction and the road left uncompleted, it would compel many of these people to abandon their plans, lose their investment, and return to the States. This would not only be detrimental to the Territory as a whole but would seriously affect any future work on the railroad and development of the resources tributary to it. To stop construction now would not only make the railroad cost a great deal more but it would result in irreparable losses to many people who have made plans as above stated. This applies as well to those who have purchased lots and made investments in the town sites laid out, developed, and offered for sale by the Government through the Alaskan Engineering Commission. At these sales the plans for the building of the railroad and the development of the country have been explained, and upon these showings there have been sold by the Government 1,892 lots in the town sites of Anchorage, Matanuska, Nenana, and Seward at sale prices aggregating over $410,000. The assessed valuation of the town of Anchorage in August, 1917, showed a total of $2,000,000. Other towns along the line of railroad will doubtless show proportionate valuations. Any stoppage or even curtailment of the work on the Government railroad as originally planned would certainly work great injustice and large monetary losses on those who have made their investments under the impression that the work would be completed, and the development of the mining and agricultural districts of the Territory would be retarded at least 5 and possibly 10 or more years.

ADDITIONAL COST OF RAILROAD IN THE EVENT OF CESSATION OF CONSTRUCTION.

To decline to furnish money for the completion of the railroad at this time would naturally result in disorganization of the Alaskan Engineering Commission; it would mean the loss of many valuable men who are now familiar with the work and who could carry it to completion in a much better and more effective manner than a new organization. Furthermore, many of these people would leave the Territory, and it would be impossible in many cases to again secure their services.

Particular attention should also be given to the fact that the Alaskan Engineering Commission now has a very large amount of material, equipment, and supplies, which necessarily would deteriorate and much of it become spoiled and worthless if construction should not proceed. The plans and preparations which the commission have made for the continuance and completion of the work would go for naught, and the money already expended therefor be practically a loss.

The work which has been accomplished by the Alaskan Engineering Commission is deserving of commendation. Unforeseen and unexpected difficulties have arisen through the greatly increased cost of labor, material, and supplies, and the difficulty and delays in securing the two latter items occasioned by the abnormal conditions now prevailing throughout the world. In spite of these conditions, before the end of the coming summer, with the present appropriation, the project will be more than three-fifths completed.

WAR MEASURE.

Another compelling and very important reason for completing the road at this time is that it will greatly aid in increasing the supply of food, minerals, and other items needed in the prosecution of the war. The completion of the road would result in additional homesteads being located and consequently larger food production; it would mean the opening of new gold and copper mines and great production in this industry, and this would be the means of encouraging capital to invest in and develop the coal deposits. All these industries are now of vital importance to the Nation and our allies.

The foregoing are some of the reasons which occur to us at this time for the necessity of the completion of the Government railroad, and we trust that there will be no hesitation on the part of Congress to grant the authority.

Yours, very truly,

ANCHORAGE CHAMBER OF COMMERCE.
By SIDNEY ANDERSON, *First Vice President.*

This letter states the case very concisely, and it does seem to me that from every standpoint of national interest every effort should be put forth to complete the Alaska Government railroad at the earliest practicable time. The present organization should by all means be kept intact, and the money asked for should be granted to insure the continuation of the work during the next fiscal year.

Another thing, Mr. Chairman, in asking this appropriation we are only asking for part of what Congress originally authorized to be made—$35,000,000 to complete the project—and it seems to me wise to give the Interior Department the amount of money that they ask for. It would have been much better and more economical if Congress had at the beginning made this entire sum available as needed and required. This would have enabled the perfecting and carrying out of plans to better advantage.

I might say, also, in this connection that this expenditure is simply in the nature of loaning this money to the people of Alaska, because the law which originally authorized the expenditure provided it should be repaid out of the receipts from the sale of the public lands of Alaska and from the royalties to be derived from those lands. That money will be returned manyfold and is being returned partially to-day and put in the Treasury.

I am not urging that consideration at this time, for I believe, with the chairman of the Appropriations Committee, that not a dollar should be expended at this time unless absolutely necessary. I am urging that the increase be made because I know that the people who have the work in hand absolutely need it in order to maintain and hold their organization together so that they will not lose their splendid force when next fall arrives, so that they can complete their work at the earliest possible time and make it of that great value that I am sure we all want to see it made. [Applause.]

Mr. MONDELL. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman, the committee considered the Alaskan Railway matter very carefully. We believed it our duty to provide every dollar that would be needed to keep the present organization together and the Alaskan Railway progressing.

There are about 2,400 men in that organization now, and at $5 a day, 300 days in the year, that would make a pay roll of three and one-half million dollars. The committee gave something over $5,000,000 for the work. We believe that is a reasonable sum, sufficient to keep the organization intact and to go on steadily and constantly with the work. We did not feel justified in granting sums that would necessitate the bringing of labor from other parts of the country into Alaska at this time. There is no thought of stopping the continuous progress of the Alaskan Railroad.

We are of the opinion that the money that we give will do approximately this. First, it will afford all of the funds asked for and that can be expended for the Seward division, extending from Seward to the Turnagain Arm. The territory between the Turnagain Arm and Anchorage will be completed with funds now available. It will provide all of the moneys necessary for general expenses on the Anchorage division, and all the moneys asked for the completion of the Anchorage division through to the Susitna River. We gave sufficient money to enable them to lay the foundations of the Susitna Bridge.

Mr. SULZER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. SULZER. I think that has been cut out. I am sure it has. I studied it very carefully, and I would say to the gentleman that that was one of the objects the commission wished to accomplish.

Mr. MONDELL. If they are not going to build the foundations of the Susitna Bridge, then they have $205,000 to the good, for that was included in our estimate of what was needed.

Mr. SULZER. But they want to build them, but that is in one of the items stricken out by the committee.

Mr. MONDELL. No; it is not. I am telling the gentleman what we had in mind as necessary, and one of the things was the foundations of the Susitna Bridge, and the $205,000 was specifically included in the sums we estimated.

Mr. SULZER. Oh, I beg the gentleman's pardon. He is undoubtedly correct. I thought the item allowed by the committee was for the purchase of rails that had been contracted for.

Mr. MONDELL. It is a lump sum. The Alaska Commission may use it as they see fit; but I am giving the gentleman the benefit of the thought of the committee in fixing what we believed to be a liberal amount, and we included in that the $205,000 needed for the foundations of the Susitna Bridge.

Mr. SULZER. Will the gentleman yield there?

Mr. MONDELL. Yes.

Mr. SULZER. The gentleman knows that in a country like that and in work of this kind it is almost impossible to confine oneself absolutely to estimates made the year before.

Mr. MONDELL. I understand, and the whole matter is a lump-sum item; but we had an opinion as to what ought to be done and what could be left undone, and I am endeavoring to give the House the benefit, if it be a benefit, of that opinion. In addition to that, we granted the sums believed to be necessary for the improvement of the harbor at Anchorage. We granted a sum sufficient to provide for the hospitals and other incidental miscellaneous expenditures in connection with the project generally. We granted a sum sufficient to complete the coal spur from the present line to the lignite coal fields. We granted sufficient to complete the line from the Tanana to the lignite coal fields. We granted a sum which we believe will be sufficient to build the line from the Tanana to Fairbanks. We granted a sum which will be sufficient to rehabilitate the Fairbanks narrow-gauge line. The only sums that we had in mind that might be properly eliminated, and which constituted approximately the amount by which we reduced the estimate, was the sum asked or suggested for the construction of 22 miles from the Susitna River north to Hurricane Gulch and the estimate for work between Riley and Lignite Creeks. Those two items, eliminating $205,000 for the foundations of the Susitna Bridge, amount to a little less than $2,000,000.

The sums we granted are, with funds now on hand, sufficient to complete the railroad and put it in good condition, including the harbor at Anchorage, from Seward clear through to the Susitna River; enough to complete the railroad from the lignite coal fields through to Fairbanks, and to put into good condition the narrow-gauge road in the vicinity of Fairbanks.

The only items we thought were of doubtful propriety at this time were the items from the Susitna River to Hurricane Gulch and from Reilly Creek to Lignite Creek. As to those items, the chairman of the commission said he had some doubt whether or not he could secure the labor for the construction of those two sections of the road. He did say that as to the Reilly-Lignite Creek section, he did desire to maintain some station men, keep them at work in the canyon in order to have that work sufficiently along so that it would not retard the progress when they began on those sections with the full force. While the sum by which we have reduced the estimate approximates the sum estimated for these interior sections, the least needed, the most difficult to construct at this time, we believe that the estimates for the other work are sufficiently liberal, that from them sufficient sums can be saved and utilized to keep a certain reasonable force, at work on certain sections as may be deemed advisable between Lignite Creek and the Susitna River. We believe it would be wise to do that, and we believe there are abundant funds with which that can be done. In other words, we have given enough for the entire program, except the interior section, with regard to which the commission itself was somewhat doubtful as to the advisability of pressing at this time. We have granted a sum sufficient to keep every man now in Alaska and in the organization busy for the next year.

Mr. SULZER. If I thought that was the case, I would not ask for this amendment.

Mr. MONDELL. I assure the gentleman, from the best of my knowledge and belief, that it is, and I have some information in regard to this general situation other than I received at this hearing, and I have some practical knowledge of railway construction work in that sort of a region. My belief is that we have granted a sufficient amount of money with that now on hand to keep every man that is there at work steadily, to keep this work going without a let up from now to the close of the year for which the appropriations are made. If we have not, Congress will be in session again in December and another bill will pass by March 1.

Mr. MILLER of Washington. Mr. Chairman, I want to ask the gentleman how the items allowed by the committee which he spoke about a moment ago compare with the estimates submitted?

Mr. MONDELL. Does the gentleman understand that it is a lump sum?

Mr. MILLER of Washington. Yes.

Mr. MONDELL. Therefore we did not allot by items, but we allowed the full estimated sum of those items that I have mentioned. The reduction is approximately, not exactly, but approximately, the amount estimated for the work in the interior.

Mr. SULZER. Will the gentleman yield further?

Mr. MONDELL. But we did not assume that work is to be entirely suspended in the interior, because we believed these other estimates are full enough to give considerable leeway to keep these small parties—these station parties—at work in the interior.

Mr. SULZER. If the commission can not use this money there will be no harm done in appropriating it.

Mr. MONDELL. Oh, whenever the Congress gets to appropriating the public money on the theory that if it is not needed it will not be used, then we may just as well dispense with committees. Why spend time examining a thing like this and then guess at it on the basis that if they do not need it it will not be used? The fact is that from certain very reasonable viewpoints it might be urged with force and logic that the committee had recommended two much for this work under present conditions. It might well be urged that it is not wise or advisable to spend over a million dollars on the Seward division. Personally, I believe that expenditure should be made, but good arguments may be made against spending that much the coming fiscal year. Then, there is the line from the Tanana to Fairbanks. There is an enormous estimated expenditure to furnish 56 miles of railway right alongside a navigable river now being used. It may well be urged that expenditures of that sort at this time are of exceedingly doubtful propriety, and yet we have granted funds enough to do these pieces of work or to get them well toward completion, and use considerable sums in the central section between the Susitna and Lignite Creek.

The CHAIRMAN. The question is on the amendment offered by the Delegate from Alaska.

The question was taken, and the Chair announced the noes appeared to have it.

Mr. SULZER. Division, Mr. Chairman.

The committee again divided.

Mr. SULZER. Mr. Chairman, I withdraw the request for a division.

The CHAIRMAN. The withdrawal comes too late. The committee has divided.

The question was taken; and there were—ayes 2, noes 18.

So the amendment was rejected.

The Clerk read as follows:

Yellowstone National Park, Wyo. For administration, protection, maintenance, and improvement, including not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the east boundary, not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the south boundary, not to exceed $7,600 for the purchase, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and including feed for buffalo and other animals and salaries of buffalo keepers, $244,520, to be expended by and under the direction of the Secretary of the Interior: *Provided*, That not exceeding $2,000 may be expended for the removal of snow from any of the roads for the purpose of opening them in advance of the tourist season.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, the committee has modified the plan for the management and improvement of Yellowstone National Park so radically that I think the item should not be passed without some reference being made to it. Heretofore the Department of the Interior has had charge of the management of the park with a small appropriation. The building of roads in the park has been under the control and supervision of the Chief of Engineers, and the park has been patrolled by the Army, generally a company or two companies of Cavalry. For some years the Secretary of War has desired to withdraw troops from the park; in fact, they were withdrawn something over a year ago for a short time and then returned. At one time and another the Chief of Engineers has suggested that they would be just as happy if they were not in charge of the park road construction. The matter of placing the park completely under the control of one Government agency has been under consideration for a number of years, particularly since the establishment of the National Park Service, and in making up the appropriation bill this year the committee thought the time had arrived for making the change that has been proposed and suggested at various times for years past. The park now goes under the complete control and jurisdiction of the National Park Service. They will manage and control the park and build the roads, and they will also patrol it. The Cavalry will be removed, and civilian rangers will take their places. The Army has done a splendid work in the Yellowstone National Park, and under peace conditions it might have been well to have continued the plan under which we have been operating in years past. Taking everything into consideration—the need of troops elsewhere, the need by the Chief of Engineers of all of his engineers on war service—the committee believed that it was wise to transfer the park entirely to civilian control, and that has been done.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

Yosemite National Park, Cal.: For protection and improvement, construction and repair of bridges, fences, and trails, and improvement of roads other than toll roads; including, not exceeding $1,000 for purchase, maintenance, operation, and repair of two motorcycles, not exceeding $800 for maintenance, operation, and repair of horse-drawn and motor-driven passenger-carrying vehicles for use of the superintendent and employees in connection with general park work, not exceeding $15,000 for a bridge at the old Sentinel Bridge site, and not exceeding $75,000 for grading in width not exceeding 20 feet El Portal-Yosemite Road, $255,000.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and ask permission that the following telegram, which has to do with an item in this bill which was acted on last Wednesday, shall be read in my time. The telegram is from Samuel Gompers, president of the American Federation of Labor, who is now attending the convention of that organization in St. Paul, Minn.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the telegram indicated be read in his time. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

ST. PAUL, MINN., *June 12, 1918.*

Hon. EDWARD KEATING,
House Office Building, Washington, D. C.:

Am informed by wire that estimates for increased pay for women employees of the Bureau of Engraving and Printing have been cut. In justice to the women employed in this branch of Government service, the original estimates should be enacted into law. The minimum wage in this department, as well as in every other department, should constitute a living wage. May I ask your cooperation and assistance in an effort to secure adoption by House of original estimates?

SAMUEL GOMPERS.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting a brief statement prepared by the representative of the Federal Employees' Organization with reference to the estimates referred to by Mr. Gompers.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection? [After a pause.] The Chair hears none. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. KEATING. The following very convincing plea for better wages for the women in the Bureau of Engraving and Printing was prepared by a member of the employees' organization: One thousand three hundred and fifty-three printers' assistants now receiving $1.92 per day have been promoted from $1.75 a day within the last month. These printers' assistants are skilled, and a month's training is required before they are regularly placed on duty. They stand all day by the hand presses handing the paper to the plate printers. They must draw this paper in the morning, count it, and be responsible for each sheet of it, turning it in at night either as printed or unprinted sheets. The work is constant, dirty, and very trying. It requires these women to remain upon their feet for 8 hours at least in each day. They are provided with no seats except on the power presses, as the District law requires for women employed in shops.

The increase allowed by the Appropriations Committee is not sufficient to grant these 1,353 printers' assistants an increase to $2.24 per day. They now receive $1.92. The difference between $1.92 and $2.24 is 32 cents; 1,353 multiplied by 32 and by 312, the number of working days in a year, amounts to $135,083.52.

There are 200 operatives at $1.92, 307 at $2, 1,341 at $2.24, and 240 at $2.31 or more up to $2.69.

These operatives are employed in the numbering, trimming, surface, examining, wetting, stamp perforating and gumming divisions, and stamp-book room. The duties of these operatives consist in counting, checking, handling, gumming, perforating, and examining the paper on which is printed the money, liberty bonds, and stamps, and also wetting this paper, feeding it into the presses and gumming the stamps after it is printed. They are on 8-hour shifts, and the duty is constant throughout the day.

Every sheet of paper must be carefully watched, counted, and checked each time it is handled. Any loss is charged against the employee responsible, and they are held absolutely responsible for this valuable paper.

Most of these divisions work day and night shifts of 8 hours each, some of them three shifts of 8 hours. The women are required to start work at 8 o'clock in the morning, 4 o'clock in the afternoon, and at midnight. They are constantly watched and checked to prevent any possible dishonesty. This work and responsibility is hardly comparable to that of any other work under the Government except the money counters in the Treasury, whose minimum is now $840, and after a short period of service they are advanced to $900.

The girls in the bureau first presented their claim for increased pay to the director several months ago. He then, acting under a misunderstanding, stated that there was no authority for him to increase wages, but on a reference by him of the matter to the Comptroller of the Treasury, he was advised that the Secretary of the Treasury had authority under the law to fix these wages. The director in his hearing before the Appropriations Committee on March 26, 1918, stated the foregoing facts and that a substantial increase should be granted. He found, though, that he did not have sufficient money to make an increase for the great number of employees concerned.

A few days ago at a hearing before the Appropriations Committee, Mr. SHERLEY, the chairman, stated as follows:

Manifestly the administrative officer of a concern like this is the man who ought to know who is entitled to compensation, and what compensation, and if he is fit for his job he ought to be in a position to make the recommendation and to make the payments to the people according to the value of their services. Then the Congress would appropriate, as it always has appropriated, the money with which to properly run the various establishments. I think you ought to know exactly where the responsibility rests. The Secretary of the Treasury has the power under the law to fix your compensation, and he ought to fix it.

The director and the Secretary of the Treasury have now estimated for an amount sufficient to materially increase the pay of these employees. The estimate is published as House Document No. 1148, and I have here a letter signed by the Secretary of the Treasury approving this estimate. The matter is thus placed before Congress with favorable recommendations from the director of the bureau and the Secretary of the Treasury, whom the chairman of the committee says have the responsibility, and should determine the rate of pay. Congress must now say whether they will furnish the money to carry out the recommendation of these administrative officers. The Appropriations Committee has refused to do so and we are now appealing to the whole House.

The amount allowed by the Appropriations Committee of $100,000 will provide increases only for 1,353 of the 4,000 women employed in the bureau, leaving nothing at all for the others. The chairman stated on the floor of the House that if anyone

could mathematically show that the $100,000 was not sufficient to bring the minimum pay up to $2.24 a day he would accept an amendment to increase the amount sufficient to make the minimum $2.24 a day. As stated above, it will require $135,083.52 to increase the 1,353 printers' assistants from $1.92 to $2.24 a day.

There are 307 operatives at $2 a day, and it will require $22,978.16 to increase them to $2.24 per day. There are 300 operatives at $1.92 a day, and it will require $29,952 to bring them up to a minimum of $2.24 a day.

This would make the total necessary to bring the minimum up to $2.24 a day $188,013.68, or nearly $200,000.

The director and the Secretary of the Treasury have recommended that $2.56 a day be made the minimum, and that other employees working alongside the operatives and printers' assistants, none of whom receive more than $2.82 a day, be given small promotions in order to preserve the present ratio. The amount necessary to increase the 1,353 printers' assistants from $1.92 to $2.56 is $270,600. The amount necessary to increase the operatives to a minimum of $2.56 and not more than $2.88 is $329,198. This amounts to a total of $599,798, or nearly $600,000 recommended by the director of the bureau and the Secretary of the Treasury. The Appropriations Committee allows only $100,000.

This provides absolutely no increase for those who are now receiving $2.24 a day, of which there are 1,581 between $2.24 and $2.69.

The chairman of the Appropriations Committee stated at the hearing:

> The question of pay is a question of administration, and the administrative officer should know what ought to be paid. It does not follow that $1.75 a day would be a right figure this year and a right one next year, or that it would have been a right one the year before, because wages ought to be adjusted both up and down in accordance with the conditions that surround the people in the way of living and all other factors.

The chairman advised the committee from the bureau to secure a supplemental estimate from the director and Secretary of the Treasury after he had made the foregoing statements.

This committee immediately went to the director, who readily agreed to prepare and submit the supplemental estimate. This estimate was first called to the attention of the director on the afternoon of June 3, and on June 5 the Treasury Department, through Acting Secretary Moyle, and with the approval of Secretary McAdoo, placed before the Appropriations Committee the desired supplemental estimate. After stating at the hearing that the matter was one of administration and that it was the duty of the administrative officers to assume responsibility for the rates of wages paid, the chairman stated that he was "impressed with the fact that even assuming that they—the plate printers—needed it—an increase in pay—apparently they did not need it as much as some of these other groups," and "if Mr. Wilmeth feels that there should be an increase in the pay of these women employees, and if he was unable to make that increase under the estimates that have been submitted, and do the work for which these estimates were submitted, he and the Secretary of the Treasury should take the responsibility of submitting additional estimates for this purpose." Notwithstanding these statements, the Appropriations Committee, upon receipt of the desired supplemental estimate, allowed only one-sixth of the amount estimated for.

What we are now asking is merely that the money estimated for by the administrative officers, with the written approval of Secretary McAdoo, be granted so that the wages of these women will in no case be less than $2.56 a day, with the maximum of $2.88. Adding to these rates of pay the total minimum amount received by these employees, including the $120 bonus, will be $2.94 a day, and the maximum $3.26. The $120 bonus amounts to only 38 cents a day, instead of 45 cents a day as was previously stated on the floor of the House.

Further, it has been stated that all these employees are allowed 30 days' annual leave and Saturday afternoon holidays. Due to the enormous pressure of work it has been very difficult during the last two years for the girls to secure the leave to which they are entitled. The Saturday afternoon holidays have also been abolished during the rush periods.

The plate printers' assistants are less skilled than the operatives and it requires less training to perform their duties. Many of the operatives have been in the bureau for a number of years and are highly skilled in the technical performance of their work. The amount allowed by the Appropriations Committee will give absolutely no increase to the latter employees.

The Clerk read as follows:

> Hot Springs Reservation, Ark.: For labor, material, supervision, clearing site, and all other necessary expenses incident to the construction of a new administration and Government free bathhouse building, to cost not to exceed $150,000, there is appropriated $100,000, and in addition thereto $50,000 is authorized to be expended therefor from the revenues received from the said reservation.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to return to line 5, page 116, for the purpose of offering an amendment to correct a typographical mistake; that is, to strike out the words "of the direction" in line 5.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to line 5, page 116, for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

> Page 116, line 5, strike out the words "of the direction."

The amendment was agreed to.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to return to line 13 for the purpose of offering an amendment to correct a typographical mistake.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BYRNES of South Carolina. Mr. Chairman, I offer an amendment to strike out the word "drawn" and insert the word "driven," so it will read "motor driven" instead of "motor drawn."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Page 116, line 13, strike out the word "drawn" and insert the word "driven."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

> Suits to set aside conveyances of allotted lands for removal of restrictions, allotted lands, Five Civilized Tribes: For necessary expenses incident to any suits brought at the request of the Secretary of the Interior in the eastern judicial district of Oklahoma, to be expended under the direction of the Attorney General, $23,000.

Mr. HASTINGS. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

> Mr. HASTINGS offers the following amendment: At the end of line 21, page 123, strike out the period and insert a colon, and add:
> "*Provided*, That the Department of Justice is directed to expedite the final determination of all of said suits."

Mr. HASTINGS. Mr. Chairman, I have submitted this amendment to the chairman of the committee, and he states he has no objection to it, and I do not care to further discuss the matter.

Mr. SHERLEY. Mr. Chairman, my understanding is that the purpose of the proviso offered by the gentleman is simply to call attention to the fact that these suits have been pending for a considerable time.

Mr. HASTINGS. For 10 years.

Mr. SHERLEY. And to ask that matters be expedited.

Mr. HASTINGS. That is all.

Mr. SHERLEY. I see no reason why we should not expedite these or any other suits, if we properly can.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARRETT of Tennessee. Mr. Chairman, I move to strike out the last word. Will the gentleman from Kentucky permit me to ask him a question about a paragraph that has been passed?

Mr. SHERLEY. I will.

Mr. GARRETT of Tennessee. On page 121, beginning on line 11, it reads:

> Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; the investigation of the official acts, records, and accounts of marshals, attorneys, clerks, referees—

And so forth.

There, in line 14, it says "accounts of marshals, attorneys," and so forth. Does that refer to the attorneys of the Government or does it refer to attorneys generally as officers of the court under the law? Is there anything new about that?

Mr. SHERLEY. It is not new. These are attorneys of the courts, the prosecuting attorneys and other officers of the Government, and not merely attorneys generally who are officers of the court in a technical sense but not in any direct sense.

Mr. GARRETT of Tennessee. It does not refer to that?

Mr. SHERLEY. No. It is the usual language under which they investigate the conduct of the courts and the accounts of the prosecuting attorneys and their assistants, the marshals and clerks, and so forth.

Mr. GARRETT of Tennessee. I withdraw the pro forma amendment, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sand Island Light Station, Ala.: For improvements, $37,000.

Mr. ESCH. Mr. Chairman, I offer an amendment, making the amount $45,000 instead of $37,000. This item is contained in the lighthouse bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ESCH: Page 136, line 9, strike out "$37,000" and insert in lieu thereof "$45,000."

Mr. ESCH. Mr. Chairman, the amount, $45,000, is contained in the lighthouse bill which passed the House about 10 days ago. The matter was considered by the Committee on Interstate and Foreign Commerce, and detailed estimates were given us as to the item.

Mr. SHERLEY. If the gentleman will permit, that was deliberate and intentional. We gave them money for the light and cut out the dwelling. We did not think it a good time to build houses for keepers, when it costs 40 to 50 per cent more than in normal times. I hope the gentleman will not insist on his amendment.

Mr. ESCH. The testimony as presented to our committee, as I understood it, was to the effect that there is no lighthouse keeper's dwelling at the light. It was washed away in a storm some years ago. The lighthouse keepers are occupying the tower and a small wooden structure built against the tower, and they are occupying those quarters for the summer months. The balance of the time the family live ashore. The $8,000 for the lighthouse keeper's dwelling is not very much in excess of what we have been allowing heretofore.

Mr. SHERLEY. No; but it would cost about two-thirds more now than the $8,000 would later on.

Mr. ESCH. How much later on?

Mr. SHERLEY. I hope in the course of another year or so. But there was not any special urgency about this. These keepers have been living there and doing pretty well. We thought by giving this additional money for the light, which was an important emergency matter, we could postpone the keeper's dwelling. And that was what actuated the committee.

Mr. ESCH. I did not know whether you eliminated the $8,000 for the light or for the lighthouse keeper's dwelling. Either one must have been omitted.

Mr. SHERLEY. The dwelling was what we had in mind. The statement was made by Mr. Putnam that the keepers had been living in the lighthouse. Their families can not be there now. They have a shack back of the lighthouse where they live in the summer months. Incidentally I might say in passing that we found no place was quite satisfactory to the service. The places that have served people for several years past suddenly became unsuitable.

Mr. ESCH. I know; but the gentleman has not found a case just like this, because the dwelling has been washed away and the keepers have been occupying the tower and this temporary structure.

Mr. SHERLEY. They have been living in the lighthouse. A lighthouse is not the worst place in the world to live in. If the Committee of the Whole wants to vote $8,000 for this purpose we do not care; but we do try to keep up the Lighthouse Service in the belief that their extravagance of language is not always going to be met by extravagance of appropriations.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. ESCH].

The question was taken, and the Chairman announced that the noes have it.

Mr. ESCH. I shall ask for a division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 3, noes 10.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tupelo (Miss.) Station: Superintendent, $1,500; fish-culturist, $900; 3 apprentice fish-culturists, at $600 each; in all, $4,200.

Mr. CANDLER of Mississippi. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Mississippi offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CANDLER of Mississippi: Page 153, line 4, strike out the words "Tupelo (Miss.) Station" and insert in lieu thereof the following: "Private John Allen Station, Tupelo, Miss."

Mr. CANDLER of Mississippi. Mr. Chairman, Private John M. Allen was my immediate predecessor in Congress. He represented the first congressional district of Mississippi for 16 years and voluntarily retired. Just before his retirement from Congress, on February 20, 1901, he offered, by unanimous consent, on the floor of the House the following amendment:

Insert, page 45, at the end of line 20:

"For the establishment of a fish hatchery and fish-cultural station at the town of Tupelo, State of Mississippi, $20,000."

He then asked unanimous consent to address the House for 20 minutes in support of his amendment, a request which the House cheerfully granted, because he was always heard with delight. He then delivered his famous "Tupelo fish-hatchery" speech in advocacy of that amendment, which secured its adoption and the establishment of the fish hatchery at Tupelo, Miss., which was his home town, much beloved by him, and by him made famous. This remarkable speech appears on pages 2702 and 2703 of the CONGRESSIONAL RECORD, Fifty-sixth Congress, second session, of date October 20, 1901.

That speech is most entertaining reading even yet. Read it and you will enjoy it. On October 30, 1917, at 6 o'clock a. m., his great soul took its flight to the "great beyond." The people of the whole State of Mississippi were in sadness when reading the announcement of his death in the Commercial Appeal of Wednesday morning, October 31, 1917, which, in a dispatch printed in that paper, is as follows:

PRIVATE JOHN ALLEN ENDS LIFE'S JOURNEY—BELOVED MISSISSIPPIAN DIES WITH SMILE ON HIS FACE—READY WIT WON HIM FAME—SPEECHES DELIVERED IN CONGRESS REGARDED AS CLASSICS—FOUGHT BRAVELY IN SIXTIES—LAST YEARS AS CONFEDERATE SOLDIER WERE SPENT AS SCOUT UNDER GEN. FORREST—RETIRED TO PRIVATE LIFE AFTER DEFEAT FOR UNITED STATES SENATE—FUNERAL AT TUPELO TO-DAY.

TUPELO, MISS., *October 30.*

Another of Mississippi's great men passed quietly to the great beyond when Private John Mills Allen died at his home here this morning at 6 o'clock

The end was peaceful and upon his face was a smile of relief. His death was so quiet that no one knew at what minute it happened.

Last night he sat up until about 11 o'clock talking and chatting with his friends and loved ones. He seemed to feel that the end was near, requesting his son-in-law, S. J. High, not to go to Jackson, as he had planned, saying that he felt that the time of his departure was near.

Private Allen awoke at 5 o'clock this morning and arose to read the paper, but in a few minutes went back to bed, apparently going to the sleep from which he never awoke. The State and the town that he so greatly loved are to-day sad. Everyone feels the loss of this great friend. Many and beautiful flowers and messages of condolence are arriving continuously, attesting the great esteem in which he was held.

Just one year ago he suffered first from the illness which finally claimed him after making a grand and gallant fight. He was a man who loved life and the things that life stands for. He had never gone to bed during the past year because of his illness, although he was advised by his physicians to do so. He loved to drive over his farm and meet with his friends down town, keeping in touch with every interest that meant the betterment of Tupelo and this section.

SPOKE LAST FOR LIBERTY LOAN.

His last public appearance was at the liberty loan rally on the 24th, when he took great interest in the talks that were being made.

John Mills Allen was born in Tishomingo County, Miss., July 8, 1846. The great controversies between Webster and Hayne and Calhoun had aroused the public mind, Texas had been annexed, and Gen. Scott was progressing in his triumphal march upon Mexico City. His father was an old-line Whig and an enthusiast in politics, and this son attended the political meetings with him. At the outbreak of the Civil War his father, true to his Whig policies, remained with the Union, but within five months after the war broke out five of his sons had enlisted in the Confederate Army. John was the youngest, being about 14 years of age. However, he left his home and went off to the Army of Northern Virginia to join his brothers.

He remained with this army until Beauregard assembled around Corinth, Miss., and then Mr. Allen joined forces in his native State. This was in the spring of 1862. For several months he was enlisted in the secret service of Gen. Beauregard.

IN MANY BATTLES.

He participated in a number of battles, including Shiloh, Second Manassas, Antietam, and Franklin, and escaped without injury until the last year of the war, when he was wounded in the leg. One brother was killed, one lost a leg, and two were seriously wounded.

It was during one of his campaigns that he was given the title of "Private John Allen," by which title he will always be remembered. It was in his race against Gen. Tucker. During one of their debates the general told of his hardships while in service for his Southland; how often he had laid awake at night in his tent, planning the battles for to-morrow, while outside the wind blew, the rain and sleet fell, and it was bitter cold.

In his rejoinder Mr. Allen stated that what the general had said was true, but that while he was lying awake under nice warm blankets planning the battles he was standing on the outside barefooted and with few clothes on in the cold, rain, and sleet guarding the general while he slept. He requested all the generals, colonels, and officers to cast their ballots for Gen. Tucker, but that as for him the ballots of the privates would satisfy him.

It was while in Congress that he came so much before the eyes of the Nation by his ever-ready wit and humor and his power in debates. He never spoke to empty benches, and the "applause and laughter" was not written on the record as a matter of form, but because of genuineness. There were few that cared to meet him in debate, and the speeches he delivered in Congress are among the few that will live forever and will be long read and enjoyed.

But it was not because he was so witty, nor because his genial good humor made of every acquaintance a friend, but more than all it was because there was in his composition a substratum of common sense, a strain of wholesome philosophy and honest motive, that gave his words and acts and advice a force that made them effective and of permanent value.

FOUGHT EXTRAVAGANCE.

Among some of his famous speeches are the "Fish hatchery at Tupelo," his protest against extravagance in congressional funerals, his criticism and ridicule of Perry Belmont's Consular and Diplomatic appropriation bill, his debate with S. S. Cox on the proposition to increase the pay of the letter carriers, his tariff speeches on both the Mills and McKinley tariff bills, review of the Chilean War, and his several contributions to the silver debates.

His first debate in Congress was on the Tombigbee River, and it was only by his quick wit that he was allowed to deliver it. It seems that in the haste to bring up the rivers and harbors bill, and in the hurry to get through with it, the chairman overlooked the request of Mr. Allen that he be allowed to speak. And it was closed before he could get the attention of the House. It was requested that he be allowed to speak anyway, but there was some objection; however, Mr. Allen brought the House down and won their consent when he said in his most pathetic tone, "Well, I would at least like to have permission to print some remarks in the RECORD and insert 'laughter and applause' at appropriate places."

During the last years of his service in Congress he made the race for the Senate against McLaurin, but was defeated, and retired to private life.

He was appointed one of the commissioners of the St. Louis World's Fair by President McKinley in 1903. He was a man who loved his country, his State, and his community. He has made the name of "Tupelo" famous all over the United States.

In the same issue of the Commercial-Appeal appeared this editorial, a deserving tribute from that great paper:

PRIVATE JOHN.

A beautiful, white, mellow light has burned into the socket and is no more.

The fine, genial, world-loving, man-loving, Lord-loving soul has winged away.

John Allen is dead.

Death had no terrors for John Allen.

Death was to him no more than a gate which he saw in the distance, through which he knew he would soon pass and beyond which he felt there would be other pleasant scenes.

John Allen early in life hoped not too much of men. He saw their weaknesses and their frailties.

He saw that most of them were grown-up children. He saw that some of their bounding ambitions were childish and that some things which they regarded as of profound importance were but as a fleeting shadow.

He loved men for the goodness that was in them; he loved life for the sweetness that it held; and he loved humanity because he saw that it was struggling toward happier conditions and better things.

John Allen was no cynic.

From his quiver he occasionally threw a sarcastic arrow, but its point was not tinged with bitterness.

He went up and down the world scattering hope and good cheer and optimism.

He was famous the country over.

Those who did not know him well measured him merely a humorist, but John Allen had in him rugged strength and seriousness of purpose.

He was a wise man.

In his wisdom he saw many undertakings doomed to failure.

He saw many things end in disappointment.

These things did not surprise him, and when things did not turn out as he wished he did not permit himself to be cast down. He did not retire to a wailing wall and rail against the world for its folly or rail at mankind because of their selfishness and ingratitude.

Mr. Allen had a successful career in Congress.

His fame chiefly rests upon certain stories, but as a Congressman he did substantial work.

He accomplished results in the old days of party bitterness and sectional hatred which others more serious and sometimes fanatical could not accomplish.

He was a soldier in the Confederate Army, but he spoke no harsh word of the foe.

As a Congressman he did not retort in kind when some mad man waved the bloody shirt.

In the great contest between Patterson and Carmack in Congress it was John Allen's speech that won Carmack the disputed seat.

Before the speech there was little hope for Carmack. When the speech was ended there was a vote and Carmack won.

John Allen was a good lawyer.

Many years ago he did some legal work for this paper and in consultation and court he manifested a high order of legal ability.

And thus the procession of passing Confederate soldiers increases.

One who was a mere boy in the struggle is now gathered to his fathers.

Peace to his ashes. May the Lord rest his genial soul.

I now read to you the resolutions of the bar of Tupelo, published in the Tupelo Journal November 30, 1917—a splendid expression by his brethren of the bar with whom he was so long and intimately associated:

LOCAL BAR EULOGIZES MR. ALLEN.

On Saturday morning of the first week of court the court resolved itself into a committee to consider the resolutions which had been prepared by a committee of the bar touching on the life and character of the late lamented John M. Allen, who for more than 40 years had been an honored member of the bar.

Judge Clayton called Col. W. L. Clayton to the chair, and with deep feeling the colonel paid a high tribute to his departed friend, whom he had known and admired since the early days of the county. He classed Mr. Allen as one of the leading lawyers of the country and said that in all phases of his practice and intercourse with his brethren of the bar he was the soul of honor and an adversary who never struck below the belt.

The committee offered the following resolutions, which were unanimously adopted by a rising vote:

"*Resolved by the bar of Tupelo*, That it is with great pleasure we can testify as follows with reference to the life and character of the late Hon. John M. Allen, who was for over 40 years a member of this bar:

"Mr. Allen was one of the ablest trial lawyers of the State at any period of its history; he was not a great student of books, but he had a genius for the law; almost at a glance of the mind he could see the right and reason out what the law ought to be. He had a most logical mind in dealing with both the law and the facts of a case and a very comprehensive view of the questions involved; in addition to this, he had a wide knowledge of human nature. He was absolutely honorable and upright in all his dealings; he had a keen sense to detect fraud and dishonesty; he abominated a liar; he had decision of character and persistent determination when he thought he was right. He always dealt fairly and frankly with courts and juries. All these qualities combined to make him a great lawyer. It was generally conceded that he was one of the ablest district attorneys the State ever had.

"We feel that his ability and services to this State and Nation as a statesman are so well known that no word of commendation from the members of this bar is called for. Besides his service to the State as district attorney, for many years he was a Member of Congress; there he made a nation-wide reputation, not alone because he was the greatest wit and humorist in the country, which was readily conceded by everyone, but for the further reason of his great ability, his uprightness of character, his integrity of mind, his knowledge of the needs of the country, and his dominating power and influence over his fellow Members of Congress. He hated a demagogue with an intense hatred. He was as honest in politics as he was in his private dealings. There was not an office great enough to tempt him to deceive the people in order to attain it. While in Congress, among the Members of both the House and the Senate, as well as of the public generally in Washington, he was one of the most popular and influential Members of the House. Both the great and the humble recognized his abilities and paid him homage. He was on intimate social terms with many of the greatest men of the Nation, who sought his companionship for the benefit of his wit and humor and his wisdom. He had friendly and close social intercourse with every President of the United States for the last 25 years. One of the members of this committee met Mr. Roosevelt in the White House while he was President, and on being informed that his home was in Tupelo, the President at once said:

"'Yes; John Allen's town. He has made Tupelo famous all over the country. When you see him again, give him my regards and tell him to come to see me. He is great!'

"Mr. Allen was intensely and unselfishly patriotic; no man loved his country and its institutions more than he. He was a soldier of the Confederacy when a mere boy of 15, and rendered distinguished service.

"As a citizen, a neighbor, and friend he was unexcelled. He was public spirited and enterprising, taking a leading part in every scheme to build up his town and county in a material, moral, and educational way. He was faithful and true to his friends; he helped many who needed help; his charities were many and varied. But it was as a son, husband, father, and friend that Mr. Allen's virtues shone brightest. At a crucial period when he should have been in the campaign during his race for the United States Senate he spent weeks at the bedside of his sick mother during her last illness.

"W. D. ANDERSON, *Chairman*.
"W. A. BLAIR.
"C. P. LONG."

On motion, the above resolution was ordered spread on the minutes of the circuit court and given to the press.

This beautiful and touching eulogy was written by Judge James H. Neville, Mr. Allen's long-time and true friend, and one of Mississippi's noblest sons:

HON. JOHN M. ALLEN.

When information was conveyed to me that Hon. John M. Allen had departed this life I was overwhelmed with gloom and sorrow, and I can not realize even now that I will never again see his bright and cheerful face nor listen to his words of wisdom and cheer; but I take some comfort and solace in the thought that he is far better off and that I was blessed for a long number of years with his intimate friendship and close association, a pleasure and a joy which I can never forget as long as life lasts. Mr. Allen was indeed a remarkable character. He was a great man, great in every phase of life which he touched. My acquaintance with him began in 1874 while he was district attorney in one of the northern districts of the State, and I was impressed with the fact that he was a great lawyer, and his career as a lawyer demonstrated that my judgment of him was correct. He was a great lawyer. He was a great trial lawyer, and before he left the bar and entered the arena of politics no man in north or northeast Mississippi could stand before him successfully in any cause into which he threw his great ability and his soul. I have oftentimes thought that, while he achieved great fame as a statesman, it would have been far better for him and far better for his career if he had remained at the bar actively. He was engaged in some of the most important cases, criminal and civil, that were ever tried in north Mississippi, and his success in the criminal law was as great after he left the district attorney's office as it was while he was representing the State. He was a great counsellor; his judgment of the law was accurate, and his magnificent common sense always led him to the right conclusion as to the course to be pursued in all matters; he was the confidential advisor of great business interests when he entered Congress and was enjoying rewards for his practice which no man in the State at that time approached; but he concluded that he could serve his people better in the Halls of Congress, and for years represented the first congressional district of Mississippi in that great body, the House of Representatives of the United States.

I have heard some of the greatest men in the United States, and I say, with all sincerity that, in my opinion, on the hustings he was the greatest debater that Mississippi ever saw. I have seen him on many occasions wrest victory from defeat, and have seen him sweep audiences off their feet when all kinds of appeals by others had failed.

He rendered extraordinary service to Mississippi during the period of reconstruction, but in my judgment the greatest service he ever rendered the State and the Democratic Party was in the fight waged by him against what was known as the "Subtreasury" idea, which some of the Democrats in Mississippi undertook to fasten upon the party in Mississippi. Senators George and Walthall were before the people for reelection, and just as surely as I now write, John M. Allen saved the State of Mississippi to Democracy and secured the reelection of those two Senators. His voice was heard all over the State, his magnificent reasoning, his great information, and his splendid humor brought the people back to their senses. He was the leader in that contest; he dominated the State convention at Jackson and had a platform adopted by the party denouncing the Subtreasury, and on that he went to the people and secured one of the greatest victories, in my judgment, that has ever been won in the State of Mississippi. His career in Congress was brilliant. He was barely in Congress before he became a prominent figure, and was listened to as no man before him had ever been listened to from the South, unless perhaps it was Mr. Lamar. I have often thought that to Mr. Lamar and John M. Allen was due more than any two men from the South the reconciliation

between the two sections of this great country. Mr. Allen's humor, always carrying with it good feeling and disclosing some strong point which he could have never made otherwise, was pleasing and never objectionable to anyone.

He was never offensive, always considerate, but at the same time ever strong in maintaining what he thought was the rightfulness of proposition which he undertook to discuss. I have at times been in the gallery of the House of Representatives and have seen him defeat most iniquitous legislation by some characteristic speech in which an anecdote well told by him illustrated the point and showed the utter fallacy and folly of the legislation. I know that in my time there never lived a man in Mississippi that was as widely and favorably known throughout the country as John M. Allen. "Private John," as he was affectionately called, was known from one end of the country to the other, and the affectionate regard in which he was held by his associates in Congress, Republicans and Democrats alike, was truly wonderful. He was always welcome in all the departments in Washington. I have gone with him to visit the President and Cabinet officers, and at the mere announcement that he was present and desired an audience the door was opened at once and he was always admitted, and his visits seemed to be most pleasant to those in authority. Even after he had left Congress for years and held no public position, John Allen could go to the President's office or to any of the departments in Washington and obtain an audience. All, from the President down, seemed to have absolute confidence in him, trusted him fully, and generally followed his advice and suggestions. So great was the confidence of the public men in Washington in him that he rarely if ever failed to accomplish the thing he advocated or desired.

In the private walks of life to be permitted to know him as I knew him was, indeed, a blessed benediction. He was the sweetest man in his disposition I ever knew. I do not remember to have ever heard him say a harsh word about anyone, however unjust others may have been to him. He was just and gentle in his dealings and speech at all times. While he was gentle and sweet in disposition, yet he was one of the most courageous men I ever knew. I do not believe that anything had any terror for John M. Allen. I have often said of him that I did not believe that he knew what fear was, for he never stopped to count the consequences; if he thought he was right he pursued his course without hesitancy and without faltering. He was true in his friendship; nothing could ever shake him except the most convincing evidence that a man who once enjoyed his friendship was unworthy of it afterwards. He was faithful to every trust reposed in him, and in the private affairs of life he was the safest counselor in whom I ever confided. I never followed his advice that I made a mistake and never departed from it that I did not find that I had committed an error. He loved his friends and was willing to die for them if it were necessary. Mississippi was his idol, and it and around it clustered all his aspirations and ambitions. He trusted her people and believed in them, and he was ready at all times to make any sacrifice for the glory and honor of his native State. He was devoted to his family and their comfort and their happiness was his greatest consideration.

A great man and an eminent son of Mississippi has fallen, but his life and his example will live long after we of this day have been forgotten, and his career will inspire many, many young men to deeds of honor or to lives of usefulness. He lived and accomplished a great purpose in life. Let us whom he has left behind cherish his memory and emulate his virtues and rejoice in the fact that we shall meet again.

JAS. H. NEVILLE.

This is an obituary written by Rev. Luther R. Burress, now of Jonesboro, Ark., formerly of Mississippi, one of the most lovable and devoted Christian men and preachers I ever knew. He is a Baptist preacher and for many years was my beloved pastor. It appeared in the Commercial Appeal, Sunday, December 23, 1917.

"PRIVATE" JOHN M. ALLEN.

"Rejoicing that Nature made one such man,
We're hoping she'll duplicate when she can."

Having known "Private" John from his early youth, I desire to add a word to his memory. We were schoolmates in the Asbury School, 2 miles north of Carolville, the home of the Allen family. This country village was succeeded by the splendid town of Baldwyn, Miss., where "John" entered public life as an attorney. He was noted for his genial, friendly, witty turn of mind from boyhood.

Early in 1861 a military company was formed in Baldwyn called the Jake Thompson Guards. Hon. W. H. H. Tison was made captain and R. H. Allen a lieutenant, a brother of John. Dee Allen, another brother, enlisted in this company and was the first of the company to fall in battle. He fell in the forefront on the field of Williamsburg, Va.

The company was ordered soon after organization to Virginia and was regimented with the Nineteenth Mississippi Regiment of Infantry, Col. C. H. Mott, commander. John was too young to enlist, but visited the company and was the guest and enjoyed the friendship of the regiment.

He remained with us through several battles. After the Battle of Antietam Creek he returned to Mississippi and enlisted with Capt. J. B. Gambrell, who had been commissioned by President Davis as commander of a special scouting company. In this company John enjoyed the confidence of his captain, the friendship of his comrades, and by his peculiar witticisms kept monotony and lonesomeness from the camps.

He was once wounded, and after the war, when jeered because of defeat, replied, "Well, I killed as many of you as you did of me."

As a lawyer he soon won renown. He was elected district attorney. In this office he exhibited ability for promotion, to which his fellow citizens quickly responded by electing him to Congress. In this office he was retained for 16 years. This was the meed bestowed to his ability and friendliness by his fellow citizens.

He combined the logic of wit and argument in Congress and on the stump. Those who were his foes in the field became his friends in the forum. By his wit he converted the "bloody shirt" into a garment of peace. He laughed animosity out of the old-time haters of the South.

It was my pleasure to visit him in his home in Tupelo, the town made famous by his speech, a few weeks before his death. I found him weak in body but clear in mind, cheerful and as humorous as ever. "Funshine" had not given way to gloom. Mrs. Allen, to add to the brightness of the morning, had renewed the vase with beautiful flowers. John's admiration for flowers and his love for the hand that placed them were in evidence as by look and word he expressed appreciation. He told to me a story "invented" by his friend Turner Clark. This friend was a Confederate soldier and was placed as guard over a wagon load of loose powder. His orders from Gen. Stephen D. Lee were emphatic to keep the powder at any risk. While guarding the powder a thoughtless soldier passing threw a lighted cigarette on the powder, which at once ignited. Quicker than thought Turner jumped into the wagon and declares that 2 or 3 bushels of the powder burnt up before he could stomp out the fire. By this Private John showed the absurdity of Germany whipping the world.

In this visit we reviewed the past, calling to memory many friends of bygone days, a few remaining with friendship for all, then turning our attention to the future, mindful that only a few more days would be allotted to us, the question arose, "What is your hope?"

He testified that through the gospel of our Lord and Savior Jesus Christ he had hope of a "home over there," where all is well.

In this hope I bade good-by to schoolmate, comrade, Congressman, and friend. This thought is the possession of the soul, and may it live forever.

"It is not sad to turn the face toward home,
Even though it shows the journey nearly done."

L. R. BURRESS.

JONESBORO, ARK.

Mr. Chairman. I consider it a great honor as well as privilege to make these beautiful testimonials on the life and character of my distinguished predecessor matter of record and preserve them in permanent and lasting form in the proceedings of this, the House of Representatives, in which Mr. Allen served so long with such conspicuous ability. He served with great credit and honor not only to the first congressional district of Mississippi but to the whole State at large, and I might say not only with credit and honor to his State but with credit and honor to the United States of America.

Coming to Congress without previous experience in legislative bodies, he at once attracted attention, and from the time of his entrance into this body as a Member of it his reputation continued to grow, until throughout this great country, from one end of it to the other, the name of "Private" John Allen became almost a household word.

He enjoyed the confidence and esteem of every Member on the floor of this House with whom he served, on both sides of the center aisle, Democrats and Republicans. I had suggested to some of the membership who served with him that I intended to offer this amendment at this point, among the number ex-Speaker JOSEPH G. CANNON, and he told me that he heartily favored the amendment and that if present at the time he would be glad to submit some remarks. I also spoke to our distinguished Speaker, the Hon. CHAMP CLARK, who served with him, and he said it was a very deserving and proper thing to do, and he would be glad himself to say something if he should be on the floor of the House at the time.

It is so late this afternoon, however, I regret that neither of these distinguished gentlemen are in the Chamber just at the present. If they were, I know they would join with me in the advocacy of this amendment which is intended to do honor to Mr. Allen. Mr. Allen was my friend from my boyhood days to the time of his death, and I shall ever cherish his memory. I attended his funeral and burial with sad heart in his beloved town of Tupelo and many there were present from all over Mississippi and other States to do him honor and evidence their affection and admiration for him. Telegrams of sympathy and beautiful floral offerings came from devoted friends and loving relatives and genial associates from all over the Southland and from distant points in the United States. Tupelo was in mourning, and her citizenship were present and all solemnly and sadly gathered around his last resting place, and with tears in many eyes, and all with sad hearts, saw him laid to rest in a grave covered with beautiful flowers, and then turned away realizing as they returned to their homes that a great man was gone, their neighbor, citizen, and friend was no more in life, but peacefully asleep in death to await the final great day when all who love God and trust His Son, our Savior, shall be gathered to the home eternal in the beautiful city above.

Mr. Chairman, I hope my amendment to strike out the words "Tupelo (Miss.) Station" and insert in lieu thereof "Private John Allen Station, Tupelo, Miss.," will be unanimously adopted. If it is adopted it will forever hereafter honor my distinguished predecessor by naming the fish hatchery "The John Allen Station," and preserve also the name of his beautiful little city, Tupelo," which he so much loved and did so much for, because the amendment reads "Private John Allen Station, Tupelo, Miss."

The amendment was unanimously adopted.

Mr. MONDELL. Mr. Chairman, I served in the House for many years with John Allen, one of the kindliest souls that ever lived, a man of sound judgment, coupled with an exceedingly keen sense of kindly humor. I remember very well indeed his Tupelo speech, in which he referred in stirring words to the millions of unborn fish sighing for the opportunity to be hatched in the fish hatchery he desired to have established. It was in its way as interesting an appeal as I have ever heard in this House. It was characteristic of the man, and its reception and the adoption of the amendment providing for an appropriation evidenced the high regard the Members of the House had

for him. We regret exceedingly to hear of the passing of this kindly soul, this good citizen, this sterling character. I hope the amendment just offered to honor him as has been suggested will be adopted.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Mississippi [Mr. CANDLER].

The amendment was agreed to.

On motion of Mr. SHERLEY, the committee rose; and Mr. GARNER having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil appropriation bill (H. R. 12441) and had come to no resolution thereon.

DISPENSING WITH UNANIMOUS-CONSENT DAY ON MONDAY.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent that unanimous-consent day on Monday be dispensed with.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that unanimous-consent day on Monday be dispensed with. Is there objection?

Mr. GILLETT. Mr. Speaker, I recognize the importance of hastening the completion of this bill, and so I will not object; but I simply wish to suggest that I think the Unanimous-Consent Calendar ought to have an opportunity to be cleared before there is any adjournment or recess of the House. So I hope as soon as these appropriation bills are out of the way a day may be given to it.

Mr. SHERLEY. I think it is possible that there may be a day between the completion of the sundry civil appropriation bill and the taking up of the fortification bill; or if not, then immediately following the fortification bill. The gentleman appreciates that so near the end of the fiscal year it is important that these appropriation bills go through.

Mr. GILLETT. I do not object to the request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CONFERENCE REPORT ON NAVAL APPROPRIATION BILL.

Mr. PADGETT submitted the conference report and statement of the House conferees on the bill H. R. 10854 for printing under the rule.

Mr. Speaker, I give notice that I shall ask recognition to call up this conference report immediately following the conclusion of the sundry civil appropriation bill.

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SIMS submitted the following conference report and statement of the House conferees for printing under the rule:

CONFERENCE REPORT (NO. 648).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House insert the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second subdivision (4) of section 22 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, relating to the definition of the term 'parent,' is hereby amended to read as follows:

"'(4) The term "parent" includes a father, mother, grandfather, grandmother, father through adoption, mother through adoption, stepfather, and stepmother, either of the person in the service or of the spouse.'

"SEC. 2. That four new sections are hereby added to article 1 of said act, to be known as sections 27, 28, 29, and 30, respectively, and to read as follows:

"'SEC. 27. That whoever shall obtain or receive any money, check, allotment, family allowance, compensation, or insurance under articles 2, 3, or 4 of this act, without being entitled thereto, with intent to defraud the United States or any person in the military or naval forces of the United States, shall be punished by a fine of not more than $2,000, or by imprisonment for not more than one year, or both.

"'SEC. 28. That the allotments and family allowances, compensation, and insurance payable under articles 2, 3, and 4, respectively, shall not be assignable; shall not be subject to the claims of creditors of any person to whom an award is made under articles 2, 3, or 4; and shall be exempt from all taxation: *Provided*, That such allotments and family allowances, compensation, and insurance shall be subject to any claims which the United States may have, under articles 2, 3, and 4, against the person on whose account the allotments and family allowances, compensation, or insurance is payable.

"'SEC. 29. That the discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien, conscientious objector, or a deserter, or as guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct shall terminate any insurance granted on the life of such person under the provisions of article 4, and shall bar all rights to any compensation under article 3 or any insurance under article 4.

"'SEC. 30. That this act may be cited as the war-risk insurance act.'

"SEC. 3. That section 200 of said act is hereby amended to read as follows:

"'SEC. 200. That the provisions of this article shall apply to all enlisted men in the military or naval forces of the United States, except the Philippine Scouts, the insular force of the Navy, and the Samoan native guard and band of the Navy.'

"SEC. 4. That the second and third paragraphs of section 201 of said act are hereby amended to read as follows:

"'The monthly compulsory allotment shall be $15. For a wife living separate and apart from her husband under court order or written agreement, or for a former wife divorced, the monthly compulsory allotment shall not exceed the amount specified in the court order, decree, or written agreement to be paid to her, and for an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree.

"'If there is a compulsory allotment for a wife or child, then a former wife divorced who has not remarried and to whom alimony has been decreed, shall not be entitled to a compulsory allotment, but shall be entitled to a family allowance as hereinafter provided.'

"SEC. 5. That section 203 of said act is hereby amended to read as follows:

"'SEC. 203. That in case one-half of an enlisted man's monthly pay is not allotted, regulations to be made by the Secretary of War and the Secretary of the Navy, respectively, may require, under circumstances and conditions as may be prescribed in such regulations, that any proportion of such one-half pay as is not allotted shall be deposited to his credit, to be held during such period of his service as may be prescribed. Such deposit shall bear interest at the same rate as United States bonds bear for the same period, and, when payable, shall be paid principal and interest to the enlisted man, if living, otherwise to any beneficiary or beneficiaries he may have designated, or if there be no such beneficiary, then to the person or persons who, under the laws of the State of his residence, would be entitled to his personal property in case of intestacy.'

"SEC. 6. That the third and fourth paragraphs of section 204 of said act are hereby amended to read as follows:

"'Class A. In the case of a man to his wife (including a former wife divorced) and to his child or children—

"'(a) If there is a wife but no child, $15;

"'(b) If there is a wife and one child, $25;

"'(c) If there is a wife and two children, $32.50, with $5 per month additional for each additional child;

"'(d) If there is no wife, but one child, $5;

"'(e) If there is no wife, but two children, $12.50;

"'(f) If there is no wife, but three children, $20;

"'(g) If there is no wife, but four children, $30, with $5 per month additional for each additional child;

"'(h) If there is a former wife divorced who has not remarried and to whom alimony has been decreed, $15.

"'Class B. In the case of a man or woman to a grandchild, a parent, brother, or sister—

"'(a) If there is one parent, $10;

"'(b) If there are two parents, $20;

"'(c) If there is a grandchild, brother, sister, or additional parent, $5 for each.

"'In the case of a woman, the family allowances for a husband and children shall be in the same amounts, respectively, as are payable, in the case of a man, to a wife and children, provided she makes a voluntary allotment of $15 as a basis therefor, and provided, further, that dependency exists as required in section 206.'

"SEC. 7. That section 206 of said act is hereby amended to read as follows:

"'SEC. 206. That family allowances to members of class B shall be paid only if and while the members are dependent in whole or in part on the enlisted man, and then only if and while

the enlisted man make a monthly allotment of his pay for such members in the following amounts:

"'(a) If an enlisted man is not making a compulsory allotment for class A the allotment for class B required as a condition to the family allowance shall be $15;

"'(b) If an enlisted man is making a compulsory allotment for class A the additional allotment for class B required as a condition to the family allowance shall be $5, or if a woman is making an allotment of $15 for a dependent husband or child the additional allotment for the other members of class B required as a condition to the family allowance shall be $5.'

"SEC. 8. That section 210 of said of said act is hereby amended to read as follows:

"'SEC. 210. That upon receipt of any application for family allowance, the commissioner shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. Whenever the commissioner shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. The amount of each monthly allotment and allowance shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 9. That sections 4, 6, 7, and 8 of this act shall take effect on the 1st day of July, 1918.

"SEC. 10. That section 300 of said act is hereby amended to read as follows:

"'SEC. 300. That for death or disability resulting from personal injury suffered or disease contracted in the line of duty, by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own wilful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided further*, That this section, as amended, shall be deemed to become effective as of October 6, 1917.'

"SEC. 11. That section 301 of said act is hereby amended to read as follows:

"'SEC. 301. That if death results from injury—

"'If the deceased leaves a widow or child, or if he leaves a mother or father either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"'(a) If there is a widow but no child, $25;

"'(b) If there is a widow and one child, $35;

"'(c) If there is a widow and two children, $42.50, with $5 for each additional child up to two;

"'(d) If there is no widow, but one child, $20;

"'(e) If there is no widow, but two children, $30;

"'(f) If there is no widow, but three children, $40, with $5 for each additional child up to two;

"'(g) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if the dependent mother is in receipt of compensation under the provisions of this article for the death of her husband. Such compensation shall be payable whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"'If the death occurs before discharge or resignation from service, the United States shall pay for burial expenses and the return of the body to his home a sum not to exceed $100, as may be fixed by regulations.

"'The payment of compensation to a widow shall continue until her death or remarriage.

"'The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be incapable, because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

"'Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"'As between the widow and the children not in her custody, and as between children, the amount of the compensation shall be apportioned as may be prescribed by regulation.

"'The term "widow" as used in this section shall not include one who shall have married the deceased later than 10 years after the time of injury, and shall include a widower, whenever his condition is such that, if the deceased person were living, he would have been dependent upon her for support.'

"SEC. 12. That subdivision (1) of section 302 of said act is hereby amended to read as follows:

"'(1) If and while the disability is total, the monthly compensation shall be the following amounts:

"'(a) If the disabled person has neither wife nor child living, $30;

"'(b) If he has a wife but no child living, $45;

"'(c) If he has a wife and one child living, $55;

"'(d) If he has a wife and two children living, $65;

"'(e) If he has a wife and three or more children living, $75;

"'(f) If he has no wife but one child living, $40, with $10 for each additional child up to two;

"'(g) If he has a mother or father, either or both dependent on him for support then in addition to the above amounts, $10 for each;

"'(h) If he is totally disabled and in addition so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $20 per month, as the director may deem reasonable: *Provided, however*, That for the loss of both feet or both hands or both eyes, or for becoming totally blind or becoming helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States, the rate of compensation shall be $100 per month: *Provided further*, That where the rate of compensation is $100 per month, no allowance shall be made for a nurse or attendant.'

"SEC. 13. That subdivision (4) of section 302 of said act is hereby amended to read as follows:

"'(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 14. That two new subdivisions are hereby added to section 302 of said act, to be known as subdivisions (5) and (6), respectively, and to read as follows:

"'(5) Where the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation shall be apportioned as may be prescribed by regulations.

"'(6) The term "wife" as used in this section shall include "husband" if the husband is dependent upon the wife for support.'

"SEC. 15. That where section 301 of said act is amended by striking out the provisions that a mother is entitled to compensation only when she is widowed and substitute provisions are included to the effect that compensation is payable to a dependent mother or dependent father, such substitute provisions shall be deemed to be in effect as of October 6, 1917.

"SEC. 16. That section 311 of said act is hereby repealed.

"SEC. 17. That section 312 of said act is hereby amended to read as follows:

"'SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"'Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.'

"SEC. 18. That section 313 of said act is hereby amended to read as follows:

"'SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the

said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a resonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"'If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other persons, such money or other property so recovered shall be credited upon any compensation payable, or which may become payable, to such beneficiary, or conditional beneficiary by the United States on account of the same injury or death.

"'(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person, other than the United States or the enemy, to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"'(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent, true discount, compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"'A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"'Nothing in this section shall be construed to impose any administrative duties upon the War or Navy Departments.'

"SEC. 19. That section 401 of said act is hereby amended to read as follows:

"'SEC. 401. That such insurance must be applied for within 120 days after the enlistment or after entrance into or employment in the active service and before discharge or resignation, except that those persons who are in the active war service at the time of the publication of the terms and conditions of such contract of insurance may apply at any time within 120 days thereafter and while in such service. Any person in the active service on or after the 6th day of April, 1917, who, while in such service and before the expiration of 120 days from and after such publication, becomes or has become totally and permanently disabled, or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance, payable to such person during his life in monthly installments of $25 each. If he shall die either before he shall have received any of such monthly installments or before he shall have received 240 of such monthly installments, then $25 per month shall be paid to his widow from the time of his death and during her widowhood, or if there is no widow surviving him, then to his child or children, or if there is no child surviving him, then to his mother, or if there is no mother surviving him, then to his father, if and while they survive him: *Provided, however*, That not more than 240 of such monthly installments, including those received by such person during his total and permanent disability, shall be so paid. The amount of the monthly installments shall be apportioned between children as may be provided by regulations.'

"SEC. 20. That section 19 of this act amending section 401 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, shall be deemed to be in effect as of October 6, 1917: *Provided*, That nothing herein shall be construed to interfere with the payment of monthly installments, authorized to be made under the provisions of said section 401 as originally enacted, for the months up to and including June, 1918: *Provided further*, That all awards of automatic insurance under the provisions of said section 401 as originally enacted shall be revised as of the 1st day of July, 1918, in accordance with the provisions of said section 401 as amended by section 19 of this act.

"SEC. 21. That section 402 of said act is hereby amended to read as follows:

"'SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. If no such person survive the insured, then there shall be paid to the estate of the insured an amount equal to the reserve value, if any, of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and 3½ per cent interest in full of all obligations under the contract of insurance.'"

And the House agree to the same.

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

HOKE SMITH,
J. F. NUGENT,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The Senate concurs in amendment to section 1 by accepting the House provision as to paragraph 4 of section 22 with the amendment striking out the following words: "For the purpose of articles 2 and 4 only, the term 'parent' shall include also a person who has stood in loco parentis to the enlisted person for a period of not less than five years preceding October 6, 1917, or the person's enlistment or entrance into or employment in active service in the military or naval forces."

The Senate concurs in section 2, which adds four new sections to the bill, which are sections 27, 28, 29, and 30.

The Senate concurs in section 3 of the act amending section 200 with an amendment striking out the words, "This section shall be deemed to be in effect as of October 6, 1917."

The Senate concurs in section 6 of the act amending section 204 with the following amendments:

Adding to class A, in the case of a man, the following: "to his wife (including a former wife divorced) and to his child or children."

(These words restore the language of the original act, but were stricken out in the bill as it passed the House.)

Adding to class B, in case of a man or woman, the words, "to a grandchild, a parent, brother, or sister."

(This restores the language of the original act, but the words were stricken out of the act as it passed the House.)

The Senate concurs in section 10, amending section 300 of said act with an amendment inserting the words "in line of duty" and the words "active service" in said section, which restores the language in the original act. And the Senate further concurs in the proviso of the House, which was as follows: "*Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service; *Provided*, That this section as amended shall be deemed to become effective as of October 6, 1917."

The Senate concurs in section 11 amending section 301 of said act, which amendment of the House to the original act strikes out the word "widowed" wherever it occurs before the word "mother," and also adds the father to those who may receive compensation under this section; and the House receded from its amendment, striking out the words, "but no compensation shall be possible if a dependency arises more than five years after the death of the person."

The Senate concurs in section 12, amending section 302 of said act, with the following amendments:

Inserting after the word "bedridden," the words "from causes occurring in the line of duty in the service of the United States."

Striking out the word "amount" where it occurs in paragraph (b) and inserting in lieu thereof the word "rate."

The Senate concurs in amendment in section 13, amending subdivision 4 of section 302 of said act with an amendment inserting the word "family" before the word "conditions," so that it will read: "(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month."

The Senate concurs in section 14, which adds two new subdivisions to section 302 of said act, and concurs therein.

The Senate concurs in section 15, with an amendment striking out that part of section 14 which makes it retroactive as to section 302 of said act.

The Senate concurs in section 16, which repeals section 311 of said act.

The Senate recedes from its disagreement to section 17 and concurs in the following amendment, which occurs in the Senate bill, making section 312 read as follows:

"SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled, 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916."

The Senate concurs in section 18, which amends section 313 of said act with an amendment, making section 313 read as follows:

"SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable or which may become payable to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"(3) The bureau shall make all necessary regulations for carrying out the purpose of this section. For the purposes of computation only under this section, the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"Nothing in this section to be construed to impose any administrative duties upon the War or Navy Departments."

The Senate recedes from its disagreement to section 19, which amends section 401 of said act.

The Senate recedes from its disagreement to section 20, and concurs with the House.

The Senate recedes from its amendment to section 21, which amends section 402 of said act.

Respectfully submitted.

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4557. An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.) the House adjourned until Monday, June 17, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Acting Secretary of the Treasury, transmitting an estimate for an increase in appropriation for certain quarantine stations (H. Doc. No. 1171); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOOD: A bill (H. R. 12477) to create a United States war-salvage commission, to define its powers and duties, and for other purposes; to the Committee on Appropriations.

By Mr. BARNHART (by request): A bill (H. R. 12478) increasing the pay of printers, pressmen, and bookbinders employed in the Government Printing Office, and for other purposes; to the Committee on Printing.

By Mr. RANDALL: Resolution (H. Res. 395) requesting information from the United States Food Administration of the food materials used in manufacturing alcohol for certain purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK of Missouri: A bill (H. R. 12479) to pay the amount of the judgment in the case of the United States against Charles A. Bigelow et al.; to the Committee on Claims.

By Mr. DILL: A bill (H. R. 12480) granting a pension to Henry Ellis; to the Committee on Invalid Pensions.

By Mr. DONOVAN: A bill (H. R. 12481) granting a pension to Henry A. McGuire; to the Committee on Pensions.

By Mr. FAIRFIELD: A bill (H. R. 12482) granting a pension to Walter W. Brunn; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12483) granting a pension to John R. Hold; to the Committee on Invalid Pensions.

By Mr. HADLEY: A bill (H. R. 12484) granting a pension to Peter Beebe; to the Committee on Pensions.

By Mr. HOLLINGSWORTH: A bill (H. R. 12485) granting a pension to Nancy Lingo; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12486) granting an increase of pension to Upton Sutherland; to the Committee on Invalid Pensions.

By Mr. KEY of Ohio: A bill (H. R. 12487) for the relief of Harter H. Haldeman; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 12488) granting a pension to Margaret Yohe; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petitions of sundry citizens of Middletown, Mo., and of the Palo Alto Meeting of the Society of Friends, urging the passage of war-time prohibition legislation. Also, resolution of the executive committee of the Colored Voters Republican Council of the State of New York, urging the passage of the antilynching law; to the Committee on the Judiciary.

Also (by request), letter of Juan de la Cruz, Zamboanga, P. I., presenting the Filipino message to the Americans on the first anniversary of America's entrance into the war; to the Committee on Military Affairs.

Also (by request), resolution of the Municipal Council of Toledo, Province of Cebu, P. I., concerning the death of Hon. W. A. Jones; to the Committee on Insular Affairs.

By Mr. HAYDEN: Petition of E. H. McPherson, secretary Oatman Bureau of Mines, and 51 other citizens of Oatman, Ariz., asking that the provisions of the war-revenue act which provide for an advance on July 1, 1918, of one-half cent per pound on the reading section of periodicals and for zone rates on the advertising pages carried as second-class mail matter be repealed; to the Committee on Ways and Means.

By Mr. RAKER: Letter from the Humboldt Chamber of Commerce, Eureka, Cal., indorsing House bill 9053; to the Committee on Military Affairs.

Also, petition of Mr. Bush, of Napa, Cal., protesting against the zone system; to the Committee on Ways and Means.

By Mr. ROWLAND: Resolution adopted at a public meeting of citizens of Port Allegany, Pa., for an amendment to the Federal Constitution in regard to polygamy; to the Committee on the Judiciary.

By Mr. SIMS: Petition of sundry citizens of Big Sandy, Tenn., favoring war prohibition; to the Committee on the Judiciary.

By Mr. VARE: Petitions of the Grocers' and Importers' Exchange of Philadelphia and of the Lumbermen's Exchange of Philadelphia, asking for the development of inland waterways along the Atlantic seaboard for protection of coastwise shipping from U-boat attack; to the Committee on Rivers and Harbors.

SENATE.

MONDAY, *June 17, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for the rest, recreation, and worship of the holy Sabbath Day. We trust that we have come out of the day to the beginning of a new week with our hearts and minds refreshed, with vigor of life, and with a higher determination and deeper conviction of the truth that Thou hast revealed to us. Keep us pure this week. May our minds be fixed upon things above. May our hearts glow with love for Thee. May our lives express in deepest consecration our sense of gratitude for all Thy goodness to us. Forgive our sins and lead us in the paths of righteousness. For Thy name's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, June 14, 1918, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

PETITIONS AND MEMORIALS.

Mr. CALDER. I submit a petition from the Woman's Suffrage Party of New York State, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, and ask that it be incorporated in the RECORD without reading.

Mr. SMOOT. I will ask the Senator to observe the rule that has been adopted within the last few days with reference to petitions, and that it be referred without going into the RECORD.

Mr. CALDER. If that is the rule I will comply with it.

Mr. SMOOT. That has been the case, I will say to the Senator, the last week.

Mr. CALDER. Very well.

The VICE PRESIDENT. The petition goes to the Committee on Printing.

Mr. WARREN presented resolutions adopted by sundry citizens of the State of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. ASHURST presented a petition of the Business Women's Association, of Tucson, Ariz., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented telegrams in the nature of petitions from sundry citizens of the State of Massachusetts, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. PHELAN presented a petition of the Board of Directors of the Chamber of Commerce of San Jose, Cal., praying for a centralized Federal authority to determine and administer the highway policy of the Nation, which was referred to the Committee on Agriculture and Forestry.

Mr. SUTHERLAND presented a petition of the Woman's Home Missionary Society, of Wheeling, W. Va., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. JOHNSON of South Dakota (for Mr. WALSH), from the Committee on Pensions, to which were referred the following bills, reported them each with amendments and submitted reports thereon:

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors (Rept. No. 508); and

H. R. 12229. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war (Rept. No. 509).

Mr. SMITH of Arizona, from the Committee on Printing, to which was referred the bill (S. 4673) to increase the compensation of pressmen in the Government Printing Office, reported it with amendments and submitted a report (No. 510) thereon.

CONSTRUCTION OF CONCRETE SHIPS (S. DOC. NO. 239).

Mr. SMITH of Arizona. From the Committee on Printing I report a resolution providing for the printing of an article relating to the construction of concrete ships. It will cost about

877 and will be a very valuable document. I ask for the present consideration of the resolution.

The resolution (S. Res. 263) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the pamphlets submitted by the Senator from North Dakota [Mr. MCCUMBER] on June 7, 1918, including Senate Document No. 222, Sixty-fifth Congress, and letters from Benjamin A. Howes and Roy H. Robinson to the chairman of the Committee on Commerce, relating to the construction of concrete ships, be printed as a Senate document.

DAUGHTERS OF THE AMERICAN REVOLUTION (S. DOC. 241).

Mr. SMITH of Arizona, from the Committee on Printing, reported the following resolution (S. Res. 264), which was considered by unanimous consent and agreed to.

Resolved, That the report of the National Society of the Daughters of the American Revolution for the year ended October 11, 1917, transmitted to Congress by the Secretary of the Smithsonian Institution, pursuant to law, be printed as a Senate document, with illustrations.

JUDICIAL DISTRICTS IN TENNESSEE.

Mr. SHIELDS. From the Committee on the Judiciary I report back favorably, without amendment, the bill (S. 4631) to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended, and I ask unanimous consent for its present consideration.

Mr. SMOOT. Mr. President, I should like to have the bill read.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended, be, and it is, amended so as to read as follows:

"SEC. 107. The State of Tennessee is divided into three districts, to be known as the eastern, middle, and western districts of Tennessee. The eastern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Bledsoe, Bradley, Hamilton, James, McMinn, Meigs, Polk, Rhea and Sequatchie, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Anderson, Blount, Campbell, Claiborne, Grainger, Jefferson, Knox, Loudon, Monroe, Morgan, Roane, Sevier, Scott, and Union, which shall constitute the northern division of said district; also the territory embraced on the date last mentioned in the counties of Carter, Cocke, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington, which shall constitute the northeastern division of said district. Terms of the district court for the southern division of said district shall be held at Chattanooga on the fourth Monday in April and the second Monday in November; for the northern division at Knoxville on the fourth Monday in May and the first Monday in December; and for the northeastern division at Greeneville on the first Monday in March and the third Monday in September. The middle district shall include the territory embraced on the 1st day of July, 1910, in the counties of Bedford, Cannon, Cheatham, Davidson, Dickson, Giles, Hickman, Humphreys, Houston, Lawrence, Lewis, Marshall, Maury, Montgomery, Robertson, Rutherford, Stewart, Sumner, Trousdale, Wayne, Williamson, and Wilson, which shall constitute the Nashville division of said district; also the territory embraced on the date last mentioned in the counties of Franklin, Warren, Grundy, Marion, Coffee, Moore, and Lincoln, which shall constitute the Winchester division of said district; also the territory embraced on the date last mentioned in the counties of Clay, Cumberland, Dekalb, Fentress, Jackson, Macon, Overton, Pickett, Putnam, Smith, Van Buren, and White, which shall constitute the northeastern division of said district. Terms of the district court for the Nashville division of said district shall be held at Nashville on the second Monday in March and the fourth Monday in September; for the Winchester division, at Winchester, on the first Monday in April and the third Monday in November; and for the northeastern division at Cookeville on the third Monday in April and the first Monday in November: *Provided*, That suitable accommodations for holding the courts at Winchester and Cookeville shall be provided by the local authorities without expense to the United States. The western district shall include the territory embraced on the 1st day of July, 1910, in the counties of Dyer, Fayette, Haywood, Lauderdale, Shelby, and Tipton, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Caroll, Chester, Crockett, Decatur, Gibson, Hardeman, Hardin, Henderson, Henry, Lake, McNairy, Madison, Obion, Perry, and Weakley, including the waters of the Tennessee River to law-water mark on the eastern shore thereof wherever such river forms the boundary line between the western and middle districts of Tennessee, from the north line of the State of Alabama, north to the point in Henry County, Tenn., where the south boundary line of the State of Kentucky strikes the east bank of the river which shall constitute the eastern division of said district. Terms of the district court for the western division of said district shall be held at Memphis on the fourth Mondays in May and November; and for the eastern division at Jackson on the fourth Mondays in April and October. The clerk of the court for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the western district shall appoint a deputy who shall reside at Jackson. The marshal for the eastern district shall appoint a deputy who shall reside at Chattanooga. The clerk of the court for the eastern district shall maintain an office in charge of himself or a deputy at Knoxville, at Chattanooga, and at Greeneville, which shall be kept open at all times for the transaction of the business of the court.

Mr. SMOOT. Mr. President——

Mr. SHIELDS. I will give an explanation of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. SHIELDS. Mr. President, I desire to state that the only amendment proposed by the bill to the existing statute is the provision that the court be held at Winchester for certain counties therein named in the middle division. The amendment contains an express provision that all additional expense shall be borne by the State authorities.

The change proposed by the bill is for the convenience of the citizens of six counties, I believe, all adjacent to the town of Winchester. It is really for the benefit of the Government, as the witnesses will then not have to travel so far. At present they go to Nashville, some hundred miles distant, while under this proposed amendment the court will be held at Winchester, and witnesses will have a very short distance to travel.

Mr. SMOOT. Then I understand there are three judicial districts now in Tennessee?

Mr. SHIELDS. Yes.

Mr. SMOOT. And this will not increase the number of districts?

Mr. SHIELDS. It will not increase the number of districts.

Mr. SMOOT. And it will not require an additional judge?

Mr. SHIELDS. It will not. It only provides that the present judge shall hold court in another place in the middle district, and without any increased expense whatever to the United States.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NONCOMBATANT OFFICERS.

Mr. NELSON. I desire to call the attention of the Senate to the fact that on the 18th of April the Senate passed a resolution directing the Secretary of War to furnish to the Senate as soon as practicable a list of the men to whom commissions in the Army have been issued, and who are not now and who have not heretofore been placed in command or had charge of any troops in the service of the United States, either here or abroad, indicating the branch of the service in which such men have been commissioned.

Two months have elapsed to-day since this resolution was passed by the Senate, and yet there has been no response. Mr. President, I ask for the adoption of the following resolution to the end that some response may be received.

The resolution (S. Res. 265) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of War be, and he hereby is, directed to furnish to the Senate at the earliest possible day the information called for in Senate resolution 220, agreed to on April 18, 1918, and transmitted to him on the following day, and which resolution is in the following words:

Resolved, That the Secretary of War be, and he hereby is, directed to furnish to the Senate as soon as practicable a list of the men to whom commissions in the Army have been issued, and who are not now and who have not heretofore been placed in command or had charge of any troops in the service of the United States, either here or abroad, indicating the branch of the service in which such men have been commissioned.

CALLING OF THE ROLL.

The VICE PRESIDENT. The morning business is closed.

Mr. ASHURST rose.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McCumber	Shields
Bankhead	Guion	McLean	Smith, Ga.
Beckham	Henderson	McNary	Smith, Md.
Borah	Hollis	Martin	Smith, S. C.
Calder	Johnson, Cal.	Nelson	Smoot
Chamberlain	Johnson, S. Dak.	Norris	Sterling
Colt	Jones, Wash.	Nugent	Sutherland
Culberson	Kendrick	Overman	Thompson
Curtis	Kenyon	Page	Tillman
Dillingham	King	Pittman	Trammell
Fall	Kirby	Poindexter	Wadsworth
France	Knox	Shafroth	Warren
Gallinger	Lenroot	Sheppard	Willey
Gerry	Lodge	Sherman	Wolcott

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. CURTIS. I wish to announce the absence of the junior Senator from Indiana [Mr. NEW] on official business. I will let this announcement stand for the day.

Mr. CHAMBERLAIN. I desire to announce that the Senator from Colorado [Mr. THOMAS] and the Senator from Mississippi [Mr. VARDAMAN] are detained by official business.

Mr. SUTHERLAND. I wish to announce that my colleague [Mr. GOFF] is absent on account of illness.

Mr. THOMPSON. I desire to announce that the Senator from California [Mr. PHELAN] and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. GERRY. The senior Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. SHIELDS. My colleague, the junior Senator from Tennessee [Mr. MCKELLAR], is detained on official business. The Senator from Delaware [Mr. SAULSBURY] and the Senator from Arkansas [Mr. ROBINSON] are necessarily absent from the Senate.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

MINING FOR MINERALS ON INDIAN RESERVATIONS.

Mr. ASHURST. I do not wish, Mr. President, nor do I intend to interfere with the predetermined program of the Senate; but in this connection it will be remembered that within the past 10 days I have made three separate attempts to secure consideration for the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations. I see the distinguished Senator from Maryland [Mr. SMITH] in his seat. I do not wish to interfere with any plans he may have, but I gave notice about 10 days ago that so soon as the proposed amendment to the Senate rules was disposed of I would urge—in fact, I would move—the consideration of Senate bill 385. I shall try to make the motion at a later time in the day, and again, with all emphasis, I call the attention of Senators to the fact that no bill now pending is more urgent and no legislation could be of more benefit to our country at this particular time than is this. I see some Senators are absent who wish to oppose the bill and some Senators are absent who are in favor it. However, at the hour of 2 o'clock, if I should be so fortunate as to secure the recognition of the Chair, I shall move that the Senate proceed to the consideration of the bill so that it will become the unfinished business.

Mr. THOMPSON rose.

Mr. ASHURST. I yield the floor.

STATUE OF JAMES BUCHANAN.

Mr. SMITH of Maryland. Mr. President, I think there was an understanding that House joint resolution No. 70, authorizing the erection on the public grounds in the city of Washington of a statue of James Buchanan, was to be taken up to-day. It was postponed on account of the desire of the Senator from Massachusetts [Mr. LODGE] to extend his remarks. I move that the Senate proceed to the consideration of the joint resolution.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

Mr. LODGE. Mr. President, we are all desirous of doing everything in our power to close up the necessary business connected with appropriation bills and secure a moderate recess before we are compelled to return here in the middle of summer to deal with the revenue bill. Senators I know are very tired, I am sure I am, and I can also say that I do not believe there is any Senator so reluctant to hear me as I am reluctant to speak. But I feel so strongly about the proposition to erect a statue to James Buchanan in Washington that I can not allow it to pass without at least entering my protest against the action and giving my reasons for my opposition.

I had cherished the hope that the impropriety of erecting this statue might prevent action upon it. I think there is an impropriety in erecting a statue which arouses keen opposition in many minds, especially among the people who are familiar with the history of our country, and I think there is a peculiar impropriety in erecting it at this moment, when we are engaged in a great war, in which the first demand on all men in all parts of the United States is unswerving loyalty to the country and its cause, and the strict fulfillment of the duty which each one is called upon by his position or by law to fulfill.

I think it is an unfortunate time also, when the committee on new issues of capital are refusing to approve money even for such purposes as the building of hospitals, when they are refusing to permit the issue of new capital stock necessary to the conduct of businesses which in ordinary times are in every way laudable and useful, to take this large sum away from the possibility of saving or of investment in Government bonds for the purpose of erecting a statue.

It is, I know, under the will set aside for that special purpose, but it would be a better memorial, better for Mr. Buchanan's memory, if that money could be devoted to the purchase of liberty bonds or to a fund, which could be called by his name, if necessary, for the promotion of the purposes of the war. It is, however, determined apparently to put this statue through, to spend the money and use the labor at all hazards, in order that it may ornament or disfigure a park in the city of Washington, whence it will look out, like the statue of Gen. Scott at the Soldiers' Home, over the city and the surrounding country.

Mr. President, I do not propose to go into any details of Mr. Buchanan's long life, occupied as it was practically entirely by public service in important offices. He was of Scotch Presbyterian ancestry on both sides. He was born in 1791 at Cove Gap, in Pennsylvania, was educated at school in Mercersburg and in Dickinson College. He studied law at Lancaster. He was a volunteer in the War of 1812. He was elected a member of the legislature in 1814 and was reelected in 1815; was elected to Congress in 1820; served there until he was appointed by President Jackson minister to Russia in 1831; returned in 1833 and was elected to the Senate in 1834, where he served until he was made Secretary of State in 1845 in Mr. Polk's Cabinet. After the defeat of the Democrats at the ensuing election he was out of office for but a short interval, and then was sent as minister to England in 1854 under Franklin Pierce.

In all these varied offices his services were well rendered. He was industrious; he was a good lawyer; he was well informed, and though he filled a very respectable place both in the Senate and House, he never rose to high distinction in either body. I have no doubt he was equally serviceable as minister to Russia.

The only thing that distinguishes his service as minister to Great Britain was that he was one of the signers of the Ostend manifesto. That is the only act of that period which illustrates his name. The Ostend manifesto made a great deal of sensation at the time. It was widely condemned. It has been universally condemned since. It was a proposition to take Cuba. If we were unable to buy we were to go to war in order to seize it. That is not a doctrine, I may say—for it was a proposition of naked conquest of territory—that is not a proposition which has been acceptable in the later years of our history. When we went to war with Spain under her provocation Congress especially provided that we should not annex Cuba but should leave it to the people of the island. Nothing could be in more flagrant contradiction to the doctrine of the present administration in regard to Mexico, and still more so with the attitude which we take in this great war, than the doctrine which Mr. Buchanan, Mr. Mason, and Mr. Soulé sent forth from Ostend. One of the purposes of this war, which is generally accepted, is that we are fighting to secure independence for all nations, and I think I have heard something of the phrase "self-determination" to be allowed to all smaller States and peoples. Nothing could more flagrantly contradict it than the Ostend manifesto, the only memorial we have of Mr. Buchanan's service in England from 1854 to 1856. I think if we are to have the monument I might be permitted to suggest that among his titles to honor it perhaps would not be wise to put on the pedestal, "He signed the Ostend manifesto."

When he returned from England in 1856 he was nominated and elected to the Presidency. I am not going to review the early years of the history of his Presidency; I have no desire to revive those old controversies, but his most conspicuous act perhaps was his advocacy of the Lecompton constitution of Kansas, which I select to call attention to, as it is illustrative of many things.

One of his first experiences was a personal quarrel with Buchanan.

That refers to Douglas after he came back to the Thirty-fifth Congress, in 1857.

When he reached Washington, three days before the session, he went to the President to protest against his adopting the Lecompton constitution and sending it to Congress for acceptance. Buchanan insisted that he must recommend it in his annual message. Douglas replied that he would denounce it as soon as it was read. The President, excited, told him "to remember that no Democrat ever yet differed from an administration of his own choice without being crushed. Beware of the fate of Tallmadge and Rives."

"Mr. President," retorted Douglas, "I wish you to remember that Gen. Jackson is dead."

This is an illustrative example of what Stephen A. Douglas thought of Buchanan and of the way he talked to him.

The authority is undoubted, because Mr. Douglas stated it in his speech at Milwaukee on the 13th of October, 1860.

In the election of Mr. Buchanan as President—

I am reading from Nicolay and Hay's Life of Lincoln—

the South had secured a most important ally for the work of pro-slavery reaction. Trained in the belief that the South had hitherto been wronged, he was ready on every occasion to appear as her champion for redress, and the southern politicians were now eager to use his leadership to make their views of public policy and constitutional duty acceptable to the North. Respectable in capacity but feeble in will, he easily submitted to control and guidance from a few southern leaders of superior intellectual force. In his inaugural he sought to prepare public opinion for obedience to the Dred Scott decision, and since its

publication he had undertaken to interpret its scope and effect. Replying to a memorial from certain citizens of New England, he declared in a public letter "slavery existed at that period and still exists in Kansas under the Constitution of the United States. This point has at last been finally decided by the highest tribunal known to our laws. How it could ever have been seriously doubted is a mystery." In the same letter he affirmed the legality of the Lecompton convention, though he yet clearly expressed his expectation that the constitution to be framed by it would be submitted to the popular vote for "approbation or rejection."

But the supreme test time came after the election of Mr. Lincoln, in November, 1860. For two months Mr. Buchanan, although not a traitor, did, through sheer weakness and helplessness, the things that a traitor would have done. He was then rescued from that position by his own Cabinet. I want to put into the RECORD a few little statements in regard to it. I read first from the Political History of Secession, by Daniel Wait Howe, president of the Indiana Historical Society. I read this chiefly because of what it quotes, not having had time to look at the other books:

With the close of the Thirty-sixth Congress came also the close of Buchanan's administration. The last part of it, like that of a tedious discourse, was the end of it. Estimates of Mr. Buchanan himself varied in his lifetime and will probably continue to vary. The bitterest criticism of him has come from his former political friends in the South, to whose cause he had devoted his life. A Confederate historian—

That is Mr. Pollard, in The Lost Cause, a work of recognized authority—

thus speaks of him:

"The policy of Mr. Buchanan was unfortunately weak and hesitating—an attempt at ambidexterity, in which he equally failed to conciliate the secessionists and pacify their designs or to make any resolute effort to save the Union. He had, in his message to Congress, denounced secession as revolutionary; and although he was clear on the constitutional proposition that there was no right of coercion on the part of the Federal Government, yet he did but little and that irresolutely, to put that Government in a state of defense in the event of violence on the part of the seceded States. This timid old man—a cautious, secretive politician, who never felt the warmth of an emotion, and had been bred in the harsh school of political selfishness—attempted to stand between two parties, and the result was embarrassment, double-dealing, weak and despicable querulousness, and, finally, the condemnation and contempt of each of the parties between whom he attempted to distribute his favors."

That is the verdict of the historian of The Lost Cause. I now read the opinion of Gen. Crawford, who was at Fort Sumter during the siege and was conversant with the operations of its attack and defense. In his History of Sumter he—

shows very fully the earnest and persistent efforts of Black, Stanton, and Holt to persuade the President to adopt measures for the protection and preservation of the United States forts and military supplies * * *. In conclusion—

I am quoting here an Army officer, not a partisan—

he expresses, as accurately and fairly as it can be put in a single sentence, his own opinion and probably that of posterity: "When history shall come to pen the record of the close of his career, it will judge him not from what he did but from what, from his great opportunities and grave responsibilities, he utterly failed to do."

That sentence sums up the case as well as anything I have stumbled on in my brief inquiry, and indicates why I strongly object to erecting here a statue to a man for what he failed to do.

I now turn to Mr. Blaine's Twenty Years of Congress. Mr. Blaine was a young man at the time, but he became one of the most distinguished leaders of the Republican Party; and yet his judgment on Buchanan is much less severe than that of the historian of the Lost Cause, who represented the other side. I think it is a good condensation of the character of the man to whom we are invited now to erect a statue. In summing up, Mr. Blaine says:

It was Mr. Buchanan's misfortune to be called to act in an emergency which demanded will, fortitude, and moral courage. In these qualities he was deficient. He did not possess the executive faculty. His life had been principally devoted to the practice of law in the most peaceful of communities and to service in legislative bodies, where he was borne along by the force of association. He had not been trained to prompt decision, had not been accustomed to exercise command. He was cautious and conservative to the point of timidity. He possessed ability of a high order, and, though he thought slowly, he could master the most difficult subjects with comprehensive power. His service of 10 years in the House and an equal period in the Senate was marked by conscientious devotion to duty. He did not rank with the ablest Members of either body, but always bore a prominent part in important discussions and maintained himself with credit.

It was said of Mr. Buchanan that he instinctively dreaded to assume responsibility of any kind. His keenest critic remarked that in the tentative period of political issues assumed by his party Mr. Buchanan could always be found two paces to the rear, but in the hour of triumph he marched proudly in the front rank. He was not gifted with independence or self-assertion. His bearing toward southern statesmen was derogatory to him as a man of spirit. His tone toward administrations of his own party was so deferential as almost to imply a lack of self-respect. He was not a leader among men. He was always led. He was led by Mason and Soule into the imprudence of signing the Ostend manifesto; he was led by the southern members of his Cabinet into the inexplicable folly and blunder of indorsing the Lecompton iniquity; he was led by disunion Senators into the deplorable mistake contained in his last annual message. Fortunately for him, he was led a month later by Black and Holt and Stanton to a radical change of his compromising position.

If Mr. Buchanan had possessed the unconquerable will of Jackson or the stubborn courage of Taylor he could have changed the history of the revolt against the Union. A great opportunity came to him, but he was not equal to it. Always an admirable adviser where prudence and caution were the virtues required, he was fatally wanting in a situation which demanded prompt action and strong nerve. As Representative in Congress, as Senator, as minister abroad, as Secretary of State, his career was honorable and successful. His life was singularly free from personal fault or shortcoming. He was honest and pure minded. His fame would have been more enviable if he had never been elevated to the Presidency.

Immediately after the election and before the assembling of Congress differences broke out at once in the Cabinet.

Gen. Cass—

Who had been a Democratic candidate for the Presidency—

was the first of the Cabinet to feel the pressure of loyalty to the North. The venerable Secretary of State, whose whole life had been one of patriotic devotion to his country, suddenly realized that he was in a false position. When it became known that the President would not insist upon the collection of the national revenue in South Carolina or upon the strengthening of the United States forts in the harbor of Charleston, Gen. Cass concluded that justice to his own reputation required him to separate from the administration. He resigned on the 12th of December—nine days after Mr. Buchanan had sent his fatal message to Congress.

Judge Black, who had from the beginning of the administration been Mr. Buchanan's chief adviser, now became so by rank as the successor of Gen. Cass in the State Department. He was a man of remarkable character. He was endowed by nature with a strong understanding and a strong will. In the profession of the law he had attained great eminence.

The debt of the country to Judge Black in those months is very great indeed. If it had not been for him it is difficult to conceive how much worse the situation might have been. He entered upon his duties on the 17th of December, and he took a strong stand from that day on for the enforcement of the laws of the United States. It was not a question of coercing a State—in fact, he spoke of the unfortunate confusion which had arisen from Mr. Buchanan's message—but he insisted that their business was solely to enforce the national laws and protect the national property. With the retirement of the secessionist members from the Cabinet he and Judge Holt and Mr. Stanton came practically into control.

There is an additional passage which I wish to quote, as follows:

Judge Black's change, however important to his own fame, would prove comparatively fruitless unless he could influence Mr. Buchanan to break with the men who had been artfully using the power of his administration to destroy the Union. The opportunity and the test came promptly. The new "sovereign, free, and independent" government of South Carolina sent commissioners to Washington to negotiate for the surrender of the national forts and the transfer of the national property within her limits. Mr. Buchanan prepared an answer to their request which was compromising to the honor of the Executive and perilous to the integrity of the Union. Judge Black took a decided and irrevocable stand against the President's position. He advised Mr. Buchanan that upon the basis of that fatal concession to the disunion leaders he could not remain in his Cabinet. It was a sharp issue but was soon adjusted. Mr. Buchanan gave way and permitted Judge Black and his associates, Holt and Stanton, to frame a reply for the administration.

The clause in which Mr. Blaine says, "Mr. Buchanan prepared an answer to their request which was compromising to the honor of the Executive and perilous to the integrity of the Union" seemed to demand some defense from Mr. J. Buchanan Henry, who published the messages of President Buchanan. That defense is on page 288 of the appendix and was written by Judge Holt, who was also a member of the Cabinet. I should be sorry to have such a defense written about me.

Mr. KNOX. Mr. President, would it interrupt the Senator if I should make an inquiry?

Mr. LODGE. Not at all.

Mr. KNOX. Is the Senator aware of the fact that Judge Black subsequently wrote a letter referring to the incident of which the Senator has just read from Mr. Blaine's book, saying that it was a wholly preposterous falsehood that he had ever threatened to resign from the President's Cabinet?

Mr. LODGE. He denied saying that, but he never denied the letter.

Mr. KNOX. He denied the only material part of the letter, and that is that he threatened to resign because he did not agree with Mr. Buchanan.

Mr. LODGE. He certainly caused Mr. Buchanan's attitude to be changed. But there is Judge Holt's defense, in the other letters to which I have referred, and they can be read; but at every point we come to it is necessary to defend, to excuse, to explain.

In this connection, speaking of the view from the South, Mr. Blaine says:

The secession leaders in Congress turned upon the President with angry reproaches. In their rage they lost all sense of the respect due to the Chief Magistrate of the Nation, and assaulted Mr. Buchanan with coarseness as well as violence. Senator Benjamin spoke of him as "a senile Executive under the sinister influence of insane counsels."

That was after Black and Holt and Stanton had secured control of the Cabinet.

Now, I come to the message. The analysis of the message in Nicolay and Hay is a long one. I do not think it is necessary to read it. It contains extracts from Floyd's diary, which are quoted in "The Life and Times of Robert E. Lee," but I am not perfectly sure that they are genuine. Describing the manner in which he made the message, the authors say:

Jefferson Davis, the future chief of the rebellion, came on the one hand at the urgent call of his fellow conspirators—

Floyd speaks of calling them in, but that he consulted Mr. Davis about the message has never, I think, been questioned—

Edwin M. Stanton, afterwards Buchanan's Attorney General and Lincoln's Secretary of War, was on the other hand called in by Mr. Buchanan himself to help him through the intricate maze of his perplexed opinions and inclinations. How many others may have come voluntarily or by summons it is impossible to guess. Many brains and hands, however, must have joined in the work since the document is such a heterogeneous medley of conflicting theories, irreconcilable doctrines, impracticable and irrelevant suggestions. For at length the hesitating and bewildered President, unable to decide and impotent to construct, seems to have made his message a patchwork from the contributions of his advisers, regular and irregular, with the inevitable effect, not to combine and strengthen but to weaken and confuse the warring thoughts and alien systems.

Aside from the mere recapitulation of department reports, the message of President Buchanan delivered to Congress on the 4th of December occupied itself mainly with two subjects—slavery and disunion. On the question of slavery it repeated the assertions and arguments of the Buchanan faction of the Democratic Party during the late presidential campaign, charging the present peril entirely upon the North. As a remedy it recommended an amendment to the Federal Constitution expressly recognizing slavery in States which had adopted or might adopt it, and also expressly giving it existence and protection in the Federal Territories. The proposal was simply childish. Precisely this issue had been decided at the presidential election; to do this would be to reverse the final verdict of the ballot box.

* * * * * * *

On the question of disunion or secession the message raised a vague and unwarrantable distinction between the infractions of law and allegiance by individuals and the infractions of law and allegiance by the Commonwealth or body politic denominated a State. Under the first head it held that the Union was designed to be perpetual; that the Federal Government is invested with sovereign powers on special subjects which can only be opposed or abrogated by revolution; that secession is unconstitutional and is therefore neither more nor less than revolution; that the Executive has no right to recognize the secession of a State; that the Constitution has established a perfect Government in all its forms, legislative, executive, and judicial, and this Government, to the extent of its powers, acts directly upon the individual citizen of every State and executes its own decrees by the agency of its own officers; and, finally, that the Executive can not be absolved from his duty to execute the laws.

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It will be seen from the above summary that the whole of the President's rambling discussion of the first head of the disunion question resulted logically in three ultimate conclusions: (1) That South Carolina was in revolt; (2) that the Constitution, the laws, and moral obligation, all united, gave the Government the right to suppress this revolt by executing the laws upon and against the citizens of that State; (3) that certain defects in the laws paralyzed their practical enforcement.

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The President proceeds, therefore, to discuss the second head of the disunion question by an attempt to formulate and define the powers and duties of Congress with reference to the threatened rebellion. He would not only roll the burden from his own shoulders upon the National Legislature but he would by volunteer advice instruct that body how it must be borne and disposed of. Addressing Congress, he says, in substance: "You may be called upon to decide the momentous question whether you possess the power by force of arms to compel a State to remain in the Union.

And he decided against coercion; he decided that they had no power. No State had yet seceded, and the issue and arguments were false and irrelevant. The thing is well summed up in this paragraph by Mr. Seward:

The central dogma of the message, that while a State has no right to secede, the Union has no right to coerce, has been universally condemned as a paradox. The popular estimate of Mr. Buchanan's proposition and arguments was forcibly presented at the time by a jesting criticism attributed to Mr. Seward. "I think," said the New York Senator, "the President has conclusively proved two things: (1) That no State has the right to secede unless it wishes to, and (2) that it is the President's duty to enforce the laws unless somebody opposes him."

That was the message, with the country trembling on the verge of civil war, which he sent out to the country.

Now, Mr. President, I am not going to give my opinion, but I am going to read the opinion of one of our really great historians, a man who was certainly a Democrat in all his younger years before he began to write history, who has belonged to no party, I think, since, and whose great ability and impartiality are universally recognized, both at home and abroad. I mean the history of that period by Mr. James Ford Rhodes.

Mr. Rhodes says:

The presidential election took place November 6; the South Carolina Legislature passed the act calling a convention November 10. No man of judgment and public experience could now longer doubt that South Carolina would secede soon after December 17, the day fixed for the assembling of the convention. November 8 the War Department received a letter from Col. Gardner, then in command at Fort Moultrie, advising that the garrison be strengthened in Moultrie, and that a company of soldiers be sent to Fort Sumter and another to Castle Pinckney. November 9, if Floyd's diary is genuine and correct, Attorney General Black, in Cabinet meeting, earnestly urged "sending at once a strong force into the forts in Charleston Harbor"; and Secretary Cass substantially agreed with him. Never in our history in a trying time has the course which the Executive should pursue been less open to doubt than in the situation which now confronted President Buchanan. In addition to the actual facts clearly indicating the correct policy, a precedent of the highest value existed. In every step which he ought to have taken, he had before him the example of President Jackson, the great hero of his own party, whose action had been supported by all but four States of the country. Moreover, Jackson had been Buchanan's trusted political leader, and had written him while he was in Russia a confidential letter, giving him some account of the trouble of 1832-33, and saying, "I met nullification at its threshold." Before the South Carolina convention of 1832, which passed the ordinance of nullification, met, Jackson sent for Gen. Scott and asked his advice as to what should be done to carry out his determination that "The Union must and shall be preserved." The counsel of Scott was: "Garrison strongly Fort Moultrie and Castle Pinckney (Sumter was not quite above ground); have a sloop of war and some revenue cutters in Charleston to enforce the collection of duties." "Proceed at once," was the prompt reply of President Jackson, "and execute these views. You have my carte blanche in respect to troops; the vessels shall be there."

Jackson was a Democrat of the Democrats, one of the great chiefs and leaders and traditions of the party; but he was President of the United States, and when the danger came he recognized that his first duty and his only duty was to enforce the laws and maintain the Government, which he had sworn to do.

Mr. Rhodes continues:

It was gross dereliction of duty on the part of President Buchanan that he did not at once send for Gen. Scott, and discuss with him in detail the action of Jackson, and then decide to carry out a similar policy. For—in spite of the verbose reasoning with which Buchanan and his defenders have confused the question, by insisting that what was involved was really the coercion of a State, and then proceeding to discuss the right and the expediency of such action and his lack of authority—the course that the Executive should have pursued is as clear as day. Buchanan denied the right of secession, and acknowledged that it was his duty to enforce the laws in South Carolina in so far as he was able. November 17 he asked for an opinion of his Attorney General. This move was proper but, like most of his proper actions in this crisis, tardy. Yet when the opinion came, giving him warrant for the Jacksonian policy, it was not too late to follow it. Attorney General Black, as sound a jurist as ever advised a President, replied in three days to his request. "You can now," he wrote Buchanan, "if necessary, order the duties to be collected on board a vessel inside of any established port of entry. Your right to take such measures as may seem to be necessary for the protection of the public property is very clear." When we brush away all extraneous considerations, when we isolate the question of executive duty from party disputes and constitutional theories, it is surprising what unanimity existed at the North in regard to the matter of the greatest practical moment. Not a lawyer in the North would have denied the powers of the President as thus laid down by Black. Had Buchanan decided promptly to act with energy on that line of duty, every northern man who had voted for Lincoln, Douglas, or Bell, and nearly every northern man who had voted for Breckinridge would have sustained him with enthusiastic zeal. No more scathing criticism on the President can be pronounced than that of Black himself, who, 40 days later, spoke of "the fatal error which the administration had committed in not sending down troops enough to hold all the forts" in Charleston Harbor.

For the satisfaction of the Senator from Pennsylvania, I will say that that is a memorandum for the President on the subject of the paper drawn up by him in reply to the commissioners of South Carolina, included in the essays and speeches of J. S. Black. I will not read all that Mr. Rhodes says, although it is all worth reading, but only a few passages which I have marked.

Comparing the period of the winter of 1860-61 with the time of Jackson, he says:

Yet, if the crisis was greater, greater would have been the glory to him who met it in the way unerringly pointed out by precedent, law, and devotion to the Union. It was a pregnant opportunity for an executive gifted with singleness of purpose, a dauntless temper of mind, and a wisdom to guide his valor to act in safety. But on such a man as Buchanan fortune lavishes her favors in vain. Vacillating and obstinate by turns, yet lacking firmness when the occasion demanded firmness, he floundered about in a sea of perplexity, throwing away chance after chance, and, though not wanting in good intentions and sincere patriotism, he laid himself open to the undisguised contempt of all sections and all parties. In but one respect has the later differed from the contemporary judgment of him. From an oft-repeated Northern charge that he was actuated by treachery to his own section, he has been fully absolved. When, however, we compare what he did with what he ought to have done, we may affirm with reason that of all of our Presidents, with perhaps a single exception, Buchanan made the most miserable failure. He had been so long under Southern domination that he could not now throw it off. Common prudence required that he should keep in his Cabinet none but stanch Union men; this test would have resulted in the retirement of Cobb and Thompson, and probably a reconstruction of the whole Cabinet in the middle of November, such as took place in December and in January. According to Floyd's diary, a difference developed itself in Cabinet meeting as early as November 10, on the question of the South's submission to Lincoln's election and the right of secession, in which dispute Cobb, Thompson, and Floyd ranged themselves on one side, and Cass, Toucey, Black, Holt, and the President on the other.

At a time when a plan of resolute action should have been the daily and nightly thought of Buchanan, he sat himself down to write an essay on constitutional law, which he sent to Congress as his annual message. While engaged in this work, the War Department received a letter from Maj. Robert Anderson, who, on account of his high reputation, had been selected to command Fort Moultrie. The recommendations in this letter, in addition to previous advice and entreaties, should have come to the President with such a cumulative force that even he could no longer fail to appreciate that which nearly every Union man in the country saw as an imperative necessity. November 23 Anderson suggested that

Moultrie be reinforced. He added: "Fort Sumter and Castle Pinckney must be garrisoned immediately, if the Government determines to keep command of this harbor." This native of Kentucky, who had taken a wife from Georgia, then went on: "I need not say how anxious I am—indeed, determined, so far as honor will permit—to avoid collision with the citizens of South Carolina. Nothing, however, will be better calculated to prevent bloodshed than our being found in such an attitude that it would be madness and folly to attack us. There is not so much of feverish excitement as there was last week, but that there is a settled determination to leave the Union, and to obtain possession of this work, is apparent to all."

Before the President's message went to Congress, Anderson iterated these suggestions, and in this last letter he showed that the administration could depend on him to act with moderation as well as firmness. Making a requisition for howitzers, heavy revolvers, and muskets, he added: "God forbid, though, that I should have to use them."

But the President, instead of accepting the advice of Maj. Anderson, was taking counsel with Jefferson Davis in regard to the message and modifying it in deference to his suggestions.

Mr. Rhodes then repeats the analysis of the message, which is substantially the same as that which I have read from Nicolay and Hay, and he concludes:

That Buchanan deserves historical censure for not having pursued the Jacksonian policy seems to me beyond question, for the path of duty was so plain that he should have walked in it and accepted whatever consequences came from right doing.

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That Buchanan feared a conflict is evident; the mainspring of his wavering course was his feverish desire that the war should not begin under a Democratic administration nor while he was in the presidential chair. His policy was guided by the thought, After me the deluge, and must be classed among the wrecks with which the vacillation of irresolute men have strewn the coasts of time.

And now we are invited to raise a monument to him as one of the "wrecks which strew the coast of time."

But Buchanan could not forget his party interests when he should have sunk all else in the feeling that he was an American and a disciple of Jackson and of Webster. Had he risen to that height the war might have begun under his Presidency, but he would have had a united North at his back, and when he retired to private life with the approval of a grateful people, he might have handed over to his successor, with the advantage of a continuity of administration, a well-defined policy.

On that clear, calm, strong statement—strong by its very force of understatement—I am content to rest the case against the erection of a statue to James Buchanan. The book will remain; all who love and know the history of their country will read it and will wonder by what methods and what feelings it was made possible to erect a statue to a President so described in the Capital of the United States.

It is not without interest to note what James Russell Lowell wrote in the Atlantic Monthly, speaking of Buchanan as one—

Who knows no art to conjure the spirit of anarchy he has evoked by the shifts and evasions of a second-rate attorney, and who has contrived to involve his country in the confusion of principle and vacillation of judgment which have left him without a party and without a friend.

During those two months Mr. Cobb, of Georgia, went from the Cabinet, and then after a month Mr. Jacob Thompson, and finally Floyd. Floyd had been very busy. It is worth recalling what he did as a member of Mr. Buchanan's Cabinet:

He sold the Virginia board of army commissioners 5,000 muskets; delivered 10,000 others from the Watervliet Arsenal, N. Y., to an agent of South Carolina; and still 5,000 others from the Baton Rouge Arsenal to the governor of Alabama. He ordered advanced quotas of arms to a number of Southern States. He sent a Government inspector to inspect a purchase of arms for the governor of Mississippi. He allowed Virginia to have a model musket made at the Springfield Armory; to use and take copies of Government patterns, drawings, machines, tools, etc., at Springfield and Harpers Ferry; and arranged to have the Washington Navy Yard manufacture a battery of howitzers and a lot of fuses for the same State. He furnished Senator Yulee a list of Army appointees from Florida. He sent Col. Hardee to drill and review a camp of instruction for Gov. Letcher, of Virginia, and a little later gave him leave of absence practically to go into the service of the rebellion under the State of Georgia. He acquiesced in the acceptance of a militia volunteer guard to surround and ostensibly protect the Charleston Arsenal, which guard, acting, doubtless, upon the original design, soon seized and held it for South Carolina. On the day of the Charleston secession ordinance (December 20), without the knowledge of the President, he ordered the transfer from the Pittsburgh Arsenal to the southern coast, where they might be readily seized, of 123 cannon—this on the pretense of arming the fort at Ship Island, not yet completed, and the fort at Galveston, not yet begun. In this latter enterprise, however, he overshot his mark. Columbiads and 32-pounders can not be secretly moved, and before the order was many days old the President received emphatic telegraphic protests against it from prominent Pittsburgh citizens, a warning from his own State he did not feel at liberty to disregard.

This work by the Secretary of War had been going on in the Cabinet, and Hay and Nicolay differentiate in only one thing, the transfer from the Pittsburgh Arsenal of cannon. Mr. Floyd stayed to the last, and Secretary Stanton said subsequently:

The last I saw of Floyd was in this room, lying on the sofa which then stood between the windows yonder. I remember it well—it was on the night of the 28th of December, 1860. We had had high words, and had almost come to blows, in our discussion over Fort Sumter. Thompson was here—Thompson was a plausible talker—and as a last resort, having been driven from every other argument, advocated the evacuation of the fort on the plea of generosity. South Carolina, he said, was but a small State, with a sparse white population; we were a great and powerful people, and a strong, vigorous Government. We could afford to say to South Carolina, "See, we will withdraw our garrison as an evidence that we mean you no harm." Stanton replied to him, "Mr. President, the proposal to be generous implies that the Government is strong, and that we, as the public servants, have the confidence of the people. I think that is a mistake. No administration has ever suffered the loss of public confidence and support as this has done. Only the other day it was announced that a million of dollars had been stolen from Mr. Thompson's department. The bonds were found to have been taken from the vault where they should have been kept, and the notes of Mr. Floyd were substituted for them. Now, it is proposed to give up Sumter. All I have to say is that no administration, much less this one, can afford to lose a million of money and a fort in the same week. Floyd remained silent and did not reappear in that chamber."

Mr. KING. Will the Senator yield?

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Does the Senator from Massachusetts yield to the Senator from Utah?

Mr. LODGE. I do.

Mr. KING. Does the Senator predicate any of the charges which he makes against Mr. Buchanan upon any statements made by Mr. Floyd?

Mr. LODGE. I do not, because I do not think the genuineness of his diary is thoroughly proved. I am only showing what Mr. Floyd did, which is unquestioned of course. He was afterwards sued for defalcation here in the District.

Mr. KING. Mr. Floyd, as the Senator will recall, did promulgate a great many fulminations against Mr. Buchanan.

Mr. LODGE. I have quoted nothing from Mr. Floyd.

Mr. KING. And he made certain charges, charges with respect to the withdrawal of munitions, and so forth.

Mr. LODGE. Those are matters of public record. Those do not rest on his statement at all.

Mr. KING. But I am referring to the charges of Mr. Floyd against Mr. Buchanan.

Mr. LODGE. I have not quoted from Mr. Floyd's charges. His diary is printed in all these books, and I have not quoted it because I do not think its genuineness has been fully proved, although it was given by Mr. Pollard as authentic in his life of Gen. Lee.

Mr. KING. If the Senator will just pardon me once more, Gen. Scott seemed to rely very largely upon Mr. Floyd in the controversy in which he indulged and which obtained great currency, and Gen. Scott——

Mr. LODGE. What has that got to do with me? I am not relying on Mr. Floyd for a single charge.

Mr. KING. But the Senator is quoting from Gen. Scott——

Mr. LODGE. I did not quote from Gen. Scott. Mr. Rhodes did and gives his authorities. I refer to Scott's talk with Jackson.

Mr. KING. Then I beg the Senator's pardon.

Mr. LODGE. I have not quoted from him once.

Mr. KING. I understood the Senator to quote from Gen. Scott and Mr. Floyd.

Mr. LODGE. I quoted from neither of them.

Mr. KING. The Senator spoke so low I could hardly hear what he gave as the sources of his authority.

Mr. LODGE. Now I come to the new men Mr. Buchanan put into his Cabinet. He made Judge Holt Secretary of War. He made Gen. John A. Dix Secretary of the Treasury. Dix had been a reactionary Democrat and had publicly justified the discontent of the South as late as December 15. The Charleston secession ordinance and the firing on the Star of the West had awakened him to a truer perception of the crisis. Henceforth, as the world knows, he knew but one duty, to oppose the rebellion, and as Secretary of the Treasury he lent his earnest zeal to the service of the Union. A few weeks later he gave utterance to the most stirring battle cry of this exciting period, telegraphing to one of the revenue officials, "If anyone dares to haul down the American flag, shoot him on the spot." That was the spirit of Andrew Jackson. He was going to defend the flag and enforce the laws and protect the property. But I am not speaking to eulogize Gen. Dix. I want to read here Dix's own account in a letter to Mrs. Blodgett of March 31, 1865, which appears in his life by Morgan Dix. Gen. Dix said:

I decided when I wrote the order to say nothing to the President about it. I was satisfied that if he was consulted he would not permit it to be sent. Though indignant at the course of the Southern States and the men about him who had betrayed his confidence—Cobb, Floyd, and others—one leading idea had taken possession of his mind, that in the civil contest which threatened to break out the North must not shed the first drop of blood. This idea is the key to his submission to much which should have been met with prompt and vigorous resistance. I said nothing to the President in regard to it, though he was with me every evening until Friday, when the members of the Cabinet were all assembled, and the President was about to call our attention to the business of the day. I said to him, "Mr. President, I fear we have lost some more of our revenue cutters." "Ah!" said he, "how is that?" I then told him what had occurred down to the receipt of the dispatch from Mr. Jones informing me that Capt. Breshwood refused to obey my order. "Well," said he, "what did you do?" I then repeated to him, slowly and distinctly, the order I had sent. When I came to the words

"shoot him on the spot" he started suddenly and said, with a good deal of emotion, "Did you write that?" "No, sir," I said, "I did not write it, but I telegraphed it." He made no answer, nor do I remember that he ever referred to it afterwards. It was manifest, as I had presupposed, that the order would never have been given if I had consulted him.

What a picture of a hero, a great man, to whom we are about to erect a statue for after ages to admire!

I am bringing this forward to throw light on the character of the President they are about to honor, and for no other purpose than to show that the opinions I hold are shared, I think, by every historian, North and South, who has written about him.

It was intended to have a parade on Washington's Birthday in 1861, a not unusual thing, and the House of Representatives had made provision for it. The District Militia were to parade and the United States troops, as usual, were to march in the parade. Secretary Holt had ordered the troops to appear on that day, thinking that on Washington's Birthday it was a desirable thing, and especially at that particular period when there was great agitation. Ex-President Tyler was at the time in Washington in attendance upon the Peace Convention, and he hurried to the Executive Mansion to protest against this parade of United States troops on Washington's Birthday in the Capital City.

About 8 o'clock that night Secretary Holt was surprised to receive a visit from President Buchanan, who, after some casual talk, formally requested his Secretary of War to revoke the orders to the Federal troops to join in the following day's celebration.

Holt objected to the order being revoked, but was overruled. The revocation made so much excitement, there were such crowds to see the parade, that the President at the last moment again changed his mind.

"Mr. Secretary, can't you get up this parade?" Mr. Holt promised to try, and hurried to Gen. Scott with the new direction, who was, as might have been expected, also indignant. "What can we do at this late hour?" asked he. "The officers have gone home, and the men are probably scattered." "Well," said Holt, "do the very best you can, and let us make all the display possible."

In the afternoon the parade took place, though much diminished, and thereupon Mr. Buchanan, having twice shifted his mind, wrote a letter of explanation and apology to Mr. Tyler, an apology for allowing troops of the United States to parade in the city. The letter is taken from Curtis's Life of Buchanan. I am reading it from the 152d page of Abraham Lincoln, A History, Volume III:

[The President to Mr. Tyler.]

WASHINGTON, D. C., *February 22, 1861.*

MY DEAR SIR: I find it impossible to prevent two or three companies of the Federal troops here from joining in the procession to-day with the volunteers of the District without giving serious offense to the tens of thousands of the people who have assembled to witness the parade. The day is the anniversary of Washington's birth—a festive occasion throughout the land—and it has been particularly marked by the House of Representatives. The troops everywhere else join such processions, in honor of the birthday of the Father of his Country, and it would be hard to assign a good reason why they should be excluded from this privilege in the Capital founded by himself. They are here simply as a posse comitatus to aid the civil authority in case of need. Besides, the program was published in the National Intelligencer of this morning without my knowledge.

From your friend.

Very respectfully. JAMES BUCHANAN.

This letter needs no comment.

He revoked the order for troops. He then got disturbed by the excitement caused and at the last moment asked them to send some. They sent some and then he apologized to Mr. Tyler for our own troops. That was on the 22d of February, not very far from the 4th of March.

Mr. President, I have only read these extracts, and I might go on for hours, simply to show what dispassionate historians think and what some of the facts were which slip out of people's minds.

As far as I can judge from the argument of the speech of the Senator from Maryland [Mr. SMITH], the chief reason for putting up a statue to President Buchanan is that he was the fifteenth President of the United States. We might as well say that we ought to put up a statue to Aaron Burr because he was Vice President of the United States. I suppose his bust is here in the series which adorn these niches, though I confess I have never distinguished it. I have never taken the trouble to look for it, but I have no doubt it is there in the regular order of the Vice Presidents where they all are, just as Mr. Buchanan's portrait is in the White House. Characteristically enough it is not a real portrait painted at the time. The real portrait painted at the time, which was not a good one, a fact which did not make it conspicuous at the White House, was taken away, and Mrs. Johnston, who desired to do everything for Mr. Buchanan's memory, had another portrait painted by Mr. Chase, an excellent artist, who was too young ever to have seen Buchanan, and who painted it from instructions and photographs. That is all very well. I am not in favor of doing as they did in Venice in drawing a veil over the portrait of Marino Faliero, but leaving the frame standing among the rest of the pictures of the doges. Mr. Buchanan is, of course, rightfully in the catalogue of Presidents. But this resolution is to give him a statue in the Capital of the United States.

Mr. President, we have been far too careless in regard to statues in the Capital. Whatever may be done locally in cities and States is a local affair, but this is the Capital of the Nation and we have been very heedless in our grants.

We have had statues of men placed here from personal affection, and the only fact we know about the men now is that they have statues. We have, I am afraid, one or two statues here to some distinguished failures. There ought to be no statues out of doors in this Capital but to men who have greatly served their country. I think altogether too great latitude has been allowed and too little care has been exercised.

Another argument that was made, apparently, was that Mr. Buchanan had the devoted affection of his niece. That is highly to his credit; but that is not a reason for a statue. The other day, in speaking hastily, under the ardent pressure of my good friend from Maryland [Mr. SMITH], I said if that argument was pressed it would justify a statue to Benedict Arnold, and it was stated in some of the newspapers that I had compared Buchanan to Benedict Arnold. I did nothing of the kind. They were wholly different. Arnold was a soldier—a good one and a brave one. He was also a traitor, from the most sordid motives of the blackest and completest kind. Buchanan was neither. He was not a soldier; he was not a traitor from sordid motives, nor was he a traitor by intention at all. After the war broke he remained loyal to the cause of the Union in the short time of life that was left. He never did betray the Union; but his weakness was such that he did the things and permitted the acts—I should say permitted acts, because, as Mr. Rhodes says, I think, he was always led—he was led into doing things that were just what a traitor would have done; but he was not a traitor; and I in no sense compared him with Arnold. The argument I was trying to make was that the fact that a man, like millions of others, I believe and hope, in this country was beloved by his family is not in itself a reason for setting up a statue to him. The point I have been trying to make has been made by Macaulay in a way which most of the Senators will remember, and which I wish to recall, as showing the futility of that sort of argument. Macaulay's statement, of course, is made in regard to Charles I. He wrote:

The advocates of Charles, like the advocates of other malefactors against whom overwhelming evidence is produced, generally decline all controversy about the facts and content themselves with calling testimony to character. He had so many private virtues. And had James II no private virtues? Was Oliver Cromwell, his bitterest enemies themselves being judges, destitute of private virtues? And what, after all, are the virtues ascribed to Charles? A religious zeal, not more sincere than that of his son, and fully as weak and narrowminded, and a few of the ordinary household decencies which half the tombstones in England claim for those who lie beneath them. A good father! A good husband! Ample apologies, indeed, for 15 years of persecution, tyranny, and falsehood.

We charge him with having broken his coronation oath; and we are told that he kept his marriage vow! We accuse him of having given up his people to the merciless inflictions of the most hot headed and hard-hearted of prelates; and the defense is that he took his little son on his knees and kissed him! We censure him for having violated the articles of the Petition of Right after having for good and valuable consideration, promised to observe them; and we are informed that he was accustomed to hear prayers at 6 o'clock in the morning! It is to such considerations as these, together with his Van Dyke dress, his handsome face, and his peaked beard that he owed, we verily believe, most of his popularity with the present generation.

For ourselves we own that we do not understand the common phrase, a good man, but a bad king. We can as easily conceive of a good man and an unnatural father or a good man and a treacherous friend. We can not, in estimating the character of an individual, leave out of our consideration his conduct in the most important human relation; and if in that relation we find him to have been selfish, cruel, and deceitful, we shall take the liberty to call him a bad man, in spite of all his temperance at table and all his regularity at chapel.

No doubt it was an admirable quality, that of exciting and commanding the devoted affection of his niece, but I do not think it is a reason for a statue or in the least defends Mr. Buchanan against the charge made against him.

It is true, he stands in the catalogue; it is true, he was the fifteenth President; but public office, Mr. President, when we come to a question of statues, is but an opportunity. The mere holding of the office is nothing. The question is, What did the man do with it? Did he render great service to his country while he held it? If he did not, if he failed in his duty, we can not erase him from the catalogue; but we need not honor him beyond all others.

We are asked to set up his statue, as I said the other day, in a Capital which has yet failed in the open air, under the dome of heaven, to raise a statue to John Adams, the signer of the Declaration, second President; to Thomas Jefferson, writer of the Declaration, third President, or to his great rival, Alexander Hamilton, the first Secretary of the Treasury, the men who

founded this Government; to Madison, one of the framers of the Constitution; to Monroe, the author of the Monroe doctrine, which has spread throughout the civilized world; to John Quincy Adams, his successor in the Presidency, who formulated the Monroe doctrine, and whose great contest for the right of petition in the House of Representatives will ever remain memorable. To none of these men have we found place or opportunity to erect statues.

It is no answer to say that money was not offered to build them statues. Is a place in the great Valhalla of Washington for sale? There ought to be statues of nobody here who has not greatly served his country and whose monument is not erected and paid for by the United States. I have already said there are some here who seem to me to be too obscure to have found a place in this Capital City; some who are remembered by failures; but there is not one, great or small, on whom the shadow of disloyalty ever rested for a moment. That shadow rested on Buchanan at the time; it has rested on him ever since. It is no answer to say that his intentions were good. The place where good intentions are used for pavements is familiar.

Mr. President, in thinking about this there was one thing that came into my mind which seemed to me to depict it better than anything else. In the third canto of the "Inferno" Dante describes the entrance to hell and the outer circle.

It is what is popularly known as the limbo, sometimes called the babies' limbo, where are detained souls that can go neither to heaven nor to hell. I came across, in looking at the notes to Dante, a curious little line from an old Scotch ballad that may be familiar to others here, which describes limbo with true Scotch force and wit. It is a ballad about an old woman, and one line runs—

"She's nae fit for heaven an' she'll ruin a' hell."

In this place of spirits Dante detects a form he knows, that of Pope Celestine V, who abdicated the Papacy, and the one thing Dante says of him is that "he made the great refusal." That blasting phrase consigned that unfortunate and insignificant Pope to a dreadful immortality. If ever a man in modern times made the "great refusal" it was James Buchanan. The crisis came to him, the greatest crisis that an American President had ever met. There was no room for doubt; he had before him the example of his own chosen leader; he had nothing to do but to follow in his footsteps; it was not a question of coercing a State; it was not a question of the right of secession; it was the question whether he would be true to the oath he had sworn to the American people to enforce the laws of the United States. That was the whole question. It mattered not whether the South was right or wrong, or whether the North was right or wrong, or who was to blame; there was one man in this country who had but one duty, and that was the President of the United States. However others might differ, he had but one duty—to sustain the Government and enforce the laws as he had sworn to do. He shrank away; he made "the great refusal." For two months he allowed us to drift hopelessly on the rocks, and then he was rescued by the loyal men in his Cabinet, who forced in other loyal men, and complete wreck was averted. I do not say that if he had done his duty as Jackson did he could have averted the Civil War; probably that awful convulsion was inevitable; but he at least could have vindicated the rights and the honor of the Government with which he was charged. Instead of turning the Government over to his successor a penniless wreck, he could at least have turned it over in a strong condition, with a strong policy already mapped out, and in such a way as to have united force behind it. He failed to do so.

His biographer, a very able man, Mr. George Ticknor Curtis, abounding in sympathy for Buchanan, wrote his life in two large volumes, which I read when it appeared and have looked over within a few days. He does the best he can, but his references to the critical time of Mr. Buchanan's administration are one long-drawn apology, defense, and explanation. We may accept the apology; we may accept the defense; we may accept all the pleas of character in mitigation; but the great fact remains that Buchanan failed, that everything that is said for him is in defense and explanation, and, however we may severally determine as to his character, it seems to me that is not the kind of public man to whom we should erect a statue.

Statues remain; we pass. They ought to be, of course, works of art, although sometimes that seems to be impossible; too frequently they are poor things artistically; but they all certainly ought to represent a man worth representing not only because of his achievements but also because of his character. Remember how statues last. Most of the sculpture that has come down to us, buried in the earth from the days of ancient Greece and Rome, is portrait sculpture; and the same thing is true of Egypt, with the great sculptures of Egyptian kings.

But, Mr. President, the most important quality of all in portrait sculpture is the character of the man it represents. It is designed to teach a lesson to coming generations. Our children and our grandchildren will look upon it, and many others after them. We seek the lesson it teaches, and that lesson at least should be fundamentally sound and true.

My feeling about Mr. Buchanan is not due in the least to the fact that I differed from him. I can go to Arlington, Mr. President, and see there the little stones that mark the graves of Confederate and Union soldiers and the monument to the unknown Confederate dead; and, utterly as I differ from their belief, I can read for myself in the monuments to those Confederate dead and have my children read the same great lesson of loyalty to a cause and to a faith; but I can not find that lesson in the life of James Buchanan. It was not that he was a Democrat, or that he was in favor of slavery, or that he had been the cheerful packhorse of the southern leaders—it is not that; it was that in the great moment, at the great crisis in the country's fate he failed; he made the "great refusal"; and that is not such a lesson as should be taught to coming generations by a statue to last for all time.

Are you going to say to the men in France, "Yes; we honor you; we will do everything for you;" but 50 years hence some Government, some Congress, which has forgotten about this war and has not lived through it, may accept a statue of the Kaiser as a statue was once accepted of Frederick the Great? You ought not to hold out any such possibility or any such expectation to the men who now wear your uniform and give their lives. If the leaders who have failed, whether by intention or through weakness, are to be honored equally with those who have dared and sacrificed and succeeded; if Buchanan is to be honored by statues, like Lincoln and Washington, principle and values perish in a hopeless confusion of thought. To my thinking there never was a time, and never will be a time, when it is fitting and best to raise a statue to Buchanan in the Capital City of Washington; but of all times, now, when loyalty is the first and greatest virtue, when readiness to meet the great crisis is the finest quality, when courage is the noblest of attributes—this, of all times, is the last in which to erect a statue of our fifteenth President.

Mr. KNOX. Mr. President, I was greatly surprised at the opening made by the Senator from Massachusetts [Mr. LODGE] this morning, to the effect that this was no time for money to be diverted for the purpose of erecting a statue, when a great war was going on, and it could be much better invested in liberty bonds. I can not understand the motive of that declaration in connection with the matter we are now considering, because every Senator knows that not one penny is sought to be appropriated, directly or indirectly, for the purpose of erecting this proposed statue; and as to the further suggestion that the money might be used as a fund to be called the Buchanan memorial fund and invested in liberty bonds, I wish to know by what process you can remake the will of Harriet Lane Johnston, who died many years ago, and create a new trust, no matter how desirable that trust might be.

Mr. LODGE. Mr. President, will the Senator permit me to interrupt him for a moment?

Mr. KNOX. Certainly.

Mr. LODGE. Of course, I knew the money was not to be appropriated, and I think I said so. I also knew that it was provided by the will—and I think I said so—that if it was not used for the statue it was to lapse at a certain date. Where was it then to go?

Mr. KNOX. I suppose it would go to the residuary legatees under the will. That is the usual course.

Mr. LODGE. I do not know the terms of the will; but if it was not spent on a statue it might be very easily put by those residuary legatees in liberty bonds. I do not think it would; but it is possible.

Mr. KNOX. I do not know how many residuary legatees there may be or what their disposition in that particular might be. It would be a matter, of course, for them to decide.

Mr. LODGE. Oh, of course.

Mr. KNOX. But, Mr. President, this is not a proposition originating in either branch of Congress to appropriate the public moneys to erect a statue on public lands. If it were it would be proper to postpone its consideration to a more appropriate time, and in its consideration to determine the relative claims of other public men to precedence in post mortem honors. The matter is not presented to the Senate in that way. It comes, as has been detailed by the senior Senator from Maryland, as a proffer from Mrs. Harriet Lane Johnston through her

last will and testament to erect at the expense of her estate a statue to her uncle, James Buchanan, the fifteenth President of the United States, with whom she shared many of the responsibilities of the White House during his administration.

It comes in a way that should not arouse jealousy in the hearts of other just claimants for posthumous honors, and I feel safe in saying that a similar request from friends of any one of the great men who have held the highest executive place in our Government would be granted without question. Why not this one? Because, Mr. President, as the senior Senator from Massachusetts has put it, Mr. Buchanan was disloyal to his country. This is the simple issue we are called upon to decide. No other reason has been assigned.

Mr. President, I was gratified to note that in all the authorities that were quoted this morning by the Senator from Massachusetts, there was not one of them that suggested disloyalty upon the part of Mr. Buchanan. There were those that spoke of Mr. Buchanan's hesitation, of his misapprehension of the situation, of his weakness, but there were none who charged him with disloyalty. The language of the Senator from Massachusetts is specific in this particular—not so specific this morning as it was on Friday last. I overlook the comparison with Benedict Arnold. I quote from the RECORD:

> This joint resolution proposes at this moment, in the midst of this war, to erect a statue to the only President upon whom rests the shadow of disloyalty in the great office to which he was elected.

Further along he says:

> I repeat that the proposition is to erect for the admiration of our children in coming generations a statue of the one President upon whom the dark shadow of disloyalty rests.

And again:

> He was elected President of the United States, and was sworn to defend the great charge put into his hands. He did not defend it; he did not protect it.
>
> The best thing that can ever be said of him is that he was weak; but a very large proportion of those who are familiar with the history of the time believe, as I shall later attempt to show, that he was not only weak but that he was also disloyal.

Mr. President, with the exception of mere dogmatic assertion upon the part of the Senator from Massachusetts, unsupported by a single citation from any of the critics who have abused James Buchanan since his retirement from office, the Senator from Massachusetts has not cited a line to support his allegations, nor instanced a single fact. The Senator speaks poetically of "the great refusal." What was the great refusal. It was a refusal to precipitate a fratricidal war by the coercion of the States, yet that same refusal was persisted in by Abraham Lincoln until the shot came from the South that called the North to arms. It was a refusal predicated upon exactly the same propositions that Abraham Lincoln not only in words adopted for his own, but referring to the language of Buchanan, affirmed it as presenting a sound view of his constitutional duty.

It has been stated here this morning that a great part of the history of James Buchanan consists of efforts to defend him. Why not? When was a man ever so assailed? And who is assailed must be defended. Was ever a man so misrepresented? In the language of Judge Jeremiah Black, to whom I shall refer later, his life was literally lied away.

It has been truly said, Mr. President, that malice and falsehood can always outrun truth in the short but not in the long race. The House of Representatives, by passing the measure, has demonstrated that a generation of men has come to power in that honorable body far enough removed from the passions and prejudices of 60 years ago to render a calm and just judgment upon the events of that remote period. We are now to decide if the Senate has reached that goal and if by its refusal to follow the example of the House this race between truth and error is to be projected into another generation of the Senate.

Mr. Buchanan has been assailed by two classes of critics—those who stood too near the stupendous events of his time to fairly appraise their merits and those who judged Mr. Buchanan, as has been said, "by the course of events subsequently, when the contingent became actual and the problematical certain in many ways, which only the eye of Omniscience could previously foresee. How far this ex post facto judgment (cruel and wrongful in history, fully as much as ex post facto statutes in legislation) has been carried in his case all who care to look into the matter can easily see and know. Every man, every public man especially, has a right to demand that his opinions and actions should be measured by the circumstances and conditions of his own time and not by the circumstances and conditions of another and, it may be, a wholly different time. Any other mode of judgment is at once grossly unhistorical, grossly unphilosophical, and, I will add, grossly un-Christian."

The first and most conspicuous writer up to his time who made the life of James Buchanan a special study was George Ticknor Curtis, a Yankee of the Yankees, the man who defended the slave in the Dred Scott case. He says:

> Mr. Buchanan's administration of the Government during the four years which preceded the commencement of our Civil War is a topic upon which friends and foes have widely differed. But no unprejudiced person who now examines the facts can doubt that in many minds injustice has been done to him. Perhaps this was inevitable, considering that a sectional civil war, of vast magnitude and attended with great bitterness, followed immediately after his retirement from office, when a political party which had been in opposition to his administration came for the first time into full control of the Federal Government. It was in the nature of things—or, rather, I should say, it was in the nature of man—that those who succeeded to the Government should have charged upon the outgoing administration that they had been remiss in their public duty, and that under the example of men in high places there should have grown up a popular belief that Mr. Buchanan favored the secession of the Southern States, either purposely or by lack of the proper energy to meet it in its incipient stages. Charges of this kind found popular credence in a time of unexampled excitement; and since the war was ended there have been, and doubtless there still are, many persons who regard President Buchanan as a man who could have saved the country from a frightful civil war if he had had the wish and the energy to nip secession in the bud.
>
> Such, at all events, were the reproaches with which many of his countrymen pursued him into retirement and continued to follow him to his grave. Denied, as he was, a hearing while he lived, because the perils and turmoils of the immediate present unfitted men to look dispassionately back into the past, he may well have desired that in some calmer time, when he had gone where there is neither ignorance, nor prejudice, nor rancor, some one should "read his cause aright to the unsatisfied." To that better time he looked forward with an undoubting faith in the ultimate justice of his country. I believe that the time which he anticipated has come, and that nothing more than a proper examination of the facts is now needed to insure for him all the vindication that he could ever have desired.

It is not necessary, Mr. President, for me to comment upon the great ability, the high reputation, the excellent judgment, and the wide and long experience of John Bassett Moore, who, perhaps more than any other living American, has a grasp of national and international affairs. John Bassett Moore published the latest work on James Buchanan in 1911 in two large volumes, one of which I hold in my hand.

Mr. Moore says:

> It was the fate of James Buchanan, in his seventieth year, when, at the close of a long and wearing public career, he was about to lay down the burdens of office, to be confronted with a crisis which would have taxed the energy and decision of an Andrew Jackson at 35, and concerning the wisest treatment of which even the philosophers of hindsight can not agree. There has no doubt existed a general tendency, which was stimulated by the eventual triumph of the Union and the abolition of slavery, to censure him for not having assumed a peremptory and defiant attitude toward secession when it first became aggressively active. But, even if it be admitted that this more heroic course might have been justified by the event, it seems unreasonable and unjust to condemn a statesman of Buchanan's age, political antecedents, and strict constitutionalism for seeking to afford the largest possible opportunity for conciliatory and healing measures. Efforts were repeatedly made, apparently in a spirit of hopefulness, by his successor as President to find a basis of compromise; and when the armed conflict began the first actual shot was not fired by a soldier of the Union.

Mr. Moore continues:

> In the light of a restored national authority, with powers vastly strengthened not only by constitutional amendment, but also by war and construction, it has grown more and more difficult to enter into the spirit of the refinements which found expression in Buchanan's annual message of December, 1860, as to the legal aspects of secession and the powers of the Federal Government in the premises. On these questions, however, the message, contrary to what often seems to be supposed, advanced nothing new. The idea of a double or divided sovereignty, each part supreme within its sphere, was a commonplace of American political and juridical discussions and was accepted as a sort of self-evident truth by the masses till its practical impotence in the face of the attempt of a State to secede suddenly became glaringly manifest. Moreover, this part of the message was substantially but a transcript of an official opinion then lately given to the President by his Attorney General, the Hon. Jeremiah S. Black, who appears to have volunteered the service and himself to have drawn up the questions which the President was to propound to him.

Mr. Moore concludes:

> When we review Buchanan's record as a public man, whether as a Representative in Congress or a Senator, as Secretary of State or minister plenipotentiary, or as President, there is nothing that impresses us more than his laborious industry and his capacity for business. He did not hold himself in reserve for great occasions. He gave his best from day to day, maintaining a uniformly high level of accomplishment. Where tact and diplomacy were requisite he was especially successful. Diplomacy was in reality his special gift. Both at St. Petersburg and at London he cultivated good will and rendered substantial service. He was the first Secretary of State to announce and maintain the doctrine of voluntary expatriation in its full extent.

Perhaps the most careful as well as the most devoted of all the writers who have given their time to this task was Hon. William U. Hensel, of Pennsylvania. Mr. Hensel held few public offices; he is now deceased; but everybody familiar with Pennsylvania and Pennsylvaia affairs, without regard to politics or his predilections in respect to any particular doctrine or dogma, knows that no greater mind has shone in that State in the last generation. Mr. Hensel was one of the most powerful orators to whom I have ever listened. He was one of the ablest lawyers, and he was a profound historian. Mr. Hensel's article on James Buchanan is printed in full by John Bassett

Moore in his appendix to the book to which I have just referred, and from that article I desire to take a few quotations which go right to the crux of this situation.

I desire, Mr. President, to show that Mr. Hensel investigated all the facts, all the circumstances, not only those relating to the last year of James Buchanan's administration but the details of the full compliance and full accord that President Lincoln gave to Mr. Buchanan's policies until the attack upon Fort Sumter. Mr. Hensel says:

My proposition is that in the winter of 1860 and 1861 peace was the view of the great majority of the northern people; that Mr. Lincoln reflected and espoused it as fully and sincerely, and expressed it as freely and unmistakably, as Mr. Buchanan; and that it is a shallow, false, and wicked judgment which reprobates the one as cowardly and senile and praises the other as brave and sensible for cherishing the same notions, even though they were erroneous.

I hasten to the support of my second proposition, that they concurred in their views as to what was then discussed as the right and policy of "coercion." The expiring Thirty-sixth Congress met less than a month after Lincoln's election. That House was in full control of the Republicans, and they had elected the next Congress. Within three months they would be in complete power. Mr. Buchanan has been chiefly denounced for the tone of his annual message to that Congress. Not a blow had been struck; no State had passed an ordinance of secession; the North did not believe the South would secede; the South did not believe the North would fight. The discussion was as yet only academic.

Nevertheless—

To this I desire to direct particular attention—

Nevertheless, the New York Tribune, whose editor was the most potential force in nominating and electing Mr. Lincoln, and which newspaper was "the most powerful organ of its party," declared three days after his election: "If the cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. The right to secede may be a revolutionary one, but it exists nevertheless. * * * We shall resist—

Continues Mr. Greeley—

all coercive measures." These views were reiterated from day to day. They were reechoed by the Albany Evening Journal, edited by Thurlow Weed, the nearest friend of Mr. Seward. Henry Ward Beecher, in his famous Boston speech, declared about the same time, "I hold it will be an advantage for the South to go off." Gen. Scott, who had been a Whig candidate for President, who was the commanding general of the Army, and who later became one of Mr. Buchanan's severest critics, in his famous "Views," of October, 1860, had said, "To save time, the right of secession may be conceded." In March, 1861, when he was most intimate with Secretary Seward, and was discouraging the relief of Sumter, he urged the North to say to the seceding States, "Wayward sisters, go in peace."

If Mr. Lincoln antagonized these notions, he, at least, made no serious sound nor sign. He was the rising sun; Buchanan was an evening star; and any views a retiring President might have had to express would have been cold and feeble rays by contrast with the bursting effulgence of the great orb of day. If the clarion call to battle was to be then sounded, it ought to have emanated from Springfield; if there was a demand for a Jackson, he should have ridden like "Young Lochinvar out of the West."

Nevertheless, while the leaders of Mr. Lincoln's party and the chieftains of his campaign were thus proclaiming the right of disunion and encouraging the South to secede, Mr. Buchanan declared in his message that grave danger threatened the country against which he had long sounded warnings; he prayed God to preserve the Constitution and the Union throughout all generations; with courteous regard for his successor, he proclaimed that he had been fairly and constitutionally elected, and that his success justified no revolution; he recognized guarantees that Mr. Lincoln "would not attempt violation of any clear constitutional right." He stated the doctrine of secession and denounced it as "wholly inconsistent with the history as well as the character of the Constitution," and cited Jackson and Madison, southern statesmen, to contravene it. With fine touches of eloquence he said:

"This Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction, nor were they at its creation guilty of the absurdity of providing for its own dissolution. It was not intended by its framers to be 'the baseless fabric of a vision,' which, at the touch of the enchanter, would vanish into thin air, but a substantial and mighty fabric, capable of resisting the slow decay of time and of defying the storms of ages." (Works of James Buchanan, by Moore, Vol. XII, pp. 273, 274.)

I read again from Buchanan's Administration, by W. U. Hensel:

"I might quote many like passages throbbing with the loftiest patriotism. Certainly no man can recall them without feeling that the touching and oft-quoted sentiments of Mr. Lincoln's inaugural reached no higher plane of patriotic sentiment and touched no deeper chord of popular feeling. George Ticknor Curtis declares"—

And listen, Senators, to this verdict from George Ticknor Curtis. He declares:

"After a long familiarity with our constitutional literature, I know of no document which, within the same compass, states so clearly and accurately what I regard as the true theory of our Constitution as this message of President Buchanan. Had I the power to change it, I would not alter a word."

"NEITHER TIMID NOR WEAK.

"Meantime, as conditions changed, the situation became more alarming. States seceded, Congressmen withdrew, and Cabinet ministers who sympathized with secession quit or were forced out of his Cabinet, but Mr. Buchanan only persisted and became correspondingly more emphatic in his acts and utterances. There was, however, no reservation nor inconsistency in the Executive position—neither timidity nor show of weakness. In his special message of January 8, 1861, he repeated his conviction that 'no State has a right by its own to secede from the Union or throw off its Federal obligations at pleasure.' While he declared, in almost the same terms that Mr. Lincoln adopted months later and when the Rebellion was far more advanced, that he 'had no right to make aggressive war upon any State,' he declared, on the other hand, in words that his successor, 60 days later, almost identically appropriated, 'the right and duty to use military force defensively against those who resist the Federal officers in the execution of their legal functions, and against those who assail the property of the Federal Government, is clear and undeniable.' Lawyer and statesmen as he was, he knew the limitations upon the Executive and what were the constitutional prerogatives of the legislative branch of the Government. He had taken a solemn oath to regard both these and he was liable to impeachment and subject to disgrace if he did not. He declared Congress, which was in session, to be 'the only tribunal under Providence possessing the power to meet the existing emergency.' He said"—

And this we know because it is a matter to which we have recently given our own attention.

Speaking of Congress—

"To them exclusively belongs the power to declare war or to authorize the employment of military force in all cases contemplated by the Constitution; and they alone possess the power to remove grievances which might lead to war and to secure peace and union to this distracted country. On them, and on them alone, rests the responsibility.

"In his views, and in his manner of expressing them, the President not only had the advice and cordial approval of his Attorney General, Jeremiah S. Black—to whom Rhodes gives unstinted praise for purity, patriotism, statesmanship, and legal learning—but, what is far more to our present purpose, all that Buchanan then said and all he did had the legal, cordial, and unqualified support of three other members of his Cabinet, who subsequently became most illustrious leaders of the Republican Party—Edwin M. Stanton, the great War Secretary, the erection of a statue to whom has just been recommended by Secretary Taft; Joseph Holt, to whom, after eminent service, Lincoln offered the Attorney Generalship; John A. Dix, later a major general, Republican governor of New York, and ambassador to France.

"Judge Holt, to whom Lincoln tendered the office of Attorney General, is on record as testifying that Mr. Buchanan's official labors ought to be crowned by the glory that belongs 'to an enlightened statesmanship and unsullied patriotism.'

"Surely it is not necessary to show that during all this period, and even later, Mr. Lincoln was in full accord with the policy of his predecessor and his own party; that he was alike submissive to and controlled by the manifest popular will of the Union-loving and peace-seeking part of the country. Neither one moved more slowly toward war than the other, and no faster in accelerating the outbreak of hostilities.

"But to clinch a proposition which I earnestly maintain has been nailed fast, let us swiftly follow Mr. Lincoln's tour eastward. He said at one place—and I challenge you to find it more strongly stated in any of Mr. Buchanan's utterances—'the marching of an army into South Carolina, without the consent of her people, and with hostile intent toward them, would be invasion; and it would be coercion also if the South Carolinians were forced to submit.'

"Remembering the declarations of himself and his party's platform against the lawless 'invasion' of any State, what less or more could these words mean to the South than its people inferred from any declaration Mr. Buchanan had made?

"At Columbus Mr. Lincoln expressed much less solicitude about the future than President Buchanan was exhibiting. He said:

"'Nobody is suffering anything * * * all we want is time, patience, and a reliance on that God who has never forsaken His people.'

"At Pittsburgh he declared there was 'no crisis but an artificial one,' and predicted that if people only kept cool the trouble would come to an end. In Philadelphia he assumed a decidedly antiwar tone:

"'There need be no bloodshed or war. There is no necessity for it. I am not in favor of such a course; * * * there will be no bloodshed unless it be forced upon the Government, and then it will be compelled to act in self-defense.

"'The crisis, the panic, the anxiety of the country at this time is artificial.'

"At Harrisburg, when the speaker of welcome tendered him military support from Pennsylvania, Lincoln rebuked him and said:

"'It is not with any pleasure that I contemplate the possibility that a necessity may arise in this country for the use of the military arm.'

"And yet this man who has been safely dead for 50 years, leaving no lineal descendants, can be assailed as a traitor because he refused to do the very things the refusal of which Mr. Lincoln approved.

"In none of these is heard the voice of the 'Son of Thunder'; at no time the iron ring of the 'Rough Rider's' hoofs. It is true, he said, 'the right of a State to secede is not an open or debatable question,' but Mr. Buchanan had said exactly this to Congress and the country two months earlier. The concluding words of the Lincoln inaugural are classic in the literature of eloquence; but in parallel passages with extracts already quoted from Mr. Buchanan's message these latter may challenge comparison for sound law, lofty patriotism, and even for rich rhetoric.

"MR. LINCOLN'S EARLY ATTITUDE.

"The incoming President reiterated the pledge of his platform that each separate State had a right to control its own domestic institutions; he denounced the lawless invasion of the soil of any State or Territory by armed force as the gravest of crimes. He gave his full adherence to the fugitive-slave law and its enforcement, as guaranteed by the Constitution. Strictly in accord with the policy and declarations of Mr. Buchanan, he promised there should be no bloodshed or violence unless forced upon the national authority; that Federal property would be protected and the Federal revenues collected, but, beyond what might be necessary for this, he declared there would be 'no invasion, no using of force against or among the people anywhere.'

"Nicolay and Hay give their subject credit for 'infinite tact' in dealing with Mr. Seward; but is it permissible to find treason, cowardice, and timidity in Mr. Buchanan's dalliance with incipient secession in the closet and yet praise the attitude of Seward and Lincoln in temporizing with full-armed rebellion in the open?

"John Sherman admits that the first 40 days of the Lincoln administration was the darkest hour in the history of the United States. He declares that it was 'a time of humiliation, timidity, and feebleness.' Sumner deprecated Lincoln's 'deplorable hesitancy.' Six weeks after his inauguration Stanton wrote to Buchanan that there was a strong feeling of distrust in the candor and sincerity of Lincoln personally and of his Cabinet. Emerson, with rare literary skill, condones the President's perplexities because 'the new pilot was hurried to the helm in a tornado.'

"It is to the discredit of our political system—no particular reproach to Mr. Lincoln—that for months the chief concern of his administration was the distribution of the offices to clamorous partisans rather than the distribution of troops to suppress the rebellion. The demands upon his time and the solicitation of his supporters were not to avert war, save the Union, or suppress the rebels, but to lavishly ladle out patronage. Not only do Stanton, Schurz, and Seward testify to this, but Mr. Lincoln himself said:

"'I seem like one sitting in a palace assigning apartments to importunate applicants while the structure is on fire and likely soon to perish.'

"With this disaster in prospect we find, as late as March 12 five of his Cabinet ministers voting against provisioning Fort Sumter and only one for it. Mr. Lincoln let them determine his course. And yet Buchanan was 'weak' and his Cabinet a 'nest of traitors' because they had not relieved and supported Maj. Anderson! As late as July 16, 1861, Stanton wrote to Buchanan:

"'Your administration's policy, in reference to both Sumter and Pickens, is fully vindicated by the course of the present administration for 40 days after the inauguration of Lincoln.'"

Now, let me call to the stand one of America's greatest statesmen, also a Pennsylvanian, Jeremiah S. Black. No man has yet risen in any forum and challenged either his ability, his patriotism, or his grasp of public affairs. Judge Black says:

"The proofs of James Buchanan's great ability and his eminent public services are found on every page of his country's history from 1830 to 1861. During all that long period he steadily, faithfully, and powerfully sustained the principles of free constitutional government. This Nation never had a truer friend, nor its laws a defender who would more cheerfully have given his life to save them from violation. No man was ever slandered so brutally. His life was literally lied away. In the last months of his administration he devoted all the energies of his mind and body to the great duty of saving the Union, if possible, from dissolution and civil war. He knew all the dangers to which it was exposed, and it would, therefore, be vain to say that he was not alarmed for his country; but he showed no sign of unmanly fear on his own account. He met all his vast responsibilities as fairly as any Chief Magistrate we ever had. In no case did he shrink from or attempt to evade them. The accusation of timidity and indecision is most preposterous. His faults were all of another kind; his resolutions once formed were generally immovable to a degree that bordered on obstinacy. On every matter of great importance he deliberated cautiously, and sometimes tried the patience of his friends by refusing to act until he had made up an opinion which he could live and die by. These characteristics explain the fact that his whole political life, from the time he entered Congress until he retired from the Presidency—all his acts, speeches, and papers—have a consistency which belongs to those of no other American statesman. He never found it necessary to cross his own path or go back upon his pledges."

After all has been said this remains true. Mr. Buchanan was the son of Pennsylvania, and the people of Pennsylvania have naturally been, more than all others, sensitive and careful in estimating his character and career. His errors have been our regret, his virtues our glory. For a full half century Mr. Buchanan's public career had been weighed, scanned, and inspected by Pennsylvania's ablest jurists, publicists, and historians, and the verdict rendered by the unanimous vote of both houses of the people's representatives in the year of the semicentennial anniversary of his retirement from public life took the form of an act to take over and maintain as a public park his beautiful Wheatland estate adorned with a monument to his memory.

Who now will say, except those who have already said it, that it is a seemly thing to sneer at the verdict of the loyal and rock-ribbed Republican Commonwealth upon the career of its great Democratic son? Who is there to justify, except those who have already sought to justify, the message to the people of Pennsylvania by the Senate of the United States that he whom they so highly esteemed as to make his home a public shrine shall be publicly dishonored by refusing to a loving woman, who herself bore with instinctive and unexcelled grace the important social responsibilities of the Executive Home, the small privilege of a few feet of land whereon may be executed her last and solemn wish?

Mr. LENROOT. Mr. President, I propose to discuss this joint resolution from two aspects, the first a minor one, it is true, and yet one that I think ought to have the consideration of the Senate. It was referred to by the distinguished Senator from Pennsylvania [Mr. KNOX] in the opening of his remarks in his reply to the Senator from Massachusetts [Mr. LODGE], where the Senator from Massachusetts suggested that the $100,000 which will be utilized for the erection of this monument at this particular time, if the joint resolution shall pass, might be utilized in the purchase of liberty bonds to help carry on the war. The Senator from Pennsylvania properly called attention to the fact that if the joint resolution did not pass and this condition in the will was not fulfilled the $100,000 would go to the residuary legatees, and they might or might not invest the proceeds in the purchase of liberty bonds.

But, Mr. President, I want to call attention to this fact: We have very recently enacted legislation creating the Finance Corporation and the Capital Issues Committee, where a corporation, municipal or private, desiring to issue bonds in excess of $100,000, must first get the permission of that corporation. The purpose and reason for that is that in this time of war we should mobilize our resources and use our money for the purpose of helping to win the war, and that all nonessential industries to the greatest extent possible should be suspended.

If that was good reasoning at the time Congress adopted that policy it is a very good reason for not passing the joint resolution now, because, among other things, the passage of the resolution operates as a license to expend $100,000 in an absolutely nonessential thing that will require money, that will require labor, that will require material, which if the joint resolution does not pass might be utilized for some purpose in connection with the war.

But, Mr. President, that is only a minor consideration, because the real question, the all-important question, is whether the Senate shall by the passage of this resolution go upon record and say that Mr. Buchanan's services were so valuable and noteworthy that he is entitled to the great mark of distinction that his statue shall be placed in what will be the most prominent park probably in the city of Washington.

Mr. President, to my mind it is absolutely immaterial whether this $100,000 comes out of the Treasury of the United States, except for the reason that it might be better used in this time of war, or whether it comes from private sources, for I have taken the position in the past, and I believe it is a correct position, that we never should, either by direct appropriation or in any other way, authorize or provide for the erection of any monument in the city of Washington except where distinguished services have been rendered that warrant the erection of a monument. The moment that we authorize a monument, the moment that we permit some one to provide a benefaction to erect a monument not based upon that proposition, we cheapen the monument to Lincoln, we cheapen the monuments to Hancock, to Grant, to Garfield, and to all of those other great statesmen and great warriors, monuments of whom adorn the city of Washington.

But aside from that, Mr. President, in spite of all of the apologies that are made—and the speech of the Senator from Pennsylvania [Mr. KNOX] from beginning to end was an apology for Mr. Buchanan—in spite of all that, no reason has been given by any Senator why a statue should be permitted to be erected to Mr. Buchanan.

I can not vote for this joint resolution, Mr. President, because in voting for it I should vote to honor a man who during his term as President, however conscientious he might have been, invited the destruction of this Republic; a man who, if he had been President during the four years that Lincoln was President, would have permitted the destruction of this Republic. Men may apologize, friends may apologize, but that is the cold fact that can not be gainsaid.

The Senator from Pennsylvania quoted at great length from George Ticknor Curtis, one of the biographers of Mr. Buchanan. The Senator from Pennsylvania, however, did not state, as the fact is, that George Ticknor Curtis was, and had been for years, a very close personal friend of Mr. Buchanan, and a political friend as well. That is so well recognized that in the encyclopedia giving the bibliography with reference to Mr. Buchanan, that fact is stated, so that the reader will not be misled by reading the works of Mr. Curtis upon the life of Buchanan. To illustrate, I have before me the Encyclopædia Britannica, and in the notes I find this:

See George Ticknor Curtis, The Life of James Buchanan (two volumes, New York, 1883), the standard biography; Curtis, however, was a close personal and political friend, and his work too eulogistic.

Mr. President, I have been amazed at some things that have been said upon this floor during this debate, and especially with reference to the attempted comparisons that have been made between Lincoln and Buchanan. The Senator from Pennsylvania, if I understood him correctly, attempted to make an argument to the effect that the views of Buchanan and Lincoln in the late months of 1860 and the early months of 1861 were identical. Why, Mr. President, every schoolboy knows better than that; every schoolboy knows that the election of Mr. Lincoln in November, 1860, gave notice to the South that the views of Mr. Buchanan would not prevail when Mr. Lincoln became President.

It needs no biographer of either Mr. Buchanan or Mr. Lincoln to demonstrate that; we have but to read the history of the times; to read of the journey of Mr. Lincoln from Springfield to Washington—and the Senator from Pennsylvania referred to some of the speeches that Mr. Lincoln then made—and there is no difficulty in determining what the people of this country, North and South, believed as to what the general policy of Mr. Lincoln would be; that they knew it would be contrary to the policy that Mr. Buchanan had followed.

In that connection I want to read very briefly from the last inaugural message of Mr. Buchanan and the first inaugural

message of Mr. Lincoln. Let us see if there was in their policies with reference to this great question anything that was identical, except the desire upon the part of all concerned to avoid conflict, if it could be avoided, and still save the Union. I shall read from Buchanan's message of December, 1860, but before I do so I wish to reply to a statement made by the Senator from Maryland [Mr. SMITH], to the effect that the views of Mr. Buchanan at that time were the views of the majority of the people of this country. I call attention to the fact that the quotation that I am about to read from the message of Mr. Buchanan was after Mr. Lincoln had been elected; was after the people of the United States had spoken; was after it was well understood, North and South, that the views entertained by Mr. Buchanan as an individual were not the views of the people of the United States. Mr. Buchanan was entitled to have his individual views, but he was exercising the office of President of the United States, representing a people, and it can not be said that in his message in December, 1860, he was merely expressing the majority sentiment of that time. He said:

Without descending to particulars, it may be safely asserted that the power to make war against a State is at variance with the whole spirit and intent of the Constitution. Suppose such a war should result in the conquest of a State; how are we to govern it afterwards? Shall we hold it as a Province and govern it by despotic power? In the nature of things, we could not by physical force control the will of the people and compel them to elect Senators and Representatives to Congress and to perform all the other duties depending upon their own volition and required from the free citizens of a free State as a constituent member of the Confederacy. But if we possessed this power, would it be wise to exercise it under existing circumstances? The object would doubtless be to preserve the Union. War would not only present the most effectual means of destroying it, but would banish all hope of its peaceful reconstruction. Besides, in the fraternal conflict a vast amount of blood and treasure would be expended, rendering future reconciliation between the States impossible.

Mr. Buchanan at that time took the position, it is true, that the State had no right, as he believed, to secede; but at the same time he took the view, and he so informed the South, that if they did secede the United States Government had no power to prevent them—an invitation to them upon the part of the President of the United States to secede from the Union.

Mr. President, I do not know what might have been the result had Mr. Lincoln been President during the time that Mr. Buchanan was President; but it is possible that if we had had a Lincoln as President of the United States from 1856 to 1860, that awful war might have been averted; but when the President of the United States said to those who were contemplating rebellion against their flag that the Government of the United States was powerless to prevent them, was it not a direct invitation to bring on the situation that afterwards developed?

Compare the quotation that I have read from Mr. Buchanan, in December, 1860, with Mr. Lincoln's inaugural message, three months later, wherein, speaking to the South, he said:

In your hands, my dissatisfied fellow countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you; you can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to "preserve, protect, and defend it."

Mr. President, in some of the apologies that have been made for Mr. Buchanan it has been said that Mr. Buchanan was willing to use the Army and the Navy to protect Government property; it is said, if I understood the Senator from Pennsylvania correctly, that if the South had fired upon Fort Sumter when Mr. Buchanan was President, he, too, would have defended it; but, Mr. President, Mr. Buchanan, as President of the United States, would not have prevented by force a State seceding from the Union. And if the States had a right to secede, or if we could not prevent them from seceding, how could Federal laws have operated throughout the seceding States?

So, Mr. President, from every standpoint, while Mr. Buchanan may have been conscientious and may not have taken the position that he did in the hope of future political preferment, while he may not have been disloyal, there was nothing in Mr. Buchanan's life as President of the United States which entitles him to any mark of distinction at the hands of the American people.

The distinguished Senator from Massachusetts [Mr. LODGE] has very exhaustively discussed Mr. Buchanan's record from the most authoritative sources. I shall only refer to two sources, and I do so because, in passing upon this joint resolution, we ought to represent the views of the American people. Do the American people desire to confer a mark of distinction upon Mr. Buchanan by erecting a monument to him? The American people have formed their opinions of Mr. Buchanan from the histories that have been written, and many of them have formed their opinions from the standard encyclopedias. It so happens that in both of the standard encyclopedias that I have before me—the Encyclopædia Britannica and the International—the writers of both articles are extremely friendly to Mr. Buchanan; nevertheless they have been fair and have given the facts; but to show that there has been no prejudice upon their part against Mr. Buchanan, I wish first to quote the concluding paragraph of the article in the Encyclopædia Britannica, which states:

His mistakes as President have been so emphasized as to obscure the fact that he was a man of unimpeachable honesty, of the highest patriotism, and of considerable ability.

No one will claim, with that conclusion, that the writer of the article was prejudiced against Mr. Buchanan. Now, then, let us very briefly review the body of the article itself. I quote:

His high moral character, the breadth of his legal knowledge, and his experience as Congressman, Cabinet member, and diplomat would have made Buchanan an excellent President in ordinary times; but he lacked the soundness of judgment, the self-reliance, and the moral courage needed to face a crisis.

Yet we are asked to erect a monument to him by the passage of this joint resolution.

At the beginning of his administration he appointed Robert J. Walker, of Mississippi, Territorial governor of Kansas, and Frederick P. Stanton, of Tennessee, secretary, and assured them of his determination to adhere to the popular sovereignty principle. He soon began to use his influence, however, to force the admission of Kansas into the Union under the proslavery Lecompton constitution, contrary to the wishes of the majority of the settlers. Stanton was removed from office for opposing the scheme and Walker resigned in disgust. This change of policy was doubtless the result of timidity rather than of a desire to secure reelection by gaining the favor of the southern Democracy. Under the influence of Howell Cobb, of Georgia, Secretary of the Treasury, and Jacob Thompson, of Mississippi, Secretary of the Interior, the President was convinced that it was the only way to avoid civil war. Federal patronage was freely used to advance the Lecompton measure and the compromise English bill and to prevent Douglas's election to the Senate in 1858. Some of these facts were brought out in the famous Covode investigation, conducted by a committee of the House of Representatives in 1860. The investigation, however, was very partisan in character, and there is reason to doubt the constitutional power of the House to make it, except as the basis for an impeachment trial.

The call issued by the South Carolina Legislature just after the election of Lincoln for a State convention to decide upon the advisability of secession brought forward the most serious question of Buchanan's administration. The part of his annual message of the 4th of December, 1860, dealing with it is based upon a report prepared by Attorney General Jeremiah S. Black, of Pennsylvania. He argued that a State had no legal right to secede, but denied that the Federal Government had any power forcibly to prevent it. At the same time it was the duty of the President to call out the Army and Navy of the United States to protect Federal property or to enforce Federal laws.

Oh, Mr. President, had Lincoln been a man of the weakness of Buchanan, had Lincoln lacked moral courage, as Buchanan lacked it, where would our country have been to-day? Instead of 48 States, God only knows how many separate sovereignties we might have had in this hour and God only knows what the result might have been upon the world's civilization in this hour of peril to the entire world, whereas, with 48 States and one Union, we are now prepared, with our allies across the sea, to preserve our own liberty and the liberties of the world.

I wish next, Mr. President, to quote from the International Encyclopedia, and that, too, as we all know, is read from one end of this country to the other. I shall merely quote one paragraph——

Mr. STERLING. Mr. President, I will ask the Senator if he can state the authors of the two articles referred to?

Mr. LENROOT. I can not. The encyclopedia merely gives the bibliography, and I have not the names.

Reading from the International Encyclopedia:

In the Executive chair he—

Speaking of Buchanan—

In the Executive chair he was apparently subservient to southern politicians and allowed their threats of secession to influence his actions. After Lincoln's election Buchanan was more than ever anxious to stifle the slavery discussion, and in his last message to Congress pointedly charged the North with having brought about the existing crisis in national affairs by a discussion which had "produced its malign influence on the slaves and inspired them with a vague idea of freedom." While holding that the States had no right to secede, he added that the Nation had no power to prevent it; he said it could not employ force, except upon the demand of the lawful authorities of the State, and in South Carolina no such authority then existed.

That is the opinion of the overwhelming majority of the people of the United States concerning Mr. Buchanan. However men may apologize for him, however conscientious he may have been, that is no answer to the objections which have been raised and no argument why a monument should be erected to him in Meridian Hill Park.

Oh, Mr. President, in this hour of stress of this Republic we have many men who are conscientious, but if to-day they express sentiments against the Union as injurious to our flag as Buchanan's sentiments were injurious to the Union then, we do not erect monuments to them now, but we send them to penitentiaries.

At this point, Mr. President, I am reminded that the Senator from Iowa [Mr. KENYON] and I have had a case recently brought to our attention where an officer of the United States

Army, believing that he had conscientious scruples against fighting his own kin, attempted to resign from the Army. There was no effort upon his part to injure the United States, but he stated that, with his convictions, he did not feel certain that he could perform his duty to his country as he felt an officer of the United States Army ought to perform it. That man, Mr. President, was tried by court-martial. No question was raised as to his conscientiousness, but he was found guilty, and sentenced to 25 years' imprisonment, while now by this joint resolution we propose to erect a monument to a man who, as I said in the beginning, if his policies had been adopted, would have destroyed the Union.

That brings me, Mr. President, to this—and it is the real foundation for the reason, as it seems to me, why no Senator from any section of our country should consider for a moment voting for this joint resolution. All of us have in the past been making patriotic speeches, as all of us will do in the future, speeches urging loyalty to our Government and our flag upon the part of every one of our people. Without attempting to speak for the conscience of others, if I voted for this joint resolution, with Mr. Buchanan's record as it is, I could not in the future make a patriotic speech urging my audience to be loyal in thought and word and deed and act to our Government in this war without feeling that they would have the right to challenge my sincerity and say to me, "If that is your view now, why did you vote to permit the erection of a monument in the city of Washington to a man who believed that this Union could not be kept one and inseparable by the force of arms?"

Mr. President, this is not a question of politics; it is not a question of the North or of the South. It seems to me that men from the South should be just as ready to deny a mark of distinction to Mr. Buchanan as men from the North. As has already been said upon this floor, we can admire and we can honor Robert E. Lee, who because of his views went with his State and faced danger and took the chances of success or of failure; but let me say that, as I have read the life of Robert E. Lee, if Robert E. Lee had been President of the United States from 1856 to 1860, Robert E. Lee never, never would have delivered such a message to the Congress of the United States in December, 1860, after the election of Lincoln, as Buchanan delivered. Robert E. Lee would have resigned the office of President before he would have done that.

So I am opposed to this joint resolution. While I do not think under any circumstances that Mr. Buchanan's record is such as entitles him to a mark of distinction here, I am especially opposed to it at this time because of the effect it will have upon the country for the Congress of the United States to commend actions, if not disloyal in their motive, disloyal in their effect.

Mr. President, if there were a statue of Mr. Buchanan in the city of Washington to-day, and a father and his son came here and gazed upon that statue, and the little boy should say, "Papa, whose statue is that?" and the father should answer, "Why, that is Buchanan, my son." "Well, who was Buchanan?" "Why, Buchanan was a President of the United States." "When was he President, papa?" "Oh, he was President just before Mr. Lincoln was President." "Well, papa, was Buchanan a man like Lincoln?" "No, son; no; if Lincoln had been a man like Buchanan, son, there would not have been any United States of America to-day." "Well, then, father, why do they erect a monument to a man like that?" And the father would be compelled to say: "Son, I do not know. I do know that now we are sending men to prison for things just like Buchanan did."

Mr. President, I do not think this joint resolution should pass.

Mr. McCUMBER. Mr. President, during my service in the Senate I have been compelled to witness the erection of statue after statue through the influence of hyphenated Americans, while the truly great Americans, who created this Nation and maintained it through blood and fire sleep unrecognized and unnamed. I have seen erected at the entrance of our War College a statue which represents autocracy in its most hated form—that autocracy which we repudiated in 1776; that autocracy which, coupled with the greatest militarism in the world, to-day is cutting the throats of our soldiers, ravishing the young and the beautiful and the true, and enslaving whole nations.

I have never objected to the sight of monuments to the great generals and leaders of the Confederacy, though, unlike the Senator from Wisconsin [Mr. LENROOT] I am unable to square my sense of honor and integrity and fidelity with the honor of one who received his sword from his country and used that blade to destroy his country; but I am aware that in those days, in certain sections of the country, at least, State loyalty was deeper seated, more firmly rooted, than loyalty to the Union, and so I, for one, am inclined to be lenient. And so, Mr. President, have the sons whose fathers were murdered and starved to death at Andersonville seen erected a monument to Mr. Wirz, not an American, but a Hun of the Huns, with cruelty and brutality as great as has ever been manifested in this great world war of to-day. But, Mr. President, I had hoped that while we should harbor no resentment, if we everywhere beheld the statues of those who sought to destroy our Union, we should at least be spared from having forced upon us, in the most imposing and elevated spot in the city of Washington, the statue not of a patriot of the South but of a copperhead of the North. You may honor your southern generals; honor your men who sought to destroy the Union; but you ought not to impose a northern copperhead upon the northern people who saved the Union. We have a right, Mr. President, to have a great degree of sensitiveness upon that subject.

I have listened to the eloquent statements of the Senator from Pennsylvania [Mr. KNOX]. I am wondering if any representative of that great State would have dared in 1865 to defend the name of James Buchanan. His sentiments, expressed throughout all his official life prior to the great Civil War, were sentiments of disloyalty, not only to the citizens of the State of Pennsylvania but toward the entire North.

Notwithstanding his disloyalty, we are to erect a monument to his memory. The monument to President Grant, who battled to save the life of the Nation, is hidden away down in the Mall here somewhere. The monument to President Buchanan, whose disloyalty made the Civil War possible, is to be given the most prominent place in the city. We have no monument to the great Alexander Hamilton, whose eloquent utterances through the long months preceding the adoption of the Constitution contributed toward making this great Nation. We have no monument to the hundreds of gallant American soldiers and American statesmen who have contributed toward the preservation of this great country. But when some hyphenated American wishes to create a halo of glory, not to Americanism but around his own racial feelings, we readily grant him a space whereby he may put the statue of some one, who may be a foreigner or a half foreigner, upon the public parks.

Mr. President, I think the time is at hand when we should declare that we are an American Nation and an American people; that we are not a hyphenated or heterogeneous people. I think the time has arrived when, instead of its being a greater honor to be a hyphenated American citizen, it is a greater honor to be just a plain American; and I think the time has come when, by law and the actions of the American people, we should, once for all, say to every immigrant: "The moment you set your feet upon American soil, the moment you take an oath before God to support the Constitution of the United States and to renounce all allegiance to any other country, we demand your heart loyalty as well as your lip loyalty."

Mr. President, I have no feeling against those who fought for the "lost cause" and who still believe they were right, even though they seek to perpetuate that belief in erecting statues to their own citizens and representatives of their own States who sought to destroy the Union, but I submit to them that it is hardly just that they should reach beyond their own States into the loyal North and select therefrom citizens whose loyalty was at least questionable. I can understand to a certain extent how they could support a joint resolution of this kind, but I confess that I can not understand how any loyal Northern man could vote for that resolution.

Yes, I have feeling on the subject. To-day the U-boat which the Secretary of the Navy and the acting chairman of the Committee on Naval Affairs declared some 10 days ago had been driven away from the Atlantic coast is taking its toll. Twenty fair American ships have gone down, stung by this rattlesnake of the sea. Many brave boys have gone to the bottom of the ocean. We are in a great battle, but we pause, pause in our patriotism, to palliate disloyalty by erecting statues to disloyal Northern men. Maybe this will be imposed upon us. I believe it will be. Maybe the German Zeppelin may yet sweep over our fair city. If it ever does, there would, in my mind, be but one spot in this fair land where a bomb could be properly dropped—the spot where disloyalty sits throned in the seat of national respect and honor.

Mr. President, I had hoped at least, for the honor, for the loyalty, for the patriotism of the North, for those whose fathers, brothers and sons died for this great country during that civil conflict, that there would not be a Northern vote cast for a joint resolution to erect a statue of James Buchanan, the northern copperhead.

Mr. GALLINGER. Mr. President, I shall not undertake to indulge in the impassioned oratory to which we have listened

on the part of those who are opposing this joint resolution. I want simply to occupy a few minutes in a plain statement of my position so far as the erection of this monument is concerned.

I recall very vividly the days of James Buchanan. I carried banners, before I was old enough to vote, on which were inscribed the names of Fremont and Dayton, and I did all I could as a boy to prevent the success of the Democratic ticket in that election; but the Democratic ticket prevailed and Mr. Buchanan was elected President of the United States. I have not been as careful a student of history as the Senator from Massachusetts, and perhaps not as careful as the Senator from North Dakota, but I was conversant during those four fateful years with the situation in this country, and I was fully cognizant of the circumstances and the difficulties that surrounded the President of the United States. It matters not what Senators may say; the fact remains, and will remain as long as history lasts, that Mr. Lincoln took practically the same view of the southern movement against the Union that James Buchanan did, and that until Sumter was fired upon Mr. Lincoln indulged the same hope that Mr. Buchanan did, that we might be saved from civil war. Of course, when the overt act was committed, there was nothing to be done but to subdue the South and to save the Union from destruction.

I have no doubt but that Mr. Buchanan made mistakes. Most men in this world have made mistakes. I have no doubt but that Mr. Buchanan, in his great desire to prevent civil war, did some things that we would call at the present time, and that might well have been called at that time, acts of weakness and irresolution. But that Mr. Buchanan was a traitor to his country, that he desired to see the Republic dismembered, and two nations, one beside the other, here established I do not believe, nor does any man who remembers those days preceding the Civil War; and I say that it ill becomes any man in this Chamber or elsewhere to denounce James Buchanan as having been disloyal to the Government that he was sworn to protect. I certainly shall not be guilty of that offense, because I know better; and I know better because of the fact that I was interested in politics then, as I am now, and tried to acquaint myself with every movement on the part of the South and on the part of the North preceding that terrible conflict.

Mr. President, I am a member of the Committee on the Library, which reported this joint resolution. If it were not for that fact, I would not say a word to-day. The first joint resolution came to the Senate from the House of Representatives on December 18, 1916, almost two years ago. It was considered by the committee, then composed of the Senator from Mississippi, Mr. WILLIAMS; the Senator from Georgia, Mr. SMITH; the Senator from Nevada, Mr. Newlands; the Senator from Kentucky, Mr. BECKHAM; the Senator from Louisiana, Mr. Broussard; the Senator from Iowa, Mr. CUMMINS; the Senator from New Hampshire, Mr. GALLINGER; and the Senator from Delaware, Mr. du Pont. It was given careful consideration. The valiant soldier, the former Senator from Delaware, Mr. du Pont, whose record as a defender of the Union needs no apology here or elsewhere, and a neighbor, in a sense, of Mr. Buchanan, did not raise any objections as to Mr. Buchanan's loyalty or disloyalty; but the committee unanimously reported the joint resolution. It did not pass the Senate at that time. I believe twice since that time it has been reported from the same committee by a unanimous vote, and it is now before the Senate for consideration.

Mr. President, some of my best friends have more than once suggested to me that I am not wholly reconstructed, so far as the Civil War is concerned. I think I had as much bitterness in my heart during those years as most men—some of which, perhaps, I have not yet entirely gotten rid of—toward the effort of the South to destroy the Union; but there are more recent events that might well engage our attention, rather than to rake up the record of James Buchanan, which was written so many years ago. As I look yonder at the gallery of the Senate the face of Aaron Burr is looking down on me. Following that series of busts around I discover the face of Andrew Johnson, who came within one vote of being impeached by this body as being a disloyal President. I go through Statuary Hall and I see some evidences that might well excite the passions of northern men if they felt disposed to rake up the embers of the Civil War, but they pass unnoticed. All the artillery of eloquence and denunciation is reserved for James Buchanan, who was President of the United States in 1856. I do not sympathize with that feeling, and I do not believe the Senate, when it comes to vote, will sympathize with the feeling that has been so forcibly, and to some extent bitterly, expressed to-day.

The Senator from Massachusetts [Mr. LODGE], while he started out a few days ago to suggest that Mr. Buchanan was disloyal, said to-day that he did not charge disloyalty upon Mr. Buchanan, but he charged weakness and irresolution, and perhaps that characterization may be to a large extent true. I can not believe that Mr. Buchanan meant to have this Nation of ours dismembered. I can not believe that he had any such feeling in his heart, and I do not believe the Senate of the United States will make a record of that kind. I do not sympathize with the eulogies that have been pronounced to-day upon men educated at the expense of the Government who had taken an oath to support the Government, and yet who in the time of stress and strain deserted the Government and fought on the side of the Confederacy. I do not sympathize with eulogies of that kind, but I have no disposition to-day to revive those memories. They are bitter memories. Some of us went through that period and knew all about them, and so I pass unnoticed allusions to Gen. Lee and to others who did such valiant service for their States, but who did it for the purpose of establishing another government in opposition to the one that they had sworn to defend and support.

Mr. President, I was greatly impressed by the suggestion made by the distinguished Senator from Pennsylvania [Mr. KNOX]—a matter that I had known before, but had forgotten—that by a unanimous vote of both houses of the legislature the great Republican State of Pennsylvania has recognized James Buchanan to the extent that it has purchased the beautiful estate, Wheatland, of which he himself was so fond, and has made it a memorial at which the citizens of Pennsylvania can meet and recall the services of the man whom they honor and respect, whether we do or not.

Mr. President, I have said all that I care to say. I rose to justify my vote as a member of the Committee on the Library, thrice cast in favor of a joint resolution of this kind, and to say that no man can fairly charge me with infidelity to the principles that I inculcated before I was old enough to cast a vote—fidelity to the Government, support of the Constitution and the Union, and opposition to every man and every party that is in favor of disloyalty now or that has been in favor of disloyalty in the past. I do not believe that the action of the Government of the United States in surrendering a few feet of land in yonder beautiful park for the placing of a monument by one of the loveliest women that ever graced the White House and who offers this testimonial because of the love she had for her uncle can possibly be construed as anything that the loyal, liberty-loving people of this country will not approve; and for that reason I shall cast my vote for the joint resolution.

Mr. KENYON. Mr. President, I should like to ask the Senator a question before he takes his seat, with his permission.

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New Hampshire yield to the Senator from Iowa?

Mr. GALLINGER. Certainly.

Mr. KENYON. I should like to ask the Senator from New Hampshire, who has had long experience here, if it is customary in bills for the erection of these monuments to specify particular parks in which they shall be placed; and if not, why is this particular park selected for this particular monument?

Mr. GALLINGER. I can not answer that question definitely. I recall the fact that a few years ago we removed a statue that was on New York Avenue and specified that it should be placed in another portion of the city, and it was so placed. I recall that.

Mr. KENYON. I had understood—I may be in error—that the bills generally provided that the monument should be placed on some public ground.

Mr. GALLINGER. I think that is true, as a rule.

Mr. KENYON. Is this the park that is on Sixteenth Street?

Mr. GALLINGER. It is on Sixteenth Street just above Florida Avenue.

Mr. KENYON. There are no trees in this park, are there? It is mostly gravel?

Mr. GALLINGER. No, Mr. President; there are not any trees, so that the vandalism that has recently taken place in these other parks will not be committed there.

Mr. KENYON. It seems to me that it would be a better place to put these buildings that are going up in the parks where trees are being removed.

Mr. GALLINGER. Of course that is a matter of opinion, Mr. President. This park has been bought. It is being beautified. By the unanimous consent of those who know more about those matters than I do, it will be one of the most beautiful parks in all the world. Maybe it is not an appropriate place; I do not know about that; but, after all, a little corner of the northeastern portion of that park has been suggested, I think, by the artists of the city, and I do not think it will do any harm to put the statue there.

Mr. KENYON. From what I have seen of that park—I pass by it every day—it seems to me it ought to be disposed of and the money put in the Public Treasury.

Mr. GALLINGER. Mr. President, that is another opinion that is a mere opinion. That park was purchased after a long investigation on the part of both Houses of Congress, and it was decided that that beautiful spot, containing about 12 acres, ought not to be given over to cheap houses or apartment houses but that it ought to be reserved as a park, and both Houses of Congress gave their assent to that. The money was appropriated, and it has been bought, and it is being beautified. I do not think there is any possibility of selling it to anybody.

Mr. NELSON. Mr. President, sitting here and listening to this discussion, I almost felt that I was in the position of the walls of Jericho when the Israelites marched around them with their music, with their timbrels and cymbals, and I doubted at one time whether it would be safe for me to vote for this joint resolution, but I have concluded that as a veteran of the Civil War it would be safe for me even in the midst of all these contentions to vote for the joint resolution.

The proposition seems quite simple. It has been my aim since the great Civil War was over to do all in my power to smooth out and cure all the acerbities, all the harshness, what you might call the bad blood, that arose from that great war, and I am glad to see that we have become year by year a homogeneous Nation not only in blood but homogeneous in loyalty and faithfulness to the flag.

Now, I am not here to defend Mr. Buchanan; I do not think he measured up to the situation; but when Senators on the floor call him a copperhead I want to say to them that whatever else his failings were he was not a copperhead in the sense that Vallandigham and others of his kin were.

I remember those critical days at the beginning of the Civil War. There were many people—good, loyal people—in the North who deplored secession and doubted our right to keep the Union together by force of arms. As big a man as Horace Greeley said in his great paper, "Let the wayward sisters depart in peace." It was not until the Confederates fired on Fort Sumter in Charleston Harbor that our Nation throughout the entire North responded with one heart and one soul in favor of the preservation of the Union. Up to that time there were many who doubted. A convention of Union men was held immediately before the war, trying to hatch up some plan by which they could avoid war and preserve the Union in some shape, or, if not preserve the Union, at all events avoid war. There were many good people at the North in those days before we got into the war who looked at the situation in the same light that Mr. Buchanan did. I think they were all mistaken. I think Mr. Buchanan was mistaken.

But what is the situation? One of the great poets of New England has said:

> Let the dead Past bury its dead!
> Act, act in the living present!
> Heart within, and God o'erhead!

It seems some of the Senators from New England have forgotten this beautiful sentiment of the New England poet.

Mr. President, many long years have passed since the Civil War, and why should we attempt at this late day to stir up the embers of that war and segregate one particular victim of all the people in the land? What have we done? Men who were members of the Army of the United States departed from their duty as officers of the United States Army and took up arms and fought for the Confederacy for four long years. What have we done with them? We have taken them back in full grace and fellowship.

I remember years ago when I was a Member of the House of Representatives one of the prominent generals of the South, Gen. Wheeler, was in the House. He was one of the leading cavalry officers of the South, a brave, patriotic man. I got thoroughly acquainted with him. He was a man with a noble and most generous heart. What did we do after the Spanish War? One day here—and I voted for the bill—we took two old Confederate generals, Gen. Wheeler and Gen. Fitzhugh Lee, and we took two Union generals, Gen. Hawley and Gen. Osterhaus, one of the best and bravest of all the German officers we had in the Civil War, and we put those four men side by side on the retired list of the United States Army.

Yonder in Statuary Hall there is a statue of the commanding general of the Confederate forces. We have buried the past as to all those men. We have obliterated it. Now, having done all this, why make this single son of Pennsylvania the one solitary victim of the remnant of that hate which was engendered during the days of the Civil War? I protest against it.

Mr. President, whatever faults Mr. Buchanan may have had, whatever mistakes he may have made, he was not, in my opinion, at heart disloyal, nor was he, as the Senator from North Dakota [Mr. McCUMBER] has said, a copperhead. He was mistaken, but no more mistaken than was old Horace Greeley, and who doubted Greeley's loyalty and patriotism? At this late day, when we have granted atonement, as it were, to all the men who were engaged in the Civil War, when we have obliterated all discriminations, when we have come to regard ourselves as one people in soul and in spirit, why should we take one of the men who was President of the United States, although in a moment he may have perhaps erred, and discriminate and spot him out and say, "Here is one solitary rebel whom we want to leave as a specimen for the future"?

This is not the case of the Government erecting this statue. A niece of Mr. Buchanan, Harriet Lane, and I remember the name very well, because one of the ships in the Gulf Squadron where I served in the Army had the name *Harriet Lane*—Harriet Lane, the niece of Mr. Buchanan, was the mistress of the White House during his administration, and before she died she saw fit to bequeath a legacy of $100,000 for the erection of a monument to her uncle. It is inscrutable to me how any man in his heart can say to the spirit of that kind-hearted woman, that noble woman, "Although you have given $100,000 for this statue, we will not use the money; we will allow the legacy to lapse; we want to spot your uncle beyond anybody else in this broad land as a copperhead, as a rebel."

I was very much amused at the side track the Senator from North Dakota [Mr. McCUMBER] entered into. He had a good deal to say against hyphenates, and I am a little surprised at that, because hyphenates have done as much as anybody to make his own State of North Dakota a flourishing State. Then, he was worried about the submarines taking so many ships. I want to call his attention to the fact, and the Senate will pardon me for it, that a large part of those ships were Norwegian ships.

I want to call his attention further to the fact that upward of a million tons of Norwegian shipping are now engaged in the trade and commerce of the United States, and while I am not here to justify, as all who have served here with me know, the conduct of some of these hyphenated Americans, yet to group them all in a class and to put the brand of disloyalty on them passes my comprehension.

I am waiting and pining anxiously for future battles in Europe, and then I can imagine how proud I will be when I can go to my fellow Senators with a morning paper and say, "Here is Ohlson, here is Nelson, here is Larsen, here is Erickson, who fell on the battle fields in defense of the American flag." I hope that day will come, and I know it will come, and it will be the proudest moment of my life.

The spirit that has been manifested here to-day against this statue of Mr. Buchanan is an intolerable spirit, to my mind, born of an unregenerate heart, a heart that has not come to the conclusion that the Civil War is over.

It is strange, Mr. President, but somehow or other it is easier for us who were in that great war to forget and forgive than some of you younger men who never smelled powder in that war. Oh, how belligerent you are, especially when it comes to gunning for the statue of one of our Presidents!

Your patriotism and eagerness for war find its vent in that conduct.

It is said that when the Chinese make war they do like the Israelites did around the walls of Jericho, they travel around the enemy's fortress beating their gongs and blowing their horns and keep on repeating the performance until by and by the fortress is expected to fall. Now, in spite of all the eloquence that I have heard to-day, Mr. President, it is my intention to vote for this joint resolution, and I hope that nobody in this audience will question my patriotism or loyalty.

Mr. McCUMBER. Mr. President, I should not have said another word upon the subject had not the Senator from Minnesota [Mr. NELSON] reminded me that in my own State we have a great many hyphenated Americans, and that he would undoubtedly feel a spirit of pride in finding upon the battle fields of France the names of Nelson and Ohlson and Larsen. I can say to the Senator yes, and you will find them there to-day, and we do not find them there to-day as hyphenates. We find them battling as Nelson and Haugen and Ohlson, Americans in heart, in soul, in character, in loyalty to this country above all other countries upon the face of the earth.

What am I pleading for, what I am hoping for, is that the day will come when we will forget all about our foreign ancestry, whether they were Mac's or O's, whether they were Nelsons or Ohlsons. I do not like the term Scotch-Americans. I want them to be just what I know they are, Americans all the way through, and I am casting no discredit upon any of those who came to this country recently, when I say that they

are and should be styled Americans just as truly as though their ancestors had come here in the colonial days.

Mr. President, I recognize the feeling of the Senator from Minnesota and his desire to be forgiving. I share in that desire. I may be of those of a generation who never smelt powder that he speaks of, but after all, Mr. President, the sons of the present generation, the Senator will find, will be just as loyal and just as brave upon the fields of battle in France as were their fathers from 1861 to 1865. I think they are demonstrating it to-day, and the insinuation that because some of us did not live or were not able to bear arms in those days we perhaps have not the right to express our convictions of what true American means and what true Americanism means is not well founded.

I am against this joint resolution because I feel in my heart of hearts that this man was disloyal, and I speak advisedly. He was disloyal when he emptied the Treasury of the United States just prior to the war and scattered its moneys among the States of the Confederacy, when he put disloyal men at the head of nearly all the forces, when he sent the troops and the equipment out of the control of the Federal authority, when every act of his official life showed hostility to Northern sentiment against slavery, and his last message to Congress charged the North with being responsible for the nullification sentiments of the South; and I can not find it in my heart to say that all these acts and words were merely manifestations of weakness. I believe they were studied and intended to injure the cause of the Union, but whether it was weakness or disloyalty it is the same to me; we ought not to erect a monument to either the weak or the disloyal.

The PRESIDING OFFICER. If there be no amendments as in Committee of the Whole, the joint resolution will be reported to the Senate.

Mr. SMITH of Maryland. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	McCumber	Smith, Ariz.
Bankhead	Henderson	McKellar	Smith, Ga.
Beckham	Hitchcock	McNary	Smith, Md.
Brandegee	Hollis	Martin	Smith, S. C.
Chamberlain	Johnson, Cal.	Myers	Smoot
Colt	Johnson, S. Dak.	Nelson	Sterling
Culberson	Jones, Wash.	Norris	Sutherland
Cummins	Kendrick	Overman	Thompson
Curtis	Kenyon	Page	Tillman
Dillingham	King	Poindexter	Trammell
France	Kirby	Pomerene	Vardaman
Gallinger	Knox	Shafroth	Wadsworth
Gronna	Lenroot	Sheppard	Watson
Hale	Lewis	Sherman	Wolcott
Harding	Lodge	Shields	

The PRESIDING OFFICER (Mr. KIRBY). I wish to announce the absence of the senior Senator from Arkansas [Mr. ROBINSON] on official business.

Mr. SUTHERLAND. I desire to announce that my colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER. Fifty-nine Senators have responded to the roll call. There is a quorum present.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, and was read the third time.

The PRESIDING OFFICER. Shall the joint resolution pass?

Mr. SMITH of Maryland. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GALLINGER (when his name was called). I am paired with the senior Senator from Florida [Mr. FLETCHER], but on this vote I am relieved and vote "yea."

Mr. JOHNSON of South Dakota (when his name was called). I have a general pair with the Senator from Maine [Mr. FERNALD]. Not knowing how he would vote, I withhold my vote.

Mr. JONES of Washington (when his name was called). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent to-day, and I am paired with him, but I understand that he would vote as I would on this question, and therefore I feel at liberty to vote. I vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the Senator from Colorado [Mr. THOMAS]. I transfer that pair to the junior Senator from Indiana [Mr. NEW] and vote "nay."

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer that pair to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. OVERMAN (when his name was called). I transfer my pair with the Senator from Wyoming [Mr. WARREN] to the Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. BANKHEAD (when Mr. UNDERWOOD'S name was called). My colleague [Mr. UNDERWOOD] is absent from the Chamber because of illness. He requested me to release the Senator from Ohio [Mr. HARDING] from his pair. If my colleague were present, he would vote "yea."

The roll call was concluded.

Mr. TRAMMELL. I desire to announce the absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. SHAFROTH. I wish to announce the absence of my colleague [Mr. THOMAS] on official business. I will state that he is paired with the senior Senator from North Dakota [Mr. MCCUMBER].

Mr. OVERMAN. I desire to announce that my colleague [Mr. SIMMONS] is unavoidably detained from the Chamber.

Mr. LEWIS. I desire to announce that the Senator from California [Mr. PHELAN], the Senator from Nevada [Mr. PITTMAN], the Senator from Missouri [Mr. WILFLEY], and the Senator from Idaho [Mr. NUGENT] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 51, nays 11, as follows:

YEAS—51.

Ashurst	Guion	McKellar	Smith, Ariz.
Bankhead	Hale	McNary	Smith, Ga.
Beckham	Harding	Martin	Smith, Md.
Brandegee	Hardwick	Myers	Smith, S. C.
Chamberlain	Henderson	Nelson	Sutherland
Colt	Hollis	Overman	Thompson
Culberson	Johnson, Cal.	Page	Tillman
Cummins	Jones, Wash.	Poindexter	Trammell
Curtis	Kendrick	Pomerene	Vardaman
Fall	King	Shafroth	Wadsworth
France	Kirby	Sheppard	Warren
Gallinger	Knox	Sherman	Wolcott
Gronna	Lewis	Shields	

NAYS—11.

Dillingham	Lenroot	Norris	Townsend
Hitchcock	Lodge	Smoot	Watson
Kenyon	McCumber	Sterling	

NOT VOTING—34.

Baird	James	Penrose	Swanson
Borah	Johnson, S. Dak.	Phelan	Thomas
Calder	Jones, N. Mex.	Pittman	Underwood
Fernald	Kellogg	Ransdell	Walsh
Fletcher	La Follette	Reed	Weeks
Frelinghuysen	McLean	Robinson	Wilfley
Gerry	New	Saulsbury	Williams
Goff	Nugent	Simmons	
Gore	Owen	Smith, Mich.	

So the joint resolution was passed.

Mr. SMITH of Maryland. I move that the joint resolution (S. J. Res. 49) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States, be indefinitely postponed.

The motion was agreed to.

SPANISH WAR AND PHILIPPINE INSURRECTION PENSIONS.

Mr. THOMPSON. In view of the notice I gave on Saturday, I move that the Senate proceed to the consideration of the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Iowa?

Mr. THOMPSON. I yield to the Senator from Iowa.

Mr. KENYON. Mr. President, I desire to ask a question of the acting chairman of the Committee on Agriculture and Forestry.

Mr. THOMPSON. I yield to the Senator for that purpose.

AGRICULTURAL APPROPRIATIONS.

Mr. KENYON. The Agricultural appropriation bill (H. R. 9054) has been in conference now since the 5th of April. I should like to ask the Senator from South Carolina, the acting chairman of the Committee on Agriculture and Forestry, in the absence of the Senator from Oklahoma [Mr. GORE], why this bill is delayed so long in conference and when it is expected that a report will be made by the conferees?

Mr. SMITH of South Carolina. Mr. President, we have had several meetings of the conferees, but they have resulted so far in an absolute deadlock. The House is "standing pat" on the price of $2.20 a bushel for wheat, which has already been promulgated by the administration. The Senate conferees have stood for a price of $2.50 per bushel. On a vote or on any kind of proposition it has resulted in the deadlock continuing. Unless there is something done either by this body or by the other, the whole bill will necessarily fail.

I should like to state, in this connection, that on July 1 the appropriations carried in this bill will be necessary for the proper carrying on of the Agricultural Department; and, unless this body takes some further action, I see no hope whatever of reaching anything like an agreement between the two Houses.

I desire to state to the Senate that the other House takes the position that on the price of wheat, which was fixed by the President under authority granted by a previous bill, at $2.20 a bushel at certain markets—32 in number, I believe—for No. 1 Northern, he had reached an understanding with the allies and also a reciprocal agreement with Canada that that would be the basis of like grades for the purpose of supplying the armies and the people who are allied with us in this war. On that ground the conferees on the part of the House have taken a very positive stand and to such an extent that there is no compromise or anything save a deadlock before us.

Mr. KENYON. May I ask the Senator what would be the difficulty in making a report on the remainder of the bill? Is that the only item in dispute?

Mr. SMITH of South Carolina. The remainder of the bill has been reported to the House and has been agreed upon; there is nothing in conference save this one item, and upon that it seems the bill will ultimately fail unless the Senate takes some action in reference to the action of its conferees on the bill.

Mr. KENYON. Could not the Senator from South Carolina bring this one proposition in and permit the Senate to again vote on it?

Mr. SMITH of South Carolina. That proposition has been made to the conferees, but it has been voted down by the Senate conferees; so that there is absolutely nothing save some further instruction. I should like to say, in justification of myself as acting chairman of the committee, that after the action in conference I did not feel that I was justified in breaking away from the majority action and coming here and asking for a thing for which they did not vote.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Georgia?

Mr. SMITH of Georgia. I will wait until the Senator from Kansas yields the floor, and then I will take the floor in my own right and proceed with this matter.

The PRESIDING OFFICER. The Senator from Kansas has the floor.

Mr. SMOOT. Will the Senator from Kansas yield to me, as I desire to ask the Senator from South Carolina a question?

Mr. THOMPSON. I yield to the Senator from Utah.

Mr. SMOOT. I desire to ask the Senator from South Carolina if he would prefer that action be taken by the Senate before the conference report has been made to the Senate? In other words, from what the Senator has said, I understand that the conferees on the part of the Senate feel that the Senate has so positively passed upon the question that they do not want to yield at all.

There are only two ways to reach the matter. Either the Senate conferees must agree with the House conferees that they will report to the Senate for further instructions or else the Senate itself must take action and directly instruct its conferees. Which would the Senator from South Carolina prefer?

Mr. SMITH of South Carolina. I should prefer the latter, because there is no hope of the former.

Mr. SMITH of Georgia. Mr. President, there is nothing for us to do, it seems to me, except to instruct our conferees to agree to the House provision, unless we wish to further insist upon $2.50 wheat. As I understand it, the same reasons that existed when the measure was before the Senate for insisting upon $2.50 wheat scarcely exist at the present time. I voted for $2.50 wheat, and yet, it seems to me, it would be impossible for us to obtain it, when perhaps, as it is claimed, the arguments which we then used do not now exist.

Mr. McCUMBER. Mr. President, with the permission of the Senator from Kansas, I desire to ask the Senator from Georgia a question.

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from North Dakota?

Mr. THOMPSON. I yield for the purpose which the Senator from North Dakota states.

Mr. McCUMBER. I should like to ask the Senator from Georgia a question.

The PRESIDING OFFICER. Does the Senator from Georgia yield for a question?

Mr. SMITH of Georgia. I do.

Mr. McCUMBER. What reason has the Department of Agriculture or anyone else to pass judgment at this time upon the spring-wheat crop? We may have the opportunity to produce the finest crop that has ever been produced, but we may also have an equal opportunity to produce none.

Mr. SMITH of Georgia. I am not sufficiently expert on the subject to go further than to say that it is claimed—and I thought the suggestion of that fact might bring to us some further information from those who know more about it than I do——

Mr. McCUMBER. There is one little piece of information which I think it would be very well to get before the conferees. I think if Senators would go out a little way into the country here they would find signs reading, "Come to Washington for a minimum wage of $3.85," or something like that, and beside it another notice, which is being posted all over the country, after calling away their laborers, telling the farmers to work day and night in order to produce a good crop. It is the question of labor, the question of what has got to be paid for labor, that is going to determine what the farmer ought to receive for his crop.

SPANISH WAR AND PHILIPPINE INSURRECTION PENSIONS.

Mr. THOMPSON. Mr. President, as indicated by the title of the bill it simply provides for the pensioning of widows and minor children of officers and enlisted men who served in the war with Spain, the Philippine insurrection, or in the Boxer rebellion in China, wars and military operations participated in by this Government at about the same time.

Mr. OVERMAN. Mr. President, how much money does it call for to be appropriated?

Mr. THOMPSON. It will not require a very large amount.

Mr. OVERMAN. How much?

Mr. THOMPSON. From the report of the Department of the Interior, which of course is only an estimate, based on their experience in other wars, the Secretary states to me that the first year there will be about 1,900 pensioners, widows, on the roll; the second year, 6,700; and the third year, 11,500, with an average of one minor child for each allowance. The average annual rate of pension would be $168, making the cost for the first year $319,200, for the second year $1,125,600, and for the third year $1,932,000.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Mississippi?

Mr. THOMPSON. I yield.

Mr. VARDAMAN. I think the Senator might add there that widows who have incomes in excess of $250 a year are not permitted, as I understand, to receive the benefit of this act.

Mr. THOMPSON. The Senator from Mississippi is correct.

Mr. VARDAMAN. So that only the indigent widows of Spanish-American War soldiers are permitted to participate in this benefaction.

Mr. THOMPSON. Yes; and also the widows and minor children under 16 years of age of soldiers who participated in the Philippine insurrection, or in the Boxer rebellion in China.

The bill provides that the pension shall be paid only to widows who have net incomes not exceeding $250 per annum. It provides for the payment only of $12 per month and $2 a month for each child of such officer or enlisted man under 16 years of age.

In behalf of this motion, Mr. President, I simply wish to state that the dependent widows and orphans of Spanish-American War soldiers are the only dependent widows and orphans of soldiers of any war in which this country has engaged since the foundation of the Government who have not been amply provided for by legislation of this character.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Georgia?

Mr. THOMPSON. I yield.

Mr. SMITH of Georgia. Does this bill distinguish between those who went to the war and those who merely stopped in Georgia on a frolic?

Mr. THOMPSON. I think it does. It requires 90 days' service in the Army, Navy, or Marine Corps of the United States.

Mr. SMITH of Georgia. It limits the payments to those who went to Cuba, I presume?

Mr. THOMPSON. It provides for the widows and dependent children of those soldiers who had a service of 90 days in the Spanish-American War irrespective of where their service was. There could be no distinction as to service in a bill of this kind.

Mr. SMITH of Georgia. Is the bill limited to those who went to Cuba or is it proposed to pay those who went into camp and never reached Cuba?

Mr. THOMPSON. Well, 90 days' service is what the bill requires, and there is no distinction as to where the service was or the kind of service performed.

Mr. SMITH of Georgia. Then it covers merely camp service. Does not the Senator see a distinction between that kind of service and actual service at the front?

Mr. THOMPSON. I presume technically there would be no distinction; that 90 days' service of a soldier in a camp would be sufficient to bring his widow under the provisions of the bill. These men were volunteers; they offered their services and actually entered the Army; and their wives had to suffer the usual hardships occasioned by their absence in the service. This legislation is of the same character as legislation which has been enacted into law for the widows and minor children of soldiers of all other wars.

I wish to correct what appears to be a misapprehension in regard to this bill.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Utah?

Mr. THOMPSON. In just a moment. There seems to be a misunderstanding of the purpose of this bill on the part of some Senators. Spanish-American War veterans are not pensioned by this bill; they are the only veterans who have not asked for a pension; and they are not asking for it now.

Mr. SMITH of Georgia. Well, there are not many of them who are veterans. There were very few of them who went to war at all; they were practically all in camps here at home, and did not do any fighting.

Mr. THOMPSON. Oh, I think the Senator is mistaken about that. The statistics of the War Department show that there were 223,235 volunteers who went to the Spanish-American War and something like the same number of Regulars and Marines, making about 400,000 men in all.

Mr. KING. Will the Senator yield?

Mr. THOMPSON. I now yield to the Senator from Utah.

Mr. KING. I know of a large number of so-called Spanish-American veterans who went to California and who had the pleasure of camping in the parks there for three, four, five, or six months and never crossed the water to the Philippines or saw any service. I presume their widows will receive pensions under this bill?

Mr. SMITH of Georgia. Oh, yes.

Mr. THOMPSON. I presume that instances of that kind happened in the Revolutionary War, in the War of 1812, in the Mexican War, and in the Civil War; but no one has raised such a question when it came to pensioning the dependent widows and orphans of soldiers or even the soldiers themselves of other wars; and why make this discrimination against the widows and orphans of the soldiers of the Spanish-American War? The unselfishness of the Spanish-American soldiers in not asking a pension for themselves should commend itself to all fair-minded men. We are seeking only in a small way to take care of their dependent widows and orphans, a duty we have owed them for 20 years.

Mr. SMITH of Georgia. Not 10 per cent——

Mr. McKELLAR. Mr. President——

Mr. THOMPSON. Just a moment; one at a time. I will gladly yield to you one at a time all the afternoon.

Mr. SMITH of Georgia. Was there not this difference? Not 10 per cent of the men who were mustered into the service in the Spanish-American War ever went where there was any fighting or ever left their own home States or home country; and therefore they did not fight at all, while in the Civil War 90 per cent of them got into the fight.

Mr. THOMPSON. No; I think the Senator from Georgia is mistaken again. I know that about 5,000 young men were mustered in from Kansas, and that most of them actually went to the front, the Twentieth Kansas, under leadership of the late Gen. Funston, winning renown for their valiant services.

Mr. SMOOT. Mr. President, will the Senator from Kansas yield to me?

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield, and if so to whom?

Mr. THOMPSON. I yield to the Senator from Utah.

Mr. SMOOT. For the RECORD I wish to answer the Senator from Georgia. There were engaged in the Spanish-American War 312,523 men, and there were sent to the Philippine Islands, across the Pacific, and were engaged in the war in the Philippines, 140,038 men.

Mr. VARDAMAN. If the Senator will pardon me, how many of them went to Cuba?

Mr. SMOOT. I had those figures here, but I appear to have mislaid them and do not have them at hand now. I can get them in a few moments.

Mr. VARDAMAN. I wish the Senator would get them; I should like to have them for my own information.

Mr. McKELLAR. Mr. President, may I ask the Senator a question?

Mr. GALLINGER. Will the Senator yield to me for a moment?

Mr. THOMPSON. Just a moment. The Senator from Tennessee asked me to yield some little time ago, and I now yield to him.

Mr. McKELLAR. There was a considerable number of men in the Spanish-American war who assembled in east Tennessee. I do not think they went farther—a great many of them, at any rate—than that locality, and I was wondering whether their widows were included in the bill?

Mr. THOMPSON. The bill is very plain and explicit.

Mr. McKELLAR. Is it the purpose of the bill to include all those Tennesseeans?

Mr. THOMPSON. It provides for pensions to the dependent widows and orphans of soldiers of the Spanish-American War who had a service of 90 days and were honorably discharged, regardless of whether they were in Tennessee or elsewhere. There could be no fair distinction as to when and where the soldiers served or as to whether they were Tennesseeans or Kansans in a bill of this nature where we are proposing to pension the widows and orphans of all honorably discharged soldiers with 90 days' service to their credit. It would be unfair and unjust to attempt to distinguish between soldiers and the character of service they performed. It is presumed that a soldier always performs the service assigned to him. That is the first duty of a soldier.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from New Hampshire?

Mr. THOMPSON. I yield.

Mr. GALLINGER. I can only speak for one regiment that was enlisted, but that did not reach Cuba and did not participate in the fighting. That was the First New Hampshire Regiment. They went to camp somewhere, I think, in the State of Georgia——

Mr. SMITH of Georgia. At Chickamauga Park.

Mr. GALLINGER. At Chickamauga; and while there there was an epidemic of typhoid fever, which wrecked the health of a very large proportion of those men, and they came home disabled and sick men. Of course they were pensioned, and properly so, and equally are their widows entitled to pension with the soldiers and sailors, as I look at it.

Mr. THOMPSON. I thank the Senator from New Hampshire.

Mr. GALLINGER. I presume there may have been other camps where there was not any sickness of an extraordinary character like there was at Chickamauga.

Mr. SMITH of Georgia. I wish to say that I am familiar with the case referred to by the Senator from New Hampshire. I am glad to say that it was an exceptional case, and I think it ought to be treated in an exceptional manner.

Mr. GALLINGER. I am somewhat familiar with it.

Mr. SMITH of Georgia. I was referring particularly to my own friends in Georgia, who never left Georgia, but were pleasantly situated in camp, had a good time for 90 days, and came back home in better health than they were when they went out. I do not believe in pensioning that class of men. I am talking about my own constituents, and I am not embarrassed in expressing myself. For those who were injured, for the men who were made sick by their service at that camp, no one will vote more than I will; for the men who were wounded in the service, no one will vote more than I will, but I do not see why the man who goes out to a camp for 90 days and has a good time is any more entitled to a pension than the clerk who stays at home in the city.

Mr. THOMPSON. Mr. President, this legislation has been delayed for 20 years.

Mr. SMITH of Georgia. I hope it will be delayed for 20 years more.

Mr. THOMPSON. I do not believe it will be delayed for very many hours; I think that this bill has been so long before Congress that it will require but very little discussion to pass it, in view of its meritorious character. Bills similar to this have been in Congress since 1911, and have passed the House of Representatives, whose Members are said to be closer to the people of the country than the members of any other body, three different times. The last time, in the Sixty-fourth Congress, it passed almost unanimously. Not only that, but this bill, or one of a similar nature, has been on the calendar of the Senate on three different occasions. At the close of the Sixty-fourth Congress it passed as in Committee of the Whole, all the amendments were acted upon, and the bill reached the Senate, and the only question remaining was, "Shall the bill pass?" when by the iniquitous rule of the Senate, which we had then and which permitted interminable debate, a filibuster defeated the bill or it would have been passed almost unanimously by the Senate of the United States. At different times 56 Senators have been recorded as favorable to this proposed legislation. Now, it does seem to me that practically a unanimous vote of the House and a favorable expression of a majority of the Senate ought to be controlling. It is at least convincing that the Congress desires to pass the bill.

Mr. President, there is no reason that can be assigned why any exception should be made of the dependent widows and orphans of the Spanish-American War veterans. They are the only widows and orphans who have not been provided for. We only ask a small sum, $12 a month, for the widows, less than half what the Civil War widows are now receiving, and not more than enough to pay the rent in the city of Washington of a single room for a single person.

As I have indicated, the bill will not take a large amount of money; and it certainly will give hope and comfort to the mothers, the wives, and the sisters and brothers whose sons and husbands and brothers are now being sent to the front in this terrible war to know that they live in a country and are citizens of a Nation which will never overlook the rights of the destitute and dependent widows and orphans, should they unfortunately become such.

I submit the motion, Mr. President.

Mr. ASHURST. Mr. President, while, of course, all Senators may not recall the circumstance, it is nevertheless true that I made three separate and distinct efforts to have the Senate consider Order of Business No. 141, to provide for leasing Indian reservations so that the metalliferous minerals might be extracted. I expected to be recognized at this juncture, but I do not wish to place Calendar 141 ahead of the bill which my friend, the Senator from Kansas [Mr. THOMPSON], has requested to have considered, because I am in favor of his bill; but, of course, if the Senator's bill should lead to protracted debate, I would not feel warranted in longer withholding my attempt to secure consideration for Calendar 141. The Senator from Kansas stated to-day that on Saturday he gave notice in regard to his bill, but the RECORD shows that I gave my notice on last Thursday, on Wednesday, and on Tuesday.

Now, if this bill can be disposed of without debate——

Mr. McKELLAR. It can not.

Mr. SMITH of Georgia. Mr. President, it can not. The Senator refers to this pension bill, does he?

Mr. ASHURST. Yes.

Mr. SMITH of Georgia. Oh, no; of course it can not be disposed of without debate.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from New Hampshire?

Mr. ASHURST. I do, cheerfully, for a question.

Mr. GALLINGER. Yes—for a suggestion. My suggestion is that we are drifting into wrong legislative procedure when a Senator claims that because he gave notice that he would ask the Senate to consider a bill he has any priority of claim.

The PRESIDING OFFICER. The Chair holds that the Senator is without any standing on that ground.

Mr. GALLINGER. Precisely. That is what I wanted to have the RECORD show.

Mr. ASHURST. Well, Mr. President——

The PRESIDING OFFICER. The Senator has the floor and may proceed.

Mr. ASHURST. I am not so simple-minded as to pretend that I believe a notice is of any value in the Senate. It is not like an attorney serving notice on another attorney as to a legal proceeding, of course; and when I gave my notice the distinguished Senator from New Hampshire stated that a notice gave me no priority, and I agreed with him at that time.

I am addressing myself to gentlemen. Gentlemen are bound to recognize the fact to be that I gave a notice. It is of as much value as the notice which the Senator from Kansas gave, but no more value.

Mr. THOMPSON. Mr. President, will the Senator yield for a question?

Mr. ASHURST. I yield for a question only.

Mr. THOMPSON. The Senator did not give notice that he would move to take up his bill to-day, did he?

Mr. ASHURST. I gave notice, Mr. President, that at the earliest possible opportunity I would seek and demand the attention of the Chair to make a motion to proceed to the consideration of this bill.

Mr. THOMPSON. Permit me to call attention to the fact that I made my notice specific.

Mr. ASHURST. Well, if it is a question of notice, I cheerfully admit that a notice is of no value. It can not bind anybody.

The PRESIDING OFFICER. The Senator from Arizona has the floor; but the pending question is whether or not the Senate will proceed to the consideration of a pension bill.

Mr. ASHURST. Yes, Mr. President. I thank the Chair for that suggestion, and I am proceeding to argue that question. It is debatable after the hour of 2 o'clock.

The PRESIDING OFFICER. Yes; that is correct.

Mr. ASHURST. Now, Mr. President, I move that the Senate proceed to the consideration of Order of Business No. 141; and that motion is also debatable.

The PRESIDING OFFICER. That motion is not in order.

Mr. ASHURST. I beg the Chair's pardon. Then I will withdraw it and debate the other motion.

Mr. SMITH of Georgia. Mr. President, may I ask the Senator a question?

Mr. ASHURST. I yield for a question.

Mr. SMITH of Georgia. Would it not be a sufficient reason for failing to take up the bill suggested by the Senator from Kansas that there is another bill which we had better take up, and therefore defeat his motion to take up his bill?

Mr. ASHURST. In the first place, I wish to state briefly what the bill is which I seek to have passed.

Mr. GALLINGER. Mr. President, I rise to a point of order.

Mr. ASHURST. I yield to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire will state his point of order.

Mr. GALLINGER. I desire to inquire whether the Senator from Arizona has made a motion to proceed to the consideration of another bill.

Mr. ASHURST. No; I made it and withdrew it, because the Presiding Officer [Mr. KIRBY] correctly held that it was not in order.

Mr. GALLINGER. That is right.

Mr. ASHURST. Now, Mr. President, when Senators are urging the speedy passage of bills it is a natural thing for them to say that they are "war measures." I have refrained from emphasizing the fact that this bill ought to address itself to the Senate as a "war measure." The bill which I seek to have the Senate consider provides that the Secretary of the Interior may grant a permit to any citizen of the United States to prospect upon Indian reservations, and if such citizen discovers metalliferous minerals he may make a location of a mining claim and subsequently take a lease from the Government and proceed to extract the minerals therefrom. The royalty to be paid to the Indian tribes is named in the bill. The lease is to run for 30 years, with recapture clauses, carefully guarded; and at the end of 30 years, if the person holding the lease so desires, he may procure an additional lease of 10 years, and at the expiration of that period another one for 10 years.

Now, Mr. President, every Senator here knows just as well as I that there are certain metals which are necessary in the manufacture of ordnance; that we are importing those metals from other countries; that in some instances those metals are known to exist on Indian reservations. The Indians are not working the mines, and will not do so for years and years to come. Why, then, deprive the United States of the metals that are on these Indian reservations?

The line of cleavage and point of difference on this bill arises in this way—and I wish to be most courteous and respectful toward the views of those Senators who oppose the bill—the opposition, and the only opposition to this bill, arises from Senators who belong to the school of thought that is opposed to "leasing" any "public domain." With them I am in sympathy.

I do not believe in a landlord system for the public domain. The homestead system has built up the great West and has made happy and prosperous communities in all the States. If you revert to a landlord system, I doubt if you will get the strength and the production that you would get from the homestead system. But, Mr. President—and I beg pardon of the Senate, because this is the fourth time I have said it—this bill does not propose to lease any public domain.

I will use the State of Arizona as an example. There are 19,000,000 acres of Indian reservations in Arizona. Some of them have minerals in and upon them. Some have not. The United States Government holds the legal title to these Indian reservations. The equitable title reposes in the Indian tribe. Now, Senators ably and earnestly urge that these Indian reservations should be thrown open to the public.

Mr. President, that can not be done, because a large majority of the Members of this body and of the other body of Congress are opposed to throwing open the Indian reservations, for the reason that the boundaries of these reservations have been fixed; the Indians have occupied them a long time, and each bill opening a reservation would have to be considered separately. Some of the reservations ought not to be opened. Some should be opened. We must discriminate, and we can not by one act, without any discrimination, open all the reservations to mineral exploration and disregard the Indians' rights. The only safe way to do is to pass a bill dealing specifically with the matter. I have no pride of expression, certainly no pride of authorship, and if any Senator can suggest an amendment that will strengthen this bill I shall be glad to have it adopted; but I do say, let us not get crushed between the upper and the nether millstones of these two schools of thought, and thus deprive ourselves of the minerals that are on these reservations.

The Indians' rights are carefully guarded. This bill has been favorably reported from the Senate Committee on Indian Affairs twice; I could call the roll of the members of that committee, and it would disclose that some of the most distinguished Members of the Senate are members of the committee. They have carefully guarded this bill so that the Indians can not suffer loss or injustice, but will get a generous royalty and the Government will get the metals which it so badly needs.

Mr. SMOOT. Mr. President——

Mr. ASHURST. I yield to the Senator from Utah.

Mr. SMOOT. Does not the Senator think that 19,000,000 acres of land is really more land than the Indians of Arizona can ever cultivate or ever handle to any advantage? Would it not be better for the State of Arizona if those so-called Indian reservations were reduced to an amount that would take ample care of every Indian that is in Arizona and then have the great bulk of that land thown open for white people to come there and settle and cultivate and build up the State, and from that land have taxes paid to maintain the institutions of Arizona?

Mr. ASHURST. The Senator asks me, and properly asks me, a question, but I can not answer by saying "yes" or "no." We have 20 or 21 different reservations. One reservation has an area of 9,000,000 acres.

Mr. FALL. Mr. President——

Mr. ASHURST. Just let me finish the sentence, and then I will yield to the Senator from New Mexico. A large number of the citizens of my State believe that many of those reservations should be reduced in area, and I agree with them. The distinguished Senator from New Mexico [Mr. FALL], now on his feet, introduced an amendment, to be written into the appropriation bill, which prohibits the Chief Executive from making any more reservations in Arizona and New Mexico, so large are they now. But, notwithstanding the force of that argument, I still insist that you can not by one general bill, with justice to the Indians or justice to the public, open the reservations nolens volens, without regard to the Indian rights and treaties. You must consider each reservation separately, as each reservation presents a different problem.

Mr. SMOOT. I had no such thought, Mr. President. My thought was to take that reservation of 9,000,000 acres and give the Indians all the lands that they could possibly wish or desire.

Mr. ASHURST. Now, let me answer the question. That is the Navajo Reservation; it is largely poor land for agricultural purposes. It takes 900 acres in some parts of that reservation to support one "critter," unless you are willing to make appropriations of immense sums for storing water to irrigate and cultivate the soil and teach the Indians all the arts of agriculture.

I now yield to the Senator from New Mexico.

Mr. FALL. Mr. President, I was simply going to call the attention of the Senator from Utah, in connection with his colloquy with the Senator from Arizona, to the fact that we in Arizona and New Mexico understand that we are up against a condition; that we agree with the Senator in theory that we would like to have some reservations thrown open or materially decreased in size, but it requires our constant effort and attention to prevent the increase of the size of the reservations that now exist or the creation of new reservations.

The Senator referred to an amendment which Congress adopted and which is now a law prohibiting the creation of new reserves by Executive order. Five years ago the Congress of the United States prohibited the location of Indians upon the public domain in the States of Arizona and New Mexico; that is, it prohibited the use of the public money for the purpose of locating them outside of the reserves, because the practice had grown up of locating the Indians among the cattlemen throughought New Mexico and Arizona, and taking the public lands particularly for the Navajos. To-day the Navajo Indians are under a treaty by the terms of which they agreed that they would never undertake to settle upon any public land, or avail themselves of any public-land law; yet we had 120 located in one year, each upon 150 to 320 acres, in New Mexico.

Then the Congress passed a bill providing that none of the public funds should be used for any such purpose, and stopped it; but last year the President of the United States, of course not understanding the circumstances, but having an order presented to him, by Executive order overrode the act of Congress, and in New Mexico alone included in the Navajo reserve fifty-four thousand and some odd acres.

That is what we are up against. That is the condition; and if we can not get the reserves thrown open, we want to do the next best thing, and make them available for some business purpose. That is the reason why I announced the other day that I favored this bill.

Mr. ASHURST. That is a very complete and forceful answer to the suggestion of the Senator from Utah. What we would like to do, what we would prefer to do, is relegated to the rear by what we may do. The only practicable thing we can do in this instance is to pass this bill or some similar bill providing for leases of these Indian lands.

Mr. SMOOT. I want to ask the Senator, then, if he would not be perfectly willing to let this bill apply only to Arizona and New Mexico?

Mr. ASHURST. Mr. President, speaking for myself, as I introduced the bill originally and applied it to Arizona alone; but this is not a bill that is for the benefit of Arizona. It is a bill to benefit the United States. The United States needs the metals. Manifestly, I would not seek to force a State in under the terms of this bill where the Senators from that State objected; but it seems to me that logically if we may lease the Indian lands in Arizona we can lease them in Montana, Utah, Wyoming, Nevada, Washington, and so forth; and I do not see how such an able and capable legislator as the Senator from Utah can see in this bill any commitment of Congress to a system of leasing the public domain, when I have repeated—why, it is tiresome—over and over again that we are leasing lands belonging to Indian tribes and that do not belong to the United States.

Mr. SMOOT. Of course, Mr. President, when the bill is up for consideration I am going to show the Senator cases that have taken place in my own State, and that more than likely would take place in his State, in which if this bill passed there would be mining under leases on the public domain, because I expect soon to see all of the land in Arizona now in Indian reservations opened for settlement.

Mr. ASHURST. Well, just let us assume that a lease is made to Mr. X of Indian lands to-day. The lease to X is for 30 years, with a right at the end of that period to a renewal for 10 years; and let us assume that 1 year from to-day Congress, in its wisdom, sees fit to and does open the land. The lease is in full force and effect. The man X still has his lease, which at the end of the lease period would revert to the Government of the United States and become public land.

We must not forget that we stand with regard to the Indian in the position of trustees, and that such trusteeship requires of us the highest type of fidelity. If it were left to a referendum in my State, I am sure that those who want the Indian lands opened would be three to one in the majority, and if I am ever defeated for the Senate it will be because I do not open the Indian lands in my State fast enough. But I am going to vote to open only those lands that address themselves to my conscience and my mind as lands that ought to be opened in good faith.

I know of one Indian reservation on the Colorado River near Parker where 10 acres have been allotted to each Indian. You can maintain yourself at the Waldorf-Astoria Hotel on 20 acres, so splendid is the soil. It will grow most anything. It could

be used in many places for fertilizing purposes. I am an earnest advocate of opening that reservation. Every reason exists for its opening and no reason exists against its opening. Still we can not say we are going to wait and never pass a leasing bill until we open all the reservations to mining.

Mr. SMOOT. I want to call the attention of the Senator to the fact that the Government does not seem to feel very much alarmed over securing manganese, for the War Industries Board have arranged the price so that western producers receive 15 cents less per unit than miners east of Chicago.

Mr. ASHURST. Yes; I am aware of that.

Mr. SMOOT. So if we throw these lands open for the mining of manganese, who knows whether it can be successfully produced or not if there is a power here to come in and say: "You shall sell at such and such a price, and that price must equal the cost of production of manganese in some other section of the country." Does the Senator know also that the freight rates are against the West and there are other disadvantages? I would hate to begin a leasing system here upon any kind of land for precious metals when the prospect of any advantage to our country is so remote as it is there.

Mr. SMITH of Arizona. Mr. President——

Mr. ASHURST. I yield to my colleague.

Mr. SMITH of Arizona. I do not think the Senator from Utah is happy in his illustration. The necessity for manganese is known to everybody. His argument does not go to the fact that we have ships engaged in that trade that ought to be engaged in other trades. We have manganese in this country that we can produce. It means miserable administration to put a burden of 15 cents to the unit on western production of manganese.

Mr. SMOOT. Six dollars a ton.

Mr. SMITH of Arizona. I do not think that can stand. As soon as they know that this manganese can be handled just as easily as the manganese in the East, what little they get, there will be no trouble about arranging the matter, when the necessity keeps on pressing as it is pressing now.

Then, as to the mere fact of leasing, it is leased from the Indians. It is taken from the Indians. It is not setting the example of a lease from the United States Government. The Indian himself gets the advantage of the lease. It seems to me they ought to blame the administration for that particular matter.

Mr. CURTIS. Mr. President——

Mr. ASHURST. I yield to the Senator from Kansas.

Mr. CURTIS. I understand that there are two or three amendments to be offered to the bill that the Senator from Arizona is trying to get up, and that one of the Senators who desire to offer amendments is not here. Will not the Senator yield the floor and let us have a vote on the question of taking up the bill to pension the widows of Spanish-American War veterans? I am very anxious to see that bill passed, and hope it will be taken up to-day.

Mr. KING. Some of us have observations to make on that matter, Mr. President.

Mr. THOMPSON. Mr. President——

Mr. ASHURST. I will later yield to the Senator from Kansas, but I have not yielded as yet.

This is the fourth time that I have been required to take up this bill and discuss it rather in a desultory way for a few minutes and then have it laid aside. The Senate has been courteous and quite patient in the matter, but I have been unable to make it the unfinished business. I see now that I shall be unable to make it the unfinished business this evening, and I repeat I am not trying to secure any advantage by a notice, and I am not pretending that I think a notice would be of any value. Therefore with perfect courtesy I say that when the present pending matter is disposed of I shall again seek an opportunity to make this the unfinished business by making the appropriate motion, so I yield the floor at this time.

Mr. SHIELDS. Mr. President, I wish to ask the Senator from Arizona a question.

Mr. ASHURST. I will answer, of course.

Mr. SHIELDS. Would the Senator object to striking out all after the enacting clause of this bill and providing simply for the shipping of this soil which he says is used for fertilizer? That is more important now than metals.

Mr. ASHURST. Yes; if you will guarantee a low freight rate, we will give you a soil that will fertilize a vast deal of the soil of good old Tennessee, so ably represented by her Senators here.

Mr. SHIELDS. But the Senator from Arizona said a few minutes ago that it took 900 acres of this Arizona soil to support a "critter." He might distribute some of it over there.

Mr. HARDWICK and Mr. SMITH of Georgia addressed the Chair.

The PRESIDING OFFICER. The junior Senator from Georgia.

Mr. HARDWICK. I wanted to move an executive session, but I will yield to my colleague.

Mr. SMITH of Georgia. Mr. President, there are two matters that I wish to call to the attention of the Senate in connection with the motion of the Senator from Kansas. The first is the situation in the Agricultural Committee. The Senate must consider the question as to whether it desires the Agricultural bill left in a conference where the conferees will not agree to come back to the Senate and can not agree between themselves. I hope the Senate will, if practicable, consider that question to-morrow, and see whether they desire their conferees to continue to adhere to $2.50 wheat or whether they desire their conferees to recede, and give some advice to the conferees. Some of the conferees would have been gratified to come back to the Senate for further instructions, but the majority did not desire to do so.

Mr. FALL. Mr. President——

Mr. SMITH of Georgia. I yield to the Senator from New Mexico.

Mr. FALL. I just wanted to suggest to the Senator that some of us who are favorable to the bill which is in the hands of the Senator from Kansas, and to which he is referring, simply desire to dispose of it, and then we will take up the conference report or any other matter; but it is rather unfair, it strikes me, to insist upon injecting something else in the way before we finally dispose of the motion.

Mr. SMITH of Georgia. I desire to discuss quite elaborately the motion of the Senator from Kansas before it is disposed of.

Mr. FALL. I understood——

Mr. SMITH of Georgia. I do not yield to the Senator, unless he desires to ask me a question. In that event I shall be glad to yield.

Mr. FALL. No; I will discuss the motion later. I will also discuss the Senator's report.

Mr. SMITH of Georgia. Why, certainly. I am not asking for any action. I have to be away to-morrow, and I thought it was proper that I should make that statement to the Senate with regard to the status of that conference report. If it is the desire of the Senate that it should remain where it is, in conference, of course that is for the Senate to determine; but some of us felt, as the Senator from Iowa clearly indicated, that the Senate should understand the situation, and take control or not take control of it, as the Senate pleased.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 9218) to prevent extortion and to impose taxes upon certain incomes in the District of Columbia, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JOHNSON of Kentucky, Mr. CROSSER, and Mr. CARY managers at the conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 3391) to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain lands within the Flathead Indian Reservation, Mont.

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SMITH of Georgia. Mr. President, I desire to call attention to a conference report which has come over from the House. It is the report with reference to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended. The conference report has very little change from the bill as it passed the Senate. The principal change is that the Senate conferees consented to add "father through adoption" and "mother through adoption," and also, on page 3, to make it read:

> That the discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien, conscientious objector, or a deserter, or as guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct, shall terminate any insurance granted—

And so forth.

It is quite important to the War-Risk Bureau that this bill should be disposed of, but I am afraid since the Senator from

New Mexico [Mr. FALL] and I have gotten into this tangle, which I hope will not last, I shall not be able to dispose of the conference report this afternoon.

Mr. FALL. No; it will not be disposed of.

Mr. SMITH of Georgia. I feel sure it will not. So by request of the Senator from Virginia [Mr. MARTIN] I move that the Senate proceed to the consideration of executive business.

Mr. THOMPSON. Will the Senator withhold the motion for just a few moments?

Mr. SMITH of Georgia. Yes; but I do not yield the floor.

Mr. THOMPSON. I understand that. Will not the Senator consent that we may recess until 12 o'clock to-morrow, by unanimous consent, after the executive session?

Mr. SMITH of Georgia. No; Mr. President, there are a number of us who are not willing for the motion of the Senator from Kansas to pass this afternoon, or to take up the bill without a full discussion. We wish to go into the measure before we agree to take it up at all.

Mr. ASHURST. If the Senator will yield to me, if that be true, would it then not be the wisest and sanest and most practical way, if there is opposition to the bill, to proceed with my bill as the unfinished business?

Mr. SMITH of Georgia. We can not do that, because there is a motion now to take up another bill.

Mr. ASHURST. I am sure the Senator from Kansas, who is a practical legislator, knows that with this opposition to the bill undoubtedly, if he will withdraw his motion, I think we can pass the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservation in about a day.

Mr. SMITH of Georgia. I will agree, if the Senator from Kansas will withdraw his motion.

Mr. ASHURST. I will wait for that.

Mr. SMITH of Georgia. Only for that purpose I yield.

Mr. THOMPSON. Mr. President, I would like to accommodate the Senator from Arizona, but I am not in a position to withdraw the motion, and I give notice now that if Senators will not consent to a recess I shall renew my motion to-morrow and the next day, and until Congress adjourns, unless this measure is taken up. I wish to say that if it is going to result in a great deal of discussion I think a recess until to-morrow would be preferable, and then the Senate could act on the motion when it reassembles.

Mr. SMITH of Georgia. Then, Mr. President, we want a vote by yeas and nays on taking up the bill. We think we can defeat it.

Mr. THOMPSON. On taking up the bill?

Mr. SMITH of Georgia. Yes.

Mr. THOMPSON. Then let the question be taken by yeas and nays now.

Mr. SMITH of Georgia. No; there would not be a quorum present.

Mr. THOMPSON. But——

Mr. SMITH of Georgia. I have the floor and renew my motion to go into executive session.

Mr. THOMPSON. I rise to a question of order.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Senator will state his question of order.

Mr. THOMPSON. The motion pending will not be the unfinished business to-morrow at 2 o'clock?

The PRESIDING OFFICER. It will not.

Mr. THOMPSON. If the motion to take it up prevails before 2 o'clock, it will then be the unfinished business?

The PRESIDING OFFICER. It will. The question is on the motion of the Senator from Georgia that the Senate proceed to the consideration of executive business.

The motion was not agreed to.

Mr. SMITH of Georgia. I move that the Senate adjourn.

Mr. THOMPSON. I ask for the yeas and nays.

The yeas and nays were not ordered; and the Senate refused to adjourn.

Mr. HARDWICK. I make the point that there is no quorum present.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hardwick	King	Smith, Ga.
Chamberlain	Henderson	Lenroot	Smith, S. C.
Curtis	Johnson, S. Dak.	Lewis	Smoot
Fall	Jones, Wash.	Norris	Thompson
Gallinger	Kenyon	Sheppard	Trammell

The PRESIDING OFFICER. Twenty Senators have answered to their names. There is not a quorum present.

Mr. HARDWICK. It is apparent that we will not get a quorum, and I move that the Senate adjourn.

Mr. THOMPSON. I ask that the Secretary call the roll of absentees.

The PRESIDING OFFICER. The motion to adjourn is first in order.

Mr. HARDWICK. A motion to adjourn has precedence.

The PRESIDING OFFICER. The question is on the motion of the junior Senator from Georgia that the Senate adjourn.

On a division, the motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, June 18, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 17, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, in whom we put our trust, in whom all our fondest hopes are centered, continue Thy favors unto us as individuals and as a Nation, that the words of our lips may be wise and the issues of our hearts be pure; that we may work out our own salvation with fear and trembling; for it is God which worketh in us both to will and to do of his good pleasure; that we may play our part in the great orchestra of life, in harmony with Thy purposes.

Make our soldiers and sailors wise and strong to deliver, that with our allies they may bring order out of chaos, harmony out of discord, peace out of war; that the Old World may smile again and brotherly love have its sway; and Thine be the praise, in the name of Christ Jesus our Lord. Amen.

The Journal of the proceedings of Saturday last was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States, by Mr. Sharkey, one of his secretaries, was received.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House a message from the President of the United States, which was read and referred to the Committee on Foreign Affairs.

Mr. STAFFORD. Mr. Speaker, may I ask the Chair whether all these reports should not be referred to the Committee on Military Affairs, as they involve the question of military duty?

The SPEAKER. The Chair is rather inclined to think that that would be the most sensible thing to do, although naturally, and according to the usual practice, this would go to the Committee on Foreign Affairs.

Mr. STAFFORD. If it related merely to the clerical force in the departments it would rightfully go to the Committee on Appropriations, but as this is a military question, pertaining to the military arm of the Government, I think it would be more consistent to have the reports referred to the Committee on Military Affairs, except that from the naval department, which would be, of course, referred to the Committee on Naval Affairs.

Mr. GARRETT of Tennessee. Mr. Speaker, under the law fixing the practice of the House this resolution is properly referred to the Committee on Foreign Affairs. Now, the question whether or not after all the reports are in we shall undertake then to formulate a plan whereby they can be referred to one committee will arise at that time. The gentleman is not asking unanimous consent at this time, is he?

Mr. STAFFORD. I am merely making a suggestion to the Chair whether or not the reports are not more properly referred to the Committee on Military Affairs.

Mr. GARRETT of Tennessee. The Speaker is right in referring this to the Committee on Foreign Affairs.

Mr. STAFFORD. The purpose of the House is to seek information on the number of men available in the departments for military duty. When these reports are referred to the Committee on Military Affairs they can determine what action shall be taken. If these reports were referred to the respective committees of the House there would be no general action taken on them.

The SPEAKER. If the gentleman will ask unanimous consent, the Chair, I think, will grant it.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that this report, and all similar reports when they come in under the resolutions adopted by the House as to the clerks and employees in the departments liable to military service who have claimed exemption, be referred to the Committee on Military Affairs, except the one from the Navy Department, and that they all be printed in the RECORD.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this report and all other reports like it, except the one from the Navy Department, be referred to the

Committee on Military Affairs, and that they be printed in the RECORD. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, I suggest to the gentleman that he ask unanimous consent that the report may lie on the Speaker's table for the time being, and then, after they are all in, we can consider the matter further.

Mr. STAFFORD. I have no objection to that.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that this report and all others like it, except the one from the Navy Department, lie on the Speaker's table, and that in the meantime they be printed in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The report is as follows:

To the House of Representatives:

I transmit herewith a report from the Secretary of State in response to the resolution passed by the House of Representatives on June 3, 1918, requesting the Secretary of State "to report to the House of Representatives the number of men in the service of the Department of State who were on June 5, 1917, between the ages of 21 and 31 years, for whom requests for exemption from military duty or deferred classification have been asked by such department and allowed, the name and home address of each such person and the character of work he is performing in the service of the department and the length of time he has been in such service."

WOODROW WILSON.

THE WHITE HOUSE,
17 June, 1918.

The PRESIDENT: In response to a resolution adopted by the House of Representatives on June 3, 1918, requesting the Secretary of State "to report to the House of Representatives the number of men in the service of the Department of State who were on June 5, 1917, between the ages of 21 and 31, for whom requests for exemption from military duty or deferred classification have been asked by such department and allowed, the name and home address of each such person and the character of work he is performing in the service of the department and the length of time he has been in such service," the undersigned, the Secretary of State, has the honor to lay before the President with a view to its transmission to the House of Representatives, if the President approve thereof, a statement containing the information requested in the resolution.

Respectfully submitted. ROBERT LANSING.

Inclosure: List of employees for whom exemption from military service has been requested.

DEPARTMENT OF STATE,
Washington, D. C., June 18, 1918.

LIST OF PERSONS EMPLOYED IN THE DEPARTMENT OF STATE FOR WHOM EXEMPTION FROM MILITARY DUTY OR DEFERRED CLASSIFICATION HAVE BEEN REQUESTED.

Stanton C. Moore: Local board, Alexandria County, Va. Request made on December 31, 1917. In service of department since July 15, 1916. Mails all confidential and other correspondence to the American embassies and legations and domestic mail, except that prepared in the Consular Bureau.

James R. Jones: Local board, Alexandria County, Va. Request made on December 31, 1917. In service of department since August 14, 1914. Confidential code clerk.

J. Everett Will: Local board for Shenandoah County, Woodstock, Va. Request made on December 31, 1917. In service of department since July 10, 1915. Distributes all confidential and other recorded correspondence to bureaus and divisions of the department.

R. Archie Phebus: Local board, division No. 4, for Baltimore County, Md. Request made December 31, 1917. In service of department since July 3, 1917. Confidential record clerk. Makes a record of confidential reports incident to the war.

Russell C. Jones: Local board No. 6, Washington, D. C. Request made December 20, 1917. In service of department since November 1, 1911. Confidential secretary to the Assistant Secretary of State.

Sanford A. Michael: Local board for Hamilton County, Ind. Request made December 22, 1917. In service of department since June 1, 1917. Confidential code clerk.

Hyman Goldstein: Local board, Division 2, Washington, D. C. Request made December 22, 1917. In service of department since February 3, 1912. Confidential code clerk. Expert in revising garbled telegrams.

Harvey B. Otterman: Local board, division 9, Washington, D. C. Request made December 22, 1917. In service of department since December 6, 1912. Handles correspondence and other matters relating to the foreign service requiring an expert knowledge gained only by experience.

Louis E. Mundy: Local board, division 3, Indianapolis, Ind. Request made December 24, 1917. In service of department since June 1, 1917. Confidential code clerk.

Leo W. Ronemus: Local board for Jefferson County, Charles Town, W. Va. Request made December 26, 1917. In service of department since May 1, 1917. Confidential code clerk.

Ralph A. Ricketts: Local board No. 10, District of Columbia. Request made December 26, 1917. In service of department since April 13, 1915. Confidential code clerk.

Humphrey D. Howell: Local board at Upper Marlboro, Md. Request made December 26, 1917. In service of department since August 25, 1909. Confidential secretary to the counselor for the Department of State.

Newell W. Ellison: Local board, division No. 3, Washington, D. C. Request made December 26, 1917. In service of department since September 19, 1917. Confidential code clerk.

William C. Bullitt: Local board, division 6, Philadelphia, Pa. Request made December 26, 1917. In service of department since December 10, 1917. Engaged on special confidential work for the Assistant Secretary of State.

Charles Siegel: Local board No. 3, Washington, D. C. Request made December 27, 1917. In service of department since June 22, 1917. Confidential code clerk.

Christian A. Herter: One hundred and sixty-third district, New York City. Request made December 29, 1917. In service of department since July 23, 1917. Engaged on special confidential work for the Assistant Secretary of State.

Richard C. Sweet: Local board, County of Madison, Madison, Nebr. Request made December 29, 1917. In service of department since August 27, 1914. Confidential clerk to the Secretary of State.

A. Russell Wooding: Division No. 6, Washington, D. C. Request made December, 1917. In service of department since November 15, 1909. Chief messenger. Position requires that the incumbent shall know diplomatic and other officials coming to the department to transact business, etc.

Edward E. Driscoll: District 9, Washington, D. C. Request made January 3, 1918. In service of department since August 25, 1914. Confidential record clerk. Makes a record of confidential correspondence concerning the administration and personnel of the Diplomatic and Consular Service.

John B. Wells: Division 8, Alexandria County, Va. Request made January 3, 1918. In service of department since November 29, 1915. Confidential record clerk. Records correspondence of a confidential nature passing between the various war advisory boards and their agents abroad.

Harvey E. Fenstermacher: Division No. 4 of Schuylkill, Pa. Request made January 3, 1918. In service of department since February 1, 1916. Confidential assistant to the Chief of the Bureau of Indexes and Archives.

Edward Yardley: Local board for Montgomery County, Md., at Rockville. Request made January 4, 1918. In service of department since September 12, 1914. Drafting clerk and confidential stenographer engaged on work in connection with the war, involving the collection and dissemination of information and reports of a highly confidential nature.

Robert B. Macatee: Board for Warren County, Va., at Front Royal, Va. Request made January 31, 1918. In service of department since December 15, 1916. Engaged in important and confidential work in connection with the Division of Foreign Intelligence.

Hamilton Vreeland, jr.: Division 5 of New Jersey, at Jersey City. Request made January 4, 1918. In service of department since October 4, 1917. Law clerk, engaged in important technical international law work.

Sidney Allan Skinner: Local board for division 9, District of Columbia. Request made January 5, 1918. In service of department since October 21, 1914. In charge of record section, Bureau of Indexes and Archives. Classifies and supervises the recording, indexing, and filing of confidential and other correspondence with reference to matters of citizenship, services for other departments and independent establishments of the Government.

Walter Joseph Madden: Local board for Brown County of South Dakota, Aberdeen, S. Dak. Request made January 5, 1918. In service of department since October 6, 1916. Engaged in important and technical work requiring experience and judgment in connection with the Division of Foreign Intelligence.

Ralph O. Ennis: Board for Fairfax County, Va. Request made January 7, 1918. In service of department since November 24, 1917. Confidential record clerk. Records correspondence of a confidential nature with reference to commercial matters.

Marvin W. Will: Board for county of Shenandoah, Va., Woodstock, Va. Request made January 9, 1918. In service of department since December 18, 1913. Paraphrases original text of confidential code messages regarding trade matters. Is head stenographer in the Office of the Foreign Trade Adviser, thoroughly familiar with the routine of the office, and acts as chief clerk whenever the chief clerk is absent.

William R. Vallance: Local board for division No. 2, county of Herkimer, N. Y. Request made January 10, 1918. In service of department since January 2, 1918. Law clerk, engaged in important technical international law work.

Maitland Dwight: Division 163, New York City. Request made January 10, 1918. In service of department since November 9, 1917. Law clerk, engaged in important technical international law work.

Jesse Edward Zea: Division No. 9, Washington, D. C. Request made January 11, 1918. In service of department since September 4, 1917. Confidential clerk in cipher room. Supervises the distribution of confidential and other telegrams to officers of the department.

Clinton E. Maceachran: Division No. 2, District of Columbia. Request made January 15, 1918. In service of department since October 21, 1910. Employed on important war work of a confidential nature requiring expert knowledge of department methods.

Leo A. Merryman: Local board for division 130, New York City. Request made January 16, 1918. In service of department since January 23, 1914. Expert knowledge of passport laws and regulations, and especially gifted with administrative ability. Now in charge of a considerable part of the correspondence, both foreign and domestic, and has special charge of correspondence relating to cases of persons applying for passports to go to France for relief work.

John L. Mitchell: Local board No. 10, District of Columbia. Request made January 28, 1918. In service of department since January 25, 1910. Handles all details with regard to the purchase and shipment of furnishings for consular offices; the assembling of letters, dispatches, and accompaniments; and correspondence relating to the purchase and shipment of food supplies for such consular officers of career as wish to obtain a portion of their supplies in the United States.

Amasa Hartwell Balcom: Local board No. 9, District of Columbia. Request made January 28, 1918. In service of department since January 1, 1917. Stenographer with ability gained only by experience that enables him to handle work pertaining to the Consular Service (one of the important branches of the service at this time) under constantly changing conditions.

Julian C. Ralston: Local board for Marion County, Ind., near Indianapolis. Request made March 1, 1918. In service of department since September 10, 1917. In charge of a section of the correspondence of the Bureau of Citizenship, handling the work with particular aptitude.

J. Donald Duncan: Local board No. 129, New York City. Request made March 11, 1918. In service of department since January 28, 1918. Special assistant in the Department of State engaged on war-trade work.

John S. L. Yost: Local board No. 11, Baltimore, Md. Request made March 11, 1918. In service of department since February 25, 1918. Special assistant in the Department of State engaged on war trade work.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 11284) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

The message also announced that the Senate had passed with amendments the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the President had, on June 14, 1918, approved and signed bill of the following title:

S. 4151. An act to provide for a determination of heirship in cases of deceased members of the Cherokee, Choctaw, Chickasaw, Creek, and Seminole Tribes of Indians in Oklahoma, conferring jurisdiction upon district courts to partition lands belonging to full-blood heirs of allottees of the Five Civilized Tribes, and for other purposes.

BUREAU OF WAR-RISK INSURANCE.

Mr. RAYBURN. Mr. Speaker, I call up conference report on the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Texas calls up the conference report on the bill S. 4482, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 618).

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with an amendment as follows: In lieu of the matter proposed by the House insert the following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the second subdivision (4) of section 22 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, relating to the definition of the term 'parent,' is hereby amended to read as follows:

"'(4) The term "parent" includes a father, mother, grandfather, grandmother, father through adoption, mother through adoption, stepfather, and stepmother, either of the person in the service or of the spouse.'

"SEC. 2. That four new sections are hereby added to article 1 of said act, to be known as sections 27, 28, 29, and 30, respectively, and to read as follows:

"'SEC. 27. That whoever shall obtain or receive any money, check, allotment, family allowance, compensation, or insurance under articles 2, 3, or 4 of this act, without being entitled thereto, with intent to defraud the United States or any person in the military or naval forces of the United States, shall be punished by a fine of not more than $2,000, or by imprisonment for not more than one year, or both.

"'SEC. 28. That the allotments and family allowances, compensation, and insurance payable under articles 2, 3, and 4, respectively, shall not be assignable; shall not be subject to the claims of creditors of any person to whom an award is made under articles 2, 3, or 4, and shall be exempt from all taxation: *Provided*, That such allotments and family allowances, compensation, and insurance shall be subject to any claims which the United States may have, under articles 2, 3, and 4, against the person on whose account the allotments and family allowances, compensation, or insurance is payable.

"'SEC. 29. That the discharge or dismissal of any person from the military or naval forces on the ground that he is an enemy alien, conscientious objector, or a deserter, or as guilty of mutiny, treason, spying, or any offense involving moral turpitude, or willful and persistent misconduct shall terminate any insurance granted on the life of such person under the provisions of article 4, and shall bar all rights to any compensation under article 3 or any insurance under article 4.

"'SEC. 30. That this act may be cited as the war-risk insurance act.'

"SEC. 3. That section 200 of said act is hereby amended to read as follows:

"'SEC. 200. That the provisions of this article shall apply to all enlisted men in the military or naval forces of the United States, except the Philippine Scouts, the insular force of the Navy, and the Samoan native guard and band of the Navy.'

"SEC. 4. That the second and third paragraphs of section 201 of said act are hereby amended to read as follows:

"'The monthly compulsory allotment shall be $15. For a wife living separate and apart from her husband under court order or written agreement, or for a former wife divorced, the monthly compulsoy allotment shall not exceed the amount specified in the court order, decree, or written agreement to be paid to her, and for an illegitimate child, to whose support the father has been judicially ordered or decreed to contribute, it shall not exceed the amount fixed in the order or decree.

"'If there is a compulsory allotment for a wife or child, then a former wife divorced who has not remarried and to whom alimony has been decreed, shall not be entitled to a compulsory allotment, but shall be entitled to a family allowance as hereinafter provided.'

"SEC. 5. That section 203 of said act is hereby amended to read as follows:

"'SEC. 203. That in case one-half of an enlisted man's montly pay is not allotted, regulations to be made by the Secretary of War and the Secretary of the Navy, respectively, may require, under circumstances and conditions as may be prescribed in such regulations, that any proportion of such one-half pay as is not allotted shall be deposited to his credit, to be held during such period of his service as may be prescribed. Such deposit shall bear interest at the same rate as United States bonds bear for the same period, and, when payable, shall be paid principal and interest to the enlisted man, if living, otherwise to any beneficiary or beneficiaries he may have designated, or if there be no such beneficiary, then to the person or persons who, under the laws of the State of his residence, would be entitled to his personal property in case if intestacy.'

"SEC. 6. That the third and fourth paragraphs of section 201 of said act are hereby amended to read as follows:

"'Class A. In the case of a man to his wife (including a former wife divorced) and to his child or children—

"'(a) If there is a wife but no child, $15;

"'(b) If there is a wife and one child, $25;

"'(c) If there is a wife and two children, $32.50, with $5 per month additional for each additional child;

"'(d) If there is no wife, but one child, $5;

"'(e) If there is no wife, but two children, $12.50;

"'(f) If there is no wife, but three children, $20;

"'(g) If there is no wife, but four children, $30, with $5 per month additional for each additional child;

"'(h) If there is a former wife divorced who has not remarried and to whom alimony has been decreed, $15.

"'Class B. In the case of a man or woman to a grandchild, a parent, brother, or sister—

"'(a) If there is one parent, $10;

"'(b) If there are two parents, $20;

"'(c) If there is a grandchild, brother, sister, or additional parent, $5 for each.

"'In the case of a woman, the family allowances for a husband and children shall be in the same amounts, respectively, as are payable, in the case of a man, to a wife and children, provided she makes a voluntary allotment of $15 as a basis therefor, and provided, further, that dependency exists as required in section 206.'

"SEC. 7. That section 206 of said act is hereby amended to read as follows:

"'SEC. 206. That family allowances to members of class B shall be paid only if and while the members are dependent in whole or in part on the enlisted man, and then only if and while the enlisted man makes a monthly allotment of his pay for such members in the following amounts:

"'(a) If an enlisted man is not making a compulsory allotment for class A the allotment for class B required as a condition to the family allowance shall be $15;

"'(b) If an enlisted man is making a compulsory allotment for class A the additional allotment for class B required as a condition to the family allowance shall be $5, or if a woman is making an allotment of $15 for a dependent husband or child the additional allotment for the other members of class B required as a condition to the family allowance shall be $5.'

"SEC. 8. That section 210 of said act is hereby amended to read as follows:

"'SEC. 210. That upon receipt of any application for family allowance, the commissioner shall make all proper investigations and shall make an award, on the basis of which award the amount of the allotments to be made by the man shall be certified to the War Department or Navy Department, as may be proper. Whenever the commissioner shall have reason to believe that an allowance has been improperly made or that the conditions have changed, he shall investigate or reinvestigate and may modify the award. The amount of each monthly allotment and allowance shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 9. That sections 4, 6, 7, and 8 of this act shall take effect on the 1st day of July, 1918.

"SEC. 10. That section 300 of said act is hereby amended to read as follows:

"'SEC. 300. That for death or disability resulting from personal injury suffered or disease contracted in the line of duty, by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided further*, That this section, as amended, shall be deemed to become effective as of October 6, 1917.'

"SEC. 11. That section 301 of said act is hereby amended to read as follows:

"'SEC. 301. That if death results from injury—

"'If the deceased leaves a widow or child, or if he leaves a mother or father either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"'(a) If there is a widow but no child, $25;

"'(b) If there is a widow and one child, $35;

"'(c) If there is a widow and two children, $42.50, with $5 for each additional child up to two;

"'(d) If there is no widow, but one child, $20;

"'(e) If there is no widow, but two children, $30;

"'(f) If there is no widow, but three children, $40, with $5 for each additional child up to two;

"'(g) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. This compensation shall be payable for the death of but one child, and no compensation for the death of a child shall be payable if the dependent mother is in receipt of compensation under the provisions of this article for the death of her husband. Such compensation shall be payable whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"'If the death occurs before discharge or resignation from service, the United States shall pay for burial expenses and the return of the body to his home a sum not to exceed $100, as may be fixed by regulations.

"'The payment of compensation to a widow shall continue until her death or remarriage.

"'The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be incapable, because of insanity, idiocy, or being otherwise permanently helpless, then during such incapacity.

"'Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"'As between the widow and the children not in her custody, and as between children, the amount of the compensation shall be apportioned as may be prescribed by regulation.

"'The term "widow" as used in this section shall not include one who shall have married the deceased later than 10 years after the time of injury, and shall include a widower, whenever his condition is such that, if the deceased person were living, he would have been dependent upon her for support.'

"SEC. 12. That subdivision (1) of section 302 of said act is hereby amended to read as follows:

"'(1) If and while the disability is total, the monthly compensation shall be the following amounts:

"'(a) If the disabled person has neither wife nor child living, $30;

"'(b) If he has a wife but no child living, $45;

"'(c) If he has a wife and one child living, $55;

"'(d) If he has a wife and two children living, $65;

"'(e) If he has a wife and three or more children living, $75;

"'(f) If he has no wife but one child living, $40, with $10 for each additional child up to two;

"'(g) If he has a mother or father, either or both dependent on him for support, then in addition to the above amounts, $10 for each;

"'(h) If he is totally disabled and in addition so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $20 per month, as the director may deem reasonable: *Provided, however*, That for the loss of both feet or both hands or both eyes, or for becoming totally blind or becoming helpless and permanently bedridden from causes occurring in the line of duty in the service of the United States, the rate of compensation shall be $100 per month: *Provided further*, That where the rate of compensation is $100 per month, no allowance shall be made for a nurse or attendant.'

"SEC. 13. That subdivision (4) of section 302 of said act is hereby amended to read as follows:

"'(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month.'

"SEC. 14. That two new subdivisions are hereby added to section 302 of said act, to be known as subdivisions (5) and (6), respectively, and to read as follows:

"'(5) Where the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation shall be apportioned as may be prescribed by regulations.

"'(6) The term "wife" as used in this section shall include "husband" if the husband is dependent upon the wife for support.'

"SEC. 15. That where section 301 of said act is amended by striking out the provisions that a mother is entitled to compensation only when she is widowed and substitute provisions are included to the effect that compensation is payable to a dependent mother or dependent father, such substitute provisions shall be deemed to be in effect as of October 6, 1917.

"SEC. 16. That section 311 of said act is hereby repealed.

"SEC. 17. That section 312 of said act is hereby amended to read as follows:

"'SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"'Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.'

"SEC. 18. That section 313 of said act is hereby amended to read as follows:

"'SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval

compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"'If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable, or which may become payable, to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"'(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person, other than the United States or the enemy, to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"'(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent, true discount, compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"'A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"'Nothing in this section shall be construed to impose any administrative duties upon the War or Navy Departments.'

"SEC. 19. That section 401 of said act is hereby amended to read as follows:

"'SEC. 401. That such insurance must be applied for within 120 days after enlistment or after entrance into or employment in the active service and before discharge or resignation, except that those persons who are in the active war service at the time of the publication of the terms and conditions of such contract of insurance may apply at any time within 120 days thereafter and while in such service. Any person in the active service on or after the 6th day of April, 1917, who, while in such service and before the expiration of 120 days from and after such publication, becomes or has become totally and permanently disabled, or dies, or has died, without having applied for insurance, shall be deemed to have applied for and to have been granted insurance, payable to such person during his life in monthly installments of $25 each. If he shall die either before he shall have received any of such monthly installments or before he shall have received 240 of such monthly installments, then $25 per month shall be paid to his widow from the time of his death and during her widowhood, or if there is no widow surviving him, then to his child or children, or if there is no child surviving him, then to his mother, or if there is no mother surviving him, then to his father, if and while they survive him: *Provided, however*, That not more than 240 of such monthly installments, including those received by such person during his total and permanent disability, shall be so paid. The amount of the monthly installments shall be apportioned between children as may be provided by regulations.'

"SEC. 20. That section 19 of this act amending section 401 of the act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, as amended, shall be deemed to be in effect as of October 6, 1917: *Provided*, That nothing herein shall be construed to interfere with the payment of monthly installments, authorized to be made under the provisions of said section 401 as originally enacted, for the months up to and including June, 1918: *Provided further*, That all awards of automatic insurance under the provisions of said section 401 as originally enacted shall be revised as of the 1st day of July, 1918, in accordance with the provisions of said section 401 as amended by section 19 of this act.

"SEC. 21. That section 402 of said act is hereby amended to read as follows:

"'SEC. 402. That the director, subject to the general direction of the Secretary of the Treasury, shall promptly determine upon and publish the full and exact terms and conditions of such contract of insurance. The insurance shall be payable only to a spouse, child, grandchild, parent, brother, or sister, and also during total and permanent disability to the injured person, or to any or all of them. The insurance shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries of such insurance without the consent of such beneficiary or beneficiaries, but only within the classes herein provided. If no beneficiary within the permitted class be designated by the insured, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, the insurance shall be payable to such person or persons within the permitted class of beneficiaries as would under the laws of the State of the residence of the insured be entitled to his personal property in case of intestacy. If no such person survive the insured, then there shall be paid to the estate of the insured an amount equal to the reserve value, if any, of the insurance at the time of his death, calculated on the basis of the American Experience Table of Mortality and 3½ per cent interest in full of all obligations under the contract of insurance.'"

And the House agree to the same.

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

HOKE SMITH,
J. F. NUGENT,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The Senate concurs in amendment to section 1 by accepting the House provision as to paragraph 4 of section 22 with the amendment striking out the following words: "For the purpose of Articles II and IV only, the term 'parent' shall include also a person who has stood in loco parentis to the enlisted person for a period of not less than five years preceding October 6, 1917, or the person's enlistment or entrance into or employment in active service in the military or naval forces."

The Senate concurs in section 2, which adds four new sections to the bill, which are sections 27, 28, 29, and 30.

The Senate concurs in section 3 of the act amending section 200 with an amendment striking out the words "this section shall be deemed to be in effect as of October 6, 1917."

The Senate concurs in section 6 of the act amending section 204 with the following amendments:

Adding to class A, in the case of a man, the following: "to his wife (including a former wife divorced) and to his child or children."

(These words restore the language of the original act, but were stricken out in the bill as it passed the House.)

Adding to class B, in case of a man or woman, the words "to a grandchild, a parent, brother, or sister."

(This restores the language of the original act, but the words were stricken out of the act as it passed the House.)

The Senate concurs in section 10, amending section 300 of said act with an amendment inserting the words "in line of duty" and the words "active service" in said section, which restores the language in the original act. And the Senate further concurs in the proviso of the House, which was as follows: "*Provided*, That for the purposes of this section said offi-

cer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided*, That this section as amended shall be deemed to become effective as of October 6, 1917."

The Senate concurs in section 11 amending section 301 of said act, which amendment of the House to the original act strikes out the word "widowed" wherever it occurs before the word "mother," and also adds the father to those who may receive compensation under this section; and the House receded from its amendment striking out the words "but no compensation shall be possible if a dependency arises more than five years after the death of the person."

The Senate concurs in section 12, amending section 302 of said act, with the following amendments:

Inserting after the word "bedridden" the words "from causes occurring in the line of duty in the service of the United States."

Striking out the word "amount" where it occurs in paragraph (h) and inserting in lieu thereof the word "rate."

The Senate concurs in amendment in section 13, amending subdivision 4 of section 302 of said act with an amendment inserting the word "family" before the word "conditions," so that it will read: "(4) The amount of each monthly payment shall be determined according to the family conditions existing on the first day of the month."

The Senate concurs in section 14, which adds two new subdivisions to section 302 of said act, and concurs therein.

The Senate concurs in section 15 with an amendment striking out that part of section 14 which makes it retroactive as to section 302 of said act.

The Senate concurs in section 16, which repeals section 311 of said act.

The Senate recedes from its disagreement to section 17 and concurs in the following amendment, which occurs in the Senate bill, making section 312 read as follows:

"SEC. 312. That compensation under this article shall not be paid while the person is in receipt of service or retirement pay. The laws providing for gratuities or payments in the event of death in the service and existing pension laws shall not be applicable after the enactment of this amendment to any person in the active military or naval service on the 6th day of October, 1917, or who thereafter entered the active military or naval service, or to their widows, children, or their dependents, except in so far as rights under any such law have heretofore accrued.

"Compensation because of disability or death of members of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) shall be in lieu of any compensation for such disability or death under the act entitled, 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916."

The Senate concurs in section 18, which amends section 313 of said act with an amendment making section 313 read as follows:

"SEC. 313. (1) That if an injury or death for which compensation is payable under this article is caused under circumstances creating a legal liability upon some person other than the United States or the enemy to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any right of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed on the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable or which may become payable to such beneficiary or conditional beneficiary by the United States on account of the same injury or death.

"(2) If an injury or death for which compensation may be payable under this article is caused under circumstances creating a legal liability upon some person to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death, to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purposes of computation only under this section, the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent true discount compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"A conditional beneficiary is any person who may become entitled to compensation under this article on or after the death of the injured person.

"Nothing in this section to be construed to impose any administrative duties upon the War or Navy Departments."

The Senate recedes from its disagreement to section 19, which amends section 401 of said act.

The Senate recedes from its disagreement to section 20, and concurs with the House.

The Senate recedes from its amendment to section 21, which amends section 402 of said act.

Respectfully submitted,

T. W. SIMS,
SAM RAYBURN,
JOHN J. ESCH,
Managers on the part of the House.

Mr. RAYBURN. Mr. Speaker, when the Senate bill 4482 was referred to the House committee, the House had reported two bills on that question. Everything in the Senate bill was contained in one of the bills that passed the House. Therefore it was not hard for the conferees to get together. The House bill, however, contained a great many things that the Senate bill did not contain. Of course, the conference was brought about. The bill as reported to the House is practically in form and substance as it passed the House, with two or three substantial changes, in only one of which was any great percentage of the Members vitally interested. When we passed the bill in the House we expanded the term "parent" to include father and mother by adoption and also anyone who has stood in loco parentis to the enlisted man for a period of five years next preceding his enlistment. The Senate agreed to the amendment including father and mother by adoption, but they were not willing to agree to the amendment bringing in anyone under the terms of the act who had stood in loco parentis. That went out of the bill as it passed the House. The House also passed an amendment to section 300 of the original act where it has to do with compensation, striking out the words that the injury or death must occur in line of duty, and substituted therefor "in active service." That amendment of the House went out, and the language of the original act was restored, which was that the injury or death must occur in service in line of duty.

There is only one more amendment that the House receded upon. The House passed an amendment having the effect that this compensation should be payable to the parent regardless of any limitation as to when the death occurred or when the dependency arose.

An amendment was adopted in the House when the bill was under consideration, not reported from the committee, striking out the five-year limitation, which would have made it any time during the life of the parent if dependency arose. The lan-

guage of the reported bill on that proposition was reestablished in the bill, and, with these three changes, I think the bill is essentially in the form in which it passed the House.

Mr. BLACK. Mr. Speaker, will the gentleman yield.

Mr. RAYBURN. Yes.

Mr. BLACK. The gentleman has just stated that this subdivision G of section 301 as it was originally proposed to the House provided that this compensation of $20 in the case of one parent or $30 in the case of both parents should be paid, provided there was a dependent relationship existing between parent and son, and this provision also contemplated that this dependency might arise even after the death of the enlisted man but within five years of such death. The House adopted an amendment, which I offered at the time we were considering the bill, striking out the limitation of five years and provided that whenever the dependency might arise the amount would be payable under this subdivision G of section 301. I would like the gentleman to give a reason, if he cares to, why there should be any such limitation as five years placed upon the payment to a dependent parent. It occurs to me that the provision as now written in the bill would put a premium upon the early attempted proof of dependency. If you put a limitation that such dependency must be proven within five years, such limitation would naturally operate as a stimulus to the filing of claims within that time, so that the claimant might not be shut off by the limitation, and, even aside from that feature of the matter, it occurs to me that if a mother or father 10 years after the soldier was killed in the service becomes dependent the right would be just as persuasive then for the recovery of this compensation as it would be after five years. I am at a loss to understand why there should be a limitation. I thoroughly sympathize with the provision of the bill that requires dependency, but I am at a loss to understand why there should be a limitation as to time. Frequently the dependency of a parent does not arise until they have reached an old age.

Mr. RAYBURN. The same idea was carried out in the original act as to a widow, and we provided in that that one who married the soldier more than 10 years after the injury——

Mr. BLACK. I think that would be different.

Mr. RAYBURN. As far as I am concerned, I contended in the committee for the retention of the House provision, but the argument was made that on a question of dependency that would arise in such a remote time of, say, 10, 15, or 20 years, in all probability the Government would be done a serious injustice. If people knew they were going to get this compensation at any time, they might be willing or would naturally dissipate what they had of the world's goods, more so than they would if they knew they would not get this compensation from the Government after that period of time. The Senate committee was very positive on that. They would not agree to it at all, and we finally decided that it must go out before we could get an agreement; and then it does seem to me that after the death of a soldier, five years—not for the wife, but for a dependent mother or father—could not be objected to. They may be in good circumstances now, but they may suffer reverses just like anyone else is likely to do, whether we are at war or not. With a liberal provision in the bill as to compensation and striking out the word "widowed" wherever it precedes "mother," and also the inclusion of the father, if there is a father and mother, if either be living, that one should get $20 a month, if dependent, and if both be living, $30 a month, it seems to me if we extend that over a period of five years, with the provision for payment which we have made, it is very liberal, indeed. It does not seem to me that after a period of five years after the death of the soldier or the close of the war a dependency then could arise that would arise out of the soldier having been taken away.

Mr. BLACK. The presumption would be that the son would support his parents when they should become dependent as long as he might live, and his expectancy under the American table of mortality, of course, would be much longer than five years, and I should think that a parent, father or mother, who became truly dependent 10 years after the soldier's death would really have as much equity in the payment of this compensation as if it occurred within the five-year period.

Mr. RAYBURN. I could not agree with my colleague on that at all. If the soldier were living five years after the injury, or five years after the war closed, in all probability he would have undertaken obligations before that time that would probably have placed him in a position where he would have other dependents.

Mr. BLACK. No; very few sons ever get themselves in a position where they are not ready and willing to help their parents.

Mr. RAYBURN. There are a lot of people in the poorhouses in this country.

Mr. BLACK. We do not want any parents of these soldiers to go to the poorhouse.

Mr. RAYBURN. I am talking about the question of dependency arising.

Mr. BLACK. And I am absolutely certain that sooner or later Congress will repeal this provision of the law.

Mr. RAYBURN. Yes; and Congress is going to repeal the provisions of a bill about putting officers and privates on the same plane that my colleague offered last year.

Mr. BLACK. That remains to be seen.

Mr. STAFFORD. In line with the suggestion of your colleague, I understand under the existing pension law that if a soldier receives injury in the service, even though the parent is not dependent at the time of the injury so that the parent could receive the pension, nevertheless whenever the parent becomes dependent he then obtains a pensionable status to entitle him to the amount of pension that he would have obtained from the very beginning of the injury in case the parent was then dependent. Now, as I understand the provision in the conference report, it is necessary for this parent to be dependent within five years after the injury in order that he may get compensation, so it is virtually taking a contrary position to that which has been established for years under existing pension laws.

Mr. RAYBURN. I would have been very much pleased if it could have remained in the bill and we could have gotten an agreement, I will say to the gentleman.

Mr. SNOOK. Will the gentleman yield?

Mr. RAYBURN. I will.

Mr. SNOOK. I wanted to ask the gentleman what became of the amendment offered by the gentleman from Alabama to section 300?

Mr. RAYBURN. It remained.

Mr. SNOOK. In the language adopted by the House?

Mr. RAYBURN. Exactly in the language adopted by the House.

Mr. BURNETT. Will the gentleman yield?

Mr. RAYBURN. I will.

Mr. BURNETT. I did not clearly understand the statement of the gentleman in regard to the liability occurring upon the death incurred in line of duty. Does that mean every disability, every disease incurred in line of duty, or death itself? That is what I want to get clearly, because possibly he might be in a hospital some time afterwards, and I was not very sure whether the gentleman made that clear or not.

Mr. RAYBURN. For death or disability resulting. Mr. Speaker, I move the previous question.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. MOORE of Pennsylvania. If a man dies in the service and his mother is dependent upon him and her husband is still living but a deserter and not contributing to her support, will the mother in that case derive any benefit?

Mr. RAYBURN. I do not undertsand the gentleman.

Mr. MOORE of Pennsylvania. A man dies in the service leaving a dependent mother. She is married and her husband can not be found——

Mr. RAYBURN. That does not make any difference whether she is married or single, if she is a dependent mother.

Mr. MOORE of Pennsylvania. She becomes a beneficiary under this amendment?

Mr. RAYBURN. Yes. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

SUNDRY CIVIL BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441, the sundry civil appropriation bill, with Mr. GARRETT of Tennessee in the Chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12441, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that we may return to page 2 for the purpose of offering a new

paragraph; and, pending that request, I desire to make to the committee a statement, so they will understand what is involved in the request. I have been instructed by the Committee on Appropriations to offer as an amendment to the bill a provision for "the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, $50,000,000." That is to continue the special emergency fund for the present. I have also been instructed by the Committee on Appropriations to offer, following that, an amendment for the Committee on Public Information, appropriating $1,250,000. Now the purpose of asking the request to go back to page 2 is simply because it would put this first matter in the bill at a place that it ought to come.

Mr. MADDEN. Mr. Chairman, reserving the right to object, on what page of the bill is the public-information item now?

Mr. SHERLEY. It is not there at all; and I will read what is proposed to be offered as an amendment, and which is separate from the amendment in regard to the President's matter.

Mr. MADDEN. I understood there was an item of $2,000,000 in this bill for public information.

Mr. SHERLEY. No; there was an estimate submitted to the committee of $2,098,000, but there is nothing now in the bill. The committee has had hearings since the presentation of the bill. They are available now to the Committee of the Whole. Of the work of the Committee on Public Information and the amendment which is proposed, I will read—it is not very long——

Mr. MADDEN. Will the gentleman answer a question before consent is granted? What induced the committee not to report the item in the bill for the Committee on Public Information?

Mr. SHERLEY. The estimate did not come in time for the committee to take it up in detail before reporting the sundry civil bill, unless the bill was to be unduly delayed. Further, I will say to the gentleman that there was a complete understanding between Mr. GILLETT and myself as to the matter, and after the hearings were finished on the bill—the regular hearings, other than those relating to this—there were two or three days necessary for the clerk and the printer to prepare the bill. I took advantage of that time to be absent on a visit to my own city for a day and a half, for the first time since the Congress has met. The gentleman from Massachusetts [Mr. GILLETT] was away, and he was desirous and I was also desirous that he should be present at the hearings touching this matter. So it was agreed, informally, that we would take it up subsequently, and thus not delay the consideration of the rest of the bill. It was taken up by the subcommittee and these hearings held, which are now printed, and the matter was brought before the full committee to-day, and they authorized me to make this report.

Mr. MADDEN. Up to the present time the funds for the Committee on Public Information have been received from the President, have they not?

Mr. SHERLEY. They have. And it was believed by the President, and believed, I think, by all of the committee, that this, together with other funds that could be properly estimated for, should be appropriated for in the regular way rather than being paid for out of the President's fund, and accordingly we have endeavored to get such information as we could touching the activity of the Committee on Public Information and are prepared to offer for the consideration of the House this amendment.

Mr. MADDEN. The gentleman and his committee believe that the information they have obtained as the result of their investigation justifies the existence of the Committee on Public Information and its work, do they not?

Mr. SHERLEY. I think there is no division on the part of the members touching that. Whatever may be the individual judgment of members touching Mr. Creel, who is the head of that committee, I think there is a general acquiescence in the belief that the work of the Committee on Public Information has not only been of very great importance and value to the country, but it is work that ought to continue, and that the Congress would not be justified in discontinuing it.

Mr. MOORE of Pennsylvania. Will the gentleman yield? Does this appropriation for publicity work contemplate appropriations for more than a year?

Mr. SHERLEY. No; it contemplates simply an appropriation, as other appropriations are made, and the provision which I am offering requires a report to be made at the first of each session of Congress, so that Congress may keep fully advised. And I will say to the gentleman frankly that I thoroughly share the view, that I think is shared generally by the membership of the House, that work of this kind is work of such importance and work which could be so abused that Congress should be fully advised from time to time as to the character of it and have it within its control.

Mr. MOORE of Pennsylvania. The gentleman knows that heretofore this bureau has been paid for out of the President's $100,000,000 fund. Congress had nothing to do with the establishment of this Bureau of Publicity or the appointment of Mr. Creel.

Mr. SHERLEY. That is true.

Mr. MOORE of Pennsylvania. It is, therefore, a creation of the Executive. Now it is being shoved over onto Congress——

Mr. SHERLEY. I would not say that that was the situation at all, sir. I think Congress in the proper exercise of its functions has asked for information touching the matter and is now prepared either to vote moneys or deny moneys for this as well as other governmental activities.

Mr. MOORE of Pennsylvania. Ordinarily the creation of a new bureau is a matter for Congress to determine. In this instance the bureau was created without the knowledge of Congress, and now, after it has been in operation for a year, it is suggested substantially as a permanent institution for which Congress will make provision.

Mr. SHERLEY. I beg to differ with the gentleman. There is nothing that is proposed looking to a permanent institution. The work of this committee is purely war work. And I say to the gentleman that the gentleman from Massachusetts [Mr. GILLETT] wrote me a letter, one with which I am in thorough sympathy, suggesting that this work was of such a character that he felt that Congress should be advised touching it, and should, if it desired to continue it, make direct appropriation for it. And it has been, until the gentleman has taken a different view, the generally accepted view, as I have gathered from Members, that it was desirable that Congress should know about the matter and should say whether or not it should continue.

Mr. MOORE of Pennsylvania. The gentleman regards this bureau as a war-emergency bureau, simply, does he not?

Mr. SHERLEY. Unquestionably.

Mr. MOORE of Pennsylvania. And is there anything in the amendment providing for it that contemplates a limitation upon its tenure?

Mr. SHERLEY. The amendment itself simply makes moneys available for the fiscal year, and when the fiscal year ends the thing dies of its own accord, unless additional moneys are made available.

Mr. MOORE of Pennsylvania. The bureau or committee would have to come back to Congress for a continuance?

Mr. SHERLEY. Of course. There is no desire on the part of anybody to create a permanent bureau.

Mr. MOORE of Pennsylvania. Its usefulness is for the war period?

Mr. SHERLEY. Unquestionably.

Mr. MOORE of Pennsylvania. And the amendment does not accept it as a permanent institution?

Mr. SHERLEY. It not only does not contemplate it but the Appropriations Committee is unalterably opposed to the creation of such a bureau in peace time.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to return to page 2 to offer——

Mr. SHERLEY. To offer a new paragraph at the beginning of the page.

The CHAIRMAN. To return to page 2 for the purpose of offering a certain amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Insert as a new paragraph at the top of page 2 the following:

"NATIONAL DEFENSE.

"For the national security and defense, and for each and every purpose connected therewith, to be expended at the discretion of the President, $50,000,000."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. SHERLEY. Mr. Chairman, with the permission of the committee, I desire to have read a letter from the President of the United States.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

THE WHITE HOUSE,
Washington, 24 May, 1918.

MY DEAR MR. SHERLEY: I take the liberty of writing to call your attention to an appropriation which seems to me of capital importance in connection with the effective conduct of the war. I refer to the sum for national security and defense which has been placed at my disposal during the past fiscal year. I think

that it is of the utmost importance that a similar fund should be put at my disposal for the next fiscal year, though in my judgment it need not be so large as the last appropriation for that purpose. I think that a sum of half the amount, namely, $50,000,000, would be abundant.

I believe that you and your colleagues on the Committee on Appropriations are familiar with the objects for which I have used the appropriation, but perhaps you will permit me to summarize them and to append an outline of the actual expenditures.

I have used considerable sums for the maintenance of the Food Administration, the Fuel Administration, and the War Trade Board, and for the maintenance of the proper agencies for the allocation of labor, a matter of very great consequence and of no little difficulty just now, when there is so general a dislocation of labor throughout the country. For these objects it seems probable that the fund is no longer necessary, inasmuch as their administration has now been quite thoroughly organized, and is susceptible of being maintained by definite appropriations assigned to their use in the usual manner. Of course, this method of appropriation is preferable to any other.

Besides these objects, I have spent very large sums for the repair of ships owned by alien enemies, which we took possession of immediately after our entrance into the war, and which, as you know, had been deliberately damaged in the most serious way by their own crews; for the providing of temporary accommodations for the newly created services connected with the war; for advances to the regular departments for services appropriated for in the usual way when it seemed unwise in the circumstances to wait until appropriations, which could certainly be counted upon, could be acted upon by the Congress; to provide additional facilities for the Civil Service Commission, in order that it might more nearly meet the exceptional demands of the time for clerical aid; for miscellaneous expenses connected with the very serviceable action of the Council of National Defense; and for labor matters of many sorts, investigation, mediation, the settlement of strikes, and many objects arising from time to time and impossible to foresee or calculate for beforehand. Most of these matters may also now, fortunately, be taken care of in the regular way, though similar occasions for the immediate expenditure of money may, no doubt, arise on a smaller scale than before. Some of these objects, as, for example, the repair of ships, have now been, I assume, entirely covered.

There remain the uses for such a fund which I may perhaps characterize as continuing but incalculable. I refer to the conduct of many necessary investigations—for example, in connection with the determination of the prices which the Government is to pay and which the Governments associated with us in the war are to pay.

To indispensable secret service and to confidential uses abroad;

To the very large necessities of record and information;

To the maintenance of the instrumentalities, both on this side of the water and on the other, which are doing admirable work in forming public opinion both here and there of the real aims of America, of the progress she is making in the conduct of the war, and of the real facts with regard to all the larger aspects of our policy;

And to the service and guidance to all sorts of patriotic movements in the United States which appeal to the Government for its assistance and for materials wherewith to conduct their work.

Besides these things which can now be stated, the experience of the past year convinces me that there are many occasions which will arise which I can not now even conjecture, but which will make it necessary that I should have a free fund at my disposal.

May I not take the liberty of saying a word of special emphasis with regard to the work which the Committee on Public Information has been doing? I have had very close personal connections with the work of that committee and have watched its development and its activities with particular care and interest, feeling a special responsibility. The work of the committee has, on the whole, been admirably done, and I think it very likely that nobody, not even those intimately connected with the Government, is aware of the extent, the variety, and the usefulness of that work or of the really unusually economical manner in which it has been accomplished, so far as the expenditure of money is concerned. I should feel personally crippled if any obstacle of any kind were put in the way of that work.

It is probable that it will now be possible to a considerable extent to submit estimates of the usual sort to take care of the work of the committee, and I hope that in connection with those estimates at least some of the members of the Committee on Appropriations may have an opportunity to know more particularly what it has been doing.

Cordially and sincerely, yours,

WOODROW WILSON.

HON. SWAGAR SHERLEY,
House of Representatives.

Mr. SHERLEY. Mr. Chairman, inasmuch as there will come to the committee, after consideration and action upon this amendment, the amendment touching the Committee on Public Information, I shall not now refer to that at all. I desire very briefly to speak touching the emergency fund that has been granted to the President, and which by this proposed amendment is to be renewed to the extent of $50,000,000.

The President has supplied me with a statement, which I shall place in the RECORD, showing the allotments that have been made from this fund from time to time, and which total as regular allotments $55,935,965.98, from which should be deducted the amount returned under these regular allotments of $133,815.61, leaving a net of $55,802,150.37.

There have been allotments under the head of reimbursable allotments of $82,399,280, and there has been reimbursed of such allotments $65,000,000, leaving $17,399,280 which has not been reimbursed under the reimbursable allotments, which, added to the $55,802,150.37 that I first spoke of, makes a total of $73,201,430.37 of net amount allotted, leaving a balance at the time of this statement of $26,798,569.63 which has not been allotted, and which, to the extent that it shall not be allotted, will be returned to the Treasury of the United States.

Now, these allotments have been, in large measure, as follows: For the Treasury Department there has been made a permanent allotment of $1,454,161.54; of reimbursable allotments there were $4,200,000, which, as I recall, was the amount that went to the purchase of the Arlington property, and which the House is familiar with by virtue of a discussion had on the floor. There have been permanent allotments to the War Department of a little under $15,000,000 and reimbursable allotments of $77,500,000, and of the reimbursable allotments $65,000,000 has been returned.

Now, those were of a character where the activity so provided for would be appropriated for by Congress but where the need for immediate action was great, and in order to save time allotments were made without awaiting the appropriation. I recall one instance of which I have spoken heretofore in the House and for which I was in large measure responsible in the beginning. It developed in the Committee on Appropriations shortly after the war broke out that there was need of having the Ordnance Department placed in a position where it could undertake the creation of factories and the manufacture of certain character of material for the Army which it was of the first importance should be undertaken at once, and there were no funds available. The Committee on Appropriations were well satisfied of the need of such work and that Congress would appropriate the money, as it subsequently did. They therefore authorized me to say to the President, which I did, that if the President saw fit to advance this money to the Ordnance Department, so as to save a month or two of time waiting on bills, the committee was disposed to appropriate the money, and that this fund would be reimbursed out of it. That has happened, and that has happened in a number of other instances.

A large part of this money, however—or, rather, a considerable part of it—went to purposes that Congress has not seen fit to reimburse the President, and which I explained to the House when I brought in a deficiency bill early in the calendar year. I stated to the President that if every time an advancement was made out of this fund Congress was to reimburse the fund, without regard to the advancement, it would result in practically having the judgment of Congress disregarded touching the desirability of work being carried on, and it would simply result that this fund would be a medium whereby the departments would get—subject, of course, to the President's judgment—such moneys for such purposes as they saw fit.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. I ask unanimous consent to continue for five minutes further.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SHERLEY. The President was in thorough sympathy with the view I expressed, and saw no reason why such funds should be reimbursed; and the committee will recall that I stated a number of instances in which estimates were submitted for the purpose of reimbursement, but which we did not vote.

For instance, when the War-Risk Insurance Bureau was established, with its enlarged powers, it was through legislation passed about two weeks before Congress adjourned. It was highly proper and absolutely necessary that the President should provide for the activities of this bureau by advancing money; but we felt that there was no reason for reimbursing such moneys, because that was the very purpose for which this fund had been created, and if we were to reimburse in each instance, as I stated a moment ago, it would result in these departments not having to come to Congress at all. So the policy of the Committee on Appropriations, at least, has been in every instance to ask that the various departments, many of which have had their activities outlined and enlarged by virtue of presidential proclamation, and necessarily and properly so, should come to Congress with estimates the same as the regularly established departments of the Government, and so that the Congress could, as they have, make such appropriations as were necessary. For instance, the food and the fuel departments were conducted out of funds advanced by the President in the first instance. That was true of the Alien-Property Custodian. It was true of the War Trade Board, it was true of many activities of the Council of National Defense. It was true of the activities of the War Industries Board, and the moneys so advanced have not been reimbursed. Now, in all of these cases in this very bill we are carrying money for the purpose of taking care of these activities of the Government in the regular way, which is the only way by which Congress can properly supervise such activities.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. These activities are now compelled to come before the Committee on Appropriations and state their claims?

Mr. SHERLEY. They not only are obliged to do so, but they have done so; and this bill, as I stated, carries moneys for all of those different activities.

Mr. MOORE of Pennsylvania. For one I think that is highly commendable. Of course, we could not prevent the President from exercising his judgment after we had given him $100,000,000. But in view of the fact that the President's request is now reduced from $100,000,000 last year to $50,000,000 next year, I want to ask if the gentleman can state how much has been provided for in this bill in lieu of the $50,000,000 the President has not asked for?

Mr. SHERLEY. I have not made a calculation of that character, but it is a very considerable sum.

Mr. MOORE of Pennsylvania. Would the total exceed $100,000,000 for next year, including the $50,000,000 not now asked for?

Mr. SHERLEY. I doubt whether the moneys that we have appropriated for these new activities would exceed $100,000,000, though they might. For instance, here is one of the activities. The President very properly advanced $19,061,211.07 to the Shipping Board. That was in connection with the repair of a lot of the German ships that this Government seized when we went to war with Germany. The gentleman will recall that there were a great many acts of sabotage committed by the crews of these ships.

Mr. MOORE of Pennsylvania. I remember.

Mr. SHERLEY. And when we took them over it was necessary to make extensive repairs. Now, the President very properly advanced nineteen and a half million dollars for that purpose. All of that sort of work is now cared for regularly in connection with the Shipping Board.

Mr. MOORE of Pennsylvania. As to that Congress had no official information until the President's letter was read a while ago.

Mr. SHERLEY. The gentleman is not quite accurate in that regard. Congress was advised last December, by a letter of the President, of date December 5, to Mr. Fitzgerald, the then chairman of the Committee on Appropriations, of the $31,500,000 of allotments that the President had made out of the fund, and at that time there was an extension of the fund for a longer period, and a statement was made concerning the use that had been made of it.

Mr. MOORE of Pennsylvania. The main point is this, that the tendency to appropriate money by Executive order, through agents whom the President can not very well follow, is decreasing, and the supervision of Congress over moneys to be expended for war purposes is increasing.

Mr. SHERLEY. That is true, and this ought to be said: I think the President from the beginning has had a pronounced desire, which he has carried forward, not to advance moneys for bureaus except in matters that seemed of such importance as to make it necessary that he should do so, and he was in full sympathy with the view that I expressed to him on behalf of the Committee on Appropriations, that the Congress should make provision for activities of the Government in all instances where it was possible and that he should not be called upon to do it from such a fund. Now, there are certain things that it is manifest the President's fund was intended to be used for and has been used for, which things have not been made the subject of inquiry by the committee and ought not to be. The President, in the memorandum that he has submitted, states that for confidential use abroad and for other secret uses in America he has allotted $6,807,507. I have not sought to obtain any information touching the use of that fund, and I am quite sure that I voice the sentiment of the House when I say that it is not desired that we should make inquiry into it.

Mr. MOORE of Pennsylvania. That fund was not reimbursed, was it?

Mr. SHERLEY. No; that was not reimbursed. Then there was allotted to the Committee on Public Information, which we will deal with subsequently, $2,100,000, all of which has not been used. There was allotted to the Food and Fuel Administrations $2,400,000.

Mr. MOORE of Pennsylvania. But they all now come under the supervision of Congress?

Mr. SHERLEY. They do; and there is a reasonably detailed statement presented by the Executive; and I am quite sure that had I sought to obtain additional information touching any matter it would have been gladly furnished. There is running through these hearings information in great detail as to the use of most of this money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. May I have five minutes more?

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. For instance, when the Food Administrator was before us the Committee on Appropriations asked him how much money had been allotted to him by the President. He told us, and we then asked him what he did with it; and in each instance as these new bureaus or old bureaus have come before us we have asked them not only as to moneys that had been appropriated and which they had used but we have asked them, "How much money have you had from the President's fund? What have you done with it?" And there is contained in these two volumes pretty full information touching the uses of moneys that have been made under the allotments by the President. I have not had the time to check up the one statement as against the other; but I can only repeat that the use of this fund has been a most conservative use. I know of my own personal knowledge that there have been many efforts by the departments to press matters that they thought were of first magnitude, and which they desired to have the President allot funds for, in which efforts they were not successful.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. SHERLEY. Certainly.

Mr. HAMILTON of Michigan. The gentleman refers to reimbursable allotments, but where funds have been used and properly used, as the gentleman states, why should there be any reimbursement?

Mr. SHERLEY. There was this reason. For instance, $77,600,000 was allotted to the War Department in the way of a reimbursable allotment. If that had been allotted as a permanent allotment manifestly this whole fund might be pledged so soon as to require the President to come and ask for additional money, or put him in the position where he might not have available funds for matters of great magnitude, which might require at any moment a very large amount. But, as I explained, possibly when the gentleman was out of the Chamber, there were some circumstances in which time could be saved by the President allotting money that it was perfectly apparent Congress was going to appropriate.

I recall an instance in which, by instruction by the Committee on Appropriations, I wrote the President a letter stating that I thought that something like thirty or forty million dollars—my memory may be wrong as to the exact figures—ought to be advanced to the Ordnance Department to enable them to undertake the immediate creation of facilities for the manufacture of field artillery, and that a saving of some time then would mean perhaps months of time later on; that the committee was prepared to vote these moneys, but that it was not practicable to put it through Congress immediately. On these assurances and representations made to him by the Secretary of War the President did make the allotment. Now, then, allotments frequently are never drawn on, but the very fact that the War Department was

in a position, in dealing with men whom they wanted to create these factories and place the orders with, to say that they had funds available for work of such magnitude made it possible to induce such men to undertake the work rather than to wait until Congress appropriated the money.

Mr. HAMILTON of Michigan. It means that the President has approved the proposition and made the allotment, and therefore with the implied understanding that later on there would be an appropriation, and that is what the reimbursement proposition means?

Mr. SHERLEY. Yes.

Mr. HAMILTON of Michigan. I thank the gentleman.

Mr. BLACK. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BLACK. Suppose some of this amount remains in the hands of the President on July 1, 1919; will that be covered into the Treasury?

Mr. SHERLEY. It will.

Mr. Chairman, I submit the following statements touching allotments out of the $100,000,000 fund:

Summary of allotments made by the President from appropriation "National security and defense," deficiency act, Apr. 17, 1917 (40 Stats., p. 28), as extended by Public Act 92, Dec. 15, 1917.

Department or office.	Permanent allotments.	Reimbursable allotments.	Amounts reimbursed or returned.
Treasury Department	$1,454,161.54	$1,200,000.00	
War Department	14,705,986.37	77,583,280.00	[1] 65,000,000.00
Navy Department	1,498,000.00		
Interior Department	200,000.00		
Department of Commerce	1,715,550.00		[2] 115,370.21
Department of Labor	1,067,000.00		
For Secret Service and confidential use abroad (including State Department and Department of Justice)	6,807,507.00	275,000.00	
Executive Office	5,000.00		[2] 1,180.00
Civil Service Commission	250,000.00		
Committee on Public Information	2,100,000.00		
Council of National Defense	600,050.00		
Judge Lovett, Priority Transportation	25,000.00		[2] 17,265.37
Alien Property Custodian	50,000.00		
Exports Administrative Board	250,000.00		
War Trade Board	1,605,500.00	200,000.00	
Director General of Railroads	50,000.00	25,000.00	
United States Shipping Board	19,561,211.07		
United States Food Administration	590,000.00		
United States Food and Fuel Administrations, building and educational	2,400,000.00		
United States Fuel Administration	300,000.00		
Federal Trade Commission	700,000.00		
State, War, and Navy Departments Buildings		116,000.00	
Total	55,935,965.98	82,399,280.00	65,133,815.61

[1] Reimbursed.
[2] Unused balances of allotments returned to the principal account.

Regular allotments		$55,935,965.98
Deduct amounts returned		133,815.61
		55,802,150.37
Reimbursable allotments	$82,399,280.00	
Deduct amounts reimbursed	65,000,000.00	
		17,399,280.00
Net amount allotted		73,201,430.37
Balance unallotted		26,798,569.63
Amount of appropriation		100,000,000.00

Treasury Department, May 25, 1918.

EXPLANATION OF REIMBURSABLE ALLOTMENTS MADE BY THE PRESIDENT FROM THE APPROPRIATION OF $100,000,000 FOR NATIONAL SECURITY AND DEFENSE (DEFICIENCY ACT, APR. 17, 1917) AND NOT REIMBURSED.

December 6, 1917: For sprinkler, watch, and fire-alarm systems for temporary office buildings for the War Department at Sixth and B Streets NW., group A, $70,000, to be reimbursed from appropriation when made by Congress.

December 17, 1917: For operation of temporary office buildings for the War Department at Sixth and B Streets NW., group A, for one month, to be reimbursed from appropriation when made by Congress, $23,000.

January 3, 1918: For sprinkler, watch, and fire-alarm systems for temporary office buildings for the War Department at Sixth and B Streets NW., groups B and C, $100,000, to be reimbursed from appropriation when made by Congress.

January 7, 1918: For restaurant for use of employees, War Department buildings in Henry Park, $70,000, to be reimbursed from appropriation when made by Congress.

January 9, 1918: For rent of piers and warehouse of the Bush Terminal Co. in New York, commandeered by the War Department, $1,000,000, to be reimbursed when appropriation for this purpose is made available by Congress.

January 15, 1918: For operation of temporary office buildings for the War Department, Sixth and B Streets NW., group A, for month ending January 22, 1918, $25,000, to be reimbursed from appropriation when made by Congress.

January 24, 1918: For expenses incident to the operation of railroads under the President's proclamation of December 26, 1917, in prosecuting an inquiry into the question of wages of railroad employees, $25,000, to be reimbursed when available moneys have been provided by Congress.

February 22, 1918: For purchase of land for quartermasters' warehouses at Chicago, Ill., $375,000, to be reimbursed when funds asked for for this purpose have been appropriated by Congress.

February 25, 1918: For operation of temporary office buildings for the War Department, Sixth and B Streets NW., for period ending March 1, 1918, being additional to allotments December 17, 1917, and January 15, 1918, $8,000, to be reimbursed from appropriation when made by Congress.

February 27, 1918: For purchase of land and property of the Federal Distilling Co. of Baltimore, Md., for motor storage depot and repair shop for the Quartermaster Corps, $200,000, to be reimbursed when Congress shall have provided funds for this purpose.

February 28, 1918: For purchase of land contiguous to Fort McPherson, Ga., for mechanical repair shop, Quartermaster Corps, $90,280, to be reimbursed when appropriation has been made by Congress therefor.

March 8, 1918: For purchase of land at Baltimore, Md., for establishing mechanical repair shop units for the Quartermaster Corps, $140,000, to be reimbursed when Congress shall have provided funds for this purpose.

March 15, 1918: For purchase of Mulberry Island for the purposes of the coast defense of Chesapeake Bay, $538,000, to be reimbursed when Congress shall have provided funds for this purpose.

March 23, 1918: For expenses of the War Trade Board, $200,000, to be reimbursed when Congress shall have made appropriation therefor.

March 25, 1918: For additional facilities for the manufacture of automatic pistols, $10,000,000, to be reimbursed when Congress shall have made an appropriation for this purpose.

March 25, 1918: For purchase of the Arlington property for an office building for the Treasury Department, $4,200,000, to be reimbursed when Congress shall have made the appropriation requested for this purpose.

April 30, 1918: For operation of temporary office buildings now being erected in the Smithsonian grounds and Seaton Park for the War Department, $60,000, to be reimbursed when Congress shall have made the necessary appropriation.

May 6, 1918: For the purpose of enabling the State Department to meet promptly drafts of diplomatic officers for contingent and other extraordinary expenses of their missions, $250,000, to be reimbursed when Congress shall have appropriated the funds for this purpose.

May 13, 1918: For necessary expenses in the administration of the act to prevent in time of war departure from or entry into the United States contrary to the public safety, under the State Department, $25,000, to be reimbursed when an appropriation for this purpose shall have been made by Congress.

Total reimbursable allotments so made by the President, $17,399,280.

Treasury Department, June 5, 1918.

Mr. GILLETT. Mr. Chairman, I think as a minority member of the committee I ought to say a word on this appropriation. Of course, the original appropriation of $100,000,000 which was granted to the President at the outbreak of the war was made in order to meet the sudden exigency, we all recognizing that there were unforeseeable expenses which ought to be met. Therefore we gladly gave the $100,000,000.

Then in December, when only one-third had been spent, we reappropriated the balance of it. Now, I have followed as closely as I could the expenditures made from that fund. I am disposed to think that the President has been scrupulous in its use and has husbanded it carefully. I do not mean that there have not been expenditures which personally I did not approve. For instance, the Arlington Hotel purchase did not seem to me to come naturally within the scope of this emergency war fund, but I thought its purchase should have been left to the determination of Congress. But I recognize that that is merely a difference of opinion and that my judgment is not infallible. I do not criticize the expenditure of the hundred million dollars in the main. I think it has been done with great care and with general economy. I agree heartily with what the gentleman from Kentucky [Mr. SHERLEY] says about the reimbursable feature of it, and I am glad that the President is in accord with that theory.

As to the additional $50,000,000, we can not, of course, foresee what emergency will come, although we can foresee better than we could a year ago.

The Secret Service may suddenly require very great expansion. When we see what Germany accomplished in Russia by her secret-service expenditures we may feel that both in this country and abroad our Government may suddenly need and can use with great results large sums of money. As to that I made no inquiry, and I would make no inquiry, but would trust implicitly to the administration and would not begrudge any sum it should spend. Therefore it seems to me that the House ought cheerfully and trustfully to make this appropriation of $50,000,000.

Mr. MONDELL. Mr. Chairman, the constitutional provision with regard to the appropriation of money is as follows:

No money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

Under that mandate and authority it becomes the duty of Congress to carefully consider the estimated expenditures and to pass judgment relative to them. In time of peace in a country like ours there should be no large general fund in the hands of executive officers to be used at their discretion. In time of war, of course, the situation is very different. That was particularly true at the outbreak of the present war. There were

matters that needed to be gotten under way which had not been specifically provided for and could not be specifically provided for. There were increased expenditures required in our war preparations that had not and could not at the time be provided for specifically. It became necessary, therefore, for the Congress to place the sum of $100,000,000 in the hands of the President for allotment in his discretion. I join with the gentleman from Massachusetts [Mr. GILLETT] in saying that I think that in the main this discretion has been wisely and judiciously exercised.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. MADDEN. We originally gave the President $100,000,000, and we have appropriated to keep that fund intact from time to time. How much has the fund, in fact, amounted to—$150,000,000 or $200,000,000 or $250,000,000?

Mr. MONDELL. The fund is $100,000,000. The action of the Congress in December, I think it was, was simply to keep available the hundred million dollars which had been appropriated.

Mr. MADDEN. The $100,000,000 at any one time, I know, but we have appropriated from time to time to make that fund whole. I would like to know how much it has amounted to altogether.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, I read that to the House. There has been paid by the President $82,399,280, which he places under the head of reimbursable allotments. There have been reimbursed $65,000,000.

Mr. MADDEN. So that is has been $165,000,000?

Mr. SHERLEY. But there is now unexpended $26,798,569, so that if you count it the way the gentleman is figuring, at the outside, there would have been a little less than $140,000,000.

Mr. MADDEN. That is what I wanted to get at.

Mr. MONDELL. The question now arises as to what it is wise and advisable and necessary to do at this time. The President has suggested the necessity, apparent I think to all of us, of a continuation of a certain appropriation within his discretion, and has suggested the sum of $50,000,000 which we have provided for in the amendment now pending. I am very glad indeed to give my assent as a member of the committee to that appropriation. I want to make this suggestion in regard to it. I think it is in harmony with the view of the members of the committee and of the House, and I believe in harmony with the President's own view of the matter. Since the war began and the first appropriation of $100,000,000 was made, a number of new activities have been started and have conducted their affairs out of the President's fund, which activities we are now appropriating for.

My thought is—and I believe, as I said, the thought of the membership of the committee and of the House, and I believe the view of the President—that, by and large and in the main and as a general thing, the sums which the Congress in its judgment has granted for the various activities should indicate to the President the amount which the Congress believes should be used for those activities as the limit of those activities, unless conditions should arise or necessities should appear which were not brought to the attention of the Congress and its committees at the time the appropriations were recommended and made. Necessarily, however, in time of war there will be some increased activities in connection with the bureaus for which we have appropriated—activities that clearly and definitely could not have been foreseen. Clearly the President, in his discretion, would be authorized to advance further sums for such purposes, but I think we all realize and appreciate the fact that the President's fund should be for activities, extension of activities, and uses unforeseen at the time the appropriations were made. Personally I have no doubt that policy will be followed in the use of the President's fund. So far as the use of the fund for emergency purposes which are not ordinarily reported in detail to Congress are concerned, we must trust the President to wisely make expenditures as may seem necessary for those purposes out of this fund. Conditions might arise under which it would be found necessary to expend a considerable portion of the President's fund at home or abroad for such purposes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to return to page 31, after line 25, for the purpose of offering the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Chair understands that the gentleman has concluded with page 2?

Mr. SHERLEY. Yes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to return to page 31 for the purpose of offering an amendment. Is there objection. [After a pause.] The Chair hears none, and the Clerk will report the amendment.

The Clerk read as follows:

On page 31, after line 25, insert the following:

"COMMITTEE ON PUBLIC INFORMATION.

"For all expenses of the Committee on Public Information, in connection with the work that may be specifically assigned to it by the President, including personal services and rents in the District of Columbia or elsewhere, printing and binding, and for such expenses of every character as the President in his discretion may deem necessary in carrying on the work assigned to the committee, $1,250,000: *Provided*, That when necessary advances for expenditures that shall be warranted in connection with the authorized work of the committee may be made under proper safeguards in amounts not exceeding $1,000: *Provided further*, That all moneys received through the motion-picture activities of the committee shall be paid into the Treasury to the credit of the appropriation and be available for the said activities: *Provided further*, That a detailed report of the receipts and expenditures under this appropriation shall be made to Congress on the first day of each regular session."

Mr. SHERLEY. Mr. Chairman, on April 14, 1917, the President issued the following Executive order:

I hereby create a Committee on Public Information, to be composed of the Secretary of State, the Secretary of War, the Secretary of the Navy, and a civilian who shall be charged with the executive direction of the committee.

As civilian chairman of the committee I appoint Mr. George Creel.

The Secretary of State, the Secretary of War, and the Secretary of the Navy are authorized each to detail an officer or officers to the work of the committee.

WOODROW WILSON.

APRIL 14, 1917.

Mr. Chairman, that is the beginning of the Committee on Public Information.

In a letter which the President wrote to me and which I had read from the Clerk's desk a few moments ago there was a statement to the effect that the President felt that the activities of the committee were of such a character as would enable it now, as ordinary bureaus, to submit estimates for the consideration of Congress. On receipt of that letter I wrote to the President and stated, on behalf of my colleagues of the committee and myself, that we thought that it was desirable that such estimate should be submitted for the consideration of Congress, and accordingly there was submitted the estimate which is found in House Document No. 1168 and which came to the committee as of date of June 12, 1918, an estimate of $2,098,000 for the work of the Committee on Public Information, and in connection with that document is a recital of the amounts of money that it was believed were necessary to carry on the various existing divisions of work. The committee learning informally that such an estimate was in process of formation and to come before the committee, began its hearings on June 11 and continued those hearings from morning to morning as its time permitted, the sundry civil bill being then pending in the House, and it has taken testimony that is found in 160 printed pages and which is available to the membership of the House. That testimony served, I think, very clearly to show the past activities of this Committee on Public Information, and also to show what activities are proposed by the committee to be carried on in the future.

May I be permitted at this point to make this statement to the House? Mr. Creel, the chairman of that committee, has been the center of a good deal of controversy growing out of certain past writings and certain recent writings and certain recent utterances and alleged utterances of his. It seems to the Committee on Appropriations—it certainly seemed to the Subcommittee on Appropriations—that, altogether aside from Mr. Creel's personality, altogether aside from what individual Members may think of him as an individual or what they may even think of him as an official, aside from the question of the wisdom or foolishness of utterances of his—of the justifiable or unjustifiable character of such utterances—the real basic question before this Congress was the question of the activities of the Committee on Public Information as a whole; whether the work which they have done and are proposing to do is work of such character as to warrant the approval of Congress by making its continuation possible through the appropriation of public moneys.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. SHERLEY. Touching the latter phase of this matter, I do not believe that any man, no matter what his prejudice may have been or may now be, no matter what his individual opinion touching Mr. Creel may have been or may now be, can for a moment question the value of the work which has been done, and I say that I believe that was the opinion of all the members

of the subcommittee. The gentleman from Massachusetts [Mr. GILLETT] and the gentleman from Wyoming [Mr. MONDELL] were present at the entire hearing and will, of course, speak in their own behalf; but I believe I am warranted in saying that we have come to the joint conclusion that the work of this committee has been of very great value to the country. Now, I had the impression—because I have been very much too busy a man to follow the publications which have been issued by this committee or the activities of this Committee on Public Information—I had been under the impression that the committee's work had been a work largely of censorship. I thought it was a work of negation rather than a work of affirmative character, and I have no doubt that in the minds of many, and perhaps to a certain extent in the mind of the President at the time he issued the Executive order, it was believed that the main function of this committee would be a work of negation and censorship.

At that time gentlemen here will recall there was a considerable agitation looking to the passing of a censorship law. Such a law never was enacted.

There have been certain prohibitions accompanied with penal provisions against the publication of things useful to the enemy, touching the movement of troops, transports, and so forth, but there has been no censorship law as such passed, and whatever censorship has existed has existed by virtue of the voluntary cooperation of the press of America with the Committee on Public Information, and it is to the distinct credit of that press of America and the patriotism of it that it has acquiesced, practically without exception, in the requests—because they could only be requests—that have come from the Committee on Public Information touching what it was not desirable to publish.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. GREEN of Iowa. Can the gentleman inform me whether Charles Edward Russell, a prominent Socialist, was in the employ of the Committee on Public Information when he made a speaking tour of the Middle West last winter?

Mr. SHERLEY. I can answer the gentleman to this extent, though I hope after answering him I may be permitted to make a general statement, and then I will be subject to any inquiry: I learned after the inquiry had been conducted, through my colleague [Mr. MONDELL], that Mr. Russell had made some speeches out in Iowa, and those speeches had been the subject of criticism. Had I known it prior to the hearings I should have inquired into it. The only information which I personally have is that which I learned, I think, yesterday from the gentleman from Wyoming [Mr. MONDELL]. I understand that Mr. Russell was employed and did make some speeches under the Speakers' Bureau of the Committee on Public Information, and that some people have thought that those speeches were subject to criticism. I also understand, though I do not understand it authoritatively, that he is not now in any way connected with the bureau, nor is he engaged in making speeches.

Now, Mr. Chairman, it developed that Mr. Creel, as a member of this Committee on Public Information, has occupied from the beginning the rôle of an advocate of publicity rather than of censorship. As he very well stated it, he felt that his position was one somewhat between that of the military people, who had a natural tendency of wanting to prevent the publication of any sort of information, and that of the newspaper point of view that usually desires to publish most of everything that is available for publication, and that his rôle has largely been one of constant urging——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. Mr. Chairman, I request the gentleman may have five minutes additional.

Mr. POU. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky may conclude his remarks.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent——

Mr. SHERLEY. I do not want to take much more time, but I think it is due the committee to make a general résumé of the work, and I will try to be as brief as possible.

Mr. MONDELL. Mr. Chairman, I modify my request and ask that the gentleman be given 10 minutes, if he needs that much time, in which to finish his remarks.

The CHAIRMAN. But the gentleman from North Carolina [Mr. POU] asks unanimous consent——

Mr. SHERLEY. I will take the 10 minutes and try not to unduly delay——

The CHAIRMAN. The gentleman from North Carolina [Mr. POU] asks unanimous consent that the gentleman may have permission to conclude his remarks on this subject. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. His rôle was a rôle of constantly urging the printing of information rather than censoring it. Practically the only direct censorship that has been asked of the newspapers is found in a printed memorandum that has been sent to all the newspapers of the country, and it is to be found on page 23 of the hearings, and sets out the number of things that it is desirable publication shall not be made concerning; and I doubt if anybody will question the advisability of such things being prohibited. It is as follows:

[Committee on Public Information, 10 Jackson Place, Washington, D. C.]

WHAT THE GOVERNMENT ASKS OF THE PRESS.

The desires of the Government with respect to the concealment from the enemy of military policies, plans, and movements are set forth in the following specific requests. They go to the press of the United States directly from the Secretary of War and the Secretary of the Navy, and represent the thought and advice of their technical advisers. They do not apply to news dispatches censored by military authority with the expeditionary forces or in those cases where the Government itself, in the form of official statements, may find it necessary or expedient to make public information covered by these requests.

For the protection of our military and naval forces and of merchant shipping it is requested that secrecy be observed in all matters of—

1. Advance information of the routes and schedules of troop movements. (See par. 5.)

2. Information tending to disclose the number of troops in the expeditionary forces abroad.

3. Information calculated to disclose the location of the permanent base or bases abroad.

4. Information that would disclose the location of American units or the eventual position of the American forces at the front.

5. Information tending to disclose an eventual or actual port of embarkation, or information of the movement of military forces toward seaports or of the assembling of military forces at seaports from which inference might be drawn of any intention to embark them for service abroad; and information of the assembling of transports or convoys; and information of the embarkation itself.

6. Information of the arrival at any European port of American war vessels, transports, or any portion of any expeditionary force, combatant or noncombatant.

7. Information of the time of departure of merchant ships from American or European ports, or information of the ports from which they sailed, or information of their cargoes.

8. Information indicating the port of arrival of incoming ships from European ports or after their arrival indicating, or hinting at, the port at which the ship arrived.

9. Information as to convoys and as to the sighting of friendly or enemy ships, whether naval or merchant.

10. Information of the locality, number, or identity of vessels belonging to our own Navy or to the navies of any country at war with Germany.

11. Information of the coast or antiaircraft defenses of the United States. Any information of their very existence, as well as the number, nature, or position of their guns, is dangerous.

12. Information of the laying of mines or mine fields or of any harbor defenses.

13. Information of the aircraft and appurtenances used at Government aviation schools for experimental tests under military authority, and information of contracts and production of air material, and information tending to disclose the numbers and organization of the air division, excepting when authorized by the Committee on Public Information.

14. Information of all Government devices and experiments in war material, excepting when authorized by the Committee on Public Information.

15. Information of secret notices issued to mariners or other confidential instructions issued by the Navy or the Department of Commerce relating to lights, lightships, buoys, or other guides to navigation.

16. Information as to the number, size, character, or location of ships of the Navy ordered laid down at any port or shipyard, or in actual process of construction; or information that they are launched or in commission.

17. Information of the train or boat schedules of traveling official missions in transit through the United States.

18. Information of the transportation of munitions or of war material.

PHOTOGRAPHS.

Photographs conveying the information specified above should not be published.

These requests go to the press without larger authority than the necessities of the war-making branches. Their enforcement is a matter for the press itself. To the overwhelming proportion of newspapers who have given unselfish, patriotic adherency to the voluntary agreement, the Government extends its gratitude and high appreciation.

THE COMMITTEE ON PUBLIC INFORMATION,
By GEORGE CREEL, *Chairman*.

JANUARY 1, 1918.

It was impressed on the committee that the real evolution of this Committee on Public Information had been from that of negation to one of affirmation, of affirmative action, of serving to inform the people of America and peoples abroad of the real facts that led this country into war with Germany, and with those facts which, when known, necessarily justified the position that this country has assumed and justified her in going to war with Germany.

Mr. MADDEN. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MADDEN. Did the Committee on Appropriations inquire into the question of whether the Committee on Public Information, through its different agencies, wrote captions for newspaper articles setting forth the advance preparation made by the United States, and with regard to the readiness with which we were prepared to meet the situation with aircraft?

Mr. SHERLEY. The committee did make an inquiry.

Mr. MADDEN. What excuse did he make for having done that?

Mr. SHERLEY. Perhaps the excuse is found in a refusal to admit in its entirety the correctness of the premises upon which the gentleman bases his inquiry.

Mr. MADDEN. I read the statement of a man named Rubley, if I recall—I am not sure that I get the name right—made before the Military Committee of the Senate, in which he did admit it, if the record of the hearings tells the truth.

Mr. SHERLEY. There were three matters touching affirmative information that was given out by the Committee on Public Information concerning which there has been considerable criticism, and inquiry was made touching each of them. One of them grew out of the statement that was made by the committee in connection with the first movement of troops crossing the water last July, and in which it was stated that these transports had been subject to submarine attack. There came a denial through the Associated Press, based upon the representations of a correspondent across the water. There is placed in the record the report of Admiral Gleaves, touching that, which seems to have warranted the statement that was given out, although it may not have warranted the flamboyant language with which the statement was accompanied. The other question was as to the accuracy of the statements in connection with the aeroplane development. The statement made by Mr. Creel is that what was published was published as having come from the War Department, and, as they then believed, as an accurate statement relative to the matter; that with that statement went certain photographs which were photographs of aeroplanes that were being built.

Mr. MADDEN. Will the gentleman yield?

Mr. SHERLEY. In just a moment. That the photographs plainly showed they were photographs of training planes and were not photographs of fighting planes; but that, inasmuch as these pictures were liable to be used so as to give the impression that they represented fighting planes that had been and were being built to ship abroad, at the instance of the Senate committee the pictures were withdrawn. Mr. Creel then went on to say that he had urged and had finally succeeded in having placed in the department men who on behalf of the Committee on Public Information were there to find out the activities of the department and to check up statements that might be made touching such activities, in order that the committee in a particular sense might be responsible for whatever it issued touching the facts in connection with any department, and that it had been and was the policy of the committee to give the facts, whether those facts were agreeable or disagreeable, whether they were creditable or discreditable. And I believe that this statement is warranted fully, namely, that there was nothing that developed in the entire hearing that warrants the belief on the part of anyone that at any time, in any way, the Committee on Public Information sought to use its position to mislead the public, to play politics, to be partisan, to be sectional, or to do other than to advise the people of America, whose war it is, of the facts in connection with that war, and to use its efforts to put behind the Government a united people in the prosecution of this war.

Mr. MADDEN. Does the gentleman think the statement of imaginary things done would tend in the ultimate analysis to bring the people unitedly together for America in the war?

Mr. SHERLEY. No. But I think it is proper, instead of putting the question in the form of a statement of that kind, to designate the imagined things which have been given out, with the evidence to show they were imaginary.

Mr. MADDEN. If the gentleman will allow me——

Mr. SHERLEY. I will yield in a moment, but I would like to make this suggestion.

Here is a committee that has been engaged since April of last year in work that is not only of first importance but of first difficulty. If only three evidences of mistakes as to its statements can be shown, when it has given out thousands of statements, even assuming there is no explanation of those three, I maintain it is an average that is rarely equaled by bureaus of government here or elsewhere. Now, that does not justify the giving out of any statement that is false, and if there was any proof that there had been a statement given out by Mr. Creel or his committee which they knew to be false and had been given out for the purpose of deception, I hope I have enough manhood to stand here and denounce it, as the gentleman from Illinois [Mr. MADDEN] would denounce it. But if there be such evidence of intentional wrong I have not come in contact with it.

Now, I do not mean that the statement which was issued by the War Department, and which this committee accepted as coming from the War Department, was altogether warranted; but I do mean to say that the committee in its efforts and in its work has undertaken honestly to perform, without bias and without party malice or party prejudice, the very high functions that pertain to it.

Mr. MADDEN. I am not making any party charges.

Mr. SHERLEY. I know the gentleman is not; and yet the gentleman would be warranted in making them if these people undertook to bolster up an administration against the facts. In that case they would be subject to criticism.

Mr. MADDEN. The charge I make is this. The gentleman asked me to make it specific. The admission of the men themselves who wrote the article to the effect that they had no information upon which to base the article except newspaper stories purporting to have come from the Secretary of War. I claim that there is no justification for the publication of articles calling the attention of the American people to the fact that we are well prepared to meet the emergency in the matter of airplanes when the fact is that we had no airplanes; and when they were compelled to admit, and when the colonel who was in charge of the airplane construction, or of the information that was supposed to emanate from the bureau having charge of it, came before the Committee on Military Affairs of the Senate and submitted himself that there were no airplanes.

Mr. SHERLEY. The distinction that the gentleman ought in fairness to make is a distinction between the statement that Mr. Creel had made of his own knowledge or lack of knowledge and the statement which came from the Committee on Public Information, predicated on what they had reason to believe were the facts as given out by the War Department.

Mr. MADDEN. My point is that the committee is holding such an important position in the public eye that it ought not to base any action that it takes or any publication that it makes upon any imaginary thing, but that it should be positively certain that the facts existed upon which it based its publications.

Mr. SHERLEY. They not only share that view of the gentleman, but they share it so thoroughly that for months they have urged and finally succeeded in getting the right to have certain officers of the Government working under the Committee on Public Information in the various departments whose business it is to check matters that are given to the public for information, in order that when the committee gives it it may give it with the knowledge of its accuracy. And the evidence of the desire of this committee to do that is perfectly plain, unless you believe that the men who testified before our committee were deliberately undertaking to deceive our committee and not to tell the truth.

Mr. MADDEN. Mr. Chairman, will the gentleman yield further?

Mr. SHERLEY. Certainly.

Mr. MADDEN. Of course, the statement of the gentleman from Kentucky relieves Mr. Creel of any responsibility in connection with the publications to which I have referred and places the burden of that responsibility upon the War Department. I doubt very much any disposition on the part of the War Department, from the Secretary down, to do anything that would mislead the public.

Mr. SHERLEY. I agree with the gentleman. But this frequently happens—I spoke of it the other day, without having this matter in mind at all: The natural tendency on the part of any man engaged in activities is to view those activities from the optimistic standpoint and to believe that the things that he is doing are being well done, and that the criticisms that are made at him are criticisms that are not warranted. I am not going to undertake to go into the controversy that has raged around the question of airplane production. There have been statements of all sorts made—good, bad, and indifferent. I hope, as every man who hopes for the desirable things for his Government does, that the airplane department will do work that will go forward and be successful, and if there have been the mistakes that have been alleged in the past that they have been and will be corrected. But it seems to me that that is aside from the matter that is directly before the House.

Now, Mr. Creel did make a statement, and honestly conceded that he thought he should not have made it—he made a statement touching the way the Liberty motor had been created. I do not mean he created the story, but rather that he repeated the story that had been known by many of us here, and which the gentleman from Massachusetts, when he made the statement before the committee said had also been made before our committee, and that is that some gentlemen had gotten together in a room and had there stayed and worked until they had perfected the Liberty motor, and so on. How far that story is warranted by the actual facts I do not know, but most of us have heard it in various shapes and forms for months past.

Now, briefly, I want to call your attention to the activities that have been engaged in by this committee.

They have not only undertaken to give out statements as to what the governmental departments were from time to time doing, but they have issued a series of publications that are of tremendous value and that served to show an amount of ability and impartial skill on the part of the writers that can not be too highly commended; pamphlets as to how America came to enter into the war, the facts that underlie it, statements as to German kultur, statements as to German spy propaganda in this country. And I defy anyone to read those statements without being convinced of the admirable way in which they have been prepared and of the very great value that they have been to the country in clearly and concisely and definitely bringing home to every person that came in contact with them the real reasons that led this country into war and that justify it now in continuing that war to the bitter end.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. GRAHAM of Illinois. I have not had time to examine these hearings as carefully as I might, but I have been wondering if in the hearings there was any information giving a résumé of the expenditures that have been made by this Committee on Public Information?

Mr. SHERLEY. Yes, sir. There have been in each instance statements undertaking to tell somewhat of the moneys that have been expended and of the moneys that they expect they will need to expend in the way of the preparation of these pamphlets and their distribution, and also in connection with other activities they have engaged in.

I submit herewith a statement of expenditures.

[Committee on Public Information.]

Summary, by divisions, of expenditures from date of organization to May 31, 1918, inclusive.

Division:	Total expenditures.
Executive	$37,843.36
Civic and educational publications	409,318.80
Official Bulletin	215,107.35
Speaking	18,562.51
Four-minute men	47,670.86
News	46,540.54
Syndicate features	13,276.71
Films	90,819.19
Pictures	18,710.64
Work for foreign born	87,859.83
Business management	79,196.11
Woman's war work	13,056.55
Service bureau	7,974.39
Distribution	94,106.12
Production	863.54
Pictorial publicity	5,311.74
Advertising	6,856.87
Foreign picture service	73,423.41
Foreign press, cable	18,833.97
Foreign press, mail	6,937.77
Foreign educational, general	570,554.70
Industrial relations	631.18
Americanization survey	1,849.68
Total	1,865,305.82

Now, one of the things done by the committee has been to develop what are known as the four-minute men. Mr. Blair is in charge of that work, and he has had under him something like thirty-five thousand and odd speakers who, in connection with liberty bond campaigns, Red Cross campaigns, and other activities, have spoken at the various theaters and elsewhere for three or four minutes at a time. These speakers have been furnished with information, with data, and with suggestions touching the character of speeches that could properly be made within that limit of time. Mr. Blair is a Republican, a gentleman who was active in the campaign for Mr. Hughes. He tells of his activities in connection with this work, and he also gives a statement as to his conception of Mr. Creel and Mr. Creel's work which I commend to the reading of all of the membership of the House. And this is true: So far as I know there has been no complaint and no suggestion that these four-minute men have not been engaged in the making of patriotic speeches that have been of very great value; and certainly the testimony is without contradiction that there has been no suggestion at any time or place looking to the use of these men in any partisan or party or sectional or narrow sense, or in any other sense than the one great, consuming, patriotic desire to inform the people of America, so that being informed they might fully realize the reasons for this country being at war, and with all the energy of a hundred million of people support the Government in the successful prosecution of the war. [Applause.]

There is also testimony as to the activities that the committee have engaged in, in connection with moving pictures, the arrangement of pictures that might carry visually to the people of America the facts as to what we were doing in the way of the creation of an Army and Navy and in the way of preparedness for them, what we were doing abroad and elsewhere.

Mr. MADDEN. Will the gentleman yield right there?

Mr. SHERLEY. Certainly.

Mr. MADDEN. I should like to ask if the picture that they displayed at Poli's last week is an example of what they are doing in that line?

Mr. SHERLEY. I understand the picture of Pershing's Crusaders was prepared by this committee. I did not see the picture——

Mr. MADDEN. I think it is the biggest humbug that has ever been put before the public.

Mr. SHERLEY. I have heard a great many expressions of very high commendation of the picture. Of course questions of taste are questions of taste, as the old lady said when she kissed the cow, and I doubt if you will ever get any number of people to agree as to what constitutes good or bad or indifferent moving pictures; but I have certainly heard no criticism of the picture because of its undertaking to teach an unpatriotic or an inaccurate or a false lesson touching the war.

Mr. MADDEN. I agree to that, but I think the picture itself does not do justice to the country, and that it is a humbug. It does not present the case of America in the sense that it should be presented.

Mr. SHERLEY. I think the picture was built with the idea of understatement rather than overstatement; and if that be a fault, it certainly is a fault on the right side. But they have endeavored by these pictures and by other pictures to present to the people the situation as it exists. For instance, as an incident to the activities of the Signal Corps, pictures are being taken abroad for the preservation of a historical account of the war. These pictures are examined by this committee, and are then, to the extent that they seem valuable and appropriate, used in the making of slides here in America, short reels and long reels and plays such as the one that has just been referred to.

They have also printed a great deal of news. They have gotten the artists of America to prepare the posters that have been used in connection with Liberty drives, Red Cross work, war-savings stamps campaigns, and other posters that in many instances, I think, speak wonderfully well for the artistic ability of American artists. This has been done practically without expense. They have also obtained through the advertising organizations the space that has been used in the newspapers. You have seen it from day to day. Whole pages of space have been contributed, and the words "contributed by So and So" appear at the bottom or at one corner, and the rest of the page is given to the advocacy of some governmental activity. They have brought together some of the best magazine writers in America, who have volunteered their work and produced stories designed to carry to the people of America a more intimate knowledge of the work that is being prosecuted in connection with the war. So I might go on enumerating for a great deal of time the activities that have been undertaken by this committee. If gentlemen will turn to page 166 of the hearings, they will find a two and one-half page summary of the various activities of the committee, which will show very well the range that they have taken and the value of the work.

Now, in concluding, I want to say just one or two words touching Mr. Creel himself. One of the serious indictments brought against Mr. Creel has been in connection with certain editorials written by him as editorial writer for a Denver newspaper, then owned by the late Senator Patterson. In one of these editorials it was charged Mr. Creel had shown a hostility to the Catholic Church and had assumed the correctness of certain charges that had been brought in connection with the Vatican and the then President of the United States. In point of fact, the article as a whole was an article setting forth those charges in order to deny them and refute them, and that has been testified to by leading Catholic journals. Touching the other articles, which were written during a heated campaign in connection with the initiative, referendum, and recall, Mr. Creel gives this in response: First, they were written a good many years ago, and he very properly says that he thinks he should be judged by what he has been doing since as the head of this bureau and what he has written since rather than by these articles.

Mr. MADDEN. Will the gentleman yield right there?

Mr. SHERLEY. I should like to complete this summary.

Mr. MADDEN. In connection with this point.

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. MADDEN. In regard to Mr. Creel's refusal to go slumming and to look into the hearts of Members of Congress——

Mr. SHERLEY. I will deal with that in a few moments. But whether that be a matter of criticism, it does not bear any relationship to these editorials that were printed years ago. He says that these editorials were written daily in the heat of a campaign and in support of a program for the initiative, referendum, and recall, three things that he then believed and still believes in thoroughly; that he does not undertake to defend in their literal reading the editorials so written.

Speaking for myself, I want to say that there is not a line of them that I am in accord with at all. Men who know me know perfectly well that I have no faith in statements such as these were. I make no defense of them as such because I do not approve of them, but I can not help believing that editorials as extreme as those ought to be judged in the light of the environment in which they were written.

I have not read many Denver newspapers, because I am not often there, but those I have read in the midst of heated campaigns were not of such a character as to commend themselves to the reader because of the conservatism of their utterance. [Laughter.] I think that is putting it mildly. So that you can take these editorials for what you please, they belong to the past anyway.

Touching the statement to which the gentleman from Illinois has just referred I have no sort of defense for it. I do not believe that Mr. Creel or any other man is justified in making the statement he made in connection with the question that was asked him at the conclusion of the speech he had made relative to Congress. He makes a statement touching it and he has done this: He has written and apologized to the Congress of the United States. The apology is in a letter written to Mr. POU as chairman of the Committee on Rules. When a man apologizes for an utterance that largely closes the incident, at least to the extent of a discussion about the wisdom of the thing. It ought not to have been done, and Mr. Creel has said that it ought not to have been done, and has apologized for it. I leave the matter there, in no sense undertaking to defend or commend the statement that has been made.

Mr. MADDEN. May I add one more word as an expression of my view of it?

Mr. SLERLEY. Certainly.

Mr. MADDEN. I think a man occupying a high public place such as Mr. Creel occupies, who has made such a statement as that about the Congress of the United States that appropriates the money for the conduct of the department that employs him, ought to be dismissed from the public service instanter, regardless of whether he apologizes or not.

Mr. SHERLEY. It is proper to say that Mr. Creel, in his apology, has called attention to the fact that he did not hold such views in making the statement; that he had made an unfortunate statement for which he was sorry. He also called attention to the public official action over his own signature that he had taken touching Congress and the work of Congress, in which he had commended very highly the activities of the work of the War Congress.

Mr. POU. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. POU. I think it is proper to say just here that at the very time Mr. Creel made that foolish and indefensible remark this bureau was engaged in the work of preparing a résumé of the work of Congress, entirely to its credit, and which was absolutely not in harmony with his remark.

Mr. SHERLEY. Of course, I think this is fair, gentlemen. I have all the feeling that every other man has and ought to have against the slurs about the Congress of the United States, because after 16 years of service here I have from year to year a growing respect for my colleagues and the motives that actuate them in the performance of their public duties. I think too frequently there has been a flippancy touching the action of men in Congress. Yet it is fair to say that when one has been speaking extemporaneously and at the close of a meeting is plied with questions, though he answers them foolishly, indefensibly, it is under an environment that makes possible an interpretation of the thing said that is frequently far from the intention or sober thought of the man saying it.

Now, that is not a defense, it is not a justification, but it does serve to bring to those of us who undertake to pass upon the motives of others the environment that ought to be taken as a part of the thing complained of and as an interpretation to some degree of how it happened to occur.

There are other matters of Mr. Creel's that I do not defend, and I repeat these have been things that ought not to have been done, but I have tried to look at this matter somewhat dispassionately, and weigh the good and the bad. This is true, and it should be borne in mind by this committee, that whether this man is responsible for the work of the committee or not, whether it has been because he has had the wisdom to surround himself with men of foresight and ability, whether it be because he has brought to them suggestions of value and a desire to serve, or whether it be the incident of chance, the fact remains that the work of the Committee on Public Information, judged as a whole, must be pronounced good work. [Applause.]

Now, the importance of this work is beyond the personality of individuals. The President is responsible both by what he has authorized in the past and by the language of this amendment now for the activities that the Committee on Public Information will be permitted to engage in. I am not prepared to deny moneys to that committee to continue the work that I think has been of extreme value in helping to solidify the public opinion of America, and to make for the better prosecution of the war and for the morale of the people of America. I am not prepared to deny to the President the discretion with the responsibility as to the agencies that he shall employ in the continuation of this important work. And in fairness I can not deny to Mr. Creel credit for much of the good work that the Committee on Public Information has done.

The amount we have recommended is less than asked, but would seem to be sufficient if administered with economy. If it should prove inadequate, the fact can be shown when Congress meets in the fall, and additional moneys voted if the accounting then had shall warrant it.

Mr. MADDEN. Mr. Chairman, I offer the following amendment to the amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MADDEN: At the end of the committee amendment insert the following:

"*Provided further*, That no part of this appropriation shall be used for the payment of the salary of any person who on the fifth of June, 1917, was between the ages of 21 and 31 years unless he has been placed in a deferred classification by his local board on account of physical defects which incapacitated him for military duty."

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, speaking for myself, and I am reasonably certain for the committee, I have no objection to that amendment.

Mr. MADDEN. Then I have nothing to say in respect to it.

The CHAIRMAN. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. GREEN of Iowa. Mr. Chairman, I agree with the gentleman from Kentucky [Mr. SHERLEY] that much of the work of the Committee on Public Information has been of great value. Germany's violations of international and local law have been so flagrant, the cruelties which she has practiced have been so atrocious, the duplicity which she has used with reference to those for whom she has professed friendship has been so villainous, and her acts in setting up in this country a nest of spies who would destroy our property while she pretended to be in friendship with us, have been of such a nature that few of the people at large would believe the real facts with reference to her until they were set under their eyes by the most undisputable evidence. I know, in the first instance, I had some difficulty myself in believing that any nation in this day of civilization, in this day of progress, when we have thought that we had improved in morality and ethics, could possibly be guilty of the acts which Germany has been shown to have committed. The only way of getting these matters before the people thoroughly and completely, of furnishing them with the evidence which they needed to satisfy them on this point, has been through the Committee on Public Information, and in that way, I think, it has discharged a very valuable and useful work. Some of its activities, however, whether they were under the direction of Mr. Creel or not, have not been of that character.

I recall a time last winter when Mr. Charles Edward Russell was making speeches throughout the Middle West. In the course of those speeches he denounced this Congress as an utterly incompetent body, an unworthy body. He denounced individual Members, talking about who should be elected and who should not be in the same manner as a speaker in the political hustings. He indulged in some very strange statements, declaring at that particular time that we were passing through the darkest period in our history—whether because of the war or by reason of the membership of Congress I am unable to state. I say he made these statements, because all of the newspapers in reporting his speeches seemed to agree upon it. Let me lay down this principle, which I hope all public servants will observe, that no man in the employ of the Government has any right to go about denouncing Congress. The ordinary citizen may criticize this body as he pleases. Against him our only defense is and should be the integrity of our conduct and the nature of our actions; but any man who is in the employ of this

Government has no business to go around and criticize those who were sent here as representatives of the people to employ him and direct his actions. I recall that during the time of the Civil War some generals, very prominent at that time, saw fit to criticize Congress very severely in some letters written, I think, to the Members of this House, and that President Lincoln, to their Commander in Chief, used language substantially like this:

Members of Congress speak of me in their places—meaning in the Senate and in the House—as they choose. That is their right and privilege, but it is not the right and privilege of officers to criticize Congress, and I warn you that I will not permit it.

This insubordinate conduct was stopped then and there, as it ought to have been. I suppose this man Russell was in the employ of some speakers' bureau. It is possible that Mr. Creel was not directly responsible for his employment, and of course no one knew what he was going to say when he was sent out, because he is of such a character that no one could tell.

Mr. HARRISON of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. HARRISON of Mississippi. I do not know what the expressions are that the gentleman complains about, but Mr. Russell made three speeches in my State, and I had some letters from there, and they wanted him to go to other places in the State to speak. He received commendation upon every side. I read one of the speeches that he made at the capital in my State, and I thought it was a very splendid speech.

Mr. GREEN of Iowa. Is that one of the speeches in which he denounced Congress as an utterly incompetent body?

Mr. HARRISON of Mississippi. No.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GREEN of Iowa. Mr. Chairman, I did not want to be led in that direction, but the gentleman has forced me into it. There seems to have been a slight difference in the situation when Mr. Russell was speaking down South. He was then in a region where there are no Republican Members of Congress. That seems to have made quite a difference with Russell's utterances, and it makes his conduct just that much more reprehensible. It was highly improper for him to turn his utterances into a political harangue, when he was supposed to be going over the country making patriotic speeches.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. SHERLEY. I thoroughly agree with the gentleman, that Mr. Russell or anyone else speaking under the auspices of this committee or any other governmental agency, who undertakes to criticize Members of Congress, ought immediately to be taken off the stump; and I want to say that if I had known of the instance of which the gentleman speaks, I should have made inquiry of Mr. Creel. This I think I ought to say, that it is the only instance of the kind that I have heard of in connection with more than 9,000 speakers.

Mr. CANNON. Who is Charles Edward Russell, and what place does he hold?

Mr. GREEN of Iowa. Mr. Charles Edward Russell is a prominent Socialist and writer for magazines and newspapers. The gentleman from Kentucky says he is no longer in the employ of the bureau.

Mr. ROSE. Is it not a fact that Mr. Russell, in speeches in certain States of the Union, has actually named certain Members of Congress who should not be returned to this body?

Mr. GREEN of Iowa. The gentleman states the fact. I might say further in answer to what the gentleman from Kentucky [Mr. SHERLEY] has said, with whose statement I most heartily agree, that it is an unfortunate fact that some other speakers, although not going to the extent that Mr. Russell did, have subjected themselves to like criticisms. I do not know of any of them who undertake to denounce Congress as a body or to denounce particular Members of Congress, but I do know some of them were very indiscreet in their language.

Mr. PLATT. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. PLATT. Does the gentleman know one of the most prominent administration papers in New York City the other day said of this Congress that it had touched probably the lowest level of intelligence of any Congress in many years?

Mr. GREEN of Iowa. As I said before, Congress will have to make its defense against such slanders by the integrity of its action and the results of its work. We can not control the press, which is free to print what it pleases, even though this freedom be abused, but this is different from a Government employee taking such a course.

Mr. CANNON. Will the gentleman yield further? I wondered if the man who so speaks was aware that this Congress has enacted practically every particle of war legislation that has been recommended by the administration?

Mr. GREEN of Iowa. Undoubtedly not; but I do not care to get into a controversy with some newspaper. Such writings are usually inspired by the ignorance of the author, and are deserving only of the attention which ignoramuses are generally accorded. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Chairman, I would like to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to proceed for 15 minutes. Is there objection? (After a pause.) The Chair hears none.

Mr. WOOD of Indiana. Mr. Chairman, that the Bureau of Public Information has a function that might be of great good in these trying times, with me goes without question. That it is not doing the good that it might do, I think, will be conceded when we stop and consider the fitness of the gentleman who is at its head and directing its activities. That it has done much good I am willing to concede, but I believe that that good has been done in spite of rather than by the support of the gentleman who is at the head of it. Mr. Creel is not only temperamentally but he is socially and politically unfit for the position that he holds; and I form this judgment not from what he said 10 years ago but from his reaffirmation of what he said 10 years ago, and from what he has said with reference to other things that have been referred to, and which I will endeavor to refer to before I am through. This is a time when above all others we should be holding foremost before the minds of the people the things for which we are contending, and which justify us in being in this war. Those things should be held before the people by those who are in charge of public information, who are in sympathy with those things not only now but who have been in sympathy with them, and who by their work show to the world that they are entitled to the confidence of all the people. Mr. Creel gave utterance to things in the editorials that have been referred to, and to which I wish to call the attention of this body, that no man whose sympathies were in accord with our kind of Government and the fundamental principles upon which it is based could possibly give utterance to. Now Mr. Creel admits that he is the author of this editorial:

The socialists, single taxers, nonpartisans, and commissioned government men are to us as Caleb and Joshua, bearing the grapes gathered in Canaan, were to the waiting Israelites, only with us it remains to be seen whether the grapes are sweet or sour.

The law winks complacently or else groans impotently at the crimes of those in high places; it does not punish or prevent the offenses of those with political power, whose crimes are against the property of the people, or of others whose rapacity results in the accumulation of vast profits.

Instead of standing before the world as a triumphant democracy, in which one man is not favored before his brother, America is now regarded as a Nation of commercial "sharks," willing to devour one another if other game is not at hand.

Money is now the standard, no matter how acquired, whether by dishonesty or cruelty or a clever combination of both. Morality is now of small account, and intellectual endeavor is now so little a paying proposition that only a fool will work at it.

Mr. Creel says these sentiments were uttered a number of years ago, and he now says he regrets that he gave them utterance, and yet before he is through with his testimony before this committee he says that he recants not one whit of these expedients or these sentiments. Now, if he does not recant these things now, what does he stand for? Does he stand for anything that this republican form of our Government guarantees?

Mr. SHERLEY. Will the gentleman yield?

Mr. WOOD of Indiana. Is he not speaking in violation not only of the Constitution which guarantees them, but in defiance of the law that protects property rights of this country? I yield to the gentleman.

Mr. SHERLEY. Does Mr. Creel's statement quite warrant that assertion?

Mr. WOOD of Indiana. Yes.

Mr. SHERLEY. He does not recant as to the initiative, referendum, and recall, nor does he undertake to say that these editorials were not written and written at a time when under the circumstances he felt like writing them, but does not he expressly say that they do not represent his viewpoint now?

Mr. WOOD of Indiana. He does say that in substance in connection with his explanation, but by and by when he forgets the necessity of his excuse at a time when he spoke from the heart,

and not through the camouflage he has been acting under since he has been in this place, this is what he says:

I do not recant my faith in any degree in such expedients of government——

Mr. SHERLEY. What page is the gentleman reading from?

Mr. WOOD of Indiana. From page 160.

Mr. SHERLEY. What Mr. Creel was referring to there, at least that was the impression made upon the committee, was the initiative, referendum, and recall which he says he believed in. I do not believe in them, but there are a great many folks who do.

Mr. BYRNES of South Carolina. Will the gentleman read all of that sentence where he says he does not recant his faith in any degree in such expedients of Government?

Mr. WOOD of Indiana. I will read it all:

I want to reiterate the statement, if I may, that while those articles are all pleas for direct legislation, and while I do not recant my faith in any degree in such expedients of government, the spirit of the articles, however badly the phrasing may read to-day, does not indicate any lack of faith in our institutions or any lack of love for them.

These articles are the best evidence of whether or not there is any lack of faith in our Government and in our governmental institutions. It is easy now for this gentleman to coin phrases for the purpose of covering up his intent, but we should gather his intent from his acts in this case, like we would in any other case where there is one accused and upon trial. So, I say, if he does not recant—and he says he does not—any of these expedients, he stands for the worst possible socialism; he stands for the bolsheviki kind of government; he stands for the I. W. W. kind of government; and, if you please, not only by his spoken word and reaffirmation, but by his acts in sending such men as Mr. Russell around over this country blatantly giving to the people ideas concerning a socialistic form of government he is reaffirming his belief in this character of doctrine.

That is not all the gentleman has said, and to which he has added "I do not recant."

Mr. MAYS. Will the gentleman yield there?

Mr. WOOD of Indiana. Yes.

Mr. MAYS. Are there not very many good people who believe in the initiative, referendum, and recall?

Mr. WOOD of Indiana. There are a good many people who believe in the initiative, referendum, and recall, but if they do they are not the kind of men that ought to be at the head of this Government's activities now, when not only the courts of this country should be a bulwark to the rights and liberties of our people, but a guarantee to the world for what we stand.

Mr. MAYS. Is there not a very distinguished man, who was once President of the United States, who now believes in those expedients?

Mr. WOOD of Indiana. Whether he now believes in them or not I can not answer. He advocated them at one time. I trust that he has arrived at a period when he will not only recant by words but by deeds.

The gentleman further says:

A new and distinctly critical attitude toward the courts—

Mr. MADDEN. Will the gentleman, before he reads that, let me ask him a question?

Mr. WOOD of Indiana. Yes.

Mr. MADDEN. Of course, if the initiative, referendum, and recall were put into effect now, we would have to refer the question of whether we would raise a new company or a new regiment, and all that sort of thing, before we did anything, would we not?

Mr. WOOD of Indiana. Absolutely. And to go back a little further, we would have had to refer to the country the greatest question that has ever confronted our people, whether we should or should not enter this war. We would have had to refer to the country another great question, new in this country, whether the soldiers of the United States should be conscripts or volunteers. So that when we enter into that realm the mere mention of these things shows the danger of them and what might have befallen this country had they been given enforcement then.

Mr. Creel says:

A new and distinctly critical attitude toward the courts is a most striking sign of the times. Whether by cunning design or mere force of submission, the dawn of the twentieth century found the judiciary occupying a curious and remarkable position in American life. Judges were held in almost superstitious reverence, not to awe, and as much exempted from the usual official restraints as though they had been beings from another world.

Historical records showing that Jefferson, Madison, Jackson, and Lincoln had attacked the Supreme Court with vigor and frequency had been expunged and were as if they had never been. Men were chosen to be mayors, governors, and Presidents and were still considered as fallible human beings, but elections in the cases of judges were gravely assumed to repeat the figure of the Transfiguration. People deemed them born again, stripped of all passions, prejudices, frailties, and friendships—Olympians, in fact, who sat in a vacuum and thought in purity most profound.

All effects of stagecraft were employed to heighten this feeling. Lawyers prefaced each sentence with "Your Honor." Everyone had to rise when judges entered the court room. They wore the garb of another age. No one queried their right to impose fine and imprisonment when angered or affronted. Unreasoning and unfaltering respect for the judiciary was just as much regarded as a heritage from the reverenced fathers as the Declaration of Independence.

In 10 years a mighty change has come about. In every State men are now looking judges full in the eye; throughout the length and breadth of the land there is a deep-seated distrust of courts, a growing conviction that the steady extension of judicial power is a menace to democratic institutions.

It is not a case of individual judges or certain decisions being singled out for assault; this new and emphatic questioning cuts at the very root of the entire system. As one goes from the Atlantic to the Pacific a sentiment in favor of the abolition of the whole Federal judiciary below the Supreme Court becomes increasingly apparent.

It is not local nor is it a class protest. The movement includes all sorts and conditions of men, and its national importance is attested by the fact that many magazines are commencing series of articles on this subject. Much of the rankest criticism comes from those who have no apparent kinship with the masses.

Now, this gentleman who says that he is sorry that in the heat of a campaign he gave utterance to these words, and that they are not entirely expressive of his ideas now, says, "I do not recant one iota of my faith in these expedients." If he does not recant, what are these expedients? One of them, if you please, is striking down the very barrier that has stood for the people of the United States and in protection of the rights of the lowest as well as the rights of the highest, namely, the Federal courts of the United States. He does not recant that expedient. He would, if you please, if he had the power to-day, with one stroke of the pen destroy the Federal court system of the United States. Can you say to me, then, that a man who uttered those sentiments and who believes them now and is not willing to recant them is the character of man that ought to be giving information to the people of the United States that will spur them to the greatest action and that will inspire confidence among them? If we were selecting a man to-day to go at the head of some great business enterprise, would we select him because his whole life had been inimical to that character of project? If, forsooth, he says, "I am sorry I have been against that kind of work, but I will try to do my best in favor of it now," would we engage him? No. You would take a man whose every act had been in accord with that institution.

The attitude occupied by the gentlemen who are offering apologies in behalf of this man reminds me of the story of the preacher in the Civil War, who preached good sermons on Sunday, but the remainder of the week he employed in beating the soldiers out of their pay playing seven-up, and when taken to account said, "It is your business to do what I tell you to do, and not what I do." Just as much confidence can be inspired by any man who is inimical to the interests of the country and who is not in accord with them as there could be in the preacher to whom I have referred.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. On the subject of the initiative I find that 20 States have adopted the initiative and referendum according to the encyclopedia of 1915, and the amendment is up in 12 additional States for adoption.

Mr. WOOD of Indiana. You do not hear any of them talking about it now; and if there had been a war at the time these States were asking for this thing, I dare say they would have been engaged in better business.

There is another thing which to my mind is evidence of the fact that this man should not be at the head of this great activity. He said, if you please, that he would be thankful to his dying day that we were not prepared when we entered into this war; that to have been prepared would be to put a lie to everything we are standing for. He said that, if you please, with full knowledge of the fact that by reason of this very unpreparedness hundreds of young men have already given up their lives, and thousands of them will give up their lives by reason of that unpreparedness. And when taken to task about that he first denied he gave utterance to those words, and then when it was established beyond question that he uttered them he began an explanation of what he meant and said how they should be taken in connection with his entire speech.

If this is the sentiment entertained by this man, is he the character of man that will inspire confidence in getting cohesion and coordination of all the interests of this country of ours?

And, again, the gentleman said—and there has been an apology made by him for it—that he would have nothing to do with this Congress; that he "did not care to go slumming." Now, that was not said, as the gentleman from Kentucky [Mr. SHER-

LEY] would have you believe it was said, on the spur of the moment or in the heat of debate. It was said deliberately, for the reason that the society to which he was addressing himself requires that every interrogation submitted to a speaker after his address must be submitted in writing; and that interrogation was addressed to him in writing, and he gave the answer deliberately, and he was speaking his mind as to the manner in which he esteemed this body.

It was said by the gentleman from North Carolina [Mr. POU], the chairman of the Committee on Rules, that while he was giving utterance to those words he was getting up a summarization of the things done by this Congress. It has been the coadjutors of this man who have made whatever of success has been attained by the institution, and they are the ones who prepared the summarization referred to. I have reason to believe that if the President of the United States had known the character of the man, as he now must know him, he would never have appointed him to this important function. I believe it is due to the people of the United States, who, now that the President knows him as he is, and for the benefit of our public institutions, that he should ask for his resignation. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, the critics of this administration must have a "goat." For a time their criticisms were directed against the Secretary of the Navy, and there was no limit to the criticism and abuse heaped upon Mr. Daniels. Since we entered the war and the efficiency of the Navy under the direction of Mr. Daniels has won the plaudits of the people of the allied nations as well as those of our own country, we now hear nothing but praise of the Secretary of the Navy. Disappointed by the success of Mr. Daniels, some men, like the distinguished Col. George Harvey, seek to discredit the Secretary of War, and in order that we may follow his villification of Mr. Baker he writes Members of Congress that free of charge he will send them his publications containing his unfriendly criticism. And then we have those who, knowing the efficient work of Mr. Baker, fear that they can not successfully attack him, and therefore attack another appointee of the President, Mr. Creel, who directs the Committee on Public Information. The work of this committee is a departure in governmental activities. The power to direct the sentiment of the people is, of course, susceptible to abuse. But unfriendly critics have searched the records to discover evidence of abuse of power by Mr. Creel, and the fact that they are to-day unable to point to a single abuse of the power vested in him is evidence of his fitness to discharge the duties of his office.

Of all the statements that have been issued by the Committee on Public Information since its establishment there are but four statements that have been questioned. No press association can boast of such a record. When Mr. Creel appeared before the Appropriations Committee he referred to these four statements and satisfactorily explained them to the members of the committee. One of them was a statement issued July 4, 1917, referring to the safe arrival in Europe of the first troops sent abroad. Mr. Creel stated before us that that statement was written by Secretary Daniels and himself in the presence of an admiral whose name I have for the moment forgotten, and that it was based upon the cable report of Admiral Gleaves, which report Secretary Daniels had in his hand at the time the statement was written.

Mr. GILLETT. Mr. Chairman, will the gentleman yield there?

Mr. BYRNES of South Carolina. Yes.

Mr. GILLETT. Is not the gentleman mistaken there? As I read the hearings, Mr. Creel did not put in what he said he would—the telegram on which he based that story.

Mr. BYRNES of South Carolina. I did not state that Mr. Creel had inserted the cable of Admiral Gleaves in the RECORD. I remember that the gentleman from Massachusetts asked that the cable be inserted in the RECORD, and I have not noticed whether it was inserted. But the gentleman from Massachusetts knows that Mr. Creel stated to the committee exactly what I have said—that the statement in question was prepared by the Secretary of the Navy and was based upon the report of Admiral Gleaves.

The statement as to the aircraft situation he also satisfactorily explained to the committee, and if there was any inaccuracy no blame can attach to Mr. Creel.

The danger in the administration of an organization of this character is that it is possible to use it for partisan purposes. And the comfort you gentlemen should have is that notwithstanding its possibilities, careful examination shows that in every division there has been an absolute absence of partisanship. The bulletins to guide and direct the "four-minute" speakers of the country is prepared by the committee and a careful investigation of these bulletins will show that there is not one single sentence that bears any evidence of partisanship. Further, it is only fair to state that the gentleman who is in charge of this division, and who directs the activities of the four-minute men of the Nation, Mr. Blair, of Chicago, stated before the committee that he was a loyal Republican, and in the last presidential campaign not only voted for Mr. Hughes but actively aided him in his campaign. The hearings show that the men who are associated with Mr. Creel were employed by him without regard to political affiliations, and no inquiry was ever made as to the political affiliations of any employee until the question was asked by a Member of this House.

Realizing that the work of Mr. Creel as director of this committee can not be successfully questioned, his critics now attack him, not for anything he has done as Director of the Committee on Public Information, but for statements made in public speeches and for editorials written some years ago when he resided in Denver, Colo.

Let us first consider the editorials from the Rocky Mountain News which have been inserted in the RECORD. In justice to Mr. Creel we must recall the political situation as it then existed. The distinguished ex-President of the United States, Mr. Roosevelt, in 1912 sought the nomination for President at the hands of the Republican Party. With all the enthusiasm and ardor of which he is capable he advocated the theories afterwards adopted by the so-called Progressives. His campaign for the Republican nomination was opened in Ohio, where in a speech he advocated not only the initiative and referendum but the recall of judicial decisions. Sane men lost their heads in an effort to demonstrate their progressiveness. The constitutional convention was in session in the State of Colorado and the adventurous people of that State, ever ready to experiment, immediately proposed the adoption by the convention of the theories advocated by Mr. Roosevelt. A hot campaign ensued. No man can understand what this means unless he has been to Denver and read the newspapers published there. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. BYRNES of South Carolina. It is an idle day when the Denver newspapers do not carry red headlines with every letter 2 inches long. They see red and talk red. If a man without a sense of humor read any one of the newspapers published there during a campaign he would immediately arm himself and prepare for a riot. The followers of Mr. Roosevelt in Colorado proceeded to advocate with all their zeal the initiative and referendum, the recall of judicial decisions, and everything else that he had urged in his Ohio speech. Mr. Creel was among those who followed him, and in the campaign that followed he wrote the editorials complained of by the gentleman from Indiana [Mr. WOOD]. Now, we know how editorial writers do their work. They must furnish so much copy per day; they work under high pressure; they have no time to revise their remarks, but write just as a Member of this House makes a stump speech. I certainly would hate to have the gentleman from Indiana [Mr. WOOD] read to-day all the stump speeches he has made in years gone by.

Mr. MONDELL. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. MONDELL. The gentleman recalls that the principal criticism of Mr. Creel was not that he favored the initiative, referendum, and recall, but because of the statements that he made relative to the character of the Government in urging the referendum and recall.

Mr. BYRNES of South Carolina. The gentleman from Wyoming endeavors to come to the rescue of the gentleman from Indiana [Mr. WOOD], but the gentleman from Indiana did criticize Mr. Creel for advocating these measures, and yet it is a fact that 20 States of this Union have adopted the initiative and referendum, and 12 more States are considering it. In criticizing Mr. Creel for to-day reasserting his faith in these measures it should be borne in mind that he is but concurring in the wisdom of the people of 20 States of this Union. Certainly it is nothing for which he should be damned in this House. And the gentlemen on that side of the House who have so freely forgiven and so cordially embraced Mr. Roosevelt should not now criticize one who was then but an humble follower and merely advocated in the Rocky Mountain News, of Denver, the adoption of the theories so strenuously advocated by Mr. Roosevelt.

The gentleman from Indiana says that Mr. Creel instead of recanting the views expressed in those editorials, has now reasserted them. The hearings show, on the contrary, that Mr.

Creel has only reasserted his faith in the measures he advocated, and not the language he used in advocating these measures. Here is what Mr. Creel says:

I want to reiterate the statement, if I may, that while those articles are pleas for direct legislation, and while I do not recant my faith in any degree in such expedients of government, the spirit of the articles, however badly the phrasing may read to-day, does not indicate lack of faith in our institutions or any lack of love for them.

Again, he says:

As I explained at the time, we were advocating the initiative, the referendum, and recall, and all of this was a part of the campaign out there seven years ago, a very heated campaign in advocacy of an idea that was novel, and appealed to the great many of us as a panacea, and the advocacy of which I have not changed in any degree; but as far as the phrasing is concerned, I regret it.

Can anyone ask for a manlier statement? He reasserts his faith in the measures advocated, but expresses regret that in the enthusiasm incident to a heated campaign he used extravagant statements which did not express his real thoughts as to our institutions.

The gentleman from Indiana also referred to the speech made by Mr. Creel in New York, which has been the subject of so much criticism. Of course, there is no defense for his statement on that occasion. I do not defend it nor does he defend it. On the contrary, like a man, he apologizes for it. In justice to him, we should consider the circumstances under which that statement was made. He stated before the committee that he had been speaking for about two hours; that for nearly an hour he had been answering questions, many of them ridiculous; that he became irritable, and on the spur of the moment, without any idea of the construction that would be placed on the language he used, he made the statement which reflected on this House. Thereafter he wrote the chairman of the Rules Committee, apologizing for the statement. Now, let us be fair. In addition to the apology made by Mr. Creel to the chairman of the Rules Committee, he has called attention to the fact that under his direction a bulletin was prepared as to the work of this Congress during the last session. The foreword or preface was written by him and signed by him. In that statement he pays tribute to the patriotic, able, and energetic manner in which this Congress has discharged its duties. In emphatic language he expressed his admiration for the work of the Congress of the United States, and that statement he has sent throughout the Nation, and it stands as proof of his sincerity in stating to-day that belief in the Congress and the other institutions of the Government is with him a religious belief.

If a man can write as much as Mr. Creel has written and can speak as often as he has spoken, and to-day, after the careful scrutiny to which his record has been subjected, nothing can be found other than the few editorials which have been referred to, and his speech in New York, his batting average is indeed high.

His associates have paid tribute to his creative genius, to his loyalty to his work, and his ability to enlist the enthusiastic support of those who surround him. Under his direction bulletins have been sent broadcast throughout the Nation, which have explained as nothing else could have explained our reasons for entering the war. In not one of them can there be found one sentence indicating a desire to advance the interest of any party. On the contrary, they appeal only to the patriotism of the people, and the demand for their distribution is evidence of their effectiveness in uniting the people in the prosecution of this war. The bulletins sent to the four-minute men breathe the spirit of patriotism and not of partisanship.

The work this committee has done at home and abroad justifies its continued existence, and it would be folly for us to even seriously consider refusing this appropriation, because the personality of the gentleman in charge of the work, may not be pleasing to some Members of the House. [Applause.]

Mr. GILLETT. Mr. Chairman, I favor this amendment, and my reason for favoring it is entirely apart from any question of personality; because strictly the personality of the men who are at the head of it, or their subordinates, is irrelevant to the amendment itself, and I shall not discuss them. The question is, Shall we make an appropriation for this bureau, or shall we leave it as it has been in the past—to be paid for by the President out of his emergency fund? It seems to me it is wiser for Congress to make the appropriation and determine upon the amount of it than it is to leave it as it has been before, entirely in the hands of the President. I am not going to discuss whether Mr. Creel ought to have been appointed originally, whether his editorials which have been cited here show that he was not of a temperament to make an ideal censor or an ideal head of a publicity bureau, because that is absolutely a matter for the Executive. All appointments belong to the Executive. The President is responsible and we are not, and if Mr. Creel's statement in New York later shows again that he was not of the temperament for that position, it was the duty and responsibility of the President to pass upon it, and not ours. So I am disposed to leave that responsibility where it belongs—upon the President. And, inasmuch as it is not our function to appoint or remove, our dissatisfaction and criticism should be directed to the appointing power. But after examining Mr. Creel and the other members of his bureau I came to the conclusion that as far as any evidence that we could discover it had not been conducted in a partisan spirit. That is the great danger of such a bureau as this, because we must all admit that if any administration has in its power a Bureau of Public Information, as it is called, but really an advertising bureau, a propaganda bureau, a bureau of publicity, to exploit the various acts and departments of the Government, it is a very dangerous thing in a Republic; because, if used in a partisan spirit or for the partisan advantage of the administration, it has tremendous power, and in ordinary peace times I do not think any party or any administration would justify it or approve it.

Until the statement made about Mr. Russell came before us I was unable to find that the bureau had not been conducted in a nonpartisan method for the purpose which it asserted, of encouraging a spirit of patriotism throughout the country. I think its pamphlets were well calculated for that purpose. The question arose about the aeroplanes which has been discussed here, and I think the chairman said that that was a question between Mr. Creel and the Secretary of War. Personally as to that I am disposed to agree that the mistake was with the Secretary of War, because I am judging from my own experience which I think I alluded to once before. The Secretary of War came before our committee last January and told us about the aeroplane production. I went home, I remember, the 1st of February and told my constituents that the aeroplane production was the one bright spot of all our war preparations and was the only one where achievement was keeping pace with expectations. That was because the Secretary of War had just told the committee so. I presume he told others the same. I was misled myself and misled my constituents. Consequently, in that respect I am not disposed to censure Mr. Creel.

As I stated at the outset, to me the personality of this bureau did not enter into my action in supporting this amendment in the committee, nor supporting it here, because it seems to me that it is a question of whether we shall make the appropriations or whether the President shall make them out of his war fund. I do recognize that the work of this bureau is a fair subject for criticism, and that the President is responsible both for the original selection and the continuance in office of his appointee, and both Mr. Creel and the President can justly be criticized for any act which he does now which a public official ought not to do, and any act which he may have done years before. But the one question before us is, Shall we make this appropriation or leave it, as has been done, to the President, without any suggestion or limitation by Congress? Between these two alternatives I thought it wise for Congress to express its opinion as to the amount of the appropriation, and for that reason I approve of this amendment.

Mr. MADDEN. Mr. Chairman, in discussing the question before the House I will not refer to Mr. Creel further than to say that I think the defense of Mr. Creel by the gentleman from South Carolina [Mr. BYRNES] was not necessary, because I do not consider that Mr. Creel would dare under any circumstances to send material to the country that was not patriotic, regardless of whether he wanted to or not. So I do not think Mr. Creel should be given any credit for patriotic literature that may have been sent to the public with a view of unifying the sentiment of the people of the Nation in the conduct of the war. If Mr. Creel should take advantage of the position he occupies and send anything else, he would not last very long, regardless of who might be behind him. So that can be set aside with those few words.

The question before us is whether we shall continue the Committee on Public Information, whether we shall appropriate for its activities, regardless of who may be at the head of it. It seems to me it makes no difference who is at the head of it or who is at the foot of it, the President of the United States is the responsible head, and the functions must be carried on in accordance with the patriotic sentiment of the American people, regardless of anybody. It makes no difference what I think about Mr. Creel—I do not know the gentleman, I never saw him, and I would not know him if I met him on the sidewalk with a signboard on him. All I know of him is by the things he has done, by the statements he has made, which I do not consider justified. I think, however, that it is the part of wisdom for the Congress to keep jurisdiction over all appropriations, for every governmental activity, and particularly for the activities on which this Committee on Public Information is engaged.

That is the only means by which Congress can control men who presume to exercise undue authority by reason of the position they occupy.

I will take my chances on any man in any place in the Government, no matter who he is, daring to do an unpatriotic thing. The American people themselves will not stand for that, and everybody, from the President down, realizes that the time has come when every ounce of power within the Government of the United States must be used for one purpose, the successful conduct of the war. [Applause.]

If the creation of a patriotic sentiment throughout the country by any means helps, I am for any appropriation that may be sought for that purpose. I do not care who you put at the head of the bureau, we will take care of him if he goes outside of his authority. I do not indorse or condemn Mr. Creel, who is at the head of this bureau. I hold the President of the United States, and the people of the United States do, accountable for everything the committee does. The President has proved his patriotism, and there is nobody in the United States who will deny that he is doing the very best he can to accomplish the object for which we went into the war. It is our duty to join forces in every way we can to help him, and if he lags to urge him on. That is what we are trying to do. If he fails to be sufficiently energetic to meet my views at any time while he is conducting this war, I will not hesitate to say so. I shall not consider that I am violating my privileges as a Member of Congress or as a citizen if I criticize the President for his failure to do a thing that I think will best promote the welfare of the American people and the success of the war. I have no criticism to make; I think he is doing the best he can to win the war——

Mr. GARNER. And making a success of the job.

Mr. MADDEN (continuing). And we are all working as one, and my hope is that before we get through he will make a complete success of the job as my friend from Texas has quietly intimated. [Laughter and applause.]

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may speak for 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, in considering this item for the committee on public information, we are considering the appropriation for an important, useful, and necessary activity of the Government. It is regrettable that the discussion should largely relate, not to the activities of the bureau, but to the personality of the man at the head of it; and yet I think it is inevitable under the circumstances that such should be the case. I think that any man who attempts to defend all the utterances of Mr. Creel as an editorial writer on the Denver Rocky Mountain News, or some of his utterances at a still later and quite recent period, has a very trying task on his hands. I do not believe all these utterances can be successfully defended before the American people in their present frame of mind. Mr. Creel does not himself endeavor to defend all of them. He rather apologizes for some of them. Let me read some of those editorial utterances. It is said in regard to them and in extenuation of them that they were penned hurriedly by an editorial writer in the heat of a campaign for the initiative, referendum, and the recall, and that out of his tremendous desire to carry the issue, to win the campaign, he was led into extravagances of speech. Let no one confuse the issue. There is a very considerable difference of opinion among the American people as to the virtues of these instrumentalities of government and many good people believe in them. I personally believe in the theory, at least, on which they are urged. It is not a question of these issues; it is a question of a man's utterances expressive of an opinion of his country and of his Government. Mr. Creel in these Denver editorials, among other things, said that Lincoln Steffens had—

> once compared the "free-born American citizen" to the Russian serf, arousing a storm of indignant protest thereby. And yet, coming right down to brass tacks, do we really enjoy any greater liberty, any larger measure of true governmental power than the subjects of the Czar?

Can people holding that kind of an opinion to-day be whole souled and whole-heartedly behind the Government in this war? Mr. Creel, among other things, said that the Senate—

> sits in despotism * * *. The law winks complacently or else groans impotently at the crimes of those in high places—

And more of the same sort.

> We have no more real control over an elected official than if he were Nicholas and we poor moujiks in the fields.

Then, speaking of the Constitution, after criticizing the manner of its formation, he said:

> Even as it was, the Constitution barely slipped through. But it did slip through, and from the very first the judiciary—real and intended masters of the Government—proceeded to justify the faith reposed in them by the conspirators against democracy.

That is, Jefferson and Washington and the rest of them! He further said or wrote:

> As a matter of fact, the Constitution was framed by rich men for the protection of their property—by aristocrats for the preservation of aristocratic privileges.

If there is anyone anywhere, Mr. Creel included, that now in calm thought and deliberate judgment cares to attempt to justify that sort of utterance, I guarantee he will not be found among the men who are whole-heartedly behind the Government in this war.

It is an unfortunate fact that in this country a few years ago there were many more or less brilliant but always ready writers who fell into the bad habit of constantly appealing to ignorance, prejudice, and passion, who adopted the practice of discrediting our Government and one after another about everybody and everything connected with it, and I am sorry to say that they received considerable applause and approval from certain classes of our citizenship. In my opinion it has taken a great deal of the activities of this very bureau, at the head of which is Mr. Creel, to overcome and right and rectify the error of view and frame of mind which they were largely responsible for creating by these extravagant and unjustifiable expressions.

I should like to feel entirely certain that Mr. Creel has come to a sound, sane, and sensible patriotic view of his country and its institutions. I am not altogether certain about it when I recall his answer to the question propounded to him in his New York speech—admitting that it was at the end of a long speech when he was tired and worn—an answer so characteristic of the muck-raking school of thought, belittling and contemptuous of one of the great legislative bodies of the Government, the one body in the land that represents all of the people. These utterances can not be justified, they are without justification, they indicate a frame of mind, or, at least, a trend of thought which is tremendously regrettable, and which, spread broadcast in the land in the past, has done much to create a question in the minds of many of our people as to the real virtue and justice of the foundations of our Government; and the true grandeur of our institutions. These are the doubts and false opinions that had to be combated when we took up the sword in defense of that democracy which in times past these gentlemen would have had the people believe did not exist under our flag.

So much for that. I have not desired to discuss Mr. Creel. I certainly have no ill will toward him, and have only referred to his former utterances because it seemed that it could not be avoided. But Mr. Creel is not the issue to-day. You did not appoint Mr. Creel. I did not appoint him. The President appointed him. The President may not have known either his past views and utterances or of his present views. I do not believe that he would now make the statements or feel disposed to make the statements that he did years ago. I am glad of it, as we all must be. There are a number of gentlemen at the head of responsible bureaus and departments of this Government with regard to whom I wish devoutly I had more confidence. There are gentlemen in very responsible positions with regard to whose ability and whose judgment I wish I could feel more assured, when I realize the importance of the work they have in charge in connection with the carrying on of the tremendous enterprise we have in hand. It is true my views may not be well founded in all respects with regard to these gentlemen, and in any event I am not responsible for them. I am responsible only as a Member of this House in providing the necessary funds and the necessary authority for the prosecution of the war, and if the President or anyone else fail in judgment or discretion in the appointment of men who are to carry on the essential work of the war the responsibility is theirs and not mine.

Having said this much about Mr. Creel and his past utterances, I now want to say that I believe Mr. Creel has endeavored to patriotically do his duty at the head of this bureau.

I am of the opinion that whatever his opinions may have been or may be now that, so far as his activities in connection with this work are concerned, they have been, in the main, judicious, and that the work has been carried on for the most part in a businesslike, thorough-going, effective, and patriotic way. Mr. Creel has called to his assistance and placed in positions of responsibility men of a variety of political views, some of them Republicans of recognized standing. I do not believe that Mr. Creel has endeavored to influence their activities, and I do not believe there have been any activities of the bureau consciously and intentionally partisan. A great work has been done. A great work has been done by the four-minute men, 40,000 of them speaking continuously to audiences, ready-made, all over the country. A great work has been done and will be done through the medium of the picture film. A great work has been done through the medium of the publications of the bureau, which I

believe can be commended and approved by every good citizen. Much remains to be done, and I believe the committee has not granted any too much money for this work. I trust the work will be carried on in a useful, helpful way. There is need of it in the future, not perhaps as much as in the past, but there is need of a continuation of the proper activities of a bureau like this, and we can not withhold the moneys necessary for such work. I am willing to leave the responsibility of saying who shall be at the head of the bureau to the President.

Mr. WOODS of Iowa. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. TREADWAY. Mr. Chairman, several months ago we were considering the subject of the delivery of soldiers' mail abroad. I believe that was the original appearance on this floor of any criticism in reference to the chairman of the Committee on Public Information. In that connection, although not having a direct bearing on the matter under consideration to-day, I would like to refer for just a moment to an article in yesterday's Washington Post. Its heading "The Army has Christmas mail" is very illuminating. It is an article written with the troops in France on May 21, describing the receipt of Christmas packages by the soldiers on that date. Some of them were marked "Do not open until Christmas." I suppose that must refer to the Christmas of 1918, because as applicable to the Christmas of 1917 it would, of course, be extremely humorous and out of place. I would like to insert that extract from this interesting war article bearing on the question of soldiers' mail as a part of my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object, is this the article from the Saturday Evening Post?

Mr. TREADWAY. From yesterday's Washington Post—an extract from an article by William C. McRae, special correspondent of the Washington Post with the American Army in France. If the gentleman has any objection, I will withdraw the request.

The CHAIRMAN. Is there objection?

Mr. MAYS. Mr. Chairman, I object to that; I think that sort of stuff has no business in the RECORD.

Mr. TREADWAY. Then, Mr. Chairman, I will read it in my time, I think; but I do wish to say there is no occasion for objection that I can see. But if the gentleman objects, why, let it go. Mr. Chairman, I intend to vote for the appropriation that the Committee on Appropriations recommends for the support of the Committee on Public Information. It seems to me that the explanation given by my colleague [Mr. GILLETT] covers the ground very fully indeed, as his remarks always do. I wish, however, particularly to refer to the statements of the chairman of the committee [Mr. SHERLEY] and also of the gentleman from South Carolina [Mr. BYRNES], wherein they more or less apologize for Mr. Creel's remarks and statements. I agree with the gentleman from Illinois [Mr. MADDEN], that any man who would make the statement that was made by Mr. Creel in New York ought not to be in a responsible position connected with the Government. But it is not for us to decide, perhaps, whether he should or should not be so retained. In that connection, Mr. Chairman, I wish to call attention to the delay in the apology. One of the principal reasons given why we should accept the gentleman's statement and his apology is his backing down, as it were, from the statement that he made.

That remark was made in New York on Sunday, May 12, and on May 14 a resolution of inquiry was introduced and referred to the Committee on Rules, of which the gentleman from North Carolina [Mr. POU] is chairman. It was not until May 17, the following Friday, that Mr. Creel decided that he wanted to apologize, the morning on which the Committee on Rules set a hearing on the resolution introduced relative to Mr. Creel. That morning the chairman of the committee came to the Committee on Rules and made the statement that he had met Mr. Creel down town and that he was anxious to present a letter to the committee absolutely apologizing for any reference to Congress. It strikes me that it took the gentleman a good while to find out that he wanted to apologize to Congress for the remark he made.

In view of the many expressions of apology made by Mr. Creel and his satements that he frequently says things he does not mean, and in view of the very thorough investigation the Committee on Appropriations has made on this subject, it is hardly to be expected that the Committee on Rules will report the resolution originally introduced. It is, however, apparent that the resolution has served a useful purpose. While Mr. Creel is publicity agent for governmental items, and is the publisher of the Official Bulletin, the resolution has brought forward considerable publicity about Mr. Creel himself, of an unenviable nature. Furthermore, it brought out his letter of apology for the remarks he made in New York. It is very evident that no apology would have been forthcoming had Congress not taken the initiative.

It is more than a coincidence that his letter of apology was only received after the hearing on the resolution was under way. His apologists here to-day have not defended his personality nor have they claimed that he is the right man personally for the position he holds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Administration: For expenses of the office of the commissioner, including stationery, scientific and reference books, periodicals, newspapers, for library, furniture, telegraph and telephone service, repairs to and heating, lighting, and equipment of buildings, compensation of temporary employees, and all other necessary expenses connected therewith, $10,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to make an inquiry about the paragraph preceding the one just read, as to the reason why the officers and crews of the Bureau of Fisheries connected with certain vessels that are not under the classified service should be specifically brought within the protection of the civil-service status?

Mr. SHERLEY. Those three vessels are now used by the Navy, but the officers and crews have been for a great many years under the Bureau of Fisheries. They are men who are of value, and it was not believed it was entirely fair to them to just dismiss them and let them lose the status that they had in connection with those ships, and so it was provided that they should keep their civil-service status beyond the expiration of one year, so as to be eligible for reappointment back on those vessels.

Mr. STAFFORD. I assume, then, that the purpose is to protect them so at the conclusion of the war they can be given a similar position?

Mr. SHERLEY. That is it exactly. When these ships get back from the Navy to the fisheries, these men can get their old places.

The Clerk read as follows:

Propagation of food fishes: For maintenance, equipment, and operations of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, $375,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word in order to ask the gentleman a question.

Under this head of "Propagation of food fishes," I saw some place a report that the propagation of the lobster, which is a very valuable food fish along the coast, had been discontinued. It would come under this head, I presume. I wish to ask the chairman of the committee whether that report is true, and if so, what was the cause?

Mr. SHERLEY. It is not true, so far as I know. While I do not recall any such testimony this year my impression is that they are continuing the work that resulted in a very great increase of the lobster. Some years ago there was a threatened extinction of the lobster on our coasts, and very active work was undertaken looking to the reproduction of the lobster in greater numbers, and it was very successful work. My understanding is that it is going to be continued. It ought to be.

Mr. ROBBINS. I agree that it ought to be continued, and the scarcity of lobster has alarmed some of the people who are at this time urged to eat fish rather than the food that the soldiers use.

Mr. SHERLEY. It was very much worse a few years ago, I think, than it is now. Nothing that I recall occurred in connection with the matter this year.

Mr. ROBBINS. I was not able to see anything in the hearings about it, and I thought I had overlooked it, probably.

Mr. SHERLEY. I do not recall that it was mentioned. It would have been mentioned, probably, if they were to discontinue the work.

Mr. ROBBINS. That is what I wanted to know.

The Clerk read as follows:

Hereafter the Secretary of Commerce is authorized to purchase, to the extent of not to exceed $5,000, from the appropriations for the Bureau of Fisheries, clothing and small stores for the crews of vessels, to be sold to the employees of said service and the appropriations reimbursed.

That is the only means by which Congress can control men who presume to exercise undue authority by reason of the position they occupy.

I will take my chances on any man in any place in the Government, no matter who he is, daring to do an unpatriotic thing. The American people themselves will not stand for that, and everybody, from the President down, realizes that the time has come when every ounce of power within the Government of the United States must be used for one purpose, the successful conduct of the war. [Applause.]

If the creation of a patriotic sentiment throughout the country by any means helps, I am for any appropriation that may be sought for that purpose. I do not care who you put at the head of the bureau, we will take care of him if he goes outside of his authority. I do not indorse or condemn Mr. Creel, who is at the head of this bureau. I hold the President of the United States, and the people of the United States do, accountable for everything the committee does. The President has proved his patriotism, and there is nobody in the United States who will deny that he is doing the very best he can to accomplish the object for which we went into the war. It is our duty to join forces in every way we can to help him, and if he lags to urge him on. That is what we are trying to do. If he fails to be sufficiently energetic to meet my views at any time while he is conducting this war, I will not hesitate to say so. I shall not consider that I am violating my privileges as a Member of Congress or as a citizen if I criticize the President for his failure to do a thing that I think will best promote the welfare of the American people and the success of the war. I have no criticism to make; I think he is doing the best he can to win the war——

Mr. GARNER. And making a success of the job.

Mr. MADDEN (continuing). And we are all working as one, and my hope is that before we get through he will make a complete success of the job as my friend from Texas has quietly intimated. [Laughter and applause.]

Mr. MONDELL. Mr. Chairman, I ask unanimous consent that I may speak for 15 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, in considering this item for the committee on public information, we are considering the appropriation for an important, useful, and necessary activity of the Government. It is regrettable that the discussion should largely relate, not to the activities of the bureau, but to the personality of the man at the head of it; and yet I think it is inevitable under the circumstances that such should be the case. I think that any man who attempts to defend all the utterances of Mr. Creel as an editorial writer on the Denver Rocky Mountain News, or some of his utterances at a still later and quite recent period, has a very trying task on his hands. I do not believe all these utterances can be successfully defended before the American people in their present frame of mind. Mr. Creel does not himself endeavor to defend all of them. He rather apologizes for some of them. Let me read some of those editorial utterances. It is said in regard to them and in extenuation of them that they were penned hurriedly by an editorial writer in the heat of a campaign for the initiative, referendum, and the recall, and that out of his tremendous desire to carry the issue, to win the campaign, he was led into extravagances of speech. Let no one confuse the issue. There is a very considerable difference of opinion among the American people as to the virtues of these instrumentalities of government and many good people believe in them. I personally believe in the theory, at least, on which they are urged. It is not a question of these issues; it is a question of a man's utterances expressive of an opinion of his country and of his Government. Mr. Creel in these Denver editorials, among other things, said that Lincoln Steffens had—

> once compared the "free-born American citizen" to the Russian serf, arousing a storm of indignant protest thereby. And yet, coming right down to brass tacks, do we really enjoy any greater liberty, any larger measure of true governmental power than the subjects of the Czar?

Can people holding that kind of an opinion to-day be whole souled and whole-heartedly behind the Government in this war? Mr. Creel, among other things, said that the Senate—

> sits in despotism * * *. The law winks complacently or else groans impotently at the crimes of those in high places—

And more of the same sort.

> We have no more real control over an elected official than if he were Nicholas and we poor moujiks in the fields.

Then, speaking of the Constitution, after criticizing the manner of its formation, he said:

> Even as it was, the Constitution barely slipped through. But it did slip through, and from the very first the judiciary—real and intended masters of the Government—proceeded to justify the faith reposed in them by the conspirators against democracy.

That is, Jefferson and Washington and the rest of them! He further said or wrote:

> As a matter of fact, the Constitution was framed by rich men for the protection of their property—by aristocrats for the preservation of aristocratic privileges.

If there is anyone anywhere, Mr. Creel included, that now in calm thought and deliberate judgment cares to attempt to justify that sort of utterance, I guarantee he will not be found among the men who are whole-heartedly behind the Government in this war.

It is an unfortunate fact that in this country a few years ago there were many more or less brilliant but always ready writers who fell into the bad habit of constantly appealing to ignorance, prejudice, and passion, who adopted the practice of discrediting our Government and one after another about everybody and everything connected with it, and I am sorry to say that they received considerable applause and approval from certain classes of our citizenship. In my opinion it has taken a great deal of the activities of this very bureau, at the head of which is Mr. Creel, to overcome and right and rectify the error of view and frame of mind which they were largely responsible for creating by these extravagant and unjustifiable expressions.

I should like to feel entirely certain that Mr. Creel has come to a sound, sane, and sensible patriotic view of his country and its institutions. I am not altogether certain about it when I recall his answer to the question propounded to him in his New York speech—admitting that it was at the end of a long speech when he was tired and worn—an answer so characteristic of the muck-raking school of thought, belittling and contemptuous of one of the great legislative bodies of the Government, the one body in the land that represents all of the people. These utterances can not be justified, they are without justification, they indicate a frame of mind, or, at least, a trend of thought which is tremendously regrettable, and which, spread broadcast in the land in the past, has done much to create a question in the minds of many of our people as to the real virtue and justice of the foundations of our Government; and the true grandeur of our institutions. These are the doubts and false opinions that had to be combated when we took up the sword in defense of that democracy which in times past these gentlemen would have had the people believe did not exist under our flag.

So much for that. I have not desired to discuss Mr. Creel. I certainly have no ill will toward him, and have only referred to his former utterances because it seemed that it could not be avoided. But Mr. Creel is not the issue to-day. You did not appoint Mr. Creel. I did not appoint him. The President appointed him. The President may not have known either his past views and utterances or of his present views. I do not believe that he would now make the statements or feel disposed to make the statements that he did years ago. I am glad of it, as we all must be. There are a number of gentlemen at the head of responsible bureaus and departments of this Government with regard to whom I wish devoutly I had more confidence. There are gentlemen in very responsible positions with regard to whose ability and whose judgment I wish I could feel more assured, when I realize the importance of the work they have in charge in connection with the carrying on of the tremendous enterprise we have in hand. It is true my views may not be well founded in all respects with regard to these gentlemen, and in any event I am not responsible for them. I am responsible only as a Member of this House in providing the necessary funds and the necessary authority for the prosecution of the war, and if the President or anyone else fail in judgment or discretion in the appointment of men who are to carry on the essential work of the war the responsibility is theirs and not mine.

Having said this much about Mr. Creel and his past utterances, I now want to say that I believe Mr. Creel has endeavored to patriotically do his duty at the head of this bureau.

I am of the opinion that whatever his opinions may have been or may be now that, so far as his activities in connection with this work are concerned, they have been, in the main, judicious, and that the work has been carried on for the most part in a businesslike, thorough-going, effective, and patriotic way. Mr. Creel has called to his assistance and placed in positions of responsibility men of a variety of political views, some of them Republicans of recognized standing. I do not believe that Mr. Creel has endeavored to influence their activities, and I do not believe there have been any activities of the bureau consciously and intentionally partisan. A great work has been done. A great work has been done by the four-minute men, 40,000 of them speaking continuously to audiences, ready-made, all over the country. A great work has been done and will be done through the medium of the picture film. A great work has been done through the medium of the publications of the bureau, which I

believe can be commended and approved by every good citizen. Much remains to be done, and I believe the committee has not granted any too much money for this work. I trust the work will be carried on in a useful, helpful way. There is need of it in the future, not perhaps as much as in the past, but there is need of a continuation of the proper activities of a bureau like this, and we can not withhold the moneys necessary for such work. I am willing to leave the responsibility of saying who shall be at the head of the bureau to the President.

Mr. WOODS of Iowa. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. TREADWAY. Mr. Chairman, several months ago we were considering the subject of the delivery of soldiers' mail abroad. I believe that was the original appearance on this floor of any criticism in reference to the chairman of the Committee on Public Information. In that connection, although not having a direct bearing on the matter under consideration to-day, I would like to refer for just a moment to an article in yesterday's Washington Post. Its heading "The Army has Christmas mail" is very illuminating. It is an article written with the troops in France on May 21, describing the receipt of Christmas packages by the soldiers on that date. Some of them were marked "Do not open until Christmas." I suppose that must refer to the Christmas of 1918, because as applicable to the Christmas of 1917 it would, of course, be extremely humorous and out of place. I would like to insert that extract from this interesting war article bearing on the question of soldiers' mail as a part of my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

Mr. GARRETT of Tennessee. Mr. Chairman, reserving the right to object, is this the article from the Saturday Evening Post?

Mr. TREADWAY. From yesterday's Washington Post—an extract from an article by William C. McRae, special correspondent of the Washington Post with the American Army in France. If the gentleman has any objection, I will withdraw the request.

The CHAIRMAN. Is there objection?

Mr. MAYS. Mr. Chairman, I object to that; I think that sort of stuff has no business in the RECORD.

Mr. TREADWAY. Then, Mr. Chairman, I will read it in my time, I think; but I do wish to say there is no occasion for objection that I can see. But if the gentleman objects, why, let it go. Mr. Chairman, I intend to vote for the appropriation that the Committee on Appropriations recommends for the support of the Committee on Public Information. It seems to me that the explanation given by my colleague [Mr. GILLETT] covers the ground very fully indeed, as his remarks always do. I wish, however, particularly to refer to the statements of the chairman of the committee [Mr. SHERLEY] and also of the gentleman from South Carolina [Mr. BYRNES], wherein they more or less apologize for Mr. Creel's remarks and statements. I agree with the gentleman from Illinois [Mr. MADDEN], that any man who would make the statement that was made by Mr. Creel in New York ought not to be in a responsible position connected with the Government. But it is not for us to decide, perhaps, whether he should or should not be so retained. In that connection, Mr. Chairman, I wish to call attention to the delay in the apology. One of the principal reasons given why we should accept the gentleman's statement and his apology is his backing down, as it were, from the statement that he made.

That remark was made in New York on Sunday, May 12, and on May 14 a resolution of inquiry was introduced and referred to the Committee on Rules, of which the gentleman from North Carolina [Mr. POU] is chairman. It was not until May 17, the following Friday, that Mr. Creel decided that he wanted to apologize, the morning on which the Committee on Rules set a hearing on the resolution introduced relative to Mr. Creel. That morning the chairman of the committee came to the Committee on Rules and made the statement that he had met Mr. Creel down town and that he was anxious to present a letter to the committee absolutely apologizing for any reference to Congress. It strikes me that it took the gentleman a good while to find out that he wanted to apologize to Congress for the remark he made.

In view of the many expressions of apology made by Mr. Creel and his satements that he frequently says things he does not mean, and in view of the very thorough investigation the Committee on Appropriations has made on this subject, it is hardly to be expected that the Committee on Rules will report the resolution originally introduced. It is, however, apparent that the resolution has served a useful purpose. While Mr. Creel is publicity agent for governmental items, and is the publisher of the Official Bulletin, the resolution has brought forward considerable publicity about Mr. Creel himself, of an unenviable nature. Furthermore, it brought out his letter of apology for the remarks he made in New York. It is very evident that no apology would have been forthcoming had Congress not taken the initiative.

It is more than a coincidence that his letter of apology was only received after the hearing on the resolution was under way. His apologists here to-day have not defended his personality nor have they claimed that he is the right man personally for the position he holds.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Administration: For expenses of the office of the commissioner, including stationery, scientific and reference books, periodicals, newspapers, for library, furniture, telegraph and telephone service, repairs to and heating, lighting, and equipment of buildings, compensation of temporary employees, and all other necessary expenses connected therewith, $10,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to make an inquiry about the paragraph preceding the one just read, as to the reason why the officers and crews of the Bureau of Fisheries connected with certain vessels that are not under the classified service should be specifically brought within the protection of the civil-service status?

Mr. SHERLEY. Those three vessels are now used by the Navy, but the officers and crews have been for a great many years under the Bureau of Fisheries. They are men who are of value, and it was not believed it was entirely fair to them to just dismiss them and let them lose the status that they had in connection with those ships, and so it was provided that they should keep their civil-service status beyond the expiration of one year, so as to be eligible for reappointment back on those vessels.

Mr. STAFFORD. I assume, then, that the purpose is to protect them so at the conclusion of the war they can be given a similar position?

Mr. SHERLEY. That is it exactly. When these ships get back from the Navy to the fisheries, these men can get their old places.

The Clerk read as follows:

Propagation of food fishes: For maintenance, equipment, and operations of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, $375,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word in order to ask the gentleman a question.

Under this head of "Propagation of food fishes," I saw some place a report that the propagation of the lobster, which is a very valuable food fish along the coast, had been discontinued. It would come under this head, I presume. I wish to ask the chairman of the committee whether that report is true, and if so, what was the cause?

Mr. SHERLEY. It is not true, so far as I know. While I do not recall any such testimony this year my impression is that they are continuing the work that resulted in a very great increase of the lobster. Some years ago there was a threatened extinction of the lobster on our coasts, and very active work was undertaken looking to the reproduction of the lobster in greater numbers, and it was very successful work. My understanding is that it is going to be continued. It ought to be.

Mr. ROBBINS. I agree that it ought to be continued, and the scarcity of lobster has alarmed some of the people who are at this time urged to eat fish rather than the food that the soldiers use.

Mr. SHERLEY. It was very much worse a few years ago, I think, than it is now. Nothing that I recall occurred in connection with the matter this year.

Mr. ROBBINS. I was not able to see anything in the hearings about it, and I thought I had overlooked it, probably.

Mr. SHERLEY. I do not recall that it was mentioned. It would have been mentioned, probably, if they were to discontinue the work.

Mr. ROBBINS. That is what I wanted to know.

The Clerk read as follows:

Hereafter the Secretary of Commerce is authorized to purchase, to the extent of not to exceed $5,000, from the appropriations for the Bureau of Fisheries, clothing and small stores for the crews of vessels, to be sold to the employees of said service and the appropriations reimbursed.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I do so in order to inquire of the chairman of the committee as to the policy of the department in the authorization that is here first provided.

Mr. SHERLEY. The reason for that language is this: It was testified that some of these ships are off on long cruises, that they do not come into ports where purchases can be made readily by the crews, and that it would be a matter of great accommodation to the crews if the ships were permitted to carry limited commissary stores, with the idea of selling at cost, without the idea of making a profit. And we thought by limiting the amount of investment that could be put in such commissaries to $5,000 that no harm could come and that it might prove to be of value to some of these members of the crews who were out, say, for long periods of time.

Mr. STAFFORD. Does this recognize a new policy in authorizing the department, so far as the Bureau of Fisheries is concerned, to furnish clothing and small stores to the members of those crews?

Mr. SHERLEY. It does as to this bureau. Of course the Navy carries a commissary, and I think the Coast Guard Service. This is a new departure so far as the fisheries is concerned and for the purposes I have stated.

Mr. STAFFORD. There is nothing in the provision that requires the clothing and stores should be sold at cost plus operation expense.

Mr. SHERLEY. No. That was not provided, but it was the understanding, and of course next year the committee would unquestionably make an inquiry as to the matter, and if we found an attempt to abuse it we would immediately check it up.

Mr. STAFFORD. The gentleman realizes that the language is permanent and will not very likely be included in next year's bill.

Mr. SHERLEY. I understand, but it is always included in the committee print in parenthesis. I have no objection to such a requirement. But the plain intent was simply that they should sell these stores at cost and reimburse the fund. And that is implied by the language that says, "to be sold to the employees of the said service and the appropriations reimbursed."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Commutation of rations not to exceed 60 cents may be paid to officers and crews of vessels of the Bureau of Fisheries under regulations prescribed by the Secretary of Commerce.

Officers and crews of the several vessels belonging to the Bureau of Fisheries may be admitted to the benefits of the Public Health Service without charge upon the application of their respective commanding officers.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. What is the purpose of this authorization authorizing the officers and crews to be admitted to the privileges of the Public Health Service?

Mr. SHERLEY. Well, I believe they are the only marine employees of the Government that are not admitted, and there did not seem to be any reason for the discrimination against them. All the members of the merchant marine and the members of the Coast Guard Service are eligible for admission into the hospitals of the Public Health Service.

Mr. STAFFORD. How extensive are the activities of the Bureau of Fisheries, so far as seagoing vessels or lake-going vessels are concerned?

Mr. SHERLEY. I do not recall the number of vessels that that service has now. They have four that are carried in this bill. There are three that are now in the Navy, and there are some smaller boats. There is $95,000 carried here as maintenance charge for such vessels. So while the number of officers and the numbers of the crews under the Bureau of Fisheries are not large, still there must be quite a number of such men.

Mr. STAFFORD. Then under this paragraph I assume these men would have the benefit of the marine-hospital service?

Mr. SHERLEY. It means that they would be entitled to free hospital service at the public marine hospital.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Inquiry respecting food fishes: For inquiry into the causes of the decrease of food fishes in the waters of the United States, investigations and experiments in respect to the aquatic animals, plants, and waters, in the interests of fish culture and the fishery industries, including expenses of travel and preparation of reports, $50,000.

Mr. ROBBINS. Mr. Chairman, I want to offer an amendment to that section to the effect that no part of this appropriation shall be expended on the investigation of streams that are impregnated with sulphur water from bituminous-coal mines.

Mr. CANNON. On what line?

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

Mr. CANNON. Report the line and page.

Mr. ROBBINS. On page 156, line 21.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. ROBBINS offers the following amendment: Page 156, line 21, after the figures "$50,000," insert:

"*Provided*, That no part of this inquiry shall apply to streams impregnated with water from bituminous-coal mines."

Mr. ROBBINS. Mr. Chairman, the coal-mining industry of the United States necessarily discharges water into the streams that flow into the navigable rivers and necessarily destroys all fish that are in those streams. If this investigation is to lead to those streams and we are to get a report on it, it will be the basis, I fear, of legislation that will injure the coal-mining industry, whether it is intended to do so or not.

The coal-mining industry is the greatest of all the industries concerned in the prosecution of this war. In 1916 we mined 505,000,000 tons of bituminous coal; in 1917 we mined 540,000,000 tons of such coal. In 1918 we shall require 90,000,000 tons more of bituminous coal than was mined last year in order to prosecute this war. The first five months of this year we have fallen behind over 2,000,000 tons in producing sufficient to meet the requirements on the basis of last year's output. This investigation would be a distinct threat against the coal-mining industry, which has been more outrageously treated by this administration than any other great industry in the country. I am opposed to putting legislation in any bill passed by this Congress that even indirectly is a threat against the prosperity and increase of the output of bituminous coal; and this investigation, even though it is to be made here under the guise of protecting the fish life of the country, would lead right up into the bituminuous-coal mine sections of Pennsylvania, West Virginia, and Ohio, each one of which is discharging large amounts of water impregnated with sulphur into the streams from the coal mines and thus destroying the fish life.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. STAFFORD. Will the gentleman inform the committee whether any such investigation has been made, as feared by the gentleman from Pennsylvania, under existing appropriations?

Mr. ROBBINS. No; there has not been; but there is a bill pending in this Congress to make it, and I propose to forestall it and fight it just as vigorously as I will fight this.

Mr. STAFFORD. The gentleman knows that the same language is carried in the existing law.

Mr. ROBBINS. In what bill?

Mr. STAFFORD. In the sundry civil bill of last year. It is the same.

Mr. ROBBINS. I am not familiar with that. No investigation was made. If such provision is there, I want to register my protest against an investigation leading into the streams of water in the bituminous-coal regions. That is all that this means. My amendment does not mean to prevent the investigation altogether, but it restricts it from going to those streams that are impregnated with sulphur by reason of the mining of coal from the land through which they flow.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Certainly.

Mr. SHERLEY. This language has been carried in the bills for more than 10 years, and the result of the gentleman's amendment would be to prevent some inquiries that might properly be made, and yet which would have nothing to do with and which would not look in the slightest degree to the curtailment of or the hampering of the coal industry in any way, shape, or form.

Mr. ROBBINS. It says "for inquiry into the causes of the decrease of food fishes in the waters of the United States." All the food fishes in western Pennsylvania, in the streams impregnated with sulphur water, are killed, and the fish supply would therefore decrease to that extent.

Mr. SHERLEY. If everybody knows that that is the cause, there would be no reason for making this inquiry. This inquiry is not aimed at the practice of putting refuse of coal mines into streams. It has no relation to it.

Mr. ROBBINS. Under the wording of this amendment it could be made.

Mr. SHERLEY. Of course, it could be made; and the trouble with the gentleman's amendment is that it might stop a very proper inquiry. For instance, the Ohio River is the outlet of the waters of western Pennsylvania, all coming from the coal mines, and it also receives water from West Virginia and Ken-

tucky. It might be construed that you could not make any inquiry as to the reasons for the decrease of the fish in the Ohio River. The gentleman's amendment does that out of fear that somebody is aiming at the coal mines of Pennsylvania. The gentleman's fear is not warranted.

Mr. ROBBINS. Yes; it is warranted. I want to register a protest against any such proceeding as the gentleman suggests. The coal-mining industry of Pennsylvania—and the gentleman has it in Kentucky also—is very important; but the people who are agitating this investigation about the food fish destroyed by a great industry, known as the coal-mining industry, are simply trying to make a small interest overrule an immensely big business in this country.

Mr. SHERLEY. The gentleman is going on the assumption that anybody is so agitating. This item has been carried in this bill for 10 years, and has no relationship whatever to coal mines any more than, as I said the other day, sun spots do to war.

Mr. ROBBINS. That is the gentleman's construction, but I beg leave to read it as it stands in the words of the bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. ROBBINS. The bill says distinctly it is an inquiry into any "cause of the decrease of food fish in the waters of the United States." It would permit an investigation such as I protest against, foreshadowing an attempt to take water impregnated with sulphur out of the streams at this time. Coal mining has been going on for over 70 years in Pennsylvania. To take the mine water out of the streams would be impossible. The first mining was carried on in the veins that cropped out on the surface, but now they are going into deep-mining propositions. We have mines in my own district that lift six tons of water for every ton of coal removed from the mine. That water is necessarily impregnated with sulphur, which destroys the fish life in all the streams into which it flows. Therefore it is an absolute impossibility to carry on this industry without draining the water into the streams that flow into the navigable rivers and kill the fish life in them. For that reason I want to register a protest against investigating the "decrease of fish life" in any river where that fish life has been destroyed by the mining of coal. That is the reason I offer this amendment, because I do not want anybody to be misled, or this authorization to be misused, and made the basis of a threat against the coal-mining industry.

There is no use of appropriating $50,000 for this useless purpose, as is done by line 21, page 156, of this act.

Mr. SHERLEY. Mr. Chairman, I think the gentleman is taking counsel of his fears. It is true, of course, that this language warrants an investigation of the causes for the decrease of the food-fish supply anywhere in the United States; but it was not created because of the situation growing out of the coal mines in Pennsylvania or elsewhere. It bears no relationship to that. So far as I know it was never thought of by anybody in connection with that until the gentleman himself became filled full of it. The limitation that he proposes is entirely too broad to be agreed to by the Congress. Why should there not be an examination, for instance, of the lower Ohio and of the Mississippi Rivers touching the decrease of food fishes there? The fact that water flows from the mines of Pennsylvania into those rivers ought not to prevent such an inquiry, and yet under the language the gentleman proposes it would have that practical effect.

Mr. ROBBINS. If the gentleman will yield, my amendment does not exclude an investigation of the lower Ohio, if there is coal water running into it, but it does exclude an investigation into the Monongahela, the Youghiogheny, and the Allegheny, in my district, all of which receive large quantities of coal water directly out of the mines.

Mr. SHERLEY. The gentleman's statement is that wherever there is a decrease of the supply of food fish as the result of water coming from the mines he does not want that investigated. Now, under his amendment they would have to make an inquiry to determine whether there should be an inquiry in each particular river, because there would have to be a determination to find out whether the water coming from the mines did in fact hurt the fish in the particular streams. I hope the committee will vote down the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. ROBBINS].

The question being taken, the amendment was rejected.

The Clerk read as follows:

For additional for the acquisition of land described in the sundry civil appropriation act for the fiscal year 1918, and for the acquisition of certain adjacent land required for the Bureau of Standards, $32,000.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: On page 158 strike out lines 20 to 23, inclusive.

Mr. SHERLEY. Mr. Chairman, the reason I offer this amendment is because of some statements and data brought to the attention of the House by the gentleman from Kentucky [Mr. JOHNSON] the other day in connection with land purchased by the Bureau of Standards out of allotments made by the President, which land is near to the land that is proposed to be bought here. If the statements made by the gentleman from Kentucky [Mr. JOHNSON] are accurate—and I have no reason to question their accuracy—we ought not to pay $32,000 in addition to the $25,000 appropriated in a previous bill to purchase the land referred to here. I am not willing to vote money to buy land at twice its value; and if the statements of the gentleman are at all accurate as to the Chevy Chase Land Co.'s letter to the assessors touching the value of land adjoining and near this land, then we ought not to pay this amount. In the absence of information I am unwilling that my committee should stand sponsor for this appropriation, and, therefore, I move to strike it out.

Mr. ROBBINS. Is this the piece of land between the Bureau of Standards and Connecticut Avenue—right in front?

Mr. SHERLEY. No. Part of it is on the north, part of it to the south, and a little of it to the west. As to the little triangle on Connecticut Avenue that they wanted to buy, the price struck the committee as being so unreasonable that we dropped that out, but these three other pieces of land would be bought, if we appropriated this money in addition to the $25,000 available, at a price of $8,000 or $9,000 an acre, which, according to the letter that the gentleman from Kentucky [Mr. JOHNSON] referred to, is away beyond the value of such land. I know of no more difficult thing that comes to the Committee on Appropriations than questions of land values. We are not experts in the value of lands. We are dependent upon the statements of the officials of the Government for the protection of the Government, and when they come to us saying that they can not acquire land except at a certain price, and that that price seems reasonable, we have the right, in the absence of evidence to the contrary, to assume that they are attending to their business; but in view of the fact that evidence has been brought touching value of land in this neighborhood, I think the Committee of the Whole would be unwarranted in voting this money.

Mr. ROBBINS. I agree with the gentleman about the price of the land. There is a piece of land right in front of the Bureau of Standards which has been valued at $20,000. I saw this amount of $32,000, and I wondered if it was for the same piece of land.

Mr. SHERLEY. No; it is not. There is a little strip of land there that it was proposed to buy, but the price of that was very much too high, and I have never been in favor of buying front-foot land on Connecticut Avenue, which is very much more valuable than interior land; but this was to extend the property of the Bureau of Standards south to Van Ness Avenue and north to an avenue whose name I do not recall, and also the little triangular piece to the west. The amount of the previous appropriation was not sufficient, according to the statement made to us, and Dr. Stratton asked this additional money.

Mr. ROBBINS. Will the gentleman explain why it is that the Bureau of Standards went into the middle of a block there and bought a piece of land that does not extend either to Connecticut Avenue or to the avenues or streets back of it? It seems to me that was a very remarkable transaction.

Mr. SHERLEY. The original piece of land was bought some distance back from Connecticut Avenue in order to be in a place that was quiet and away from the vibrations from the cars and from the trucks. Subsequently they needed more land, and the Committee on Appropriations had that matter under investigation. I think Mr. Tawney was chairman of the Committee on Appropriations at that time. I remember the gentleman from Illinois [Mr. CANNON], Mr. Fitzgerald, and myself, and one or two other Members went out and looked at some land. It was suggested then to buy land to Connecticut Avenue, but the cost of that land fronting on Connecticut Avenue was very much greater than the cost of the land behind it.

We did not feel warranted in buying high-priced residential land for purposes such as this when we could get the land necessary at the back. At that time the purchase of land was not extended to Connecticut Avenue, and I think the decision was wise, because it saved the Government money. But the trouble now is that they are asking for land, whether it is on Connecticut Avenue or anywhere else, at prices which, if the statement of the gentleman from Kentucky [Mr. JOHNSON] is accurate, are indefensible and unconscionable. I am willing to let the purchase wait until we find out about the real values.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Labor, during the present emergency, to furnish such information and to render such assistance in the employment of wage earners throughout the United States as may be deemed necessary in the prosecution of the war, including personal services in the District of Columbia and elsewhere, per diem in lieu of subsistence at not exceeding $4, traveling expenses, rental of quarters in the District of Columbia and elsewhere, heat and light, telegraph and telephone service, supplies and equipment, and printing and binding, $1,500,000.

Mr. LONDON. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 162, line 13, after the figures "$1,500,000," strike out the period and insert a semicolon and the following words: "to enable the Secretary of Labor to investigate the subject of unemployment insurance with particular reference to the restoration to civil employment of soldiers discharged at the termination of the war."

Mr. SHERLEY. Mr. Chairman, I reserve a point of order on the amendment.

Mr. LONDON. Mr. Chairman, I offer this amendment in good faith. During the discussion of the legislative, executive, and judicial appropriation bill in March of this year the gentleman from Kentucky, the chairman of the Committee on Appropriations, suggested during the discussion of a point of order that an amendment providing for an investigation of the subject of insurance against unemployment would be in order on the sundry civil bill. I have followed that suggestion, and offer it at this time.

Some time in January the House had before it a resolution unanimously reported from the Committee on Labor. The resolution provided for the appointment of a commission to study the problem of social insurance, including unemployment insurance. The principal argument used on the floor against that resolution was that war time was a very inappropriate time to study these things. Those who so argued disregarded the most vital fact that it is because of the present emergency, because of the present war, that this problem assumes an urgent character. Only a few days ago I received from England a very interesting volume, one of the Blue Books, which gives a report of the war cabinet for the year 1917. It appears that England has found it advisable to establish a special ministry of reconstruction.

Mr. MADDEN. Is not that what we have practically done by the passage of the rehabilitation act?

Mr. LONDON. The rehabilitation act deals with the disabled soldiers only. We have so far taken no cognizance of the problem of the returning soldier, except to provide for an investigation of the opportunities that may be offered to the defenders of the country through the irrigation of arid lands and the recovery of swamp lands. The reconstruction ministry of England takes up the entire problem of industrial rehabilitation, such as the agricultural policy, demobilization of the army, demobilization of munition industries, housing, unemployment, the supply of raw materials, coal conservation, aliens, forestry, relations between employers and employed, and women's employment; in short, not only the restoration but the improvement of prewar conditions.

They lay particular stress upon the question of demobilization of the army and the restoration of the discharged soldier to his former employment under more advantageous terms than those he had prior to his entrance into the service.

European countries have recognized the necessity of preparing for the after-war period during the war. They have realized the necessity of taking up the question, assembling all the information that can possibly be had, and of benefiting by every experience the nations are undergoing to-day. It stands to reason that millions of men now in the Army, millions of men and women employed in the munitions industry, will find themselves out of employment at the close of the war; that it will be an impossible task in the absence of any accumulated data or any information gathered during the war—it will be impossible for the Nation to adapt itself to the task that it will then face. It should be the province of statesmen to grapple with these questions, to look into the future, and to prepare now for the inevitable.

In commenting on the creation of the special reconstruction ministry, the report of the war cabinet says:

The country for the first time is equipped with a department not devoted to research in the field of the physical sciences, but to research into questions of political science, and to the encouragement of action on the line of results ascertained.

This special ministry that I speak of was established in July, 1917, and was the result of two previous incomplete experiments made in the direction of the study of these problems through various boards and various committees. They were compelled to create a special ministry. In other words, they realized that now is the time to prepare for it.

Mr. MADDEN. Will the gentleman yield?

Mr. LONDON. Yes.

Mr. MADDEN. Does not the gentleman think that if we are going to accomplish anything on the subject he suggests that the Secretary of Labor, having already more work than he can do, is not the one on which to put these activities?

Mr. LONDON. The Secretary of Labor is placed in the position where he has enlarged duties and functions.

His principal task now is to take care of the placement of labor. He knows how many workers have been taken out of ordinary industries and placed in munitions factories. He is in a position to know best how many places have been taken by women. He is in a position to know best how many places have been taken by children. All that is necessary for him to do is to assign to some special bureau the task of studying the mobility of labor to-day, so as to be able to reason out what will take place when the armies will be demobilized. Why should we not now begin to prepare for that day? We do not know when the war will end. It may collapse as suddenly as it started. We should not be found standing aghast and bewildered at the termination of the war. The statesmen of America should give thought to it to-day. The war preparations are being well taken care of. Let us now begin to prepare for the reconstruction period. That is the object of the amendment that I offer.

After the resolution providing for the study of unemployment insurance and old-age pensions and invalid pensions was defeated because of the argument that war time was a bad time to study it, and also because it provided for a commission, I introduced another resolution providing that the Secretary of Labor should make that investigation, and in connection with that second resolution there was submitted to the committee by the Bureau of Labor an estimate of the probable cost of it. It appears that the probable cost of an investigation of all these three subjects would be $400,000 and of unemployment insurance $175,000. That is why in this amendment I ask for $175,000, and confine it to the study of unemployment as it will affect the soldiers discharged from the service with the demobilization of the Army. Under leave granted me to incorporate the program of reconstruction of the British labor movement I submit the draft of the proposed "reconstruction" program of the British Labor Party. A careful study of this document will show what is in the minds of the British industrial masses. No wonder Parliament has created a reconstruction ministry.

DRAFT OF A PROGRAM OF THE BRITISH LABOR PARTY.

It behooves the Labor Party in formulating its own program for reconstruction after the war and in criticizing the various preparations and plans that are being made by the present Government to look at the problem as a whole. We have to make clear what it is that we wish to construct. It is important to emphasize the fact that, whatever may be the case with regard to other political parties, our detailed practical proposals proceed from definitely held principles.

SOCIETY TO BE REBUILT.

We need to beware of patchwork. The view of the Labor Party is that what has to be reconstructed after the war is not this or that Government department or this or that piece of social machinery, but, so far as Britain is concerned, society itself. The individual worker, or for that matter the individual statesman, immersed in daily routine, like the individual soldier in a battle, easily fails to understand the magnitude and far-reaching importance of what is taking place around him. How does it fit together as a whole? How does it look from a distance? Count Okuma, one of the oldest, most experienced, and ablest of the statesmen of Japan, watching the present conflict from the other side of the globe, declares it to be nothing less than the death of European civilization. Just as in the past the civilizations of Babylon, Egypt, Greece, Carthage, and the great Roman Empire have been successively destroyed, so, in the judgment of this detached observer, the civilization of all Europe is even now receiving its death blow. We of the Labor Party can so far agree in this estimate as to recognize in the present world catastrophe if not the death in Europe of civilization itself, at any rate the culmination and collapse of a distinctive industrial civilization, which the workers will not seek to reconstruct. At such times of crisis it is easier to slip into ruin than to progress into higher forms of organization. That is the problem as it presents itself to the Labor Party.

What this war is consuming is not merely the security, the homes, the livelihood, and the lives of millions of innocent families and an enormous proportion of all the accumulated wealth of the world, but also the very basis of the peculiar social order in which it has arisen. The individualist system of capitalist production, based on the private ownership and competitive administration of land and capital, with its

reckless "profiteering" and wage slavery, with its glorification of the unhampered struggle for the means of life and its hypocritical pretense of the "survival of the fittest"; with the monstrous inequality of circumstances which it produces and the degradation and brutalization, both moral and spiritual, resulting therefrom, may, we hope, indeed have received a death blow. With it must go the political system and ideas in which it naturally found expression. We of the Labor Party, whether in opposition or in due time called upon to form an administration, will certainly lend no hand to its revival. On the contrary, we shall do our utmost to see that it is buried with the millions whom it has done to death. If we in Britain are to escape from the decay of civilization itself, which the Japanese statesman foresees, we must insure that what is presently to be built up is a new social order, based not on fighting but on fraternity; not on the competitive struggle for the means of bare life but on a deliberately planned cooperation in production and distribution for the benefit of all who participate by hand or by brain; not on the utmost possible inequality of riches but on a systematic approach toward a healthy equality of material circumstances for every person born into the world; not on an enforced dominion over subject nations, subject races, subject colonies, subject classes, or a subject sex, but, in industry as well as in government, on that equal freedom, that general consciousness of consent, and that widest possible participation in power, both economic and political, which is characteristic of democracy. We do not, of course, pretend that it is possible, even after the drastic clearing away that is now going on, to build society anew in a year or two of feverish "reconstruction." What the Labor Party intends to satisfy itself about is that each brick that it helps to lay shall go to erect the structure that it intends and no other.

We need not here recapitulate one by one the different items in the Labor Party's program, which successive party conferences have adopted. These proposals, some of them in various publications worked out in practical detail, are often carelessly derided as impracticable, even by the politicians who steal them piecemeal from us. The members of the Labor Party themselves actually working by hand or by brain in close contact with the facts have perhaps at all times a more accurate appreciation of what is practicable in industry, as in politics, than those who depend solely on academic instruction or are biased by great possessions. But to-day no man dares to say that anything is impracticable. The war, which has scared the old political parties right out of their dogmas, has taught every statesman and every Government official, to his enduring surprise, how very much more can be done along the lines that we have laid down than he had ever before thought possible. What we now promulgate as our policy, whether for opposition or for office, is not merely this or that specific reform but a deliberately thought out, systematic, and comprehensive plan for that immediate social rebuilding which any ministry, whether or not it desires to grapple with the problem, will be driven to undertake. The four pillars of the house that we propose to erect, resting upon the common foundation of the democratic control of society in all its activities, may be termed—

(a) The universal enforcement of the national minimum;
(b) The democratic control of industry;
(c) The revolution in national finance; and
(d) The surplus wealth for the common good.

THE UNIVERSAL ENFORCEMENT OF A NATIONAL MINIMUM.

The first principle of the Labor Party—in significant contrast with those of the capitalist system, whether expressed by the Liberal or by the Conservative Party—is the securing to every member of the community, in good times and bad alike (and not only to the strong and able, the well born, or the fortunate), of all the requisites of healthy life and worthy citizenship. This is in no sense a "class" proposal. Such an amount of social protection of the individual, however poor and lowly, from birth to death is, as the economist now knows, as indispensable to fruitful cooperation as it is to successful combination; and it affords the only complete safeguard against that insidious degradation of the standard of life which is the worst economic and social calamity to which any community can be subjected. We are members one of another. No man liveth to himself alone. If any, even the humblest, is made to suffer, the whole community and every one of us, whether or not we recognize the fact, is thereby injured. Generation after generation this has been the corner stone of the faith of labor. It will be the guiding principle of any labor government.

The legislative regulation of employment.

Thus it is that the Labor Party to-day stands for the universal application of the policy of the national minimum, to which (as embodied in the successive elaborations of the factory, mines, railways, shops, merchant shipping, and truck acts, the public health, housing, and education acts, and the minimum-wage act—all of them aiming at the enforcement of at least the prescribed minimum of leisure, health, education, and subsistence) the spokesmen of labor have already gained the support of the enlightened statesmen and economists of the world. All these laws purporting to protect against extreme degradation of the standard of life need considerable improvement and extension, whilst their administration leaves much to be desired. For instance, the workmen's compensation act fails shamefully, not merely to secure proper provision for all the victims of accident and industrial disease, but, what is much more important, does not succeed in preventing their continual increase. The amendment and consolidation of the factory and workshops acts, with their extension to all employed persons, is long overdue; and it will be the policy of labor greatly to strengthen the staff of inspectors, especially by the addition of more men and women of actual experience of the workshop and mine. The coal mines (minimum wage) act must certainly be maintained in force and suitably amended, so as both to insure greater uniformity of conditions among the several districts and to make the district minimum in all cases an effective reality. The same policy will, in the interests of the agricultural laborers, dictate the perpetuation of the legal wage clauses of the new corn law just passed for a term of five years, and the prompt amendment of any defects that may be revealed in their working; and, in view of the fact that many millions of wage earners, notably women and the less skilled workmen in various occupations, are unable by combination to obtain wages adequate for decent maintenance in health, the Labor Party intends to see to it that the trade-boards act is suitably amended and made to apply to all industrial employments in which any considerable number of those employed obtain less than 30 shillings per week. This minimum of not less than 30 shillings per week (which will need revision according to the level of prices) ought to be the very lowest statutory base line for the least skilled adult workers, men or women, in any occupation, in all parts of the United Kingdom.

The organization of demobilization.

But the coming industrial dislocation, which will inevitably follow the discharge from war service of half of all the working population, imposes new obligations upon the community. The demobilization and discharge of the 8,000,000 wage earners now being paid from public funds, either for service with the colors or in munition work and other war trades, will bring to the whole wage-earning class grave peril of unemployment, reduction of wages, and a lasting degradation of the standard of life, which can be prevented only by deliberate national organization.

The Labor Party has repeatedly called upon the present Government to formulate its plan and to make in advance all arrangements necessary for coping with so unparalled a dislocation. The policy to which the Labor Party commits itself is unhesitating and uncompromising. It is plain that regard should be had in stopping Government orders, reducing the staff of the national factories, and demobilizing the army to the actual state of employment in particular industries and in different districts, so as both to release first the kinds of labor most urgently required for the revival of peace production and to prevent any congestion of the market. It is no less imperative that suitable provision against being turned suddenly adrift without resources should be made, not only for the soldiers but also for the 3,000,000 operatives in munition work and other war trades, who will be discharged long before most of the army can be disbanded. On this important point, which is the most urgent of all, the present Government has, we believe, down to the present hour, formulated no plan, and come to no decision, and neither the Liberal nor the Conservative Party has apparently deemed the matter worthy of agitation. Any Government which should allow the discharged soldier or munition worker to fall into the clutches of charity or the poor law would have to be instantly driven from office by an outburst of popular indignation. What every one of them will look for is a situation in accordance with his capacity.

SECURING EMPLOYMENT FOR ALL.

The Labor Party insists—as no other political party has thought fit to do—that the obligation to find suitable employment in productive work for all these men and women rests upon the Government for the time being. The work of resettling the disbanded soldiers and discharged munition workers into new situations is a national obligation; and the Labor Party emphatically protests against its being regarded as a matter for private charity. It strongly objects to this public duty being handed over either to committees of philanthropists or benevolent societies, or to any of the military or recruiting authorities. The policy of the Labor Party in this matter is to make the utmost use of the trade-unions, and equally for the brain workers of the various professional associations. In view of the fact that in any trade the best organization for placing men in situations is a national trade-union having local branches throughout the kingdom, every soldier should be allowed, if he chooses, to have a duplicate of his industrial discharge notice sent, one month before the date fixed for his discharge, to the secretary of the trade-union to which he belongs or wishes to belong. Apart from this use of the trade-union (and a corresponding use of the professional association) the Government must, of course, avail itself of some such public machinery as that of the employment exchanges; but before the existing exchanges (which will need to be greatly extended) can receive the cooperation and support of the organized labor movement, without which their operations can never be fully successful, it is imperative that they should be drastically reformed on the lines laid down in the demobilization report of the "labor after the war" joint committee; and, in particular, that each exchange should be placed under the supervision and control of a joint committee of employers and trade-unionists in equal numbers.

The responsibility of the Government, for the time being, in the grave industrial crisis that demobilization will produce goes, however, far beyond the 8,000,000 men and women whom the various departments will suddenly discharge from their own service. The effect of this peremptory discharge on all the other workers has also to be taken into account. To the Labor Party it will seem the supreme concern of the Government of the day to see to it that there shall be as a result of the gigantic "general post" which it will itself have deliberately set going nowhere any degradation of the standard of life. The Government has pledged itself to restore the trade-union conditions and "prewar practices" of the workshop, which the trade-unions patriotically gave up at the direct request of the Government itself; and this solemn pledge must be fulfilled, of course, in the spirit as well as in the letter. The Labor Party, moreover, holds it to be the duty of the Government of the day to take all necessary steps to prevent the standard rates of wages, in any trade or occupation whatsoever, from suffering any reduction relatively to the contemporary cost of living. Unfortunately the present Government, like the Liberal and Conservative Parties, so far refuses to speak on this important matter with any clear voice. We claim that it should be a cardinal point of Government policy to make it plain to every capitalist employer that any attempt to reduce the customary rates of wages when peace comes, or to take advantage of the dislocation of demobilization to worsen the conditions of employment in any grade whatsoever will certainly lead to embittered industrial strife, which will be in the highest degree detrimental to the national interests; and that the Government of the day will not hesitate to take all necessary steps to avert such a calamity. In the great impending crisis the Government of the day should not only, as the greatest employer of both brain workers and manual workers, set a good example in this respect, but should also actively seek to influence private employers by proclaiming in advance that it will not itself attempt to lower the standard rates of conditions in public employment, by announcing that it will insist on the most rigorous observance of the fair-wages clause in all public contracts and by explicitly recommending every local authority to adopt the same policy.

But nothing is more dangerous to the standard of life, or so destructive of those minimum conditions of healthy existence, which must in the interests of the community be assured to every worker, than any widespread or continued unemployment. It has always been a fundamental principle of the Labor Party (a point on which, significantly enough, it has not been followed by either of the other political parties), that, in a modern industrial community it is one of the foremost obligations of the Government to find, for every willing worker, whether by hand or by brain, productive work at standard rates.

It is accordingly the duty of the Government to adopt a policy of deliberately and systematically preventing the occurrence of unemployment instead of, as heretofore, letting unemployment occur, and then seeking, vainly and expensively, to relieve the unemployed. It is now known that the Government can, if it chooses, arrange the public works and the orders of national departments and local authorities in such a

way as to maintain the aggregate demand for labor in the whole kingdom (including that of capitalist employers) approximately at a uniform level from year to year; and it is therefore a primary obligation of the Government to prevent any considerable or widespread fluctuations in the total numbers employed in times of good or bad trade. But this is not all. In order to prepare for the possibility of there being any unemployment, either in the course of demobilization or in the first years of peace, it is essential that the Government should make all necessary preparations for putting instantly in hand, directly or through the local authorities, such urgently needed public works as (a) the rehousing of the population alike in rural districts, mining villages, and town slums, to the extent, possibly, of a million new cottages and an outlay of £300,000,000; (b) the immediate making good of the shortage of schools, training colleges, technical colleges, etc., and the engagement of the necessary additional teaching, clerical, and administrative staffs; (c) new roads; (d) light railways; (e) the unification and reorganization of the railway and canal system; (f) afforestation; (g) the reclamation of land; (h) the development and better equipment of our ports and harbors; (i) the opening up of access to land by cooperative small holdings and in other practicable ways. Moreover, in order to relieve any pressure of an overstocked labor market, the opportunity should be taken, if unemployment should threaten to become widespread, (a) immediately to raise the school-leaving age to 16; (b) greatly to increase the number of scholarships and bursaries for secondary and higher education; and (c) substantially to shorten the hours of labor of all young persons, even to a greater extent than the eight hours per week contemplated in the new education bill, in order to enable them to attend technical and other classes in the daytime. Finally, wherever practicable, the hours of adult labor should be reduced to not more than 48 per week, without reduction of the standard rates of wages. There can be no economic or other justification for keeping any man or woman to work for long hours, or at overtime, whilst others are unemployed.

SOCIAL INSURANCE AGAINST UNEMPLOYMENT.

In so far as the Government fails to prevent unemployment—whenever it finds it impossible to discover for any willing worker, man or woman, a suitable situation at the standard rate—the Labor Party holds that the Government must, in the interest of the community as a whole, provide him or her with adequate maintenance, either with such arrangements for honorable employment or with such useful training as may be found practicable, according to age, health, and previous occupation. In many ways the best form of provision for those who must be unemployed, because the industrial organization of the community so far breaks down as to be temporarily unable to set them to work, is the out-of-work benefit afforded by a well-administered trade-union. This is a special tax on the trade-unionists themselves which they have voluntarily undertaken, but toward which they have a right to claim a public subvention—a subvention which was actually granted by Parliament (though only to the extent of a couple of shillings of so per week) under Part II of the insurance act.

The arbitrary withdrawal by the Government in 1915 of this statutory right of the trade-unions was one of the least excusable of the war economies; and the Labor Party must insist on the resumption of this subvention immediately the war ceases and on its increase to at least half the amount spent in out-of-work benefit. The extension of State unemployment insurance to other occupations may afford a convenient method of providing for such of the unemployed, especially in the case of badly paid women workers and the less skilled men, whom it is difficult to organize in trade-unions. But the weekly rate of the State unemployment benefit needs, in these days of high prices, to be considerably raised, whilst no industry ought to be compulsorily brought within its scope against the declared will of the workers concerned, and especially of their trade-unions.

In the twentieth century there must be no question of driving the unemployed to anything so obsolete and discredited as either private charity, with its haphazard and ill-considered doles, or the poor law, with the futilities and barbarities of its "stone yard," or its "able-bodied test workhouse." Only on the basis of a universal application of the policy of the national minimum, affording complete security against destitution, in sickness and health, in good times and bad alike, to every member of the community can any worthy social order be built up.

THE DEMOCRATIC CONTROL OF INDUSTRY.

The universal application of the policy of the national minimum is, of course, only the first of the pillars of the house that the Labor Party intends to see built. What marks off this party most distinctly from any of the other political parties is its demand for the full and genuine adoption of the principle of democracy. The first condition of democracy is effective personal freedom. This has suffered so many encroachments during the war that it is necessary to state with clearness that the complete removal of all the war-time restrictions on freedom of speech, freedom of publication, freedom of the press, freedom of travel, and freedom of choice of place of residence and kind of employment must take place the day after peace is declared. The Labor Party declares emphatically against any continuance of the military service acts a moment longer than the imperative requirements of the war excuse. But individual freedom is of little use without complete political rights. The Labor Party sees its repeated demands largely conceded in the present representation of the people act, but not yet wholly satisfied. The party stands, as heretofore, for complete adult suffrage, with not more than a three months' residential qualification, for effective provision for absent electors to vote, for absolutely equal rights for both sexes, for the same freedom to exercise civic rights for the "common soldier" as for the officer, for shorter parliaments, for the complete abolition of the House of Lords, and for a most strenuous opposition to any new second chamber, whether elected or not, having in it any element of heredity or privilege, or of the control of the House of Commons by any party or class. But unlike the Conservative and Liberal Parties, the Labor Party insists on democracy in industry as well as in government. It demands the progressive elimination from the control of industry of the private capitalist, individual or joint stock; and the setting free of all who work, whether by hand or by brain, for the service of the community, and of the community only. And the Labor Party refuses absolutely to believe that the British people will permanently tolerate any reconstruction or perpetuation of the disorganization, waste, and inefficiency involved in the abandonment of British industry to a jostling crowd of separate private employers, with their minds bent, not on the service of the community, but—by the very law of their being—only on the utmost possible profiteering. What the nation needs is undoubtedly a great bound onward in its aggregate productivity. But this can not be secured merely by pressing the manual workers to more strenuous toil, or even by encouraging the "captains of industry" to a less wasteful organization of their several enterprises on a profit-making basis. What the Labor Party looks to is a genuinely scientific reorganization of the nation's industry, no longer deflected by individual profiteering, on the basis of the common ownership of the means of production; the equitable sharing of the proceeds among all who participate in any capacity and only among these, and the adoption, in particular services and occupations, of those systems and methods of administration and control that may be found in practice best to promote the public interest.

Immediate nationalization.

The Labor Party stands not merely for the principle of the common ownership of the nation's land, to be applied as suitable opportunities occur, but also, specifically, for the immediate nationalization of railways, mines, and the production of electrical power. We hold that the very foundation of any successful reorganization of British industry must necessarily be found in the provision of the utmost facilities for transport and communication, the production of power at the cheapest possible rate and the most economical supply of both electrical energy and coal to every corner of the kingdom. Hence the Labor Party stands, unhesitatingly, for the national ownership and administration of the railways and canals, and their union, along with harbors and roads, and the posts and telegraphs—not to say also the great lines of steamers which could at once be owned, if not immediately directly managed in detail, by the government—in a united national service of communication and transport; to be worked, unhampered by capitalists, private or purely local interests (and with a steadily increasing participation of the organized workers in the management, both central and local), exclusively for the common good. If any government should be so misguided as to propose when peace comes to hand the railways back to the shareholders, or should show itself so spendthrift of the nation's property as to give these shareholders any enlarged franchise by presenting them with the economies of unification or the profits of increased railway rates, or so extravagant as to bestow public funds on the reequipment of privately owned lines—all of which things are now being privately intrigued for by the railway interests—the Labor Party will offer any such project the most strenuous opposition. The railways and canals, like the roads, must henceforth belong to the public.

In the production of electricity, for cheap power, light, and heating this country has so far failed because of hampering private interests to take advantage of science. Even in the largest cities we still "peddle" our electricity on a contemptibly small scale. What is called for immediately after the war is the erection of a score of gigantic "super-power stations" which could generate, at incredibly cheap rates, enough electricity for the use of every industrial establishment and every private household in Great Britain, the present municipal and joint-stock electrical plants being universally linked up and used for local distribution. This is inevitably the future of electricity. It is plain that so great and so powerful an enterprise, effecting every industrial enterprise and eventually every household, must not be allowed to pass into the hands of private capitalists. They are already pressing the government for the concession, and neither the Liberal nor the Conservative Party has yet made up its mind to a refusal of such a new endowment of profiteering in what will presently be the life blood of modern porductive industry. The Labor Party demands that the production of electricity on the necessary gigantic scale shall be made from the start (with suitable arrangements for municipal cooperation in local distribution) a national enterprise, to be worked exclusively with the object of supplying the whole kingdom with the cheapest possible power, light, and heat.

But with railways and the generation of electricity in the hands of the public it would be criminal folly to leave to the present 1,500 colliery companies the power of "holding up" the coal supply. These are now all working under public control on terms that virtually afford to their shareholders a statutory guaranty of their swollen incomes. The Labor Party demands the immediate nationalization of mines, the extraction of coal and iron being worked as a public service (with a steadily increasing participation in the management, both central and local, of the various grades of persons employed), and the whole business of the retail distribution of household coal being undertaken as a local public service by the elected municipal or county councils. And there is no reason why coal should fluctuate in price any more than railway fares, or why the consumer should be made to pay more in winter than in summer, or in one town than another. What the Labor Party would aim at is for household coal of standard quality a fixed and uniform price for the whole kingdom, payable by rich and poor alike, as unalterable as the penny postage stamp.

But the sphere of immediate nationalization is not restricted to these great industries. We shall never succeed in putting the gigantic system of health insurance on a proper footing or secure a clear field for the beneficent work of the friendly societies or gain a free hand for the necessary development of the urgently called for ministry of health and the local public-health service, until the nation expropriates the profit-making industrial insurance companies which now so tyrannously exploit the people with their wasteful house-to-house industrial life assurance. Only by such an expropriation of life assurance companies can we secure the universal provision, free from the burdensome toll of weekly pence, of the indispensable funeral benefit. Nor is it in any sense a "class" measure. Only by the assumption by a State department of the whole business of life assurance can the millions of policyholders of all classes be completely protected against the possibly calamitous results of the depreciation of securities and suspension of bonuses which the war is causing. Only by this means can the great staff of insurance agents find their proper place as civil servants, with equitable conditions of employment, compensation for any disturbance, and security of tenure in a nationally organized public service for the discharge of the steadily increasing functions of the government in vital statistics and social insurance.

In quite another sphere the Labor Party sees the key to temperance reform in taking the entire manufacture and retailing of alcoholic drink out of the hands of those who find profit in promoting the utmost possible consumption. This is essentially a case in which the people, as a whole, must deal with the licensing question in accordance with local opinion. For this purpose localities should have conferred upon them facilities: (a) To prohibit the sale of liquor within their boundaries; (b) to reduce the number of licenses and regulate the conditions under which they may be held; and (c) if a locality decides that licenses are to be granted, to determine whether such licenses shall be under private or any form of public control.

Other main industries, especially those now becoming monopolized, should be nationalized as opportunity offers. Moreover, the Labor Party holds that the municipalities should not confine their activities to the necessarily costly services of education, sanitation, and police, nor yet rest content with acquiring control of the local water, gas, electricity, and tramways; but that every facility should be afforded to them to ac-

quire (easily, quickly, and cheaply) all the land they require, and to extend their enterprises in housing and town planning, parks, and public libraries, the provision of music and the organization of recreation; and also to undertake, besides the retailing of coal, other services of common utility, particularly the local supply of milk, wherever this is not already fully organized by a cooperative society.

Control of capitalist industry.

Meanwhile, however, we ought not to throw away the valuable experience now gained by the Government in its assumption of the importation of wheat, wool, metals, and other commodities, and in its control of the shipping, woolen, leather, clothing, boot and shoe, milling, baking, butchering, and other industries. The Labor Party holds that, whatever may have been the shortcomings of this Government importation and control, it has demonstrably prevented a lot of "profiteering." Nor can it end immediately on the declaration of peace. The people will be extremely foolish if they ever allow their indispensable industries to slip back into the unfettered control of private capitalists, who are, actually at the instance of the Government itself, now rapidly combining, trade by trade, into monopolist trusts, which may presently become as ruthless in their extortion as the worst American examples. Standing as it does for the democratic control of industry, the Labor Party would think twice before it sanctioned any abandonment of the present profitable centralization of purchase of raw material; of the present carefully organized "rationing," by joint committees of the trades concerned, of the several establishments with the materials they require; of the present elaborate system of "costing" and public audit of manufacturers' accounts so as to stop the waste heretofore caused by the mechanical inefficiency of the more backward firms; of the present salutary publicity of manufacturing processes and expenses thereby insured; and, on the information thus obtained (in order never again to revert to the old-time profiteering) of the present rigid fixing, for standardized products, of maximum prices at the factory, at the warehouse of the wholesale trader, and in the retail shop. This question of the retail prices of household commodities is emphatically the most practical of all political issues to the woman elector. The male politicians have too long neglected the grievances of the small household, which is the prey of every profiteering combination; and neither the Liberal nor the Conservative Party promises, in this respect, any amendment. This, too, is in no sense a "class" measure. It is, so the Labor Party holds, just as much the function of government, and just as necessary a part of the democratic regulation of industry, to safeguard the interests of the community as a whole, and those of all grades and sections of private consumers in the matter of prices as it is, by the factory and trade board acts, to protect the rights of the wage-earning producers in the matter of wages, hours of labor, and sanitation.

A REVOLUTION IN NATIONAL FINANCE.

In taxation also the interests of the professional and housekeeping classes are at one with those of the manual workers. Too long has our national finance been regulated, contrary to the teaching of political economy, according to the wishes of the possessing classes and the profits of the financiers. The colossal expenditure involved in the present war (of which, against the protest of the Labor Party, only a quarter has been raised by taxation, whilst three-quarters have been borrowed at onerous rates of interest to be a burden on the nation's future) brings things to a crisis. When peace comes, capital will be needed for all sorts of social enterprises, and the resources of government will necessarily have to be vastly greater than they were before the war. Meanwhile innumerable new private fortunes are being heaped up by those who have taken advantage of the nation's needs; and the one-tenth of the population which owns nine-tenths of the riches of the United Kingdom, far from being made poorer, will find itself in the aggregate, as a result of the war, drawing in rent and interest and dividends a larger nominal income than ever before. Such a position demands a revolution in national finance. How are we to discharge a public debt that may well reach the almost incredible figure of seven thousand million pounds sterling, and at the same time raise an annual revenue which, for local as well as central government, must probably reach one thousand millions a year? It is over this problem of taxation that the various political parties will be found to be most sharply divided.

The Labor Party stands for such a system of taxation as will yield all the necessary revenue to the Government without encroaching on the prescribed national minimum standard of life of any family whatsoever; without hampering production or discouraging any useful personal effort, and with the nearest possible approximation to equality of sacrifice. We definitely repudiate all proposals for a protective tariff, in whatever specious guise they may be cloaked, as a device for burdening the consumer with unnecessarily enhanced prices, to the profit of the capitalist employer or landed proprietor, who avowedly expects his profit or rent to be increased thereby. We shall strenuously oppose any taxation of whatever kind which would increase the price of food or of any other necessary of life. We hold that indirect taxation on commodities, whether by customs or excise, should be strictly limited to luxuries, and concentrated principally on those of which it is socially desirable that the consumption should be actually discouraged. We are at one with the manufacturer, the farmer, and the trader in objecting to taxes interfering with production or commerce or hampering transport and communications. In all these matters—once more in contrast with the other political parties, and by no means in the interests of the wage earners alone—the Labor Party demands that the very definite teachings of economic science should no longer be disregarded as they have been in the past.

For the raising of the greater part of the revenue now required the Labor Party looks to the direct taxation of the incomes above the necessary cost of family maintenance; and for the requisite effort to pay off the national debt to the direct taxation of private fortunes both during life and at death. The income tax and supertax ought at once to be thoroughly reformed in assessment and collection, in abatements and allowances and in graduation and differentiation, so as to levy the required total sum in such a way as to make the real sacrifice of all the taxpayers as nearly as possible equal. This would involve assessment by families instead of by individual persons, so that the burden is alleviated in proportion to the number of persons to be maintained. It would involve the raising of the present unduly low minimum income assessable to the tax, and the lightening of the present unfair burden on the great mass of professional and small trading classes by a new scale of graduation, rising from a penny in the pound on the smallest assessable income up to 16 or even 19 shillings in the pound on the highest income of the millionaires. It would involve bringing into assessment the numerous windfalls of profit that now escape, and a further differentiation between essentially different kinds of income. The excess-profits tax might well be retained in an appropriate form, whilst so long as mining royalties exist the mineral rights duty ought to be increased. The steadily rising unearned increment of urban and mineral land ought, by an appropriate direct taxation of land values, to be wholly brought into the public exchequer. At the same time, for the service and redemption of the national debt, the death duties ought to be regraduated, much more strictly collected, and greatly increased. In this matter we need, in fact, completely to reverse our point of view, and to rearrange the whole taxation of inheritance from the standpoint of asking what is the maximum amount that any rich man should be permitted at death to divert by his will from the national exchequer, which should normally be the heir to all private riches in excess of a quite moderate amount by way of family provision. But all this will not suffice. It will be imperative at the earliest possible moment to free the nation from at any rate the greater part of its new load of interest-bearing debt for loans which ought to have been levied as taxation; and the Labor Party stands for a special capital levy to pay off, if not the whole, a very substantial part of the entire national debt—a capital levy chargeable like the death duties on all property, but (in order to secure approximate equality of sacrifice) with exemption of the smallest savings, and for the rest at rates very steeply graduated, so as to take only a small contribution from the little people and a very much larger percentage from the millionaires.

Over this issue of how the financial burden of the war is to be borne, and how the necessary revenue is to be raised, the greatest political battles will be fought. In this matter the Labor Party claims the support of four-fifths of the whole nation, for the interests of the clerk, the teacher, the doctor, the minister of religion, the average retail shopkeeper and trader, and all the mass of those living on small incomes are identical with those of the artisan. The landlords, the financial magnates, the possessors of great fortunes will not, as a class, willingly forego the relative immunity that they have hitherto enjoyed. The present unfair subjection of the cooperative society to an excess-profits tax on the "profits" which it has never made—specially dangerous as "the thin end of the wedge" of penal taxation of this laudable form of democratic enterprise—will not be abandoned without a struggle. Every possible effort will be made to juggle with the taxes, so as to place upon the shoulders of the mass of laboring folk and upon the struggling households of the professional men and small traders (as was done after every previous war)—whether by customs or excise duties, by industrial monopolies, by unnecessarily high rates of postage and railway fares, or by a thousand and one other ingenious devices—an unfair share of the national burden. Against these efforts the Labor Party will take the firmest stand.

THE SURPLUS FOR THE COMMON GOOD.

In the disposal of the surplus above the standard of life society has hitherto gone as far wrong as in its neglect to secure the necessary basis of any genuine industrial efficiency or decent social order. We have allowed the riches of our mines, the rental value of the lands superior to the margin of cultivation, the extra profits of the fortunate capitalists, even the material outcome of scientific discoveries—which ought by now to have made this Britain of ours immune from class poverty or from any widespread destitution—to be absorbed by individual proprietors; and then devoted very largely to the senseless luxury of an idle rich class. Against this misappropriation of the wealth of the community, the Labor Party—speaking in the interests not of the wage earners alone but of every grade and section of producers by hand or by brain, not to mention also those of the generations that are to succeed us, and of the permanent welfare of the community—emphatically protests. One main pillar of the house that the Labor Party intends to build is the future appropriation of the surplus, not to the enlargement of any individual fortune, but to the common good. It is from this constantly arising surplus (to be secured, on the one hand, by nationalization and municipalization and, on the other, by the steeply graduated taxation of private income and riches) that will have to be found the new capital which the community day by day needs for the perpetual improvement and increase of its various enterprises, for which we shall decline to be dependent on the usury-exacting financiers. It is from the same source that has to be defrayed the public provision for the sick and infirm of all kinds (including that for maternity and infancy) which is still so scandalously insufficient; for the aged and those prematurely incapacitated by accident or disease, now in many ways so imperfectly cared for; for the education alike of children, of adolescents, and of adults, in which the Labor Party demands a genuine equality of opportunity, overcoming all differences of material circumstances; and for the organization of public improvements of all kinds, including the brightening of the lives of those now condemned to almost ceaseless toil, and a great development of the means of recreation. From the same source must come the greatly increased public provision that the Labor Party will insist on being made for scientific investigation and original research, in every branch of knowledge, not to say also for the promotion of music, literature, and fine art, which have been under capitalism so greatly neglected, and upon which, so the Labor Party holds, any real development of civilization fundamentally depends. Society, like the individual, does not live by bread alone—does not exist only for perpetual wealth production. It is in the proposal for this appropriation of every surplus for the common good—in the vision of its resolute use for the building up of the community as a whole instead of for the magnification of individual fortunes—that the Labor Party, as the party of the producers by hand or by brain, most distinctively marks itself off from the older political parties, standing, as these do, essentially for the maintenance, unimpaired, of the perpetual private mortgage upon the annual product of the nation that is involved in the individual ownership of land and capital.

THE STREET OF TO-MORROW.

The house which the Labor Party intends to build, the four pillars of which have now been described, does not stand alone in the world. Where will it be in the street of to-morrow? If we repudiate, on the one hand, the imperialism that seeks to dominate other races, or to impose our own will on other parts of the British Empire, so we disclaim equally any conception of a selfish and insular "noninterventionism," unregarding of our special obligations to our fellow citizens overseas; of the corporate duties of one nation to another; of the moral claims upon us of the nonadult races, and of our own indebtedness to the world of which we are part. We look for an ever-increasing intercourse, a constantly developing exchange of commodities, a continually expanding friendly cooperation among all the peoples of the world. With regard to that great commonwealth of all races, all colors, all religions, and all degrees of civilization that we call the British Empire, the Labor Party stands for its maintenance and its progressive development on the lines of local autonomy and "home rule all round"; the fullest

respect for the rights of each people, whatever its color, to all the democratic self-government of which it is capable, and to the proceeds of its own toil upon the resources of its own territorial home; and the closest possible cooperation among all the various members of what has become essentially not an empire in the old sense, but a Britannic alliance.

We desire to maintain the most intimate relations with the labor parties overseas. Like them, we have no sympathy with the projects of "imperial federation," in so far as these imply the subjection to a common imperial legislature wielding coercive power (including dangerous facilities for coercive imperial taxation and for enforced military service), either of the existing self-governing dominions, whose autonomy would be thereby invaded, or of the United Kingdom, whose freedom of democratic self-development would be thereby hampered; or of India and the colonial dependencies, which would thereby run the risk of being further exploited for the benefit of a "white empire." We do not intend by any such "imperial senate" either to bring the plutocracy of Canada and South Africa to the aid of the British aristocracy or to enable the landlords and financiers of the mother country to unite in controlling the growing popular democracies overseas. The autonomy of each self-governing part of the empire must be intact.

What we look for, besides a constant progress in democratic self-government of every part of the Britannic alliance, and especially in India, is a continuous participation of the ministers of the Dominions, of India, and eventually of other dependencies (perhaps by means of their own ministers specially resident in London for this purpose) in the most confidential deliberations of the cabinet, so far as foreign policy and imperial affairs are concerned; and the annual assembly of an imperial council, representing all constituents of the Britannic alliance and all parties in their local legislatures, which should discuss all matters of common interest, but only in order to make recommendations for the simultaneous consideration of the various autonomous local legislatures of what should increasingly take the constitutional form of an alliance of free nations. And we carry the idea further. As regards our relations to foreign countries, we disavow and disclaim any desire or intention to dispossess or to impoverish any other State or Nation. We seek no increase of territory. We disclaim all idea of "economic war." We ourselves object to all protective customs tariffs, but we hold that each nation must be left free to do what it things best for its own economic development, without thought of injuring others. We believe that nations are in no way damaged by each other's economic prosperity or commercial progress; but, on the contrary, that they are actually themselves mutually enriched thereby. We would therefore put an end to the old entanglements and mystifications of secret diplomacy and the formation of leagues against leagues. We stand for the immediate establishment, actually as a part of the treaty of peace with which the present war will end, of a universal league or society of nations, a supernational authority, with an international high court to try all justiciable issues between nations; an international legislature to enact such common laws as can be mutually agreed upon, and an international council of mediation to endeavor to settle without ultimate conflict even those disputes which are not justiciable. We would have all the nations of the world most solemnly undertake and promise to make common cause against any one of them that broke away from this fundamental agreement. The world has suffered too much from war for the Labor Party to have any other policy than that of lasting peace.

MORE LIGHT, BUT ALSO MORE WARMTH.

The Labor Party is far from assuming that it possesses a key to open all locks, or that any policy which it can formulate will solve all the problems that beset us. But we deem it important to ourselves as well as to those who may, on the one hand, wish to join the party, or, on the other, to take up arms against it, to make quite clear and definite our aim and purpose. The Labor Party wants that aim and purpose, as set forth in the preceding pages, with all its might. It calls for more warmth in politics, for much less apathetic acquiescence in the miseries that exist, for none of the cynicism that saps the life of leisure. On the other hand, the Labor Party has no belief in any of the problems of the world being solved by good will alone. Good will without knowledge is warmth without light. Especially in all the complexities of politics, in the still undeveloped science of society, the Labor Party stands for increased study, for the scientific investigation of each succeeding problem, for the deliberate organization of research, and for a much more rapid dissemination among the whole people of all the science that exists. And it is perhaps specially the Labor Party that has the duty of placing this advancement of science in the forefront of its political program. What the Labor Party stands for in all fields of life is essentially democratic cooperation; and cooperation involves a common purpose which can be agreed to; a common plan which can be explained and discussed; and such a measure of success in the adaptation of means to ends as will insure a common satisfaction. An autocratic sultan may govern without science if his whim is law. A plutocratic party may choose to ignore science, if it is heedless whether its pretended solutions of social problems that may win political triumphs ultimately succeed or fail; but no labor party can hope to maintain its position unless its proposals are, in fact, the outcome of the best political science of its time, or to fulfill its purpose unless that science is continually wresting new fields from human ignorance. Hence although the purpose of the Labor Party must, by the law of its being, remain for all time unchanged, its policy and its program will, we hope, undergo a perpetual development, as knowledge grows and as new phases of the social problem present themselves, in a continually finer adjustment of our measures to our ends. If law is the mother of freedom, science, to the Labor Party, must be the parent of law.

Mr. SHERLEY. Mr. Chairman, the gentleman is mistaken in his assertion that I in connection with the previous amendment offered by him on the legislative bill said it would be in order on this bill. What I said was that it was not in order on that bill, and assuming that the fundamental law touching the Department of Labor warranted the amendment it would be in order on the sundry civil appropriation bill; but he overlooked the statement I made as to the assumption.

I do not care, however, to press the point of order, because I think it ought to be voted down upon its merits, and I will say frankly why. The gentleman's own statement in the last two or three minutes is the best possible argument why the thing should not be done now in this way. He says that certain statements were submitted by the Department of Labor in connection with the resolution which he introduced as to the cost of such an investigation. Congress ought not to appropriate moneys and considerable moneys simply upon ex parte statements of departments as to what an activity will cost. Assuming we have not already covered the field as far as we ought to cover it by virtue of the legislation recently passed in this House touching the rehabilitation of soldiers returning from the war, assuming that a broader inquiry ought to be made, it ought not to be made simply as the result of the few lines which the gentleman has suggested on an appropriation bill without any previous inquiry as to its scope and character, and who is to make it.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MADDEN. I think it ought to be comprehensibly stated in whatever legislation we pass just what the scope should be.

Mr. SHERLEY. Absolutely, and for us to undertake now in such an ad captandum way to shoot at the moon would be very unwise. The committee has dealt very liberally with the Labor Department, and in a few moments I hope to have something to say touching its new activities. For us in this way to pass legislation of this character would be to say that we are not seriously considering matters of the first importance. With respect to what the gentleman has said in regard to England, the situation that confronts England and the situation that confronts this country are not in any sense parallel, nor is the need for the inquiry acute here, as it is in England.

Mr. SMITH of Michigan. I would like to inquire whether the Department of Labor has requested this legislation.

Mr. SHERLEY. They have not of the Committee on Appropriations, and I hope that the amendment of the gentleman will be voted down.

The CHAIRMAN. The gentleman withdraws the point of order?

Mr. SHERLEY. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

The appropriation of $250,000 "to enable the Secretary of Labor to advance to wage earners transportation to such places as may be deemed necessary for the purpose of securing employment in connection with the prosecution of the war," contained in the deficiency appropriation act approved March 28, 1918, is continued and made available for the same purposes and under the same conditions for the fiscal year 1919.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. The Official Bulletin a few days ago contained a statement with regard to the necessity for workmen, especially in munitions plants and in the shipyards, and the article indicated that a new employment agency was to be established. It was a very recent statement and was drawn to my attention because the Department of Labor, through Mr. Densmore, at the head of the employment bureau, is advertising extensively for labor which is to be distributed when found. I make the inquiry now, whether the suggestion of a new agency to be created is correct?

Mr. SHERLEY. Mr. Chairman, I assume that it referred to the existing agency of which Mr. Densmore is the head. Certainly I should hope that there would not be the creation of an additional agency. One of the difficulties with the labor problem has been that a great many people have undertaken to enter into the field on their own particular initiative without regard to the needs of other departments, and the result has been that they have only added to the confusion. This is true. Mr. Densmore's department has just recently been getting under way so as to occupy the field for which it was created, and I assume that the reference was to that department.

Mr. MOORE of Pennsylvania. I know the gentleman would not stand for a duplication of appropriations for the same work, and I called his attention to the publication for that reason.

I would not have arisen at all except it did appear in the Official Bulletin that a new agency was to be created. If the Shipping Board is to have a separate agency and the Department of Agriculture is to have one, and the Department of the Interior is to have one, and various other war activities are to have separate agencies, and we have to pay for all of them, perhaps it is fair to suggest that they might be consolidated in the Department of Labor.

Mr. SHERLEY. It is not only fair to raise the question, but it is fair to hope we will get an answer to the question after it is raised. I have been raising the question not only as to labor, but as to a lot of other things for a good many months past with the hope of preventing just that sort of duplication. But here is a curious fact. Every man who comes pleading for his particular appropriation has some reason to show why he lies

just outside the field that the other fellow is occupying, and why, if he is not favored to that extent, the work will go unattended to or little attended to, and then he may tell you aside off the record that he would be very glad if the other fellow should do it, but he does not and can not, and he has been forced into it. I took occasion to say in connection with the Overman bill that the power had been given to the administrative offices to make such changes as were necessary to prevent duplication, and if the changes are not made the fault will lie with the administration and not with the legislative branch of the Government.

Mr. MOORE of Pennsylvania. I thank the gentleman for his statement. I brought this matter to the attention of the Department of Labor, but have not yet heard from them. While I am on my feet and have the time I would like to ask the gentleman if provision is made in this appropriation to the Department of Labor for the payment of the expenses of the Wage Commission, of which Mr. Taft and Mr. Walsh are members?

Mr. SHERLEY. Yes; in the very next item is carried an appropriation of $1,335,000, which represents the committee's recommendation touching the proposal for war activities by the Department of Labor. If the gentleman will permit, there was a committee created as an advisory council, composed of Mr. Lind, as chairman; Mr. Casey, a former Member of this House; Mr. Waddill Catchings; Mr. Landon; Mr. Lennon; Mr. Marshall; and Miss Agnes Nestor, to advise the Secretary of Labor touching war activities of the Department of Labor and the organization or reorganization of that department to meet the needs that confronted the country growing out of the war. They made a very interesting report, and if the gentleman will take the trouble to read the hearings, beginning on page 1613 of the volume, he will find a statement by Dr. Marshall, who is a professor in the Chicago University, outlining just the scope of activities which is to be covered by the various bureaus that they propose to have created. Instead of creating these bureaus as such, and thereby giving them a certain status of law and permanency, we have provided for their activities under language that is found in the next paragraph and for a lump sum of $1,335,000, which, while it does not represent all that is asked for by the Department of Labor, does represent a sum that, in the judgment of the committee, would amply take care of their activities. Now, if the gentleman will glance at the bottom of page 162 of the bill he will notice language of this sort:

To carry on the work of the war-labor administration, including mediation and conciliation in labor disputes.

That refers to the activities of Mr. Taft and Mr. Walsh and other gentlemen. Then follows:

The working conditions of wage earners in the most essential war industries, the acquiring and diffusing of information on subjects connected with labor, the employment of women in industry, and the training and dilution of labor.

All of these represent divisions that are established in the Department of Labor, and they are all carrying on the work that the language in each instance indicates.

Mr. LONDON. If the gentleman will permit, what is the real meaning of the word "dilution"?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that my time be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I will be through in a moment and then I will yield to the gentleman from New York to propound his inquiry. I want to know if the expenses particularly of the commission to which I have referred are covered by "commissioners of conciliation, $300,000"?

Mr. SHERLEY. Yes, sir.

Mr. MOORE of Pennsylvania. Do these commissioners have power to determine labor disputes? The same Official Bulletin to which I referred stated that this board would have power to do so. In other words——

Mr. SHERLEY. They have no statutory compulsory power.

Mr. MOORE of Pennsylvania. I understand that to be the position of the Board of Mediation and Conciliation. It can not finally determine disputes. It can investigate and report, but there is no final power.

Mr. SHERLEY. We have no compulsory-arbitration law that I know of outside of that which pertains to the courts.

Mr. MOORE of Pennsylvania. Then the statement that the findings of the Taft Commission are to be final was erroneous?

Mr. SHERLEY. It was erroneous in the sense that it is legally binding and compulsory upon the parties in dispute. It is probably accurate in that there has been a general disposition on the part of capital and labor to acquiesce in such final arbitration, and it is not expected that, when they shall finally determine, appeals will be undertaken to other persons for further arbitration.

Mr. MOORE of Pennsylvania. Let us get this right. If the two parties to the dispute submit their cases to the Taft-Walsh Commission and agree to be bound by the findings of that commission, then their findings would be final?

Mr. SHERLEY. They would be final as long as the gentlemen held to the agreement they entered into, but not final in the sense of any legal finality.

Mr. MOORE of Pennsylvania. In other words, that commission has no power of its own volition to make a finding which settles a dispute. It is a matter of mediation.

Mr. SHERLEY. They have no power to enforce their decree.

Mr. MOORE of Pennsylvania. That is what I wanted to know.

Mr. LONDON. I wanted to ask the chairman of the committee the meaning of the expression "dilution of labor."

Mr. SHERLEY. The meaning of the words "dilution of labor" used herein is the substitution by new methods and new persons for old methods and regular persons in manufacturing or laboring processes. For instance, there has had to take place in this country and in England a substitution of woman labor for man labor, due to the shortage that has grown out of the war. The substitution of machinery for hand labor and the problems arising out of it are also involved in the language "dilution of labor." Also the problem of apprenticeship and of feeding in untrained labor in greater proportion to trained labor than is usual in normal peace times.

Mr. LONDON. Can the gentleman take the time to state the origin of that expression? I only caught it for the first time when I read the report of the British war cabinet.

Mr. SHERLEY. I do not know the genealogy of it, but I think it is much more ancient than the war.

Mr. LONDON. The dilution of labor——

Mr. SHERLEY. Yes.

Mr. LONDON. In the sense of the distribution of labor?

Mr. SHERLEY. Yes.

The Clerk read as follows:

To enable the Secretary of Labor, during the present emergency, to carry on the work of war-labor administration, including mediation and conciliation in labor disputes, the working conditions of wage earners in the most essential war industries, the acquiring and diffusing of information on subjects connected with labor, the employment of women in industry, and the training and dilution of labor, including personal services and rent in the District of Columbia and in the field, per diem in lieu of subsistence not to exceed $4, traveling expenses, law books, books of reference, periodicals, newspapers, supplies and equipment, and contingent and miscellaneous expenses, in amounts not exceeding the following: Commissioners of conciliation, $300,000; working conditions service, $45,000; information and education service, $225,000; woman in industry service, $40,000; investigation and inspection service, $300,000; personnel service, $15,000; training and dilution service, $150,000; Secretary's office, $110,000; printing and binding for all services, $150,000; in all, $1,335,000.

Mr. SHERLEY. Mr. Chairman, before leaving the Department of Labor I want to make a brief statement in reference to an extension of remarks made by my friend from Colorado [Mr. KEATING] a couple of days ago in connection with the Bureau of Engraving and Printing. He filed, under extension of remarks, a statement prepared by some one whom he did not name in connection with the action of the Committee on Appriations relative to an increase in the amount of money for the Bureau of Engraving and Printing, and which article undertook to show that we had not allowed enough money to permit the raising of the wages of the women employees there to a minimum of $2.24 a day. I desire just in passing to say that, as an evidence of the accuracy with which the statement was prepared—it contains the remark that we had increased for payment of wages the appropriations for the Bureau of Engraving and Printing just $100,000—that it happens to be about 100 per cent wrong. We have increased the appropriations nearly $200,000. It is also equally accurate in another regard, that it totally ignores the work that is done by the Bureau of Engraving and Printing and which is paid for out of the funds allotted for the work from appropriations made to other bureaus, and which constitutes a large part of the work of the Bureau of Engraving and Printing. If the gentleman or lady who prepared that article had had these facts, together with quite a number of others, and had re-formed the article in a great many particulars, it would have been reasonably accurate. For the benefit of the committee I thought I ought to make that statement.

Mr. MADDEN. Then, with those few changes, it is all right?

Miss RANKIN. The first paragraph has to do with pay of those plate printers and plate printers' assistants. What was

the sum that was increased over and above the sum required for the extra help? Was it not $91,000 and some cents?

Mr. SHERLEY. Ninety-three thousand dollars, as I recall.

Miss RANKIN. And there are some 1,341 operatives there getting $2.24. You did not intend to increase them at all?

Mr. SHERLEY. We gave money enough, with the money that will come to the bureau from work that is given it by other departments, and which is paid for out of their funds, to pay every employee there—every woman employed there—a minimum of $2.24 a day if the business is economically and properly run.

Miss RANKIN. Does that——

Mr. SHERLEY. I can not make it plainer than that. That was the purpose, and that is what I think we accomplished.

Miss RANKIN. Is that repay work on the basis of the women receiving $2.24 a day or on the basis of their own pay?

Mr. SHERLEY. It is repay work that will be done in the future and not work in the past, although "repay" is the wrong expression. It is payment for work that will be given to it from outside bureaus of the Government, and who will pay for it out of their funds, and it will be on the basis of the cost, and the cost will include many other items.

Miss RANKIN. On a wage based at $2.24 a day or a wage that is paid to-day?

Mr. SHERLEY. Based on the wage that is paid at the time the work is done.

Miss RANKIN. The estimates are made for this next year. We have not the real figures. The estimates are on the basis of the cost of last year?

Mr. SHERLEY. The estimates are not made at all touching such character of work. Such work comes without estimate, because it does not come out of the funds we supply directly to the bureau. For instance, the Treasury Department may, out of its money in connection with its issue of bonds, give a certain amount of work to the Bureau of Engraving and Printing to do, and it will pay the cost of that; the Federal Reserve Board will do the same touching bank notes; the Post Office Department will do the same in regard to postage stamps. Now, the money that is paid for that work will be money that will pay for the cost of labor and materials and other things, and that cost will be the actual cost that is paid at the time the work is done.

Miss RANKIN. I have just had word that the women in the Government Printing Office are going to receive $2.20, and added to that will be 10 per cent and $120 a year.

Mr. SHERLEY. In the first place, the 10 per cent and the $120 do not exist contemporaneously. The 10 per cent relates to this year and the $120 relates to the next fiscal year. Your information, I fear, is not correct, although I have had no personal information about it.

Miss RANKIN. Do you think the girls in the Bureau of Engraving and Printing are going to be paid in proportion to the other women?

Mr. SHERLEY. I do not know, and I do not know that it is material. I think we will pay them at least $2.24 as the result of the legislation in this bill, with $120 a year additional as carried in the legislative bill, and I am satisfied that if we put some machinery down there and not insist upon doing a lot of things according to antiquated methods we will reduce the cost of printing and help to pay higher wages to those who are employed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, in connection with the remarks I made I ask unanimous consent to extend my remarks by incorporating the reconstruction policy of British labor. That is quite a lengthy document and I ask for special permission to insert it.

Mr. STAFFORD. Reserving the right to object——

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection?

Mr. STAFFORD. Reserving the right to object, the gentleman has stated that it is rather a lengthy article. Is it a magazine article?

Mr. LONDON. No; it is the reconstruction program of British labor. It is in connection with the statement I made about the action of the British Parliament in connection with reconstruction.

Mr. STAFFORD. How much space will the article cover?

Mr. MADDEN. It is a book, is it not?

Mr. LONDON. No. It is several pages long. It would cover about three columns of the RECORD.

Mr. STAFFORD. I do not wish the gentleman to offend, as a former gentleman did, by incorporating Henry George's "Progress and Poverty" under leave to print.

Mr. LONDON. It is nothing like that.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. LONDON. Yes.

Mr. BLACK. Is the gentleman's intention to print the whole pamphlet?

Mr. LONDON. It is the program of the British labor reconstruction—not a whole book. It simply covers the reconstruction program of the labor of Great Britain.

Mr. CANNON. Great Britain is a little bit of an island compared with the United States. You can stand in the middle of it and throw a stone into the ocean, whereas you could not throw one very far in our great domain. Does the gentleman think it will serve any useful purpose for us to undertake to pattern after the English Government or that it will give us any useful knowledge?

Mr. LONDON. I want to say that we can not afford to pattern upon anybody. My hope is that every other nation will pattern after the good things in the United States. But I do think that American statesmen may benefit by the experience of other countries, particularly those that have suffered in the war, and that we may benefit by reading and knowing of their experience.

Mr. MOORE of Pennsylvania. Reserving the right to object, does this publication show that Great Britain, notwithstanding the exigencies of war, is preparing for the future and looking out for trade and commerce?

Mr. LONDON. No; it has nothing to do with trade and commerce. This program was published in a periodical called the New Republic as a supplement a couple of months ago, I believe, and I have intended for some time to incorporate it in the RECORD.

Mr. MOORE of Pennsylvania. Is it a Government publication?

Mr. LONDON. No; it is not. It is the program of the British labor movement, adopted some time ago. It deals with reconstruction problems. The book from which I read is a public document, published by the British Government under the authority of Parliament.

Mr. MOORE of Pennsylvania. It has nothing to do with Great Britain's efforts to retain its hold upon trade, notwithstanding war?

Mr. LONDON. It has nothing to do with that phase of it.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WAR EMERGENCY SERVICES.

To enable the Secretary of Labor, during the present emergency, to furnish such information and to render such assistance in the employment of wage earners throughout the United States as may be deemed necessary in the prosecution of the war, including personal services in the District of Columbia and elsewhere, per diem in lieu of subsistence at not exceeding $4, traveling expenses, rental of quarters in the District of Columbia and elsewhere, heat and light, telegraph and telephone service, supplies and equipment, and printing and binding, $1,500,000.

The appropriation of $250,000 "to enable the Secretary of Labor to advance to wage earners transportation to such places as may be deemed necessary for the purpose of securing employment in connection with the prosecution of the war," contained in the deficiency appropriation act approved March 28, 1918, is continued and made available for the same purposes and under the same conditions for the fiscal year 1919.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Chairman, a short time ago, in connection with the consideration of a bill reported by the Committee on Agriculture of the House, an item proposing an appropriation of $500,000 to enable the Secretary of Agriculture to aid in securing and providing agricultural labor was stricken from the bill. At that time I made the statement that an organization was being perfected in the Department of Labor that proposed to take over all governmental activities in the matter of the distribution of labor throughout the country, particularly in the war industries, and also in connection with necessary agricultural activities. We have just passed items to provide for the activities that were then referred to.

We provide $1,500,000 to enable the Secretary of Labor to furnish information and render such assistance in the employment of wage earners throughout this country as may be deemed necessary in the prosecution of the war, and so forth, and we also reappropriate an appropriation of $250,000 made in a former bill to enable the Secretary of Labor to advance to wage earners transportation to such places as may be deemed necessary for the purpose of securing employment in connection with the prosecution of the war. I believe that the placing of all Fed-

eral activities in connection with the procurement and distribution of labor under one head in the Department of Labor is wise, and I have faith in the organization that has been perfected in the Department of Labor for that purpose.

Mr. MADDEN. Mr. Chairman, will the gentleman yield right there?

Mr. MONDELL. Yes.

Mr. MADDEN. What does the gentleman think about the attempt on the part of the Department of Agriculture to duplicate the work that we have already appropriated to be done by the Department of Labor?

Mr. MONDELL. I expressed my opinion in regard to that matter at the time I opposed the appropriation in the Agricultural bill, and it was not a favorable opinion.

Mr. MADDEN. The gentleman's opinion is so highly appreciated by the people throughout the country that the reiteration of his opinion is always gladly received.

Mr. MONDELL. My opinion is that the Department of Agriculture was probably not so much to blame for that particular item as were some gentlemen whose usual place of usefulness and activity is not very far from this room.

However, the Agricultural Department did encourage it, as departments have a way of encouraging any movement that will result in increasing their activities, and I have no doubt they believed that they could do good work. But this class of work and activity so far as the Government may properly participate in it should be under one head, one jurisdiction and direction, and it seems appropriate that it should be in the Department of Labor. In the hearings before the committee our attention was called to very unfortunate conditions that have arisen by reason of the bidding of the various Government activities against one another in the attempt to secure labor. We hope that this bureau organized in the Department of Labor will take into consideration the needs of all the Government and private activities essential to the conduct of the war, including agriculture, and will endeavor to bring about, so far as that can be done by public agencies, a distribution of labor in the localities and in the industries where it is most needed.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

All clerical assistants required by section 13 of the act of June 29, 1906, as amended, to be provided by clerks of courts exercising naturalization jurisdiction, whether compensated by the Secretary of Labor from appropriations or from naturalization fees, or from both sources, are placed within the competitive classified civil service in the Naturalization Service under the supervision and control of the Bureau of Naturalization, and the clerks heretofore appointed and employed in these positions may be reappointed, and all appointments to these positions shall be in accordance with the foregoing, and by the Secretary of Labor upon the recommendation of the Commissioner of Naturalization.

Mr. SISSON. Mr. Chairman, I make the point of order against this paragraph.

The CHAIRMAN. The gentleman from Mississippi makes the point of order against the paragraph.

Mr. SHERLEY. Mr. Chairman, this language is subject to a point of order, but in support of the paragraph I desire to make this very brief statement in the hope that if we can not have the legislation we may at least have a reform.

In a number of the larger cities where there is a great deal of naturalization work a practice has grown up in connection with naturalization that is anything but creditable to the people engaged in it. Certain hangers-on of the clerks' offices have taken advantage of the ignorance of men of foreign birth who were applying for naturalization in order to get money from them and to control them in connection with their naturalization, without justification of any sort. The clerks who have been hired and paid for out of the naturalization fees, as addition to the regular force in the clerk's office, are not governmental employees in any way and are not subject to governmental discipline. It has been difficult to get any sort of discipline from the clerks of the courts and from the State courts themselves to correct some of the abuses, and it was hoped that by providing that these people should be subject to civil-service regulations a higher grade of employees might be secured who would not permit the abuses to grow up in connection with naturalization proceedings. For that reason this language was carried in the bill.

My understanding is that the objection of the gentleman from Mississippi [Mr. SISSON] is an objection to the Federal Government undertaking to control in any way the appointment or removal of State officials. I should be more in sympathy with his view if I felt that these clerks, who are employed and paid for out of fees in excess of $6,000 that may be taken in by any clerk's office, were really State employees in any true sense of the term. They are not. They are Federal employees, in the sense that they are engaged exclusively upon Federal work and are paid out of the Federal Treasury, and while they get their appointment through a State official and serve in a State clerk's office it is only for the doing of national work. I am sorry that the gentleman feels it necessary to make the point of order, and I call attention to the abuse, which could be described in terms very much more severe than I have used, in the hope that the State courts that deal in naturalization matters in some of the larger cities may see to it that what amounts to a scandal in the clerks' offices of some of these State courts may be corrected, as it can be corrected by proper publicity and by action by the courts.

I admit the point of order.

Mr. SISSON. Mr. Chairman, I have no disposition to discuss the matter further. The chairman of the committee correctly states my position. The State courts are not compelled to hear naturalization cases, but the Federal statute permits them to do it. The fact that this provision would subject the clerks in the Sate courts to a Federal civil-service examination is my only reason for making the point of order. I think the existence of the evil spoken of by the chairman of the committee is fully borne out by the testimony before the committee, but I insist on the point of order for the reason just stated.

The CHAIRMAN. The gentleman from Kentucky admits the point of order?

Mr. SHERLEY. Yes.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Statement of appropriations: For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives, of the statements for the first and second sessions of the Sixty-fifth Congress, showing appropriations made, new offices created, offices the salaries of which have been omitted, increased, or reduced, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, $4,000, to be paid to the persons designated by the chairmen of said committees to do said work.

Mr. MOORE of Pennsylvania. Mr. Chairman, I call attention to a typographical error in line 21 on page 166, where the word "indefinite" is misspelled.

Mr. SHERLEY. I ask unanimous consent that the spelling may be corrected.

The CHAIRMAN. Without objection, the correction of the spelling will be made.

There was no objection.

The Clerk read as follows:

For public printing, public binding, and paper for public printing and binding, including the cost of printing the debates and proceedings of Congress in the CONGRESSIONAL RECORD, and for lithographing, mapping, and engraving, for both Houses of Congress, the Supreme Court of the United States, the Supreme Court of the District of Columbia, the Court of Claims, the Library of Congress, the Smithsonian Institution, the Interstate Commerce Commission, the Federal Trade Commission, the International Bureau of American Republics, the Executive Office, and the departments; for salaries, compensation, or wages of all necessary employees additional to those herein specifically appropriated for, including the compensation of the foreman of binding and the foreman of printing; rents, fuel, gas, electric current, gas and electric fixtures; bicycles, electrical vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer (not exceeding $1,500); freight, expressage, telegraph and telephone service; furniture, typewriters, and carpets; traveling expenses, stationery, postage, and advertising; directories, technical books, and books of reference, not exceeding $500; adding and numbering machines, time stamps, and other machines of similar character; machinery (not exceeding $100,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; and for all the necessary materials and equipment needed in the prosecution and delivery and mailing of the work, $7,000,000.

Mr. SHERLEY. Mr. Chairman, I move to amend, page 169, line 2, by striking out the words "Federal Trade Commission," as their provision for printing is carried otherwise.

The Clerk read as follows:

Page 169, line 2, strike out the words "Federal Trade Commission."

The amendment was agreed to.

The Clerk read as follows:

For the Patent Office: For printing the weekly issue of patents, designs, trade-marks, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly, monthly, bimonthly, and annual indices, $585,000.

Mr. ROBBINS. Mr. Chairman, I reserve a point of order. I want to ask about the item of $585,000. My experience with the Patent Office is that you have to pay for a great deal of printing that you get down there in the shape of blue prints,

filing applications, plans, and diagrams for proposed patents. What is this item of $585,000 for?

Mr. SHERLEY. What the gentleman is referring to is copies of patents. This is to pay for the original work of all the printing in connection with the Patent Office.

Mr. ROBBINS. And it has nothing to do with any applications at all?

Mr. SHERLEY. It has to do with the printing for the office—that pertaining to patents, trade-marks, labels, and so forth, and the weekly reports.

Mr. STAFFORD. Is the gentleman correct in that last statement?

Mr. SHERLEY. I think this is true, that they do require the public to pay for such matters, and the money which they receive goes into the Treasury as miscellaneous receipts, so that it is paid for in the first instance out of this fund, and the Treasury is reimbursed out of receipts received from applicants.

Mr. ROBBINS. If that is true, what is the necessity for this large sum?

Mr. SHERLEY. Because the moneys are covered into the Treasury as miscellaneous receipts and are not available for use in the Patent Office.

Mr. STAFFORD. If the gentleman will permit, the Patent Office has for several years past been self-sustaining.

Mr. SHERLEY. More than self-sustaining; it has made a profit.

Mr. STAFFORD. And, as stated by the chairman of the committee, it is a question of bookkeeping. The moneys from fees which the Government exacts on the filing of applications in granting letters patent are turned into the Treasury as miscellaneous funds. It is necessary to have a separate appropriation to care for the bureau.

Mr. SHERLEY. The value of that lies in this: If they were given the receipts to spend, there would be no check or accountability to Congress, and in this way they have to come and show cause for the need of money. The money that they get in the way of receipts goes into the Treasury.

Mr. ROBBINS. Mr. Chairman, I withdraw the point of order.

The Clerk completed the reading of the bill.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the Clerk may be authorized to correct the totals.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the Clerk may be authorized to correct the totals. Is there objection?

There was no objection.

Mr. SHERLEY, Mr. ROBBINS, and Mr. BYRNES of South Carolina were given leave to revise and extend their remarks in the RECORD.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee determined to rise; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12441, the sundry civil appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

There was no demand for a separate vote.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. RUSSELL, by unanimous consent, was given leave of absence for two days, on account of illness.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 11692, the District of Columbia appropriation bill, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to take from the Speaker's table the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair appointed as conferees on the part of the House Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS of Minnesota.

ADJOURNMENT.

Mr. SHERLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow, Tuesday, June 18, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the chairman executive committee, National Advisory Committee for Aeronautics, submitting a deficiency estimate of appropriation for printing and binding the Bibliography of Aeronautics (H. Doc. No. 1172); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, submitting supplemental estimate of appropriation required by the Ordnance Department of the Army for the purchase, manufacture, and test of mountain, field, and siege cannon, and ammunition therefor, for the fiscal year 1919 (H. Doc. No. 1173); to the Committee on Appropriations and ordered to be printed.

3. A letter from the chief clerk of the Court of Claims, transmitting certified copy of the memorandum of the court, dismissing the petition in the case of Charles T. Engle et al. and the orders of the court dismissing the petitions in certain other cases (H. Doc. No. 1174); to the Committee on War Claims and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required for emergency work on the Okanogan project, Washington, fiscal year 1919 (H. Doc. No. 1175); to the Committee on Appropriations and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BEAKES: A bill (H. R. 12489) for the adjudication and determination of the claims arising under joint resolution of July 14, 1870 (16 Stats. L., p. 670), authorizing the Postmaster General to continue to use in the Postal Service Marcus P. Norton's combined postmarking and stamp-canceling handstamp patents, and directing him to "determine upon a fair, just, and equitable compensation for the use of said invention"; or arising otherwise; to the Committee on Claims.

By Mr. CANTRILL: A bill (H. R. 12490) to fix the compensation of certain employees of the United States; to the Committee on Appropriations.

By Mr. POU: Resolution (H. Res. 396) providing for the consideration of House bill 12402; to the Committee on Rules.

By Mr. CARY: Resolution (H. Res. 397) directing the Committee on the District of Columbia to investigate the abnormal high prices of the necessaries of life in said District of Columbia, and for other purposes; to the Committee on Rules.

Also, a joint resolution (H. J. Res. 301) to increase the pay of members of the fire department during the war; to the Committee on the District of Columbia.

By Mr. HUSTED: Joint resolution (H. J. Res. 305) to provide for a commission to inquire into the condition of public education in the several States, and to recommend such measures as it may deem advisable for the improvement of the same; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEWALT: A bill (H. R. 12491) granting a pension to William M. Bush; to the Committee on Pensions.

By Mr. FULLER of Illinois: A bill (H. R. 12492) granting a pension to Leonora Andrews; to the Committee on Invalid Pensions.

By Mr. HAWLEY (by request): A bill (H. R. 12493) for the relief of Amy E. Hall; to the Committee on Claims.

By Miss RANKIN: A bill (H. R. 12494) granting a pension to Nick Vincent; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CALDWELL: Resolution of the New York Association of Women Workers, favoring the establishment of a national conservatory of music and art; to the Committee on the Library.

By Mr. DALE of Vermont: Petition of Vermont Federation of Women's Clubs, favoring the passage of bill for a minimum wage for women workers; to the Committee on Labor.

By Mr. DARROW: Resolutions of the Grocers and Importers' Exchange of Philadelphia and of the Lumbermen's Exchange of Philadelphia, in behalf of the completion of the intracoastal waterways along the Atlantic seaboard; to the Committee on Rivers and Harbors.

By Mr. FAIRFIELD: Papers to accompany bill granting pension to Walter W. Brunn; to the Committee on Pensions.

By Mr. GARRETT of Tennessee: Petition of citizens of Tennessee with reference to the zone-rate postage; to the Committee on Ways and Means.

By Mr. GOULD: Petition of R. L. Teeter and others, of New York, favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Evidence in support of H. R. 12486, a bill granting an increase of pension to Upton Sutherland; to the Committee on Invalid Pensions.

Also, evidence in support of H. R. 12485, a bill granting an increase of pension to Nancy Lingo; to the Committee on Invalid Pensions.

By Mr. LONERGAN: Petition of the Ladies' Aid Society of the Wesleyan Methodist Episcopal Church, Warehouse Point, Conn., for war-time prohibition; to the Committee on the Judiciary.

By Mr. McARTHUR: Memorial of Scout Young Camp, No. 2, United Spanish War Veterans, relative to abuse of service flag and service badge; to the Committee on the Judiciary.

By Mr. SANFORD: Petition of students and faculty of the New York State College for Teachers, favoring war prohibition; to the Committee on the Judiciary.

Also, petition of residents of Albany, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, papers to accompany House bill 10223, for the relief of John J. Burke; to the Committee on Pensions.

By Mr. STINESS: Petition of Rhode Island Society of Sons of the American Revolution, protesting against periodicals printed in the German language; to the Committee on the Judiciary.

SENATE.

TUESDAY, *June 18, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we bless Thee that under Thine own inspiration this great people rise in their strength against arrayed injustice and inhumanity and attacks upon the freedom of mankind. We pray that we who in any degree lead in the formation of public opinion may ourselves hold fast to those great essential principles that have come to us through our history, through our inheritance from our fathers from Thee as the source of all truth. Grant us this day Thy grace that our hearts may be kept pure and true and may beat high with the anticipation of that victory which Thy mighty arm will bring to us. For Christ's sake Amen.

The Vice President being absent, the President pro tempore (Mr. SAULSBURY) assumed the chair.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILL SIGNED.

The PRESIDENT pro tempore announced his signature to the bill (S. 3391) to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain lands within the Flathead Indian Reservation, Mont., which had previously been signed by the Speaker of the House.

ESTIMATES OF APPROPRIATION (S. DOC. NO. 240).

The PRESIDENT pro tempore laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Secretary of War submitting supplemental estimates of appropriation required by the Quartermaster Corps of the Army for the fiscal year 1919, in the sum of $41,292.50, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SISSON, Mr. McANDREWS, and Mr. DAVIS managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 4557. An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes; and

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

PETITIONS AND MEMORIALS.

Mr. PHELAN presented a petition of the Central Labor Council of Los Angeles, Cal., praying for a modification of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented a petition of sundry citizens of Boxelder, Wyo., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by sundry citizens of the State of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. NELSON presented petitions of sundry citizens of Appleton, Rochester, and Tracy, all in the State of Minnesota, praying for national prohibition as a war measure, which were ordered to lie on the table.

He also presented a petition of sundry citizens of St. Peter, Minn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. McLEAN presented a memorial of the Clearing House Association of New Haven, Conn., remonstrating against the enactment of legislation to guarantee certain bank deposits in national banks, which was referred to the Committee on Banking and Currency.

He also presented a petition of sundry citizens of Essex, Conn., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a petition of the Ladies' Aid Society of the Wesley Methodist Episcopal Church, of Warehouse Point, Conn., praying for national prohibition as a war measure, which was ordered to lie on the table.

REPORTS OF COMMITTEE ON PENSIONS.

Mr. THOMPSON, from the Committee on Pensions, submitted a report (No. 511) accompanied by a bill (S. 4722) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 196. Charlotte Bloom.
S. 1056. Daniel Wootan.
S. 1249. Charles O. Thorp.
S. 1266. Jacob Nauerth.
S. 1302. Stephen A. Miller.
S. 1336. John Gates.
S. 1342. T. Ewing W. Elliott.
S. 1352. Stephen Lampman.
S. 1359. Elijah Thompson Hurst, alias Elijah Thompson.
S. 1882. James R. Rundlett.
S. 2136. Robert J. Foster.
S. 2256. Nannie Johnson Veale.
S. 2476. Laura L. Junkin.
S. 2711. Adeline F. Austin.
S. 2807. Fanny S. Conline.
S. 2861. Stephen F. Baker.

S. 2862. James Muzzy.
S. 3022. Mary J. Milton.
S. 3028. William B. Vaughn.
S. 3030. Zachariah Campbell.
S. 3041. Lorinda C. Rand.
S. 3117. Laura A. Wallingford.
S. 3413. David Dryburgh.
S. 3414. Jay Smith.
S. 3415. William J. Rigg.
S. 3417. William Wellman.
S. 3419. John E. Carpenter.
S. 3656. Daniel L. Thompson.
S. 3679. Mary B. Hawkins.
S. 3734. Edwin Doan.
S. 3745. Thomas H. Birnley.
S. 3809. Elijah C. Lawrence.
S. 3856. John G. Fulton.
S. 3925. Elizabeth A. Ashmead.
S. 3969. Emma A. Gannett.
S. 3974. Margaret E. Gibboney.
S. 4008. Samuel M. Bailey.
S. 4120. Warren Jones.
S. 4145. Abbie Pike.
S. 4155. Joseph Stafford.
S. 4158. Silas Wright.
S. 4233. Gabriel M. Betz.
S. 4234. Robert W. Adams.
S. 4243. William T. Ferguson.
S. 4250. Alanson H. Nelson.
S. 4330. Ephraim B. Guffey.
S. 4334. Wilkerson McHoward.
S. 4360. Charles F. Lytle.
S. 4371. John W. Johnson.
S. 4394. Alphonzo O. Drake.
S. 4396. Jeremiah W. Miller.
S. 4400. Joseph H. Bamberger.
S. 4407. Eliza Dalton.
S. 4434. James Ellis.
S. 4447. Daniel M. Crockett.
S. 4448. Francis A. Strout.
S. 4450. Sewell W. Hewett.
S. 4452. Frank Libby.
S. 4457. Dennett Cotton.
S. 4463. Henry Divelbiss.
S. 4468. John Larner.
S. 4475. Mary E. Morgan.
S. 4476. Elijah T. Knight.
S. 4483. Thomas C. Helmling.
S. 4511. William H. Blackwell.
S. 4512. Joel I. Long.
S. 4513. Mattie A. Birney.
S. 4516. Otto A. Risum.
S. 4518. Cantorinia F. Crawford.
S. 4520. Mary E. Cook.
S. 4531. Byron H. Purinton.
S. 4539. William F. Kindle.
S. 4547. Halvor Anderson.
S. 4552. Homer E. Lewis.
S. 4553. John E. Albaugh.
S. 4558. William H. McKay.
S. 4566. Martin Joy.
S. 4571. Stephen R. Clark.
S. 4572. John W. Dickens.
S. 4573. Charles Belknap.
S. 4580. Susannah C. Timmons.
S. 4581. Omer A. Arnold.
S. 4592. James S. McDonald.
S. 4593. Martha J. Davis.
S. 4641. Samuel Robison.
S. 4656. Sophronia F. Shurtleff.
S. 4664. George L. Danforth.
S. 4666. Morris Hinchman.
S. 4667. Theodore Marcy.
S. 4674. George E. Tracy.
S. 4696. Jefferson L. Wylie.

Mr. THOMPSON, from the Committee on Pensions, submitted a report (No. 512) accompanied by a bill (S. 4723) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 123. Alada T. P. Mills.
S. 148. David A. Kooker.
S. 216. Oscar L. Geer.
S. 262. Alonzo G. Williamson.
S. 1413. Charles E. Anderson.
S. 2098. James W. Wilson.
S. 2348. Mark M. Coffman.
S. 3432. Martha E. Hammond.
S. 3437. Louise R. Hanley.
S. 3460. Amy E. Wingreen, now Macomber.
S. 3569. Belle H. Purdon.
S. 3599. John Bernard Rueben, alias Bernard Reuben.
S. 4176. Sarah J. Wood.
S. 4205. Thomas Smith.
S. 4269. Mary E. Stafford.
S. 4345. James Besheres.
S. 4348. David Krant.
S. 4350. Amy B. Mitchell.
S. 4505. Louis Miller.
S. 4509. Dora L. Brown.
S. 4535. John W. Franklin.
S. 4627. Robert J. Erwin.
S. 4665. Robert H. Bailey.
S. 4669. James W. Grant.
S. 4675. Missouri Perea.
S. 4676. Julia Carey.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KNOX:

A bill (S. 4724) to incorporate the Mothers of Democracy of the United States of America; to the Committee on Military Affairs.

By Mr. SMITH of Maryland:

A bill (S. 4725) to amend the act entitled "An act to amend the law relating to taxation in the District of Columbia," approved April 28, 1914; to the Committee on the District of Columbia.

By Mr. POINDEXTER:

A bill (S. 4726) to prohibit "cost-plus" Government contracts, and to prohibit the payment of commissions for the awarding of Government contracts; to the Committee on the Judiciary.

AMENDMENTS TO ARMY APPROPRIATION BILL.

Mr. JONES of Washington. I submit an amendment intended to be proposed by me to the Army appropriation bill. It is the one I had inserted in the Military Academy appropriation bill providing for the supply of officers with uniforms by the Government. I wish to express the hope that the Committee on Military Affairs will put this amendment in the Army appropriation bill when they report it and see if we can not get it adopted in conference.

The PRESIDENT pro tempore. The amendment will be referred to the Committee on Military Affairs and printed.

Mr. KNOX (for Mr. PENROSE) submitted an amendment proposing that the pay clerks of the Quartermaster Corps, United States Army, now on the retired list, shall hereafter have the rank, pay, and allowance of a second lieutenant, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

He also (for Mr. PENROSE) submitted an amendment authorizing the President to appoint officers of volunteers, who have served five years in the Regular Army, officers in the National Army at one grade above the grade held by such persons while officers in the Volunteer Army, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SMITH of Maryland. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the President pro tempore appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER conferees on the part of the Senate.

HOUSE BILL REFERRED.

H. R. 12441. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

SPANISH WAR AND PHILIPPINE INSURRECTION PENSIONS.

The PRESIDENT pro tempore. The morning business is closed.

Mr. THOMPSON. I move that the Senate proceed to the consideration of the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with amendments.

Mr. THOMPSON. Mr. President, it is a short bill, and there are but few amendments proposed by the committee. I ask that the bill may be read and that the amendments of the committee may be considered as they are reached in the reading.

The PRESIDENT pro tempore. Without objection, the Secretary will read the bill and the amendments proposed by the committee will be first considered.

The Secretary proceeded to read the bill.

The amendments were, on page 1, line 9, after the word "discharge," to strike out "including all furloughs"; on page 2, line 4, after the word "insurrection," to strike out "or in China"; and on page 2, line 6, after the word "inclusive," to insert "or as a participant in the Chinese Boxer rebellion campaign between June 16, 1900, and October 1, 1900," so as to make the bill read:

Be it enacted, etc., That from and after the passage of this act if any volunteer officer or enlisted man who served 90 days or more in the Army, Navy, or Marine Corps of the United States, during the War with Spain or the Philippine insurrection, between April 21, 1898, and July 4, 1902, inclusive, service to be computed from date of enlistment to date of discharge, or any officer or enlisted man of the Regular Establishment who rendered 90 days or more actual military or naval service in the United States Army, Navy, or Marine Corps in the War with Spain or the Philippine insurrection between April 21, 1898, and July 4, 1902, inclusive, or as a participant in the Chinese Boxer rebellion campaign between June 16, 1900, and October 1, 1900, and who has been honorably discharged therefrom, has died or shall hereafter die leaving a widow without means of support other than her daily labor, and an actual net income not exceeding $250 per year, or leaving a minor child or children under the age of 16 years, such widow shall upon due proof of her husband's death, without proving his death to be the result of his Army or Navy service, be placed on the pension roll from the date of the filing of her application therefor under this act, at the rate of $12 per month during her widowhood, and shall also be paid $2 per month for each child of such officer or enlisted man under 16 years of age, and in case of the death or remarriage of the widow, leaving a child or children of such officer or enlisted man under the age of 16 years, such pension shall be paid such child or children until the age of 16: *Provided*, That in case a minor child is insane, idiotic, or otherwise permanently helpless, the pension shall continue during the life of said child, or during the period of such disability, and shall commence from the date of application therefor after the passage of this act: *Provided further*, That said widow shall have married said officer or enlisted man previous to the passage of this act: *Provided, however*, That this act shall not be so construed as to reduce any pension under any act, public or private.

SEC. 2. That no agent, attorney, or other person engaged in preparing, presenting, or prosecuting any claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim a sum greater than $10, which sum shall be payable only on the order of the Commissioner of Pensions; and any person who shall violate any of the provisions of this section, or shall wrongfully withhold from the pensioner or claimant the whole or any part of a pension or claim allowed or due such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court.

The amendments were agreed to.

The reading of the bill having been concluded,

Mr. SMOOT. Mr. President, the Senator from Georgia [Mr. SMITH] is tied up in a committee meeting for the present, and he did not expect the bill to come up at this time. While I am in favor of the bill, I do not want to take advantage of the absence of any Senator. I do know that the Senator from Georgia desires to speak upon it, he tells me, not in a way to prolong the consideration of the measure, but he wishes to address the Senate on the bill. Therefore, for that reason, and that only, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gallinger	Jones, Wash.	Martin
Bankhead	Gerry	Kendrick	Myers
Beckham	Gronna	King	Nelson
Brandegee	Guion	Kirby	Norris
Calder	Hale	Lenroot	Nugent
Chamberlain	Harding	Lewis	Overman
Culberson	Hardwick	Lodge	Page
Curtis	Henderson	McCumber	Phelan
Dillingham	Hitchcock	McKellar	Pittman
Fall	Johnson, Cal.	McLean	Poindexter
France	Johnson, S. D.	McNary	Pomerene
Ransdell	Shields	Sutherland	Warren
Robinson	Smith, Ariz.	Thompson	Watson
Saulsbury	Smith, Md.	Townsend	Willey
Shafroth	Smith, S. C.	Trammell	
Sheppard	Smoot	Vardaman	
Sherman	Sterling	Wadsworth	

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] on official business.

I wish also to announce the absence of the junior Senator from Indiana [Mr. NEW] on official business. I will let this announcement stand for the day.

Mr. SUTHERLAND. My colleague [Mr. GOFF] is absent on account of illness.

Mr. BANKHEAD. My colleague [Mr. UNDERWOOD] is absent on account of illness. He is paired with the junior Senator from Ohio [Mr. HARDING]. I will make this announcement for the day.

Mr. SHAFROTH. My colleague [Mr. THOMAS] is absent on official business.

Mr. TRAMMELL. I wish to announce the absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. LEWIS. I desire to announce the absence of the Senator from Kentucky [Mr. JAMES], occasioned by personal illness, and the absence of the Senator from Mississippi [Mr. WILLIAMS], occasioned by illness in his family. I ask to have this announcement remain for the day.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present. The bill is as in Committee of the Whole and subject to amendment.

Mr. LEWIS. Mr. President, there is a feature in connection with these amendments I desire briefly to refer to, and that is that the amendment just read, as the Senator from Utah [Mr. SMOOT] is quite cognizant of the fact, and he will recall it and refresh the mind of Senators, is an exact copy of the provisions in what is known as the Smoot bill and the Sherwood bill, and of the provisions in the soldiers' war-risk bill. Therefore it is important for Senators not acquainted with those amendments to know that they have been copied literally from the bill which has already passed, so far as their phraseology is concerned. I have been active and industriously trying to overcome opposition of Senators who have not favored this bill, and to those I have made the statement in private that I do now in the Senate. As certain of the Senators have taken my word on this as their reason for withholding their objections to this measure, I am anxious that my private statements be vindicated in the open Senate.

Mr. CURTIS. Mr. President, I have proposed an amendment, but I understand there is some opposition to it, and I will withdraw it, because I do not want to put anything in the way of the passage of this bill for the benefit of the widows and families of the Spanish War veterans, and I hope there may be no delay in its passage.

The PRESIDENT pro tempore. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendements were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT pro tempore. Shall the bill pass?

Mr. VARDAMAN. Mr. President, I do not want to delay the passage of this bill. I merely wish to say that it has my heartiest approval. It is the policy of the Government to pension the men who offer their lives in defense of the Nation's flag, and certainly the Government will not do more for the soldier living than it would for his indigent wife and helpless children after he is taken from them by the cruel hand of death.

It was my good fortune during the War with Spain to serve with some of the men who volunteered to give their all in defense of the Nation's cause in a foreign land. I know how well they performed their duty, and I should think less of the Congress, the lawmaking body of this Republic, if it should refuse to extend a helping hand to the widows and orphans of those soldiers. This was a play war when compared to the enormous suffering and sacrifices that are being made in the present war across the waters and the War between the States of a half century ago. But the will was just as heroic and the hearts as patriotic which pulsated in the breasts of the Spanish-American War veterans as those which beat in the bosoms of the American soldiers in other wars, and I shall take great pleasure in giving my vote to this measure, and I trust that it may pass the Senate without a dissenting vote.

The bill was passed.

MINING FOR MINERALS ON INDIAN RESERVATIONS.

Mr. ASHURST. I move that the Senate proceed to the consideration of the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT pro tempore. The question before the Senate is on agreeing to the amendment of the junior Senator from Wisconsin [Mr. LENROOT].

Mr. ASHURST. The junior Senator from Wisconsin [Mr. LENROOT] proposed an amendment the other day when the bill was pending. I ask that the Secretary may state that amendment at this time.

The PRESIDENT pro tempore. It will be read.

The SECRETARY. On page 2, line 8, after the word "lands," insert the words "or such portion thereof as the Secretary of the Interior shall determine."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ASHURST. I ask the Senate to consider now page 5 of the bill, line 9.

Mr. FALL. Mr. President, on line 8, page 5, before the words "per cent," I move to strike out the word "five" and to insert in lieu thereof the word "one," so that it will read:

A royalty which shall not be less than 1 per cent of the gross value of the output of the minerals at the mine.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from New Mexico.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I move, on line 10, page 1 of the bill, after the word "reservation," to insert the words "within the States of Arizona and New Mexico." In other words, the amendment confines the operation of the bill to the States of Arizona and Mexico.

Mr. ASHURST. Mr. President, if I understand the amendment proposed by the Senator from Utah, its purpose is that this bill shall relate simply, solely, and only to the States of Arizona and New Mexico. I will, however, merely content myself with voting against the amendment. That is all I care now to say about it.

Mr. MYERS. Mr. President, I move to amend the amendment proposed by the Senator from Utah [Mr. SMOOT] by including the State of Montana.

Mr. SMOOT. My amendment would exclude Montana.

Mr. MYERS. But I want Montana included. I therefore move to amend the amendment proposed by the Senator from Utah by including Montana, so as to have the proposed law apply to Arizona, New Mexico, and Montana.

Mr. SMOOT. Mr. President, I am perfectly willing to have my amendment so amended.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Montana [Mr. MYERS] to the amendment of the Senator from Utah [Mr. SMOOT].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment proposed by the Senator from Utah as amended.

Mr. JONES of Washington. Mr. President, I have not had an opportunity to examine the bill; but I understand it is general, applying to all the States.

Mr. SMOOT. As originally drawn it applied to all the States.

Mr. JONES of Washington. But it applies merely to the leasing of Indian lands?

Mr. SMOOT. It applies to Indian lands, Mr. President.

Mr. JONES of Washington. Mr. President, I think I want the State of Washington included in the bill.

Mr. SMOOT. Any Senator may have any State he desires included in the bill, so far as I am concerned. I will also accept an amendment including the State of Washington.

Mr. SHAFROTH. Mr. President, does the Senator from Washington understand that this bill includes gold and silver mines and the leasing of mines containing precious metals, which has never hitherto been the policy of our Government?

Mr. JONES of Washington. This bill does not propose to deal with Government lands.

Mr. SHAFROTH. But it proposes to deal with lands that have always been considered as to be open at some time to exploration. Lands in almost every part of the United States have at some time been in reserves, and we are now proposing to open these lands under a leasing system that never in the world will develop them.

Mr. SMOOT. I have no objection, Mr. President, to including the State of Washington in my amendment.

Mr. JONES of Washington. Just a moment, Mr. President.

The PRESIDENT pro tempore. The Senator from Washington has the floor.

Mr. JONES of Washington. Mr. President, I thought my colleague [Mr. POINDEXTER] was here. I know that he is interested in a matter of this kind. My recollection is that he introduced a measure some time ago, or urged a measure, providing for the leasing of Indian lands.

Mr. KING. Mr. President, will the Senator from Washington yield to me for a question?

The PRESIDENT pro tempore. Does the Senator from Washington yield to the junior Senator from Utah?

Mr. JONES of Washington. I do.

Mr. KING. Does the Senator from Washington offer this amendment—I do not ask the question in an offensive way, but merely for information—for the purpose of trying to kill the amendment offered by my colleague [Mr. SMOOT]?

Mr. JONES of Washington. Oh, no; not at all. I am offering it in perfect good faith in order to have the State of Washington covered by the terms of the bill.

Mr. SMOOT. I have no objection, Mr. President, to including the State of Washington.

Mr. JONES of Washington. I think I will ask that the amendment proposed by the Senator from Utah may be amended to that effect.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Washington [Mr. JONES] to the amendment of the Senator from Utah [Mr. SMOOT].

The amendment to the amendment was agreed to.

Mr. FALL. Mr. President, may I ask the Senator from Utah a question?

Mr. SMOOT. Certainly.

Mr. FALL. Would it not satisfy the object of the Senator if he should simply move to exclude the State of Utah from the operation of this bill?

Mr. SMOOT. I know that there are other States that desire to be included, and I thought my amendment provided the easiest way to do that.

Mr. FALL. Very well; then, I have no objection to this method of dealing with it.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Utah [Mr. SMOOT] as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The bill is still before the Senate, as in Committee of the Whole, and open to amendment.

Mr. ASHURST. Mr. President, there has been considerable confusion in the Chamber, and I was unable to hear precisely what the amendment proposed by the Senator from New Mexico [Mr. FALL] was. I should like to have it again stated.

Mr. FALL. I have offered two amendments.

Mr. SMOOT. The Senator from Arizona refers to the first amendment offered by the Senator from New Mexico.

Mr. FALL. Does the Senator from Arizona mean the first amendment which was adopted?

Mr. ASHURST. I refer to the amendment the Senator from New Mexico offered to the bill to come in on page 5.

Mr. FALL. I understand the Senator from Arizona refers to my amendment to strike out "five" and to insert "one" before the words "per centum." As I understood that amendment was adopted. However, I will explain it to the Senator from Arizona if he desires me to do so.

I will simply illustrate, Mr. President, by saying that we have now pending in conference a bill which has been approved by the department and passed by both Houses of Congress providing for a royalty of 2 cents per ton on coal which is mined. The minimum price for coal in our State has been fixed at $3 per ton. Five per cent royalty, as provided in this bill, would be 15 cents per ton royalty on coal mined in an Indian reservation, while outside of an Indian reservation on public lands it would be 2 cents. Fifteen cents per ton would be absolutely prohibitive upon the mining of coal upon the Indian reserves, except for purely local use.

The same argument applies, Mr. President, to the mining of any mineral whatsoever. The great production of copper and manganese, iron ores, lead ores, zinc ores, and all other ores of that character is from very low grade mines. We are now producing the greater portion of the copper which is produced in the United States from ores carrying only from 15 to 40 pounds of metal to every ton of rock which is mined. The 5 per cent, or if the amendment which I have proposed is finally adopted the 1 per cent, as now provided in this bill, applies to the gross value of the ore; in other words, if the ore is said to be worth $10 per ton and it costs $10.50 to mine it, to reduce it

and produce the metal for use, which it generally does, 5 per cent would be 50 cents a ton, and one would receive $9.50 per ton for ore that cost him $10 per ton to mine and to reduce.

The present amendment still leaves the matter entirely within the discretion of the Secretary of the Interior, reducing merely the minimum.

It may be perfectly feasible and just for the Secretary of the Interior to require as to a particular mine containing rich ores of gold or silver, running several thousand dollars per ton, a 50 per cent royalty, for example, while as to the great mass of low-grade ores 5 per cent royalty upon the gross value of the metal itself after paying all the costs of mining and of reduction and transportation and marketing would be absolutely prohibitive. I can say to the Senator who has charge of the bill that, in my judgment, if he leaves in this bill a 5 per cent minimum instead of reaching the object which he has in view—namely, the production, for instance, of manganese and other ores of that character—he will in fact place a prohibitive legislative bar which will prevent the carrying out of the purposes of his bill. For that reason I have moved to insert "one" in lieu of "five."

Mr. ASHURST. Mr. President, the amendment has already been adopted, and I am very glad the Senator from New Mexico has made this statement. I certainly agree with him that there would be no use of passing a bill under which no leases would be made. I call the attention of Senators especially to the fact that the amendment merely strikes out "five," in line 8, page 5, and inserts "one," so as to provide that the lessee shall pay, for the benefit of the Indians, not less than 1 per cent of the gross value. The Secretary of the Interior, if he saw fit and thought it was just and equitable, could even demand and extract 10 per cent gross, although that would be unreasonable, of course. So I do not see any harm in the amendment, and I am glad it has been adopted.

Mr. SMOOT. Mr. President, does not the Senator believe that the royalty ought to be computed on net value? For instance, in some sections of the country the smelting charges are exceedingly high, and why anyone should ask a royalty on what it costs to treat the ore I can not understand.

Mr. ASHURST. Well, there is some force in the Senator's statement; there is no doubt about that; and yet this bill has had a perilous course. This very amendment has been a bone of contention among two opposing factions, both very earnest in their views; and, while as a matter of personal preference I would prefer the computation on net value, yet with an amendment providing that the royalty shall not be less than 1 per cent of the gross I can see that no harm would come, and leases would probably be made. The present amendment will not prevent any leases being made, in my opinion, while with a minimum royalty of 5 per cent on the gross, I think, in all probability no leases would be acquired. My colleague [Mr. SMITH of Arizona] suggests that he knows there would not be, and I agree with him; but I think we may try the 1 per cent gross provision, and if no leases are made in the course of a year or so, then we can fix the net value as the basis. I suggest that this bill must pass another body of Congress and, therefore, that gross value at this time be left as the basis.

Mr. SMOOT. Mr. President, take, for instance, iron ore in any State of the Union. The Senator knows that if the mine owner can secure 50 cents a ton net on iron ore it is considered a good profit. I can say to the Senator that in my State we have millions and millions of tons of iron ore which the mine owner would be delighted to mine and deliver to the smelter at a profit of only 50 cents a ton. Now, if we are going to base the royalty upon gross value, that will include the cost of mining the ore, hauling it and putting it upon the railroad, the railroad charges, and whatever charges there may be at the smelter, and if we require that even 1 per cent shall be paid on the gross we will never get any development under the bill. It seems to me whatever percentage we determine upon ought to be based upon the net value of the ore, because that is the real value of the ore taken from the ground. I move, Mr. President, to strike out the word "gross," in line 9, page 5, and insert the word "net."

Mr. KIRBY. I should like to ask a question there.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. KIRBY. Does the Senator from Arizona understand that the Secretary of the Interior has recommended that the minimum royalty be reduced from 5 per cent to 1 per cent?

Mr. ASHURST. No; the Secretary of the Interior has made no such recommendation, but I call the attention of the Senator to the fact that the Secretary would have the power under the bill to demand, take, and extract a royalty of 10 or 15 per cent, because the bill, with the amendment of the Senator from New Mexico, simply provides that a royalty of not less than 1 per cent shall be paid, and there is no limit to what the Secretary of the Interior may fix as a maximum.

Mr. KIRBY. I understand that, but has it not been represented here that this bill was recommended by the Secretary of the Interior?

Mr. ASHURST. Yes, sir.

Mr. KIRBY. Now, the royalty to be paid is by the amendment reduced 4 per cent below his recommendation, so far as the minimum royalty is concerned.

Mr. ASHURST. Hardly. The Senator is earnestly groping for the facts, but that is hardly the situation. As the bill was drawn it provided that not less than 5 per cent of the gross value of the output of the minerals at the mine should be paid to the Indian tribes. The amendment offered by the Senator from New Mexico [Mr. FALL] simply provides that not less than 1 per cent shall be paid. If the Secretary of the Interior, in the exercise of his sound discretion and by computations, ascertains that the mine can not pay 5 per cent on the gross, but can pay 1 per cent or 2 per cent on the gross and allow a fair profit to the miner, he may make such a contract. He may, however, make a contract or execute a lease requiring and demanding 15 per cent of the gross. There is no limitation on the maximum.

Mr. KIRBY. Then I wish to ask another question. If the amount of royalty is fixed at a certain percentage on the net, and the miner manages to make a statement of his condition, showing that he does not make anything net, he gets the Indian land and gets the metal, and does not pay anything. Is that the idea?

Mr. ASHURST. Well, I have not urged that the amendment just proposed by the Senator from Utah be adopted. I have had no opportunity to address myself to the question.

Mr. FALL. Mr. President, will the Senator yield to me?

Mr. ASHURST. I yield.

Mr. FALL. The Senator from Arkansas has suggested that the miner would get the Indian land and the minerals for nothing. There is a further provision, to which I will call the Senator's attention, with reference to the surface area of the land which the royalty upon the extraction of the minerals does not cover. For the first calendar year 25 cents an acre is to be paid; for the second, third, fourth, and fifth calendar years 50 cents per acre; and thereafter $1 per acre rental for the land for any area which may be used. So that the Indians get rental for the surface area in addition to any royalty which they may get from the minerals extracted.

Mr. President, while I am on my feet I wish to say that, as a practical miner, I have had experience in mining low-grade ores and in mining high-grade ores. I have known a royalty to be paid all the way up to 50 per cent even on the gross value, but that was where practically solid metal was being taken out.

Mr. ASHURST. And, if the Senator will pardon me, doubtless very near to transportation facilities.

Mr. FALL. Yes; and upon the surface of the ground, where it was taken out by simply breaking the ground and extracting the metal with a mortar and pestle.

But, Mr. President, the interests of the Indians, as the Senator has said, are absolutely safeguarded so long as the Secretary of the Interior has discretion. Then he can fix the royalty upon the basis of the value of the ore, precisely as we have always been paying freight rates under the old rule pertaining in mining States upon the value of the ore. If the same freight rate that is applied to ore $50 in value were applied to ore five or ten dollars in value, it would be impossible to ship the low-grade ore; and if the same rate of royalty is applied to the low-grade ore that is applied to the high-grade ore it will, as I have said—and I speak from practical knowledge—in my judgment, prohibit the opening up of the very metals which it is desired to produce for war purposes.

Mr. PHELAN. Mr. President, may I ask the Senator in charge of the bill whether the Indians themselves by their representatives are satisfied with the provisions of this act?

Mr. ASHURST. Well, Mr. President, I trust I am speaking with accuracy; and if I do not state the facts I hope some member of the committee will call my attention to it. The bill, as I said, has been pending before the committee for a long time—a couple of years. I do not at this time recall any protest from any tribe of Indians; in fact, the only expressions upon the subject we have heard were favorable, so long as the recapture clause of the leases was carefully guarded and so long as some royalty was paid; and reverting to what the Senator from New Mexico has said, in addition to the royalty there is a stipulated rental per acre payable each year and credited on the royalty if there be one paid. So, in answer to the Senator from California directly, I do not recall at this

moment that any tribe of Indians, I do not recall that even one Indian, has ever protested to our committee against the bill. I call upon other members of the committee, and ask them if they remember any Indian ever protesting? I do not.

Mr. PHELAN. There are 436,000 acres in reserves in the State of California.

Mr. ASHURST. The Senator is correct about that.

Mr. PHELAN. And if in order I should like to move that California be included among the States which will receive the benefits of this act.

The PRESIDENT pro tempore. The pending amendment is that offered by the Senator from Utah [Mr. SMOOT].

Mr. PHELAN. Very well; I will submit the amendment when that is disposed of.

Mr. SMITH of Arizona. Mr. President, I am convinced the Senator from Utah [Mr. SMOOT] is right in this matter. I appreciate the difficulties which have confronted my colleague in trying to secure the passage of this bill, and I realize that there is a theory held by some that the Indian is being assailed from every side; but the fact is that this is no attempt to rob poor Lo; it is the only opportunity to do the Indian any good on earth. He will stay where he now is for the next 50 years, with more than 19,000,000 acres of land in my State alone, without any hope of ever getting a nickel from it. These mines, as every man knows, are usually on lands that are worthless for anything in the world excepting mines, in those volcanic, rocky countries where there is nothing but a sparse growth, and sometimes none at all; and this land is included in an Indian reservation. Here is an opportunity for giving the Indian, in the case of the low-grade ores, 1 per cent of the net; and under the bill, wherever the ores are easily obtained, wherever the expenses are less than we thought—wherever the profit is greater, in other words—the Secretary of the Interior has power to raise the limit. Having that power, and his purpose being to protect the Indian, as we all know from all our relations with him, it gives him an absolute security, greater than he can possibly have under the existing conditions.

Looking at the matter from the Indian's standpoint alone, eliminating every other question from it, there is nothing that will add as much to his education and his enlightenment and his financial advantage as the adoption of the amendment submitted by the Senator from Utah.

Mr. GRONNA. Mr. President, I am exceedingly sorry that the amendment of the Senator from New Mexico [Mr. FALL] was adopted; and I want to say, for the information of the Senator from Arkansas, that our action is not in accordance with the instructions of the Secretary of the Interior. If the Senator will read the report on this bill, and read the letter from Secretary Lane, he will find that the Secretary suggested that we strike out the words "2 per cent" and insert the words "a minimum of 5 per cent."

Mr. President, my State is not included in this bill as it is now pending before the Senate. We have practically no Indian reservations left in North Dakota; but I think it is our duty to protect the Indian's property, whether there are any reservations in our State or not.

The Senator from Utah is now proposing to still further limit the royalty to the Indians. Instead of making the royalty 1 per cent on the gross tonnage he wants to limit it to 1 per cent on the net. I say to you, Senators, let us be fair with the Indians. Rather than make this provision of 1 per cent on the net, let us say that we will take it away from the Indian without any royalty whatever.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. I yield.

Mr. SMOOT. I know the Senator does not want to misstate the amendment of the Senator from Utah.

Mr. GRONNA. No.

Mr. SMOOT. The amendment of the Senator from Utah did not say "net tonnage" but "net value." There is quite a difference between net tonnage and net value when it comes to royalties.

Mr. GRONNA. The only difference is that it makes it so much worse for the Indian; that is all. I am glad the Senator called attention to that.

Mr. SMOOT. Why, Mr. President, I do not see why anyone would claim a royalty on a lot of worthless rock. I do not see how anyone could pay a fixed royalty on a tonnage basis the value of which can not be determined until finally disposed of.

Mr. SMITH of Arizona. You must do that for the Indian; you must make him pay for the rock, waste, gang matter, and everything else.

Mr. GRONNA. May I ask the Senator a question?

Mr. SMOOT. Yes.

Mr. GRONNA. The Senator knows very much more about mining than I do—I know practically nothing about it—but suppose that ore containing manganese is mined on an Indian reservation, is not the estimate made at the mines of the amount of manganese in each ton of ore?

Mr. SMOOT. Yes, it is estimated; but nobody knows what it will be until it passes through the smelter; and if the Senator had been used to mining he would know that the mining sample, or the sample assayed at the mine, is assayed from hand-picked samples. A man goes and picks up a sample here, and he picks up a sample there, and the same from each class of ore, and he puts those samples together, and he has the same assayed; but to find out what is in the ore it has to go to the sampler and then to the smelter. After the ore is grounded at the sampler it is first divided in half, and then the half is divided into a quarter, and then the quarter is divided into an eighth, and the eighth is divided into a sixteenth, and the sixteenth into a thirty-second, until it gets down to a sample that you can hold in your hand. Then the assayers assay that sample, and sometimes there is 50 per cent difference between the actual assay after it has gone through the sampler and the assay that the man at the mine reported from the hand-picked samples. That is the situation.

Mr. GRONNA. Let us suppose, now, that there is agreement between the owners of the mine and the miner as to the value of that ore, but that you wait until it has been ascertained after it has been smelted: The Senator wants the Indian to pay for the transportation of his ore. Instead of paying him what his ore is worth at the mine, the Senators' amendment makes it so that the Indian will simply get his royalty upon the net.

Mr. SMOOT. Why, no; the Senator is mistaken.

Mr. GRONNA. I am not mistaken.

Mr. SMOOT. The Senator does not want anything except simply to treat the Indian the way that the railroad is treated, and the way the miner is treated, and the way that everybody else connected with the mine is treated. The miner does not know anything about what the railroad charges upon his ore will be until after it has passed through the sampler. The value of the ore is ascertained by the sampling and smelting of it, and the freight rate is determined by its value.

Mr. GRONNA. Then, may I ask the Senator, why does he wish to strike out the word "gross" and insert the word "net"? Why does he want that if it is not an advantage to the miner?

Mr. SMOOT. I will ask the Senator, why does the Senator want to pay the Indian a percentage upon the cost of smelting and the cost of sampling and the cost of railroad transportation? He ought to be content with whatever royalty he receives upon the actual value of the ore that is taken from the ground.

Mr. ASHURST. Mr. President, will the Senator yield to me?

Mr. GRONNA. Yes.

Mr. ASHURST. I just want to say that this is not, of course, a new question, and this very proposition as to whether the word "net" or "gross" should be used has been the stumbling block that has gotten in the pathway of this bill. I do not feel that it would be entirely good faith on my part toward the remaining members of the committee for me to support the amendment of the Senator from Utah. If we should insert the word "net," I do not believe we would ever get this bill into law. What I seek is a fairly good working law, one that will function. A bill that would not function, one that we could not work under, would be of no use. For that reason I am going to adhere to the views of the committee, especially in view of the amendment that has been proposed by the Senator from New Mexico and adopted, reducing the royalty to 1 per cent of the gross.

Mr. SMOOT. It is "not less than 1 per cent."

Mr. ASHURST. "Not less than 1 per cent."

Mr. PITTMAN. Mr. President, will the Senator yield to me?

Mr. ASHURST. I have not the floor.

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from Nevada?

Mr. GRONNA. Yes; I yield to the Senator.

Mr. PITTMAN. It is customary to use the word "gross" in fixing a royalty in metalliferous mining, but they generally say that they will pay a certain per cent of royalty on the gross value of the ore after deducting certain charges. That makes it definite.

Mr. SMOOT. That would be all right.

Mr. PITTMAN. This bill attempts to fix a royalty on the gross value of the ore at the mine. If you want to make it in

perfect harmony with all leasing of metalliferous ores throughout the West, you will put in there, after the word "mine," on line 10, the following:

The gross value of the output of the mineral at the mine after deducting the actual cost of mining.

Then you will have something definite.

Mr. GRONNA. Does the Senator think we ought to reduce the minimum, then, to 1 per cent?

Mr. PITTMAN. I will say to the Senator that that would make no difference, in my opinion, as far as the mining of gold and silver is concerned. Whether or not it would make any difference in the mining of iron I do not know, as I know nothing about that. I understand that the cost of mining iron is frequently very close to its value at the mine, but I do not know that. The only thing that appeals to me in this matter is that it is a minimum, and my experience with various departments where they have a discretion in fixing a royalty is that the minimum is in no danger. They generally fix the royalty so high that if there is no maximum there are no leases issued; and possibly that would be the case here.

Mr. FALL. Mr. President, will the Senator yield to me for a moment?

Mr. GRONNA. Yes, sir.

Mr. FALL. I understand that the Senator from North Dakota, of course, is thoroughly and sincerely interested in protecting the rights of the Indians. I beg that the Senator will not fall into the common error, and think that those of us in the mining States who know something about mining have any desire in any way to deprive the Indians of profits upon ores which will yield a profit. The sole object of this bill is to make it possible to extract minerals upon an Indian reservation.

The Senator of course knows, from his experience, that no Indian in the United States has ever been a miner. The Senator probably knows that the Indians of every tribe have a superstition concerning mining, and that you can not persuade them to mine for precious metals or others, except as they may find them upon the surface of the ground. The only exception has been with the Pueblo, Zuni, or Hopi Indians in the mining of turquoise. These are facts which are known to all of us; so that unless there is some provision by which an American miner may be allowed to extract these minerals they will remain unextracted, they will add nothing to the wealth of the United States, and they will add nothing to the wealth of the Indian. We want some practical method by which we can protect the Indian, give him some revenue from the extraction of these minerals, and at the same time offer some inducement to some one to go in and extract the minerals.

The Senator must understand that these minerals are not lying upon the surface of the ground, ready to be picked up in chunks and put in your pocket and sold at the nearest store or mint, but that in order to secure the minerals an investment of thousands of dollars is necessary. For instance, in the operation of a copper mine, I will say to the Senator that at one of the mining camps in my State now regarded as one of the big camps of the world, the Tyrone camp, belonging to the Phelps-Dodge Co., in the Burro Mountains, for eight or ten years this company has been expending not thousands but hundreds of thousand and millions of dollars without extracting one cent in return.

A copper mine, as we say, is not found. A copper mine is made. You must have ore reserves back of you for two or three or four or five years after you have discovered the ore before you are justified in putting in a concentrator and a smelter. In order to work the 2 per cent porphyritic ore now principally used in mining copper, your first expenditure will never be less than $1,000,000, and from that to $5,000,000, in machinery alone; and before you are justified in expending a dollar on the machinery you must have ore reserves, which simply means that you must sink shafts and run tunnels and block out your ore and have ore reserves in sight to justify the operation of your mill night and day for at least three years. That is the average basis upon which miners work. That means this: If I am trespassing upon the Senator's time, I will not do so.

Mr. GRONNA. No; go ahead.

Mr. FALL. I want to place this matter fairly and frankly before him, however. It means, under this bill, that first a prospector must discover the mine. Second, he must obtain money from some source with which to open it to a sufficient depth to interest some one with capital to finally develop the mine. This must all be done first. I can say frankly to the Senator that for every 1,000 mining prospects ever located or opened or attempted to be opened in the United States there has not been more than one running, developing, paying mine; and the money expended on the other 999 mining prospects has been an absolute loss to those putting it in, even when they had mineral in sight. All of these matters must be taken into consideration.

The object of this bill is to develop mining upon the mineral lands and the Indian reserves. That is the object. If you place the royalty so high that the value of the ore extracted is not equal to the cost of extraction, the loss by wear and tear of the machinery, if it does not pay, nobody will undertake to open up the mine, and there will be no minerals developed, and the Indians will get no income of any kind or character whatsoever.

Metalliferous mining is not like an oil proposition. So long as it is left in the discretion of the Secretary of the Interior that he may fix the royalty at anything from 1 per cent up to 100 per cent the Indian is absolutely protected. The object of the amendment of the Senator from Utah is to provide that instead of fixing the royalty upon the gross value it will be fixed upon the net value. If you fix the royalty upon the net value so high that the difference between the cost and the sale value of the mineral can not be covered, you are not going to have a producing mine. No one is going into a losing proposition of this character, irrespective of the question as to whether the royalty is fixed upon the net or upon the gross value. But if you fix it upon the gross value—if you leave it as it is in the bill, and fix it upon the gross value, with a minimum of 1 per cent—even if that is fixed, in the majority of instances it will be twice as much as the minimum of 5 per cent as it was originally carried in the bill. The only sensible, practical, reasonable, proper, just method of fixing a royalty upon the extraction of minerals is to fix it upon the net value, which is easily ascertainable.

For instance, the Secretary of the Interior would have access to the miners' books, he would have access to the railroads' books to check up with the freight rates, he would have access to the smelter or the reduction books, and finally he would have access to the books of the metal-selling companies. The Senator must understand that copper, for instance, is not sold by the smelter, or even by those owning their own smelters, reduction works, and mines, but it goes to the metal-selling companies. It generally goes to the metal-reduction companies or refining companies, because nearly all copper, for instance, carries as a by-product some silver and some gold or some other metal.

All these must go to the refining company and be refined. Under this bill the Indian would get this percentage of every fraction of a dollar of silver, every fraction of a dollar of gold, every fraction of a dollar of any other metal whatever, even if it carried copper or manganese.

The proper, practical, just method is to have it fixed upon the next net value. I shall move to strike out "gross value" and insert "net value" in the amendment which I offered, because of the statement made now by the chairman of the committee that he thought some who did not understand the subject of mining were so opposed to it that it would not be practicable to pass the bill through the Senate, and I want to have something done. But I say to the Senator frankly, unless you think that the Secretary of the Interior would not protect the rights of the Indian he would be as amply and fully protected under the proposition to fix a royalty upon the net value as if we would fix it upon the gross value. In fact, how are you going to discover the gross value of ore? You must still go finally to the metals refining company in New Jersey, or wherever it may be, before you can even ascertain the gross value of the ore. You can not ascertain it at the mine. That is not feasible. That is never done and it can not be done unless you just simply agree that we will say the gross value of this metal is so much per ton. But no mining man will do that.

Mr. GRONNA. Then, as I understand the Senator from New Mexico, he believes we ought to fix it at 1 per cent on the net value.

Mr. FALL. Certainly; that is, the minimum. I think that is fair, because I believe it will help to open up the mines, and if that is not the purpose we should not be wasting our time on this bill.

Mr. KING. If the Senator will yield——

Mr. GRONNA. If I may have an opportunity to say just a few words——

Mr. KING. Let me make one observation, which relates to what the Senator said, and the Senator from North Dakota can reply to it at the same time.

Mr. GRONNA. Very well.

Mr. KING. The Senator will understand that when ore is taken from the mine and placed upon the dump, as we say, it is absolutely impossible to determine what its value is. You could not fix the gross value of ore. One man might say that it was

worth $5 a ton, and yet he could not determine until, as the Senator from New Mexico said, it had been reduced and had been placed upon the market. There might be base ores. A given ton of ore carrying 5 per cent copper might be worth very much more than another ton carrying 6 per cent, because in one instance there would be base metals; and the cost of reduction would be very much greater with a 6 per cent copper ore than with a 5 per cent copper ore. Six per cent copper ore might be worth less by reason of that fact than 5 per cent copper ore. So it is absolutely impossible to determine what the gross value of the ore is. You could not sell ore upon the dump unless it was some particular grade of ore that was free from the manifold complexities that surround the determination of the value of ores. So you must say the net value, or else you are in the field of speculation and uncertainty, and you never could reach any definite conclusion.

Mr. GRONNA. Mr. President, I am obliged to both Senators for the information. Answering the statement of the Senator from Utah [Mr. KING] first, I do not particularly care where the estimate is made, whether it is after the ores have been smelted or not; but I do object to the Indian paying for the smelting and paying for all these expenses and simply getting 1 per cent net after the product has been taken out of the ore.

Mr. FALL. If the Senator will allow me to make a suggestion to him, with the discretion left in the Secretary of the Interior to fix the royalty the Indian will not pay for the freight or for the extraction expenses or reduction expenses or any other expenses whatsoever. The Secretary is not compelled to fix a minimum of only 1 per cent. What I mean is that if the Secretary would be justified in placing a royalty of 1 per cent upon the gross value he will know whether he is justifiable in placing a royalty of 25 per cent upon the net value, and if he is, he will place 25 per cent upon the net value, leaving the miner 25 per cent of the value and inducing him to continue mining, while in many instances if he undertook to assess even a royalty of 1 per cent upon the gross value the miner will not mine the ore.

Mr. GRONNA. Now, answering the Senator from New Mexico, and answering his first question, I am sure he is just as much interested in the Indian as I am. That has been my experience with him in serving upon the Committee on Indian Affairs. I have had no doubt about that whatever. But there is such a thing as being mistaken, even if we are quite well versed on certain subjects. I think I am pretty well versed in the growing of wheat, and yet I have at times been mistaken along that line.

Mr. FALL. I have often been mistaken on the subject of mining—very often.

Mr. KIRBY. I should like to ask the Senator a question.

Mr. GRONNA. After I answer the Senator from New Mexico, I will yield. The proposition is this: We are the custodians of the Indian property. The committee of the Senate and the committee of the House have this property especially in charge. We are the guardians of the Indians. The Indians are not here to speak for themselves. This land belongs absolutely to the Indians; it does not belong to the Government, as indicated by the Senator from Colorado [Mr. SHAFROTH] the other day.

Mr. FALL. The Senator does not want to make as broad a statement as that. In New Mexico and Arizona, with the exception of the Navajo Tribe of Indians, every Indian reservation belongs to the United States. It is purely an Executive reservation and not a treaty reservation. The Navajo is the only treaty reservation.

Mr. GRONNA. The Indian reservations in the United States, outside of a few, have been set aside for the benefit of the Indians.

Mr. FALL. That is by Executive order; just as I explained yesterday, 54,000 acres last year were set aside.

Mr. GRONNA. I do not care to be led into that. I want to tell the Senator from New Mexico why I am saying that I believe this royalty is too low. While I do not myself know anything about mining, I confess, yet I want to read the letter of Secretary Lane addressed to Hon. John H. Stephens, chairman of the Committee on Indian Affairs of the House of Representatives, under date of April 10, 1916:

DEPARTMENT OF THE INTERIOR,
Washington, April 10, 1916.

MY DEAR MR. STEPHENS: I have your request for report upon H. R. 12426, which proposes to permit prospecting for and leasing of metalliferous mineral deposits within Indian reservations in the State of Arizona for 50-year periods upon a flat royalty of 2 per cent of the gross value of the output at the mine, the proceeds to be deposited in the Treasury to the credit of the Indians.

I favor the enactment of this measure. I find that 5 per cent is the ordinary commercial leasing rate, and would suggest that in lieu of 2 per cent. It also appears that there is a public demand that mineral deposits in Indian reservations in other States be opened to development, and I therefore suggest that the words "in the State of Arizona," in line 11, page 1, be stricken out, making the bill applicable to such deposits in all Indian reservations. It is also suggested that lines 5 to 11, page 2, be eliminated, and the following substituted therefor:

"That after the passage and approval of this act unallotted lands within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for and discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be."

The latter amendment is suggested for the reason that there may be cases where the opening of all lands within a given Indian reservation to exploration and prospecting would be destructive to the rights and interests of the Indians or inadvisable from the standpoint of public policy, and the proposed amendment gives some discretion to the officers of the United States in that connection.

In line 14, page 6, the word "carry" should be "carrying."

With these amendments, I recommend the bill be enacted.

Cordially, yours,

FRANKLIN K. LANE.

Hon. JOHN H. STEPHENS,
Chairman Committee on Indian Affairs,
House of Representatives.

That is the statement of the Secretary of the Interior.

Mr. FALL. Does he say 5 per cent gross or 5 per cent net, or does he differentiate?

Mr. GRONNA. He does not seem to say anything about that.

Mr. FALL. Five per cent net is the ordinary percentage.

Mr. GRONNA. Of course, the bill when it was drawn——

Mr. FALL. Will the Senator agree to strike out "gross" and reinsert "5 per cent net"?

Mr. GRONNA. I certainly would rather insert "5 per cent net" than to make it 1 per cent net, as indicated by the Senator from Utah.

Mr. FALL. What is the difference, so long as the Secretary can make it 1 per cent or 25 per cent?

Mr. GRONNA. Well, for one, Mr. President—of course, I have only one vote, but I shall never agree to vote for the bill limiting it to 1 per cent, because the Secretary of the Interior has indicated that it ought to be not less than 5 per cent. The bill was in the same form, I think, then that it is now. I yield to the Senator from Arkansas.

Mr. KIRBY. Does the Senator understand that the demand for this legislation comes from the Indian or from the miner?

Mr. GRONNA. I think there is a demand for this legislation from the Interior Department, I will say to the Senator. I think the Government is anxious to have this bill passed, because much of this mineral is needed in the manufacture of explosives and in the manufacture of steel, and so forth. If the Senator from Utah and the Senator from New Mexico will agree to a minimum of 5 per cent net, I shall not object to it.

Mr. FALL. I accept the proposition very gratefully in the name of the people of the United States.

Mr. ASHURST. I think that is a very fair compromise, and I trust the amendment will be agreed to, making it 5 per cent net instead of gross. It is all right.

Mr. GRONNA. I understand the Senator from Utah [Mr. SMOOT] wishes to take the floor, and I shall not occupy the time further. I know unless the bill is passed before 2 o'clock we may have some difficulty in passing it, and I am exceedingly anxious to have it passed. But I am also anxious to see that the property of the Indians is protected and that their rights are protected, and it is my sworn duty to see that they are protected. I do not believe that 1 per cent of the net value is a sufficient royalty to pay anyone, whether an Indian or anyone else, who may possess lands that contain minerals.

Mr. SMOOT. Mr. President, every Senator has sworn to do his duty, to uphold the Constitution, and there is not a Senator in this body who does not want to protect the rights of the Indians just as much as the Senator from North Dakota. I have just as much interest in the welfare of the Indians as any living man, and I think that the Commissioner of Indian Affairs will bear me out in that statement.

But, Mr. President, the Senator from North Dakota seems to think that if the bill provides for not less than 1 per cent that is all that can be charged by the Secretary of the Interior.

Mr. GRONNA. No; the Senator must not put me in that position, because I do not think any such thing, nor have I said any such thing.

Mr. SMOOT. Then all the Senator said as to the royalty that the Indian will get falls by the wayside.

Mr. GRONNA. It does not.

Mr. SMOOT. Under this provision the Secretary of the Interior can impose 50 per cent royalty if he desires.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from Utah yield to the Senator from Washington?

Mr. SMOOT. I yield.

Mr. POINDEXTER. If the amendment is adopted, also he could impose 1 per cent, could he not?

Mr. SMOOT. Yes; and I will say to the Senator from Washington that 1 per cent in some cases would be higher than 50 per cent in others; I mean as far as allowing the development of the mining industry is concerned. I can tell the Senator——

Mr. POINDEXTER. If the Senator is going to tell me, I should like him to tell me of a case and the circumstances in which he thinks that 1 per cent would be an adequate rental.

Mr. SMOOT. One per cent on the gross value of nearly all the iron that is mined in the Western country would be almost prohibitive. I want to say to the Senator, as I stated before, there are millions and tens of millions of tons of iron ore in the State of Utah that the owner of the mines would be delighted to sell for 50 cents a ton.

Mr. KING. If my colleague will yield, in reply to the Senator from Washington, I will say that since the new freight schedules have been promulgated, if they are enforced, it will close down a large number of lead and silver and low-grade mines not only in Utah but other Western States, and 1 per cent in many instances is the maximum profit. If you compel the miner to pay 1 per cent I know of many mines that will close down.

Mr. POINDEXTER. It is proposed to make 1 per cent the net value of the ore.

Mr. SMOOT. Nobody has proposed that.

Mr. POINDEXTER. That is it exactly.

Mr. SMOOT. No; that has not been proposed by anyone on the floor of the Senate. Even with the word "gross" out and the word "net" inserted, it would not be 1 per cent in any case, in my opinion. I do not think the Secretary of the Interior would ever impose 1 per cent, unless they were just such cases as I am going now to tell the Senate about.

Mr. POINDEXTER. If the Senator will permit me, merely to justify myself, the Senator, I believe, is mistaken when he says that the proposition to make it net instead of gross has not been proposed. It has been proposed, and it has been suggested here with the apparent prospect of success, that it be adjusted on the basis of not less than 5 per cent upon the net value of the ore.

Mr. SMOOT. Mr. President, when I offered that amendment I had no idea whatever that the Secretary of the Interior was going to impose 1 per cent on the general run of ore that may be mined on Indian reservations.

Mr. POINDEXTER. It is not so much a question of the faith and confidence the Senator may have in the varying successive incumbents of the office of the Secretary of the Interior, whom we do not know anything about. It is a question of the Senate, when it is acting upon this proposition, not to transfer the responsibility to some executive officer, but to impose reasonable safeguards in the legislation so that it will not be dependent upon the discretion or upon the uncertainty of the Secretary of the Interior.

Mr. KIRBY. I should like to ask the Senator a question.

Mr. SMOOT. Very well.

Mr. KIRBY. I do not like local legislation, and I want to ask the Senator why it would not be fair for Utah if fair for the other Western States? Why do we cut Utah out?

Mr. SMOOT. I did not say it was a fair law. I do not believe in the pirnciple, and I do not believe the people of Utah believe in it. I think the western Senators who vote for this bill will rue the day they ever voted for it. I want to say that much to the Senator and to the Senate——

Mr. GRONNA. Mr. President——

Mr. SMOOT. Let me answer the Senator from Washington and then I will yield.

In the Deep Creek country in my own State there are found ores carrying arsenic and other base metals. On every unit of those base metals the smelters impose a penalty of 20 cents a unit. If a royalty is charged upon the gross value, it would simply prohibit the use of that kind of ore.

Mr. GRONNA. If the Senator will permit me, let us take some of the business which has been transacted with the Indians in the past. I have been upon the Committee on Indian Affairs for a number of years. I know that in nearly every instance in the leasing of oil lands the minimum royalty has been applied.

Mr. SMOOT. The Senator does not seem to think that there is any difference between leasing oil lands and lands containing metalliferous minerals. The oil gushes out of the ground and is run directly into barrels and is ready for sale and everybody knows just what it is. That is an entirely different proposition from the one where you mine metalliferous ores, where you are a thousand feet underground, running tunnels for thousands of feet, with not an ounce of ore in sight. You strike a body of it, and you do not know how long you are going to run in it. It may continue 10 feet or it may continue 100 feet; it may develop into a body of ore or it may run into useless gang matter.

Mr. GRONNA. I was not speaking of mining. I was speaking of the application of these leases.

Mr. SMOOT. Of course, the Senator was, and the application must apply to oil and it must apply to ore. It does not apply in one case, nor could it apply the same as it does in the other.

Mr. ASHURST. If the Senator will yield a moment, I just ask for information, could we not reach some compromise on 5 per cent net?

Mr. SMOOT. I am perfectly willing. I think the Indians ought to have 5 per cent. I am perfectly willing to put in a 5 per cent limit, and to put in the word "net" value.

Mr. ASHURST. All contending factions seem to agree on 5 per cent. It seems to me if we could agree on that an amendment would be appropriate on page 5, line 9, to strike out the word "gross" and insert the word "net."

Mr. SMOOT. That is the pending amendment.

Mr. ASHURST. What is the exact parliamentary situation?

Mr. SMOOT. That is already before the Senate.

Mr. ASHURST. Then the question is on striking out the word "gross" and inserting "net" in line 9.

The PRESIDING OFFICER (Mr. WATSON in the chair). The Chair understands that to be the amendment proposed by the Senator from Utah.

Mr. KENDRICK. We have one of the largest Indian reservations in the country in our State, and I therefore move to have Wyoming included in the bill.

The PRESIDING OFFICER. The Chair will state to the Senator from Wyoming that there is an amendment pending at this time and that his amendment is not germane as an amendment to the amendment. It will be in order after the amendment proposed by the Senator from Utah is disposed of.

Mr. POINDEXTER. What is the amendment proposed by the Senator from Utah?

Mr. SMITH of Arizona. It is making the percentage net instead of gross 5 per cent.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah.

The amendment was agreed to.

Mr. KENDRICK. Now, Mr. President, I ask that a vote be taken on my amendment.

Mr. SMOOT. There is no objection to that amendment.

Mr. GRONNA. Mr. President, I rise to a parliamentary inquiry. I think the vote whereby the amendment of the Senator from Utah making the royalty 1 per cent was agreed to ought to be reconsidered.

Mr. SMOOT. It will be.

Mr. GRONNA. I move that that vote be reconsidered.

The PRESIDING OFFICER. The proposition of the Senator from North Dakota will be stated.

The SECRETARY. It is proposed to reconsider the vote by which the amendment on page 5, line 8, striking out the word "five," before the words "per centum," and inserting "one," was agreed to.

The PRESIDING OFFICER. The question is on the motion of the Senator from North Dakota [Mr. GRONNA].

The motion was agreed to.

Mr. KENDRICK. Now, Mr. President, I ask that my amendment be stated.

The PRESIDING OFFICER. The Senator from Montana moves to include in the amendment the State of Wyoming. Without objection, the vote whereby the amendment as amended was agreed to is reconsidered, and without objection the State of Wyoming will be included in the amendment. The Chair hears none; and the amendment is agreed to as amended.

Mr. PITTMAN. Mr. President, I offer the amendment which I send to the desk as an additional section to the bill.

The PRESIDING OFFICER. The Senator from Nevada offers an amendment, which the Secretary will state.

The SECRETARY. It is proposed to add a new section at the end of the bill, as follows:

SEC. 15. That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or otherwise for or as Indian reservations except by act of Congress.

Mr. PITTMAN. Mr. President, I have offered that amendment at this time because, unless such an amendment is adopted, I should not desire this bill to apply to my State. I certainly do not want it to be within the power of the Commissioner of Indian Affairs to place all the public lands in my State within a nominal Indian reserve, and then proceed to leave all of our minerals. I am willing that the present Indian reserves shall be included in this bill, and I want it to apply to my State if it

goes no further; but if there is going to be no limit, and all the public lands of my State are to be included in it, I will not vote for it.

Mr. ASHURST. Mr. President, it seems to me that logically this amendment ought to be adopted. Since those of us who have been urging this bill have contended that we are not going to commit Congress by this proposed act to the leasing system on the public domain, we can not logically escape voting for the amendment. Otherwise a mere stroke of the pen would include large and boundless tracts of public domain and apply the leasing system to them. So, in good faith, I am bound to vote for this amendment, and I hope it will be adopted.

Mr. FALL. I shall vote for this amendment cheerfully. However, it does not apply to Nevada or to any other State except those States that are included in the bill.

Mr. PITTMAN. It applies to all public lands. I am going to ask to include my State if the amendment is adopted, but without it I shall not.

Mr. FALL. I am perfectly willing to so apply it, but the Senator will by his amendment have limited the operation of this bill to certain States named in it.

Mr. POINDEXTER. Mr. President, there is a very radical and far-reaching proposition involved in this amendment; one of far more consequence than the bill itself—ten times more. It affects the entire public-land policy of the United States. It involves a repeal of a number of existing laws under which certain discretion is vested in the President. The amendment has not been discussed; it has not been referred to a committee; there is no report on it, and there has been no statement here as to the existing laws and as to the extent of the changes proposed to be made in them by the amendment. It seems to me it would not only be contrary to the custom of the Senate, but would be a preposterous thing to do now, with only a handful of Senators present, with two minutes' consideration to change the public-land policy of the United States because the Senator from Nevada [Mr. PITTMAN] otherwise does not want this bill to apply to his State. I certainly am not in favor of the amendment, and if the amendment is adopted, much as I am interested in the opening up of mining in the Indian reservation, I shall be compelled to oppose the bill and vote against it. I am very sorry to see the passage of this bill obstructed by the proposition to insert here a new principle, a new question, which has not been considered by the Senate or by one of its committees.

Mr. SMITH of Arizona. Will the Senator from Washington yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arizona?

Mr. POINDEXTER. I yield to the Senator from Arizona.

Mr. SMITH of Arizona. Mr. President, there has always been very great discontent in the Congress of the United States that the public lands should be disposed of by the mere ipse dixit of the President. The State of the Senator from Washington was released from it; so was Idaho, and so were three or four other States when Mr. Roosevelt was President. In connection with the release, we all know that with the bill before him, which had been passed by both Houses of Congress, he did not sign it until he had spread reserves over our western country which have stood in the way of their progress and success from that day to this. If the Senator from Washington will think a moment, he will admit that the Congress of the United States ought to dispose of the public lands of the United States; that no President should have the power to sit in the White House and arbitrarily set aside land as Indian reserves, running from mountain peak to mountain peak.

A little while ago in my own State lands were set aside, covering millions of acres, for Indians, though those Indians had thousands and thousands of acres of land of their own on another Indian reservation.

I sincerely hope that the Senator from Washington, in whose judgment in these matters I have such confidence, will not stand here and contend that the Congress of the United States shall waive all its right as to what disposition shall be made of the public domain, and confer that right on any Executive. That would be absolute ruin to the States; and any President who so pleased could make their further progress absolutely impossible with such power in his hands. I know the Senator from Washington, when he considers the matter, will admit that Congress itself should make disposition of the public lands.

Mr. POINDEXTER. Mr. President, in the first place, the proposition of the Senator from Arizona is based on an entirely erroneous assumption of the fundamental effect of the amendment offered by the Senator from Nevada. Whether the amendment of the Senator from Nevada should be adopted or not adopted, whether or not the President of the United States under existing laws has the authority to create reservations in the public lands, still the authority of Congress over the public lands, whether they are reserved by the President or not reserved, remains.

Mr. SMITH of Arizona. Will the Senator from Washington yield to me?

Mr. POINDEXTER. I will yield in just a moment, if the Senator please.

Mr. SMITH of Arizona. Just at that point——

Mr. POINDEXTER. If the Senator will give me an opportunity, I desire to answer his own proposition.

Mr. SMITH of Arizona. It is only a suggestion which I desire to make to the Senator.

Mr. POINDEXTER. I will yield to the Senator in just a moment.

Mr. SMITH of Arizona. The only suggestion I desire to make is, that when the President makes a reservation, the only way we can possibly get away from it is for Congress to pass a bill; but then the President has the power to veto it. We are surrendering our rights on the pretense of a claim that amounts to nothing in the end. That is the suggestion I desired to make.

Mr. POINDEXTER. Well, the Senator from Arizona has made his statement anyway, so I have forgotten what I was about to say; but I will answer this new statement of the Senator, and say that on such a perfectly elementary matter it is not necessary, or it ought not to be necessary, to call attention to the fact that the Senator's proposition that the power of the President to veto bills deprives Congress of its power over legislation would lead to the conclusion that Congress has no legislative power at all, because the President can veto any bill that is passed by Congress, whether it relates to a reservation of the public land or not. That is a part of the legislative machinery of the country. All the legislative power of Congress is subject to the veto power of the Executive, and whether this bill is passed or not passed it remains the same afterwards as it was before.

Mr. SHAFROTH. Mr. President, I am opposed to the bill under consideration. It proposes to open up Indian reservations for the leasing of mineral lands, including gold and silver mines, instead of permitting the entry system of locations which has prevailed ever since the discovery of gold in California, and which has produced such a wonderful development of our natural resources.

THE RELATION OF INDIANS TO THEIR RESERVATIONS.

I think the bill is predicated upon a mistaken theory of the administration and disposition of public and Indian lands. Indian lands never were reserved to give the Indians the right to lease them or to sell them at such prices as they could get. The lands were set aside for the purpose of concentrating the Indians on reservations for governmental purposes, to save them from conflict with the whites, to encourage them to exercise certain governmental functions of a minor nature through their chiefs and councils, and to provide for them hunting grounds. It was intended that these uses should be temporary, for we hoped that by aid of the schools which we established the Indians would come to adopt the ways of our civilization and finally abandon the tribal relation. It was then expected that allotments of land for agricultural purposes would be made to the individual Indians, and all necessary farm implements, work horses, and so forth, would be provided by the Government, so they could become self-sustaining, civilized citizens of the United States. * * *

Whenever settlements of whites crowded around the Indian reserves it was soon found that difficulties arose between the settlers and the Indians. It was desirable that the Indians should be transferred to more distant reserves, so that this conflict of interest and of arms would not occur. For that reason we put them in reservations in the far West. The object was also to encourage them in maintaining a government of their own, preserving order and punishing minor offenses, and in order to prevent difficulties the white man was not permitted to go onto the Indian reserves. A permit was required before a white man could go onto a reservation, and a permit was also required before Indians could leave their reservations. The object was to segregate the Indians, to keep them on reservations so that they would not interfere with the whites, and to prevent the whites from interfering with them. No one expected the Indians to develop mines. No statesman contemplated locking up forever the mineral resources in Indian reservations. It was expected that every one of these reservations would be opened to settlement and exploration under the public-land laws of the United States upon terms that would be fair and just. That has been the policy of the Government, and satisfactory adjustments have always been made with the Indians before opening up the reservations to settlement.

One of the largest reserves—I think even larger than any embraced within the State of Arizona—was the Ute Indian Reservation in my State, and that was so opened to settlement. In that case there was a provision that the Indians should move to certain other lands. The white population had settled close to them. Differences arose, bad feeling developed, and massacres followed. At the end it was deemed best for the Indians and for the white men that the Indians should be moved to another reservation. The result was we agreed to give to their fund, upon which the Government pays interest for their benefit, $1.25 per acre for the land as it was taken up and to give them $5 per acre for the mineral land when patented, whether it contained minerals in paying quantity or not. This was satisfactory to the Indians, and it made a better remuneration to them than could have been obtained under a leasing system.

Everyone is in favor of treating the Indians fairly, and I am willing right now, in preference to this bill, to have the Government make a deed to every foot of this land to the individual Indians and let them sell or dispose of it as they see fit, so it will not be held perpetually by the Government exempt from taxation.

Mr. ASHURST. Mr. President, will the Senator yield to me for a moment?

Mr. SHAFROTH. I yield.

Mr. ASHURST. The Indian now owns the equitable title, and the Senator must know—for he is a practical legislator and a man of vast experience—that if we gave the Indian the fee, Anglo-Saxon domination and the land hunger of our race would soon result in overthrowing the Indian, and he would have no land left, and he would be at the doors of Congress petitioning for land upon which to live.

Mr. SHAFROTH. Well, Mr. President, barring the question of whether the Indians are capable of managing their own affairs, I would be willing that the United States Government should sell this land at the highest price it could get for it and turn the money over to the Indian fund to be used for their benefit. I do not want the Indians to be treated in any way that is not fair. In the past after allotments of lands to individual Indians for farming purposes have been made nearly all other lands of Indian reservations have been opened to settlement under the entry system both for farming and for mining purposes, the Government paying into the Indian fund a sum agreed upon with the Indians or the amounts realized by the Government in its sales of the lands at Government prices at not less than $1.25 per acre. If the price is too low, double or triple the Government prices but preserve the entry system. If the lands are not opened under that system, we are not going to get development. No great development can be made under a leasing system.

The Senator from New Mexico [Mr. FALL] said a little while ago it costs to open up a low-grade copper mine from $3,000,000 to $5,000,000. How can that money be obtained? The Senator knows very well that the capitalist never goes out upon the public domain and locates a mining claim. The man who locates a claim under the leasing system is obliged to go to a financial center for the purpose of getting the project financed; that is what they all do; and it is what they have got to do, especially in the case of a low-grade property. Whenever a locator goes to Wall Street and presents the matter to capitalists there and says, "I want a loan of $3,000,000 or $5,000,000," he is met with the question, "What is your title?" The answer is, "My title is a lease." "A lease that can be forfeited?" "Yes." The final answer then follows, "We can not lend money on a lease that can be forfeited and our security thereby destroyed." What man is going to lend any considerable sum of money under such circumstances? If some person of a speculative nature wants to go in and take chances, he will offer his money at such a high rate of interest as to make development impossible.

Mr. President, the difficulty with the leasing system is that development on a large scale can not be made under it; it is impossible under it to finance big projects. That has been demonstrated by our experience in Alaska. We enacted a law providing for the leasing of coal lands in Alaska, but no development has followed there. There is less population in Alaska today than there was 15 years ago. When men interested in Alaskan coal projects have gone to New York, as I have been informed, and have presented the matter to bankers there, they have been told, "We will not lend any money on a lease, but we will lend the money if you have a title to your coal lands."

Under the leasing system, I repeat, it is impossible to finance a mining enterprise that requires a large development fund and if the miner or prospector can not finance the mining scheme no extensive development can take place. Mr. President, it was never intended that a foot of land outside of that which is retained for governmental purposes, should be held exempt from all taxation forever.

Mr. GRONNA. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. SHAFROTH. I yield to the Senator.

Mr. GRONNA. The Senator is aware of the fact, is he not, that oil lands on Indian reservations in the State of Oklahoma are being leased now?

Mr. SHAFROTH. Sometime in the past some leasing measure of a local nature has been proposed, and under the so-called senatorial courtesy of this body, the Senator in whose State the lands are located would be asked, "Is it satisfactory to you?" The reply would be, "Yes"; and the measure would go through. I understand that; but I can see that there is a distinction between the leasing of oil lands and the leasing of coal and mineral lands. In the case of oil lands, the development is not financed through loans as a rule. It does not require large capital to sink an oil well. People of a speculative nature may undertake it; but such a thing as taking a long-time mortgage on oil lands does not exist.

Mr. GRONNA. Mr. President, will the Senator pardon another interruption there?

Mr. SHAFROTH. Yes, sir.

Mr. GRONNA. The Senator knows that about a year ago people were here by the hundreds, it might be said, anxious to have extended oil leases upon Indian lands in the State of Oklahoma; not only were they anxious to have the leases extended, but they paid double the amount of royalty which they had been paying in the past.

Mr. SHAFROTH. That may be.

Mr. GRONNA. Which shows that they have made a success of the business. So it is hardly fair for the Senator to say that the business of leasing land in Indian reservations has not been successful.

Mr. SHAFROTH. Well, Mr. President, I have not any doubt that where oil has been discovered in Oklahoma and wells have been sunk that leases can be obtained on adjacent property and some development can be obtained. The Senate passed a bill about six months ago providing for the leasing of oil lands; but when you come to the matter of leasing coal lands or copper lands or lands containing any of the base or precious metals, extensive development is not going to take place under a leasing system, because it is impossible to finance such projects. Why is it that in Alaska no coal leases have been made? Why is it that the Alaskan coal lands, which were said to be the richest in the world, have not been made use of at all? Because in order to develop a coal mine which can compete with the large coal producers it takes capital of a million or more to buy the modern machinery and equipment, and perhaps another million dollars or so to build a railroad to connect with a main line. This is always done by a mortgage loan, and no one will make such a loan upon a lease which can be forfeited on many grounds.

The Senator is a banker. Suppose a man should come to him with a lease and say, "I want to borrow some money on my lease." The Senator would look at his title and would ask, "Can the lease be forfeited?" If the answer were "Yes," the Senator would say, "I can not lend money on that title. It would not pay me to do so. The lease may be forfeited to-morrow; you may fail to pay your royalty, or some of your employees may combine and confederate for the purpose of cheating the landlord, and that will absolutely vitiate the lease."

For that reason the banker-capitalist would say: "No; I am not in the coal business, I am not in the copper business; I am in the lending business; and I want to lend this money at a reasonable rate of interest; but I can not risk any such forfeiture as might be declared."

Mr. GRONNA. Mr. President, the Senator has referred to me. Let me say, for the Senator's information, that it developed in our hearings that the Standard Oil Co. had loaned one single corporation over $3,000,000 on oil leases in Oklahoma.

Mr. SHAFROTH. Oh, with a large area and a great many thousand wells, especially where there is some company that has an idea of acquiring the wells for itself, it might be that it would do it as a speculative venture, and I can see that perhaps that would be the case; but when you go into the open market to borrow money upon a lease made by the Government, you can not find persons that will lend money for that purpose.

Mr. KING. Mr. President, will the Senator yield?

Mr. GRONNA. I yield.

Mr. KING. I want to say to the Senator from North Dakota, in response to what he has just stated, that the Standard Oil Co. and other large companies of the United States, because of the great losses which they sustained in boring for oil, in try-

ing to discover oil, have almost entirely abandoned that sort of enterprise. They have encouraged the poor man to go out and spend his money and find the oil, and then they have come along and put in the pipe line and have taken the oil; but the Standard Oil Co. and the other large corporations of the United States engaged in the refining business have almost entirely gone out of the business of discovering and mining for the oil, preferring that other people shall run the risks. Then, when the oil is discovered, they come in with their pipe line and control the price.

Mr. GRONNA. If the Senator will permit me, I will say that his statement is exactly in accordance with the testimony before our committee.

Mr. KING. Then, if the Senator from Colorado will still pardon me, the announcement just made by my distinguished friend corroborates the position taken by the Senator from Colorado, that corporations, that bankers, that men who have money, do not want to loan it upon an uncertain title. Indeed, they ought not to. The Senator from North Dakota would be committing a wrong against the depositors of his bank if he should loan their money to me or to the Senator from Colorado or to anybody else engaged in mining where we did not have a good title, if our title was subject to forfeiture if we committed waste or if some of our employees neglected to timber the mine as they ought to timber it. The Senator will see that if he should loan money to us with such a precarious title as that he would subject himself to censure. Indeed, he might subject himself to prosecution.

Mr. GRONNA. Mr. President, I do not want to disturb the Senator from Colorado; but while it is true that in the particular instance to which I have referred the Standard Oil Co. had loaned money to this party, it is also true that in many instances very prominent banks had loaned money to men who were operating these oil leases.

Mr. President, I have not any doubt that individual signatures upon paper are acceptable at banks; I have not any doubt about that; and if a man is known to have wealth or a number of oil wells yielding a great flow of oil, banks would probably lend him money on 90-day paper. But in order to finance a great, big property, such as was cited by the Senator from New Mexico [Mr. FALL], one that would involve the borrowing of from three to five million dollars, where is the individual that would think of lending money upon a title that might be forfeited? Why, he would be insane to do it. Men are not going to make such loans unless they are to get a part of the profits, and usually men who have these large sums do not go into these speculative enterprises.

Mr. President, it does seem to me that this bill is predicated on a wrong theory, and I predict that you are not going to have any large development under it. You may have some oil development. You may have some placer production, because it takes very little capital to operate a placer mine on a limited scale. If there is a discovery of oil in some locality close to an Indian reserve and it is also found on the Indian reserve, you will find, perhaps, that some men with a venturesome spirit will sink wells there and perhaps make some development in that way; but as to financing any enterprise such as the Utah Copper Co., which has probably taken out of the earth from three to five hundred million dollars in copper, it is impossible. Governor Spry, of that State, in an examination before the Public Lands Committee about two years ago, made the following statement:

> We have the Utah Copper Co. out there in Salt Lake Valley, operating at Bingham Canyon, about 20 miles from the city. There is a company that went in there and solely because of confidence in that dirt spent $30,000,000 before they had $1 returned to them from profits. * * * If we had put that proposition—

Referring to the leasing system—

> up to the Utah Copper Co. they would have laughed at it.

It is clear to my mind that under a leasing system it will be impossible to produce development on a large scale of the natural resources of our public lands.

THE GOVERNMENT SHOULD NEVER BECOME A LANDLORD TO ITS CITIZENS.

Mr. President, the Government is not the best landlord. There is a natural conflict of interest between a tenant and his landlord, and therefore that relation should not exist between a Government and its citizens. The enforcement of forfeiture provisions creates dissatisfaction and discontent upon the part of citizens, when contentment and loyalty ought to exist. People are afraid of Government landlordism administered by a distant bureau. We know that public officials are human; that they are afraid of public criticism. If they waive forfeiture provisions they are apt to be severely censured for so doing. The opposite political party is likely to regard such acts as detrimental to the Government, as gifts of the Government's property, whereas in the case of a private landlord no criticism can be made for waiving or reducing royalties and for other causes of forfeiture, because the property is his own and the public is not interested in it. The public official knows that if he insists on the letter of the contract he will get no censure from the general public, but if he waives provisions of the lease he may be regarded as having sold out the interest of the Government. Under those circumstances he is almost compelled to be a harsh and severe landlord. Tenants know that if they have a dispute with the Government officials as to the terms of the lease they can not afford to fight the Government.

For these reasons the citizens generally would refuse to enter into leases with the Government as to undeveloped mines.

WRONG TO PREVENT STATE FROM TAXING LANDS SITUATE THEREIN.

Mr. President, it was never intended that the Indians should be located on lands the title to which should forever remain in the Indians or in the Government for the use of the Indians, because that necessarily would mean perpetual ownership in the Government, which carries along with it the law that no taxes can be levied thereon for State, county, or school purposes.

Mr. President, I should like to ask the Senator from North Dakota a question. Does he think it is right that land should be held by the Government in perpetuity, free and exempt from taxation for school purposes, for county purposes, and for State purposes? Does he not recognize that whenever you pass a leasing bill it means perpetual ownership in the Government, either as trustee for the Indians or for the United States itself, and is that fair?

Mr. GRONNA. Mr. President, the Senator, has asked me a question, and I feel that I ought to answer it.

I agree with the Senator from Colorado that these vast areas of land which at times have been set aside perhaps have not been justified. If reservations have been set aside that were larger than they ought to have been, of course I do not justify that; but the Senator from Colorado knows as well as I do, and much better, that lands which have been actually set aside for the Indians will be deeded to the Indians whenever they become competent, and that when those lands will be assessed and will be taxed the same as the lands of other individuals. The Senator knows that.

Mr. SHAFROTH. I know that that is the case after the agricultural land is allotted and goes to the Indians. That is all true; but the danger is that under this leasing system there will never be any sale of the mineral lands. Leases will be extended year after year, and there will never be any revenue from such lands for the State or county or schools. There never was an intention upon the part of the founders of our Government that any area contained within the limits of any State, unless it was for governmental purposes, should be permanently exempt from taxation. The power to tax is the power to destroy, and the power to exempt from taxation, is the power to take away the revenues necessary for the maintenance of State government.

Mr. POINDEXTER. Mr. President, will the Senator allow me to ask him a question?

Mr. SHAFROTH. Yes, sir.

Mr. POINDEXTER. Does the Senator believe that the opening up of a mine on an Indian reservation will reduce the revenues of either the State or the Federal Government?

Mr. SHAFROTH. It may depend upon the size of the reservation. Of course, where States have small amounts of reserved lands it may be that it will not seriously affect the matter.

Mr. POINDEXTER. Would it not, as a matter of fact, affect it? It would bring into the light of day the metals, many of them precious metals, which are now hidden in the depths of the ground and reduce them to possession and to use and make them the subject of taxation and consequently increase the revenues of the government of the States and of the Federal Government and the prosperity of the community.

Mr. SHAFROTH. Oh, as a matter of fact, to a limited extent that is true; but it is not true to the extent necessary. These ores would be shipped and, of course, they would get into industries, and they would aid and assist commerce generally; but, so far as Arizona is concerned, in this case it would not get as much relatively as if the land were in private ownership, subject to taxation. A factory is some benefit to a community, but who would think of exempting from taxation forever the factory?

Mr. President, it can readily be seen, if an extreme case is taken, just what a hardship it is; and right here I want to direct attention to the fact that taxation is an enormous burden. I mean by that that in the course of 30 years the taxes upon property in a State, with reasonable interest on each yearly payment, ordinarily equal the value of the property taxed. In other words, every 30 years the State, county, and schools will lose the value of the property when it is exempt from taxation. Exemption from taxation will make the balance of the inhabitants of the State pay for maintaining the Government

that share which the exempted lands would pay; and consequently it is doing a great wrong to the inhabitants of the States that have to make up this deficiency by increased taxation upon their own property.

Mr. President, down East perhaps exemption from taxation might not be so serious a matter; it may be that you have lower taxes here; but I know that out in my country to exempt a piece of property from taxation for 30 years means that the State is making a present of the value of that property to the person in whose favor it is exempted, not once only but every 30 years. That being the case, it can not be fair to the other inhabitants of the State who pay the school taxes, the State taxes, and the county taxes for the purpose of maintaining government over the very lands opened up under this bill under a leasing system.

Mr. President, it never was the intention of the framers of our Government that any land should be perpetually exempt from taxation for State, county, or school purposes. I think so because you can not maintain a republican form of government, which our Constitution requires, in a State without having power to tax; you can not maintain your schools, you can not maintain your county government, you can not maintain your State government; and consequently, it is wrong to pass any law here that will deprive a State perpetually of the taxes that are necessary to be raised in order to maintain a government in the State.

That being the case, I do not think it is right. To my mind, it is clearly an invasion of the rights of the State.

THE LEASING SYSTEM SHOULD NEVER BE APPLIED TO PRECIOUS-METAL MINES.

Mr. President, gold and silver have always been regarded as the most essential of all the metals because they have formed the basis upon which all moneys and credits of the world have been founded. They have universally been recognized as the life blood of commerce. All governments have at all times regarded the production or importation of the precious metals as indispensable to the advancement and prosperity of their peoples and have formed the greatest of all the factors in the advancement of the civilization of the world. The United States Government, recognizing this supreme importance, passed liberal laws to encourage the discovery and production of these metals.

Mr. President, this is the first time any serious attempt has been made in our country to extend the leasing system to gold and silver mines and thereby discourage the production of these metals. Tremendous development has been made under the present entry system by which title is obtained by the prospector as a reward for his discovery. The patent to the mine is issued upon the payment to the Government of $5 per acre and the performance of $500 worth of development work. Under this system in the United States more than $3,000,000,000 in these precious metals have been produced and poured into the channels of trade and industry. While the areas of the Indian reservations are small compared to the total public domain, yet the passage of this bill will be claimed as a precedent for extending the leasing system to all the mineral lands of our country. The so-called conservationists have for years advocated the extension of the leasing system to the precious-metal mines on the public domain. Now is the time of all others when the precious metals should be produced in large quantities, in order to maintain specie payments of the enormous paper currencies which have been issued by all nations since the commencement of the present war.

Mr. President, this bill is wrong, wrong in its conception, wrong in its principle. It, in my judgment, violates the rights of the States in curtailing their taxing power. It will become ineffective, because you can not finance these enterprises without borrowing money. Men will not lend money on a leasehold estate that might be forfeited the next day. It therefore will discourage production and if extended to the public domain will produce havoc in the Rocky Mountain region and general depression throughout the Union.

Mr. PITTMAN. Mr. President, I am sorry the Senator from Washington [Mr. POINDEXTER] is not here. I trust that a page will notify him. However, I will say something to the Senator from Colorado [Mr. SHAFROTH] in the meantime. I have a high regard for his opinion concerning the development of the public domain. In fact, I agree with him in regard to the ineffectiveness of the leasing system by comparison with the ownership system. It will be my effort at all times, while acting in a legislative capacity, to attempt to prevent the extension of the leasing system to metalliferous ores on the public domain. I have time and time again stated my reasons for such position. I think when you do that you are going to cease to find metalliferous ores on the public domain. I do not believe that to-day we would be known in the West as a great mining country if it were not for the inducement held out to the prospector. I have a very high regard for mining engineers and mining geologists, yet I do not know that I ever heard that they discovered anything at all until after the prospector had discovered it.

Mr. SHAFROTH. Let me state to the Senator that the geological authorities in the United States agreed unanimously that in the formation around Cripple Creek, Colo., it was impossible to find any gold ore, and it has produced over $300,000,000 in gold.

Mr. PITTMAN. The same is true with regard to a great many other great mining sections as that of which the Senator from Colorado has just spoken. Nearly every great metalliferous mine is found almost, you might say, by accident. It is hidden away in the mountain or in the desert. It is in places where the ordinary man will not go. It requires a peculiarly hopeful disposition. It requires a man who can isolate himself from society; who can go out and live alone for months and months in the wintertime and in the burning heat, who can endure every manner of deprivation that can be known to man; and the reason why he goes is because of the opportunity it gives to a poor man to make a great fortune. Take that incentive away and he will cease to find your gold and silver, lead, copper, and zinc mines. Oil will possibly be found by geologists, great coal fields may be found by geologists, but we are dealing now with metalliferous mines, and they will not be found by them.

I am willing to vote for this bill provided it is limited in its scope to Indian reservations, and the reason why I am forced to do that is because the Government controls those lands to-day for the benefit of the Indians. It controls the minerals in that land just as much as it controls the surface of the land, and it is going to maintain that control, and no matter what we may do or what we may say the minerals will lie undeveloped in those Indians reservations forever unless we continue to allow the Government to continue control of the development of such minerals.

Now, then, I desire to have the attention of the Senator from Washington [Mr. POINDEXTER]. The Senator from Washington objects to my amendment on the ground that it is the attempted establishment of a new and radical policy with regard to our public domains. I can not agree with the Senator from Washington in that view. If it were, I would readily understand why with this attendance and at this late hour we might object to the consideration of it. But the amendment does not announce a new policy. I have simply introduced an amendment to this bill stating that hereafter the President of the United States shall not be allowed, by word of mouth or writen proclamation, to throw all the public lands in my State into an Indian reserve; and yet he now has that power, under the peculiar construction of the existing statutes. Of course such an act would only be done for one purpose, and that would be to perpetuate control over the minerals in public lands. Why? Because the Indian reserves in my State are to-day larger than are required for the Indians there. As a matter of fact, instead of increasing those reservations in past years they have been decreased, and that is true, I believe, with regard to nearly all the West. There is no necessity to increase them unless it be for the purpose of subverting this bill to a general leasing system with regard to gold and silver, lead and copper, throughout all the public domain of the country, and that is not the purpose of the framers of the bill or the Committee on Indian Affairs.

Mr. JOHNSON of South Dakota. Mr. President, I should like to ask the Senator from Nevada a question. Why is it that he is favorable to limiting this leasing proposition to Indian reservations? I understood him to say that it is because they are under the control of the Government. The thought has occurred to me, are not all the public lands equally under the control of the Government?

Mr. PITTMAN. That is a very natural thought, I must say. There was a time when we believed that the Government was synonymous with the people of the country. Development in recent years has caused us to realize our mistake. Everything on the public lands is in control of the people of the United States, but the Government has segregated from its control of the public lands for the benefit of all the people of a portion for the special use and benefit of the Indians. The Government recognizes that it is the special guardian of the Indians. It recognizes that it should retain the control of everything the Indian owns for the benefit of the Indian. That is the guardianship established by reason of the unfortunate ignorance of the Indian.

Now the Government wishes to extend that same guardianship to all the people of this country when the same ignorance and the cause do not exist. That is what I am fighting, and I

must fight it at all times. At the present time the Commissioner of Indian Affairs could recommend to the President of the United States that 60,000,000 acres of public land in our State should be taken into an Indian reserve, and if that order were made and this bill became a law, every prospector would be driven out of Nevada and the hope of discovering new gold and silver mines would be forever ended.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Washington?

Mr. PITTMAN. Certainly.

Mr. POINDEXTER. I appreciate the object which the Senator has in view, and it seems to me that there might be considerable merit in it if the Senator's amendment were confined to that object. It could be accomplished by a proviso "that this act shall not apply to any land hereafter withdrawn without a special enactment of Congress." It is not necessary to interfere with all kinds of public-land withdrawals, forest reserves, the modification of the boundaries of forest reserves and reserves for special purposes in order to avoid the application of the leasing principle to mineral lands on them. That may be taken care of by a proviso.

Mr. PITTMAN. I am certain now that the Senator from Washington misunderstands the exact language of the amendment. The amendment that I offered only limits the President in his power of withdrawal by Executive order to Indian reservations. It does not affect the power of the President to reserve any quantity of land for military purposes or for forest reserves or for any other public purpose except for Indian reservations.

Mr. POINDEXTER. I did misunderstand the amendment, if that is the language. My understanding of it was that it prohibited all, but if it relates only to Indian reservations, why, without submitting the matter to a committee and opportunity for consideration and for an examination of the policy upon which the present law is founded, should we change the existing law, when it is not necessary to do so in order to accomplish the object which the Senator from Nevada has in view? Why interfere with the Executive authority as it is established under existing law, in cases where it may be wise to do it, to set aside land for an Indian reserve in order to prevent the application of the leasing of mineral lands upon such reservations as may hereafter be established, when the object may be accomplished in the manner I suggested a moment ago by a proviso that this act, which is an act confined to the matter of leasing mineral lands, shall not apply to lands withdrawn hereafter? I am not advised, I am perfectly willing to confess, of the extent of the authority which the Executive now has, as the Senator from Nevada has just stated, to set aside portions of the public land for Indian reservations. I should like to be better advised about that before voting on it. I should like to have the question submitted to the committee. It ought to be submitted to the Committee on Indian Affairs, and we should have a report upon that question. I am perfectly willing to support the Senator from Nevada in his proposition that this law shall not apply to such lands as that.

Mr. PITTMAN. If the Committee on Indian Affairs had not considered such a matter as this, there might be something in the suggestion the Senator has made, but the Committee on Indian Affairs has just adopted the policy with regard to these matters in entire accord with the amendment that the Senator from Nevada has offered. Not only has the committee recommended that policy to both Houses of Congress, but Congress has adopted it. The last Indian appropriation bill contained a provision to this effect, that hereafter no further public lands shall be reserved for the purpose of Indian reservations without an act of Congress. That was considered by the committees of both Houses, it passed both bodies, and I am simply extending to the State of Nevada what Congress has seen wise to extend to the States of New Mexico and Arizona; that is all. It is not a new policy.

Until 1909 I do not believe there was a Senator in this body who believed for one moment that the President of the United States had any control whatever over the public domain or any authority to withdraw it from use or occupation for any particular purpose without the authority of Congress.

Mr. Taft, then President of the United States, in 1909 did withdraw a great deal of land for reservations of various kinds, and at that time on the floor of this body nearly every Senator concurred in the opinion that he had no constitutional authority to do it. But the Supreme Court of the United States sustained that authority, and since that time what has happened? Since that time Congress has enacted a law that in a number of the Western States—in fact, in every Western State—where the request was made for the limitation, the President should have no authority to withdraw any land for forest reserves without an express act of Congress. That was following right after the Supreme Court decision. The Congress of the United States having established such policy, they went on further in the Indian appropriation bill and stated expressly that the President of the United States could withdraw no further lands in New Mexico and Arizona for Indian purposes without express act of Congress. We went further than that in the general leasing bill which is now in conference between the two Houses and which has passed both bodies. We find the proviso, section 34 of the Senate bill, provided:

> That hereafter no public lands of the United States containing minerals shall be withdrawn by Executive proclamation or otherwise, and no reserve of any character or description covering or including within its limits any mineral lands of the United States shall be created or established except by acts of Congress.

In other words, Congress time and time again since the decision of the Supreme Court of the United States sustaining the right of the President to withdraw land without authority of Congress under existing laws has established as the policy of the Government that Congress shall have exclusive control over the public domain, and I am simply proposing here to reenact a policy that has been established time and time again.

I want to say this: I am anxious to have my State included in this bill, not because I believe that leasing is the proper policy to extend to metalliferous ores, but because in Indian reservations now existing it is the only way those minerals can ever be developed. It is the only way that Congress will ever authorize them to be developed, and I know it; and I want everything in the West developed that can be developed. I shall vote for this bill. I want Nevada in this bill; I want the minerals of the Indian reservations developed under this bill, but at the same time I want this very act to say that it is the policy of this Government, established by Congress, that no more of these lands shall be treated as the chattel of any department or bureau, and that they shall not be withdrawn for any purpose whatever with regard to which this bill deals as Indian reserves without an express act of Congress. If this amendment of mine carries, I then will ask, without objection, to include Nevada in the bill as other States have been included. If it is not agreed to, then I do not want Nevada in the bill and, as a Senator of the United States as well as a Senator from my State, I will do everything in my power to prevent the subjection of the public lands of the West to any such institution.

Mr. POINDEXTER. May I ask the Senator from Nevada a question? I am not sure whether the Senator from Nevada or the Senator from Colorado stated a moment ago that there was no occasion, in his judgment, for the establishment of further Indian reservations. Does the Senator from Nevada apprehend that there are going to be established in Nevada by an Executive order any additional reservations, and is the question of any practical importance from that standpoint?

Mr. PITTMAN. I am perfectly confident that there will not be any additional reservations established; nor should they ever be established, in my opinion. On the contrary, they would be reduced, unless there be an incentive to increase the area of those reserved by reason of the power granted in this bill to lease minerals. I do not hesitate to say that, in my opinion, the departments have ambitions, and those ambitions very frequently lead them to stretch their powers beyond that which Congress intended that they should exercise. I would not want to trust to any department the power to extend any system over which they had control in my State without consideration by Congress, and I know they can do it under this bill. Of course, I can stay out of the bill on behalf of my State, I imagine. Still, I have considerable regard for those States which are included, particularly the State of Montana, whose Senators are now absent, and I must oppose the bill unless the amendment is agreed to.

Mr. FALL. Mr. President, I can not entertain the same fear expressed by the Senators who have spoken upon the policy of this bill. The bill does not change the policy of the Government, because there has been no policy which has allowed mining upon Indian reservations. This does establish a policy that there should be or may be mining on Indian reservations.

Mr. PITTMAN. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. PITTMAN. The policy which the Senator from Washington charges us with changing is the policy of prohibiting the President from withdrawing lands without an act of Congress.

Mr. FALL. I referred to the statement of the Senator from Colorado [Mr. SHAFROTH].

Mr. PITTMAN. Oh, I thought the Senator was referring to what the Senator from Washington [Mr. POINDEXTER] said.

Mr. FALL. No; I do not think I would have been correct in making that statement, in view of the amendment offered by the Senator from Nevada, which is pending.

Mr. President, the Senator from Colorado is not here, and life is too short, anyhow, to undertake to go into a general discussion of the departure which this Government has made from the old policy of individual initiative. That has been going on for a great many years, and I think it is going along very much more rapidly at the present time. I am one of those who have always been rather insistent that the State lands and minerals in the States should be developed not only with reference to the best interests of the people of the United States but with particular reference to the population of the State in which the lands or minerals were situated.

I want to remove one fear that has been expressed by the Senator from Colorado, that we will not be able to handle these lands, by simply calling attention to the fact that all the mines which have been developed by American capital in Mexico have been developed under practically a system similar to that proposed here; in other words, there is a lease provision, a forfeiture provision, in every mining title that has been granted in Mexico to people of the United States; and, as shown by the record, there were $500,000,000 invested in Mexico upon just such titles.

Mr. President, the amendment of the Senator from Nevada is an amendment similar to that which was adopted on the Indian appropriation bill, as he has stated, when it passed this body a short time ago, in reference to Arizona and New Mexico. I do think myself that the power of the Executive should be limited in the matter of withdrawals of public land. The President of the United States, irrespective of his great ability, of his great learning, whoever he may be, can not attend to all matters individually. Some clerk in the Indian Bureau or the Interior Department draws up a proclamation of withdrawal; it goes through the routine, and is finally approved and sent to the President of the United States as a message from the Secretary of the Interior, with his recommendation. We know exactly how those things come about. In the ordinary routine of business the President of the United States affixes his signature to a proclamation withdrawing from entry, either mineral or otherwise, large portions of our domain. We have undertaken to stop it, and Congress has stopped it in the States of New Mexico and Arizona. I can not see any force in the arguments that the Senator's amendment should not be adopted. I shall vote for it.

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). The question is on the adoption of the amendment offered by the Senator from Nevada [Mr. PITTMAN].

The amendment was agreed to.

Mr. PHELAN. Mr. President, I have submitted an amendment, which I desire to call up, adding the word "California" to the list of States.

Mr. PITTMAN. I have offered an amendment to the amendment, to include the State of Nevada.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 1, line 10, after the word "reservation," the amendment heretofore agreed to reads as follows:

Within the States of Arizona, New Mexico, Montana, or Washington.

Mr. PHELAN. Strike out "or" and add "California or Nevada."

The PRESIDING OFFICER. The vote by which the amendment was agreed to will be reconsidered and the amendment to the amendment will be stated.

The SECRETARY. Before the word "Washington" and after the word "Wyoming" insert the words "California, Nevada," so as to read:

Within the States of New Mexico, Arizona, Montana, Wyoming, California, Nevada, or Washington.

Mr. ASHURST. I suggest that the Secretary be authorized to put the States alphabetically following the usual order in which States are named.

The PRESIDING OFFICER. Without objection, it will be so ordered. The question is on agreeing to the amendment of the Senator from California [Mr. PHELAN] to the amendment.

Mr. POINDEXTER. I should like to have read again the amendment just adopted offered by the Senator from Nevada [Mr. PITTMAN]. I have not seen it in writing and I do not understand distinctly just what its exact terms are.

The SECRETARY. The Senator from Nevada proposed to add a new section as section 4, to read as follows:

That hereafter no public land of the United States shall be withdrawn by Executive order, proclamation, or otherwise for or as an Indian reservation except by act of Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ASHURST. Mr. President, I have nothing further to say on the bill except that the junior Senator from Utah [Mr. KING] stated to me a few moments ago that he wishes to address the Senate on the measure. I dislike to call for a quorum. I will ask one of the pages to notify the Senator from Utah. I should like to have all the amendments read again. I will not ask for a reading of the bill, but that the amendments be stated.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. The first amendment was, on page 1, line 10, after the word "reservation," to insert the words "within the States of Arizona, New Mexico, Montana, Wyoming, California, Nevada, or Washington."

On page 2, line 8, the Senator from Wisconsin [Mr. LENROOT] offered the following amendment:

or such portions thereof as the Secretary of the Interior shall determine.

On page 5, line 9, the Senator from Utah [Mr. SMOOT] offered the following amendment:

Strike out the word "gross" and insert the word "net."

The amendment of the Senator from Nevada [Mr. PITTMAN] is to add as a new section the following:

SEC. 15. That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or otherwise for or as an Indian reservation except by act of Congress.

The PRESIDING OFFICER. If there be no further amendments as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. GRONNA. Mr. President, as I understand, section 8 now remains as it was reported from the committee, with the exception of the amendment offered by the Senator from Utah [Mr. SMOOT] inserting the word "net" instead of the word "gross," in line 9, on page 5.

The PRESIDING OFFICER. That is correct, as the Chair is informed.

Mr. GRONNA. I understand that at one time the amendment proposed by the Senator from New Mexico [Mr. FALL] was adopted, to strike out the word "five" before the words "per centum," and to insert "one," but that the vote whereby that amendment was agreed to was reconsidered. Am I correct?

The PRESIDING OFFICER. That is correct, as the Chair is informed.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ASHURST. Mr. President, I ask unanimous consent that the bill as amended be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill as passed is as follows:

A bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation within the States of Arizona, California, Montana, Nevada, New Mexico, Washington, or Wyoming, heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

SEC. 2. That after the passage and approval of this act, unallotted lands, or such portion thereof as the Secretary of the Interior shall determine, within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided*, That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further*, That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further*, That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

SEC. 3. That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided*, That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the net value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their education, support, and civilization.

SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

SEC. 13. That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products, and the disposition of the proceeds thereof of any such mine by such Indians.

SEC. 14. That the provisions of this act shall not apply to the Five Civilized Tribes and Osage Nation of Indians in Oklahoma.

SEC. 15. That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or otherwise, for or as an Indian reservation, except by act of Congress.

INCREASE OF SALARIES OF BOILER INSPECTORS.

Mr. ROBINSON. Mr. President, I move that the Senate proceed to the consideration of House bill 10297, to amend an act entitled "An act to promote the safety of employees and travelers upon railroads," and so forth.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas.

Mr. BRANDEGEE. Mr. President, let the title of the bill be read before we vote on the motion to proceed to its consideration. I did not understand the title of the bill.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The SECRETARY. A bill (H. R. 10297) to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

Mr. ROBINSON. Mr. President, I will state for the information of the Senator from Connecticut [Mr. BRANDEGEE] that the bill proposes to increase the compensation of the chief inspector, the assistant inspectors, and the district inspectors serving under the locomotive-inspection acts.

Mr. SMOOT. How much is it proposed to increase those salaries?

Mr. ROBINSON. It is proposed to increase the chief inspector's salary from $4,000 to $5,000, the assistant inspectors' salaries from $3,000 to $4,000, and the district inspectors' salaries from $1,800 to $3,000. It effects a total annual increase of $63,000.

The measure is very earnestly recommended by members of the Interstate Commerce Commission, particularly by Mr. McChord, and is also advocated by others connected with the railroad administration.

Mr. SMOOT. Mr. President, does not the Senator from Arkansas think that the bill proposes an exceedingly large increase in salary of the district inspectors—from $1,800 to $3,000?

Mr. ROBINSON. No. I will state to the Senator from Utah that this matter was very carefully investigated by the House Committee on Interstate and Foreign Commerce. Hearings were had and the subject was gone into very fully. Those hearings were reviewed by members of the Interstate Commerce Committee of the Senate, and the conclusion was reached that these increases are necessary and proper. As I have stated, they are recommended by representatives of the Interstate Commerce Commission and by some others connected with the administration of the railroads.

Mr. SMOOT. It is an increase of nearly 70 per cent.

Mr. ROBINSON. That is true; but these salaries were first fixed by the act of 1911 providing for the inspection of boilers. Subsequently the act of 1915 was passed, requiring the inspection of tenders and locomotives as a whole. In addition to that, these men are now performing the service, under the Federal control of railroads, of keeping the locomotives in good condition, or of seeing that this is done. The service is a very important and a very arduous one, and has paid for itself thousands of times over.

Mr. TOWNSEND. Mr. President——

Mr. ROBINSON. I yield to the Senator from Michigan.

Mr. TOWNSEND. Mr. President, I should like also to state to the Senator from Utah [Mr. SMOOT] that when the original law was passed not only were these salaries low but the positions were considered of doubtful importance. It was a question as to whether or not they were going to be of any benefit to the operation of railroads in this country. It has now been demonstrated that there is nothing which has been done in the way of railroad regulations which has been more effective in conserving life and saving life than the passage of this particular measure. A salary of $3,000 a year under existing circumstances for these men, who are qualified as they must be to perform the service they are now performing, was not regarded by the committee as at all exorbitant.

Mr. SMITH of South Carolina. Mr. President, I desire to corroborate what the Senator from Arkansas [Mr. ROBINSON], who has charge of this bill, has said. I do not think there is a more important function in connection with all the railroad service than the one for the performance of which this very small increase of salary is asked.

As to the inspection of boilers, as has been indicated by the Senator from Michigan [Mr. TOWNSEND], at first there was some doubt in the minds of the people about it; but when it got into operation that doubt disappeared. There is not a railroad in my home town, which happens to be a railroad center, and there is not a railroad in this country the efficiency of which has not been vastly improved by the service. Hundreds of lives have been saved by this expert boiler inspection, which is detached from the railroads themselves.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arkansas to proceed to the consideration of the bill named by him.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911, as amended, be, and is hereby, amended as follows:

"Amend section 3 so as to provide that the salary of the chief inspector shall be $5,000 per year; the salary of each assistant inspector shall be $4,000 per year.

"Amend section 4 so as to provide that the salary of each district inspector shall be $3,000 per year."

SEC. 2. Nothing herein contained shall be construed as amending, altering, or repealing any of the other provisions of said sections.

Mr. KING. Mr. President, I should like to ask the Senator from Arkansas, in view of the fact, as I understood from my colleague [Mr. SMOOT], that this increase of salary was an increase of 70 per cent, whether it is fair and wise and just to make it permanent? I can see that in the light of the increase in living expenses, and in view of the fact that there is a very material increase in compensation in nearly every department of labor, there should be some increase in this case in the compensation allowed; but we have proceeded in much of our legislation increasing salaries upon the theory that the compensation was only to be for the period of the war. Where we have allowed employees of the Government here increased compensation it has been fixed for one year. There may be instances where the increase of compensation has been continued, but with such a large increase it seems to me, at least with the information that I now possess, it would be unjust to fasten this large increase upon the country as a permanent thing.

Mr. ROBINSON. The junior Senator from Utah [Mr. KING] has asked me whether or not this increase in compensation to these inspectors should be made permanent. In reply I say that it should; and I am prepared to demonstrate that the proposition is a fair and a just one, and that this subject has no intimate relationship to the war, and, for that matter, the so-called high cost of living is not the sole or even the principal justification for the proposed increases.

In the first place, the increase in the salaries provided is not exactly as stated by the senior Senator from Utah [Mr. SMOOT]. It is proposed by this bill to increase the salary of the chief inspector from $4,000 to $5,000; it is also proposed to increase the salaries of the assistant inspectors from $3,000 to $4,000 and to increase the salaries of the district inspectors from $1,800 to $3,000.

The senior Senator from Utah a few moments ago made the suggestion that the proposed increase of the salaries of the district inspectors—that is, the increase from $1,800 to $3,000—is a very large increase. That is true; but the salary, as stated by the Senator from Michigan [Mr. TOWNSEND], in the first instance was entirely too low; it was inadequate for the service performed and is totally inadequate for the service to be performed.

Now, I propose to show from the record something of what this service has been doing. Take the years 1912, 1913, 1914, and 1915. In 1912 there were 74,234 locomotives inspected; in 1913 there were 90,346 inspected; in 1914 there were 92,716 inspected; and in 1915 there were 73,463 inspected. The number found defective for those respective years was, in round numbers, 48,000, 54,000, 49,000, and 32,000. The percentage found defective was, in round numbers, 65, 60, 52, and 44 for the same years. The number ordered out of service was 3,377, 4,676, 3,365, and 2,027 for the respective years mentioned.

Now, if you will take the results actually accomplished, you will find that this service has resulted in a very gratifying reduction as to the number of accidents, the number of persons injured, and the number of persons killed. For instance, in 1912 the number of persons killed was 22, the number injured 310; in 1913 the number killed was 12, the number injured was 268; in 1914 the number killed was 8, the number injured 187; and in 1915 the number killed was only 5, while the number injured was 150. It will be found that that ratio holds good as to all classes of employees.

This service has resulted in a reduction of the number of accidents occurring on the railroads of the United States by more than one-half; in a reduction of the number of persons killed to approximately one-fourth; and in the number of persons injured to about one-half compared with the number killed and injured prior to the establishment of the inspection. In addition to the service which these inspectors are now required to perform under the original act of 1911, which fixed their salaries, and under the act of 1915, which more than doubled the amount of work to be done, they are now keeping the locomotives in good condition. The chief inspector is performing that service as a sort of war obligation, and the inspectors are loyally cooperating with him in this work. As a matter of fact, the total number of inspectors in the service is insufficient to do the work required. They are working an excessive number of hours, and under a very great strain.

The increased work which has been put upon the railroad companies incident to the war makes it of imperative necessity that this inspection service be improved in every important particular; and I respectfully submit, in view of the fact that these inspectors can secure in private employment higher compensation than is carried by this bill, if they choose to quit the Government service, the salary of $3,000 a year for the district inspectors is reasonable, certainly not excessive. The other salaries are of a like character as to reasonableness. They are all fair and just.

The total increase which this bill, if passed, will impose upon the Treasury of the United States is $63,000 a year, a comparatively insignificant sum. It is true that if it is excessive in any particular the increase ought not to be granted; but, in my judgment, based upon the investigations of those who are experienced in the subject of the inspection of locomotives, the salaries are very reasonable and in every sense just.

Mr. VARDAMAN. Mr. President——

Mr. ROBINSON. I yield to the Senator.

Mr. VARDAMAN. May I ask the Senator what is the average salary?

Mr. ROBINSON. Well, there are three classes of salaries provided for in the bill. The district inspectors now receive $1,800, which is totally inadequate. This bill proposes to increase their salaries to $3,000 a year. It is of that increase, as I understand, that some complaint has been made by the senior Senator from Utah [Mr. SMOOT], and perhaps also by the junior Senator from Utah [Mr. KING]. The other increases, namely, those affecting the assistant inspectors, are from $3,000 to $4,000, and the increase in the salary of the chief inspector, as contemplated by this bill, is from $4,000 to $5,000.

Mr. VARDAMAN. I do not think, if the Senator will permit me, considering the character of the work to be done and the responsibility imposed upon these men, together with the high cost of living, that the salaries provided in the bill are at all excessive. The laborer is worthy of his hire, and the Government of the United States can not afford to accept the services of faithful, honest, patriotic men without giving to those men ample and just compensation. To do this work properly the highest mechanical skill and a lofty sense of duty and obligation to the public is necessary. I have the same views on the subject of the Government's obligation to these men that I have regarding the steamboat-boiler inspectors. Not only is in their keeping valuable physical properties, but the protection of human life is also involved.

Mr. SMOOT. Mr. President, I have called attention to the increase in the salaries of these officials, because when I compared them with the salaries paid other officers of the Government, they seemed exceedingly high. I know, of course, that the bill will pass; I know that it would be idle to ask that there be a change made in the bill, nor would I ask that there be a change if the rates of compensation named in the bill are just. We are proposing to pay the chief inspector, Mr. President, if this bill passes, $5,000 a year. That is the same amount that is paid the Assistant Treasurers of the United States, the same that is paid to the Commissioner of Pensions, the Commissioner of the General Land Office, and to other officials some of them the most efficient executive officers of the Government.

Mr. VARDAMAN. But does the Senator think——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. VARDAMAN. Does the Senator think that the duties and functions performed by either of the men who fill the offices to which he has just referred are more important and require a higher degree of intelligence and prudence than the duties performed by the chief inspector?

Mr. SMOOT. I will say frankly to the Senator that I do. I think that the men holding the positions to which I have referred require a great deal more intelligence to direct the affairs of those great departments of the Government than is required for the chief inspector of boilers.

Mr. VARDAMAN. They are simply performing routine duties prescribed by law.

Mr. SMOOT. The Senator makes that statement, but I know that there are heads of departments who direct a great many matters of importance to the Government and to the people, and who work more hours than the boiler inspectors are called upon to work. I know that they are at their offices early and late; and I know that the responsibility upon them is great. I do not say that the responsibility of a boiler inspector is not of great importance, and I know that the work to which reference has

been made ought to be attended to, and ought to be attended to properly, but the figures show that for the last seven years it has been attended to properly and at the salaries which have been paid in the past.

What I should like to have done, Mr. President, is this: If there is to be a general increase in salaries made by the Government, the increase ought to be equalized as nearly as possible. We should not pick out a few men here and a few men there, and then come to the Senate and say, "These increases do not amount to very much, not to exceed $63,000." Why, Mr. President, if we increase the salaries of the poor laborer who is getting $400 a year and all other Government employees 70 per cent, as in the case of some of these inspectors we would have to impose additional taxes to meet that expense of some $300,000,000.

I know that the salaries of nearly all of the employees of the Government ought to be increased. It is true that there has been a partial agreement reached, I will say, by the conferees on the legislative appropriation bill providing that there shall be an increase of $120 a year in all salaries ranging from $400 up to and including salaries of $2,500, and where a salary is below $400, as in the case of charwomen who work only a few hours each day, the increase will be 30 per cent.

We have a bill on the calendar now to increase the compensation of printers and compositors and other employees of the Printing Office who are provided for by statute. We know that their salaries ought to be increased, and the Committee on Printing has reported an increase, which, in round numbers, will amount to 30 per cent. That was considered a rather large increase but was given partially to meet the demand which has been created in this time of war for printers in the District of Columbia and other parts of the country. In that bill, however, it is provided that the increase shall apply only during the war and six months thereafter. I say to the Senator from Arkansas that if we pass this bill and these increases are made the present salaries will never be restored.

Mr. ROBINSON. Mr. President, I will state frankly to the Senator from Utah that, in my opinion, this measure is designed as permanent legislation. The salaries heretofore paid have been inadequate, and the importance of the service justifies this increase, without regard to temporary or emergent conditions. I stated that frankly.

Mr. SMOOT. I heard the Senator make that statement.

Mr. ROBINSON. I did not know whether or not the Senator understood me.

Mr. SMOOT. I heard the Senator make that statement. Let me now in passing call attention to what is going to happen after this war is over——

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Illinois?

Mr. SMOOT. I yield.

Mr. LEWIS. Will the Senator allow me to ask him, as a member of the Committee on Printing, what particular reason the Senator has for declining to favor an increase up to 75 cents, when it has been recommended by the Public Printer and by other officials of the Government? Will the Senator be kind enough to let me know his reason?

Mr. SMOOT. I will be brief in answering the question; but when the bill providing the increases of compensation for employees of the Printing Office is before the Senate I will discuss the question more fully.

Mr. LEWIS. I beg the Senator's pardon, I thought that was the bill under discussion.

Mr. SMOOT. No; I have merely referred to it in connection with the increases proposed by the pending measure for boiler inspectors.

Mr. LEWIS. Then I will not press the Senator at this time.

Mr. SMOOT. I will say this much to the Senator in answer to his question: The bill as reported to the Senate provides for 65 cents an hour. The printers to-day are getting 55 cents an hour. That is an increase of virtually 20 per cent. Then on top of that increase of 20 per cent we are going to give them $120 a year additional, which virtually is another increase of 5 cents an hour, or of 10 per cent, which makes 30 per cent; and then, Mr. President, on top of that, all the printers in the printing office receive a leave of absence of 30 days a year. No other establishment outside of the Government grants such leave, and that would amount to about 10 per cent more, making a total in excess of what they would receive outside.

Mr. LEWIS. Mr. President, a little later, when that bill comes up, I shall be glad to discuss the question.

Mr. SMOOT. When that bill comes up I will say to the Senator we will go into the details and tell the Senate exactly what it will cost, what is being paid outside, why the committee submitted the report it did, and why the Senate Committee on Printing could not report the bill with a recommendation for an increase to 75 cents straight.

Mr. President, as I was about to say, I wanted simply to call the attention of the Senate to what I think is going to happen after this war is over. We are aware, of course, of the present high cost of living, and we know that men can go anywhere in the United States and secure employment almost at the wage they ask; it is not a question of how much the employer will give, but it is a question of how much the employee demands. When the war ceases the millions of men who are now engaged in war activities will have to seek employment, for the concerns which are now crowded with war work, engaged in the manufacture of war materials, will have to turn to the manufacture of other articles, as the market for war supplies will cease almost as soon as the war ends.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I yield.

Mr. VARDAMAN. The Senator, as I understand him, is willing to raise the salaries at this time sufficient to meet the increased cost of living?

Mr. SMOOT. I am.

Mr. VARDAMAN. Would the Senator be in favor, under the new dispensation which he has just pictured——

Mr. SMOOT. No; I have not had time to do that as yet.

Mr. VARDAMAN. But the Senator, then, would be in favor, when conditions change, to go back to a reasonable salary?

Mr. SMOOT. That is exactly my position.

Mr. VARDAMAN. Well, if the Senator is willing to do that, and he desires to do it, does not the able Senator think it a fair presumption to indulge that other Senators and Members of the House will be guided by the same lofty motives and ideals which prompt the Senator from Utah in the performance of his duty now?

Mr. SMOOT. The Senator from Utah has only the past to judge by. I will say now to the Senator from Mississippi that during the 16 years that I have been a Member of this body I have never seen a salary fixed by statute decreased.

Mr. VARDAMAN. Has the Senator ever attempted to decrease a salary raised above what he thought proper or an adequate salary? In other words, has the Senator ever undertaken to correct a wrong of that character after time and trial have demonstrated the error?

Mr. SMOOT. No, Mr. President. Older Senators than I am have advised me that their experience has been that salaries have never been decreased.

Mr. VARDAMAN. Well, I wish to say to the Senator——

Mr. SMOOT. And there is no earthly need of trying it, because the Senator knows that they would not be decreased, particularly in the case of the salary of an employee who belonged to an organization.

Mr. VARDAMAN. I wish to say that, following the Senator's patriotic lead, I think he can safely indulge the presumption that all Senators are going to do the right thing under all circumstances, and when salaries are too high they are going to reduce them, as they will raise them and ought to raise them when the salaries are too low.

Mr. SMOOT. If the time ever comes when there is a statutory salary decreased I think I will have heart failure. I will say now to the Senator that he can not get it decreased, nor can any other Senator get it decreased, judging from the past.

Mr. VARDAMAN. I want to say to the Senator that I may not be able to accomplish it; the Senator may be right in his judgment of his fellow Senators; but I am not going to say that Senators will not do the right thing until we try them out and they prove themselves recreant. When I think a certain thing is right I always indulge the presumption that my fellow citizen is going to do that which I think ought to be done. I think that a safe rule to live by.

Mr. SMOOT. I hope the Senator will remain in the Senate long enough, and when times are normal again, and when men are seeking employment, as they will be doing, I hope the Senator will undertake to see that a salary fixed by statute is decreased, but I promise him now that he will not be successful. That is why I think salaries that are raised as some salaries have been proposed to be raised should be fixed so as to apply only during the time of war, and then that the salary of men whose salary has been greatly increased during the time of war will automatically revert to the regular salary, or I might say the normal salary, and they will be paid the same salary that they were paid before the present conditions were upon us.

Mr. VARDAMAN. If it will not interrupt the Senator, I should like to say to the Senator that I agree absolutely to that proposition. I am interested in doing justice, simple and exact

justice, to all. If I had my way about it, I would limit all the laws that are being enacted at this time to the war period. The vote that I cast to-day will in no way influence the vote that I shall cast to-morrow. I want to do right at this time. If conditions shall change to-morrow, I shall vote for laws that will insure absolute justice. To limit this provision to the length of the war would be a prudent and provident provision. All I desire is that these men shall be properly paid for their labor and service to the public.

Mr. SMOOT. And I think it ought to be the practice.

Mr. VARDAMAN. What I desire to say and maintain is that Congress has no right to demand from any class of citizens service without giving them adequate remuneration.

Mr. SMOOT. I agree with the Senator.

Mr. VARDAMAN. I wish to say further that the question of what a man is doing and the character of work he is performing should be considered. It is my judgment that one of the most important offices or functions performed by anybody in all the industrial economy of this country is that of the locomotive engineer. No man is fit to be an engineer who is not cool, conscientious, and capable and willing to consecrate his very life to the service of the public in his important place. And they all usually do that.

Mr. SMOOT. There is no doubt about that.

Mr. VARDAMAN. And I think the work that these men in this bill are doing is quite as important and imposes quite as much responsibility, greater, in fact, than the soft-handed gentleman in an office in the Treasury Department, who is receiving a salary equal to that of a chief inspector.

Mr. SMOOT. I need not stop at the Assistant Secretaries of the Treasury, nor the Commissioner of the General Land Office, nor the Commissioner of Indian Affairs, nor the Commissioner of Pensions, and so forth. I need not have stopped there. I could have gone farther down the list and taken men receiving $4,000 and holding most important places in the State Department, in the Interior Department, and in each and every department of our Government. In fact, some of those men who are getting $3,500 and $4,000 virtually do the work of the departments, and a great deal of the responsibilities rests upon their shoulders.

I was interrupted at a time when I was undertaking to say what I thought would happen not only in this country but in all the world after the close of this war. There will be a changed condition, Mr. President, and there will be thousands and millions of men seeking employment, and I should like to see our Government pass laws to-day to take care of the situation that we all know will come. What are we providing by way of legislation that will take care of the great industries and businesses of this country at the close of the war? We have not even a commission to examine into what changes will take place in the reconstruction. England has, France has, Italy has, Germany has. They are studying the future from every standpoint. The war will not have closed 30 days before the English ships and the German ships and the French ships will be plowing the seas for materials for the purposes of manufacturing goods with a view of controlling the commerce of the world, or as much of it as possible. A program is being mapped out for the immediate conversion of plants manufacturing munitions of war to factories to manufacture goods required in time of peace. We are doing nothing, and if something is not done soon along the line of preparation, just as surely as we live there will be millions of men walking the streets in this country without employment, and it will be then that such wages as are provided here will seem large, and there will be dissatisfaction among the other employees of the Government, and particularly among employees doing the same class of work in the States and in the large cities of this country, who will not be compelled to pay such salaries.

What I should like to see done is to pass this bill as it is now and limit it to the duration of the war; or, if the Senator would prefer, I would even go so far as to say six months after the close of the war, and then let the salaries go back to the salaries now provided by law, and if they are too low, consider them at that time and advance the wage according to the conditions then existing in this country. I believe that that is the proper way to proceed, and I can not see why the Senator from Arkansas, having the bill in charge, will not agree to such a proposition.

That is all I care to say about the matter now, Mr. President.

Mr. CUMMINS. Mr. President, the last observation of the Senator from Utah respecting our negligence in failing to look forward to the time after the war shall have ceased ought to challenge the attention of every thoughtful man.

A few days ago I introduced a resolution which declared, as the sense of the Senate, that there ought to be an agreement made between ourselves and our allies now, which, in effect, would be that at the end of the war, no matter when that may be, the shipping of all the allies shall be at the disposal of the various countries for the return of the troops and war material in Europe. Otherwise, if we have four or five million men in Europe, and a corresponding amount of war material, during the two or three or four years that will be required for our shipping—if we have no aid from our allies in that respect—to return our troops and our materials to our own shores, the other countries of the world will be using their shipping for the purpose of expanding and enlarging their international commerce. I can not understand why the Committee on Foreign Relations, to which the resolution was referred, does not make some report upon it, because I regard it as of infinite importance.

So much I say in approval of the suggestions of the Senator from Utah; but with regard to the limitation upon this bill I must emphatically dissent, and I think the moment I point out the situation, if it has not already been done, he will agree with me.

I had the honor to introduce the bill which established the Bureau of Inspection of Locomotive Boilers. It was very bitterly contested by the railroad companies as being unnecessary, but finally it was adopted, and the salaries of the chief and his assistants and the inspectors were fixed in the bill. It must be remembered that when the bill was originally passed the work sought to be done related only to the inspection of the boiler itself. It did not cover the inspection of the entire machine known as a locomotive. The work, while exceedingly valuable, was not at all commensurate with the work which is now being done. I thought the salaries then fixed—and those were normal times—were too low for the men who must necessarily be employed in the service.

The experience that we had under the act as it was originally passed was a very fortunate and happy one. A year or two went by, and the decrease in the number of accidents was so marked and the value of the inspection so obvious that the railway companies themselves frankly and candidly admitted their mistake, and were the loudest in their expressions of appreciation and commendation of the work that had been performed.

Guided by that experience I introduced a bill to enlarge the work of the bureau so that the inspectors would be authorized and required to inspect and pass upon the entire locomotive, for there seemed to be no very good reason for limiting the governmental supervision to the boiler itself. The bill passed, and for the last two and a half years the bureau has had supervision and control over the entire motive power of the railroads of the United States; and I think I can say without any exaggeration that the country has found the work of the bureau with regard to the locomotive just as important and just as valuable as the work it originally did with regard to the boiler. I wanted very much at that time to advance the salaries of the chief of the bureau and his two assistants and the various inspectors. It was a distinct wrong that we failed at that time to do it, and those were normal times, too. The act was amended in the respect I have mentioned long before we entered the war.

Mr. President, there is hardly a more important place in the Government than that of the chief of the bureau whose employees pass upon the efficiency and the safety of the motive power of the United States so far as it relates to railroads; and I think the salary provided in this bill is low enough. I really think it is too low, even in the times of peace; and in granting this increase we are not taking into consideration at all the increase in the cost of living brought about by the existence of the war. I realize that we are raising some salaries, that some wages are being increased, because of the abnormal conditions brought about by the war; but that is not true, I beg the Senator from Utah to believe, with regard to the compensation of the officers who are provided for in this bill, and I very earnestly hope that it will receive the approval of the Senate.

The PRESIDING OFFICER. The bill is in the Committee of the Whole and open to amendment. If there be no amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. I move that the Senate proceed to the consideration of Senate bill 130, Order of Business 409.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. ROBINSON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Harding	Lewis	Sheppard
Borah	Hardwick	McLean	Sherman
Brandegee	Henderson	McNary	Smith, Md.
Calder	Hollis	Norris	Smith, S. C.
Chamberlain	Johnson, Cal.	Nugent	Smoot
Colt	Johnson, S. Dak.	Page	Tillman
Cummins	Jones, Wash.	Phelan	Townsend
Curtis	Kenyon	Poindexter	Trammell
Dillingham	King	Ransdell	Vardaman
Gerry	Kirby	Robinson	Wadsworth
Gronna	Knox	Saulsbury	Watson
Hale	Lenroot	Shafroth	

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

I wish also to announce the absence of the junior Senator from Tennessee [Mr. MCKELLAR] on official business.

The PRESIDING OFFICER. Only 47 Senators having responded to the roll call, there is not a quorum present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. GRONNA, Mr. PITTMAN, Mr. STERLING, Mr. SUTHERLAND, and Mr. WOLCOTT answered to their names when called.

Mr. GALLINGER entered the Chamber and answered to his name.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present.

Mr. KING. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, June 19, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 18, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We invoke Thy blessing, Almighty God our Father, upon the Members of this House, that in all their deliberations they may be worthy of the honor and dignity bestowed upon them by an intelligent and patriotic people, whose interests, whose rights, whose honor, they are here to maintain, uphold, and further, in the name of Christ the Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

RAILWAY MAIL PAY.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to address the House. Is there objection?

There was no objection.

Mr. STEENERSON. Mr. Speaker, on Saturday last the gentleman from Kansas [Mr. AYRES] inserted in the RECORD a letter from the Postmaster General, Mr. Burleson, upon the subject of railway mail pay, in which some criticism was passed upon remarks of mine made the previous Thursday. I ask unanimous consent to extend my remarks in the RECORD upon that subject.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter and extracts are as follows:

[From the CONGRESSIONAL RECORD, June 15, 1918, p. 7844.]

POST OFFICE DEPARTMENT,
Washington, D. C., June 15, 1918.

Hon. WILLIAM A. AYRES,
House of Representatives.

MY DEAR MR. AYRES: Referring to your inquiry as to the economy effected in the transportation of the mails through the establishment of the space basis of pay, which economy has been brought into question by Representative STEENERSON in his speech on June 13, I beg to advise as follows:

Representative STEENERSON was wrong in saying that "the last report of the Postmaster General shows that they paid $3,250,000 more than they would have paid under the weight plan." The annual report referred to makes no such statement. The report shows what the Post Office Department has always contended, that if the service exacted of the railroads under the weight basis were paid for under the space basis the cost of the service would be greater than under the weight basis, but that under the space basis of pay economies in loading and dispatching could be made that would enable the department to save to the public several millions of dollars in the cost of transporting the mails.

The space basis went into effect at midnight of October 31, 1916. At that instant not the actual pay but the annual rate of pay to the railroads increased $3,250,000. However, the Post Office Department immediately began its readjustment of the transportation service by a system of intensive loading and of more rational dispatching of the mail, with the result that the annual rate of pay to the railroads quickly and steadily declined.

The Post Office Department's expectation of saving $7,000,000, referred to by Representative STEENERSON, is fully justified, as will be seen from the following reports on authorized annual rate of pay to the railroads at various dates:

Oct. 31, 1916, on weight basis	$62,242,000
Nov. 1, 1916, weight and space combined	65,492,000
July 1, 1917, weight and space combined	58,518,000
Sept. 30, 1917, weight and space combined	56,509,000
Dec. 31, 1917, weight and space combined	55,046,000
Mar. 31, 1918, weight and space combined	53,890,000

If there is still doubt in the mind of anyone as to whether the Post Office Department has reduced the cost of carrying the mails on railway lines, let him ask the railroads.

Sincerely, yours,
A. S. BURLESON,
Postmaster General.

[From the CONGRESSIONAL RECORD, June 13, 1918, p. 7743.]

Mr. STEENERSON. The Postmaster General has been fertile in postal reforms. You will remember that he proposed and succeeded in passing the space plan. The last report of the Post Office Department shows that they paid $3,250,000 more than they would have paid under the weight plan, but they say that they are going to save $7,000,000 in the future when they get the thing established. That is what they said about this automobile service. They are going to save something, but up to date there has been an increase.

[From the Report of the Post Office Department, 1917, pp. 13–14.]

The cost of the entire railroad transportation service under the weight basis was at the annual rate of $62,242,000. The cost of the same service under the space basis was at the annual rate of $65,492,060, an increase of $3,250,000 over the weight rate. Under the space basis of pay, however, it was possible to increase or decrease the amount of transportation to be purchased to the actual needs of the service, with the result that at the close of June 30, 1917, the regular authorized service was at the annual rate of $58,518,478.

An analysis of the table hereto appended discloses that the railroads have been relieved of service amounting to 31,906,680.17 60-foot car-miles, while the reduction in compensation has been $7,270,386.45 per annum. This is a reduction of service required of the railroads of 11.69 per cent, while the reduction in compensation has been at the rate of 11.28 per cent.

Mr. STEENERSON. The above is what the RECORD shows that I said, but I spoke very rapidly, and did not revise my remarks. Manifestly no one reading the part of the report referred to could intend to say that. The sentence should read: "The last report of the Post Office Department shows that for the same amount of transportation they would have paid $3,250,000 more than it would have cost under the weight plan, but they say they are going to save $7,000,000 in the future when they get the thing established." It is clear from the context that the argument I was making was that the promised economy was not yet an accomplished fact, and that, I submit, will be perfectly plain for the following reasons:

First. There has been a reduction of service, and not a saving in the cost of it. If the alleged economy by the space plan has been accomplished at the expense of delay in the transmission of mail, it is not economy at all, but a waste. There has been universal complaint of delay of first-class mail since the inauguration of the space plan. The reduction in the force of the railway mail clerks engaged in the distribution of mail en route, together with the reduction of the number of foot car-miles referred to, has undoubtedly caused this deterioration in the mail service. I voted for the space plan largely on the faith that the so-called economy in loading would not be applied so as to delay first-class mail. Evidently first-class mail has been delayed, resulting in loss to the public. A saving in expense where it is overbalanced by a deterioration in the service is no saving at all.

Second. My contention that there has been no saving yet by the space plan was correct, because the space plan has never been finally sanctioned. The Postmaster General's letter says that the space plan went into effect on October 1, 1916, but it omits to say that it only went into effect as an experiment. It overlooks the fact that the question of whether or not the space plan as applied to railway mail pay is valid, reasonable, and just is pending before the Interstate Commerce Commission and has not yet been argued. It overlooks the fact that under the law the accounts of the railroads are now kept under both the space and weight bases, and that in the event that the Interstate Commerce Commission shall decide against the space plan, then the alleged reduction in railway mail pay will all have to be paid over to the railroads.

The railroads contend that the space plan of railway mail pay is an innovation and unjust; that the Government itself charges postage according to weight, by the ounce and the pound; that all other freight carried on the railroads is paid for by weight; and that to take a car that ordinarily carries 5,000 or 6,000 pounds and load it with 15,000 to 20,000 pounds of mail and allow the same pay is an infringement of their rights. In view of the increase of 25 per cent in freight rates and 33 per cent in passenger rates on account of the increased cost of operation of the roads, it can hardly be contended that the question of

the adoption of the space plan is free from doubt. At any rate, it has not yet been upheld, and until it is upheld it is premature to contend that it has accomplished a saving.

The following summary of the report by the committee on postal affairs of the Commerce Association of New York was unanimously approved by that association, and has been submitted to the committees of Congress and to the President and the Postmaster General:

INQUIRY CONCERNING MAIL DELAYS.

NEW YORK, *May 13, 1918.*

To the Board of Directors,
The Merchants' Association of New York:

Following many complaints of mail delays, your committee on postal affairs, in accordance with your instructions, caused to be made a study of mail movement throughout the United States to learn the prevalence and extent of such delays and their causes.

The inquiry was in active progress during a period of five months. The methods were as follows:

1. Business organizations throughout the entire country were asked to state their experience as to mail delays.

2. Ten thousand test letters with return envelopes were mailed in two series to approximately 800 correspondents scattered in every part of the United States. In the first test one letter and in the second test two letters at different hours were mailed to each correspondent daily for 12 consecutive days, exclusive of Sundays and holidays. The test letters dispatched and received aggregated approximately 20,000.

3. Through the American Bankers' Association were obtained the envelopes covering the daily mail, for a period of 10 days, of banks in 23 banking centers.

4. An analysis was made of the postal-train records of 26 railroads, to develop the causes and the extent of delays to the principal postal trains and what part, if any, of such delays resulted from conditions imposed by the Post Office Department upon the railroads.

5. An analysis of official post-office reports was made to learn the extent of the reductions in postal-car service made by order of the Post Office Department.

6. Inquiry was made on the following points:

Whether important mails are regularly dispatched from their points of origin upon the trains by which they should move.

Whether sufficient space is provided upon postal trains promptly to move all the mail awaiting transportation.

Whether the mail received at and forwarded through the postal terminal stations is promptly assorted, distributed, and forwarded.

To what extent, if any, mail moving by railway postal cars, upon which it should be assorted in transit, is not so assorted, thereby causing it to be carried by its destination or causing it to be delayed in a terminal station for assorting pending its further progress.

These various studies and analyses show the following conditions of fact:

I. Material, and in many cases serious, delays in the movement of mail are general throughout the United States.

II. Railway post-office car service has been wholly abolished or greatly curtailed upon 1,612 trains out of a total of 6,636 trains previously having such service, the reduction affecting 25.32 per cent of such postal trains. Railway post-office car service was formerly operated over about 217,462 miles of line. It has been wholly abolished or greatly curtailed over about 96,178 miles of line. Thus about 44.23 per cent of the entire line mileage has been wholly or partly deprived of the advantages of railway post-office car service; and the mails carried over these lines, formerly assorted in transit, and progressed through terminal points without detention, are now held at such terminal points for assorting.

III. Serious delays in the assorting and forwarding of mails occur in terminal stations.

IV. Owing to insufficient postal-car space or insufficient time for loading, large quantities of mail are frequently left on the platforms of principal stations of important mail routes from New York. In some cases several trains pass before such left-over mail can be forwarded.

V. The movement of important postal trains has been seriously delayed by the conditions imposed by the Post Office Department as to the loading and unloading of mail at important stations. In the case of one of the heaviest mail routes the average train delay due to mails, during a period of 30 days, was 50.86 per cent of the total train delays. For 462 trains operating on 26 lines during the same period the general average of delay due to mails was 13.89 per cent.

The general condition is that the postal service at the present time is very materially below the standards of speed and regularity which prevailed prior to 1916, in which year the present conditions of inefficiency first began to prevail.

In the following pages the prevalence and extent of the delays are stated in detail; and some of the causes which have produced the conditions are shown.

CHRISTMAS MAIL TO SOLDIERS.

Mr. GARNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter written by the Second Assistant Postmaster General with reference to the Christmas mail in France.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The letter referred to is as follows:

Editor of the Post: In special correspondence by Will G. MacRae, from France, the statement is made that Christmas mail for soldiers was being delivered as late as May 21. Mr. MacRae confuses the Christmas freight and express boxes handled by the Army with the Christmas mail which went by parcel post, comprising 94 carloads, being packages of 7 pounds or less in weight.

The last of 90 of those carloads were delivered not later than the morning of December 25 to the mail orderlies of the several units in the cities and near the trenches. Four carloads which were on a transport which had been delayed by a storm were delivered to the mail orderlies on December 27.

The Christmas boxes, of which there was a record of 30,000 or 40,000 still undelivered during March, were not mail, but were boxes heavier than 7 pounds in weight, shipped on transports by the Army from the port of embarkation. They were in no sense United States mail, but were freight sent over by the Quartermaster Department of the Army.

OTTO PRAEGER.

BRIDGES ACROSS BIG SANDY RIVER, VA.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent, on behalf of the Committee on Interstate and Foreign Commerce, for the present consideration of the bill (S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, which I send to the desk and ask to have read.

The SPEAKER. The gentleman from Virginia asks unanimous consent for the present consideration of the bill S. 4127, which the Clerk will report.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, let the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the W. M. Ritter Lumber Co., a corporation, created, organized, and existing under the laws of the State of West Virginia (and duly qualified to do business in the State of Virginia), its successors and assigns, be, and they hereby are, authorized to construct, maintain, and operate bridges, with single or double tracks and approaches thereto, over and across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, at such points, as it may now or hereafter be desired for the passage of railroad, tramroad, or logging-road engines, cars, and trains, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 8, strike out the words "with single or double tracks."

Page 2, line 1, strike out the word "such."

Page 2, lines 1, 2, and 3, strike out the words "as it may now or hereafter be desired for the passage of railroad, tramroad, or logging road engines, cars, and trains," and insert in lieu thereof the words "suitable to the interests of navigation."

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman inform the House as to the number of bridges it is contemplated to be constructed over the various streams referred to in the bill under consideration?

Mr. MONTAGUE. I think there are two or three over this river and two or three over its tributaries.

Mr. STAFFORD. I notice that the committee has amended the bill so as to conform to the usual phraseology, inserting the words "suitable to the interests of navigation."

Mr. MONTAGUE. Yes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on a third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. MONTAGUE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. RUBEY. Mr. Speaker, yesterday my colleague, Mr. RUSSELL, was granted two days' leave of absence on account of illness. He has been compelled to go to the hospital, and I ask unanimous consent that he be granted indefinite leave of absence.

The SPEAKER. The gentleman from Missouri asks unanimous consent that his colleague, Mr. RUSSELL, may be granted indefinite leave of absence on account of illness. Is there objection?

There was no objection.

CLERK TO SPECIAL COMMITTEE ON WATER POWER.

Mr. PARK. Mr. Speaker, I call up a privileged resolution from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 355 (H. Rept. No. 664).

Resolved, That the Special Committee on Water Power be allowed a clerk at the rate of $2,500 per year, to be paid out of the contingent fund of the House until otherwise provided by law.

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on the resolution as to whether it is privileged.

The SPEAKER. The Chair would suggest that the gentleman make his point of order.

Mr. STAFFORD. I would like to have some explanation of the resolution.

Mr. PARK. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, when the special Committee on Water Power was created, ordinarily it would have been entitled to a committee clerk and an assistant clerk, but the Committee on Interstate and Foreign Commerce for a number of years has had consideration of water-power bills on navigable streams. Mr. Davis, who was formerly the clerk of that committee, under the chairmanship of Mr. Adamson, therefore, was the man most familiar with water-power legislation so far as navigable streams are concerned that I knew of anywhere. Instead of asking the House to authorize the appointment of a clerk, Mr. Davis agreed to act as the clerk of the committee without compensation for the time being, and he has been acting as its clerk, and the only clerk it has had, ever since the committee was appointed.

The committee is about ready to report the most comprehensive and important water-power bill that has ever been reported to the House, embracing jurisdiction as to the public lands held in the forest reserves, as to the public lands not so held, and touching all navigable rivers of the United States. Mr. Davis has been the only clerk, has been present during all the hearings and the executive sessions of the committee, therefore he is most familiar with the work and the most competent man to perform further services of clerk that can possibly be obtained; he is almost a necessity, because as soon as the bill passes the House it has got to go into conference, because it will be a Senate bill amended. I do not know how long it will take it to get through, but under the resolution this special committee has jurisdiction of and the consideration of all water-power bills from now until the end of this Congress, which is the 4th of next March. Other such bills are pending before this committee seeking consideration. Now, the time has arrived at which Mr. Davis can not further serve the committee without compensation, and it would be most unjust and unreasonable to ask him to do so. Now, the contingent fund has been saved the expenditure of a clerk for all this time, and I think it is nothing but just that this resolution should pass. It is an absolute necessity so far as the committee is concerned, and it is nothing but just that I be permitted to designate Mr. Davis clerk of the committee, and he should be compensated for such further services as he may render from this time on.

Mr. STAFFORD. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. STAFFORD. I assume it is the purpose merely to continue this official on the pay roll of the Government during the present Congress?

Mr. SIMS. To put him on; he is not on now.

Mr. STAFFORD. And after he is placed on to continue him during the present Congress?

Mr. SIMS. Only for this Congress, because the life of the special committee itself ceases with this Congress.

Mr. STAFFORD. In view of that statement, Mr. Speaker, I withdraw——

Mr. COX. Is that during this session?

Mr. SIMS. No; during this Congress.

Mr. STAFFORD. With that statement, I withdraw any reservation of the point of order and any objection to the measure.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

On motion of Mr. PARK, a motion to reconsider the vote by which the resolution was passed was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMITH of Maryland, Mr. ROBINSON, and Mr. GALLINGER as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

MILITARY ACADEMY APPROPRIATION BILL—CONFERENCE REPORT (NO. 649).

Mr. DENT. Mr. Speaker, I call up the conference report on the Military Academy appropriation bill (H. R. 11185).

The SPEAKER. The Clerk will read the conference report.

The Clerk read as follows:

A bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

Mr. DENT. Mr. Speaker, I ask that the statement be read in lieu of the report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 6, 94, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, 110, 121, 123, and 124.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 102, 114, 115, 116, 117, 118, 119, and 120, and agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: On page 16, line 10, in lieu of the sum proposed insert "$1,198,237.95"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted insert "$41,000: *Provided*, That $5,000 of this appropriation be, and the same is hereby, made immediately available"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$220,605"; and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500,000"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,051,613.30"; and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,589,846.25"; and the Senate agree to the same.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEO. E. CHAMBERLAIN,
G. M. HITCHCOCK,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

The Senate receded from its amendments Nos. 1 and 2.

The House receded from amendments Nos. 3 to 97, inclusive, except Nos. 6, 93, and 94. Amendments 3 to 97 provide for the use of a colon at the end of the various items instead of a period. The Senate receded from its amendment No. 6, which provided for an increase in the pay of cadets from $600 to $780 per annum.

The House receded on No. 93. This takes care of the case of Mr. John T. Godfrey, order and purchasing clerk in the Quartermaster's office, who has been in the military service over 50 years.

The Senate receded on Nos. 94, 98, 99, 100, 101, 103, 104, 105, 106, 107, 108, 109, and 110. On No. 102 the House receded. On No. 111 the House receded with an amendment. On No. 112 the House receded with an amendment. On No. 113 the House receded with an amendment. The House receded on amendments Nos. 114 and 115.

The House receded on amendments Nos. 116, 117, and 118, authorizing additional construction to the amount of $120,000.

The House receded on Nos. 119 and 120. The Senate receded on Nos. 121 and 123. On No. 122 the House receded with an amendment.

The Senate receded from its amendment No. 124, providing that all uniforms, etc., required for any officer of the military or naval forces of the United States should be furnished and issued to such officers by the Government at cost price.

On No. 125 the House receded with an amendment. On No. 126 the House receded with an amendment.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. DENT. I yield to the gentleman.

Mr. CANNON. The statement made by the House conferees does not convey any information to the House. I have no doubt the gentleman is familiar with what the House and Senate receded on with amendments, but one has to devote a good deal of time if he intelligently follows this report.

Mr. DENT. I will state to the gentleman that as to the main items the statement does disclose exactly what occurred. Wherever the House receded with an amendment it simply applies to the totals in the bill, which were changed by agreement between the House and Senate. These totals really had no place in the bill. The only important thing that the House receded on was amendments 116, 117, and 118, providing for $40,000 each for new construction work—first, for an Artillery stable for additional horses on account of the increased corps of cadets, $40,000; for Artillery barracks for men, $40,000; for Cavalry barracks, $40,000, making $120,000. The House also under the new construction program provided for an appropriation of $444,000 to begin the work. The Senate added to that, making a total appropriation of $514,000. The conferees agreed to an even half million dollars. The only other item of any consequence was the item providing for repairs to the cadet training camp that they use in the summer. The House provided only $5,000 for that purpose. The superintendent and quartermaster at the academy asked for $49,000 and the Senate gave that amount. The conferees compromised on $41,000. This work has to be done sooner or later. The House thought it might be postponed, the Senate thought it ought to be done now, but it must be done sooner or later on account of the increased corps of cadets at the academy provided for a couple of years ago by Congress. Those are the only items relating to the moneyed part of the appropriation that are at all material. There were a great many increases in the civilian pay of employees by the Senate, but the Senate receded and adopted the House provisions on the theory that these civilian employees would get the benefit of the pending legislation increasing the pay of all employees of the Government. There were three items of legislation in the bill: First, increasing the pay of cadets from $600 a year to $780. The Senate receded and left the pay as it is now in the law. The other provided for the retirement of Mr. John T. Godfrey, who is clerk in the supply department, Quartermaster Department, there, and has been in that service for 26 years. Part of that time he had military service in the Military Establishment of some 23 years and over——

Mr. KAHN. Twenty-four years.

Mr. DENT. Twenty-four years, the gentleman from California reminds me.

It simply provides that upon his request he may be retired with the retired pay of a pay clerk, which will be about $140 a month.

And another item of legislation in the bill, and the only other one, is the provision authorizing the officers of the Army and Navy to purchase uniforms of the Government.

Mr. HASTINGS. Will the gentleman please explain to the House what objection the House conferees had to this provision? It occurs to me like a good provision.

Mr. DENT. I will state to the gentleman that the House conferees did not think it had any place upon the Military Academy appropriation bill. If it has any place at all, it ought to go on the regular Army appropriation bill, in the first place, and, in the next place, the House conferees thought this should be a matter of regulation by the War Department rather than a matter of strict law, because under the law the War Department must furnish uniforms to the enlisted men, and we might find ourselves in the same condition we were last year when we began to organize and increase the Army, when it was absolutely impossible to furnish an officer with a uniform. The House conferees further insisted that this be stricken out, because we were informed by the Quartermaster Department that since the clothing item had gotten in shape so that they could supply the officers a regulation had been adopted to that effect and was now in force.

Mr. HASTINGS. If the gentleman will yield further, I understood that some regulation of that kind had been adopted; but when I sent down for a copy of it the answer I got was rather vague. With the permission of the House I will insert it in the RECORD. I did not know this matter was coming up, and I did not have it in my pocket. It is over in my office. I hardly think that it is a regulation whereby all officers can get their uniforms through the Quartermaster Department.

Now, while I am on my feet I wish to say the gentleman is aware that there has been much complaint against the charges of merchant tailors throughout the country. I have had a great many letters saying—and a great many people have told me—that for the uniforms they have to buy through merchant tailoring establishments they have to pay some three or four times as much as they would if they could get them through the Quartermaster Department. And I was very much in hopes that some such legislation as this would be placed on some of these bills. I do not see that it would hurt anything, even if there had been a regulation to that effect, if we had some legislation, for the reason that the regulation may be changed from time to time, and I do not believe that these young officers, especially, say, the second lieutenants and first lieutenants, ought to be held up by the merchant tailors of this country. They tell me that the private, the enlisted man, is in a better condition and really gets more money net than a second lieutenant does, provided the latter is not permitted to buy his uniform and equipment through the Quartermaster Department.

Mr. DENT. The gentleman has never heard of a case where an officer offered to change places with a private?

Mr. HASTINGS. I am talking about it from a financial standpoint. Of course, they do not. The question of rank and the question of honor attract them.

Mr. DENT. I will say that there is no doubt the statement of the gentleman is true, to the effect that there have been great abuses on the part of the merchants in dealing with officers. I have heard of it, and I believe every Member of Congress has had some criticism in regard to it, but that is one of the misfortunes of creating a big Army all at once. We started out a little more than a year ago with 127,000 officers and men, all told, and we have over 2,000,000 now; and while we sympathize with the officers we can not afford to embarrass the Government in its war administration.

Mr. HASTINGS. If the gentleman will permit a moment longer, there is no doubt in the world but that the Government could secure enough cloth to have these uniforms made. And, another thing, if the gentleman will go down Pennsylvania Avenue and through other parts of Washington, he will see that practically every merchant tailor especially advertises now the making of these uniforms. Now, if they were not making attractive profits, of course, every one of them would not be engaged in that class of business; and I just wanted to take occasion to call attention to this in the hope that either a regulation would be made or legislation enacted that would cover it, so that these boys occupying these positions would not be robbed by the merchant tailors of the country.

Mr. Speaker, while I am on my feet I want to ask permission to extend my remarks in the RECORD so as to include these letters that I mentioned a moment ago.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

The letters referred to are as follows:

APRIL 12, 1918.

Hon. W. W. HASTINGS
Chairman Committee on Expenditures in the Interior Department, Washington, D. C.

DEAR SIR: Your letter of April 9, addressed to Maj. Gen. Sharpe, has been received.

We have no printed literature relative to the sale of uniforms and equipment to officers, but I inclose a statement made by Col. Hardeman showing the present status of the regulations concerning such sales.

We also contemplate carrying a stock of cloth at all of our depots of a grade that will be suitable for most officers, so that they may purchase this cloth, if desired, and have it made into uniforms, and are also investigating the possibilities of making arrangements in the larger cities with the clothing-manufacturing houses to manufacture at a reasonable cost uniforms for officers.

Very truly, yours,

GEO. W. GOETHALS,
Acting Quartermaster General.

APRIL 11, 1918.

Memorandum to Mr. De Field:

General Order No. 22, March 2, 1918, paragraph 11, reads as follows:

"1. Orders heretofore restricting the sales of clothing and equipage to officers are hereby rescinded, except as to sales of woolen coats and breeches.

"2. Sales will be permitted only when articles are available and not needed for immediate issue to enlisted men. These sales shall not exceed the amount of equipment C."

The following letter was sent by the Acting Quartermaster General to all depot, camp, and department quartermasters under date of March 22, 1918:

"1. Referring to the advance copy of War Department General Orders furnished you under date of February 21, 1918, removing the restrictions on sales of clothing and equipage to officers of the Army, except woolen coats and breeches, you are authorized to sell woolen coats and breeches to officers ordered overseas whenever these articles are available."

(Signed) L. HARDEMAN,
Lieutenant Colonel, Quartermaster Corps, National Army.

Mr. CANNON. Mr. Speaker, I know of several officers in the Army, some of them from civil life and some of them graduating from the academies at West Point and Annapolis, poor boys, in some instances having dependents, that have incurred obligations for uniforms, connected with other expenses, that will embarrass them for years. And I hope that either by regulation or law this Government will save them from the profiteering that is forced upon them. We hear much of profiteering in these days, and the worst of all profiteering is taking a fellow that has not anything and who is serving his country under a commission and saddling him up with a very serious debt that will take him a long time to get rid of.

Mr. DENT. Now, Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. DENT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

QUESTION OF PERSONAL PRIVILEGE.

Mr. DILL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. DILL. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. DILL. The newspapers of my home city of Spokane, particularly the Spokesman-Review and the Chronicle, have in the past three months been charging me with opposing the prosecution of the war and being unpatriotic and un-American. On April 22, 1918, the Review charges me with being willing to betray the boys in the trenches by being willing to agree to a premature peace. During March and April of this year they made the charge that I am opposed to the prosecution of the war.

The SPEAKER. The gentleman is recognized.

Mr. DILL. Mr. Speaker, when the resolution declaring a state of war to exist between the United States and Germany was before this House, I stated in a speech on this floor that one of the reasons why I would vote against it was that I believed it would be a war for trade and territory. The conduct of the war under the leadership of President Wilson soon convinced me of my mistake, and for months I have been saying from public platforms in various parts of this country that we are not fighting for trade and territory but are fighting for the right of every nation, large or small, to live under its own flag, trade with whomsoever it pleases, and have its own form of government, and do those things, too, without the interference of any other power on earth. President Wilson and also the allies have repeatedly declared for a peace based on justice to all mankind, but I believe that such a peace can not be established until the German military power that forced the world into this war has been broken and destroyed.

I make this statement in this presence not because I think any Member of this House has any doubt about my having long ago changed my mind regarding the war, nor about my patriotic devotion to the cause of winning the war. My work here day after day has proved both. I make it because the big daily newspapers of my home town of Spokane, particularly the Spokesman-Review and the Chronicle, continue to print parts of the speech I made here before war was declared and claim that those statements represent my present views. The millionaire owner of these newspapers, Mr. W. H. Cowles, and his editors have known better for many months. They knew those statements did not represent my views at all. They knew it from public speeches I made in Spokane last December and from printed statements I have sent them at different times, none of which they would print, because if printed those statements would have disproved their own charges against me.

KAISER COWLES.

Mr. Cowles is a journalistic kaiser. He maintains a publicity autocracy in that part of the country such as is to be found in few other parts of the United States. I say he is a journalistic kaiser, because having a monopoly on the Associated Press news for Spokane and the surrounding country he and his editors follow the same practices as the German Kaiser in the matters of publicity. They apply the Kaiser's methods especially in handling publicity about a man whom they have determined to drive out of public life. The Kaiser suppresses whatever truth he does not want his people to know and twists and misrepresents news to his purpose. Sometimes he invents baseless lies and then exaggerates his own lies to convince his people of the justness of his position. Mr. Cowles and his editors, through the Review and Chronicle, have done exactly the same thing in their campaign to convince the people of Spokane and the surrounding country that I am unpatriotic and that I am opposing the prosecution of the war. As a result, the avalanche of abuse and misrepresentation with which they have tried to cover me equals in intensity and efficiency even Prussian militarism itself.

MISJUDGES PEOPLE.

With no daily newspapers in eastern Washington to tell the whole truth, and with me giving my entire attention to my duties in Congress regardless of what they might say about me, Mr. Cowles and his editors have thought they could print as many lies about me as they desired without discovery and thus build up such a strong public opinion on a basis of patriotism that I would be unable to overcome it during the short period of a campaign, especially with them in complete control of the sources of daily intelligence. But they are mistaken. The people are not fools. The people are fair. They will want to hear both sides of the charges made by these newspapers. They want to know the whole truth and, once they are fully informed, they will act at the polls without regard for the desires of Mr. Cowles or anybody else. I propose to see to it that they know the truth about the statements and charges Mr. Cowles and his editors have made against me.

PROUD OF OPPOSITION—HAVE KEPT FAITH.

These newspapers have always opposed me politically and I hope they always will. If they should ever support me, I don't know how I could ever explain their support to the common people who have twice defied them and elected me to Congress by overwhelming majorities. The fact that the longer I have remained in public life the more bitter they have become against me is in itself one of the best possible proofs that I have kept faith with those who sent me here and that Mr. Cowles knows I will continue to do so if I am returned.

I know I have made mistakes in Congress, but they have been honest mistakes. I am thankful I have always had the courage to do what I thought was right, regardless of consequences to my own political future. I am glad that when I have afterwards learned I had been wrong, that I had honesty enough to admit my mistake, get on the right side and, by redoubling my efforts, try to atone for whatever injury I might have done.

I said a moment ago that these newspapers do not tell the truth regarding my activities here in Congress, and now I propose to prove it by a series of specific instances. I shall not take the time nor the space to recount all of such instances, because it would indeed be a big undertaking, but I do propose to give a sufficient number of examples to show that nothing they print about me can be relied upon as true or dependable. When they do print the truth about me, it is because they think it will not disprove any charges they have made, or they word what they print in such a way that they can later twist it into

supporting some attack they propose to make. Now, let me mention some of these scurrilous misrepresentations and malicious falsehoods.

TEN CASES OF MISREPRESENTATIONS AND FALSEHOODS BY REVIEW AND CHRONICLE.

No. 1. During March and April, 1918, while the big German drive was on in France and the people were intensely anxious over its outcome and naturally intolerant of anyone who was not helping in the prosecution of the war in every possible way, the Review repeatedly charged that Congressman DILL had been opposing the prosecution of the war and was still against its vigorous prosecution.

The truth: Since the declaration of war Congress has passed 110 war measures and Congressman DILL has favored and supported 109 of these measures. He has been in Washington constantly during both war sessions of Congress and has done everything possible to help in winning the war. He has made more than 80 public addresses in various parts of the country regarding conditions in France and at the battle front as he had seen them, to arouse enthusiasm for the prosecution of the war to complete victory. Sometimes he has spoken in the interest of the sale of liberty bonds and war-savings stamps, sometimes for the Red Cross, sometimes to the soldiers in the camps, but always he has tried to strengthen the morale of the people in his audiences by urging them to forget all past differences until we had won the war. In fact, during some of the identical nights the Review was printing these editorials he was in small towns or Army camps near Washington speaking in behalf of the various war activities, and the editors of these newspapers knew of his activities in these ways by newspaper clippings sent them describing the meetings he addressed, but they refused to even mention them.

No. 2. On April 22, 1918, the Review charged Congressman DILL with standing "ear cocked at all times for treacherous peace proffers of Germany" instead of favoring a continuation of the war to complete victory.

The truth: Congressman DILL has believed from the time war began and has stated from every platform from which he has spoken on the war, that it must go on until the German military power which caused it has been overthrown. Mr. Cowles and his newspaper editors knew that to be the truth, because of the addresses made by Mr. DILL in Spokane last winter. He said then, and has always said, that to end the war before victory had been attained would be to waste all the sacrifices already made and would simply postpone the conflict a few years, so that the boys and girls of to-day would be the soldiers and nurses who would have to fight it all over again.

No. 3. On April 22, 1918, the Review in a lengthy editorial attack upon Congressman DILL, among other things, said: "If men of his way of thinking were in control of Congress, they would lose no time in repealing the selective-draft law," thus charging him with a desire to destroy the foundation itself of the Military Establishment of the country at a time when we had already sent 500,000 boys to France and the Nation was bending every energy to the sending of more men and of munitions and supplies for those already there.

The truth: From the hour the draft bill became a law Congressman DILL has supported it in every way. He has voted for every amendment or modification of the law requested by the President for facilitating its execution. Just recently he voted for the bill to include in the draft the young men who had become 21 since June 5, 1917. He voted also for the bill giving the President power to draft whatever number of men he may need to win the war. Mr. Cowles and his editors knew these facts when they made that charge, so that in reality it was a deliberate and malicious falsehood.

No. 4. On April 16, 1918, in ridiculing the revenue bill introduced by Congressman DILL providing for high taxes on big incomes and excess profits, and also a capital tax on big fortunes of more than a million dollars, the Review editorial declared Congressman DILL proposed to do an impossible thing, namely, take 104 per cent of incomes of more than half a million dollars, and used this ridiculous proposition as an illustration of his attempts to appeal to the prejudices of the poor and make them forget the charge that he was unpatriotic.

The truth: Congressman DILL's revenue bill proposed supertaxes on big incomes as follows:

One per cent of incomes from $5,000 to $7,500.
Two per cent of incomes from $7,500 to $10,000.
Five per cent of incomes from $10,000 to $15,000.
Ten per cent of incomes from $15,000 to $25,000.
Twenty per cent of incomes from $25,000 to $50,000.
Forty per cent of incomes from $50,000 to $75,000.
Sixty per cent of incomes from $75,000 to $100,000.
Eighty per cent of incomes from $100,000 to $500,000.
Ninety per cent of the amount by which any income exceeds $500,000.

These rates to be levied in addition to the 4 per cent normal tax already provided for by law; but even the 94 per cent rate would apply only to that part of the income above $500,000. He proposed also to take 80 per cent of all excess profits resulting from the war, just as is done in England. A third section of the bill provides for a tax of 3 per cent on fortunes in excess of $1,000,000 and of 5 per cent on fortunes of more than $3,000,000. It also provides for a tax on large areas of unused farm lands held for purposes of speculation.

This is the kind of legislation that Mr. Cowles dislikes most of all, because it would reach him personally by taking more of his wealth with which to pay the expenses of the war. It is because Congressman DILL favors such legislation so strongly that Mr. Cowles is willing to stoop to the low levels of unfounded charges and libelous misrepresentation to destroy public confidence in Mr. DILL. He knows that in the great readjustment which will come following the war Mr. DILL will be against Mr. Cowles and his kind and the legislation they will desire, so naturally he wishes to destroy him now.

No. 5. On April 19, 1917, the Chronicle, which might well be called an afternoon edition of the Review, stated that Congressman DILL had placed in the CONGRESSIONAL RECORD a telegram from George W. Holman against the draft bill then being considered. On May 11, 1917, when Holman was declared insane, the Chronicle reprinted this statement and ridiculed Congressman DILL for having approved a crazy man's statement. Later the weekly country press surrounding Spokane, supposing the Chronicle's story true, reprinted it also.

The truth: Congressman DILL never placed in the CONGRESSIONAL RECORD on that date or at any other time a telegram or any other communication from Mr. Holman, so that the Chronicle's statements were absolutely baseless falsehoods, as Mr. Cowles and his editors knew from the pages of the RECORD itself. This lie is so utterly lacking of any foundation whatsoever that its invention and repeated use illustrate even more fully than the other instances mentioned the maliciousness of Mr. Cowles and his editors in their campaign against Mr. DILL.

No. 6. On May 17, 1917, the leading editorial of the Chronicle charged Congressman DILL with burdening the Government with the expense of printing, addressing, and mailing his speeches to his constituents, and attacked him for thus wasting money during the war.

The truth: Congressman DILL paid out of his own pocket the entire expense of printing, addressing, and mailing these speeches. Mr. Cowles and his editors knew then that whenever any Congressman sends out speeches he pays in full all the expenses connected with the printing and mailing of them, and they wrote and printed this editorial for the deliberate purpose of prejudicing the people into believing Mr. DILL devoid of any patriotic impulses in connection with this war.

No. 7. On June 13, 1917, the Chronicle printed an elaborately written news story to the effect that letters which Congressman DILL had sent to high-school graduates did not cost him a cent, and charged that he had added that expense to the Government's expenses regardless of its tremendous war burdens. The Wenatchee World reprinted this story the following day.

The truth: Congressman DILL bought special stationery, hired a stenographer in addition to his secretary to write the letters, and stamped each letter, so that instead of not costing him a cent, these letters did not cost the Government a cent. They really added to the profits of the Post Office Department, since there is a profit on the handling of all first-class mail, so that this attack is even more unfounded and unfair than the preceding one.

No. 8. On October 20, 1917, the Review stated that the President was opposed to any Congressmen going to Europe to study war conditions, and attacked Congressman DILL for disregarding the President's wishes.

The truth: The President not only did not oppose the trip made by the Congressmen to study war conditions in Europe, but told different Members who went that he was glad they could go, as it would enable them to get first-hand information concerning the situation there, which they could use in their work here in connection with war legislation. On their return he received the members of the party at the White House and discussed their entire trip with them. He also expressed his pleasure at the announcement of their intention to go about the country to tell the people what they had learned. When Congressman DILL went home during the holiday recess and related his experiences and urged the prosecution of the war to victory, without any mention whatever of politics, the Review

and the Chronicle, and those to whom these newspapers gave publicity, charged him with having made the trip and with making the speeches entirely for political effect. Thus they tried to overcome whatever good these speeches had done by injecting politics at a time when nobody was thinking or talking politics except as these newspapers led them to do so.

No. 9. During the months immediately following the declaration of war the Review and the Chronicle repeatedly charged that the speech made by Congressman DILL against the declaration of war gave aid and comfort to the enemy, and charged that to send that speech to his constituents was near treason.

The truth: Congressman DILL made the statements referred to before war was declared, and sent the speech to his district in explanation of his vote and to assure the people that he would support the war. He has never repeated those statements publicly or in letters, and sent out the speech only once, and that immediately after he made it. The Review and the Chronicle and the little "Me Too" Press, another Spokane daily, have reprinted that part of the speech almost every week since war was declared, and circulated it among their readers continually. If Congressman DILL's sending it out once when he made it was near treason, what would be a fitting term to use to describe the action of these newspapers in multiplying his act fifty times by circulating it almost every week for more than a year after the country became engaged in the war? But, according to these newspapers, what was near treason when done by him becomes the highest form of patriotism when touched by the magic ink and paper of Mr. Cowles.

No. 10. The Chronicle on April 25, 1917, and in general attacks repeatedly afterwards, and the Review in a dozen instances, but especially on May 2, 1917, charged Congressman DILL with breaking every pledge he ever made to the people who elected him, and particularly with breaking his pledge to support President Wilson.

The truth: In 1914 Congressman DILL was elected as a Woodrow Wilson man, pledged to support the President on every question. He kept that pledge to the letter.

In 1916 he again promised to support the President, but he made what might be termed a peace campaign also. The Review called him a pacifist and a coward, and declared him unfit to represent that district longer in Congress. He replied by pledging himself to do everything within his power to keep this country out of the European war unless it was in actual danger of invasion. He made this pledge to every audience which he addressed, and was reelected by a majority of 5,181, carrying every county in his district. The President's majority in the same counties was 4,319, while Mr. George Turner, the Democratic nominee for the Senate, lost the same counties by 9,737.

When the question of declaring war came up for a vote, believing his peace pledge had secured such a big majority in a district so heavily Republican, and being opposed to the declaration of war by his own convictions on the question at that time, and having in mind also that the Constitution confers upon Congress alone the tremendous power of declaring war, he spoke and voted the convictions he then had. He voted against the draft for reasons he explained fully at that time, but on the passage of the law he accepted the will of the majority and has cooperated in every way possible in making it a success.

Thus Congressman DILL kept his peace pledge to the letter, and with the one exception noted above he has supported the President in the entire war program not only by his votes on legislation but by publicly indorsing his management of the war at every opportunity, while these newspapers have joined in every attack made upon Mr. Wilson and his Cabinet, whether by Mr. Roosevelt or somebody else.

It is customary for a judge in court to instruct the jury that if they find a witness has testified falsely regarding one material matter, they are at liberty to disregard the testimony of the witness on any or all other material matters involved in the case. Here are 10 instances where these newspapers have printed false and misleading statements regarding my activities in Congress. Why should anybody place any dependence whatever in anything they print about me?

MANY INSTANCES NOT CITED.

In the brief recounting of these misrepresentations which I have made I have entirely disregarded the false and abusive interviews and letters they have printed concerning me and what I have done here. That would require many pages. I have not discussed their efforts in February, 1917, to convince the public that I opposed the armed neutrality bill, when in fact I worked and voted for it. I have said nothing about a series of false and misleading editorials and news articles in both the Review and Chronicle against me because of a statement made by Congressman MILLER of Minnesota while he was in Europe, although he and I did not travel together in Europe at all. The truth is that the Review refused to print the only public statement I gave out regarding the war while in Europe as furnished by the Associated Press. It printed the statements of all the other Congressmen in the party, but omitted my statement, although practically every other big newspaper in the country which printed the Associated Press report included my statement. In that statement I expressed the highest admiration for the fighting qualities of the English and French soldiers and full confidence in final victory over the Huns. Their suppression of that statement is just another instance of how these newspapers create and foster a false public opinion by not printing any fact that would conflict with their claim that I am opposing the vigorous prosecution of the war.

NO NEWS GOOD NEWS.

It is often said that no news is bad news, but when applied to these newspapers in their reports about me no news is good news, because they print only what they consider bad news concerning what I do in Congress.

HOW THEY USE RESULTS OF THEIR OWN LIES TO PROVE THOSE LIES ARE TRUE.

I have not gone into detail as to how by a series of news stories, interviews, and editorials Mr. Cowles and his editors have gradually tried to build up a false public opinion in the minds of the people to the effect that I want Germany to win the war. Recently they have been printing interviews by politicians claiming that some pro-Germans in the Northwest—and I am thankful to say there are very few—are supporting me. Referring to these interviews, they claim them as proof that I am not a good American. Think of that! Having invented and printed a sufficient number of lies to convince a few pro-Germans that I am not a good American, they then point to the result of their own diabolical work as proof that the falsehoods which they created are true.

I HATE KAISERISM OF EVERY KIND.

Mr. Speaker, I have never tried to develop the faculty of hating bitterly. I think hating warps the brain, hardens the heart, and petrifies the soul. But there are some things, some institutions in this world, that are so opposed to my every sense of justice and to every ideal I hold that I hate them naturally and continually. Of all such things I hate kaiserism of every kind everywhere worse than I hate anything else in this world, and I hate the kaiserism of Germany most of all, because its mad lust for autocratic power inevitably forced the world into the most horrible holocaust civilization has ever known.

I hate the kaiserism of Germany also because it is based upon what I believe to be a wrong theory of government, namely, that the government owns the people. I believe the people own the government, and nobody in all the Northwest knows better than this same millionaire owner of these newspapers and his editors how strong my convictions are against autocratic power of any kind. I am against kaiserism, whether it be exercised in a military way by a German war lord over the hordes of his own people, leading them to overrun and destroy the territory of weaker peoples for the purpose of extending his own autocratic rule, or whether it be exercised in a publicity way by a ruthless and unprincipled newspaper owner over the people who are necessarily dependent upon his publications for prompt intelligence regarding events of their communities and the world, leading them to form wrong conclusions regarding public affairs and public men for the purpose of thereby controlling every public man representing the people in high positions.

It is the habitual custom these days for Mr. Cowles and those who follow his leadership to wrap the American flag about themselves and charge that all who do not follow are not good Americans. I have already shown some of the lies the flag is used to conceal. Before this contest is finished I shall expose more and more of their Machievelian practices. I do not know whether the exposures I have already made will cause them to grow more bitter and invent new lies or whether they will place an embargo upon the use of my name in their columns, hoping that the people will forget me. Either method will be equally agreeable to me, because this is a fight to the finish between Mr. Cowles, his followers, and all they represent on one side, and myself and the common people of the district on the other. I shall pursue them to whatever position they retreat or meet them in whatever new attack they may attempt, and I think I do not underestimate their power nor fail to understand fully the dirty tactics and contemptible means they will use to mislead the people.

HOW THEY TRY TO COMMERCIALIZE PATRIOTISM.

They will continue to prate about their patriotism and accuse all who disagree with them as lacking in patriotism. The trouble with Mr. Cowles and his editors and also with their political and publicity puppets is that they are continually trying to commercialize the love of country that is so natural and so all powerful in the breasts of all Americans. Sometimes they even use it as a criminal does a blackjack, foully and brutally, to strike down those to whom they are opposed. They have been following such tactics ever since the United States declared war. They even did it before that date. When the preparedness question was before the country more than two years ago they claimed anybody who opposed their scheme of preparedness was lacking in patriotism. I favored preparedness, but they claimed I did not and attacked me because of what they alleged about me. When the McLemore resolution was before the country, anybody who disagreed with their opinion was not a good American. Although I stood squarely behind the President on both votes in this House on the McLemore resolution, they misrepresented me and attacked me for opposing the President, which they falsely claimed I was doing.

As I have already shown, they have been pursuing the same tactics for the past two years. Using the fact that I voted against the declaration of war as a basis, Mr. Cowles and his editors have tried to convince the people that I have been opposing the prosecution of the war. They have tried to destroy the people's confidence in me and induce them not to trust me in any activity connected with the war.

WHY THEY ATTACK MY PATRIOTISM.

They continually attack my patriotism because, as a high public official, I tried to prevent war, even though since war came I have done everything within my power to help win it. If they were to follow the same principle in regard to others who did not want war they must attack the patriotism of those humble mothers of the country who hoped and prayed and wrote their Congressmen to avert war, but when it came, gladly gave their all by giving their boys to fight and die. But they never do that. Why not? I will tell you why: They know they dare not attack the patriotism of those who have sent their sons. They know, too, that the test of patriotism is not whether a man or woman wanted war but how he or she has acted since war came. They think they can commercialize the patriotic impulses of the people to their own ends by lying about me and thereby prejudicing men against me so as to cause my defeat for reelection. This is not the first time they have tried to do that and failed. In 1916, relying upon their falsehoods regarding preparedness and the McLemore resolution, they thought they could do it. But the people of that district rebuked them overwhelmingly by giving me a majority in every county, and I confidently believe that their new attacks and new lies will bring them a defeat even more decisive.

TREMENDOUS POWER OF MR. COWLES.

I know that the tremendous power which Mr. Cowles possesses through his monopoly on the supplying of daily intelligence in that part of the country is doubly great in these war times, when fathers and mothers, wives and sweethearts, and brothers and sisters of the boys who are fighting and dying are intensely concerned about them. They await the arrival of these newspapers anxiously, they scan the casualty lists almost breathlessly, and they search every column for every kind of war news most carefully. Not only is this publicity power doubly great just now, but the ease with which these sources of intelligence may be poisoned against myself is multiplied manyfold. And that is not all: Mr. Cowles is worth millions. By means of the advertising power he possesses, because of his business connections, and especially by the use of such lackeys as his faithful man Friday, Mr. N. W. Durham, he has been able to manipulate some of the business and patriotic organizations of Spokane into taking the position that they must not recognize me in any way. This man Durham has ordered one organization not even to correspond with me for the purpose of securing services for their members, because he claimed I am unpatriotic, un-American, and opposed to the prosecution of the war. As the months go by, no doubt Mr. Cowles and his editors will enlarge and redouble their efforts. To meet and overcome such opposition is, indeed, a big undertaking, but I welcome the contest.

WOULD BE UNTRUE TO PEOPLE NOT TO FIGHT.

I would be untrue to myself, untrue to the plain people of that district who have twice elected me over this opposition, and untrue to the generation of boys and girls of that community who are watching to see whether or not a man in high public position who stands up always for what he thinks is right can withstand the attacks of Mr. Cowles and his newspapers and the forces they represent; I say I would be untrue to all these if I hesitated or shrank from the coming contest.

IS ANXIOUS TO LAY HIS SIDE BEFORE PEOPLE.

No, Mr. Speaker, I welcome the opportunity to make such a fight. I am anxious to go among the people and lay my side of the case before them. They are Americans. Better still, they are western Americans. With no people on earth does the appeal for fair play and a square deal have greater influence. I shall lay before them frankly and fully my every word and deed, and I have every confidence in the justice of the judgment they will render when the time shall have arrived for them to act.

PRINTING COPIES OF THE POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I ask unanimous consent that 1,000 copies of the Post Office appropriation bill (H. R. 7237), so far as it has been agreed upon by the two Houses, together with the single Senate amendment No. 23, not yet agreed to, be printed for the use of the House.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that 1,000 copies of the Post Office appropriation bill as agreed upon——

Mr. STAFFORD. As modified by the partial conference report, with the amendment still in disagreement, be printed.

The SPEAKER. The gentleman asks unanimous consent that 1,000 copies of the Post Office appropriation bill as modified by the conference report, and including the pneumatic-tube amendment, No. 23, be printed for the use of the House. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL—CONFERENCE REPORT (NO. 663).

Mr. PADGETT. Mr. Speaker, I call up the conference report on the naval appropriation bill (H. R. 10854), and ask that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee calls up the conference report on the naval appropriation bill (H. R. 10854), and asks that the statement be read in lieu of the report. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the statement.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 26, 40, 90, 103, 104, 153, and 172.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 12, 16, 17, 19, 21, 22, 24, 25, 28, 29, 32, 36, 43, 44, 45, 46, 48, 49, 55, 56, 57, 58, 59, 60, 61, 62, 64, 67, 70, 71, 73, 76, 78, 79, 80, 81, 82, 83, 84, 85, 89, 91, 92, 94, 95, 96, 97, 98, 99, 105, 106, 107, 108, 109, 110, 113, 114, 116, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, 155, 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, and 171, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out all of said amendment and in lieu thereof insert the following: "The Secretary of the Navy is authorized in leasing water-front property from any State or municipality where the State law or charter of the municipality requires that the improvements placed upon leased lands shall at the termination of the lease become the property of the State or municipality, to provide, as a part or all of the consideration therefor, that improvements placed thereon by the United States shall become the property of the lessor upon the expiration of the lease or any renewal thereof"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "Secretary," insert the following: "of the Navy"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out the words "to aid" in said amendment; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Insert, after the word "employees" in said amendment, the following: "who render conspicuous service by putting life in jeopardy to save life or property"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Insert, before the words "the President," the word "and"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Insert, after the word "accepted" in said amendment, the word "temporary"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Insert before the words "Marine Corps Reserve" the word "or," and strike out "or United States Army"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with amendments as follows: Strike out the word "purchase" in said amendment, and in lieu thereof insert the word "acquisition," and, after the word "land," in said amendment insert the following: "upon which such armories may be located"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Strike out all of said amendment and insert in lieu thereof the following:

"That hereafter, during the existence of war or of a national emergency declared by the President to exist, any commissioned or warrant officer of the Navy, Marine Corps, or Coast Guard of the United States on the retired list may, in the discretion of the Secretary of the Navy, be ordered to active duty at sea or on shore; and any retired officer performing such active duty in time of war or national emergency, declared as aforesaid, shall be entitled to promotion on the retired list to the grade or rank, not above that of lieutenant commander in the Navy or major in the Marine Corps or captain in the Coast Guard, and shall thereafter receive the pay and allowances thereof, which his total active service as an officer both prior and subsequent to retirement, in the manner rendered by him, would have enabled him to attain in due course of promotion had such service been rendered continuously on the active list during the period of time last past.

"That during the existence of war or of a national emergency, declared as aforesaid, any commissioned or warrant officer of the Navy, Marine Corps, or Coast Guard of the United States on the retired list, while on active duty, may be temporarily advanced to and commissioned in such higher grade or rank on the retired list, not above that of lieutenant commander in the Navy or major in the Marine Corps or captain in the Coast Guard, as the President may determine, and any officer so advanced shall, while on active duty, be entitled to the same pay and allowances as officers of like grade or rank on the active list: *Provided*, That any such commissioned or warrant officer who has been so temporarily advanced in grade or rank shall, upon his relief from active duty, or in any case not later than six months after the termination of the war or of the national emergency, declared as aforesaid, revert to the grade or rank on the retired list and to the pay and allowance status which he would have held had he not been so temporarily advanced: *Provided further*, That nothing in this act shall operate to reduce the pay and allowances now allowed by law to retired officers."

And the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 12 of said amendment, after the words "specifically designated," insert the following: "during war or national emergency declared by the President" and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: At the end of said amendment, after the word "concerned," add the following: "and promotions shall be made on the basis of fitness alone by selection from among the officers of the rank next below: *Provided further*, That the requirements for sea service in grade, length of service in grade, and maximum age in grade for promotion shall not apply"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: Strike out, in said amendment, "$105,014,110.50," and in lieu thereof insert "$85,014,110.50," and add the following proviso: "*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $20,000,000 in addition to the appropriation herein and heretofore made."

In line 14, page 39, of the act (H. R. 10854) as it passed the House April 20, 1918, after the word "*Provided*," insert the word "*further*."

And the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Before the words "March twenty-eighth" insert the words "the act of"; and the Senate agree to the same.

Amendment numbered 66: That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Strike out "$84,289,530" and insert "$73,289,530," and add the following proviso: "*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $11,000,000 in addition to the appropriations herein and heretofore made."

In line 19, page 39 of the act (H. R. 10854), as it passed the House April 20, 1918, after the word "*Provided*," insert the word "*further*."

And the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Before the words "March 28" insert the words "the act of"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Strike out "$11,000,000" and insert in lieu thereof "$10,000,000"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: Before the words "March 28" insert the words "the act of"; and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "selected," insert the words "and acquired"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the language stricken out by the Senate insert the following: "*Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of more than 115 passenger-carrying automobiles for official use within the United States and its insular possessions: *And provided further*, That no part of any appropriation contained in this act shall be used for the purchase of more than 100 such passenger-carrying automobiles at a greater cost than $500 each and 15 at a greater cost than $2,000 each: *And provided further*, That the Secretary of the Navy is authorized to distribute the high-powered automobiles now owned and in use in the United States and its insular possessions to such places and service as they may be required"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: Strike out "$2,500,000," and in lieu thereof insert: "$1,000,000: *Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for this purpose not to exceed $1,500,000 in addition to the appropriation herein made"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: Strike out "$4,805,000" and insert in lieu thereof "$3,305,000"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: Before the word "officers," insert the word "medical"; and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Strike out "$4,500,000" and insert in lieu thereof "$4,000,000"; and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the following: "to Seward, Alaska"; and the Senate agree to the same.

Amendment numbered 156: That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows: Strike out "$93,753,682" and insert in lieu thereof "$93,203,682"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: Strike out "$160,566,756.14" and insert in lieu thereof "$160,016,-756.14"; and the Senate agree to the same.

On amendments of the Senate numbered 4, 5, 23, 33, 34, 35, 37, 38, 39, 41, 42, 47, 52, 53, 75, 93, 100, 101, 102, 112, 115, 120, and 170 the committee of conference have been unable to agree.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

B. R. TILLMAN,
CLAUDE A. SWANSON,
H. C. LODGE,
BOIES PENROSE,
By H. C. L.,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and submitted by the accompanying report on the amendments of the Senate, namely:

Of the Senate amendments agreed to by the managers on the part of the House, the following are merely changes of totals, to wit, 16, 82, 84, 87, 89, 96, 107, 124, 132, 136, 142, 144, 145, 150, 151, 156, and 159.

Of the amendments of the Senate agreed to by the managers on the part of the House, the following involve changes of language, grammar, correction of typographical errors, etc., and do not involve any material change of the substance of the bill, to wit, 1, 2, 3, 9, 12, 14, 15, 20, 21, 24, 27, 28, 29, 30, 32, 40, 45, 48, 49, 55, 56, 61, 118, 158, 160, 161, 162, 163, 164, and 165.

The following Senate amendments are reported in disagreement, many of them having been specially reserved for a separate vote in the House at the time the bill was sent to conference, to wit, 4, 5, 23, 33, 34, 35, 37, 38, 39, 41, 42, 47, 52, 53, 75, 93, 100, 101, 102, 112, 125, 120, and 170.

On amendment No. 6: Is made necessary because the charter of the city of New York requires when the city leases property to require the improvements placed upon the leased property to become the property of the city at the termination of the lease and it is absolutely necessary for the Government to have and use leased water fronts in the city of New York.

On amendment No. 7: Authorizes the Secretary of the Navy to collect reasonable compensation for salvage service. The Government has taken over and is operating under the Navy the large bulk of the salvage service in this country and much abroad.

On amendment No. 8: Makes provision for the payment out of the contingent fund for the maintenance of the officers of the Navy serving under unusual conditions outside of the United States and its insular possessions.

On amendment No. 10: Increases the appropriation for aviation about $32,000,000. This is necessitated because of the increased cost of labor and material, the larger type of machines being constructed, and the rapid changes being made in the development of aircraft.

On amendment No. 11: Authorizes the Secretary of the Navy to adjust and pay for damages to private property growing out of the operation of naval aircraft, and is similar to the legislation relating to the operations of the Army and Navy.

On amendment No. 13: Includes the State of Washington upon the same terms as the States of New York and Massachusetts for reimbursement of the expenses incurred in the maintenance of marine schools.

On amendment No. 17: Increases the appropriation for transportation from $5,100,000 to $12,000,000. This is made necessary because of the large increase in the personnel of the Navy and the large amount of transportation, and the present expenditures for this purpose are running about $900,000 a month with a prospect of increasing.

On amendment No. 18: As amended by the conferees, includes civilian employees who render conspicuous service by putting their life in jeopardy to save life or property to receive good-conduct badges or medals.

On amendment No. 19: Eliminates the restriction upon the number of naval officers for work in the Hydrographic Office. The correction and preparation of sailing charts, sailing directions, etc., during the war is of vital importance and its supply from abroad is greatly curtailed and it is necessary to have trained naval men for this work, especially during the war.

On amendment No. 22: Strikes out the provision for enrolling transferred members of the Medical Reserve Corps and Dental Reserve Corps in the Naval Reserve Force with seniority and provides that they may be trasferred in their present grades and ranks. The provision for seniority would create great confusion and detriment to the service.

On amendment No. 25: Places transferred members of the Fleet Naval Reserve upon the same basis of annual retainer pay as officers in the Naval Auxiliary Reserve.

On amendment No. 31: As amended by the conferees, provides for the acquisition of the necessary land upon which armories may be located and which are purchased under authority of that section as passed by the House.

On amendment No. 36: Authorizes the President during the period of the present war, if it becomes necessary, temporarily to increase the authorized enlisted strength of the Navy by 50,000. This is done simply as an abundant precaution in time of war.

On amendment No. 43: Makes provision for chief warrant officers in the permanent Navy on July 1, 1917, and were not given temporary appointments as on that date because of age restrictions or ill health. At that time there was an age restriction of 50 years, which Congress has since removed.

On amendment No. 44: Eliminates candidates for assistant surgeon from the age limit of 50 years for temporary service in the Navy. The need for surgeons in the Navy is very great.

On amendments Nos. 46 and 147: Are considered together and change the status of clerks for assistant paymasters in the Marine Corps from a civilian to a military status, but do not involve any increase in number or compensation. Places these clerks on a basis similar to the Navy, which has worked well.

On amendment No. 50: As amended by the conferees, provides for promotion to officers of the Navy, Marine Corps, and Coast Guard on the retired list doing active duty, and was believed by the conferees to provide a more just provision for their promotion than the amendment as passed by the Senate. Makes the legislation more nearly like the legislation for the Army.

On amendment No. 51: Provides for a suspension of the requirements for sea service in grade of officers specially designated during the period of the war or national emergency by the Secretary of the Navy as performing highly important duties on shore and whose services on shore could not be dispensed with without serious prejudice to the successful prosecution of the war. This exemption from sea service is limited to officers designated during the war and provides a period of two and one-half years after the ending of the war in which such officers may make good their sea service.

On amendment No. 54: As amended by the conferees makes the provisions of existing law with reference to promotion by selection in the line of the Navy applicable to the selection of commander, captain, and rear admiral in the Staff Corps of the Navy adapted to the conditions of the Staff Corps.

On amendments Nos. 57 and 58: Make the provisions of the House bill apply to the Navy as well as to the Marine Corps.

On amendments Nos. 59 and 60: Make the provisions for payment in cases of the requisition of property during the war the same as the provisions contained in existing law with reference to condemnation of property.

On amendments Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, and 72: Are increases of appropriations for ordnance stores, supplies and outfits, new batteries, ammunition for vessels of the Navy, torpedoes, and reserve ordnance supplies made necessary by the activities of the war. These amendments as agreed to

by the conferees reduce the appropriation by $32,000,000, but provide for authorizations in lieu of appropriations for $31,000,000, it being necessary to have authorization to begin the manufacture and production of this ordnance store material, equipment, etc., but the actual appropriation of the $31,000,000 will not be needed until the next session of Congress.

On amendment No. 69: As agreed to by the conferees increases the appropriation for torpedoes and appliances from $1,000,000 to $10,000,000 instead of $11,000,000 as passed by the Senate. This is made necessary by recent expansion of the manufacture of torpedoes and the increased cost of labor and materials.

On amendments Nos. 63, 66, and 70: Are necessary because of the authorizations in the act of March 28, 1918, and the larger number of ships and vessels and activities of the Navy.

On amendment No. 73: Contingent, Bureau of Ordnance. This increase is made necessary by the increased activities of the Navy.

On amendment No. 74: As amended by the conferees provides for the erection and equipment of a depot for the storage of high explosives and the loading of mines on a site to be selected and acquired by the President. The Navy Department is manufacturing mines and high explosives very rapidly for use in foreign waters and it is necessary to provide a safe place for their storage.

On amendment No. 76: Increases the appropriation for maintenance, Bureau of Yards and Docks, from $7,000,000 to $10,500,000; and this is made necessary by the tremendous increase in the temporary facilities of the training camps and the increased cost of materials and labor. There is also a large increase in the power plant facilities of the navy yards and the operation of the power plants is provided for in this appropriation.

On amendment No. 77: As agreed to by the conferees limits the purchase of automobiles to 115, not more than 100 of which can be purchased at a greater cost than $500 each and not more than 15 at a greater cost than $2,000 each.

On amendment No. 78: Provides a fund for temporary storage during the war of the increased and increasing accumulation of materials and equipments of all kinds other than explosive or ordnance materials.

On amendment No. 79: Provides for the water-front improvement, machine shop, and foundry at the Boston Navy Yard. This is a very important yard, doing a great deal of work, and recently the transportation difficulties have made it necessary to divert a large portion of the shipping from New York to Boston and other Atlantic ports, and it is necessary to construct piers to accommodate this shipping, much of which is under the direction of the Secretary of the Navy, and the large manufacturing and repairing work makes it necessary to reconstruct and enlarge the foundry and machine shop at Boston. This is very urgent and imperative.

On amendments Nos. 80 and 81: Are for the improvement and enlargement of the water front and the central power plant at the New York Navy Yard.

On amendment No. 83: Is made necessary by the enlargement of the yard and the erection of new buildings at the Washington Navy Yard and the storage of ordnance materials at Bellevue magazine.

On amendment No. 85: Authorizes the President to acquire 4,900 acres of land at Quantico, Va., now being used under lease as a Marine Corps training station. This land is admirably adapted for the purpose, and the Government has already spent a very large amount of money in fitting up the grounds for a Marine Corps post and will continue to need it, and it is proper to purchase and own it.

On amendment No. 86: As agreed to by the conferees provides for a building for seamanship and navigation and other instruction purposes at the Naval Academy, appropriating $1,000,000 and authorizing $1,500,000 additional, and a garage at a cost of $30,000 for the housing of the large number of automobile trucks used in connection with the academy. This is made necessary by the very great enlargement of the number of midshipmen.

On amendment No. 88: As agreed to by the conferees provides $10,000 for building medical officers' quarters at Port Royal, S. C.

On amendment No. 91: Provides for enlarging the central power plant at the navy yard, Charleston, S. C. This is for the same reason and the same necessities as at all of the yards. The very great expansion and enlargement of work at all of the yards necessitates the enlargement of the power plants.

On amendment No. 94: Provides for enlarging the central power plant and distributing system at the naval aeronautic station, Pensacola, Fla., which is the principal aeronautic station on the Gulf.

On amendment No. 95: Provides for enlarging the central power plant and distributing systems at the navy yard, Mare Island, Cal.

On amendment No. 98: Provides for the enlargement of the power plant at the navy yard, Puget Sound, purchase of additional land adjoining the navy yard, and for grading, filling, and sea wall construction. We have but two navy yards on the Pacific coast, one at Mare Island and the other at Puget Sound; both of them have very greatly enlarged their activities and output of production and are doing fine work. The grounds at Puget Sound Navy Yard are cramped, and this additional land is needed for the proper expansion of the activities of the yard.

On amendments Nos. 105, 106, and 108: Relate to the enlargement and improvement of the naval training station, Newport, R. I. This is one of the principal training stations on the Atlantic where many thousands of young men are annually trained for the naval service. This additional land is needed for the proper and necessary activities of the station, and the purchase price is believed to be very reasonable.

On amendment No. 109: Provides for a marine railway, naval fuel depot, San Diego, Cal. This is needed for the proper docking and repairing of naval vessels and other vessels on the southern portion of the Pacific coast. There are no docks available for that purpose in that vicinity.

On amendment No. 110: Increases the appropriation for the naval operating base, Hampton Roads, Va., by $500,000. This is for the purpose of constructing an additional pier. This is the principal operating base upon the Atlantic coast, and it is necessary to have the base fitted out as soon as possible.

On amendment No. 111: As agreed to by the conferees increases the appropriation for repairs and preservations at navy yards by $500,000 and reduces the amendment as passed by the Senate by $500,000. The large number of buildings, both permanent and temporary, require large amounts for repairs and preservations.

On amendment No. 113: Provides for the payment to Mrs. Van Kirk, mother of the late D. R. Van Kirk, ensign, National Naval Volunteers, one year's pay. This legislation is necessary because under existing law it was necessary that the young man should have designated some one as his beneficiary under the law authorizing the payment. This he neglected to do. Had he designated his mother, the payment would have been made to her under existing law. Having failed to designate her, it becomes necessary to authorize the payment by this legislation.

On amendment No. 114: Is made necessary on account of legislation at the present session allowing commutation to officers.

On amendment No. 116: Provides for hire of quarters for officers attached to submarines during the war when they are required to be on shore and Government quarters are not available.

On amendment No. 117: Appropriates $1,000,000 for the development and transportation of coal from Alaska. The coal situation on the Pacific is acute, the transportation charges are almost prohibitive, and transportation facilities very limited and difficult to secure. There is valuable coal available for naval uses accessible to the railroad in Alaska.

On amendments Nos. 121 to 142: Relate to increases of compensation for statutory employees at the Naval Academy and aggregate $10,578. There are statutory employees whose compensation is fixed in the statute; there are also per diem employees doing the same character of work as the statutory employees whose compensation is fixed by the wage boards and are adjusted from time to time. The statutory employees are in most instances the ranking employees. An arrangement was made between the War Department and the Navy Department that they would pay the same scale of wages that the Shipping Board paid to employees doing similar character of work. Recently the Shipping Board increased the scale of wages, and the Navy Department, pursuant to the agreement, increased the wages of the per diem employees, giving them a greater compensation than the statutory employees; and these amendments are to provide a similar increase to statutory employees, so as to make them on an equal scale of pay.

On amendments Nos. 148 and 149: Increases the pay of two chief clerks, one in San Francisco and one in Philadelphia, from $1,800 to $2,000.

On amendment No. 152: Provides for commutation for rations for enlisted men traveling on special duty. During the war it is frequently necessary for the Secretary to detail enlisted men for special duty of a confidential character.

On amendment No. 154: Provides an increase of commutation of quarters of officers and enlisted men serving with troops in the Marine Corps. This is made necessary because of the recent legislation allowing commutation of quarters.

On amendment No. 155: Includes retired officers on active duty during the war to receive the benefits accorded officers and enlisted men on the active list with reference to payment of funeral expenses.

On amendment No. 157: Provides an appropriation of $16,677,200 for the purpose of procuring a reserve stock of clothing, arms, and equipment, and other necessary military supplies for the Marine Corps. For several years past the Marine Corps has been accumulating a reserve supply, but the increases in the corps and the necessities of war have consumed this reserve stock, and it is necessary to make provision for a reserve supply.

On amendments Nos. 166, 167, 168, and 169: Relate to improving and equipping navy yards for construction of ships, and to meet urgent needs of navy yards, stations, and bases, and provides for the repair and urgent needs of navy yards, stations, and bases, as well as for construction and purchase of necessary machinery, implements, building ways, and equipment, and increases the appropriation from $4,000,000 to $10,000,000. This large increase is made necessary by the large number of naval ships added to the Navy as well as the large number of commercial ships under the control and operation of the Navy Department, and which must be repaired and cared for very largely in navy yards.

The aggregate increase of appropriations by the Senate amendments as agreed to by the conferees for ordnance, ordnance stores, new batteries for ships, and storage of ordnance supplies made necessary by the activities of the war and the enlarged operations of the Navy amount to		$102,103,671
In addition to the above appropriations, the amendments as agreed to by the conferees authorize contracts for additional ordnance stores, equipment, etc., of $31,000,000.		
The aggregate increase of appropriations by the Senate amendments as agreed to by the conferees for "Public works," under the Bureau of Yards and Docks, for the improvement and enlargement of the activities and operations of the manufacturing facilities and the improvement of the yards and stations, Naval Academy, temporary storage, marine barracks, etc., amount to		7,895,000
Additional authorization for seamanship and navigation building, Naval Academy, $1,500,000.		
Increase for aviation	$32,340,150	
Increase for transportation	6,900,000	
Increase for reserve supplies, Marine Corps	16,677,200	
Increase, improvement, and equipment of navy yards	6,000,000	
Maintenance, Yards and Docks	3,500,000	
Fuel and transportation, Supplies and Accounts	1,000,000	
Commutation of quarters, Marine Corps	400,000	
Marine school, State of Washington	25,000	
Civil establishment, Naval Academy	10,578	
Civil force, Marine Corps	400	
		66,853,328
Grand total		$176,851,999
Reduction of appropriations by authorizations	32,500,000	
Reduction of appropriations	2,155,000	
		34,655,000
Appropriations remaining in disagreement		13,000,000

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

The SPEAKER. The gentleman from Tennessee is recognized for an hour.

Mr. PADGETT. Mr. Speaker, in presenting the conference report and the statement on it, I wish to say that we went into detail so as to give the House the benefit of an explanation of each one of the amendments as agreed to and the result of the amendments as agreed to by the conferees. If there are any questions that gentlemen desire to ask, I will be glad to answer as best I can.

Mr. BRITTEN. Mr. Speaker, there are a number of amendments inserted in the bill by the Senate which the House conferees were instructed to report back to the House for the decision of the House.

Mr. PADGETT. They are all reported back, sir.

Mr. BRITTEN. I understand that; and on these amendments—on three or four of them at least—considerable debate will be necessary. I apprehend it will be impossible to pass definitely on these various amendments in the hour that is allotted to the chairman of the committee. I want to know——

Mr. PADGETT. Those amendments do not come within this hour. This hour is on the conference report as agreed to, and then there will be an hour on each one of the others as they come up.

Mr. BRITTEN. Is it the intention of the chairman of the committee then to take his full hour on the amendments that have been agreed to and then take one hour for each of the succeeding amendments, if necessary?

Mr. PADGETT. The chairman will not do it unless he is driven to it. He hopes to expedite the matter and get the conference report out of the way.

Mr. STAFFORD. Mr. Speaker, I think the House will be interested to know what the policy of the committee and the Government is as to the purchase of additional land that has been authorized in Senate amendments and that was authorized originally in other House amendments. For instance, the conferees in the partial report have agreed to the purchase of land at Quantico. They have agreed to purchase additional land at various other stations. According to my knowledge there have been instances where the Government has purchased additional land which is under favorable lease at very low rental, which is not absolutely necessary to be purchased, and yet the department in its policy of enlarged activities has recommended the purchase of the land. It might be interesting to the House for the chairman of the committee to reflect the policy of the department and the conferees toward the purchase of additional land when leased on reasonable rental during the period of the war and even afterwards.

Mr. PADGETT. With reference to Quantico——

Mr. STAFFORD. That was only an example. There are many other instances.

Mr. PADGETT. Not many others in the conference report.

Mr. STAFFORD. Take, for instance, Newport, R. I.

Mr. PADGETT. That is not agreed to. That is still in agreement. Newport, R. I., was reserved. That was reserved by the gentleman himself when the bill went to conference.

Mr. STAFFORD. I understood from the reading of the statement that there had been an agreement as to the purchase of additional land there.

Mr. PADGETT. No. That was in disagreement because the gentleman asked to have it brought back to the House. As to Quantico, it is proposed to purchase 4,900 acres of land. It is broken land, wooded land, rolling, and is said to be magnificently fitted for the purposes of the intensive training in the advanced military development of maneuvers, and especially with the large guns. The Government has placed upon the land over $2,000,000 worth of improvements under a lease. It is necessary that we should have, even for the permanent establishment when the war closes, this training base for this advanced training. We have two; one at Paris Island, or Port Royal as it is called at times, where they take their first training in maneuvering and drilling and things of that kind. But at Quantico it is an entirely different form of training and drilling. It is very necessary that the Government should have it. A number of members of the Naval Committee went down and went over the land personally. To be entirely frank with the House and with the gentleman, it occurred to us that perhaps the price may be a little high, but this does not fix the price. The President is to commandeer or to condemn the property under the standardized provision that has been adopted a number of times. He has a value fixed upon it, and if the parties accept it, that determines. But the property is taken over, the title and all, and the only question that remains is the value. If the party is not satisfied, he is paid 75 per cent of the assessed value, as determined by the President, and he is given the right to go into court to sue for the balance. That has been agreed to a number of times in different legislation of the Congress, both in this Congress and in a previous Congress.

Mr. STAFFORD. Has the gentleman any information as to the location of the additional land at the Bremerton Yard, Puget Sound?

Mr. PADGETT. Yes.

Mr. STAFFORD. That is the newest navy yard on the Pacific coast, and has been touted by Navy Department officials as being entirely sufficient for all Navy needs. Now, at the outbreak of the war we find it necessary to purchase additional land at that station.

Mr. PADGETT. Yes.

Mr. STAFFORD. When I visited the yard three years ago the site appeared to me very cramped, and I was informed that if the department, when it acquired it, had followed the suggestion of local people, it could have acquired all that part of the land which is now used by the city of Bremerton proper. As I recall the foundry, for instance—and I have some little knowledge of foundry practice—a new foundry building, costing $100,000 and more, was cramped right up against an embankment, without any opportunity for stores. It gave me the im-

pression of a yard in a cramped condition. Down near the marine hospital there was a large portion of unused land, but that was separated entirely from the main operating plant of the yard.

Mr. PADGETT. The gentleman's impressions are entirely correct. This yard was acquired a number of years ago. Gentlemen will bear in mind that we have only two yards upon the Pacific coast, one at Bremerton, out from Seattle, Wash., and the other at Mare Island, about 28 miles from San Francisco. The Bremerton yard is very much cramped, as the gentleman has said, but he will bear in mind that naval conditions at the time that yard was established, 20 or 25 years ago, were very different from what they are now. Naval activities were very different then. The ships that we were building then were very small compared to what ships are now. They were fewer in number than now. Naval activities of every form at the time that yard was established were not comparable to what they are now.

Mr. STAFFORD. Even under those conditions the yard was cramped, as I viewed it.

Mr. PADGETT. It was.

Mr. STAFFORD. And insufficient to meet the requirements of those conditions.

Mr. PADGETT. It was.

Mr. STAFFORD. And yet we launched into the project of establishing very expensive buildings on ground that was too limited for the purpose.

Mr. PADGETT. That is correct, and that is the reason why the conferees have agreed to this amendment of the Senate to acquire this additional land. If it had been acquired at the time of the organization of the yard it could have been obtained more cheaply than it can be now, but that is something that can not be helped now.

Mr. STAFFORD. Can the gentleman inform the House where that land is located in relation to the main plant?

Mr. PADGETT. It is adjoining it, and embraces a part of the water front. It is the flat land, not the hill land. You know that a good part of the land embraced within the naval reservation there is hill land that can not be used for industrial purposes.

Mr. STAFFORD. There is a large portion of the present tract that can be used, but it is separate and distinct from the existing plant. That is where the marine hospital is located, about half or three-quarters of a mile from the existing manufacturing plant.

Mr. PADGETT. Yes. The land which it is proposed to acquire is the flat land right out from and adjoining the manufacturing part of the yard. Mr. Speaker, I move the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. PADGETT. My attention is called to the fact that I stated to the gentleman a while ago that the amendment in relation to the Newport land had not been agreed to. That was agreed to in the conference report.

Mr. STAFFORD. I thought so from the reading of the report.

Mr. PADGETT. But the amendment that the gentleman made his reservation concerning was amendment 101, which relates to improvements at the Newport torpedo station. I wanted to correct that mistake.

Mr. STAFFORD. Will the gentleman in that connection explain the policy of the committee and of the department as to the acquirement of additional land at these various stations, whether they are proceeding in the purchase of additional land which in many instances are now occupied under a lease at very reasonable terms, with the idea of a large naval establishment in the future based on war preparedness, or whether it is based on the idea of contracting into the bounds within which we were before we entered the war?

Mr. PADGETT. Oh, we will never get back to where we were before the beginning of the war.

Mr. STAFFORD. I quite agree that we will not get back; but what is the policy of the committee and of the department in the acquirement of this additional acreage at the stations all over the country?

Mr. PADGETT. The policy of the department, as I understand it, and of the committee, is to purchase such land as is absolutely necessary for the proper execution of the work of the Navy Department. I may say that at Newport we have our principal training station, or one of the principal training stations. The one at Chicago has been very much enlarged, and is now so provided as to be perhaps superior to the others in its facilities; but thousands of men are assigned to Newport for training in the various branches and crafts of the naval service. The yard is very much cramped, and we are purchasing this additional land because it is needed not only now but will be useful and needed in the proper execution of the work of the yard after the war is over.

Mr. STAFFORD. Why did not the department and the committee postpone the purchase when they had the land under very reasonable terms of rental?

Mr. PADGETT. The reason we did not postpone the purchase of this land is because it is needed. They have been attempting to sell this land to the department for quite a while. It was first offered to the department at something like $200,000 or $225,000. The department would not entertain that proposition, believing the price to be too great and altogether out of proportion. When the committee were up there last spring the Secretary telegraphed me and asked me to look at it. We looked it over, and I sent him a telegram disapproving the project at the price at which it was offered at that time. The city of Newport has taken an option on this land from the private owners at $160,000, and has given a stipulation to the department that it will sell it to the department for $100,000, the city contributing $50,000 for Government use to secure the land, and the Secretary says that at that price it is well worth it. He regards it as a bargain, and he thinks now is the time to take it.

Mr. STAFFORD. I have no personal knowledge of the site instanced by the gentleman, but I have personal knowledge of tracts of land purchased by the Navy Department which were only utilized with temporary structures, not intended to be used during the war with any kind of permanent improvement, and which have been purchased by the department when the purchase could have been deferred until after the war without any inconvenience whatsoever. I am trying to get some idea from the gentleman of the policy of the department in making purchases of land when not necessary.

Mr. PADGETT. The department's policy is to get this land when absolutely necessary, and the committee only recommends this as it seems absolutely essential.

Now, Mr. Speaker, at the time this conference was agreed to by the House there were a number of amendments that were reserved to come back to the House which are not embraced in the conference report. I want to call up Senate amendment No. 4.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

The act entitled "An act to provide additional protection for the owners of patents of the United States, and for other purposes," approved June 25, 1910, shall be, and the same is hereby, amended to read as follows, namely:

"That whenever an invention described in and covered by a patent of the United States shall hereafter be used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same, such owner's remedy shall be by suit against the United States in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture: *Provided, however*, That said Court of Claims shall not entertain a suit or award compensation under the provisions of this act where the claim for compensation is based on the use or manufacture by or for the United States of any article heretofore owned, leased, used by, or in the possession of the United States: *Provided further*, That in any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by a defendant in an action for infringement, as set forth in Title 60 of the Revised Statutes, or otherwise: *And provided further*, That the benefits of this act shall not inure to any patentee who, when he makes such claim, is in the employment or service of the Government of the United States, or the assignee of any such patentee; nor shall this act apply to any device discovered or invented by such employee during the time of his employment or service."

Mr. PADGETT. This is an amendment of the patent law, and, generally speaking, it would not be appropriate on the naval appropriation bill. It makes only a slight change in the existing law, but the urgency and necessity of it was such that the Senate deemed it proper to place it on the bill. It is strongly recommended in a letter from the Assistant Secretary of the Navy, Mr. Roosevelt.

The existing law provides that when the Government wrongfully uses a patent the remedy of the patentee shall be to sue the Government. The conditions now are such that it becomes necessary for the Government to have contracts with various private manufacturers and for them to use these patents where dispute may arise over the use of the patent. Now, if the Government itself is manufacturing, they can not enjoin the Government, but under existing law must sue in the Court of Claims for the recovery of their rights under the use of the patent. If a man makes a contract with the Government to perform the work, the patentee can enjoin the private contractor and the private manufacturer from doing the Government work. Now, the only change that is made is to provide that the private contractor who is doing the Government work under contract with the Government shall be placed on the same basis and shall bring suit against the Government of the United States to recover

certain compensation from the use of their patent, or such damage for the use of the patent, as they could recover if the Government of the United States was doing the work itself. Thereby it would prevent the injunctive process from the courts being used to prevent private manufacturers doing Government work. That is the whole change made in the law and the conditions are such as to require that it should be done.

Mr. LONGWORTH. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. LONGWORTH. Does not the gentleman think, however, that it is an extremely bad precedent to amend the patent laws in the naval appropriation bill, and that it will be made a vehicle hereafter of such amendments?

Mr. PADGETT. Let me say to the gentleman that it was with very great reluctance that we consented to bring the matter here and let the House pass on it.

Mr. LONGWORTH. There are other appropriation bills where this would be more apropos than here. When you amend the patent laws on the naval appropriation bill it seems to me a very bad precedent.

Mr. PADGETT. It is true that it does not belong here. I stated that in the beginning, but the Navy is confronted with vessel work, making contracts all over the country with the liability of having its work stopped, and they want to get it in the quickest way possible, and it was sent down by the Navy Department.

Mr. COX. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. COX. Does not the gentleman feel that this is a law that would expedite the manufacture of war material?

Mr. PADGETT. Yes; certainly.

Mr. COX. Then why does not the gentleman move to concur in the Senate amendment?

Mr. PADGETT. That is what I am going to do.

Mr. COX. I think the gentleman could get it in three minutes.

Mr. PADGETT. Mr. Speaker, I move to concur in Senate amendment No. 4.

The SPEAKER. The gentleman from Tennessee moves that the House concur in Senate amendment No. 4.

The question was taken, and the amendment was agreed to.

Mr. PADGETT. Senate amendment No. 5, I ask that the House still further insist on its disagreement.

The SPEAKER. Does the gentleman intend to make the motion on each one of these amendments?

Mr. PADGETT. Yes; I move to further insist on the disagreement to amendment No. 5.

The motion was agreed to.

Mr. PADGETT. Amendment No. 23 is legislation relating to the Dental Corps of the Navy. There should be legislation, but there should be some amendment to this Senate amendment. The legislation was had last fall for the Dental Corps of the Army, and it makes it very necessary that we should have this legislation with reference to the Navy.

Mr. ROBBINS. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. ROBBINS. What does this do with reference to the present legislation; what change does it make?

Mr. PADGETT. It makes a number of changes; it gives an advanced rank, although it does not give as much as the Army is giving now.

Mr. COX. What is the maximum?

Mr. PADGETT. Commander, with the pay of a captain.

Mr. COX. How does that compare with the same rank in the Army?

Mr. PADGETT. A commander in the Navy is the same as lieutenant colonel in the Army.

Mr. COX. That is as high as the members of the Dental Corps can go in the Army?

Mr. PADGETT. I think it goes a little higher.

Mr. COX. Colonel?

Mr. PADGETT. No. There is a bill pending, and the Surgeon General of the Navy has recommended several amendments—that the rank provided here should be lieutenant commander with the pay to go up to that of commander.

Mr. COX. Does not the gentleman feel it ought to go as high here as the law permits the grade to go in the Army?

Mr. PADGETT. Differences in the service bring conflicts. We have a Medical Corps in the Navy and a Dental Corps. Let us take a hospital, for instance. We will say that an officer of the Medical Corps is sent to the hospital and is put in charge of the whole work, except the dental part of it. If we have a dentist with the rank of commander and the medical officer has a rank of lieutenant commander you will be putting a man of higher rank under a man of lower rank, who has the general charge of the service. These things ought to be worked out, and I wanted to say that our committee has been considering this matter in a general way. The conferees think there ought to be legislation, and we are in sympathy with this legislation, in order to give the Dental Corps of the Navy appropriate recognition; but there are some amendments that should be made in this legislation.

Mr. OLIVER of Alabama. This is deemed to be urgently important at this time. What reasons are assigned for not having submitted this proposal to the House committee?

Mr. PADGETT. It was submitted to the House committee, but we did not take it up. It was submitted as a separate matter.

Mr. OLIVER of Alabama. I recall that the chairman did not call the attention of the committee to it and we did not have any hearings upon it.

Mr. PADGETT. No; because it came in late with some letters, and we had to make up the bill, and then we had to get the bill through the House. This came in just a short time before we had to take the bill up in the House.

Mr. OLIVER of Alabama. I am sure that the chairman is in sympathy with the feeling of the House committee that in matters of legislation of this kind, where the necessity for it is apparent, it ought to be brought to the attention of the House committee in the hearings.

Mr. PADGETT. Yes; and that is always done.

Mr. ROBBINS. This provision with reference to dentists runs from page 14 to page 18.

Mr. PADGETT. Yes.

Mr. ROBBINS. Could the gentleman inform the House just what amount of increase in rank there is here and how it figures out in the matter of increasing the expense to the Government by reason of this reorganization of the Naval Dental Corps?

Mr. PADGETT. I can not give the gentleman the amount of the expense at this time. I have not gone into that.

Mr. ROBBINS. With each increase in rank there is an increase in pay.

Mr. PADGETT. At the present time the Dental Corps in the Navy is limited to the rank of lieutenant commander and the pay of lieutenant commander. This amendment, as it is placed in the bill by the Senate, provides for the rank of commander, and provides for promotion in pay to captain.

Mr. ROBBINS. That is, the same rank as a captain in the Army?

Mr. PADGETT. Oh, no; a captain in the Army is much lower than that.

Mr. BROWNING. It is the same as a colonel in the Army.

Mr. PADGETT. A commander in the Navy is the relative rank of a lieutenant colonel in the Army, and captain in the Navy is of the relative rank of a colonel in the Army.

Mr. ROBBINS. And with the same pay?

Mr. PADGETT. Yes; the pays are all on the same basis.

Mr. ROBBINS. Then the expense to the Government by reason of this increase in rank would be considerable?

Mr. PADGETT. Not speaking accurately, offhand my understanding is that it would give, perhaps, somewhere from 15 to 20 with increased rank.

Mr. ROBBINS. And corresponding increase in pay?

Mr. PADGETT. Yes.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield me 10 minutes?

Mr. PADGETT. Yes.

The SPEAKER. Is the gentleman going to make any motion in respect to this amendment?

Mr. PADGETT. I move to still further insist upon the disagreement to this amendment, so that it will go back to conference.

The SPEAKER. The gentleman moves to further insist upon disagreeing to amendment numbered 23.

Mr. PADGETT. The gentleman from Wisconsin desires some time, and I yield him 10 minutes at this time.

Mr. STAFFORD. Mr. Speaker, as late as 1917, in the naval appropriation act of that year, we provided for the reorganization of the Naval Dental Corps and Naval Reserve Dental Corps. That act provided for a dentist for every 1,000 enlisted men in the Navy and the Marine Corps and for certain promotions; that they should enter in the grade of junior lieutenants after a probationary period of 2 years, serve in that grade for 5 years, and be promoted to the grade of lieutenant; and then, after a service in that grade of 20 years, be promoted to the grade of lieutenant commander, and that was the maximum grade. There could be no more than 11 men in the position of lieutenant commander.

This amendment, as the supplemental hearings before the Committee on Naval Affairs show, did not arise with the Secretary of the Navy; it did not have the indorsement of the Navy

Department. It arose in the Senate, as the result, perhaps, of a lobby on the part of the National Dental Association. I am well aware that it is the practice for outsiders to use their influence to seek increase in rank and pay of officers, and that is all this Senate amendment does. It does not in any way increase the number of dental surgeons that are needed in the service, because it merely provides one for every thousand, but seeks to increase the pay and rank of all in the service. That is something, I contend, we should guard against in these times when we need the money for other purposes. It is the tendency now in every quarter for officers, wherever they can do so, to endeavor to increase their pay. We have indirectly increased the pay of these dental officers by providing commutation of quarters, and yet they come in here and in a wholesale fashion wish to get an increase of pay and rank by reason of war condition, not to continue merely during the war, but for all time.

The gentleman from Alabama [Mr. OLIVER] is well within his rights and within the rights of the House when he says this matter should be considered by the Committee on Naval Affairs before being considered as an amendment to this bill.

Mr. ROBBINS. Was this ever before the whole Committee on Naval Affairs or was it just before the conferees?

Mr. STAFFORD. The gentleman is absolutely correct. The gentleman heard the statement of one of the active men on the Committee on Naval Affairs, the gentleman from Alabama [Mr. OLIVER], in which he says this matter has never been considered by the full Committee on Naval Affairs.

Mr. GOOD. Will the gentleman yield?

Mr. STAFFORD. I will.

Mr. GOOD. It seems to me the Naval Affairs Committee have an apology to make to the House. There is a bill pending which has been referred to that committee to do this very thing, and it seems to me it is with very poor grace for the members of the Committee on Naval Affairs to come here saying it has never been considered by them, when that bill has been there—the Dyer bill—for several months.

Mr. STAFFORD. And more, if you examine the supplemental hearings upon these 101 amendments you will find that the Surgeon General of the Navy, an estimable man, says at the outset it is a fair bill and he approves of it, and then the Secretary of the Navy says he does not approve of that bill, and he goes on and suggests amendments.

I do not care in rising here and criticizing the action of the Committee on Naval Affairs, but they might well take example from the Committee on Military Affairs in the framing of their bill. The Committee on Military Affairs when they presented their appropriation bill did not bring in legislation on their bill. They brought in their legislation piecemeal and the House had an opportunity to act upon those separate bills, and we did so; but here the Committee on Naval Affairs brings into the House a bill laden down with legislation, and, of course, it is an invitation to the Senate to load down the bill over there with legislation. Here we have an example of this ill-advised policy of allowing the conferees to determine what should be the future policy of the Government and refuse to give the Committee on Naval Affairs the privilege to determine and pass upon that subject. We have just adopted an amendment revising the patent laws of the country upon the ipse dixit of the Secretary of the Navy, without any investigation whatsoever by the committee itself as to whether it was warranted or not. Now, I think this committee ought to insist on its further disagreement and not agree to this amendment with any amendment whatsoever. We should not in these times, when we need money so badly for pressing activities, attempt to increase the pay and rank of dental officers.

It was pointed out in these supplemental hearings if this amendment was agreed to we would have on board ship a dental surgeon of higher rank than a medical officer, and there would be disorganization. It is one thing for a man to be a surgeon, qualified and equipped for the duties of that office, and a mere dental surgeon, who does not require the same training and experience——

Mr. SNOOK. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. SNOOK. The committee brings this matter in here for the House to consider. Why can not we consider it; why send it to the committee?

Mr. STAFFORD. The gentleman from Tennessee made a preliminary statement when he rose that he was going to disagree to this amendment, with the understanding that he would agree to it in conference with certain amendments as suggested in this supplemental report. The gentleman knows in these times you can not consider a proposition on the spur of the moment, without any recommendation from the Navy Department, without a report from the committee that has charge of this matter that had never considered it, and that is the reason why, and I believe the House is agreed, that we should not at this time seek to raise salaries of officers connected with the Navy.

Mr. LINTHICUM. Will the gentleman yield?

Mr. STAFFORD. I do.

Mr. LINTHICUM. I wanted to ask the gentleman, if this amendment is adopted, how the comparative rank and pay of these men compare with similar men in the Army?

Mr. STAFFORD. I can not give the gentleman the information. I did not have the time to examine it. The gentleman will recall the last day of the last Congress I rose in opposition to an amendment which was placed on in the Senate providing for an increase of pay of the Dental Corps, and on a motion to suspend the rules there was decided opposition to the motion. At the solicitation of the gentleman from Kentucky [Mr. SHERLEY], who wanted to bring up a very pressing matter, I did not demand a roll call, and I think if I had the matter might have been defeated.

But there is too much tendency now on the part of the Navy to endeavor to parallel every increase that is found in the Army. It merely means an increase of the pay of the dental surgeons now in the Navy, and I do not think that practice should be approved of and I do not think this House is in favor of that policy.

Mr. McKEOWN. Will the gentleman yield?

Mr. STAFFORD. I do.

Mr. McKEOWN. I wanted to ask whether or not there is any disposition on the part of the Navy, as there seems to be in the Army, to discriminate between the dentists who are not association men?

Mr. STAFFORD. Of course, I am not on either committee, and I have not any first-hand knowledge as to those affairs. I am merely giving the House the benefit of the little knowledge I have gleaned from the hearings and from my acquaintance with this legislation.

The SPEAKER. The time of the gentleman has expired.

Mr. PADGETT. Mr. Speaker, the gentleman says that this was originated in the Senate, by whom he did not know, but, perhaps, by lobbying, and so forth. The fact is that the Secretary of the Navy did make a recommendation, as I had stated, and sent it to the House committee and also to the Senate committee. The bill had been worked out by the department in conference with the dental men and——

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. PADGETT. That bill was introduced by Senator TILLMAN, but the bill as passed in the Senate is not exactly the bill that was recommended by the department. I stated that there were some changes which should have been made. The conferees had a hearing with the Surgeon General and also with the Secretary of the Navy and certain changes were recommended.

And I stated very frankly to the House that I moved to still further insist upon the disagreement and let this amendment go back to conference, with the hope to perfect it and make it acceptable and report it back with the recommendation for agreement. Now, I move, Mr. Speaker——

Mr. STAFFORD. Will the gentleman permit?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. I read on the first page of the supplemental hearings before the Committee on Naval Affairs, No. 21, held on June 3, 1918, as follows:

> The CHAIRMAN. I ask you if the department did recommend some legislation with reference to the Dental Corps?
> Secretary DANIELS. Yes; but the department made no recommendation for additional legislation.

Mr. PADGETT. If the gentleman will read further in there, he will see where he stated that they prepared a bill, and it was the Tillman bill.

Mr. STAFFORD. And it has never been considered by the Committee on Naval Affairs or by this House?

Mr. PADGETT. Mr. Speaker, I move that the House still further insist on its disagreement to amendment No. 23.

The SPEAKER. The gentleman from Tennessee moves to further disagree to Senate amendment No. 23.

The motion was agreed to.

Mr. PADGETT. The next amendment is No. 33.

The SPEAKER. What motion does the gentleman want to make?

Mr. PADGETT. I want to move to recede and concur in Senate amendment No. 33.

The SPEAKER. The gentleman from Tennessee moves to recede and concur in Senate amendment No. 33.

Mr. STAFFORD. I wish to have the amendment reported.
The SPEAKER. The Clerk will report the amendment.
The Clerk read as follows:

Senate amendment No. 33: Page 30, after line 9, insert a new paragraph, as follows:
"That the authorized enlisted strength of the active list of the Navy is hereby increased from 87,000 to 131,485.

Mr. STAFFORD. Will the gentleman yield?
Mr. PADGETT. Yes.
Mr. STAFFORD. I do not recall this amendment having been reserved for separate action.
Mr. PADGETT. It was reserved.
Mr. STAFFORD. If it was, of course I withdraw the query I was going to propound to the gentleman.
Mr. PADGETT. Yes; it was reserved.
Mr. Speaker, under existing law the authorized enlisted strength of the Navy of enlisted men is 87,000 plus 6,000 apprentice seamen, making the total permanent enlisted personnel of the Navy 93,000. The Secretary of the Navy—and I speak frankly when I say myself also—thought that there was no urgent necessity for increasing the permanent strength at the present session. The naval officers, however, thought otherwise, and the Secretary, upon full consideration, has recommended that it be increased to this 131,485, in order to afford a permanent enlisted personnel to meet the necessity of manning the ships—that is, the fighting ships, not these auxiliaries and subsidiary ships, of the Navy that will be completed and in commission by the 1st of July, 1919—at the expiration of this fiscal year.

The commissioned personnel of the line depends upon the enlisted personnel of the permanent force. The act of August 29, 1916, provides that the commissioned personnel of the line shall be 4 per cent of the authorized enlisted personnel of the Navy. Under the law at the present time 4 per cent upon the 93,000 would entitle the Navy to 3,700 permanent officers of the line. As a matter of fact, we have only about 2,500, including the graduates from Annapolis last week. Bear in mind that the source of additions to the permanent commissioned personnel comes through the graduation at Annapolis, but they need additional men.

They have set out at length the need during the war for additional officers of the higher ranks as well as the lower ranks. Under the provisions of the act of May 22, 1917, as amended by this act, 4 per cent upon this authorized commissioned personnel would add additional commissioned officers as follows: Eighteen additional temporary admirals, 71 additional temporary captains, 125 additional temporary commanders, 249 additional temporary lieutenant commanders, 578 additional temporary lieutenants, senior grade, and 738 additional temporary lieutenants, junior grade, and ensigns. Admiral Benson, Chief of Operations, charged with the duty of administering the Navy, and Admiral Palmer, Chief of the Bureau of Navigation, having special charge of the personnel, insists very earnestly that the necessities of the present war demand and require for the proper manning of our ships this additional temporary increase. Under existing law the temporary officers go out not later than six months after the termination of the war, so that these additional officers would go out not later than six months after the termination of the war, unless in the meantime, by the graduates from Annapolis, the number of permanent officers was so increased that some of them would become permanent officers. For instance, if we graduate, as we did a few days ago, say 200 midshipmen, they become ensigns. They add 200 to the number of permanent officers. Then under the law the distribution is: One per cent admirals, 4 per cent captains, 7 per cent commanders, 14 per cent lieutenant commanders, 31½ per cent lieutenants, 42½ per cent junior lieutenants and ensigns. So that the 200 would be distributed in that rank, and they would move up the line and would give us 2 permanent admirals as an increase and would give 8 captains. Then the next class that graduates from Annapolis would in like manner, but in proportion to the number of graduates, be distributed as I have just stated. It will take the graduates of the academy about eight years, as I figure, to make up this number in the permanent addition to the commissioned personnel of the line. And in the meantime, during the war, we would have these temporary officers.

Mr. ROBBINS. Mr. Speaker, that is just the thing I did not catch. You speak of this amendment No. 33, on line 10, page 30, as being temporary.
Mr. PADGETT. No; I did not; I said permanent.
Mr. ROBBINS. This is permanent, then?
Mr. PADGETT. Yes.
Mr. ROBBINS. Then your reference to temporary did not allude to this?
Mr. PADGETT. No. I was explaining the adjustment between the temporary force and the permanent force. As a matter of fact, the House bill authorized 228,000 enlisted men, but of that 228,000, under the law as it is at this minute, 93,000 of them belong to the permanent Navy and the others are under the war strength.
Mr. ROBBINS. Yes; I see where you get your 93,000, and your 4 per cent of that would give 3,720.
Mr. PADGETT. Yes. If you make up 131,485 you will increase the permanent and enlisted personnel from 93,000 or 87,000—the strictly enlisted personnel, leaving out the apprentice seamen—to 131,000. Now, when we get them from Annapolis through graduation we would add the graduates to the number until we got up to 4 per cent, or the 31,000. It would take about eight years of the graduates of the academy to fill up that number. In the meantime, during the war, they will be filled up by temporary promotions.
Mr. ROBBINS. But the promotions made under this amendment, if adopted, are permanent?
Mr. PADGETT. No. This relates only to the enlisted personnel. They are permanent. The new admirals will be temporary, until, as the years go by and the graduates from Annapolis add to the total number of officers, then they will replace, year by year, in proportion as they graduate from the academy.
Mr. ROBBINS. The process of replacing would take place not by demoting, so to speak——
Mr. PADGETT. No; we do not demote anybody.
Mr. ROBBINS. You demote them as they retire?
Mr. CANDLER of Mississippi. Retire and promote.
Mr. PADGETT. Under the law as it now is, all the temporary officers, thousands of them, will go out not later than six months after the close of the war. That is the act of May 22, 1917.
Mr. ROBBINS. That I understand; but I was not clear as to how you are going to get rid of these permanent officers—3,720.
Mr. PADGETT. No. It adds 1,779. It would take eight years to fill up the gap. We already have a shortage of 1,200, and, adding the 1,700 and some odd to it, makes 3,000 that we are short. We have 2,500 now, in round numbers. We would authorize 5,500, but the difference between 5,500 and 2,500 are temporary officers.
Mr. ROBBINS. Yes.
Mr. McKENZIE. Mr. Speaker, will the gentleman yield for a moment?
Mr. PADGETT. Yes.
Mr. McKENZIE. I simply want to ask the chairman a question for information. How many men are there now enlisted in the entire Navy?
Mr. PADGETT. The authorized enlisted strength of the Navy by the act of May 22, 1917, is 150,000. Then there are in addition to that various others, in the Flying Corps and other corps, and then there are the Naval Reserves, on which there is no limit under the law. All told, in the Navy we have now something like 400,000 men.
Mr. McKENZIE. And no limit on the enlistment in the Naval Reserve?
Mr. PADGETT. No; that is as they are needed and men who come into the service during the war.
Mr. McKENZIE. The reason I am asking the question—and I think the gentleman will understand—is that, in my judgment, there ought to be a limitation somewhere on the number of men enlisted in the Naval Establishment.
Mr. PADGETT. The act of August 29, 1916, provided no limit in the Naval Reserve. That is a reserve that is called upon. They bring in only such as they need; but if an emergency arises we ought not to have everything stopped off so that we could not meet it.
Mr. McKENZIE. I agree as to that; but does not the gentleman think 400,000 is a sufficient number at this time?
Mr. PADGETT. That 400,000 embraces the number, 150,000, that is authorized and, in addition to that, the various other corps I have mentioned—the Medical Corps, the Flying Corps, the Dental Corps, and the Marines.
Mr. McKENZIE. My purpose was far from attempting to reflect on the Navy, as the chairman knows. I would not do that. I am for the Navy, and would give it everything it needs. But I think in this crisis, when we need every available man that we can get everywhere to put into the military forces of our country, it would be a mistake to permit thousands of young men to go into the Naval Reserve, where they would not be needed, with no possibility of their being called.
Mr. PADGETT. They are not taking in any except those that they are using, and then under the regulation issued by the President, effective since the 15th of last December, a man

can not get into the Navy or the Reserve or Marine Corps except by a certificate from his local board.

Mr. McKENZIE. I understand that; but it seems to me that ought to be prohibited, because they are going in by the thousands.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. MADDEN. Is that one of the places where they put these slackers and hide them away and let them escape from doing military duty?

Mr. PADGETT. No.

Mr. MADDEN. When the local board exempts them, or, rather, permits them to enter this service, is that permission granted on the request of the Secretary of the Navy or somebody else connected with the Navy?

Mr. PADGETT. I did not catch the gentleman's question.

Mr. MADDEN. Is the exemption granted by the local boards on the request of the naval authorities?

Mr. PADGETT. No. If the local board grants a certificate to a man, he then goes to the Navy to enlist, and if they need him and have a place to send him to work they enlist him and send him out to the service. If they do not need him, they do not take him.

Mr. MADDEN. Under what circumstances is it possible for the local board to grant a certificate such as the gentleman describes?

Mr. PADGETT. It depends on the local board. Some of the local boards refuse to grant them and others grant them.

Mr. MADDEN. Do they put these men into clerical jobs here in the department or send them to the ships?

Mr. PADGETT. They send them to the ships and stations and things like that.

Mr. BROWNING. If the gentleman will permit, as I understand, a release from the local board has to state that they are so far down on the list that they will not be included in this draft.

Mr. PADGETT. That is right.

Mr. BROWNING. Every one enlisted so far has had that certificate. They are sent to sea and are not here in the departments.

Mr. SISSON. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SISSON. As I understand, the permanent force of the Navy is about 93,000 men?

Mr. PADGETT. Yes.

Mr. SISSON. Under this bill the authorized strength would be 131,000?

Mr. PADGETT. Yes.

Mr. SISSON. And as these young men graduate the officers will be fed in permanently?

Mr. PADGETT. Yes.

Mr. SISSON. In the meantime these places to fill up the whole complement of all the ships will be temporary officers, whose places will be filled as rapidly as these young men graduate?

Mr. PADGETT. Yes; and distributed in proportion by promotion.

Mr. SISSON. I understand that. Now, what was the policy of the Navy Department in recommending at this time the permanent increase to 131,000 men during the time the war is going on, instead of waiting until after the war is over, so that we might then more definitely determine what peace strength is really needed?

Mr. PADGETT. Admiral Benson, as I stated a moment ago, and Admiral Palmer stated very earnestly that the fighting ships now in course of construction which will be completed and commissioned within this year will require this number of men, and that the ships that will be completed thereafter will never leave the Navy requiring less than these 131,000 men.

Mr. SISSON. I suppose that is absolutely true.

Mr. PADGETT. Yes.

Mr. SISSON. But in the present circumstances why could they not have permitted the Navy to continue with its permanent peace strength of 93,000 men and wait until after the war was over and then determine with more definiteness just what will be the policy of the United States in connection with that of all the other nations of the world interested in the movement?

Mr. PADGETT. That was the view that was first taken by the Secretary of the Navy and also by myself; but the naval people insist that the good of the service demands that it shall be done now, that they need these men, and that in organizing the Navy they can put into the permanent part of the Navy the best men as they develop them from among the enlisted men and constitute the permanent enlistment in the Navy out of the selected and best men, so that after the war, instead of having a very large temporary force, all of them under the law to go out and then to make selections, they can make their selections now.

Mr. SISSON. As a matter of fact, the men—not the officers, but the men—could be selected at any time to make up the proper proportion included in the 131,000?

Mr. PADGETT. Yes.

Mr. SISSON. But the promotion of permanent officers would depend upon the graduates from the academy?

Mr. PADGETT. Yes; from Annapolis.

Mr. SISSON. Now, going back to the question of the position taken by the Secretary of the Navy and the chairman of the Committee on Naval Affairs, I am still at a loss to see any really good reason why the naval officers should insist at this time on increasing the permanent strength of the Navy from 93,000 men to 131,000 men, whereas at the close of the war they would have every opportunity to observe all of the men and make the selection of their permanent force after the war was over, rather than at the present time.

Mr. PADGETT. I understand; and, as I stated, in the beginning I had that view myself; but when those who are charged with the responsible duty of the organization and operation of the Navy lay the matter before the Secretary and he changes his mind and asks me to present the matter, and they say it is essential at this time that we should do this, I am not going to put myself in the position of opposing it, although I did entertain a different view.

Mr. BURNETT. Will the gentleman yield?

Mr. PADGETT. I yield to the gentleman from Alabama.

Mr. BURNETT. I should like to inquire a little further in regard to the status of the Naval Reserve. If I understand it, when men enlist in the Naval Reserve they are sent to a training school, or on board ship, or they are allowed to remain in civil life until they are actually wanted. What is the status?

Mr. PADGETT. They do not use the word "enlist" any more. They use the word "enroll." In the beginning they enrolled a large number of men, to have them available as ships were finished, to organize their operations and call them out. At the present time I do not think they are enrolling any men and leaving them at home. They are sending them now to the training schools, where they undergo a course of intensive training and instruction for three or four months at the camps. Before the war it was six months, but they are cutting it down some now, and then they send them right into the active service.

Mr. BURNETT. After the training?

Mr. PADGETT. After the training.

Mr. BURNETT. They are not taking any into the reserve now?

Mr. PADGETT. Yes; they are taking them into the reserve, but they are not taking them in and allowing them to remain at home, as they did in the beginning.

Mr. BURNETT. The reason I inquired is that I have three young men who enrolled in the reserve, and they were anxious to get into the active service, and they wrote me in regard to that. I wanted to know just exactly their status. They have to go through the training school first, do they?

Mr. PADGETT. Yes.

Mr. BURNETT. Are they on the pay roll of the Government as soon as they are enrolled in the reserve?

Mr. PADGETT. When they are called to active service they go upon the pay roll.

Mr. BURNETT. And that would mean when they went into the training school, or went on board ship?

Mr. PADGETT. Yes.

Mr. AUSTIN. Is the amendment in relation to the Naval Reserve in compliance with the recommendations of the Navy Department?

Mr. PADGETT. Yes; I am moving to concur in this amendment, which was adopted in accordance with the view of the Secretary of the Navy.

Mr. PARKER of New Jersey. Will the gentleman yield me three minutes to support his motion?

Mr. PADGETT. Yes.

Mr. PARKER of New Jersey. Mr. Speaker, I think it is time that Congress should recognize that for long past it has been due and our duty to make a permanent increase of the Navy. After this war is over, and no matter what may be the result of that war, the nations that stand for peace must hold the seas, must be in a position to prevent piracies like those that have occurred, and must be able to prevent filibustering by nations which may desire to exploit themselves in South America or in Africa. The nations that stand for peace must be able to defend their coasts from invasion, to maintain their communications by sea free of piracy, and to protect other nations. Unless they can do that, we and they will have to become military nations ourselves.

This is a small increase in the personnel of the Navy. It is not so great as we may have to make. The nations that stand for peace, and especially England, America, and France, will have to protect civilization upon the seas, and this motion to concur in this amendment and enlarge our standing naval force is none too early. [Applause.]

Mr. PADGETT. Mr. Speaker, I move to concur in the Senate amendment.

Mr. BUTLER addressed the House. [See Appendix.]

Mr. MILLER of Minnesota. That is all right, but he is not doing anything.

Mr. PADGETT. Oh, yes, he is.

Mr. MILLER of Minnesota. He can not be, because he has nothing there to do it with.

Mr. PADGETT. He has something to do over there, looking over the situation in other countries.

Mr. MILLER of Minnesota. Oh, they have a few canoes over there.

Mr. PADGETT. Admiral Sims is a vice admiral.

Mr. MILLER of Minnesota. Who is the fourth full admiral—Benson?

Mr. PADGETT. He is here, and is an admiral by virtue of his position.

Mr. MILLER of Minnesota. How many vice admirals have we?

The SPEAKER. Is the gentleman from Pennsylvania yielding to these gentlemen to carry on the debate in his five minutes?

Mr. BUTLER. Mr. Speaker, I have yielded to the gentleman from Tennessee to correctly answer the gentleman from Minnesota?

Mr. TOWNER. Mr. Speaker, will the gentleman yield to me?

Mr. PADGETT. In just a moment. The law authorized the appointment while at sea of six admirals and vice admirals to be distributed in two ranks as the President may direct.

Mr. MILLER of Minnesota. Which are the two ranks?

Mr. PADGETT. Admiral and vice admiral. Just at this moment, whether there are three admirals and three vice admirals or two admirals and four vice admirals I am not prepared to say definitely, but my impression is that there are two admirals and four vice admirals.

Mr. MILLER of Minnesota. If there are four vice admirals, how many rear admirals are there?

Mr. PADGETT. All of them, because sometimes they come away from sea and they cease to be vice admirals.

Mr. MILLER of Minnesota. I want to be fair and I wanted to get that in the RECORD. How many rear admirals are there?

Mr. PADGETT. Under the law the commissioned personnel, as I stated a moment ago, is 4 per cent of the enlisted personnel. Under existing law they would be entitled to 3,700 commissioned officers of the line. That would entitle us to 37 admirals.

Mr. MILLER of Minnesota. Now——

Mr. PADGETT. Let me answer the question. We have not but about 2,500 permanent officers, including the ones who graduated at Annapolis the other day. I have a letter here from Admiral Palmer, written a day or two before, saying there are 2,200, and there were 200 graduated, so we would be entitled to about 25 rear admirals in the permanent list. Then there is a difference between that and the 37 on the temporary list, but that temporary list was filled up before the graduation at Annapolis and a redistribution will be made as of the 1st of July.

Mr. MILLER of Minnesota. Now, there are 37 rear admirals at the present time?

Mr. PADGETT. Not including the ones on the retired list; that does not include the Staff Corps.

Mr. MILLER of Minnesota. And this addition of 100,000 men—50,000, from 131,000 to 181,000, and another authorization of 50,000 which is in the next paragraph—would increase the number of rear admirals, would it not?

Mr. PADGETT. Yes. I have said that a number of times, that under this amendment——

Mr. MILLER of Minnesota. But I wanted to get it all together.

Mr. PADGETT. Under this amendment, if we agree to it and fix the personnel at 131,485, we will increase the authorized number of commissioned officers of the line to 5,500 instead of 3,700. We will then be short 3,000 officers on the permanent list instead of 1,200, as now.

Mr. MILLER of Minnesota. That is all undoubtedly true; but what I am after is in answer to the pathetic appeal of the Secretary of the Navy that he has not admirals enough. Now, how many admirals—how many rear admirals—will be created by this 50,000——

Mr. PADGETT. Eighteen.

Mr. MILLER of Minnesota. So we will have 55. Then there is another authorization of 50,000 more——

Mr. PADGETT. No; that 50,000 is only in the case of emergency for temporary increase, and that does not increase the admirals or commanders or captains at all.

Mr. MILLER of Minnesota. How many of those 37——

The SPEAKER. The time of the gentleman from Pennsylvania has again expired.

Mr. PADGETT. I will answer the gentleman in my own time.

Mr. MILLER of Minnesota. How many of the 37 rear admirals are now at sea and how many ashore?

Mr. PADGETT. I can not tell you.

Mr. MILLER of Minnesota. Is there any reason why a captain of the Navy could not perform the function of rear admiral—that is, the commander of a flotilla of destroyers?

Mr. PADGETT. They have been doing it.

Mr. MILLER of Minnesota. Why could not that condition continue?

Mr. PADGETT. It may to some extent.

Mr. BRITTEN. Will the gentleman let me answer the question? The truth of the matter is on the European station we have two destroyer squadrons——

Mr. PADGETT. I do not think if I were the gentleman I should go far into that. I do not think we want to go into that.

Mr. BRITTEN. I am merely repeating what we have in the hearings. In Admiral Palmer's letters——

Mr. PADGETT. I asked that be not published.

Mr. BRITTEN. Is that so?

Mr. PADGETT. Yes.

Mr. BRITTEN. I will say this. We have no designated commander for either of our torpedo squadrons in European waters to-day; both of them are serving under Admiral Bailey, of the British Navy, and if we designate the captain over there he could not supersede Admiral Bailey.

Mr. MADDEN. I would like to make one remark, but I do not want to take up the gentleman's time. The gentleman said this communication of the admiral ought not to be published, but it has been published in the New York Times, and I do not see why we should not know about it.

Mr. PADGETT. I did not know it. We did not publish it.

Mr. MILLER of Minnesota. I can not possibly follow what the gentleman from Illinois has just said, but I assume it has been published there are two squadrons of flotilla that have not a commander. Why have not they a commander? We have got plenty of men in the Navy; the city is full of them here. If there are not enough rear admirals, why in heaven's name can not they send a captain over to do the work?

Mr. PADGETT. The admiral in charge of personnel, Admiral Palmer, and Admiral Benson, charged with the responsibility of the management of the Navy and the conduct of the war, say that we ought to have an admiral in charge——

Mr. MILLER of Minnesota. Then these flotillas might better come home, because we have not the men with an admiral's straps on their shoulders to send over.

Mr. PADGETT. No——

Mr. MILLER of Minnesota. I am perfectly willing to admit that does not appeal to me.

Mr. BRITTEN. Mr. Speaker, may I have two minutes?

Mr. PADGETT. I will yield the gentleman two minutes.

Mr. BRITTEN. Mr. Speaker, I was rather astonished a moment ago at my colleague from Pennsylvania [Mr. BUTLER] stating that he would vote for this amendment, but he did so reluctantly, and very much in the nature of the Secretary of the Navy's reluctance in agreeing to this permanent increase in the Navy.

Do you gentlemen realize that unless this amendment is carried into effect after this war is over we are going to have skeleton crews on our ships and we are going to be confronted with the same situation that we had a year ago, of ships tied up at the docks of the various navy yards with hardly anyone on them?

Mr. PADGETT. That condition does not obtain, because we carry 228,000.

Mr. BRITTEN. It is a temporary increase of the Navy.

Mr. PADGETT. They are enlisted for four years. Do not make any such statement as that.

Mr. BRITTEN. I reiterate what I said a moment ago.

Mr. MADDEN. Did I understand my colleague to say that the Secretary of the Navy was reluctant to agree to this increase?

Mr. BRITTEN. Yes. Until last week. It is that old idea of preventing a permanent increase in the Navy that carries with it certain increases in line officers. There is not any

question about that. Gentlemen on the floor to-day say that they will agree to this amendment, but they do so reluctantly. When the war is over and we have no officers and no permanent force because of the present temporary increase we will not appropriate for their continuance.

Mr. TALBOTT. You did not vote for the war.

Mr. BRITTEN. I did not vote for the war, but I voted repeatedly to make it effective, and I will go further in real necessary war legislation than the gentleman from Maryland will to-day.

Mr. BUTLER. Oh, no.

Mr. TALBOTT. Oh, no.

Mr. BRITTEN. The gentleman says "Oh, no." If it had not been for the Republicans on the committee three years ago we would not to-day have the great three-year program, which the big Navy men forced on the committee.

Mr. BUTLER. Mr. Speaker, just 30 seconds. The gentleman from Illinois says I was against this increase.

Mr. BRITTEN. You said so.

Mr. BUTLER. But I was not reluctant in voting for the war. I know what this means to my people. And if I had voted against the war I would not vote for this measure.

Mr. PADGETT. Mr. Speaker, I move that the House recede and concur in Senate amendment No. 33.

The SPEAKER pro tempore (Mr. CRISP in the chair). The gentleman from Tennessee moves to recede and concur in Senate amendment No. 33.

The motion was agreed to.

Mr. PADGETT. Amendment No. 37 is the next amendment, on page 32.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 32, after line 6, strike out the following: "The rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint one major general, who shall at all times be junior in rank to the major general commandant; and also one temporary major general in the Marine Corps, who shall at all times be junior to the permanent major general," and insert the following:

"During the period of the present war the commandant of the Marine Corps shall have the rank and title of lieutenant general commandant and shall receive the pay and allowances of a lieutenant general in the Army, and the rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint one permanent and one temporary major general: *Provided*, That the major generals of the Marine Corps, both line and staff, shall at all times be junior in rank to the commandant."

Mr. PADGETT. Mr. Speaker, I wanted to make a statement to the House.

The SPEAKER pro tempore. Without objection, the gentleman will be recognized.

Mr. PADGETT. Mr. Speaker, this amendment reincorporates language stricken out, with the additional language that during the war the Major General Commandant of the Marine Corps shall have the rank and title and pay and allowances of a lieutenant general in the Army. He now has the rank, title, and pay allowances of a major general in the Army. That is the only change and the only addition that is made in this Senate amendment, namely, the question of the promotion from major general to lieutenant general of the commandant of the Marine Corps.

I am myself in a little peculiar position, and I want to make a frank statement to the House. My admiration for the corps is so great for the work that they have done and are doing, my respect and admiration and my personal friendship for Gen. Barnett is such, that whatever honor or promotion might come to him would be a pleasure to me. Personally, however, speaking from a strictly military standpoint, I do not know of any strict military reason why the promotion should be made. But with the statement I have made, the great work that they have done, I am going to refer it to the House to say what they want to do about it.

Mr. BUTLER. Mr. Speaker——

Mr. TALBOTT. Mr. Speaker, I move to recede and concur in the Senate amendment.

The SPEAKER pro tempore. The gentleman from Maryland moves that the House recede from its disagreement to the amendment just read and concur in the same. The gentleman from Maryland [Mr. TALBOTT] is recognized.

Mr. TALBOTT. Mr. Speaker, I do not want to make any statement except this: That I admire fighting people, and these people have been fighting, and somebody has brought them up to the efficiency they now have. And for that reason I ask to have this House concur in that amendment.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania [Mr. BUTLER] desire recognition?

Mr. BUTLER. Yes, sir; I do. How much time, Mr. Speaker, am I entitled to?

The SPEAKER pro tempore. The gentleman is entitled to an hour.

Mr. BUTLER addressed the House. [See Appendix.]

Mr. BRITTEN. Mr. Speaker, my good friend from Pennsylvania [Mr. BUTLER] on several occasions referred to propaganda that is going on in connection with this Marine Corps increase. The great enthusiasm of the American public for what the marines are doing on the other side is not propaganda by any means. The work the Marine Corps has done at Chateau-Thierry is not propaganda, where they outfought, outslugged, and outshot the Germans at their own game of viciousness. The marines handled the Germans as if they were schoolboys, and the fields were littered with their dead. Is that propaganda?

All the world, excepting our enemies, is proud of the United States Marines, who have shown that the Germans can be licked at their own game of grueling, driving, smashing military tactics, and it will remain for American "huskies" to drive the wedge that will start the Kaiser's troops on the toboggan.

Stage freight or nervousness under fire is unknown to a trained marine, who shoots true irrespective of the carnage about him.

At Chateau-Thierry the Kaiser's seasoned troops were driven back over ground covered with their dead and wounded, who were outfought, outshot, and outslugged at their own viciousness.

For more than a hundred years past the marines have had to fight their way to success against the prejudices of both the Army and the Navy, until to-day, when they are recognized the world over as one of the grandest aggregations of military efficiency on the entire globe.

During the month of May 5,200 marines were enlisted from approximately 40,000 applicants, thus showing the care and discrimination with which these scrappy volunteers are selected.

After most intensive training they are sent across with a food supply for 30 days and other equipment to last them 6 months.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. Not now. He also says that the marines are being led by Army officers. The marines are being led by marine officers. It is true the commander in chief over there is an Army officer. The great ranking generals are Army officers, but the marines are being led by marines, who were trained over here and trained under their able commandant and his excellent corps of line and staff officers. What good would a football team be if it were improperly trained and sent to an adjoining State to play in a game for a championship? Would it be any good under any leadership? Certainly not. Gen. Barnett does not have to go to the other side in order to get credit for what he has done. He has brought the Marine Corps up to its wonderful state of efficiency, so that they can go to the other side and outfight the best Germany has.

Let us look this thing squarely in the face. In the course of a couple of months from now there will be 85,000 men in the Marine Corps—75,500 under the present bill and about 10,000 reserves. Suppose there is no military necessity for increasing this rank. Call it a gratuity, if you want to; say it is a recognition of faithful service to the Government; call it anything you please. He is going to be in command of practically 85,000 men, and they are probably the greatest body of fighting men that ever lived. They can outfight 85,000 Germans in any field, under any conditions, and that is due almost entirely, irrespective of what my good friend says, to their training here—not necessarily over there. The boys who go over the top with the marines are not Army officers; they are marines, every one of them. Certainly they are all under Gen. Pershing——

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. Not now. Certainly, they are all under Gen. Pershing; but the boys who go over the top with the marines, the boys who know no stage fright under fire, the boys who can shoot with unerring aim when surrounded by blood and gore and thunder are the marines. You ask why the marines are so superior to the other fighting forces. It is because of their intensive training. It is because of the system that they undergo here on his side of the ocean. Why not give these gentlemen here who are delivering the goods for us on this side the benefit that is due to them?

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

Mr. BRITTEN. No. Suppose we increase the rank of the Commandant of the Marine Corps? It is a temporary increase for the period of the war. It applies only to the Commandant of the Marine Corps. If Gen. Barnett were let out to-morrow, as my good friend says he may be under the Overman Act—which I do not think was a nice insinuation—some one else will take his place, and he will be a lieutenant general if this Senate amendment prevails, and I hope it will. The gentleman

said when I wanted to interrupt him, but he was busy otherwise, that this amendment does not provide for the men in the line, the boys who are doing the fighting and dying on the other side.

Why does he not call attention to the fact that in this bill we are creating 2 new major generals for the men of the line, 6 brigadier generals for the men of the line, 22 colonels and 22 lieutenant colonels for the men of the line, and hundreds of lower grades? The line is getting "its," in the parlance of the street. This amendment gives merely to the highest-ranking officer in the Marine Corps, the man largely responsible for the wonderful efficiency of that corps, an increase in rank corresponding with that of vice admiral in the Navy, for the period of the war and that is all there is to it. The Secretary of the Navy in a letter to the conferees said he saw no military reason for this increase—no military reason. Do you gentleman know that every bureau chief in the Navy without any one exception is being increased in rank or in pay under this bill? What is the military necessity for that? There is none. I am in favor of their getting the increase. They ought to have it under existing conditions. They are doing wonderful work and I am glad to reward them and I know Congress will be glad to reward them. They should be rewarded under these conditions. The gentleman from Pennsylvania says if you increase this commanding officer you will hurt the morale and the esprit of the Marine Corps. Nothing will give such an increased esprit to that corps as to make their commanding officer a lieutenant general and to know that the corps is recognized as a great fighting body in this way. There is not the slightest question that you are going to hurt the morale of the Marine Corps by recognizing the officer at the head of that great fighting aggregation. The gentleman says the bill fails to take care of the soldiers who are dying on the other side. That is a delightful argument! We take care of the marines, take care of them in excellent shape. There is a lady and gentleman now sitting in the gallery who have come from Chicago because their boy practically ran away from home at 19 years of age to join the marines. They wanted to know what his prospects were, this youngster of 19 years, Paul R. Brauer, of Chicago, a German-American, whose father, Caspar Brauer, was born in Germany. This fine boy wanted to get in the front-line trenches as quickly as possible, and is over at Philadelphia to-day, came through here night before last with his "buddy," Gilbert C. Smith, of the same age, along with him. They are trying, as they say in Chicago, to "bust" into the Marine Corps. That is the sort that makes up the Marine Corps, that makes the corps what it is; that is the spirit that makes sharpshooters and marksmen, and that is the reason the corps is so desirable. That is the type that makes up the aggregate which Gen. Barnett commands and I am for recognizing and rewarding this gentleman who has brought the marines up to this wonderful state of efficiency. Men whom we can send across the water and who can outslug and outfight and outshoot the Germans.

The gentleman from Pennsylvania said in substance that Barnett and his staff officers here are swivel-chair officers. The commandant is a graduate of the Naval Academy and Adjt. Gen. Lauchheimer is a graduate of the Naval Academy, and they have given their lives to the service, and the other two gentlemen to whom he referred have been brevetted for gallantry on the field of battle. How does the gentleman know that Gen. Barnett is not going to be sent into the field of battle? How does he know he is going to be retained here? He does not know any more than you or I or anybody else. He has been in the field, and when he gets in again he will deliver the goods as he has before.

Mr. OLIVER of Alabama. And he told our committee last year he is very anxious to go again.

Mr. BRITTEN. From my point of view it should not be necessary to talk about the Marine Corps. Everybody should be glad to do what they can for the marines, and this increased rank is temporary, for the period of the war, and applies only to the commandant, whoever he may be, during that period.

The SPEAKER. The time of the gentleman has expired.

Mr. BRITTEN. Mr. Speaker, I have not quite answered the gentleman, and I would like a little more time. We have plenty of it.

The SPEAKER. The gentleman from Pennsylvania has control of the time.

Mr. BUTLER. The gentleman from Tennessee is going to have an hour, and I would like very much—I am going to yield to the gentleman from Minnesota [Mr. MILLER]—however, I will yield to the gentleman.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. BRITTEN. My colleague from Illinois [Mr. MCKENZIE] tried to show by his questions and the replies from the distinguished gentleman from Pennsylvania that the Marine Corps was a bureau. Think of it! The Marine Corps a bureau and Gen. Barnett nothing more than a bureau chief! The Marine Corps is one of the three military forces of the country organized in 1775, and is just as much an independent branch of the military forces as the Army or Navy. Gen. Barnett is no bureau chief; the Marine Corps is not a bureau, it is one of the three military branches of our Government.

Mr. LONGWORTH. Will the gentleman yield?

Mr. BRITTEN. Yes.

Mr. LONGWORTH. Would it not be true that if this bill passes without the Senate amendment that the officers of equivalent rank in the Marine Corps would be all of less actual rank than similar officers in the Army and Navy, respectively?

Mr. BRITTEN. That is true; but I have not adverted to that, as that amendment comes up later.

Mr. LONGWORTH. The gentleman from Pennsylvania was discussing something in connection with it.

Mr. BRITTEN. That is a different amendment entirely. This amendment merely provides increased rank for the commandant while he is commandant and only during the period of the war.

Mr. LONGWORTH. Does it not apply to this amendment also?

Mr. BRITTEN. No; I do not think it does.

Mr. LONGWORTH. Without this amendment the commandant of the Marine Corps would not be of as high a rank as a similar officer in the Army or Navy.

Mr. BRITTEN. Yes; major general. He now enjoys the rank of a major general, but this increased rank has no parallel case in the Army or Navy.

Mr. ROBBINS. Is it higher?

Mr. BRITTEN. It is higher.

Mr. PADGETT. In the Army there is a lieutenant general and in the Navy the vice admiral, which corresponds to lieutenant general.

Mr. LONGWORTH. Exactly; therefore without this amendment the commandant of the Marine Corps would be of relatively lower rank.

Mr. BRITTEN. Than vice admiral, of course.

Since its original organization in 1775, the Marine Corps has been noted for its high efficiency, and at the present time it has not deteriorated in this respect, for there is abundant evidence that to-day it is one of the most efficient military organizations in the United States. The present high state of efficiency, the highest the corps has ever had, has been reached and maintained during the incumbency of the present commandant, Maj. Gen. George Barnett, to whom much credit is due, and he has been gracious enough to publicly and officially state that much of the success which he has attained in the administration of the affairs of the corps is due to the earnest and helpful cooperation of the heads of its three staff departments, Brig. Gens. Lauchheimer, Richards, and McCawley.

Only very recently a subcommittee of the Committee on Naval Affairs of the House conducted an investigation into the administration of naval affairs, and in its report, known as the Oliver Report, commented most favorably upon the administration of the Marine Corps. The report stated, inter alia:

> The committee was much impressed with the keen, personal, active interest shown by Gen. George Barnett, commander of this corps, together with the officers under him, in everything pertaining to the welfare, comfort, and advancement of the enlisted personnel. This individual interest on the part of the officers is a very large contributing factor, we believe, to the well-known high efficiency and splendid spirit and morale of this corps.
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> All of the emergencies which the corps has been called upon to meet have been met by the officers and enlisted men in the most expeditious and efficient manner without either friction or confusion. These results not only vindicate the system of organization but also reflect credit upon those officers who are responsible for the maintenance, direction, and efficiency of the corps.

No one questions the high state of efficiency which the Marine Corps has attained, nor that the present administration thereof deserves credit therefor, and consequently, if recognition is given to the officials of the War and Navy Departments as a reward for their services, there can certainly be no good reason why equal recognition should not be accorded to the officials of the Marine Corps, especially as the Oliver report states that credit reflects upon those officers who are responsible for the maintenance, direction, and efficiency of the corps.

In view of the foregoing, it is urged that the provision which has been inserted in the bill by the Senate, making the major general commandant of the corps a lieutenant general during the present emergency, is not only a proper and well-merited recognition of the valuable services rendered by the efficient head of this military organization, but is also, according to military practice, the proper rank to be held by the officer who will command a force of nearly 85,000 officers and men; for

that is the total authorized strength of the corps by the provisions of this bill.

It is deemed pertinent to refer to the fact that this increased rank for the commandant of the Marine Corps has not been inserted in the bill as the outcome of any efforts on the part of Gen. Barnett, as he has invariably declined to take any part in any attempt to secure the enactment of any legislation for his personal benefit. The amendment has been inserted by the Committee on Naval Affairs of the Senate in recognition of the valuable services rendered by that officer.

Referring to the provisions of the bill inserted by the Senate, which places the heads of the three staff departments of the Marine Corps on a parity with the chiefs of bureaus and the Judge Advocate General of the Navy, this is also not only a just and proper reward for duty well performed, as has been stated in the report of the Oliver Board and as testified to by the major general commandant in his official utterances, but, what is even more important, it tends to place the heads of the staff departments of the Marine Corps on a parity with the officers occupying exactly similar positions in the Army and the Navy.

By the act of Congress approved October 6, 1917, it was provided for the Army that—

> Hereafter the chief of any existing staff corps, department, or bureau, except as is otherwise provided for the Chief of Staff, shall have the rank, pay, and allowances of major general.

In the naval appropriation bill, as reported to the House, it is provided that—

> Hereafter chiefs of bureaus of the Navy Department, including the Judge Advocate General of the Navy, shall, while so serving, have corresponding rank and shall receive the same pay and allowances as are now or may hereafter be prescribed by or in pursuance of law for chiefs of bureaus of the War Department and the Judge Advocate General of the Army.

The heads of the staff departments of the Marine Corps were inadvertently overlooked when this proviso was drafted, and if the bill had been finally enacted as it then read all the chiefs of bureaus of the Military Establishment of the United States would be benefited except the heads of the three staff departments of the Marine Corps, who are, and have been recognized as being, "chiefs of bureaus," who have done most efficient work and are now doing efficiently a vastly increased amount of work. This oversight was remedied by the Committee on Naval Affairs of the Senate.

The first intimation that was had that Mr. BUTLER, who had so often made such complimentary remarks about the staff officers of the corps, was not in favor of according to the heads of departments in the Marine Corps similar recognition to that accorded to the chiefs of bureaus and the Judge Advocate General of the Navy, was when the amendment was offered by Mr. PADGETT, the chairman of the House Naval Committee, giving to them the same reward as that given to the chiefs of bureaus of the Navy Department. Mr. BUTLER'S reasons for objecting to this amendment are embodied in his statement on the floor of the House, as recorded in the CONGRESSIONAL RECORD, page 5360, Friday, April 19, 1918, as follows:

> Mr. BUTLER. Mr. Chairman, of course you understand what this means. All the grades that we have raised the Marines to-day are temporary except three. When this war is over the Marine Corps will again resolve itself into a force of 17,000 men. The head of the corps is a major general. One major general is provided permanently. One major general is included in this bill, to be provided temporarily. All those men lose their grades at the conclusion of the war except these now considered. And I will say now, Mr. Chairman, there are always plenty of men here in the House to stand up for the men who do not go to war. I always stand up for the fighting men. Now, do this thing if you want to, and when the war is over you will have three major generals on the staff of this little corps and only one among the fighting men. Are you going to do it? Will you agree to the proposed amendment?
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> Who makes the corps? It is true that I never knew a more efficient quartermaster than McCawley. I knew him before you drew a breath. I know these men well. You can not praise them too highly but what I will try to help you. But I will not consent to giving these same men, stationed always in Washington, these grades to the disadvantage of the fighting men of the Marine Corps.
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It will be noted that Mr. BUTLER principally bases his objections on the ground that the heads of the staff departments are not, as he calls them, "fighting men." They are not "fighting men" if duty in the trenches is meant, but they are "fighting men" in that they are a part, and a necessary and important part, of a fighting machine, and are as essential to the efficiency of that machine as are the men who go into the trenches. The military organization of the present day is a composite one, and the staff officers of such an organization are absolutely essential to its efficiency. No fighting machine can reach the highest state of efficiency and usefulness unless it is properly cared for; and it is the heads of the staff departments who are charged with this all-important duty. The records of the corps bear ample testimony to the fact that the heads of the staff departments of the Marine Corps have done their duty more than well in this respect.

The fact that the heads of the staff departments of the Marine Corps remain in Washington is due to no preference shown them nor to the exercise of undue influence on their part, but is the result of legislation enacted by Congress. It is presumed that the Congress would not have taken this action had it not been considered essential to the best interests and efficiency of the Military Establishment.

Mr. BUTLER also states that he "will not consent to giving these same men, stationed always in Washington, these grades to the disadvantage of the fighting men of the Marine Corps." It is not apparent how the enactment of this amendment would work to the disadvantage of anyone, and, in fact, it does not. It really results in a positive advantage to the fighting men, as the detail system for the staff is now in force, and the "fighting men" will be in time eligible for detail as head of a staff department. It takes nothing from the line of the Marine Corps, but, on the contrary, would add to its prestige, and only gives to the heads of the staff departments of the corps the same reward which has already been given to officers holding similar positions in the Army, and which will be given by this bill to the chiefs of bureaus of the Navy, all of whom are performing similar duties and occupying similar positions.

In his remarks Mr. BUTLER stated that he was opposed to the major generals of the staff because after the war these three staff officers would have that rank in a corps of only 17,000 men. With all due deference to Mr. BUTLER, he does not know, in fact, no one knows or can predict, what the permanent strength of the corps will be after the war, for it is impossible to foresee what the then conditions will be. It is fair, however, to assume that after the war and when the Marine Corps is reorganized it will never have a permanent strength of less than 25,000 men. With that strength, or even a lesser strength, the heads of the staff departments will, in accordance with military practice and proper organization, be entitled to the rank of major general.

Mr. BUTLER does not object to the chiefs of bureaus of the Navy Department and the Judge Advocate General of the Navy being made rear admirals, although they are no more "fighting men" than are the heads of the staff departments of the Marine Corps. In fact, the relationship of the heads of the staff corps of the War Department to the Army proper, and that of the chiefs of bureaus and the Judge Advocate General of the Navy to the Navy proper, is no wise different but is in all respects exactly similar to the relationship of the heads of the staff departments of the Marine Corps to the Marine Corps proper. If they are nonfighting, all are nonfighting. As a matter of fact, they are "fighting men" in the commonly accepted use of that term, and it is therefore unfair to discriminate against them in the matter of a reward for a reason which is untenable. Two of the Marine Corps staff heads, Richards and McCawley, have been "fighting men" within the meaning of the term as used by Mr. BUTLER, as is evidenced by the brevets they hold for gallantry in action with the enemy.

The Marine Corps has admittedly been brought to a very high state of efficiency, for which, the commandant states, the three heads of the staff departments are largely responsible. To deny to them the recognition for work well done which has been accorded all the other chiefs of bureaus and heads of staff departments of the Military Establishment, who occupy similar positions, would certainly be an unjust and unwarranted discrimination.

Mr. BUTLER has been for years the champion of the Marine Corps, both in and out of Congress, and has loudly praised the work of certain of the staff, and why he now desires to deny them this reward is not apparent. When the conferees of the Committee on Naval Affairs of the House had their hearings in August, 1916, on certain amendments added to the bill by the Senate, Mr. BUTLER took occasion to make the most complimentary remarks about the staff officers of the Marine Corps, as will be seen from a reading of pages 4401, 4402, and 4403 of the published proceedings of that hearing in 1916. On page 4401 Mr. BUTLER stated:

> Mr. BUTLER. Will you allow me to make a little statement? I would like it to go into the record.
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> The CHAIRMAN. Yes.
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> Mr. BUTLER. I believe that the existence of the Marine Corps is owing largely to the services of one man. He came to its rescue at the time it needed him, and that man is Col. Lauchheimer. That is my opinion, which I have heretofore expressed publicly, and I desire to have my opinion written in the record, although I do not know that it is of any value.

And on page 4402:

> Mr. BUTLER. And I know further that the fine condition of the Marine Corps—I mean to say its contentment and the fact that it is well clothed and well fed—is largely due to the services of Col. McCawley. Now, if we could distinguish these two men whose services have been so valuable to this corps, I am ready to distinguish them. * * *

And on page 4403:

Mr. BUTLER. But we may not have another Barnett; we may not have another Lauchheimer; we may not have another McCawley; and we may not have another Richards. * * * I believe that men in these responsible positions, and who have learned their duties better than anybody else can learn them, ought to be continued.

Only a few days ago, when Mr. BUTLER was making his objections to the amendment introduced by Mr. PADGETT to the pending bill, he stated, after I had made some remarks with regard to the adjutant and inspector and the quartermaster of the corps—see page 5360 of the RECORD—

I know these men well. You can not praise them too highly but what I will try to help you.

In view of the numerous expressions by Mr. BUTLER of his admiration of the work done by the staff departments of the Marine Corps, a few of which have been cited supra, it is impossible to understand his present attitude.

The gentleman from Pennsylvania, in his remarks, criticizes the tenure of office of the heads of the staff departments, and yet he is on record as having expressed his approval of the present organization of the headquarters of the Marine Corps when he stated, during the hearings by the conferees of the House on the Senate amendments to the naval appropriation bill for the fiscal year ending June 30, 1917:

I believe that men in these responsible positions—

Referring to the major general commandant, the adjutant and inspector, the quartermaster, and the paymaster of the Marine Corps—

and who have learned their duties better than anybody else can learn them, ought to be continued.

See page 4403 of the published report of the above-mentioned hearings.

Junius B. Wood, who is now with the American Army in France, representing the Chicago Daily News on the battle front, on June 1 wrote:

Fourteen minutes after a small detachment of American marines entered the front trenches for the first time the Germans put down a grilling barrage, followed by an attack in overwhelming numbers. How the little group withstood the baptism of fire, repelled the attack, captured prisoners, and practically wiped out the raiding party is not told in the cold phraseology of the official report.

The affray was replete with deeds of individual heroism. Such deeds are becoming matters of course with the new Army which is now helping to hold back the onrush of Kaiserism.

Mr. Wood, in whose comment I have the very highest confidence, was with the American landing forces at Vera Cruz, Mexico, some years ago, and was later with Gen. Pershing in northern Mexico. He is recognized as a most conscientious correspondent, not being given to exaggeration or to the spectacular.

On last Sunday, June 16, 1918, the New York American printed the following article, which is but one of many I have observed:

WHOLE SPIRIT OF COUNTRY BEHIND MOVE TO HONOR THE MARINES THROUGH THEIR ABLE COMMANDER.

[By John Temple Graves.]

WASHINGTON, *June 15.*

With every allowance for the enthusiasm of comrades and commanders, and the national pride that might inspire the most optimistic estimate of our military performances, Washington and the country now accept it as a fact that the American troops have behaved magnificently in France; that they have borne themselves with a courage, dash, initiative, and steadiness at Cantigny and elsewhere worthy of the finest traditions of the race; and that the Marine Corps are really the toast and admiration of the European battle fields.

The renewed inspiration that the valor and intelligence of the marines has given to the allies is past all estimate, and the serious amazement their effectiveness in arms has carried to the skeptical but keenly observant Germans is profoundly significant of their value in the ultimate winning of the war.

The fact that our splendid sea soldiers had stormed one German position after another north of the Marne, and from Château-Thierry to Torcy had "knocked the prestige of the Kaiser's shock troops into a cocked hat," has literally thrilled the Republic with pride and expectation.

CRACK REGIMENTS OF WAR.

At the present rate the men of the American Marine Corps, historically "first to land and first to fight," are likely to rank as the crack regiments of the whole war.

It is natural enough that the American spirit of quick and substantial appreciation for great deeds should leap toward some opportunity to express to the Marine Corps some practical expression of the Nation's recognition and gratitude. And no other way seemed so natural and reasonable as to advance the rank of the head of that wonderful body of troops.

Maj. Gen. George Barnett is the commanding general and the idol of the Marine Corps. For eight years he has been commander, their disciplinarian, their guide, counselor, and friend. The present corps was given its present superb equipment and prestige under Gen. Barnett's inspiring enthusiasm and discipline. And the Marine Corps regard him with boundless devotion. A bill introduced into the Senate to promote George Barnett to be a lieutenant general, as a tribute to the splendid conduct of his marines, and a testimonial to his admirable training, was passed by the Senate with enthusiasm.

HALTED IN HOUSE.

When the popular measure reached the House it was halted there for a brief period by a suggestion from Secretary Daniels that the promotion of Gen. Barnett would rank him above some of the gallant officers of the Navy, and the suggestion of Secretary Daniels is both laudable and natural.

But the whole spirit of the country is behind the movement to reward and honor the marines through their beloved and able commander. It may not be absolutely necessary from a military point of view to advance Gen. Barnett a grade higher in rank, but it is absolutely desirable that such a service as his Marine Corps has rendered in a world cause should be recognized and rewarded for the inspiration of the corps and of the soldiers and other commanders to follow this shining example.

And since there is no objection anywhere to the proposition to raise the Marine Corps to 75,000 men, it would seem that a command raised from 20,000 men to 75,000 was worthy of the enlarged rank.

When the time comes for our splendid Navy to get into the actual fighting zone there need be no doubt that they will bear themselves so gallantly that they will deserve and receive the advance in rank which the whole Republic will rejoice to see them have. Meanwhile the House is likely to give the incomparable marines their lieutenant general.

A misunderstanding as to the purpose of this amendment seems to exist, which should be corrected.

Congress has already legislated giving the rank of major general to all the bureau chiefs of the Army, viz, the Adjutant General, Inspector General, Surgeon General, Quartermaster General, Chief of Ordnance, Chief of Engineers, Chief of Insular Affairs, Chief Signal Officer, and Judge Advocate General, all nonfighting offices and the officers holding them by necessity being stationed at headquarters in the National Capital.

The legislation proposed in this bill seeks to place the Navy bureau chiefs, viz, Chief of Bureau of Navigation, Chief of Bureau of Construction and Repair, Chief of Bureau of Medicine and Surgery, Chief of Bureau of Ordnance, Chief of Bureau of Yards and Docks, Chief of Naval Operations, Chief of Bureau of Supplies and Accounts, and Chief of Bureau of Steam Engineering, on the same parity of rank and pay, and further proposes to elevate the Judge Advocate General from a captain to a rear admiral, the grade corresponding with major general. All these bureau chiefs are likewise nonfighting officials and from the same necessity are stationed in Washington. All of them, except the Judge Advocate General, who is only a captain, now have the rank of rear admiral, but only the pay of a commodore or brigadier general.

Amendment 47 attempts to remove the discrimination against the Marine Corps by placing its three bureau heads on the same parity as to rank and pay. These officials, while they hold the offices of adjutant and inspector, quartermaster, and paymaster, are in precisely the same category as the similar officials in the Army and Navy and are stationed in Washington. Congress has not seen fit to regard that fact with disfavor as far as the Army and Navy is concerned, as is evidenced by enacted and proposed legislation, so why should there be any criticism of these Marine bureau chiefs? We all know the fine work done by the Marine Corps, and there has not been a word of criticism during this war of the manner in which that corps has been handled; in fact, the Oliver report commends it highly, and Gen. Barnett handsomely gives much of the credit to these three officers, who will be temporarily benefited by this amendment, and if personal legislation was being proposed they would be amply entitled to this trifling reward; but this is not personal legislation and is not intended for the benefit of anyone, but is simply a just recognition of a gallant and efficient branch of the service for which all of us have high regard and admiration, and I do not believe the Members of this House will consent to punishing the Marine Corps by unjust discrimination against it.

The adoption of the Senate amendment does not take away anything from the "fighting men" of the corps, who are provided for in this bill by 2 major generals, 6 brigadier generals, 22 colonels, 22 lieutenant colonels, and a vast number of officers of lower grades, and when the present staff of the corps is absorbed in the line, as the law provides for, the "fighting men" will, in addition, be eligible to these three positions by detail; thus the line is a gainer if this amendment is adopted.

I am as much an admirer of the "fighting men" as anyone, and I may tell you that two of these staff officers, Richards and McCawley, have been fighting men and received brevet commissions for distinguished conduct in the presence of the enemy. Neither they nor any other staff officer can take anything from a line officer either by rank or otherwise, as staff officers do not have command, and these bureau chiefs will always be at headquarters under the commandant of the corps, who will always rank them by this bill. If this amendment prevails the total expense per annum will be $6,000, in an appropriation bill of nearly $2,000,000,000. It seems picayune to waste all this time on such a trifle and looks like fishing for minnows with the big fish escaping.

Two years ago the total appropriation for the Navy was less than the amount appropriated in this bill for the Marine Corps.

It has been said that after the war the Marine Corps will be reduced to 17,400 men; but that I am unwilling to believe, no matter how the law now reads, and I fully expect to see a Marine Corps of 30,000 or even 50,000 men for many years to meet naval needs alone. Let us not be unjust to this corps, but treat it fairly, as its record warrants, and let its officers feel that Congress will applaud good work and not give punishment for it.

The chiefs of bureaus in the Navy Department were given the rank of rear admiral by the act of March 3, 1899 (vide 30 Stat., 1005). The same act which gave this rank to the bureau chiefs increased the strength of the Navy to 20,000, and also appropriated $57,297,569.78 for the naval service. In the present naval appropriation bill the total appropriations for the Marine Corps alone are $160,000,000, exclusive of public works. The following statement is interesting for comparison purposes:

Statement to close of business, June 7, 1918.

Enlisted, Marine Corps	41,821
Enrolled, Reserves (excluding classes 1 and 5)	4,851
Enrolled, Reserves (classes 1 and 5)	121
Enrolled, National Naval Volunteers	814
	47,607
Commissioned and warrant officers	1,477
	49,084
Estimated pending at recruit depots	2,500
Grand total	51,584
Enlisted in June, 1918 (1st to 7th, inclusive)	1,136

The Secretary stated in his testimony before the board that the duties of the chiefs of bureaus of the Marine Corps were not relatively as important as those of the Navy chiefs of bureaus, and that they were not, therefore, entitled to the increased rank.

Attention is invited to the fact that when the chiefs of bureaus of the Navy Department were rear admirals, the enlisted strength of the Navy was only about half that which the Marine Corps will be as the result of this bill. The commandant of the Marine Corps will command 85,000 men, and the chiefs of bureaus of the Marine Corps will handle the affairs of 85,000 men, and it is therefore believed that they are fully entitled to the recognition given them by the Senate.

The chiefs of bureaus of the Marine Corps perform duties practically similar to the chiefs of bureaus of the War Department and the Navy Department. For instance, the Adjutant and Inspector of the Marine Corps performs for the Marine Corps all the duties that are performed for the Army by The Adjutant General of the Army and by the Inspector General of the Army. The Quartermaster of the Marine Corps performs for the Marine Corps all the duties that the Quartermaster General of the Army performs for the Army, except the payment of the troops. In addition thereto he supplies the Marine Corps with its ordnance, signal equipment, and engineer equipment; in other words, the complete equipment of the corps rests upon him. Under the present bill the expenditure of $110,000,000 is made under his direction. The Paymaster pays all officers and men in the corps and disburses $50,000,000.

In other words, the heads of the three staff departments of the Marine Corps perform all the duties which are performed by the entire heads of the departments of the War Department. It is believed that these duties are comparable especially with those performed by the Judge Advocate General of the Navy, whose promotion by two grades is provided for in this bill.

Since 1890, when the detail system was adopted for the chiefs of bureaus of the Army, there has not been a single chief of bureau but who, upon the expiration of his four-year term, has been reappointed, and not a single chief of bureau who, after his original temporary appointment, has not served continuously in the same capacity from one four-year term to another four-year term until he reached the age of 64, the statutory age for retirement, or until his death, if the latter should occur before reaching the age of 64.

This would certainly seem to indicate that it has been found conducive to the highest efficiency to have one man serve in the capacity of head of a staff department or bureau continuously.

If favorable action be taken on amendment No. 47, it will not in any way militate against the "fighting men" whom Mr. BUTLER feels he should protect. On the contrary, it will ultimately benefit the "fighting men" through the medium of the detail system which was adopted for the staff of the Marine Corps by the act of August 29, 1916.

Furthermore, the gentleman from Pennsylvania [Mr. BUTLER], in his various arguments, whilst urging that the "fighting men," presumably meaning the line officers, should be protected and benefited, has always failed to admit that in this very bill legislation is provided which will vastly benefit the "fighting men," as it provides for an increase of the line of the Marine Corps by 2 major generals, 6 brigadier generals, 22 colonels, 22 lieutenant colonels, and hundreds of majors, captains, and first and second lieutenants.

The following editorial from the New York Sun is another evidence of Marine Corps recognition:

[From the New York Sun, June 8, 1918.]

THE MARINES AT CHATEAU THIERRY.

The personnel of the Marine Corps changes with time, its numbers increase with the needs of the Nation, but its spirit and skill remain unimpaired. The same zest for duty, the same determination to attain the objectives of their expeditions that have been displayed by the men of this splendid organization wherever fate has carried them in its eventful career are written in the record of their admiration-compelling conduct at Chateau Thierry, where their successful advance has won new honors for their colors.

Since the marines went to Europe the necessary veil of secrecy has hidden their activities from their friends at home—and who is not a friend of the marines? It has been known that their first ambition, to close with the enemy, was not gratified as quickly as they desired. But the military duties that fell to them took precedence of their master wish, and these they accomplished with the alertness and thoroughness that characterize all their performances. They did not rust; the proof of that is in the tributes paid to them by the French who stood at their side when at last the command to advance came. In the comments of the veterans there is only one note that might be construed to imply criticism; it is a criticism the marines can bear with equanimity, for it is based on their eagerness to advance. The tendency of American fighters to go beyond the limits decreed by the high command has been discussed in several communications from France; it must be restrained, and it will be restrained, for the Americans are as quick to learn to curb their impulses as they are to assimilate instruction in other details of the military art.

The marines have done no less than was expected of them; they could not do more. Their intrepidity and resourcefulness, their quick comprehension, their adaptable genius, have set the standard of public expectation high, but the corps is to-day, as it always has been, completely capable of attaining it.

And the following from the Baltimore American is worth reading:

[From the Baltimore American, June 10.]

THE MARINES.

The theory about the marine entertained by the Hon. Josephus Daniels, who is supposed to know something concerning marines, has some considerable convincingness to it. Of the marine Mr. Daniels is quoted as saying, "You can't drown him and you can't kill him." This, anyhow, the Huns found out in the fighting around Chateau Thierry—that they couldn't scare him and they couldn't stop him. Whether in a sea fight or a land fight the marine is a hot proposition. That is his traditional reputation, and he certainly made good on his reputation at Torcy, at Brussiares, and at Bourecheo. The marines pushed into the fighting around Chateau Thierry one afternoon, and the next afternoon they had driven the Huns back 2 miles along a 3-mile front.

The marines, as is commonly known, represent but a fractional part of the trained fighting force which the United States now has in France. We, the folks back home, are proud of the dash and heroic ardor of the marines, but we know very well that other American contingents—all the other American contingents—are made out of the same kind of stuff. Infantry and battery divisions at Cantigny, marines at Chateau Thierry—they performed just alike. A little later along we shall be getting thrill news about the nerve and get-across methods of the American air navy. The big push in this 1918 campaign is yet to come. The big push is not to be in the direction of Paris, but in the direction of Berlin.

The Philadelphia Inquirer wants more marines in France:

[From the Philadelphia Inquirer, June 10.]

SEND MORE MARINES TO FRANCE.

The United States marines have a proud history. Their organization has prestige, ideals, standards, and traditions. Wherever these boys have been sent they have always made good. To-day they are enthusiastically acclaimed by French and English officials for their accomplishments on the battle front.

Is there any good reason why this branch of the service should not be very materially enlarged for the period of the war? There are some thousands of marines now in the United States who are perfectly trained. Why not hustle them over to France and fill the home training camps with new material?

Some time ago Congress authorized the expansion of the corps, but even at that it is a small body. Why not make it a much larger one and forward at once every available marine to the front?

The following clipping from the Baltimore News is another "boost":

[From the Baltimore News, June 8, 19 .]

THE MARINES!

In the fighting north of Chateau Thierry the marines seem first to have assumed control, as is their wont almost everywhere they go. These hard-fighting "soldiers of the sea" have given a most substantial account of themselves, and from all reports they enjoyed themselves thoroughly in their first real fracas in France. One wonders why the cables did not begin their announcement of the marines' exploits with the phrase which they made famous years ago.

"The marines have landed and have the situation well in hand!" Who does not remember that laconic little line which used to find a place in our newspapers in the times of peace?—peace that is broken only by the very temporary insurgency of some jefe politico in some turbulent little republic. From the four corners of the world would come the dispatches, and then the public would forget all about the latest revolution. "The marines have landed" meant "The revolution is over; there's no trouble here."

It grew familiar to the man who knew nothing about the Marine Corps except that its members seemed to have an uncanny faculty of being on hand whenever trouble started and of promptly squashing it. It became a byword, to be quoted as one repeated the happier phrases of the advertising men.

Since we got into the big war we have not heard overmuch about the marines. Most of us had sort of a vague idea that they had been made military police over in France, and a vague regret that such a body of

men should not be utilized as shock troops. They were the one branch of the service which had traditions, glamour, romance, associated with them. They were what the Princess Pats were to Canada, the Coldstream Guards to Britain, the Prussian Guards to Germany.

Well, now we know that the marines are where they have always been in the past—in the thick of the fighting. Whatever the relative importance of the ground they won at Chateau Thierry, they had, from all accounts, a very lively little fight; and it is to be assumed that they contributed no small portion of the festivities. To the unmilitary man at home, accustomed to the perspective of trench fighting, in which yards gained seemed to have a real significance, and then bewildered by the abrupt change to open fighting, wherein terrain counted for little, the report of the marines' little fracas made very enjoyable reading. This was the war he knew; this the message he awaited, without knowing why.

The New York Times, as usual, has a good word for a good fighting corps:

[From the New York Times, June 9, 1918.]

AMERICAN VALOR IN FRANCE.

No American who knows the Marine Corps was surprised to hear that our athletic sea soldiers, physically always sound and mentally always set for action, had stormed one German position after another north of the Marne, and from Chateau-Thierry to Torcy had knocked the prestige of the Kaiser's shock troops into a cocked hat. "Americans won't fight," William had blustered to Ambassador Gerard, "and I won't stand any nonsense from them after this war." The Kaiser's scorn for the United States as a Government extended to its "contemptible little Army." He had a conviction that no American soldiers could stand against his goosestep guardsmen. He could not think of Americans in terms of disciplined soldiers. He would not admit that the American Army could be made formidable. The Kaiser learned nothing from Seicheprey, where the Americans gave the enemy a taste of their quality, but Chateau-Thierry was like a knockdown blow; the Kaiser must have inquired who were the Americans that chased his grenadiers for 2 miles, braving their machine-gun fire to ply the bayonet.

What the American marines proved at Chateau-Thierry was that the Germans were no match for them in infighting, to use a term of the prize ring. Physically, the marines, sound in wind and limb and carrying no ounce of superfluous flesh, are always trained to the hour. Their discipline is exceedingly strict. In the manual of arms and in bayonet exercise, in fact in all movements and maneuvers of what is called the school of the soldier, they attain perfection. They try to be smarter than the Regulars; they have to impress the bluejackets, who are their sharpest critics; and the American people, brought up on the prowess of the marines, expect prodigies of them.

Esprit de corps means more in a marine battalion than in the case of any other body of American fighting men. According to the record, the colors of which are heightened by national pride, the marines are first and best in war, have always performed wonders, have taken forlorn hopes as a matter of course. Why, it was only the other day (in June, 1917) that Lieut. Ernest C. Williams won the medal of honor by "extraordinary heroism in the line of his profession," when with 12 men he charged Fort Fortaleza, in Santo Domingo, held by 40 rebels pumping their magazine rifles, and captured it and the defenders, after a hand-to-hand fight, with only five of the Americans on their feet at the finish. And so it has always been, from the original organization of the corps in 1776. The first ashore and the first to fight, good conduct in peace or war, deeds not words, that is the American marine.

Every nation has its crack regiments—England and France have their admired marines, too—but we like to think that our sea soldiers are of an unsurpassable quality. There is something in the tone of the service that puts the recruit upon his mettle. He belongs to a champion corps, he must fight like a champion—and he does. There are other American heroes besides the marines, of course; we shall hear more and more from them as the war goes on; and he would be an unintelligent American who denied supreme valor to the French, to the British and Colonials, and to our Italian allies. On many fields no men could have fought better and died with greater fortitude. They have sometimes accepted annihilation rather than yield. So let us not overemphasize the conduct of our own troops in battle.

It is a glorious rivalry in courage, resolution, and endurance that the soldiers of the western allies are engaged in. America was the last of them to enter the lists, but in the first contact with the enemy her soldiers have behaved like veterans, displaying a courage, tenacity, and tactical skill which French and British observers have been quick to applaud in a spirit of evident sincerity and with elation. They realize that however gallantly, however resolutely, their own countrymen have fought from the beginning of the war, it is the American reserves, now pouring into France, who will make victory certain and save human liberty and civilization; perhaps in the last quarter of an hour, as that Grand Old Man Clemenceau has said.

I think I have covered the subject matter, Mr. Speaker, that I intended, and I sincerely hope the House in its wisdom will concur in the Senate amendment and give this slight reward where it justly belongs.

The SPEAKER. The time of the gentleman has again expired.

Mr. BUTLER. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. MILLER].

Mr. MILLER of Minnesota. Mr. Speaker, my opposition to the motion made by the gentleman from Maryland [Mr. TALBOTT] is based on two fundamental propositions, and I sincerely trust I may have the attention of the Members here during the few minutes I shall speak concerning them.

The first fundamental proposition that causes me to oppose the motion is this: Should this motion carry it means the establishment of a precedent by Congress or a policy that should never appear during this war, one that will curse us as long as we live or memory lasts, for the real basis of the motion to make the commander of the Marine Corps a lieutenant general comes from personal friendship on the part of certain individuals for the present commander of the corps. Now, I have some slight acquaintance with the commanding officer of the Marine Corps. I admire him. He is a fine man, a splendid man, and has been doing an excellent work. But it is the same character and kind of work that every American citizen ought to do without hope of reward, and that is his best. It should not lie within the province of Congress to pick out this general or that general, this colonel or that colonel, this captain or that captain, and raise him to high rank and pin on his breast some medal of distinction and say, "We give this to you as a reward for your performance of ordinary duty in Washington." Congress should never act to raise the rank of any particular individual. A political body like Congress should never legislate affecting the rank of officers, except as may be necessary to carry out military plans made by military authorities.

Thus the first proposition that brings me antagonistic to this is that it rests upon personal element and none other. Should you take from this the fact that Gen. Barnett is the man to be honored it never would have come here and it would not be here now. So I say, if Gen. Barnett shall during the course of this war perform distinguished services, as I hope he may, that will cause him, in the natural course, to be promoted and advanced, God bless him; I will rejoice with him in his good fortune, but let us not pick him up now by a congressional legislative act and advance him to a position that is not merited. This move is born of favoritism and should have no place in our military legislation.

My second objection comes from a proposition much stronger than this first. My friends, this is absolutely without precedent in the history of the American Army, Navy, and Marine Corps. Just stop and face the situation for a minute. Refresh your recollection.

No man under the American flag ever commanded troops on the field of battle or an army in time of war with the rank of general excepting Gen. Pershing and Gen. George Washington, and George Washington did not have that position of commander in chief which we now understand as belonging to the rank of general. So, as a matter of fact, the only officer that ever enjoyed the supreme rank of general under the American flag is Gen. Pershing. All right. So much for that. How many lieutenant generals have there been in command of American troops on the field of battle? Not one, with the exception of Gen. Grant, and Gen. Grant was made lieutenant general only in March, 1864, when he was made commander in chief of all the Armies under the American flag. And you propose to elevate this staff officer, if you call him that, or this line officer, if that pleases you better, of the Marine Corps to the rank of a man that was in command of all the Armies of the United States, covering the battle fields with glory from one end of this Nation to the other. The only man that ever, with the three stars on his shoulder that indicate the rank of lieutenant general, commanded American troops was Gen. Grant, and only then under the circumstances which I have described. He was really commander in chief of our military forces in the great Civil War. Sheridan fought and Sherman marched to glory as major generals.

Mr. MEEKER. Will the gentleman yield for a question?

Mr. MILLER of Minnesota. I will if I get more time; but I want to finish this statement.

Now, where do we stand to-day? We have one general, and that is Gen. Pershing. Have we a lieutenant general in the Army? None. Although we have nearly 3,000,000 men in training and on the field of battle, not one has the three stars of a lieutenant general; not one. And there never will be until a man shall have demonstrated on the field of battle, in command of troops, in the awful shock of war, that military genius and power to command that will cause the President of the United States to send his name to the Senate with a recommendation that he be made a lieutenant general; and then he will be put in command of an army of 1,000,000 men or more.

To-day we have an army corps on the field of battle. I do not care whether some think I am talking too plainly or not. We must know some facts. This corps is under the command of Maj. Gen. Hunter Leggett. A better American officer never wore the American uniform, and I except none. He is a man who has had experience in the field, and his experience has extended to every field that American soldiers have fought or trained on in the last 35 years. He is in command of the First Army Corps in France. They are fighting day by day and night by night, and if you will make inquiry you will find that he ranks among the ablest men of his time. He is a major general—only a major general.

In any command, up to as high as a million men, which he will have before he is through, he will be a major general. And here you propose by a congressional legislative act to make a

man one higher rank than he, and a man who never smelled gunpowder across the sea. From time immemorial the commander of an Army corps in our country has had the rank of major general—no more. Under our Army plan now an Army corps will consist of about 210,000 men. In the Marine Corps, with the increase herein granted, there will be only 85,000 men, and yet this motion proposes to make the commander of that force a grade higher than an Army corps commander. This creates the rank of lieutenant general for a man here in Washington and not on the field of battle, where glory is won and where deeds are performed. This is not fair to the major generals of our Army—all the generals—for he will outrank them all save Gen. Pershing. No, my friends; look and think of your country's cause, the men that have fought for your flag and for your country, and are fighting to-day. Hold back from no man the reward for his gallantry and his service, but I beg of you do not begin by playing favorites in Congress. If you do, what must be the thought that will go to the major generals of our Army across the sea? There are dozens of them fighting for their country there. Can not they depend on you and me to be as true to the interests of our country here as we demand that they be over there? Let us protect them while they are gone. Let us honor them for that which they do, and never let us write a chapter, however small, in the annals of Congress that fails to recognize true worth, true heroism, true deeds, and the maintenance of that pure spirit of American democracy we call justice and the square deal, one that is making conquerors of our boys abroad and should make us worthy men to act as statesmen for humanity the world over during the next century of the world's history. [Applause.]

The SPEAKER. The gentleman from Pennsylvania [Mr. BUTLER] is recognized.

Mr. BUTLER. Mr. Speaker, how many minutes have I remaining?

The SPEAKER. The gentleman has 10 minutes.

Mr. BUTLER. I understand the gentleman from Tennessee [Mr. PADGETT] proposes to take the floor.

Mr. PADGETT. I am not going to make any more remarks. I just want to get recognition. Some gentlemen have stated that they want to speak. I will yield to them.

Mr. BUTLER. I would like to retain the balance of my time. I would like to yield to one or two others the 10 minutes that I have.

Mr. PADGETT. I am recognized for an hour, Mr. Speaker?

The SPEAKER. Yes.

Mr. PADGETT. I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER. The gentleman from Alabama is recognized for 10 minutes.

Mr. OLIVER of Alabama. Mr. Speaker, it seems to me there has been some misconception about this amendment. It is an amendment offered in the Senate, as I think, in recognition of the distinguished services which the head of the Marine Corps has rendered to that corps.

In the first place, Gen. Barnett, the present head of the Marine Corps, is not a staff officer. He is a line officer, detailed for his present work by the President on the recommendation of the Secretary of the Navy for four years. Some gentleman—I believe it was the gentleman from Minnesota [Mr. MILLER]—made the statement that the rank here proposed to be conferred was never held except by Gen. Washington and Gen. Pershing.

Mr. MILLER of Minnesota. I said the rank of general was so held.

Mr. OLIVER of Alabama. This amendment simply confers the rank of lieutenant general. There have been many who have held like rank in the past—for example, Chaffee, Schofield, Corbin, and numerous others.

Mr. MILLER of Minnesota. Not during a war.

Mr. OLIVER of Alabama. And take the cases even now of Gen. March and Gen. Bliss, holding the rank of full general, one in Washington and one at Paris, neither at the front.

No one questions the high and important service they are rendering. Let me say this: The subcommittee of which I was chairman took occasion to make careful inquiry into the activities of the marines and as to their efficiency. From every source we learned that their preparedness to "go over" when called was due largely to the foresight of the men to whom it is here sought to give some slight reward. They had in large measure directed the organization of the corps. They were splendidly trained and equipped and ready to respond on an hour's notice for foreign service. The subcommittee recognizing the personal interest that these men had always shown in the corps, long before this question arose, called attention to the fact that the efficiency of the Marine Corps was largely due to the personal interest which the commandant and his staff assistants had shown for the enlisted men.

Go, if you please, to Quantico, or anywhere, and talk with the enlisted men and ask them whether at all times they have not felt at liberty to make known their complaints and wants to the highest officer in the corps, and they will tell you yes, and you will find that the personal interest which these officers have taken in the enlisted man has markedly contributed to the fine esprit de corps and splendid morale of the marines. I feel that those who had such vision, that those who had looked so well after the personnel of this corps, were entitled to some recognition.

And may I state that the gentleman from Pennsylvania [Mr. BUTLER] was himself responsible largely for the defeat of an amendment that would have given members of the Marine Staff Corps, whom he has criticized, an opportunity to take their places in the line?

Mr. DEWALT. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Alabama yield to the gentleman from Pennsylvania?

Mr. OLIVER of Alabama. Not just now. When an amendment was proposed whereby the staff officer should be permitted to elect to go to the front, he opposed it; and this fine tribute was paid by him to the present organization in his effort to retain at Washington the present commandant of the corps and his staff. Here is what he says:

> Mr. BUTLER. But we may not have another Barnett; we may not have another Lauchheimer; we may not have another McCawley; and we may not have another Richards. * * * I believe that men in these responsible positions, and who have learned their duties better than anybody else can learn them, ought to be continued.

And again I quote from the gentleman from Pennsylvania:

> Mr. BUTLER. I believe that the existence of the Marine Corps is owing largely to the services of one man. He came to its rescue at the time it needed him, and that man is Col. Lauchheimer. That is my opinion, which I have heretofore expressed publicly, and I desire to have my opinion written in the record, although I do not know that it is of any value.

Again I quote the gentleman:

> Mr. BUTLER. And I know further that the fine condition of the Marine Corps—I mean to say its contentment and the fact that it is well clothed and well fed—is largely due to the services of Col. McCawley. Now, if we could distinguish these two men whose services have been so valuable to this corps, I am ready to distinguish them. * * *

He was opposed, if you please, to legislation that I know these officers in the marines strongly favored, giving them the right to elect to serve in the line. It ill becomes my distinguished friend from Pennsylvania now to criticize these gentlemen for performing in Washington high and important duties for the marines.

Mr. BUTLER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. OLIVER of Alabama. Let us understand that the marines are a great fighting machine, and in order to be and continue a great fighting machine you can not depend altogether on the men at the front.

The SPEAKER. Does the gentleman yield?

Mr. OLIVER of Alabama. Not just now. I will yield in a few minutes.

There must be back of the line some who are efficiently providing for the equipment and proper maintenance of that organization. Gen. Barnett, a brigadier general in the line, has been designated for this responsible position, and his selection met with the hearty concurrence of the gentleman from Pennsylvania.

Now, I yield.

Mr. BUTLER. Will the gentleman tell me where he got those remarks from?

Mr. OLIVER of Alabama. Yes. I got them from the hearing, and if you will read the hearing you will find those were the exact words you yourself used. [Laughter.]

Before the committee the gentleman from Pennsylvania [Mr. BUTLER] has always relied greatly on the judgment of Gen. Barnett. I have never heard him in the committee utter a word that was not in praise and laudation of the commandant of the Marine Corps and his staff. Now this amendment proposes simply a just recognition for a wonderful service. It may not be that Gen. Barnett will be called to the front. He is here serving in a most important capacity under orders, like Gen. March in the Army, like Admiral Benson in the Navy, like Gen. Bliss in the Army, and he is performing that work with signal efficiency. Do you recall that when we entered the war the Navy was less in size than the marines soon will be? Under authority conferred in this bill you will soon have a Marine Corps of 85,000 men, and for their maintenance and support this bill carries an appropriation of $160,000,000, which is more than the appropriation carried for the entire Navy in the very recent past.

The SPEAKER. The time of the gentleman has expired.

Mr. OLIVER of Alabama. I ask for five minutes more.

Mr. PADGETT. I yield five minutes to the gentleman.

Mr. OLIVER of Alabama. You are appropriating more for the maintenance of the Marine Corps this year than was appropriated for the entire Navy in years gone by, and the Marine Corps, I repeat, will soon be larger in personnel than the Navy was when we entered the war.

Mr. FLOOD. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield to the gentleman from Virginia.

Mr. FLOOD. I have been out attending a conference, but I was in the Hall some little time ago, and there seemed to be some confusion about the question whether the commandant of the marines was a line or a staff officer.

Mr. OLIVER of Alabama. A line officer and not a staff officer.

Mr. FLOOD. There is no doubt about that, is there?

Mr. OLIVER of Alabama. None. He was detailed from the line for this work for four years, and performed it in such an admirable manner that the Secretary recommended him for reappointment and the Senate has confirmed him for another four years. It is proper to state that Gen. Barnett was under fire many times during the Spanish War.

Mr. BRITTEN. May I call my colleague's attention to the fact that this increase in rank merely places the commandant of the Marine Corps on a parity with four vice admirals in the Navy who are already cared for?

Mr. OLIVER of Alabama. Absolutely so. If you want to give force, effect, dignity, and power to the Marine Corps, this is the way to do it, and I think it important and just in these times when the corps is rendering such valient service at the front. Give to the officer in command of that corps rank equal with those directing our other great fighting forces who are rendering wonderful service to their country on sea and land.

Mr. DEWALT. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes; I yield.

Mr. DEWALT. I notice that this amendment proposes a permanent major general and a temporary major general.

Mr. OLIVER of Alabama. I am speaking now in reference to the amendment providing rank for the commandant of the corps, but I shall be very glad to refer to that when it comes up later.

Mr. BUTLER. Excuse me. The gentleman is referring to the House provision?

Mr. OLIVER of Alabama. Yes; and not now under consideration.

Mr. PADGETT. That is not in dispute at all. The Senate passed it.

Mr. OLIVER of Alabama. The chairman is correct, but there is a matter that the gentleman's question might apply to, which will come up later. Now, I simply want to emphasize the fact that when you have in the Marine Corps a force of 85,000 men, larger than the entire number of men in the Navy including the marines when we entered the war, and it is important to give power, dignity, and effect to the commanding officer of that corps, I believe it wise, from a military standpoint, to grant this increase of rank. You recognize that when the commanding officers of our fighting forces sit around the council table rank counts much, and this amendment simply seeks to place the commandant of the marines on a parity with officers occupying similar relations to the Army and Navy proper.

Mr. HENSLEY. Then the gentleman does not agree with the Secretary of the Navy when he says this is not a military necessity?

Mr. OLIVER of Alabama. I can not agree with the Secretary in that respect. I believe that if the Secretary himself had thought over the matter longer after this large increase in marine personnel was made he might have recommended this amendment.

Mr. HENSLEY. Will the gentleman yield?

Mr. OLIVER of Alabama. I can not yield further.

Mr. HENSLEY. Just one question.

Mr. BUTLER. I will give the gentleman further time.

Mr. OLIVER of Alabama. I will yield to the gentleman.

Mr. HENSLEY. Then the gentleman is basing his contention that this amendment should be passed because of the increases in the Navy and in the Army. Is that true?

Mr. OLIVER of Alabama. The gentleman evidently was not listening to what I said. I stated that I believed it was essential to the proper organization, maintenance, and equipment of the marines, a great fighting force, larger in size than the Navy was when we entered the war, to have their commanding officer given this rank. He sits at the council table with other officers of the Army and Navy, and he ought to have that dignity and force that accompanies rank. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. OLIVER of Alabama. Under leave to extend my remarks I desire to set out the report of the subcommittee for the investigation of the conduct and administration of naval affairs. Attention is there called to the splendid achievements of the Navy and how prophetic we now find are its statements as to the Marine Corps:

REPORT OF THE SUBCOMMITTEE FOR INVESTIGATION OF CONDUCT AND ADMINISTRATION OF NAVAL AFFAIRS.

Hon. L. P. PADGETT,
Chairman of the House Committee on Naval Affairs:

The subcommittee appointed just prior to the holiday recess to inquire into the activities of the Navy since our entrance into the war submits to the full committee the following report:

We have had before us the Secretary of the Navy, Chief of Naval Operations, the chiefs of all the bureaus, the Commandant of the Marine Corps, Chief of Naval Aviation, the Director of Target Practice, also other officials and witnesses. Many of our hearings were in executive session, full reports of which are now in the hands of the secretary of this committee and open to the inspection of its members. Much of the testimony submitted to us has been heard by the full committee in its consideration of the pending appropriation bill, and this fact assures, we think, the entire committee's ready concurrence in the following conclusions reached by us:

First. All appropriations have been expended or obligated with judgment, caution, and economy, when you consider that haste was necessary to bring results and abnormal conditions obtained in reference to all problems of production or operations.

Second. The Navy, with limited personnel and matériel, was suddenly called to face many difficult and untried problems in sea warfare, and has met the situation with rare skill, ingenuity, and dispatch, and a high degree of success.

Third. The efficiency of the Navy's prewar organization, the readiness and fitness of its men and ships for the difficult and arduous tasks imposed by war were early put to the acid test, and thus far in no way have they been found wanting, and we feel that the past 12 months presents for the Navy a remarkable record of achievement, of steadily increasing power in both personnel and matériel, of rapidly expanding resources, and of well-matured plans for the future, whether the war be of long or short duration.

Our committee undertook this investigation expecting to find that, no matter how well in the main the Navy had made its expansion into a war force, we would find some matters subject to adverse criticism. We brought with us the desire to cooperate with the Navy to the one end, success. An examination of the records will show how little occasion we have had to find fault. Some mistakes have, of course, been made, yet the Navy has shown its strength by the manner of its correction.

It is a matter of regret that the great demand upon the ship-construction capacity of the country, coupled with the urgent demand for a large increase in the destroyer force, has made necessary a temporary abandonment in part of the Navy shipbuilding program. The Navy greatly needs both scout and battle cruisers, without which our dreadnaught fleet loses a large part of its fighting potentiality. We approve the principle and earnestly favor a resumption of the building program as soon as conditions permit, and can not too strongly emphasize the importance of providing both scout and battle cruisers.

That the expansion of the Navy has resulted in gain rather than loss of efficiency is primarily due to one factor, preparedness. This, we think, very fully appears from our reports on the bureaus, the office of operations, and the fleet, which follow:

BUREAU OF NAVIGATION.

The measure of the efficiency of the Navy is the efficiency of its personnel; and your committee feel that this important matter has been well handled by the Bureau of Navigation, of which Admiral Leigh C. Palmer is the chief. This bureau is charged with the duty of supplying both officers and enlisted men and of providing for their proper training and assignment to service. In March last we had only about 55,000 men, including reserves, in the naval service. This number has been rapidly increased until it approximates now 300,000. All enlistments are practically for the full four-year period (the full time permitted).

Under the enlistment plan the country was divided into four districts, the purpose being to reach the parents of these districts and to explain the real advantages of the Navy. The plan proved so successful that every district turned in far more than its quota of enlistments, which necessitated the slowing down of recruiting to prevent crowding the men in training stations. At the commencement of the war our training stations could only accommodate about 6,000 apprentice seamen, but Admiral Palmer early assumed the responsibility of increasing the housing rooms at the various stations, and we now have at the regular training stations barracks for more than 50,000 men. Additional barracks and schools have been provided in every naval district for the training of officers and men, and many schools and colleges have likewise been called on and are now assisting in the training of specialists along different lines. These training stations and schools cover a large number of trades in addition to the regular naval work, including thorough courses for divers, electricians, radio men, carpenters, machinists, blacksmiths, coppersmiths, bakers, Hospital Corps men, camouflage men, musicians, gunners, signalmen, steel and concrete construction men, quartermasters, helmsmen, lookouts, armed guards crews, men for submarine work, motor boat and torpedo men, etc. Training was also started in the battleship force, and every vessel at home and abroad has become an active training school for officers and men in addition to carrying out the other important duties of the fleet. Trained destroyers and patrol-boat men from the war zone are being brought back from time to time as nucleus crews to man new vessels that are now being constantly put in commission. Since April last more than 1,000 vessels have been put in commission by this bureau, including battleships, submarines, destroyers, transports, hospital ships, patrol vessels, mine layers, mine sweepers, submarine chasers, cruisers, colliers, supply vessels, converted yachts, gunboats, etc. The bureau deserves much credit for its promptness in filling all orders for trained personnel, and every vessel afloat, we learn, is now filled to the maximum complement desired by the officer in command.

The whole problem of training and supplying officers and men, Admiral Palmer assures us, has been worked out in detail for a year in advance, after first taking into consideration the number of vessels, which will be completed and commissioned, and the duties to which they will be assigned. This schedule shows where the supply of officers and men of the required rank and ratings will come from, where they will be trained, and where assigned. It allows for unforeseen casualties and new operations and, we are told, will automatically deliver the required number of trained officers and men for any activities authorized or contemplated now, or in future covering a period of several years. The Navy reserve force has been efficiently organized and many additional details of personnel have been met by the bureau, including the naval radio censorship, communication service, naval intelligence, and supply of reserve clerks for the bureaus.

Charts and navigation books and instruments of all kinds have been furnished the fleets in home and foreign waters, and we feel that the bureau wisely maintains the closest cooperation with the commander in chief of the Atlantic Fleet, and the commander of the forces operating abroad on the subject of supply and detail of personnel. Our committee has been impressed with the ability and systematic methods adopted by this bureau for the handling of these important matters intrusted to it.

THE MEDICAL DEPARTMENT.

The first battle of the war, that against disease, was fought and won by the Medical Department of the Navy, under Rear Admiral William Braisted.

After diplomatic relations with Germany were broken in February, 1917, recruits, we find, streamed into the service in increasing numbers, and in April there was grave danger that the overwhelming influx of volunteers would overtax all training stations and receiving-ship facilities and bring disaster to the Navy at the very beginning of the war by the introduction and spread of epidemic diseases, which unfortunately were widely prevalent throughout the country at that time.

The Navy in this early critical period was fortunate in having as its Surgeon General a farseeing man, of the clearest judgment, who had the confidence of the medical profession at large and who inspired confidence and loyalty in his own corps. Admiral Braisted, possessed of unusual ability as an organizer and administrator and an intimate knowledge of the needs of the service, was eminently fitted to direct the activities of the Medical Department. Patient and optimistic, and with a quiet force of character which accomplished results, he began at once, without delaying even for appropriations, to prepare for eventualities which he clearly foresaw. Except an occasional outbreak of those diseases which commonly occur among recruits, the health of the Navy has been quite as good as in times of peace. In spite of all the difficulties in the way of rapid expansion, and the sudden necessity for the training of new medical personnel and Hospital Corps men, the health of the force afloat has been even better than in peace times.

The Medical Department facilities have undergone tremendous development everywhere. The excellent and finely equipped base hospitals which were built before the war, largely through foresight on the part of the Surgeon General, have been greatly expanded with a speed which could not have been attained if the organization of the Medical Department as a whole had not been carefully thought out long before war came and plans perfected for the immediate enlargement of base hospitals and the construction of emergency hospitals of the finest type wherever necessary. The total bed capacity of naval hospitals was thus increased in a period of a few months from 3,800 to more than 15,000 beds. The mothers of the country can rest assured that in these hospitals their sons will receive excellent care and nursing and the most skilled treatment that modern medical and surgical knowledge permits. The naval hospitals at Great Lakes, Ill., and Norfolk, Va., are already two of the largest hospitals in the United States, and with the authorized additions to the Norfolk hospital it will be one of the greatest institutions of its type in the world. The Navy Nurse Corps, comprising women of the highest type in the nursing profession, has been increased to more than 700.

On board ship and at naval stations the health of the men is protected by all the safeguards known to preventive medicine. The Hospital Corps, upon which falls exclusively the nursing of the sick and wounded outside of hospitals, has been increased from 1,500 to nearly 9,000.

Hospital Corps training schools have been established in connection with the training stations at San Francisco, Great Lakes, Newport (R. I.), and Hampton Roads. In these schools young men of good character and aptitude are intensively trained for their duties at sea.

Foreseeing that the hospital ship now under construction, and which the Surgeon General had long asked for, would not be completed in time to meet the war needs of the service, two large liners were secured and converted into hospital ships to supplement the work of the hospital ship *Solace*. To assist the Army in bringing back the sick and wounded from abroad, Admiral Braisted arranged that the transports operated by the Navy should have ample Medical Department facilities and necessary equipment, and so far as naval facilities exist has assumed responsibility for the medical and surgical care of all Army sick and wounded who may be transported home on naval vessels from Europe.

For the care of our naval forces in England, France, and European waters three base hospitals are already in operation abroad.

In expanding the Medical Department to meet the present and future needs of the Navy, we were glad to find that the needs of the increasing numbers of industrial workers and other civil employees in the large manufacturing plants in navy yards had not been overlooked. The peace-time humanitarian work is also being continued in connection with Haiti, Santo Domingo, Virgin Islands, Samoa, and Guam, involving a population of over 2,000,000 people.

It may well be said that the reason for this successful record is to be found in the bureau's preparedness, due to foresight and cooperation.

BUREAU OF SUPPLIES AND ACCOUNTS.

The Bureau of Supplies and Accounts is the Navy's great business office, and incidentally it is one of the biggest enterprises in the United States. Under its chief, Rear Admiral Samuel McGowan, it has established and well deserves a Nation-wide reputation for business efficiency.

It has the responsibility of feeding, clothing, and paying the entire personnel of the Navy, and supplying all vessels of the Navy with stores and equipment for efficient operation. When war came, it found the bureau with a peace-time organization of 128 officers and civilians. That personnel, however, had been so constantly indoctrinated with the Paymaster General's policy of doing everything with a view of preparing for any eventuality, that it needed only augmentation to handle smoothly the vast increase in its daily business details. The personnel increased to more than 700, but the system remained unchanged, and the result was that 300,000 men and 1,100 ships were just as promptly and well provided for as 55,000 men and 300 ships had been before the war.

One of the most important problems the bureau had to solve was the placing of contracts and securing delivery of large stocks of winter clothing for a Navy that by winter had increased many times its original size.

This could not be accomplished by merely placing the contracts and then waiting delivery. The requirements for the Army and our allies had made such a demand on the mills and on the manufacturers that all contracts had to be placed with the greatest care and under varying conditions to meet the Navy's immediate needs. The Paymaster General sent a number of commissioned officers to the mills and factories to talk to the employees and encourage them to increase production to the limit. These efforts were so successful that all men afloat and at the training camps and stations were, before cold weather came, provided with adequate outfits of winter clothing, including overcoats, heavy blankets, etc. The deck force of the destroyers, battleships, and other vessels were furnished with special articles of winter clothing, wind and rain proof suits, heavy woolen socks, boots, etc., and thus well prepared to endure wind and weather.

The daily stocks of raw materials were rapidly increased and storehouses were erected at certain east coast yards to meet the enlarged demands for fitting out the greatly augmented fleet. By wise foresight the bureau met immediate needs promptly, and in addition provided a reserve supply of the more important articles of raw materials, such as tin, copper, steel, etc. The bureau, we find, has preserved its well-established "open-door" policy with respect to purchases of every kind for the Navy Establishment. Some idea of the magnitude of the increase in the Navy's purchases since the war may be gained from the fact that the total expenditure for an entire year in the comparatively recent past did not exceed nineteen millions, whereas expenditures are now being made at the rate of thirty millions a day.

The fact that the Navy has been able to secure prompt deliveries almost without exception under its contracts is due in a large measure to its elimination from the bidding list of all failing to comply with the following requirement of article 3722 of the Revised Statutes:

"No person shall be received as a contractor who is not a manufacturer of or regular dealer in the articles which he offers to supply."

When war came the Navy, by following this policy, had a bidding list of contractors of known reliability, and, as an automatic result, prompt in deliveries.

The Paymaster General, in all but a few confidential purchases, has insisted rightly that publicity protects the Navy and encourages competition, and this policy has been followed strictly in making purchases, and as a result quality, quick deliveries, and lowest market prices have been obtained.

The finest spirit of cooperation exists in this department and one of loyalty to its chief and to its senior aid, Rear Admiral C. J. Peoples, the youngest officer of his rank in the Navy and one of the most efficient.

BUREAUS OF CONSTRUCTION AND REPAIR AND STEAM ENGINEERING.

We were impressed with the efficient and expeditious methods employed by the Bureaus of Construction and Repair, Rear Admiral David W. Taylor, and of Steam Engineering, Rear Admiral Robert S. Griffin, in handling the many difficult problems suddenly imposed by the war. Much of the information furnished us in this connection can not, for obvious reasons, be now disclosed, but in due time the country will understand how the skill and inventive genius of these bureaus have contributed to the efficiency of our own and allied navies.

We found that extensive preparations had been made by these bureaus before the outbreak of war; that large stores of material necessary for the repair and replacement of the ships in service had been accumulated and extensive contracts made for stores not ordinarily carried in times of peace; that repair ships were thoroughly equipped and were ready to sail in condition to make any repairs that might be necessary in the destroyer force. As a result, our destroyer force in the war zone has been maintained in a high state of efficiency, and had all repairs made without interfering with their service. Much of the credit for this is due not only to the seamanship and skill of their officers and crews but to the thorough manner in which American crews understand the materials in their charge and the skill with which they utilize the same.

Navy yards were fully supplied with materials needed in connection with the big task of converting merchant vessels taken over, and arrangements had been made to supplement the navy yards by private yards in the vicinity, working under contracts arranged before the outbreak of war.

Many alterations were begun fully a month before hostilities were declared and extended to the point of actually making contracts in anticipation of the passage by Congress of appropriations for the purpose.

When it came to building additional destroyers, especially those of the large program, it was found that the shipbuilding facilities of the country were fully absorbed with the vessels then under construction and that it would be necessary to create new facilities. The work involved the expansion of existing shipyards, the creation of entirely new yards, machine and boiler shops, great increases in forging facilities and facilities for building auxiliary machinery. The plans adopted required more than doubling the capacity available last summer for building destroyers and that capacity was materially greater than before the war. It is gratifying to report that during 1918 destroyers will be built in from a third to a half of the time taken under prewar conditions.

In spite of the speed in construction, these vessels are not being slighted in workmanship or appliances. They are equal in every respect and superior in some to our latest destroyers, and will be provided with all fittings for the comfort and convenience of the crew, and for military purposes.

The committee was given full information in regard to the damage done to the German ships which were turned over to the Navy and the methods followed in repairing them, and was impressed with the fact that while unusual and novel methods were resorted to to put these ships in service as quickly as possible, there has been up to date no case of failure or of weakness developing in any repairs undertaken by the Navy Department. With the completion of the *Leviathan* (*Vaterland*) the last one was repaired and put in service, making upward of a hundred German ships now flying the American flag.

A side light on German methods was furnished by a statement that there was found on one of the German ships a detailed memorandum of all damages that had been done, with a notation opposite each item

as to whether the damage could or could not be repaired. In almost every case the notation was "Can not be repaired," and the manner in which the work was accomplished is still no doubt a profound mystery to the skippers and engineers of the German ships who are now interned.

The committee found that no necessity had arisen for any change in the system of either of these bureaus, which readily expanded to meet the emergency. They have not only had at their command the assistance of American inventors and experts but have been given full information of the devices developed and progress made by other navies and have worked in close conjunction with our allies.

BUREAU OF ORDNANCE.

The importance of the adequacy in power and quantity of the Navy's ordnance can not be overemphasized.

The Bureau of Ordnance, under Rear Admiral Ralph Earle, has fully satisfied the demands made upon it by the vessels operating in European waters. A letter from Vice Admiral Sims compliments the work and spirit of the Ordnance Department. Other officers in the war zone, writing in similar vein, have given like testimony.

As a preliminary to its hearings, the committee visited the offices of the Bureau of Ordnance and personally examined into the organization and operation of the bureau's administrative details. The committee was impressed with its business organization and capacity to handle the war work that comes under its immediate cognizance, the procurement of guns, mounts, shell, powder, fire-control appliances, and the numerous accessories required in the arming of our naval forces.

The signing up of a contract marks the beginning of action; the follow up and thorough inspection systems and the policy of full cooperation with the manufacturer are employed to insure prompt delivery.

The organization of the bureau had been developed so as to make it an organization for war, and in consequence it is working smoothly and efficiently, although the expenditures have increased from about $30,000,000 to more than $560,000,000. It has been augmented by taking into it retired officers, officers of the Naval Militia, officers of the Coast Guard Service, former graduates from Annapolis, and able men from civilian life as needed.

The bureau has developed much new material, including depth charges, submarine bomb, nonricochet shells, bomb-dropping devices, howitzers, guns for throwing depth charges, smoke-screen apparatus, heavier ordnance on all craft, and many other important designs which we feel it unwise to discuss.

Where there were shortages in the market of various materials, the bureau took steps immediately to develop new sources of supply. It placed contracts rapidly, and the committee is confident that the Navy's needs for ordnance during this war are fully covered by existing contracts and with the capacity now under its control.

Over 1,100 vessels have been furnished and equipped with guns, ammunition, spare parts, and all their auxiliaries since the fitting out of the *Campana*, the first ship to be so fitted out, on March 14, 1917.

Reserves of ammunition have been acquired, and money placed at the disposal of the Bureau of Ordnance we find has been spent wisely and has been obligated practically as soon as it became available.

The Navy's industrial ordnance plants have been and are being expanded as rapidly as practicable without interfering with their production. Without direct control of the gun factory, torpedo station, naval proving ground, powder factory, and ammunition depots, the work accomplished would have been impossible.

It may be pertinent to here state that the bureau has furnished, in appreciable quantities, the Governments of England, France, and Italy with guns from the largest to the smallest caliber, together with proper supplies of ammunition therefor, and is continuing the supply of such munitions to our allies. In addition to vessels of the regular navy of our allies, it has armed a considerable number of their merchantmen.

Depth charges, which the committee thinks may be properly termed "the best weapon against the submarine," have been produced in quantity and are in use by our destroyers and submarine chasers. An adequate reserve of ammunition for all classes of guns has been accumulated and is held in storage ready for the use of the fleet.

The committee was supplied with full information of how many attacks of submarines upon armed merchantmen had been warded off, the ships' gun crews using the battery with bravery and skill, and was given the details of certain engagements of special interest.

The arming of merchantmen and the use of other devices, including sailing in convoys, while doing much to keep down our percentage of losses, are not all that can be desired as a check to the submarine menace. The committee was furnished with the names, tonnage, and armament of all vessels under the American flag engaged in trans-Atlantic trade, together with dates and incidents of all encounters with submarines. The record of attacks on our armed merchantmen shows a comparatively small percentage were successful, and that the chances of escape when a submarine is sighted before she has time to fire a torpedo are very high, due to the efficiency of the Navy personnel. The unseen torpedo is responsible for 80 per cent of the sinkings.

BUREAU OF YARDS AND DOCKS.

At the commencement of the war naval docks and yards were wholly inadequate to meet the requirements of the Navy at war strength, but Congress in the last appropriation bill had provided liberally for improvements.

Rear Admiral Frederic R. Harris, chief of the bureau, gave the committee a full report on the activities set in motion to develop the yards and to erect the many structures required for training camps for the increased personnel.

In December last 496 contracts, involving an expenditure of more than $96,000,000, had been let for these improvements, 62 of these contracts, carrying about $26,000,000—mostly for training camps—were made on the cost plus basis, but we found in every case that the bureau had safeguarded the interest of the Government by careful inspection and supervision. This method of contracting, while not the most economical, perhaps, was necessary to secure the early completion of the buildings to house and provide hospitals and other accommodations for the recruits. There has been no question of the good faith and integrity with which operations were carried out.

In the construction of the camps the bureau erected 452 buildings under 50 acres of roofing, requiring millions of feet of lumber. An interesting statement of these operations will be found in the hearing of Admiral Harris.

This bureau met in the course of its construction work the usual difficulties with labor, transportation, and priorities, but these situations were well handled and good results with remarkable dispatch were obtained.

Admiral Harris resigned his post as chief of the bureau to go to the Shipping Board in the fall of last year, and pending the appointment and qualification of his successor the affairs of the bureau were conducted in a most satisfactory manner by Capt. A. L. Parsons, his former senior aide, as acting chief.

AIRCRAFT.

We have examined the naval aircraft situation and find many matters of great interest, but much of our information is not now open for public discussion.

This was the one development of matériel which no amount of foresight would have enabled the Navy to prepare adequately. The growth of airplanes and hydroplanes has been so rapid that nothing short of actual war conditions would insure a large number of up-to-the-second machines with aviators trained to handle them.

In the earlier stages of its undertaking the naval air service met many discouragements, but the perfection of the Liberty motor and the use of large sums of money in conjunction with the Army to finance manufacturers have, under the direction of the air service, produced results that now promise to meet the requirements of this important branch of the Navy.

The aircraft program is in charge of Capt. Noble E. Irwin and we commend to the entire committee the careful reading of his hearing, and especially a recent interesting and informing report made by him, now on file with the secretary of the committee.

TARGET PRACTICE.

The statement of Capt. Charles P. Plunkett, Chief of the Division of Target Practice, is of intense interest, and we invite the committee's special attention to it.

We can not publish all that has been accomplished in the way of naval gunfire, battle ranges, percentages of hits, and the results of a comparison of our Navy gunnery with that of other countries. But to our committee, though not technically trained in this matter, the work of this division has been highly satisfactory.

It betrays no secret to say that the gunnery of the Atlantic Fleet prior to the declaration of war was more than satisfactory, but it became necessary to take a large number of ordnance officers and expert gunners from the secondary batteries and turrets of the fleet in order to provide armed guards for merchant ships and to furnish ordnance officers for the many new vessels coming into commission, so that many men handling the secondary batteries (many used for torpedo defense) were removed and the heavier batteries thus temporarily lost many of their most highly trained gunners. It was necessary to train new personnel to fill these vacancies and also to provide for the vessels in reserve and the new vessels coming into service. While primarily these were questions for the Bureau of Navigation, yet they caused, as Capt. Plunkett explained, the deepest anxiety to the gunnery officers. Nothing but the carefully developed system in the Navy, coupled with the devotion of the officers of the fleet and the enthusiasm and intelligence of the enlisted personnel, saved the situation. How well the men sent to the merchant ships have been able to do their work has already answered the defenses they have made to submarine attacks. How well the new men have responded to their training can not be answered until "the day" when the guns of the fleet speak, but we venture to prophesy that the results will be in keeping with the proved traditions of the American Navy.

THE MARINE CORPS.

The Marine Corps, though inherently a part of the Naval Establishment, has its own separate and distinct organization, with separate military and administrative staff departments, the latter of which includes a separate supply bureau, the quartermaster's department. It has also its own paymaster's department.

The committee was much impressed with the keen, personal, active interest shown by Gen. George B. Barnett, commander of this corps, together with the officers under him, in everything pertaining to the welfare, comfort, and advancement of the enlisted personnel. This individual interest on the part of the officers is a very large contributing factor, we believe, to the well-known high efficiency and splendid spirit and morale of this corps.

About a year and a half ago Congress began to increase the strength of the Marine Corps, which consisted then of 344 officers and 9,921 enlisted men. By legislation approved August 29, 1916, authority was granted to increase it ultimately to 693 officers and 17,400 enlisted men. Later, after war was declared, a further temporary increase was authorized on May 22, 1917, for the duration of the war, permitting enlistments to a strength of 30,000 enlisted men (exclusive of reservists) and allowing 1,197 officers. About a year after this first legislative authority was granted the actual strength of the Marine Corps, including reservists and National Naval Volunteers, was 32,288 enlisted men and 1,120 officers. Thus it will be seen that the Marine Corps more than trebled its former strength in officers and enlisted men within this comparatively short period. To-day the Marine Corps numbers 1,230 officers and 36,334 enlisted men.

The actual enlistment was accomplished through the usual methods of recruiting from amongst volunteers from civil life at a time when the Army, Navy, and National Guard organizations were all working in the same field with the same object of filling up their authorized quotas. As new men came into the corps, clothing, equipment, and military stores had to be provided, and immediate and adequate methods taken for their health, their instruction, and training. The satisfactory accomplishment of this task required teamwork on the part of officers in command and the military administrative staff departments. The prewar methods of the Marine Corps in recruiting, training, and administering to the needs of the corps were adapted at once to the situation incident to this increase.

We find that, besides taking care of new appointments in the commissioned grades and the enlistments and the training of this additional force, the Marine Corps has attended without a hitch to its ordinary and regular duties of guarding the navy yards and naval stations, both in and outside of the United States. It has furnished expeditionary forces for duty in France and elsewhere outside the United States, and supplied marine detachments for all battleships, cruisers, and other naval vessels placed in commission during existing hostilities. At the same time it has kept a force of officers and men in Haiti and Santo Domingo to insure continued good order against certain insurrectionary elements amongst their inhabitants. We mention one instance to show the efficiency of the Marine Corps' methods of training raw personnel. The rifle is the weapon of the marine. When the Marine Corps was, roughly, 10,000 enlisted men before the war, 6,118 of that force were rated as so efficient in the use of this weapon that they were under the law entitled to an increased pay. To-day the Marine Corps of 36,334 enlisted men has 22,577 men similarly rated. This shows that it has actually increased its prewar percentage of proficient marksmen.

It has been the established policy of the Marine Corps in prewar times to fill its commissioned personnel, as far as possible, by promotions from the ranks, and no appointments are made in commissioned grades direct from civil life. We most heartily approve this policy as rewarding the tried and true amongst the enlisted force.

All of the emergencies the corps has been called upon to meet have been met by the officers and enlisted men in the most expeditious and efficient manner without either friction or confusion. These results not only vindicate the system of organization, but also reflect credit upon those officers who are responsible for the maintenance, direction, and efficiency of the corps.

There are to-day on the firing lines in France no better trained, no braver, no more effective fighting force than our own marines now serving there, and we hope their number may soon be largely increased. Both officers and men are anxious to go. Thoroughly equipped and splendidly trained as they are in the arduous methods of modern warfare, we feel that theirs will be a service of results which the Nation will always remember with ever-increasing pride.

OFFICE OF NAVAL OPERATIONS.

Thus far in our report we have considered the operations of what may be termed as the administrative side of the department, including the great bureaus. There remains to be considered the more strictly military administration of the Navy.

In 1915 Congress, on the recommendation of the Naval Committee, created the Office of Naval Operations, not defining the duties of the chief, but placing upon him responsibility for the maintenance of the fleet and for the preparation of plans for its use in war. The Secretary of the Navy appointed Capt. William S. Benson, chief of operations, and assigned five officers to assist him. Capt. Volney O. Chase was senior aid for personnel and Capt. Josiah McKean for matériel. The Secretary promulgated a new set of naval regulations, fixing the authority of the Office of Operations and its relations to the bureaus of the department. Congress by subsequent legislation provided for the assignment of a larger number of officers to duty in the Office of Naval Operations, and further that orders issued by the chief of operations in the name of the Secretary should have the same authority as if issued by the Secretary himself. This office has thus become the factor for the coordination of effort between the bureaus, and in military matters of the Navy it has become the dominant authority.

If the Atlantic Fleet was ready for action on April 7, there is no question that its preparedness in both matériel and personnel was in great measure due to the directing force of the Office of Operations, and further that plans for the mobilization of the fleet were ready for immediate use. The support given by the department to Vice Admiral Sims goes by way of the Office of Naval Operations. The support of the Atlantic Fleet goes by way of Naval Operations, and in all military matters pertaining to the Navy it is this office which, under the Secretary, gives the final direction.

The pronounced success of this office beyond question is due to the strong personality of its chief, Admiral Benson, the ranking officer of the Navy.

Except the general statement that Vice Admiral Sims has had everything called for as promptly as it could be delivered, our committee has nothing to report about the condition of our over-seas fleet. Its splendid work under the able direction of Admiral Sims will be told in detail at some later time.

We have learned by personal observation, as well as by inquiry, something of the Atlantic Fleet; and we feel we can say that the condition of ships and personnel, all things considered, is more than satisfactory. That this condition exists is due to Admiral Mayo, its commander in chief, and every officer and man under him.

When war came, on April 7, Admiral Mayo is quoted to have said: "I did not give a single solitary order of any kind or description to pass the fleet from a peace to a war basis." Then came the disintegration of that excellent but too small personnel to meet the necessities of expansion.

The task of reconstructing and training it has been difficult, but we learn that officers and men have devoted themselves to this task with patience, endurance, pluck, and skill of the highest order. So well have they succeeded that we feel justified to report, "Sirs, all is well with the fleet."

(Signed) W. B. OLIVER,
Chairman Subcommittee.
W. W. VENABLE,
ADAM B. LITTLEPAGE,
JAMES C. WILSON,
FRED A. BRITTEN,
JOHN A. PETERS,
FREDERICK C. HICKS,
Committee.

Mr. PADGETT. I yield to the gentleman from Colorado [Mr. KEATING] 10 minutes.

Mr. KEATING. Mr. Speaker, the gentleman from Alabama [Mr. OLIVER] has just said that, in his judgment, if the Secretary of the Navy had given thought to this subject he would have recommended the adoption of this amendment, because he would have recognized that similar rank had been granted to the chiefs of the bureaus in the Navy. The hearings show that the Secretary of the Navy did consider that very point, and if you will turn to page 722 of the hearings you will find that Secretary Daniels said:

The men who hold these positions—

That is, staff positions in the Marine Corps—

are very capable and efficient men, but their duties are not relative to the duties of the chiefs of the bureaus in the Navy.

That is the reason why Secretary Daniels refused to approve the amendment.

Now, my friends, let us see just what there is to this proposition. There has been enough lobbying in connection with this amendment by the men directly concerned, by the men who are to secure the promotions, to justify the President of the United States in ordering a court-martial.

That is the fact.

While the boys have been "going over the top" in France there have been certain gentlemen here at home determined to capitalize the exploits of those boys for their own selfish interests. Men who are backing this amendment are not asking you to reward the boys who are "going over the top." There is no suggestion here of promotion for the boys who are dying on the fields of France; not a word about that. This amendment, advanced by the men who are to be benefited, drafted by them, logrolled by them, have to do with the men who are in the bureaus in Washington, not only in the bureaus at Washington but they are actually nailed down in the bureaus, because under the law you can not take one of the gentlemen who are to receive this recognition out of Washington at this time or at any other time until he retires.

Mr. DEWALT. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. DEWALT. Does the gentleman have any knowledge of who the other two gentlemen are?

Mr. KEATING. I do not know, but the amendment I am talking about is the one giving the commandant of the Marine Corps, who so far as the record shows was never under fire, the rank of lieutenant general and three staff officers the rank of major general. Think of it, gentlemen, what a laughing stock you would make of yourselves to have the word go forth to the world that a man who has never been under fire, although the commandant of a fighting force, has been made a lieutenant general, and that certain gentlemen with him, who under the law can not be sent out of Washington, are to be made major generals. If you adopt this amendment it will be equivalent to telling the boys who are doing the fighting that the way to win promotion in the Marine Corps is not to go to France, is not to serve in the training camps, but is to have sufficient social and political pull in the city of Washington so they may logroll their promotions through on an appropriation bill.

I am in favor of the Marine Corps. I am in favor of the men who do the fighting, and I will vote now to confer any rank within reason upon the men who are doing the fighting in France, but I insist that those men must be recognized first before these rocking-chair warriors are given these high positions.

Mr. KEARNS. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. KEARNS. Does the gentleman say that the officer or officers to be benefited by this amendment have been asking Members of Congress to vote for the amendment?

Mr. KEATING. Yes; I say that the Secretary of the Navy—and no gentleman will deny this—that the Secretary of the Navy has refused to indorse this proposition; that after the Commander in Chief of the Navy had refused to indorse it Gen. Barnett and other gentlemen, showing what excellent soldiers they are, in defiance of the expressed wish of their commanding officer, went to Members of the American Congress and pleaded that this amendment be placed in the bill. The Secretary of the Navy has not indorsed the proposition up to this good hour, and he will not indorse it.

Mr. KEARNS. Will the gentleman yield to me to state one incident?

Mr. KEATING. Yes.

Mr. KEARNS. I know of one incident where a boy, a private, who wanted to get into the officers' training camp, was court-martialed because at his solicitation a Member of the House wrote to the commanding officer asking him to take particular notice with a view to selecting him for the training school.

Mr. KEATING. Under the regulations, I have no doubt that occurred.

Mr. KEARNS. What right had the officer to court-martial a boy for doing that when——

Mr. KEATING. I do not think the action was justified.

Mr. MEEKER. Mr. Speaker, I think in the light of the charges made by the gentleman from Colorado, he should name his authority.

Mr. KEATING. Oh, "the gentleman from Colorado" will name his authority.

Mr. MEEKER. I have it on the absolute authority of men who know that the amendment was not known by these gentlemen until after it was in the bill.

Mr. BUTLER. Mr. Speaker, I am a living witness that this amendment was spoken of to me in my office and also in this corridor. They spoke to me about this amendment and asked me to vote for it.

Mr. KEATING. A more convincing and more truthful statement of the proposition could not be made.

Mr. BRITTEN. Will the gentleman yield?

Mr. KEATING. Yes.

Mr. BRITTEN. I understood the gentleman to say that since the Commander in Chief of the Navy had voiced his oppo-

sition to this amendment the commandant of the Marine Corps had interceded with Members of Congress in favor of the amendment. Will the gentleman state one circumstance where that occurred?

Mr. KEATING. Oh, yes; "the gentleman from Colorado" can tell him this, and so can the gentleman from Pennsylvania.

Mr. BRITTEN. Will the gentleman state one?

Mr. KEATING. I will say this to the gentleman from Illinois, that the Secretary of the Navy knows what Gen. Barnett has been doing; that after the amendment was rejected in this House, without consulting with the Secretary of the Navy——

Mr. BRITTEN. The amendment was never before the House.

Mr. KEATING. The gentleman from Tennessee, chairman of the committee, presented an amendment giving three staff officers the rank of major general, and on the objection of the gentleman from Pennsylvania [Mr. BUTLER] it was withdrawn. Afterwards the matter was taken up in the Senate, and Gen. Barnett knew at that time the Secretary of the Navy was opposed to the proposed amendment. Gen. Barnett then started a campaign for the purpose of getting the amendment in. There is no question about it; it is a matter of documentary evidence.

Mr. BRITTEN. The amendment under consideration has nothing to do with the three staff corps officers.

Mr. KEATING. The whole proposition has been discussed here. One amendment makes a lieutenant general of Gen. Barnett and the other makes three staff officers in Washington major generals. That is what we have been discussing and that is the proposition I am laying down, that these amendments have been lobbied and that there has been a persistent effort to put them through. Perhaps the word "lobbied" grates on the gentleman's ears, and perhaps "solicited" is better, and that will be satisfactory to me. There has been a determined effort, started by the commandant of the Marine Corps, to get this amendment in, and it is a matter of documentary evidence.

Mr. BRITTEN. When the gentleman says "this amendment," does he mean the amendment under consideration?

Mr. KEATING. This amendment with that relating to the three staff officers.

Mr. BRITTEN. The amendment of the three staff officers is not under consideration.

Mr. KEATING. Oh, the gentleman is trying to muddy the waters. The two amendments stand together.

Mr. BRITTEN. Mr. Speaker, I ask unanimous consent that the gentleman have two minutes more.

The SPEAKER. The Chair will say to the gentleman from Illinois that the gentleman from Tennessee [Mr. PADGETT] is in control of the time.

Mr. PADGETT. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Speaker, I have heard two or three very interesting military theories advanced here to-day. In the first place it is that we should not have big men at the places where the commands are to be sent out and in war councils. There is a sort of spirit and desire to ridicule the military man who by force is compelled to stay here, and there has been no more gratuitous insult offered to scores of men who are staying in Washington on orders than has been offered by gentlemen in this House who could volunteer to go at any time and who have not gone. These men are here because they are ordered to stay here. We have heard here to-day that you are in danger of destroying the morale of a great military organization by doing honor to its commander. We know, and there is no use of quibbling about it, and the gentleman from Pennsylvania [Mr. BUTLER], who was quoted here awhile ago by the gentleman from Alabama [Mr. OLIVER], knows, that the esprit de corps of the Marine Corps depends and has depended upon the work of this man who is now under consideration, and who has never been questioned for one moment until now. When we went into this war everyone turned with loud applause and acclaim to the man who had enough of the genuine commander in him to have a group of men trained and ready, and as this corps has been enlarged, until now it is half the size of the Army that we had when we went into the war, those men have been ready to take care of the interests of this country any place throughout the world. But we suddenly have a fit here, and, even though we can promote four bureau chiefs with nothing said about it, we are throwing one spasm after another about promoting the man who has made this great organization.

We do not need to blink the fact, and I think every man who has studied the different military and naval organizations knows that there is no man who has stood at the head of any organization who is more dearly beloved by his men than is Gen. Barnett by the men of the Marine Corps. He is entitled to that affection for the spirit and interest and efficiency that he has manifested all the way through. So far as I am personally concerned, if you wanted to write the name George Barnett into the bill I believe we would only do ourselves a credit by voting him this honor. When we come to talk about unpreparedness, when we have for months been denouncing the War and Navy Departments for their shortsightedness of the past, here we have one man who prepared his organization, and now we should give some little recognition to the man who exercised foresight and selected his men with care and had them thoroughly trained. When we called upon his department for service we got it 100 per cent good on the minute, and yet the question now suddenly springs up about a so-called swivel-chair officer. Is Gen. McCain a swivel-chair officer? Are these men in the Navy swivel-chair officers? Are Gen. March and the men on the other side swivel-chair officers? Shame on the men of this House who talk about men in these places not doing just as essential work as the men who are on the front line! [Applause.]

Mr. PADGETT. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, I am going to vote for this amendment, because I believe the Marine Corps is the best branch of our military service and the best fighting force in the world to-day. I am going to vote for it, because I believe Gen. George Barnett is one of the best officers in our military service; and I think this splendid body of soldiers and their commander are entitled to this consideration. [Applause.]

I did not rise, however, for the purpose of advocating the amendment. That has been done very ably, and reasons have been given why this House should vote for it. I do rise to take issue with the statements made by the gentleman from Colorado [Mr. KEATING] that Gen. Barnett "had pleaded" with Members of this House to vote for a measure that would be of benefit to himself. I believe the gentleman from Colorado [Mr. KEATING] is mistaken in the statement he made and that he can not produce a witness to show that Gen. Barnett "pleaded with" anyone to vote for this measure or for any measure that would benefit himself. I do not believe that he could produce a witness to show that Gen. Barnett ever asked anyone to vote for any measure that concerned him personally. I think the RECORD should show that the statements of the gentleman from Colorado [Mr. KEATING] were denied and the facts stated.

It is true that Gen. Barnett did write a letter to a Member of another legislative body suggesting the wisdom of increasing the rank of some of his subordinates, which I have never heard was improper in any commanding officer. But he never pleaded with, wrote to, or talked to Members in his own interest. The provision he advocated has been adopted. I challenge the gentleman to produce any Member who will say that Gen. Barnett ever even suggested to him to vote for the particular amendment which we are considering to-day or for any measure that would be of personal benefit to himself by way of promotion or otherwise. He never did, and I am unwilling to sit here and allow a statement that reflects upon this splendid soldier, this magnificent organizer, this fine gentleman, this able officer to go unchallenged and uncontradicted. [Applause.]

Cries of "Vote"!

Mr. TALBOTT. Mr. Speaker, I renew my motion to recede and concur.

Mr. BUTLER. Mr. Speaker, the gentleman from Alabama quoted—and knowing the gentleman, I know that he quoted correctly—but I would say the same thing had I to say it over again, but I would like to say to the gentleman from Alabama, I always considered that the rank which Gen. Foch himself holds would be sufficient rank for the commandant of the Marine Corps, that of major general, and I also supposed that the rank of brigadier general would be sufficient for his assistants. That is the reason I made the remark the gentleman quoted against me.

Mr. TALBOTT. Mr. Speaker, I insist on my motion.

The SPEAKER. The question is on receding from the disagreement to the Senate amendment No. 33 and concurring in the same.

The question was taken, and the Speaker announced the noes seemed to have it.

On a division (demanded by Mr. TALBOTT) there were—ayes 44, noes 73.

So the motion was lost.

Mr. PADGETT. Mr. Speaker, I move that the House still further insist on the disagreement to Senate amendment 47. It is the one that has been discussed——

Mr. BUTLER. A point of order, Mr. Speaker, please. The House declining to recede and concur amounts to a further insistence, does it not?

The SPEAKER. Yes.

Mr. BUTLER. I thank you.

The SPEAKER. Now, the gentleman from Tennessee moves what?

Mr. PADGETT. To further insist on its disagreement to Senate amendment 47.

The SPEAKER. The gentleman moves that the House further insist on its disagreement to Senate resolution No. 47.

Mr. BRITTEN. Before the Chair puts the motion I would like to suggest to the chairman of the Committee on Naval Affairs that these two amendments are very materially different in their character in that the one just passed upon by the House provided for a lieutenant generalcy for the commandant of the corps and amendment 47 on which the motion is now being made by the chairman provides——

The SPEAKER. The gentleman from Illinois will suspend for just a minute. The gentleman from Tennessee has charge of the time.

Mr. BRITTEN. Will the gentleman yield me five minutes?

Mr. PADGETT. There is no necessity for discussing that. The temper of the House was made manifest because they were both discussed together.

Mr. BRITTEN. It is probably true, Mr. Speaker; but the two amendments are very radically different, and it is possible there may be different feeling in the House on the removal of the restriction that is now placed on certain Marine Corps officers by this Senate amendment.

The SPEAKER. The gentleman from Illinois has not the floor.

Mr. PADGETT. There is no mistaking the temper of the House. If they will not give it to the principal, they will not give it to the subordinates.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on disagreement to Senate amendment No. 47.

The question was taken.

The SPEAKER. The ayes seem to have it——

Mr. BUTLER. Mr. Speaker, I ask for a division. I want to know how many men are going to vote here. Mr. Speaker, I withdraw it.

The question was taken, and the motion was agreed to.

Mr. PADGETT. Mr. Speaker, Senate amendment 52——

The SPEAKER. What motion does the gentleman want to make?

Mr. PADGETT. Mr. Speaker, I move that the House further insist upon its disagreement to Senate amendment No. 52.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on disagreement to Senate amendment No. 52.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I move that the House further insist on disagreement to Senate amendment No. 53.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I ask that Senate amendment No. 75 be reported.

The SPEAKER. The Clerk will report Senate amendment No. 75.

The Clerk read as follows:

Navy nitrate plant: For the erection, equipment, and operation of a plant for the fixation of atmospheric nitrogen, production of synthetic ammonia, its oxidation to nitric acid, and the manufacture of ammonium nitrate, for each and every expense connected therewith, including the employment of all necessary expert, drafting, and clerical assistance, $9,150,000, to be available until expended.

The SPEAKER. Does the gentleman want to make a motion or not?

Mr. PADGETT. I move that the House recede and concur in Senate amendment 75.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. FOSTER. Does the gentleman know how many of these nitrate plants have been established by the Government?

Mr. PADGETT. There are two working together at Muscle Shoals, on the Tennessee River, in Alabama, and I understand that there are two in Ohio.

Mr. FOSTER. Already in existence and operating?

Mr. PADGETT. No, sir; they are in course of construction, I understand.

Mr. FOSTER. Well, can the gentleman inform the House the capacity of those plants that have been established?

Mr. PADGETT. The Secretary of the Navy stated that they had been giving very careful investigation to this matter, and in conference with the board of which Mr. Baruch is president or the head—I believe it is the War Industries Board; at any rate, it is the board that looks after the war industries—said that the nitrate situation is a very serious one; and he stated that the Army plants which were in course of construction would be insufficient to supply the nitrates needed for the Army alone, and that the Army would have to depend for a considerable portion of its nitrates upon shipments from Chile.

He stated also that the Navy needed this; that it was essential that they should have it; and that even with the production that would come from this plant, the Navy would still have to rely upon the shipments from Chile for a portion of its nitrate.

Mr. FOSTER. Now, there has been a plant established at Niagara Falls; not an American company, probably, but a Canadian company. Do we get any of the products of that factory in this country to be used for munitions?

Mr. PADGETT. I do not think so. I do not know——

Mr. SIMS. I am informed that there is a 100,000 hydroelectric horsepower that is generated on the Canadian side, which is exported to this side and used in the United States.

Mr. PADGETT. That is horsepower. The gentleman is talking about the manufactured nitrates. They make cyanamids up there.

Mr. FOSTER. That is a form of nitrates?

Mr. PADGETT. Yes. But you asked me in connection with your question if it was used by the Army and Navy.

Mr. FOSTER. Yes.

Mr. PADGETT. I am not prepared to say whether it is used by the Army or not. I do not think the Navy gets any there.

Mr. FOSTER. Let me ask this question: These two plants are located in Alabama—near the line, at least——

Mr. PADGETT. Just over the line in Alabama.

Mr. FOSTER. They are not yet in operation. There are two to be established in Ohio. Now, as to this plant that is proposed here, can the gentleman inform the House whether or not it is the intention to establish that plant on the Atlantic coast?

Mr. PADGETT. The Secretary stated that it was the expectation and purpose to place it at Indianhead, Md., at the powder factory.

Mr. FOSTER. That, of course, is to be manufactured from electricity that would come from the use of coal?

Mr. PADGETT. Yes, sir.

Mr. FOSTER. And in Alabama from the use of water power, as soon as it can be done?

Mr. PADGETT. The process that is to be used in Alabama requires a high horsepower. This process requires a very low horsepower, so it was stated. The water power furnishes the electric power for the process which requires the high horsepower and this coal process for a very low horsepower.

Mr. FOSTER. Of course, we know that the manufacture of nitrate from the air by steam processes—that is, generating electricity by steam—makes the cost of the nitrate pretty high, and that cheap water power is the easiest way there is to manufacture nitrate. Is it intended that this shall be a plant for emergency, that is to be used because we can not manufacture enough now for the purpose of the Government during the war, or is this to be a permanent plant?

Mr. PADGETT. It is both. We asked the Secretary about that, and he stated and gave the figures in the hearings, as you will see if you have them, where it was estimated that they would be able to manufacture the nitrate from the air by this process at no greater cost, and they supposed at a slightly less cost, than the importations from Chile.

Mr. FOSTER. But that means, of course——

Mr. PADGETT. And it would be used for the manufacture of explosives after the war.

Mr. FOSTER. This is not a plant for emergency use?

Mr. PADGETT. It is for an emergency, but it is intended to go beyond the emergency.

Mr. FOSTER. And be a permanent establishment?

Mr. PADGETT. Yes.

Mr. LONGWORTH. May I ask a question at that point?

Mr. PADGETT. Certainly.

Mr. LONGWORTH. Is it contemplated that the Navy Department will operate this plant?

Mr. PADGETT. Yes, sir.

Mr. LONGWORTH. I could not find that statement in the hearings.

Mr. PADGETT. That is contemplated.

Mr. LONGWORTH. This is not a question of private contract?

Mr. PADGETT. No, sir.

Mr. LONGWORTH. And therefore the Government will own the plant after the war?

Mr. PADGETT. Yes, sir. And they expect to put it on the Government property at Indianhead, where they are manufacturing powder and explosives now.

Mr. LONGWORTH. Of course, the essential difference between this plant and the other plants heretofore established,

and the two about to be established in Ohio, is that the latter are all operated under private contracts with a very handsome rake-off.

Mr. PADGETT. I understood from the Secretary that this is a Government plant, to be operated by the Navy Department.

Mr. LONGWORTH. That is what I wanted to be absolutely certain about.

Mr. FOSTER. May I ask the gentleman from Ohio a question? He says these two plants in Ohio are to be operated by private parties and the product sold to the Government.

Mr. LONGWORTH. No. I have not yet had an opportunity to see the contract, but I understand it is given to the same persons as have the contract for the big plant No. 2 at Muscle Shoals, which is a private contract, under which a certain corporation, known as the Air Nitrates Corporation, a corporation with $1,000 capital, receives, without the expenditure of any money whatever, $1,000,000 for the erection of the plant, and then receives about $1,250,000 a year during the war for its operation.

Mr. FOSTER. I remember this very distinctly, that when we passed the bill——

Mr. LONGWORTH. And I understand these contracts are substantially the same.

Mr. FOSTER (continuing). For the enlargement of the Army it was the intention of Congress that the Government should own these plants, and that there should not be any part of it leased to private parties, even the plants where they were established under that bill. Of course, if they were establishing plants that are not under the Army bill which was passed in 1916, then, of course, it is a different thing. But I know if they are established under that bill it provides that they shall be owned by the Government, and that no part of the surplus power shall be leased to a private party.

Mr. LONGWORTH. Well, I may say to the gentleman that all of that fund has already been spent. The last $15,000,000 of it is to be used in the erection of Dam No. 2 at Muscle Shoals, which will not be finished for five years, so that there will be no water power to operate this present plant at Muscle Shoals inside of five years. It is true that the original appropriation provided that it must be used by the Government itself, but the appropriations carrying the funds from which the money had been taken for the big plants have no such provision in them up to this time. All of the plants heretofore negotiated for and in process of construction are to be built and operated under private contracts, so that this proposition is entirely different.

Mr. FOSTER. I think this proposition is the most sensible that I have heard of.

Mr. LONGWORTH. Certainly.

Mr. FOSTER. Because it is to be owned and operated by the Government and built by the Government; and it was intended by this House at least, and the Members here who had something to do with it, that the Government should own these plants and operate them and build them.

Mr. LONGWORTH. Precisely That is what the Government should have done in regard to all of them, in my opinion. I favor this proposition because it not only provides that the Government shall own and operate them, but they are to be operated under the best and cheapest system for producing nitrates.

Mr. FOSTER. I realize that this is the best provision, or at least the best contract, that I have heard of in connection with any of these plants. I congratulate the gentleman from Tennessee on his wisdom in agreeing to this provision.

Mr. MILLER of Minnesota. I would like to make an inquiry of the gentleman from Tennessee.

Mr. PADGETT. Very well.

Mr. MILLER of Minnesota. I understand the gentleman to say it was the purpose to locate this plant at Indianhead?

Mr. PADGETT. The Secretary of the Navy said that that was the expectation.

Mr. MILLER of Minnesota. Can the gentleman tell us any particular reason for selecting that as the site, or any particular advantages coming from that selection?

Mr. PADGETT. We have the land there, and that is where we will use the nitrates in the manufacture of powder. It will save transportation, and it is right in connection with the use of the powder.

Mr. MILLER of Minnesota. That I understood, though I may have been misinformed; but I have always understood that the main necessity for the manufacture of nitrogen from the air is power, which can be secured in either one of two ways, from electric power by modern development or from steam power. In other words, the cost of the product is determined almost exclusively by the cost of your power. There is that practical element in it. Then, if that be true, and this plant is proposed to be located where there is no water power and none to be had, and where there is no steam power, the only way steam power can be procured is by the establishment there of a coal supply, which, of course, would naturally increase the cost of the output 100 per cent. In other words, is Indianhead the proper place for the location of such a plant?

Mr. PADGETT. I would say yes.

Mr. LONGWORTH. The gentleman's question ignores the fact that the method of making nitrate determines what power is necessary. My great complaint against this process which is used in these big plants is that it is a process which involves the use of an enormous amount of power. However, the plant suggested here needs very little power; practically none at all; so that the question of high water power or steam power is absolutely negligible.

Mr. MILLER of Minnesota. I am delighted to have my stock of knowledge increased by the information that the gentleman has just so abundantly supplied; but may I inquire, if power is not a material element in the cost, what does enter into it?

Mr. PADGETT. Labor and material and some power.

Mr. MILLER of Minnesota. The important thing in the location of all these plants is the cost. The location is determined by considerations of cost, and I think that is the important question on which to determine it. Indianhead is the worst place in the whole United States strategically, in a military way, for the location of such a plant, because if there is one place that is vulnerable, one vulnerable spot in America, it is there. It is about the first place that will fall if we are attacked.

Mr. PADGETT. We already have a large investment there, and we will be prepared, or shall be in a short time, to manufacture 30,000,000 pounds of powder a year, and we can not afford to take the nitrate plant away from the production of that large amount of powder and explosives.

Mr. MILLER of Minnesota. I am very glad to hear the gentleman's very lucid explanation, but it does not convince me at all that that is the proper place to locate the plant, though I confess that I have no expert knowledge on the subject.

Mr. SIMS. I would like to make this statement for the benefit of the gentleman from Minnesota: A plan for the establishment of a hydroelectric power plant on the Potomac River, at Great Falls, has already been investigated by a competent engineer, Mr. Leighton, of whom the gentleman knows, and from that plant all the power needed by the Government or by the people of the District of Columbia or by this proposed plant can be abundantly furnished.

Mr. MILLER of Minnesota. Let us see if that is quite what the gentleman desires to say. I understand that Great Falls, developed to its highest point of efficiency, will produce 30,000 horsepower. The city of Washington can utilize all of that in its operations in connection with electric light plants and street railways.

Mr. PADGETT. The Secretary has not indicated in any way that they are to get their power from Great Falls. There is no indication that he expects to get it from Great Falls.

Mr. MILLER of Minnesota. What would the gentleman do with this plant in case an invading fleet came along? We have had a little one touching us up a little recently. What would the gentleman do with such a plant? Would he pick it up and carry it back into the interior for safety? It seems strange to me that every time a proposition of this kind has been brought up in the last few years the decisive factor has been the military situation and the cost, and neither of them should enter into the question of the location of this plant.

Mr. FOSTER. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. FOSTER. Does the gentleman know of the locating of some of these plants farther to the west? It seems to me that with the conditions of labor and all that goes with it, including transportation, some consideration ought to be given to the location of some of these plants that the Government is required to build farther in the West.

We know that in the East, along the Atlantic coast here, are located practically all the activities of the Government along this line. If you go 200 miles from here, the country west of that point is almost entirely barren of any of the manufacturing plants which are necessary for the Government activities during this war.

Mr. MADDEN. If the gentleman will allow me, of course, the people in the administrative branches of the Government are not interested in the West, except to the extent of getting the men to supply the needs of the Army and the money to pay the bills. The West furnishes men to do the fighting, but all in the way of expenditure goes into the section of the country which does not furnish the most of the money.

Mr. FOSTER. It seems to me that a great deal of labor could be secured in the West, for which they are now asking that the transportation be paid from the West to the East. Of course, we know that a good many of these plants could not be located in the West. As a matter of necessity they must be located over here on the coast; but it seems to me there are many of these plants that ought to be located farther west, and that they might be able to secure labor to better advantage, and carry on these activities better than they could by placing them all over here in the East.

Mr. CANNON. Will the gentleman from Tennessee yield?

Mr. PADGETT. Yes.

Mr. CANNON. I have some hesitancy in halting the House to ask a question or two, but I should like to be educated a little bit. In the first place, I should like to know when this plant will be finished?

Mr. PADGETT. They expect to be able to finish it within a few months. I do not remember the exact time, but in a short time.

Mr. CANNON. In a few months?

Mr. PADGETT. Yes.

Mr. CANNON. Then it is an improvement over the Alabama plants in that respect. Somebody said they were hoping to finish those in five years.

Mr. PADGETT. We are figuring on providing the nitrate for our Navy powder only, and we hope to begin to supply it within eight months.

Mr. CANNON. The Government is to own it?

Mr. PADGETT. Yes.

Mr. CANNON. The Government does not own the Alabama plant, as I understand.

Mr. PADGETT. I am not prepared to give the details of it. The Government furnishes the money and is building it, and owns it, but the gentleman from Ohio [Mr. LONGWORTH] stated that under some contract it was to be operated during the war under the contract system. But the property will be the property of the Government.

Mr. LONGWORTH. If the gentleman will yield to me about five minutes, I think I can, perhaps, explain the situation.

Mr. CANNON. I should be very glad to have the instruction. Now, where are these Ohio plants to be constructed?

Mr. PADGETT. I do not know the exact location—somewhere in Ohio.

Mr. BARKLEY. At Toledo and Cincinnati.

Mr. PADGETT. But I understood from the gentleman from Ohio that they were operating under a very similar contract.

Mr. CANNON. When are they to be completed?

Mr. PADGETT. I do not know. I have not kept up with the Army side of it.

Mr. CANNON. Does anybody know when they are to be completed?

Mr. PADGETT. The nitrate situation is a very serious one, and I was looking after this for the Navy, because they said that even when these plants were completed the Army could not furnish us any nitrates at all.

Mr. CANNON. We know that the Alabama project will not be completed for five years.

Mr. PADGETT. One of them will, and the other one will not. The smaller one, as it is called, will be completed in a short time. I saw in the paper the other day that they would be ready for work in a very short time. But the larger one, which depends upon the large dam that is to be put directly across the river, will not be ready for operation for several years, I presume.

Mr. CANNON. From what I have read it takes very little power to operate the plant provided for in this amendment. What was the necessity of waiting so long for the utilization of water power down in Alabama? The amount of power required is quite insignificant. It could be finished in a few months at Indianhead. Very little power will be required there. I do not understand why that is so, but the amount of power required is quite negligible.

Mr. PADGETT. The process adopted at Muscle Shoals requires an immense amount of horsepower and produces a large output. The construction of that plant is delayed by the construction of the dam across the river. That is the only explanation I can give.

Mr. CANNON. Precisely. Now, this does not require much power. Does the gentleman know how much power is required?

Mr. PADGETT. For this one?

Mr. CANNON. Yes.

Mr. PADGETT. They said about one-twentieth of the power required for the synthetic process. I had the statement here just a minute ago.

Mr. LONGWORTH. That is correct—one-twentieth.

Mr. CANNON. Does the synthetic process to be used at Muscle Shoals produce as good nitrate as the other process to be used at Indianhead? Are they both nitrates?

Mr. LONGWORTH. Yes; but different processes.

Mr. CANNON. A different process; but is the product nitrate in each case?

Mr. FOSTER. Nitrate in each case; yes. Admiral Earle states here that it takes very much less horsepower than the electrolytic process—one-twentieth for the cyanamid process and one-hundredth for the electrolytic process. There are several processes for making fixed nitrates from the air. The cyanamid process takes one-twentieth of the horsepower.

Mr. CANNON. Does not the gentleman think it might be well to concur in this amendment with an amendment repealing the legislation authorizing the Alabama project and repealing the legislation, if it is by legislation, authorizing the Cincinnati project—they are going to do it here at Indianhead with a great deal less horsepower.

Mr. LONGWORTH. I will explain that.

Mr. CANNON. I would like to be educated and find out what the real facts are, and after the gentleman has made his explanation perhaps I will not have to ask any further questions. If I do, I will appeal to the gentleman from Tennessee to yield me a little more time.

Mr. LONGWORTH. Will the gentleman from Tennessee yield me five minutes?

Mr. PADGETT. I will.

Mr. LONGWORTH. Mr. Speaker, I heartily favor this amendment because it is based on the two principles which I think should guide us in the production of nitrates in this country during the war for use in ammunition. In the first place this plant, as the gentleman from Tennessee says, is to be owned and operated by the Government itself. In the second place, it uses the process which by common consent and by the opinion of all experts is known to be the best and least expensive process known to-day.

In regard to the plants so far undertaken the very large amount of money which has so far been appropriated, about ninety or one hundred million dollars, is being used in the building of three plants—one known as plant No. 2 at Muscle Shoals, and the other two which are two units of the same size, the two together making the equivalent of the one at Muscle Shoals, which are to be located in Ohio.

I have not seen the contract under which these two Ohio plants are to be built and operated, but I understand that it is with the same individuals, and to all intents and purposes is the same contract as that applying to the plant at Muscle Shoals.

Now, the Muscle Shoals proposition, as I have repeatedly said, violates my idea of how a nitrate supply should be obtained.

In the first place, by being operated for their own profit by private individuals, and, in the second place, being based on a very much more expensive way of manufacturing nitrate. In brief, the contract is made between the United States Government and a corporation known as the American Air Nitrates Corporation. It is a subsidiary of the American Cyanamid Co., which owns to-day the cyanamid process, and was formed because the American Cyanamid Co. was unwilling to subject its property and assets to liability in the construction and operation of the plants. The American Cyanamid Co. takes no risk whatever. All the American Cyanamid Co. does is to furnish, when the plant is completed by the American Air Nitrates Co., some of the men, machinery, processes, and materials to be used for the operation of this plant when completed.

The American Air Nitrates Corporation, which is a corporation of only a thousand dollars capital, is to receive $1,000,000 in cash for supervising the erection of the plant.

Mr. CANNON. Is that the Alabama project?

Mr. LONGWORTH. Yes. I have not seen the contract with reference to the proposed Ohio plants, but I understand it is in effect the same. The American Air Nitrates Co. and the American Cyanamid Co. are to receive together in royalties on the production of the Muscle Shoals plant amounting in round numbers to more than one million and a quarter a year during the period of the war.

Mr. COOPER of Wisconsin. Will the gentleman restate what the million dollars is to be paid for?

Mr. LONGWORTH. It is to be paid the American Nitrates Corporation, with a capital of $1,000, for their services in supervising the construction of the Government plant. They put no money themselves into it, but the Government furnishes all the money. It is a charge for supervision.

Mr. COOPER of Wisconsin. Who are they?

Mr. LONGWORTH. They are a corporation composed entirely of officials of the American Cyanamid Co. The president

of the corporation is Mr. Frank S. Washburn, who is also president of the American Cyanamid Co. Of the 10 shares of capital stock 5 are owned by the American Cyanamid Co. and the other 5 are held by the president, vice president, and secretary of the American Cyanamid Co., who are the officers and directors of the Air Nitrates Corporation.

Mr. BARKLEY. What is the capitalization of the American Cyanamid Co.?

Mr. LONGWORTH. I looked this up some months ago, and my impression is somewhere about $5,000,000, perhaps more. It is a large corporation, but the American Air Nitrates Corporation was formed for the purpose of seeing to it that the assets of the American Cyanamid Co. should not be risked in this venture.

Mr. COOPER of Wisconsin. When was it organized?

Mr. LONGWORTH. It was organized, as I recall, last November, to take over the construction of this cyanamid plant.

Mr. MADDEN. Who owns the stock in the $1,000 corporation?

Mr. LONGWORTH. The American Cyanamid Co. owns a part and officials of that company own the rest.

Mr. MADDEN. How much money is the Government going to expend in the construction of this plant that this company is to supervise?

Mr. LONGWORTH. About $45,000,000.

Mr. MADDEN. And what number of men does this company furnish to the Government of the United States for supervisory work?

Mr. LONGWORTH. The number they deem requisite to complete the work. The contract provides that they shall receive 3½ per cent, as I remember, of the total cost of construction, but in any event not more than $1,000,000. Three and one-half per cent at $45,000,000 would be at least $1,000,000.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. PADGETT. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MADDEN. So that the Government furnishes $45,000,000 to erect a Government plant, and it employs this $1,000 corporation to furnish men to supervise its construction and pays those men $1,000,000?

Mr. LONGWORTH. Yes.

Mr. MILLER of Minnesota. Who made that contract on behalf of the Government?

Mr. LONGWORTH. It was made through what is known as the Nitrate Division of the War Department. It is a Government contract.

Mr. MILLER of Minnesota. Is that the War Trade Board?

Mr. LONGWORTH. No; it is a part of the War Department.

Mr. FOSTER. Does not the gentleman believe that the Government has a man there superintending that work who is competent to do it?

Mr. LONGWORTH. Oh, absolutely. I have heard nothing but commendation of the ability of Col. Joyes, who is at the head of the Nitrate Division.

Mr. FOSTER. And we have a man in the chemical department also competent to take care of that.

Mr. LONGWORTH. Oh, unquestionably so.

Mr. FOSTER. But the Government is competent to do this work itself.

Mr. LONGWORTH. Yes; I think unquestionably the Government could have done it and ought to have done it under ordinary circumstances. It is possible that this is an exceptional case.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. MADDEN. Has the Government technical men who are qualified to supervise the construction of this plant without employing this corporation to do it?

Mr. LONGWORTH. I can not answer definitely. I understand this was the situation. Gentlemen will recall that not very long ago a committee of experts was appointed by the President to recommend the best methods of producing nitrogen in this country for war purposes. Some of them went abroad. They investigated the various systems there, and recommended as a final result of their investigations substantially the process that is to be used in this plant that we have now under consideration.

A great deal of reliance, however, was being placed upon the supply of nitrate coming in from Chile, and it was thought that we would have some time to develop these various processes, that there was no very great hurry. Suddenly, not many months ago, the Chilean nitrate supply fell off over 50 per cent. That was due partly, I think, to our failure in ships and partly to the fact that our allies were needing more and more Chile nitrate all of the time. Suddenly we were face to face with this emergency. The American Cyanamid Co. is a going concern; it is a very large concern, and while it is using what is known as the cyanamid process, which was not recommended as a modern means of producing nitrogen, nevertheless they have the plant and the equipment, and I presume that the Government found itself in such dire necessity for immediate supply of nitrate that it had to make the best contract it could.

Mr. PARKER of New Jersey. Will the gentleman yield for a question?

Mr. LONGWORTH. Just let me finish this—the Government will own this plant when the war is over, but so far as the value of the plant of the Government is concerned, after the war is over it will be absolutely useless.

Mr. CANNON. Which plant?

Mr. LONGWORTH. The plant at Muscle Shoals.

Mr. BANKHEAD. Will the gentleman yield right there?

Mr. LONGWORTH. Yes.

Mr. BANKHEAD. Does not the gentleman from Ohio know that the fundamental basis upon which this plant was inaugurated a number of years ago was not essentially for the production of nitrate for war purposes but in the manufacture of cheap fertilizers?

Mr. LONGWORTH. I know it was never thought of or contemplated until very recently. The gentleman gets his facts mixed.

Mr. BANKHEAD. I think not.

Mr. LONGWORTH. I will tell the gentleman the exact situation. One requisite for the manufacture of nitrates by the cyanamid process is very great water power, or power of some sort that can be raised by steam or water power. They need hydroelectric energy. As the chairman of the committee says, twenty times the amount of power is required in the cyanamid process as in the process here proposed. Now, there is a prospectively large latent water-power development at Muscle Shoals; that is to say, by building a certain number of dams you could eventually generate it, but there is no water power there now. There will not be an ounce of water power there within four or five years. Therefore I criticized at the time the choice of Muscle Shoals as a site to put a plant which involves high power of any sort. Of course what they are doing now there and what they will do for the next four or five years is to generate their power partly by steam, and for which the Government will have to pay all the cost of the erection of the plant, and partly by hydroelectric power that is brought across country over 90 miles from a power plant on the Black Warrior River at a high cost to the Government. So the location of that plant at Muscle Shoals as a war measure can not be justified, in my opinion.

The SPEAKER. The time of the gentleman has expired.

Mr. PARKER of New Jersey. I ask unanimous consent that the gentleman's time may be extended for five minutes.

The SPEAKER. The gentleman from Tennessee has the time.

Mr. PADGETT. Does the gentleman from Ohio desire more time?

Mr. LONGWORTH. I would be glad to have five minutes more.

Mr. PADGETT. I will yield the gentleman that time.

Mr. LONGWORTH. I yield to the gentleman from New Jersey.

Mr. PARKER of New Jersey. The question I have is a very simple one. I had heard that the cyanamid process had been successful, practically, in making ammonia, but practically it had not been successful in transforming the ammonia into nitrates. Am I misinformed?

Mr. LONGWORTH. I am not sure I can answer that question. It can be done, though, I understand.

Mr. PARKER of New Jersey. I understand it was thought it could be done; but has it been done practically?

Mr. LONGWORTH. I can not answer, and probably will not be able to answer until this plant is completed.

Mr. PARKER of New Jersey. Why can not we try it at Niagara? They have a company there, have they not, for making cyanamid?

Mr. LONGWORTH. I understand so.

Mr. PARKER of New Jersey. They are making ammonia?

Mr. LONGWORTH. Yes.

Mr. PARKER of New Jersey. They have tried also to make nitric acid out of ammonia, because I saw a prospectus. It was pretty vague, however.

Mr. EDMONDS. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. EDMONDS. I would like to ask the gentleman if in the erection of the plant there at Muscle Shoals it was not done by subcontractors on a cost-plus basis?

Mr. LONGWORTH. That is exactly what I have been saying several times.

Mr. EDMONDS. No; the gentleman said the cyanamid company got 3½ per cent on the contract. Then they again sublet the contract on a cost-plus basis to subcontractors for the entire erection of the plant.

Mr. LONGWORTH. That I do not know. It may be so.

Mr. EDMONDS. I think the gentleman will find that so if he goes to investigate it.

Mr. BLAND. Will the gentleman yield?

Mr. LONGWORTH. I will.

Mr. BLAND. Is it not also true that the two plants contemplated in Ohio and the two at Muscle Shoals and the plant at Indianhead, the five of them, will not make near enough nitrates to supply the demand in the United States?

Mr. LONGWORTH. I think they will probably, when operating, make about enough, so far as our needs are now known.

Mr. PADGETT. It is said not.

Mr. LONGWORTH. Possibly not. I am not criticizing the very large development of our supply of nitrate. We must have it, and we must get it in any way we can get it now. But I am criticizing in some cases the location of some of these plants. I do criticize the selection, as I have repeatedly, of Muscle Shoals as a spot in which to put a plant which needs a very large amount of power, where there is no developed power and can not be for five years to come. Now, that is the difference between that and the two Ohio plants. There is near both locations in Ohio a vast power already developed. There is no question about that.

Mr. SMITH of Michigan. Would it not be good policy to place these plants where they could be operated by cheap water power?

Mr. LONGWORTH. Perhaps so, but it is now too late to change. Fortunately the plant we are now considering does not need a large cheap water power.

The SPEAKER. The time of the gentleman from Ohio [Mr. LONGWORTH] has again expired.

Mr. CANNON. Mr. Speaker, I would like a little time.

Mr. PADGETT. How much time would the gentleman from Illinois like?

Mr. CANNON. I would like about five minutes.

Mr. PADGETT. I yield five minutes to the gentleman from Illinois.

Mr. BRITTEN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. BRITTEN. Will the gentleman from Illinois withhold for half a second while I make a unanimous-consent request, please?

Mr. Speaker, I ask unanimous consent that I may extend my remarks in the RECORD on the subject of the Marine Corps.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER of Alabama. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Alabama makes the same request. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. Now, after all these explanations, as near as I can find out, it is $45,000,000 for the Alabama plant.

Mr. MADDEN. It is $45,000,000 for this Ohio plant.

Mr. CANNON. I did not so understand it. I understand it is $45,000,000 for the Alabama plant and as much more for the Ohio plant. Is that so?

Mr. PADGETT. I do not know how much is provided for the Ohio plant. That is in the Army and I have not kept up with it.

Mr. CANNON. Very well. Then we have $90,000,000 for the Alabama and Ohio plants, and this plant at Indianhead is to cost $9,000,000. Now, how much of capacity is this plant going to have?

Mr. PADGETT. Sufficient for 100,000 pounds of powder a day.

Mr. CANNON. I can not tell from that the product we are to have in five years from the Alabama plant or the Ohio plant.

Mr. PADGETT. I can not give the gentleman the figures as to the other plant.

Mr. CANNON. But I do know this: If you could rely upon the statement that enough nitrate can be furnished to make 100,000 pounds of powder a day—can be furnished by the plant at Indianhead to be constructed by the Government in 90 days, while the Government plants, costing to construct $90,000,000, to be finished God only knows when—does not the gentleman think we had better cancel the Government contracts to construct the Alabama and Ohio plants?

Mr. HELM. Will the gentleman yield? If this 100,000-pound powder plant blows up, as they are in the habit of doing, what will happen to the plant?

Mr. CANNON. This is to be separate from the powder plant, as I understand it, and in no way connected with it.

Mr. HELM. It is in the same place, down here at Indianhead.

Mr. CANNON. Indianhead means a pretty large scope of country. I take it for granted they would not build it up next to the powder house or where powder was stored or being made. Now, I think in the future, from the insufficient information I have about the construction of these nitrate plants under the stress of war, and the Alabama projects and, as I understand it, the Ohio project, if the war does not last longer than four or five years, they will not be needed for war purposes. I do not know; I think a good many of us will be out of Congress before that time comes; but I think I can play the rôle of a successful prophet when I say that the rocks and mountains will fall on somebody who, in the name of war and carrying on this war, are making these extraordinary expenditures, I fear, not to win the war but to deplete the Treasury.

Mr. PADGETT. We went into it very fully and carefully, and the amendment of the gentleman contemplating the repeal of existing law would not be in order, and I would not want to undertake it. I ask for a vote.

The SPEAKER. The question is on receding and concurring in Senate amendment No. 75.

The Senate amendment No. 75 was concurred in.

Mr. PADGETT. Mr. Speaker, I ask that Senate amendment No. 100 be reported.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate amendment No. 100: Page 63 of the bill, after line 9, insert the following:

"For the building of or providing for the construction of a railroad to connect the naval proving ground and the naval smokeless powder factory at Indianhead, Md., with existing or contemplated railway lines, under terms and conditions satisfactory to the Secretary of the Navy, authority being granted for the immediate condemnation of the necessary right of way, $550,000."

Mr. ROBBINS. Mr. Speaker, let us have some explanation of that item.

Mr. PADGETT. Mr. Speaker, I want to make a statement in regard to that. That is intimately connected with the nitrate plant and also with the manufacture of powder at the present time. For months the only transportation to Indianhead has been difficult. The transportation at all times is by water, carrying freight up the river by tugs. During the past winter there were a number of times when they were in desperate straits for getting their materials there and getting their products away. It is very essential to have railroad communication. This amendment proposes for the Government to build and own a road of 14 miles to connect with the Pennsylvania road. The Government will own the road.

Mr. ROBBINS. Does that contemplate the building of a road from Indianhead to Washington?

Mr. PADGETT. No, sir. It is a different project. It is to run from Indianhead to a place called Pope's Creek Station, about 14 miles, to connect with the other road. It is absolutely essential that we should have it, but there should be some amendment to it, and I am going to move to still further insist; but at the same time I am stating that this is a matter that should be agreed to.

I want to ask unanimous consent of the House that the appropriation that the Senate put in of $550,000 may be reported by the conferees at $850,000, for the simple reason that this $550,000 was an estimate made after a hasty survey, and upon a more careful survey and more thorough investigation it is found that it will require $850,000 to do this work instead of $550,000; and to make an appropriation of $550,000 would simply necessitate bringing in a deficiency later on. I want to deal frankly with the House.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. STAFFORD. Is this the same proposal that was embodied in a bill reported from the gentleman's committee some time ago?

Mr. PADGETT. It is not.

Mr. STAFFORD. A proposal providing for aid to a railroad that was projected to run from the District here down to some place on the river?

Mr. PADGETT. No; it is not. It is entirely different.

Mr. STAFFORD. What was that proposal?

Mr. PADGETT. The proposal there was that a private company would construct a road from a point on the Baltimore &

Ohio Railroad near the District line, 5 or 6 miles out of Washington, and run down the east bank of the Potomac to Indianhead and on through Indianhead to Newport News, Va.

Mr. STAFFORD. That was proposed to reach the same object that is designed by this provision?

Mr. PADGETT. Yes; but at that time the company that was making that proposal had not collapsed. It has collapsed financially since then, and they are not able to get the money to carry out their proposal.

This is for the Government itself to build its own road and own it and operate it from the powder factory and nitrate plant at Indianhead to the connection with the Pennsylvania Railroad.

Mr. STAFFORD. What estimate or report has the gentleman as to the cost that this project of a Government-constructed line will ultimately cause the Government to bear?

Mr. PADGETT. I stated $850,000.

Mr. STAFFORD. What is that based upon?

Mr. PADGETT. It is based upon the estimates that were made as a result of the surveys down there.

Mr. STAFFORD. Does that include rolling stock and other equipment necessary for this 14-mile line of railroad?

Mr. PADGETT. They have the engines already down there.

Mr. BUTLER. It is just to build 14 miles.

Mr. PADGETT. Yes; they have the engines and the cars down there now that they have to use around the yard, and this would be used as a terminal or yard line going out of the Indianhead yard to connect with the main line of the railroad.

Mr. BUTLER. Will the gentleman yield to me for just a minute, to make a statement to the gentleman from Wisconsin?

Mr. PADGETT. Yes.

Mr. BUTLER. I stood out for a long time against the construction of a railroad to Indianhead, but let me say to my friend that it is absolutely necessary. We can not reach Indianhead unless we build this railroad. We can build one that will cost perhaps $3,000,000 and require perhaps a year to complete, and the Secretary of the Navy earnestly urges us to assist him in getting to this great powder factory at Indianhead. Therefore, I will say further to my friend, I have followed the Secretary of the Navy, as I am doing in everything at this time. He is responsible, and I shall vote in favor of this amendment.

Mr. STAFFORD. As I recall the report that the gentleman's committee submitted in connection with aid to be rendered to a private railroad to reach this same ground——

Mr. BUTLER. That blew up.

Mr. STAFFORD. In the report submitted in connection with that bill it was argued that the main reason why this aid should be given was the difficulty of access during the winter months, but that there were ample accommodations to reach that ground during the open season of navigation.

Mr. PADGETT. Leave out the word "ample."

Mr. STAFFORD. Of course a railroad would give facilities additional to the river accommodations.

Mr. PADGETT. The hearings show, and I have a letter received just a few days ago from Admiral Earle stating that they are continually in stress and on the very point of shutting down because of the lack of transportation, and he urges it upon me. We had a hearing before the committee in which it developed that it would require $850,000 instead of the $550,000 reported by the Senate committee.

Mr. STAFFORD. Has the gentleman any positive assurance or any authoritative information that $850,000 will be all that will be needed for the building of this railroad?

Mr. PADGETT. Admiral Earle so stated, and the hearings show that there was a bid from a responsible concern for that amount.

Mr. STAFFORD. Was that merely for grading, or for the ties and rails?

Mr. PADGETT. It was for the road completed, ready to put the rolling stock onto it.

Mr. STAFFORD. This is a project that has not been considered by the Naval Affairs Committee. It is another instance of burdening down the naval appropriation bill with legislative propositions that the full committee has not passed upon, and forcing the Congress on the spur of the moment to consider it without that thorough consideration that many of these projects demand.

Mr. CONNELLY of Kansas. If the gentleman will permit, in the estimate submitted to the committee, amounting to something like $1,000,000, there was $5,000 a mile in the first estimate made for drawing blue prints, and overseeing, and so on. Now, they come back and say it can not be built for that.

Mr. STAFFORD. Does the gentleman mean the blue-print cost?

Mr. CONNELLY of Kansas. It does not say blue print, but it says $7,500 for an architect——

Mr. STAFFORD. Per mile?

Mr. CONNELLY of Kansas. No; $7,500 for architect, $35,000 for Newport News Railroad right of way, and the estimates they have made.

Mr. PADGETT. The gentleman is speaking of the old project, he is not talking about the present one.

Mr. CONNELLY of Kansas. The reason I am calling attention to this is to give the committee some idea of the accuracy of the estimates we got. May I ask the chairman of the committee what the entire length is to Indianhead?

Mr. PADGETT. To go around I think it is about 64½ miles.

Mr. CONNELLY of Kansas. The chairman will remember that in the first estimate submitted to the committee one of the items they insisted on that was essential was that they could transport the laborers to and from Indianhead. Does the chairman believe that this will serve any purpose in that line?

Mr. PADGETT. It will include it, but not to the same extent that it would if it had built the road over the 28 miles. The other project was a project to construct the road 28 miles from Washington, and the Government was to agree to furnish so much freight for a period of six years. That whole thing has collapsed, but the pressing need is so great that the Government has proposed to build this road where they say they can build it within a few days.

Mr. CONNELLY of Kansas. The testimony before the subcommittee was that they needed it whether the river was open or not.

Mr. STAFFORD. It has been stated to me privately that $850,000 is the proposal by a private concern to build the road. Does that include the cost and the right of way?

Mr. PADGETT. Yes.

Mr. STAFFORD. Has the right of way been obtained?

Mr. PADGETT. I do not know; it has been surveyed.

Mr. MUDD. They survey has all been made. It is in my district, and I think the right of way has been obtained.

Mr. PADGETT. I do not know whether the right of way has been obtained or not.

Mr. STAFFORD. There has been no appropriation made whereby it could be obtained.

Mr. PADGETT. It appears that it is in the estimates for $19,000 for right of way. We did not appropriate for it.

Mr. STAFFORD. It is a single-track railroad?

Mr. PADGETT. Yes.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to be heard a moment on this.

Mr. PADGETT. I yield five minutes to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, this is the fourth time that this proposition has been before the House. Three times it has failed to pass. It first appeared on the Unanimous Consent Calendar. Then it was a bill providing for the construction of a railroad from Indianhead into the city of Washington or the District of Columbia, the terminus to be anywhere that an unnamed railroad company might see fit to locate it. Of course this was to be with the consent of the Secretary of the Navy, but because of his great burden of duties, his action in this case would of necessity be perfunctory. As I said, that was a proposition to build a railroad from Indianhead to some unknown terminus anywhere in Washington or the District, the location to be left absolutely to the Secretary and this unnamed company. A few moments ago we learned that after the failure of that bill to pass this company collapsed.

This proposition came up again on the 20th of April as a paragraph in the naval bill, when that measure was before the House. During that debate I said that there was a provision in the bill which as presented ought to be defeated. Here is what I said. I now read from the RECORD:

> Look on page 48. It occupies the entire page. It is a proposition to give the Secretary of the Navy complete authority to permit an unnamed railroad company to build a road into the city and have its terminus at an unmentioned place anywhere in Washington or the District that he or the unnamed railroad company may decide to locate it.

A little later in the discussion, before we had reached page 48, the gentleman from Tennessee [Mr. PADGETT] rose and said:

> Mr. Chairman, I ask unanimous consent to strike from the bill without reading the provision on page 48.
>
> Mr. JOHNSON of Kentucky. Mr. Chairman, will the gentleman please state why he does that?
>
> Mr. PADGETT. I understand that other arrangements have been made to build the railroad. I understand the Pennsylvania Railroad Co. is going to build a road on its own account down there.
>
> Mr. BUTLER. That is, the railroad proposition.
>
> Mr. PADGETT. Yes.
>
> The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to strike from the bill, without reading it, all of page 48. Is there objection?
>
> There was no objection.

So it was stricken out. A very few minutes later I said—

> Does the motion of the gentleman from Tennessee to strike out include all of the paragraph on page 48?
>
> The CHAIRMAN. The entire page.
>
> Mr. COOPER of Wisconsin. That is the one to which I called attention.
>
> Mr. PADGETT. That is it.

It first came up on the Unanimous Consent Calendar and, on objection being made, was stricken out.

The second time it appeared it went out on the motion of the chairman of the Naval Committee himself, the gentleman from Tennessee [Mr. PADGETT], he saying that he understood that other arrangements had been made and that another company, the Pennsylvania, would build the road.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. I ask for three minutes more.

Mr. PADGETT. I yield the gentleman three minutes more.

Mr. COOPER of Wisconsin. A few days later this proposition made its third appearance—that time again on the Unanimous Consent Calendar—although the chairman of the committee had on a previous occasion informed the House that the Pennsylvania Railroad Co. would build the road and had himself caused the paragraph to be withdrawn. For the third time it was stricken out. But here, for the fourth time, it comes and in form not substantially changed. The House has had no opportunity to pass upon this—

For the building of or providing for the construction of a railroad to connect the naval proving grounds and the naval smokeless powder factory at Indianhead, Md., with existing or contemplated railway lines—

My friend, the gentleman from Pennsylvania [Mr. ROBBINS], at this point very properly asks, "Where?" Note this indefinite language—

with existing or contemplated railway lines—

What lines and where are they and where is to be the terminus in this city?—

under terms and conditions satisfactory to the Secretary of the Navy, authority being granted for the immediate condemnation of the necessary right of way, $550,000.

Although this says $550,000, we now are informed by the gentleman from Tennessee that the amount is to be $800,000. When four months ago it first came here the amount was between three and four hundred thousand dollars. And now, as before, the proposal is to have an unnamed corporation construct the road to an unnamed point in Washington.

Mr. ROBBINS. Mr. Speaker, this would seem to be a war measure, and there ought to be a railroad down there to that proving ground, and in the interest of getting this amendment in proper shape so that gentlemen will not object to it when it comes in, I want to ask this question. The only point designated here in the point of origin, that is, the proving ground at Indianhead. Would it not be better to insist that the chairman bring this back and designate the other terminal, the point of destination?

Mr. PADGETT. Mr. Speaker, I stated to the House at the beginning that in moving to still further insist upon our disagreement, it would require amendments. We did not have this in conference. It was one of the matters that was reserved, and it is expected to amend it so as to specify the point. But it is absolutely necessary as a war measure to have it.

Mr. COOPER of Wisconsin. It was stated four months ago that it was a war measure.

Mr. PADGETT. Yes, it was.

Mr. COOPER of Wisconsin. And it was a war measure when the gentleman moved to strike it out because the Pennsylvania Railroad Co. was going to construct it.

Mr. PADGETT. Yes; and it is all very plain to a person who will deal with the situation. When I first brought it in here I brought it in on the recommendation that the company had represented that they were prepared to build this road and would build it, and the Government was only to agree to take so much freight—$60,000 worth of transportation a year—for six years and pay for it after the transportation was given. However, later it developed that the company had been disappointed in getting its money. Conditions are changing very rapidly.

The railroad situation was taken over by the Government and the trust company that they expected to furnish the money declined to do so.

Mr. COOPER of Wisconsin. But the railroads had been taken over before that time.

Mr. PADGETT. I understand that, but things can change from day to day and week to week. Now, I had put the bill upon the Unanimous Consent Calendar. When it was called the first time, as stated by the gentleman from Wisconsin, the gentleman from Kentucky [Mr. JOHNSON] objected and it went off. He said to me I could put it back on and have some further explanation. I put it back on immediately and it was on there from that time, and when we reported the naval bill we incorporated the same provision in the bill because that was the only opening at the time, and when we read it I moved to strike it out without taking time to have it read, and I stated that I was informed that the Pennsylvania Railroad Co. was expecting to build this connecting line. When the railroad company made its proposition it insisted that the Government should furnish the money to the Pennsylvania Railroad Co. to build it and they declined to do that and submitted this proposition that the Government furnishes the money, build the road, and own it itself, and operate it as a Government road. Now, that is the whole situation. Mr. Speaker, I ask for a vote on my motion to still further insist upon the disagreement.

The SPEAKER. The gentleman from Tennessee moves to further insist on the House disagreement to Senate amendment No. 100.

The motion was agreed to.

Mr. PADGETT. Now, Mr. Speaker, I ask unanimous consent that the conferees when appointed may have authority to increase this amount to $850,000 instead of this authorization, and report a deficiency later.

The SPEAKER. The gentleman asks that when the conferees are appointed and meet they shall have the right to raise this amount to $850,000.

Mr. CRAMTON. Did I understand the length of the road was expected to be about 14 miles?

Mr. PADGETT. Yes.

Mr. CRAMTON. That is about $60,000 per mile, single-track road, and over a very level country.

Mr. PADGETT. With the cost of iron, rails, and so forth, that is the estimate that has been made for the completing of the road.

Mr. BUTLER. And bid submitted to the department?

Mr. RIORDAN. By Bryan & Co.

Mr. BUTLER. My colleague from New York knows the party.

Mr. CRAMTON. Has there been any opportunity for competitive bidding?

Mr. PADGETT. Yes.

Mr. CRAMTON. It is simply a single-track road through a level country, with no rolling stock.

Mr. BUTLER. There is some cutting and filling.

Mr. CRAMTON. But it is not a mountainous country.

Mr. BUTLER. It is very high, but what are we to do?

Mr. CRAMTON. If the committee can not do anything I suppose I can not, but it seems to me to be an exorbitant figure.

Mr. BUTLER. We have tried hard to obtain a passageway to this point, and this seems to be the only avenue that offers, apparently.

Mr. ROBBINS. One moment; ought it not to be "not to exceed $850,000"?

Mr. PADGETT. We would report it not to exceed $850,000. There was no objection.

Mr. PADGETT. Mr. Speaker, there is one we passed over, and that is amendment No. 93. That is for the purpose of developing a submarine base at Key West. I wanted to move that the House still further insist on its disagreement, but I want to make this statement: We had a hearing and it developed that it is very necessary to develop this base there, but instead of an appropriation of $2,525,000, $1,000,000 of appropriation is all that will be needed in this bill with an authorization for the other, but I can not well move to agree to this amendment because we do not need all of that, but we can come back with an amendment and save an appropriation of a million and a half dollars.

Mr. BUTLER. Let me ask my chairman, does not the gentleman think we should quit to-night; we can not finish this.

Mr. PADGETT. There is only one more, and I think we can finish it in a few minutes.

The SPEAKER. Why not make the motion to agree with an amendment?

Mr. PADGETT. We can report it back.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT] moves that the House further insist on its disagreement to Senate amendment No. 93.

Mr. STAFFORD. Mr. Speaker, this is an item of considerable moment, involving an appropriation as carried of $2,500,000, or which will ultimately involve that amount of expenditure. During the consideration of the river and harbor bill the energetic Representative from that district secured, in opposition to the chairman's position, an appropriation for dredging a channel as a new project. I wish the chairman would give some information as to the extent of the property that is sought to be purchased at this place.

Mr. PADGETT. On pages 737, 738, and 739 of the hearings, the Secretary goes into that very fully.

Mr. STAFFORD. The committee, of which the gentleman is an honored member, has never considered this proposition. I think the House is entitled to some facts, even though the facts are stated in the supplementary hearings the subcommittee has had.

Mr. PADGETT. I am trying to state them and give the gentleman information. The Secretary states that he had a board and they recommended this one among a number of others. He says:

We have no base for submarines, you may say, south of Norfolk; we have nothing at all in the Caribbean and the Gulf. If we had submarine troubles in any of those waters, we have no base for our submarines, and no well-equipped place to repair them and keep them in shape. A submarine is like a baby; you have to sit up with it nights. Admiral Benson, after the question of defending our coast with submarines became more acute, urged that that be included.

And they go on at length with it, and he just simply amplifies——

Mr. STAFFORD. Is there any of this appropriation to be used for dredging purposes, similar to the project at Charleston? Is this one of the shallow-water projects for the development of some interior land project down there?

Mr. PADGETT. No; this is not for dredging.

Mr. STAFFORD. Is it something like that at Cape May, where the engineers report that they had great difficulty in keeping the channel open, but nevertheless the Navy Department selected that as a submarine base?

Mr. PADGETT. This was selected because they have nothing south of Norfolk.

Mr. STAFFORD. I am citing a parallel case, at Cape May, where the engineers show that the shoals arise there by reason of storms, and they have great difficulty because of them in maintaining an open channel, and yet the department selected that as a submarine base.

Mr. PADGETT. We will not have any such trouble with this.

Mr. ROBBINS. I have been at Key West, and my experience down there leaves me to think it is largely of coral formation.

Mr. PADGETT. There is no filling up.

Mr. ROBBINS. It is a sort of formation that it would be impossible to dredge with any degree of satisfaction. Does it not fill up again?

Mr. PADGETT. It does not silt at all. When they get the water there, it is permanent.

Mr. ROBBINS. The testimony on page 737 says:

At present only very inadequate facilities are available for the use of submarines based at Key West.

What do you mean to do in order to make adequate facilities?

Mr. PADGETT. We have got to have some repair shops and piers and docks for them to go alongside of, and basins.

Mr. ROBBINS. And he says:

Sea walls, breakwater, finger piers, officers' quarters, enlisted men's barracks, and the extension of a yard-service system to serve these structures.

Mr. PADGETT. All of those things are set out on page 738. You will see them there in full.

Mr. ROBBINS. Is not Key West a very exposed place? I found it windy and sandy and with waves dashing around it. I think it is a bad place for a submarine base.

Mr. PADGETT. It projects out to the farthest point we have on the south coast, several hundred miles farther out than any other point, and it guards that channel, of about 80 or 90 miles, that enters into the Gulf of Mexico. And also it is important for the transit of ships to the Panama Canal. It is the nearest point we can get for their defense and protection.

Mr. SEARS. Admiral Benson also said that a submarine base there would protect a radius of 1,000 miles.

Mr. PADGETT. Yes.

Mr. SEARS. As far as the harbor filling in is concerned, the harbor there has not had any improvement on it since 1912, and still is not filled up. It does not fill up. That coral formation is solid.

Mr. ROBBINS. I know that; but the corals have not ceased to work.

Mr. SEARS. Evidently it does not fill rapidly because it is the depth now that it had in 1912. The appropriation I secured is only to widen the harbor and not to deepen it. It is the same depth of approximately 30 feet now that it had in 1912. No money for the purpose of maintenance has been spent on that harbor since that time, which is proof conclusive that it does not fill up, at least very rapidly.

Mr. ROBBINS. What amount did the gentleman get in the river and harbor bill this year to improve that harbor?

Mr. SEARS. Two hundred and thirty-two thousand dollars.

Mr. ROBBINS. Is that for dredging?

Mr. STAFFORD. The gentleman has been renominated and no doubt will be reelected.

Mr. ROBBINS. I am glad to hear of that, but I was directing my attention to this harbor.

Mr. SEARS. The purpose was to increase the width of the harbor from 400 to 800 feet.

Mr. ROBBINS. How deep is the water?

Mr. SEARS. Twenty-six feet in the 400 width, and this to widen it, to increase to a depth of 26 feet a channel 800 feet wide; but it was not for the improvement of the harbor as it now stands at all.

Mr. ROBBINS. I wanted to clear up those facts. I see the Secretary of the Navy, on page 738 of the hearings, in reply to a question of the chairman, is quoted in regard to that. I quote:

The CHAIRMAN. That place, then, is regarded by yourself, by the board, and by all the naval officers as a strategic and important point on the South Atlantic, the Gulf and Caribbean coasts?

Secretary DANIELS. Yes.

The Secretary replied to that, "Yes." So that the Secretary of the Navy seems to approve it and the committee seems to approve it.

Mr. PADGETT. Yes; the Secretary approves of it strongly, and the board of naval officers, including Admiral Benson, approved it.

Mr. ROBBINS. It seems to me to be an exposed position for a submarine base, but I defer to the superior knowledge of the naval officials.

Mr. PADGETT. Mr. Speaker, I move that we further insist on our disagreement.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on its disagreement. The question is on agreeing to that motion.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. PADGETT. Mr. Speaker, it is now half past 5, and I understand a number of Members want to go. I want to ask unanimous consent to dispense with Calendar Wednesday tomorrow and that we may then take up this conference report and dispose of it.

Mr. GILLETT. The gentleman means to dispense with Calendar Wednesday until this is completed, not to dispense with it entirely?

Mr. PADGETT. I am perfectly willing to do that; but the chairman of the committee that has the call said he was willing to dispense with it for the whole day.

Mr. ALEXANDER. Mr. Speaker, I understand that the two bills that I expect to call up have a privileged status, and it is understood that I may call them up for consideration after the naval appropriation bill is disposed of. With that understanding I am willing that Calendar Wednesday shall be dispensed with to-morrow.

Mr. HELM. Mr. Speaker, there is on the calendar a bill providing for the taking of the fourteenth census, and under the Constitution it is a privileged bill. I have been very considerate and indulgent and have tried to be as good as I could with persons who had bills that were not privileged, and I do not want to interfere with the arrangements of anyone; but at the first opportunity I propose to insist upon the consideration of that bill. It has a privileged status, and it is a bill that has to be passed at this session of Congress. If it is not passed at this session it will be absolutely impossible to pass it at the short session of this Congress. The decennial period begins July 1, 1919. There is a recess just ahead of us, and if this bill is not passed before that recess, when we come back here to pass the revenue bill the membership will be wanting to get back into the campaign, and I am going to insist as vigorously as I can upon the consideration of that bill.

The SPEAKER. Now, does the gentleman know we are going to have a recess?

Mr. HELM. I think the cards are pretty well set that way, from what I can gather.

Mr. ALEXANDER. If the gentleman will permit, the majority leader [Mr. KITCHIN] was on the floor this morning and told me that he wanted me to call up the two bills to which I have referred, reported from the Committee on the Merchant Marine and Fisheries, which have a privileged status, immediately following the naval appropriation bill, and he wanted the census bill to follow those two bills, and wanted all three bills to be passed this week.

Mr. HELM. As I understand, the gentleman from Missouri, whose two bills have a privileged status, can not interfere with committees that have a privileged bill. His bills can not interfere with a conference report and would not interfere with a bill that has a privileged status, as the census bill has, under the Constitution, which requires that the enumeration must be made every 10 years.

Mr. PADGETT. I think it can all be worked out. Mr. Speaker, I want to renew my request that Calendar Wednesday business be dispensed with to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday business to-morrow.

Mr. GARNER. Mr. Speaker, may I suggest to the gentleman from Tennessee [Mr. PADGETT] that he change his request and ask that he be permitted to finish the consideration of his bill to-morrow, and then let whatever may be left of Calendar Wednesday come up in the regular order?

Mr. PADGETT. I am perfectly willing to do that, as far as I am concerned.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that, notwithstanding Calendar Wednesday, this conference report shall be in order in the morning. Is there objection?

Mr. ALEXANDER. I do not want to agree to that unless it is understood that if these two bills have not been disposed of to-morrow I may call them up on Thursday.

Mr. GARNER. The gentleman already has that privileged status for his bills under unanimous consent, whether it is to-morrow or the next day or the next day. The only thing I am seeking by the suggestion is that the gentleman from Tennessee [Mr. PADGETT] may finish his bill to-morrow, and then under the rule for Calendar Wednesday the gentleman from Missouri [Mr. ALEXANDER] will be able to take up his two bills, with two hours' debate on each one of them, and pass them both to-morrow.

Mr. HELM. Has the gentleman from Texas decided that the bills of the gentleman from Missouri have precedence over a bill that is privileged under the Constitution?

Mr. GARNER. On Calendar Wednesday they have.

Mr. ALEXANDER. The Committee on the Merchant Marine and Fisheries has the call to-morrow.

Mr. STAFFORD. Is the gentleman aware of that portion of the rule relative to Calendar Wednesday which states that no bills which are privileged under the rules may be brought up?

The SPEAKER. Which bill is the gentleman talking about?

Mr. STAFFORD. I am referring to the bills given a privileged status at the request of the Committee on the Merchant Marine and Fisheries.

Mr. ALEXANDER. House bills 12099 and 12100. These bills have both been given a privileged status, just like appropriation bills. That is the reason I do not propose to object to dispensing with Calendar Wednesday.

Mr. GARNER. I have no objection to dispensing with it.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with the business in order on Calendar Wednesday for to-morrow. Is there objection?

Mr. CANNON. One moment. Has the gentleman's committee the call to-morrow?

Mr. ALEXANDER. The Committee on Rivers and Harbors has the first call, but I understand that committee has no business to call up. Then the Committee on the Merchant Marine and Fisheries will follow.

Mr. CANNON. And the gentleman proposes to call up these two bills?

Mr. ALEXANDER. Yes; to call them up to-morrow.

The SPEAKER. May I ask the gentleman from Wisconsin a question?

Mr. STAFFORD. Certainly.

The SPEAKER. The gentleman has examined the rule since I have. Is it a fact that the two bills of the gentleman from Missouri [Mr. ALEXANDER] having a privileged status cuts them out on Calendar Wednesday?

Mr. STAFFORD. I have some doubt whether the order giving them a privileged status, which is a rule of the House, would not, under that exception that bills which are privileged under the rules, prevent those bills being considered.

The SPEAKER. But these bills are not privileged under the rules.

Mr. GARNER. That is exactly it.

Mr. STAFFORD. They are privileged under a special rule that makes them privileged. The reason for that limitation in the rule as to Calendar Wednesday was to enable bills not privileged to be called up which otherwise could not be called up. And, carrying out the reason for the rule, the Speaker would have to hold that these bills would not be in order to-morrow.

The SPEAKER. I believe the gentleman is correct. The gentleman from Tennessee [Mr. PADGETT] asks unanimous consent to abolish Calendar Wednesday for to-morrow. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

By unanimous consent, Mr. LONGWORTH and Mr. KEATING were given leave to revise and extend their remarks in the RECORD.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment joint resolution (H. J. Res. 70) authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 19, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of channel from the town of St. Helens, Oreg., to deep water in Columbia River (H. Doc. No. 1176); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the chairman of the War Trade Board submitting a proposed clause of legislation authorizing the amount of cable charges heretofore or hereafter collected from exporters by the War Trade Board to be deposited in the Treasury to the credit of the appropriation first charged with the cost of such cablegrams (H. Doc. No. 1177); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. QUIN, from the Committee on Military Affairs, to which was referred the bill (S. 2704) for the acquisition of additional land at the Leon Springs Military Reservation, Tex., reported the same without amendment, accompanied by a report (No. 665), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12224) to punish the carrying of concealed deadly weapons in the District of Columbia, reported the same without amendment, accompanied by a report (No. 666), which said bill and report were referred to the House Calendar.

Mr. GARD, from the Committee on the Judiciary, to which was referred the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, reported the same with amendment, accompanied by a report (No. 667), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 3470) to amend section 35 of the Criminal Code of the United States, reported the same with amendment, accompanied by a report (No. 668), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 12495) authorizing the issue of rations of candy to the officers and enlisted men of the American Expeditionary Forces; to the Committee on Military Affairs.

Also, a bill (H. R. 12496) authorizing the issue of rations of candy to the officers and enlisted men of the United States Navy on sea duty; to the Committee on Naval Affairs.

By Mr. POLK: A bill (H. R. 12497) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SELLS: A bill (H. R. 12498) to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection; to the Committee on Pensions.

By Mr. CRAGO: A bill (H. R. 12499) providing for pay and allowances to certain officers and enlisted man of the Army of the United States other than the Regular Army; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: Resolution (H. Res. 398) requesting the Secretary of State to furnish the House information regarding the diversion of water from Niagara River by the Province of Ontario; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Resolution (H. Res. 399) requesting the President to report to the House of Representatives whether any order has been issued restricting the supply and transportation of materials and machinery for use in manufacture of intoxicating liquors or the transportation of such liquors; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEWALT: A bill (H. R. 12500) granting an increase of pension to William D. Mickley; to the Committee on Pensions.

By Mr. DOREMUS: A bill (H. R. 12501) granting a pension to Magdalene Holden; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12502) granting an increase of pension to Asa C. Pieratt; to the Committee on Pensions.

Also, a bill (H. R. 12503) granting an increase of pension to Mathew Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12504) granting a pension to Eliza J. Elliott; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 12505) granting a pension to Margaret E. Hinchman; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 12506) granting a pension to Malinda J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12507) granting a pension to Charley Williams; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 12508) granting a pension to Mary St. Clair; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petitions of members of Trinity Methodist Church, of Clayton, of members and friends of Barnsboro, of citizens of Audubon, of citizens of Hurfville, and of citizens of Pennsville, all in the State of New Jersey, urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. CRAGO: Resolutions of Frederick Funston Post, No. 94, Veterans of Foreign Wars of the United States, of the Territory of Hawaii, for the deportation of all aliens from the United States after the war, and all aliens therein who are not loyal to the United States during the war; to the Committee on Immigration and Naturalization.

By Mr. DALE of Vermont: Petition of the Vermont Society, Sons of the American Revolution, favoring legislation to suppress the publication and circulation of papers and periodicals published in the German language; to the Committee on the Judiciary.

Also, petition of State Women's Union No. 15187, of South Poultney; of M. P. Boyce, of Ascutneyville; and of Bertha L. Washburn, of South Royalton, all in the State of Vermont, favoring the repeal of the zone system of postal rates on periodicals; to the Committee on Ways and Means.

By Mr. DELANEY: Resolution of the Women's Auxiliary, Sewanaka Democratic Club, of Brooklyn, N. Y., urging that all boys in the military service of the country be allowed free transportation on all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: Petition of Wanshara Church, Harveyville, Kans., for the enactment of war prohibition legislation; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of the State of Michigan, protesting against the zone-system amendment to the war-revenue act and asking for its repeal; to the Committee on Ways and Means.

By Mr. MAHER: Resolution of New York Association of Women Workers, advocating the establishment of a national conservatory of music and art; to the Committee on the Library.

Also, petition and statement of O. E. Wilson, president Iowa Division, Farmers Educational and Cooperative Union of America; I. N. McCollister, president Farmers Educational and Cooperative Union of Louisiana; J. M. Collins, president Farmers State Union of Colorado; Louis Roether, secretary Farmers State Union of Colorado; and D. E. Lyday, president Farmers Educational and Cooperative Union of Texas, asking that all laws restricting or interfering with labor coming into the United States be suspended during the war; to the Committee on Immigration and Naturalization.

By Mr. ROBBINS: Resolutions of citizens of Latrobe, Pa., and vicinity, protesting against zone system of postage for second-class matter and observance of the Sabath law; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, *June 19, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in these perilous times we lift our hearts day by day to Thee. We have been called forth by the challenge of Thy word. We have brought our best and laid it upon the sacrificial altar of the world's freedom, and when we have done all we still look to Thee for guidance and blessing and victory. Do Thou, O God, be pleased to hasten the time for the final triumph of the right. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

VOLUNTEER OFFICERS OF THE CIVIL WAR.

Mr. TOWNSEND. Mr. President, the last business transacted in the Senate last evening was placing before the Senate the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes. This the RECORD shows, but I notice that upon the calendar there is no reference to it as the unfinished business.

The PRESIDENT pro tempore. The Chair is informed by the Secretary that the measure is now the unfinished business of the Senate, and it will be laid before the Senate at 2 o'clock.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed the bill (S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, with amendments, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CUMMINS. Mr. President, I present a resolution adopted by the executive board of the Dubuque County Equal Suffrage Association, of Iowa, in the nature of a protest against undue delay on the part of the Senate in considering and adopting the proposed amendment to the Constitution providing for equal suffrage. I ask that it be printed in the RECORD.

Mr. SMITH of Arizona. I shall have to object to that request. A copy of the petition is probably on the desk of every Senator. If the Senator will look at the first page of the RECORD of yesterday's proceedings, he will see how a brief statement is given of every petition and memorial without printing them in the RECORD in full.

Mr. CUMMINS. This particular resolution would not take more than three lines in the RECORD.

Mr. SMITH of Arizona. I object to its being printed. It is with great reluctance that I have to object to printing in the RECORD any more petitions.

Mr. LODGE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The absence of a quorum is suggested, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Johnson, Cal.	McNary	Smith, Ariz.
Brandegee	Johnson, S. Dak.	Martin	Smith, Ga.
Chamberlain	Jones, N. Mex.	Myers	Smoot
Colt	Jones, Wash.	Nelson	Sterling
Culberson	Kellogg	Nugent	Sutherland
Cummins	Kendrick	Overman	Tillman
Curtis	Kenyon	Page	Townsend
Fernald	King	Pittman	Trammell
Gallinger	Kirby	Poindexter	Underwood
Gronna	Knox	Pomerene	Vardaman
Hale	Lenroot	Robinson	Warren
Harding	Lewis	Saulsbury	Willey
Hardwick	Lodge	Shafroth	
Henderson	McKellar	Sheppard	
Hitchcock	McLean	Shields	

Mr. VARDAMAN. I wish to announce that the Senator from North Dakota [Mr. GRONNA], the Senator from Nebraska [Mr. NORRIS], the Senator from Kansas [Mr. THOMPSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Louisiana [Mr. RANSDELL] are detained in the Senate Committee on Agriculture and Forestry.

Mr. KING. The Senator from California [Mr. PHELAN], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. SMITH of Arizona. I desire to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, and that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

Mr. TRAMMELL. I desire to announce the absence of my colleague [Mr. FLETCHER] on account of illness.

Mr. CURTIS. I wish to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and the junior Senator from Indiana [Mr. NEW] on official business. I will let this announcement stand for the day.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. McKELLAR. I announce the absence of my colleague [Mr. SHIELDS] on official business.

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present. Before the absence of a quorum was suggested the Senator from Iowa [Mr. CUMMINS] requested to have a certain petition printed in the RECORD. The Chair did not hear the colloquy which took place between the Senator from Iowa and the Senator from Arizona. The Senator from Iowa being absent, the Chair will assume that no motion was made to print, and therefore there is no question to be submitted to the Senate, as the rule requires.

Mr. BORAH. I send a telegram to the desk which is in the form of a petition, and the petitioners request that it be read into the RECORD. So I ask that it may be read.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Arizona. I object.

Mr. BORAH. Do I understand that the Senator from Arizona objects?

Mr. SMITH of Arizona. Yes, sir.

The PRESIDENT pro tempore. The Senator from Arizona objects.

Mr. BORAH. I ask to have the petition returned to me. I present a telegram in the nature of a petition from a number of women——

Mr. SMITH of Arizona. I ask for the regular order.

Mr. BORAH. I wish to state what it is so as to have it referred. I thought I was following the rule which the Senator suggested.

Mr. SMITH of Arizona. No; you are not if you are going to read it.

Mr. BORAH. I am not going to read it.

Mr. SMITH of Arizona. I beg the Senator's pardon.

Mr. BORAH. I am going to conform to the rule because I think it is a good rule. I simply state that I have a telegram in the form of a petition from a committee of women of Pocatello, Idaho, indorsing the national suffrage amendment and asking me to vote for it.

The PRESIDENT pro tempore. The petition will be received and lie on the table.

Mr. McKELLAR. I have received a great number of petitions from the citizens of various cities and towns in Tennessee indorsing the Federal suffrage amendment to the Constitution, urging the Senators from that State to vote for the measure, and also protesting against further delay in the Senate in bringing up the measure for final disposition. Under the rule I will present to the Reporter a list of the petitioners and have the resolutions lie on the table, the joint resolution being before the Senate, as I understand from the Senator from Arizona that that is the proper course to pursue.

Mr. SMITH of Arizona. The Senator is clearly within his rights. He has done what he ought to do in presenting the petitions, and inasmuch as he is making no effort to have the petitions printed in full, but will designate them as the rule requires, there can be no objection to it on the part of the Senate.

The petitions were ordered to lie on the table, as follows:

Resolutions from the Episcopal Daughters of the King, State convention, protest; Tennessee Republican State Committee, indorsement and protest; Memphis Trade and Labor Council, indorsement and protest; Tennessee State Federation of Women's Clubs, indorsement and protest; Nashville Political Study Club, indorsement and protest; Nashville Woman's Suffrage Association, indorsement and protest; Nashville Twenty-second Ward Association, indorsement and protest; Nashville Public School Association, protest; Nashville Parents-Teachers Association, indorsement and protest; Nashville Friday Morning Literary Club, indorsement and protest; Nashville Belmont Literary Club, indorsement and protest; Ward Belmont College for Girls, faculty and teachers, indorsement and protest; Nashville mayor and city commissioners, indorsement and protest; Nashville Twentieth Ward Organization, indorsement and protest; Altrusea Club of Business Women, indorsement and protest; Nashville Twentieth Century Club, indorsement and protest; mass meeting, Jackson, Tenn., indorsement and protest; Clarksville women's mass meeting, indorsement and protest; Clarksville Music Club, indorsement and protest; Lebanon women's meeting, indorsement and protest; Nashville Committee Fatherless Children of France, protest; Ashland City, Cheatam County, resolution signed by prominent men, indorsement and protest; McKenzie, Carroll County, resolutions signed by prominent men, indorsement and protest; Red Cross chapter, Franklin, Williamson County, resolutions of, indorsement and protest; Columbia, Maury County, resolutions of, indorsement and protest; public meeting, Mount Pleasant, Maury County, indorsement and protest; Tullahoma, Coffee County, petition of, indorsement and protest; Gallatin, Sumner County, resolutions sent by citizens of, indorsement and protest; Springfield meeting, Robertson County, resolutions of, indorsement and protest; Manchester Citizen, petition, indorsement, and protest; Pulaski, Giles County, resolutions, indorsements, and protests from citizens; Nashville Housewives' League, resolutions, indorsements, and protests; Memphis, resolutions, petitions, and protests from citizens; favorable editorials in both Nashville daily papers; favorable editorials in Memphis daily paper; favorable editorials in Clarksville paper; favorable editorials in Pulaski paper; Nashville Trade and Labor Council, indorsement and protest.

Mr. WARREN presented resolutions adopted by sundry citizens of the State of Wyoming favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. LENROOT presented petitions of sundry citizens of Oneida County, Wis., praying for the automatic forfeiture of citizenship for all disloyal citizens and the strict enforcement of the alien enemy, espionage, and naturalization laws, which were referred to the Committee on the Judiciary.

Mr. LODGE presented petitions of the Woman's Christian Temperance Union of Berkshire County, of the Equal Suffrage League of North Adams, and of the Dennison Memorial Women's Union, of New Bedford, all in the State of Massachusetts, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Somerville, Mass., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Massachusetts Federation of Churches, praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. HALE presented a petition of the Maine Medical Association, praying for the enactment of legislation to provide protection of the military and naval forces of the United States against venereal diseases, which was referred to the Committee on Military Affairs.

He also presented a petition of the Maine State Branch of the American Federation of Labor, of Lewiston, Me., praying for the immediate submission of a Federal suffrage amendment to the

legislatures of the several States, which was ordered to lie on the table.

The PRESIDENT pro tempore (Mr. SAULSBURY) presented petitions of sundry citizens of Kent County, Del., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HITCHCOCK, from the Committee on Foreign Relations, to which was referred the bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909, reported it without amendment and submitted a report (No. 515) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 4687) to amend further an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, as amended, and for other purposes, reported it with amendments and submitted a report (No. 516) thereon.

HOMESTEADS IN ALASKA.

Mr. PITTMAN. From the Committee on Territories I report back favorably, without amendment, the bill (H. R. 8563) to amend the homestead law in its application to Alaska, and for other purposes; and I ask for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to amend the United States homestead law in its application to Alaska, and for other purposes," approved July 8, 1916, is hereby amended to read as follows:

"SECTION 1. That every person who is qualified under existing laws to make homestead entry of the public lands of the United States who has settled upon or who shall hereafter settle upon any of the public lands of the United States situated in the District of Alaska, whether surveyed or unsurveyed, with the intention of claiming the same under the homestead laws, shall, subject to the provisions and limitations of the act approved March 3, 1903, chapter 1002, United States Statutes at Large, page 1028, be entitled to enter 160 acres or a less quantity of unappropriated public land in said District of Alaska, and no more, and a former homestead entry in any other State or Territory shall not be a bar to a homestead entry in Alaska: *Provided*, That nothing herein contained shall be construed to limit or curtail the area of any homestead claim heretofore lawfully initiated.

"SEC. 2. That if the system of public surveys has not been extended over the land included in a homestead entry, the entryman may, after due compliance with the terms of the homestead law in the matter of residence, cultivation, and improvement, submit to the register and receiver a showing as to such compliance, duly corroborated by two witnesses, and if such evidence satisfactorily shows that the homesteader is in a position to submit acceptable final proof the surveyor general of the Territory will be so advised and will, not later than the next succeeding surveying season, issue proper instructions for the survey of the land so entered, without expense to the entryman, who may thereafter submit final proof as in similar entries of surveyed lands. So far as practicable, such survey shall follow the general system of public-land surveys, and the entryman shall conform his boundaries thereto: *Provided*, That nothing herein shall prevent the homesteader from securing earlier action on his entry by a special survey at his own expense, if he so elects.

"SEC. 3. That there shall be excepted from homestead settlement and entry under this act the lands in Annette and Pribilof Islands, the islands leased or occupied for the propagation of foxes, and such other lands as have been, or may be, reserved or withdrawn from settlement or entry."

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. TOWNSEND. I understand that unanimous consent is asked, and that no motion is made to take up the bill.

Mr. PITTMAN. Unanimous consent is asked; that is all.

Mr. LENROOT. May I ask the Senator from Nevada whether this is the House bill?

Mr. PITTMAN. It is the House bill reported without amendment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. POINDEXTER. I will ask the Senator from Nevada to state in brief terms the general object and purpose of the bill. I am not familiar with it.

Mr. PITTMAN. There are a number of little isolated tracts of land in Alaska along river bottoms and the bottoms of little creeks that have been settled on for homesteads. It is impossible to apply the general law of survey by townships and sections to that character of land. The bill is simply to enable special surveys to be made of those isolated tracts upon the payment by the applicant for the service. That is about all there is to it.

Mr. POINDEXTER. Does it relate to homestead entries?

Mr. PITTMAN. To homestead entries.

The bill was ordered to a third reading, read the third time, and passed.

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SMITH of Georgia. I wish to call attention to the conference report on the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

This is an amendment to our war-risk insurance legislation and the department is very anxious to have it completed at once. The Senate passed the bill and the House passed the bill with amendments. The conferees have agreed upon a conference report and the House has adopted the conference report. I am very anxious to have the conference report laid before the Senate this morning and to have the Senate adopt the report.

There are scarcely any changes in the conference report from the bill as it passed the Senate. Perhaps the most important one is to add "parents by adoption" to the list of those who are to have the benefit under the insurance and compensation provisions of the act. The Senate did not adopt that provision; the House did, and the Senate conferees yielded to the House and added "parents by adoption" to the parties.

There are one or two other things. We have had it printed in a way that we think Senators can understand it. [After a pause.] I understand there are a number of other routine matters that it is the desire to have disposed of during the morning hour. I will wait until a little later in the morning hour.

Mr. SMOOT. I will say to the Senator I do not think it will take long to adopt the conference report.

ABANDONED LIGHTHOUSE AND LIFE-SAVING STATIONS.

Mr. MYERS. On the 7th of this month, at the request of the Secretary of the Interior, I introduced a bill (S. 4679) to provide for the disposition of abandoned lighthouse and life-saving stations. The bill was prepared by the Interior Department, the object of which is a disposition under certain circumstances of the United States Government land once occupied by lighthouses and life-saving stations which have been abandoned. It does not relate in any way whatever to lighthouses and life-saving stations, but only relates to the land on which they once stood before they were abandoned. At the time of introducing it I asked that it be referred to the Committee on Public Lands, to which committee I think it belongs, but inadvertently I think it was referred to the Committee on Commerce. I do not believe that it belongs to that committee, as it relates wholly to public lands. I move that the Committee on Commerce be discharged from the further consideration of the bill and that it be referred to the Committee on Public Lands.

Mr. JONES of Washington. Mr. President, let me ask the Senator from Montana to what the bill relates. I did not understand that.

Mr. MYERS. The bill relates to the disposition of United States lands which were once used by lighthouses and life-saving stations which have been since abandoned. I did not know that the bill had been referred to the Commerce Committee until a few days ago. I have been trying to see the chairman of that committee in reference to the matter; but he is sick, and I do not know when he will be here. The bill does not relate to matters within the jurisdiction of the Committee on Commerce at all, and I think it ought to be referred to the Committee on Public Lands.

Mr. JONES of Washington. I suggest to the Senator that he ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill, instead of making a motion to that effect.

Mr. MYERS. I ask unanimous consent that that may be done.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is granted. The Committee on Commerce will be discharged from the further consideration of the bill, and it will be referred to the Committee on Public Lands.

FILING APPLICATIONS FOR PATENTS.

Mr. BRANDEGEE. By the Committee on Patents I am instructed to report back favorably, without amendment, the bill (S. 3524) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916, and I ask unanimous consent for its immediate consideration. Before the question is put, however, I should like to make a very brief statement.

It is a bill proposing to extend the time within which foreigners may file applications for patents during the war, and also to extend the time during which our citizens may file applications for patents in foreign countries; that is, for foreigners to

give us reciprocal conditions. There was approved August 17, 1916, House bill 13982, which is the existing law. The Commissioner of Patents has written a letter, which is a part of the report of Mr. SMITH, of the Patents Committee of the House of Representatives, upon H. R. 8763, which is identical with the bill which the Senate Committee on Patents has just instructed me to report favorably. The House committee has unanimously reported favorably the identical bill which the Senate committee now directs me to report favorably. It has not yet, however, been acted upon by the other House. The Commissioner of Patents is extremely anxious to have early action upon the bill, and at his request the Senate committee has instructed the bill to be reported without amendment.

I ask that the report and the act of August 17, 1916, the existing law, be printed in the RECORD. I have included in parentheses in the act the words which have been dropped out of the law, which accomplish the desired change. The Commissioner of Patents states in his letter—which, of course, can be read if the Senate desires to hear it—that the act we passed, which is known as the trading-with-the-enemy act, would allow certain privileges to Germans and their allies as to filing their applications for patents and trade-marks in this country, but did not allow such privileges to our friends with whom we are in alliance. The object of this bill, by striking out the language which I have included in parentheses in the act of August 17, 1916, is to put our friends upon an equally advantageous basis with our enemies in the matter of extending the time within which they may apply for patents. Of course, the bill will be read, if considered, and if any Senator desires further information I shall be glad to give it. The report, however, contains the entire reasons for the legislation.

The PRESIDENT pro tempore. Without objection, the documents referred to by the Senator from Connecticut will be printed in the RECORD.

The documents are as follows:

[H. Rept. No. 616, 65th Cong., 2d sess.]

Mr. CHARLES B. SMITH, from the Committee on Patents, submitted the following report:

The Committee on Patents, to whom was referred H. R. 8763, respectfully report that they have had the same under consideration and recommend that the bill do pass. The bill is as follows:

"A bill to amend the act entitled 'An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916.

"*Be it enacted, etc.*, That the act entitled 'An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916, be amended to read as follows:

"'SECTION 1. That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable during war or within six months thereafter, on account of conditions arising out of war, to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

"'SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States.

"'SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred.'"

This bill was recommended by the Commissioner of Patents for reasons which he set forth in a statement to the Committee on Patents. Following is Commissioner Newton's statement:

"This is a bill to extend to the allies the privilege of filing applications for patents more than a year after they are filed in their own country when they have been prevented from filing during the year on account of the conditions of the war. It is rather an important bill, since we have about 100 applications waiting for its passage; in fact, it is the most important one to be considered.

"The trading-with-the-enemy act gave to the enemy the right to file applications in this country, and it also gave them the right to file them more than a year after they had filed in their native country. The present statute gives a foreigner, an Englishman, for instance, who files an application in his own country the privilege of filing in this country within a year from the time he files in his own country, or if he fails to file within the year, his patent is invalid when taken out in this country.

"We found that there were so many cases where they could not get their applications over here within a year that when the trading-with-the-enemy act was introduced there was a provision made in it that the Germans and their allies could file in this country more than a year after they filed in their own country. That privilege has never been extended to our allies at all.

"The trading-with-the-enemy act extends it to our enemies and does not extend it to our allies, so there can be no question, I think, but what we ought to pass that bill.

"That is the only question involved. I might add we do not grant any of those countries the privilege to file more than a year after the granting of patent in their own country unless those countries grant the same privileges to American citizens. That is a fundamental condition in all those bills."

The Committee on Patents voted unanimously to report the bill favorably and recommended its passage. It is especially desired that the measure pass at the present session of Congress, in view of the fact that more than a hundred applications are now pending in the Patent Office and can not be acted on in view of the inconsistency of the law as it now exists.

A letter from Acting Secretary of the Interior A. T. Vogelsang was submitted to the committee favoring the passage of the bill. This communication is as follows:

"DEPARTMENT OF THE INTERIOR,
"*Washington, May 24, 1918.*

"Hon. CHARLES B. SMITH,
"*Chairman Committee on Patents,*
"*House of Representatives.*

"MY DEAR MR. SMITH: The Commissioner of Patents informs me that on September 27, 1917, he submitted to you a copy of a proposed amendment to the act 'to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916. Until this act is passed we will be in the position of extending privileges under the trading-with-the-enemy act to our enemies while denying the same privileges to our allies, which is, of course, regrettable.

"The commissioner states that this proposed bill was introduced in the Senate (S. 3524) and in the House (H. R. 8763), but no further action has been taken, and I write to request that since there can be no objection to this bill, and since there are numerous cases in the Patent Office that are awaiting action the bill be passed during the present session if possible.

"Very truly, yours, ALEXANDER T. VOGELSANG,
"*Acting Secretary.*"

The committee voted unanimously to report the bill, and no objection whatever was raised to it while under consideration by the committee.

[Public, No. 213—64th Cong. (H. R. 13982).]

An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens.

Be it enacted, etc., That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable on account of the existing and continuing state of war to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States, and no extension shall be granted under this act to the citizens or subjects of any country while said country is at war with the United States.

SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and before the 1st day of January, 1918, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred.

Approved, August 17, 1916.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916, be amended to read as follows:

"That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable during war or within six months thereafter, on account of conditions arising out of war, to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

"SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States.

"SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADMITTANCE OF CHARTREUSE.

Mr. SMOOT. From the Committee on Finance I report back favorably, without amendment, the joint resolution (S. J. Res. 157) admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Joint resolution (S. J. Res. 157) admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.

Whereas on July 31, 1917, Messrs. Batjer & Co., of New York, ordered from the Carthusian Monks in Tarragona, Spain, 1,000 cases of chartreuse, which was shipped August 9, 1917, but owing to delays caused by the state of war was not received at the New York customhouse until September 14, 1917; and

Whereas the admission of these 1,000 cases of chartreuse was refused by the collector of customs at the port of New York because they were received after the food-control act prohibiting the importation of distilled spirits, approved August 10, 1917, went into effect on September 9, 1917: Now, therefore, be it

Resolved, etc., That in view of the good faith in which this importation was attempted and of the abnormal conditions which prevented its delivery, the collector of customs at the port of New York be, and he is hereby, authorized and directed to admit the said 1,000 cases of chartreuse imported from the Carthusian Monks in Tarragona, Spain, and consigned to Messrs. Batjer & Co., of New York, importers, and to deliver the said consignment to Messrs Batjer & Co. upon the payment of the import duty and war-revenue tax due and any other charges accruing thereon.

Mr. FALL. Mr. President, I shall not oppose the passage of the joint resolution, but it strikes me that it might be appropriate to refer it to the Committee on Agriculture and Forestry, to see if it would be proper to incorporate it with other amendments of like character.

Mr. SMOOT. I shall ask that the letter from the Treasury Department be printed after the passage of the joint resolution.

The PRESIDENT pro tempore. Without objection that will be done.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

Mr. SMOOT. I ask that the preamble be stricken out.

The PRESIDENT pro tempore. The preamble to the joint resolution has been adopted, and the Senator will have to move to reconsider the vote by which it was adopted if he desires to strike it out.

Mr. SMOOT. Very well; that can be done in the other House if it is desired. I ask that the letter to which I have referred be printed in the RECORD.

The PRESIDENT pro tempore. Without objection it is so ordered.

The letter is as follows:

TREASURY DEPARTMENT,
June 12, 1918.

The CHAIRMAN COMMITTEE ON FINANCE,
United States Senate, Washington, D. C.

SIR: The department is in receipt of your letter of the 5th instant, inclosing a copy of Senate joint resolution 157 for the authorization of the admission into the United States of 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which, it is stated, was delayed on account of war conditions until after that act went into effect. You request an opinion respecting the desirability of enacting the provisions of the resolution.

Section 15 of the act of August 10, 1917, prohibited the importation into the United States of any distilled spirits, the provision being effective with respect to shipments arriving after September 9, 1917.

From correspondence in the department's files it appears that the shipment in question, consisting of 1,000 cases of chartreuse was shipped from Tarragona, Spain, by bill of lading dated August 9, 1917, but did not arrive at the port of New York until September 14, 1917. It is assumed that the merchandise was shipped on August 9, 1917, the date of the bill of lading, and in the ordinary course of transportation should have reached New York a week or 10 days before September 9, the date when the provision in the law prohibiting the importation of distilled spirits became operative. In the opinion of the department the delay in the arrival of the merchandise was due to the unsettled conditions caused by the war, and it therefore interposes no objection to the adoption of the resolution.

Respectfully,

L. S. ROWE,
Acting Secretary.

READMISSION OF CERTAIN ALIENS.

Mr. HARDWICK. From the Committee on Immigration I report back favorably without amendment the joint resolution (H. J. Res. 255) authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces, and I submit a report (No. 513) thereon. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Georgia whether the joint resolution refers simply to those who have entered the Army of the United States?

Mr. HARDWICK. I will say to the Senator—and I am glad to have the opportunity to explain it—that it refers also to certain aliens who have already been admitted here, but who have gone back to Europe to fight in the allied armies. The provision is simply that in the case of such aliens they shall be readmitted without reference to the rigors of the immigration act of February 5, 1917. If the Secretary will read the report of the committee, I think it states pretty compactly exactly what the object is. I will say further that the joint resolution has been unanimously reported by both the Senate and the House Committees on Immigration.

The PRESIDENT pro tempore. The Secretary will read the report of the committee.

The Secretary read as follows:

Mr. HARDWICK, from the Committee on Immigration, submitted the following report:

The Committee on Immigration, to whom was referred the resolution (H. J. Res. 255) authorizing the readmission to the United States of certain aliens who have been conscripted, or who have volunteered for service with the military forces of the United States, or cobelligerent forces, reports the resolution to the Senate with the recommendation that the same be passed without amendment.

The resolution undertakes to correct a condition produced by the war and to relieve certain people who, by going into it on the side of the allied powers, broke with countries to which they owed a technical allegiance. When the war began there were many aliens residing in the United States many of whom were from Polish territory under the political domination of Germany, Austria, and Russia; many of these people had declared their intention to become citizens of the United States. When war was declared in 1914 many of these aliens went to Europe and joined the forces of the allied powers in order to oppose the Governments that they regarded as oppressors of the people, thinking that they had an opportunity to correct an injustice done to Poland when her sovereignty was killed and her territory divided. For that act there was due them admiration and sympathy, for Americans have always sympathized with a struggling people who aspire to independence. These brave and patriotic people abandoned comfort and security in the United States and are important factors in the allied forces, having returned to Europe to lend their aid in the struggle against the common foe.

Among the people to be benefited by this resolution are some Jews, Armenians, and Syrians who were residing in the United States before April, 1917. This resolution provides that aliens who were here before we declared war on the central powers, and who have heretofore been conscripted for service with the Army of the United States, or who have volunteered, or who may hereafter go into it voluntarily or by draft, may be readmitted to the United States if they apply for readmission within one year after the close of the war. This class of aliens will be permitted to return, notwithstanding the fact that they have not declared their purpose to become citizens. This resolution also authorizes the return to the United States of aliens who were residing here prior to April 6, 1917, within one year after the proclamation of the war provided they had declared their intention to become citizens of the United States, and who have enlisted for military service with any one of the cobelligerents of the United States in the present war or with Czecho-Slovak, Polish, or other independent forces attached to the United States Army, or to that of any one of the cobelligerents of the United States, after being honorably discharged or furloughed abroad by the proper military authorities.

The Committee on Immigration was unanimous in its vote directing that this resolution be favorably reported, as it felt that its passage will do an act of justice to a people whose services are valuable, and who by connecting themselves with the allied powers or with us incur extreme peril.

Mr. HITCHCOCK. Mr. President, as I gather the purport of this joint resolution from its reading, the committee only proposes to readmit to the United States those aliens who have declared their intention to become citizens of the United States.

Mr. HARDWICK. That is where they have enlisted in the armies of other powers that are fighting Germany.

Mr. HITCHCOCK. That would not cover the case of the thousands of Italians, who have answered the call of their country and gone back to Italy to serve in the Italian Army, unless they had in this country declared their intention to become American citizens.

Mr. HARDWICK. That is true.

Mr. HITCHCOCK. It is only a matter of time when Italy probably will ask the United States to permit the return of that class of aliens; and I wish to inquire of the Senator whether it would not therefore be wise and consistent with our support of the war to permit the return of all aliens who have enlisted under the flag of our cobelligerents or who have answered the call of their mother country?

Mr. HARDWICK. Let me say to the Senator that neither the committee of the House of Representatives nor the Senate Committee on Immigration thought it best to go that far just at the present moment. What we have done and what the other House has done is this: We have declared that aliens who have heretofore or may hereafter enlist or be conscripted in the military service of the United States may be readmitted without regard to the rigors of the immigration act of February 5, 1917. As to aliens, however, who have joined the Czecho-Slovak forces or the armies of foreign powers, even if they are cobelligerents with us, we felt that they ought not to be relieved of all of the requirements of the law except in cases where they have declared their intention to become citizens. Of course, after the war is over, when we face this condition and come to it, our minds will be open on that question; but it seems to me when the Senator considers the tremendous immigration problem that we may be confronted with when this war is over, he will agree that we have gone as far as it is safe to go now. I am willing to let aliens who serve in our own armies come back without condition, qualification, or restriction, and without regard to any law; but where they have gone over to serve in other armies, even in the armies of cobelligerents, I doubt whether all the requirements of the law and all the safeguards of the law ought to be thrown aside, unless they had declared their inten-

tion to become American citizens before they left this country. That is the theory, at least, on which both the House and Senate committees have acted.

Mr. HITCHCOCK. My only purpose in raising this question at this time is to call attention to the fact that it has got to be met at some time.

Mr. HARDWICK. Does not the Senator think it would be wiser, if he will let me ask him a question in turn, to cross that bridge when we come to it and see what the immigration conditions are when we do arrive at that period, as we must do——

Mr. HITCHCOCK. No.

Mr. HARDWICK. Because I think the Senator will agree with me that one of the troubles we have had in this country is a large mass of undigested and undigestible foreign immigration that we have not been able to assimilate into our body politic.

Mr. HITCHCOCK. The Senator misunderstands me.

Mr. HARDWICK. Just let me finish my statement, if the Senator pleases. I do not think that in advance of the termination of the war we ought to dispose of that question, until we see exactly what conditions are going to confront us and do confront us when the war is over. I am sure the Senator from Nebraska will sympathize with that sentiment.

Mr. HITCHCOCK. The Senator misunderstands me. I think we will have to reach that question very soon—I mean, before the war is over—because it will be raised by Italy. We desire to have a reciprocal treaty with Italy, for instance, under which we can compel Italians in this country to serve in our Army or to serve in the Italian Army. When that time comes it may be that we will be confronted by a request on the part of Italy that we permit those men, under those circumstances, to return to the United States.

Mr. HARDWICK. If they serve in our Army?

Mr. HITCHCOCK. Whether they serve in our Army, or whether they respond to our law and return to Italy to serve in the Italian Army. Now, if we must meet that question soon, the query I put to the Senator is, Why would it not be wise to meet it now?

Mr. HARDWICK. I suppose the State Department and the Department of Commerce, which have urged this joint resolution upon us, feel that it is not wise to meet that condition until we make some sort of treaty. I think we had better go this far now, anyhow, and then we can take up that question.

Mr. HITCHCOCK. I have no objection to the joint resolution, but I wondered whether the Senator and the committee had considered that question.

Mr. HARDWICK. No; we have not considered that question, because we are not up to that point.

Mr. HITCHCOCK. I think we ought to go that far.

Mr. HARDWICK. Yes; I think we ought to go that far, and I think possibly that is far enough.

Mr. LEWIS. Mr. President, may I say to the Senator from Georgia, who had been very energetic as the chairman of the committee in acting upon these questions, that I have a very large population of Czecho-Slovaks in my State, in the city of Chicago. They have been sending me much correspondence, fearful that they were to be denied the same privileges that are being granted others who are fighting in the allied armies. One of the fears they have expressed concerning this joint resolution is that there was some amendment tendered in the House which deprived them of the privileges of the joint resolution unless they had previously declared their citizenship legally before leaving this country, and that many of them who were about to declare their citizenship, but who went into the Army quickly, would be denied the right of coming back into this country. Is there any foundation for that fear?

Mr. HARDWICK. There is this foundation, and this alone: The Czecho-Slovaks are treated exactly like the subjects of Great Britain and Italy and every other power at war with Germany, but there is this difference, that they are named. Let me read the language of the joint resolution:

and who have enlisted for service with Czecho-Slovak, Polish, or other independent forces attached to the United States Army or to the army of any one of the cobelligerents of the United States in the present war, who may, within one year—

And so forth.

Mr. LEWIS. Their fear seems to be that those who have not declared their citizenship, but who would have done so, and were on the eve of doing so, being forced to go into the Army, are now prohibited from returning to this country at all because they had not previously declared their citizenship. Are they right in that fear?

Mr. HARDWICK. No; the people in that category or that class would be subject to the provisions of the existing law as to admission.

Mr. LEWIS. There is nothing to prevent them from returning here, then?

Mr. HARDWICK. Nothing on earth.

Mr. LEWIS. So that that fear is without foundation?

Mr. HARDWICK. That fear is without foundation.

Mr. LEWIS. They are put in the same category with every one of the several people?

Mr. HARDWICK. With the aliens who serve in the British Army or with the French Army.

Mr. LEWIS. In the same category with the French and Italian and Polish people?

Mr. HARDWICK. Yes; we give them exactly the same status.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSION APPROPRIATIONS.

Mr. JOHNSON of South Dakota. For the chairman of the Committee on Pensions, Mr. WALSH, who is detained from the Senate by illness, I report back favorably, with an amendment, the bill (H. R. 12000) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes, and I submit a report (No. 514) thereon. It is known as the general pension appropriation bill, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota?

Mr. SMITH of Georgia. Mr. President, I am not objecting to ordinary morning business, but I do feel that I should bring before the Senate the conference report which I have here on the war-risk insurance bill. If there is to be no discussion of the pension bill, I shall not object. I do not suppose there will be any. What is the nature of the bill?

Mr. JOHNSON of South Dakota. It is the general pension appropriation bill.

Mr. SMITH of Georgia. Very well.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment.

The amendment was, on page 2, line 1, to strike out "$185,000,000" and insert "$220,000,000," so as to make the bill read:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1919, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $220,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1919, $50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. SMOOT. Mr. President, just one word, so that the Senators may know that the amount asked for includes not only the regular appropriations and also the increase in pensions of the Civil War veterans, but it also includes a deficit from last year of $23,000,000. I wanted to make that statement, so that the Senators would know just what the pensions will cost for the coming fiscal year.

Mr. VARDAMAN. Mr. President, will the Senator give me an exact statement of what our pension list will amount to for the coming year?

Mr. SMOOT. This year the pensions will amount to $197,000,000 under the laws passed up to date. Next year they will decrease at least 15 per cent, and perhaps 20 per cent.

Mr. SMITH of Georgia. Mr. President, let me ask the Senator a question. These will be the highest figures to which the pensions have ever gone?

Mr. SMOOT. This is $12,000,000 higher.

Mr. SMITH of Georgia. Twelve million dollars higher than it has ever been before?

Mr. SMOOT. Than it has ever been; but I will say to the Senator that, even with the $12,000,000 higher than the year 1912, this includes the $35,000,000 of the law of June 10, 1918;

so the Senator can see that between the $12,000,000 and the $35,000,000 there has been a $23,000,000 decrease since that time in the pensions at that time appropriated for.

Mr. SMITH of Georgia. Then this pension law, even without the deficit, will be the highest in the history of the Government.

Mr. SMOOT. I will say that I doubt whether there will be another general pension bill for the Civil War veterans. I expressed myself that way before, and I believe it.

Mr. KING. Mr. President, I should like to ask the Senator from Utah whether the appropriation carried in this bill includes Indian war pensions and Mexican War pensions?

Mr. SMOOT. It includes all pensions—Mexican War, Indian war, Civil War, and Spanish War, and every other pension that is provided for up to date.

Mr. KING. And does it include the amount carried in the pension bill passed a few days ago?

Mr. SMOOT. It includes that amount, and the amendment adding $35,000,000 to the House bill is to cover that amount.

Mr. KING. I do not quite share the optimism of my colleague that this will be the last general pension bill.

Mr. SMOOT. For Civil War veterans, I say.

Mr. KING. I do not think it will be the last general pension bill for the Civil War veterans. I remember, a number of years ago, reading the statement of President Garfield. He stated that when the pension roll reached the maximum of $27,000,000—the Senator from Ohio corrects me and says it was $35,000,000, but the statement which I saw attributed to him the sum $27,000,000—it would immediately recede, and that would be the highest crest of the wave. With a pension bill of $220,000,000, it merely illustrates what a poor prophet the great President Garfield was. It illustrates, furthermore, that the further we recede from the period of that great strife the larger the pensions and the heavier the drafts made upon the Treasury of the United States. It will probably leap up, when this war is over, to several billion dollars a year; and the taxpayers can look forward with great equanimity to the burdens which will be placed upon them and upon their children for many generations to come.

The PRESIDENT pro tempore. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. Mr. President, I ask to call up the conference report on the river and harbor bill, H. R. 10069.

Mr. POMERENE. Mr. President, I suggest that we continue the regular morning business. It will take only a few minutes, perhaps, to get these matters out of the way.

Mr. RANSDELL. I do not want to interfere with the regular morning business. All I wanted to do was simply to move that the Senate insist upon its amendments and ask for a further conference. It will take but a second.

I move that the Senate further insist upon its amendments in disagreement, and ask for a further conference with the House.

Mr. POINDEXTER. Mr. President, upon that motion I wish to say that one amendment of the Senate to this bill—No. 6, for which I see the conferees have agreed upon a substitute—relates to the pollution of streams by the discharge of waste into them from factories; and the amendment of the Senate authorizes the Secretary of War, through the Chief of Engineers, to put a stop to this nuisance. The conferees have substituted for that a more or less specific provision giving particular methods and details and requiring the Secretary of War to make an investigation and further report on this subject. My purpose in calling attention to it at this time is to put into the RECORD in that connection a letter on the subject which I received this month, since the bill was here in the Senate, from the Chief of Engineers. As it is very brief, I will read it, and I should like to call the attention of the Senator from Louisiana to it:

> 1. I have the honor to acknowledge receipt of your letter of May 24, 1918, inviting attention to the amendment to the river and harbor bill with reference to disposal of acid waste which was made in the Senate on your suggestion, and I wish to state that I am heartily in favor of any legislation that will improve the present conditions on streams that are seriously polluted by trade wastes.
>
> 2. The change from the phraseology as originally proposed, so as to limit the application to waters that are nontidal, is not deemed a step in the right direction, but as the difficulties experienced on this account up to the present time have been mainly in nontidal waters, the provision as amended would serve our most urgent needs. I shall be glad, therefore, to recommend favorable action on the amendment if I am consulted in the matter. At the same time, attention should be drawn to the importance of taking steps for the more general protection of all our streams, both tidal and nontidal, from use for disposal of trade wastes which are causing extensive injury to important public interests.

I shall not take the time of the Senator from Louisiana or of the Senate to discuss this question now or to point out what most of us are familiar with—the injury to the country in many ways through the pollution of navigable waters and of the tributaries of navigable waters. What I should like to ask the Senator from Louisiana is that when the bill goes back for a further conference he will consider this letter from the Chief of Engineers, and I suggest to him that the conferees consult with the Chief of Engineers on this matter. The original amendment to the bill on this subject left a certain amount of discretion in the Secretary of War. I am perfectly cognizant of the difficulties attendant on the removal of this nuisance and the fact that there will be more or less expense attached to the changes which may be necessary in the factories which are now polluting the streams. Nevertheless, it is a thing which can be done, and I am sure that the Secretary of War will be guided by reasonable discretion in the enforcement of the provision as it was adopted by the Senate.

Mr. RANSDELL. Mr. President, I beg to assure the Senator that the conferees will be delighted to confer with the Chief of Engineers if this matter is referred back to them, and also with the Senator from Washington, if he desires to be heard about it.

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senate to the fact that unanimous consent has been asked, but not yet obtained, for the consideration of this conference report. Is there objection?

Mr. BORAH. Mr. President, before that consent is obtained I want to ask the Senator from Louisiana a question.

Mr. RANSDELL. We are not considering the conference report. I have simply asked that the Senate insist upon its amendments and ask for a further conference with the House. We are not considering the report now.

The PRESIDENT pro tempore. The conference report has been made to the Senate, and the Chair is informed by the Secretary that it has been before the Senate for some days. The first question would be on agreeing to the conference report as made, and insisting on the amendments still in disagreement. Is there objection?

Mr. BORAH and Mr. KENYON addressed the Chair.

Mr. SMITH of Georgia. If the matter is to lead to debate, I think we ought to object.

The PRESIDENT pro tempore. It is within the power of any Senator at this time to prevent its consideration.

Mr. SMITH of Georgia. I will not object if it is not to lead to any debate.

Mr. BORAH. As I have not had time to give the conference report attention, I shall object until I have an opportunity to examine it.

The PRESIDENT pro tempore. Objection is made. If there be no further reports of committees, the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HITCHCOCK:

A bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones; and

A bill (S. 4728) to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject killed at Camp Geronimo, Mexico, May 25, 1916; to the Committee on Foreign Relations.

By Mr. SHAFROTH:

A bill (S. 4729) to exclude certain lands from the Pike National Forest Reservation; to the Committee on Public Lands.

By Mr. STERLING:

A bill (S. 4730) granting a pension to Ulysses S. C. Canfield (with accompanying papers); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 4731) granting an increase of pension to Daniel Callahan; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 4732) to deny the use of the mails to persons or concerns employing child labor.

Mr. KENYON. I ask that the bill be referred to the Committee on Education and Labor. I wish to say very frankly that it might be considered as a matter for the Committee on Post Offices and Post Roads, but I prefer to have it go to the Committee on Education and Labor.

Mr. HARDWICK. The bill belongs to the Committee on Post Offices and Post Roads.

Mr. KENYON. I frankly said so, but in looking over the Committee on Post Offices and Post Roads I would rather have it go to the Committee on Education and Labor.

Mr. HARDWICK. I do not think that a bill of this kind should be referred to a committee which has no jurisdiction of the subject matter.

Mr. KENYON. I would rather not have it go to a committee which may be largely against the proposition, but I suppose I have no right to ask it, if the Senator from Georgia objects. I feel that it is going to its death.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Post Offices and Post Roads.

By Mr. KING:

A bill (S. 4733) requiring the filing of copies of all contracts for services rendered or materials furnished to the United States or certain contractors and agencies of the United States; to the Committee on the Judiciary.

By Mr. HARDING:

A bill (S. 4734) granting a pension to Samuel J. Haslett; to the Committee on Pensions.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHAFROTH submitted an amendment proposing to appropriate $2,000 for the salary of statistician of Congress to serve under the direction of the Speaker of the House and the President of the Senate pro tempore, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CHILD-LABOR DIVISION.

Mr. POMERENE. I submit an amendment to the sundry civil appropriation bill and as it is a matter of considerable importance and is very short I ask that it be printed in the RECORD and referred to the Committee on Appropriations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SMITH of Arizona. What was the request?

The PRESIDENT pro tempore. The Senator from Ohio requests that the amendment intended to be proposed by him to the sundry civil appropriation bill be printed in the RECORD and referred. There being no objection, it is so ordered.

The amendment is as follows:

That the appropriation item for the Department of Labor for the fiscal year ending June 30, 1919, which provides: "Child-Labor Division: To enable the Secretary of Labor to carry into effect the provisions of the act of September 1, 1916, entitled 'An act to prevent interstate commerce in the products of child labor, and for other purposes,' in the District of Columbia and elsewhere, including traveling expenses, per diem in lieu of subsistence at not exceeding $4, telegraph and telephone services, express and freight charges, contingent and miscellaneous expenses, and personal services in the District of Columbia and elsewhere, $125,000: *Provided*, That no salary shall be paid hereunder at a rate exceeding $3,000 per annum," is hereby made available to enable the Secretary of Labor to investigate and report upon the employment of children in mines, quarries, mills, canneries, workshops, factories, and manufacturing establishments situated in the United States.

COTTONSEED-MEAL CAKE.

Mr. FALL submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MONONGAHELA RIVER BRIDGE.

The PRESIDENT pro tempore. If there be no further morning business, the morning business is closed.

Mr. SUTHERLAND. I ask unanimous consent to call up the bill (S. 4597) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.

Mr. SMITH of Georgia. I think our conference reports ought to be disposed of before we take up separate bills.

The PRESIDENT pro tempore. A conference report, of course, is privileged.

Mr. SMITH of Georgia. A conference report is always in order.

Mr. SUTHERLAND. This is merely a short bill and will take only a few moments.

Mr. SMITH of Georgia. If it leads to any discussion, I appeal to the Senator from West Virginia not to urge it now, so that we may give attention to conference reports.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill indicated by the Senator from West Virginia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, on page 1, line 3, to strike out the word "time" and insert the word "times," and in line 7, after the word "Fairmont," to strike out "is" and insert "are," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved April 17, 1916, to be built across the Monongahela River at or near the city of Fairmont, W. Va., by the city of Fairmont, are hereby extended to one year and three years, respectively, from the 17th day of April, 1918.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SMITH of Georgia. I ask the consideration by the Senate of the conference report upon the disagreeing votes of the two Houses upon the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and I move its adoption. I think it has been laid before the Senate already.

The PRESIDENT pro tempore. The Senator from Georgia moves the consideration of the conference report indicated by him.

The motion was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. LEWIS. Mr. President, I do not wish to intercept the conference report and disturb its final conclusion, but for some reason an amendment I have which extends this war-risk insurance seems to have been omitted from consideration. I wish now to make a parliamentary inquiry. Can an amendment be offered to the final conference report as a new subject matter?

The PRESIDENT pro tempore. It can not, the Chair rules.

Mr. LEWIS. I should like to have it understood that I want the soldiers' war-risk bill extended to all persons engaged in war work, all those who are engaged in work aiding munitions or shipbuilding, carrying the risk of life and health, and all other persons engaged in any other kind of work at this time that involves the risk of life and health. I only ask for information whether or not after the conference report has been adopted an amendment to the original bill can be offered. This is the bill brought in by the Senator from Mississippi [Mr. WILLIAMS]?

Mr. SMITH of Georgia. It is.

Mr. LEWIS. Could an amendment to the original bill, which by accident and not by intention I realize, the committee in some way or other did not know existed, be tendered as being omitted by the committee and by accident not considered?

The PRESIDENT pro tempore. The Chair would be compelled to rule that such an amendment is not in order.

Mr. LEWIS. It would not take any precedence by virtue of being omitted through accident? I merely assert that the position I occupy on the question I have been unable to present at this particular time through accident, and I shall present it later as an independent matter.

Mr. KING. I wish to ask the Senator from Illinois a question, with his permission, before he resumes his seat.

Mr. LEWIS. Surely.

Mr. KING. Does not the Senator think that in the plenitude of his generosity we ought to extend a pension to farmers and to all the people of the United States, including Senators and Representatives in Congress, and everybody else, because practically all of the labor of the United States now is contributory, directly or indirectly, to the war? Let me say in passing that many of those persons engaged in arduous work, supplying the Government and our allies, do not receive the same compensation, perhaps less than one-half, that which is paid to those in munition plants and in some of the direct governmental activities. Let us pension farmers and pension everybody in the United States.

Mr. LEWIS. Mr. President, I reply to the eminent Senator from Utah and say I view the subject more seriously than he does. I would, sir, amend this law so that the persons now engaged in war work which involves their life or their health be made the object of the care of this pension bill and of this bounty. I would add a provision authorizing the particular board or authority which passes upon the soldiers' pensions as to whether the soldier has a right to the pension to be the board

of arbitration or judgment to decide what particular persons are entitled to the benefit of my suggested amendment as engaged in war work involving their life and health. If that comprehended farmers or comprehended any other persons mentioned by the Senator from Utah I certainly would include them.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The question is on agreeing to the conference report.

The conference report was agreed to.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. I move to take up the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. My motion is that the Senate insist upon its amendments and ask for a further conference.

The PRESIDING OFFICER. The motion is then to agree to the conference report as made?

Mr. RANSDELL. Yes, sir; and to ask for a further conference on the disagreement between the two Houses.

The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana.

Mr. BORAH. Do I understand that this is a motion to take up the report?

The PRESIDING OFFICER. The first motion before the Senate is a motion to take up the conference report.

Mr. RANSDELL. Yes, sir.

Mr. POINDEXTER. I move an amendment to that motion that the conference report be recommitted to the conferees.

Mr. RANSDELL. I have no objection to that amendment, I will say to the Senator. I have no objection to the suggestion of the Senator from Washington.

The PRESIDING OFFICER. The question is on taking up the conference report.

The motion was agreed to.

The PRESIDING OFFICER. The conference report is before the Senate.

Mr. SMOOT. I will ask the Senator if he will not recommend to the Senate that the Senate disagree to the report and let it go back to conference, and then the whole subject matter——

Mr. RANSDELL. That is exactly what I am willing to have done. I understand that to be the effect of the motion of the Senator from Washington, and that is what we are entirely willing to have done.

Mr. KENYON. Is the motion debatable?

The PRESIDING OFFICER. There is no motion before the Senate.

Mr. SMOOT. I move that the Senate disagree to the report.

The PRESIDING OFFICER. That places the question in the negative. The question must be placed in the affirmative. The question is on agreeing to the report.

Mr. KENYON. Mr. President——

Mr. BORAH. Before the Senator from Iowa proceeds, in order that I may know something about how to vote, I wish to make an inquiry. The only way we can reach this matter, then, is to reject the entire report?

The PRESIDING OFFICER. That is correct.

Mr. KENYON. Mr. President, about a year ago I introduced a resolution in the Senate with reference to a free and independent Bohemian Slovak State. The Senator from Utah [Mr. KING] introduced a couple of weeks ago a resolution on the same subject, and a few days ago the Senator from Michigan [Mr. SMITH] introduced a resolution with reference to the recognition of the struggles of the Jugo-Slavs.

In the Washington Post of Monday there is an editorial on this subject. This editorial is, in part, as follows:

> If anybody doubts the deadly earnestness of the oppressed peoples of Austria-Hungary, let him study the actions of the Czecho-Slovak regiments and brigades in Russia, now controlling much of the Trans-Siberian Railroad and endeavoring to reach the French and Italian fronts to strike full in the face the barbarians who have despoiled them of their rights for centuries. Nothing in history is more dramatic than the daring and initiative of these Czecho-Slovak soldiers, making their way for thousands of miles as an organized force and skillfully maintaining their organization against a thousand obstacles. The ancient lands of Bohemia and Moravia are justly proud of these indomitable heroes, who are the advance guard of the armies that are rising in the very midst of the enemy to wrest liberty from the expiring grasp of the Hohenzollerns and Hapsburgs.
>
> It is a matter of little credit to the United States that while these Homeric struggles are going on the American Government appears to be indifferent to them and the American people as a mass are deaf to the cry that in ancient times electrified the sons of liberty.

I have felt, and so have other Senators, as evidenced by these resolutions, that the American Nation should send some word of encouragement to the Czecho-Slovaks in their struggle for independence. At this time, when the citizens of the United States of Bohemian lineage are welcoming Prof. T. G. Masaryk, the greatest living exponent of a free and independent Czecho-Slovak State, and as the Secretary of State a few days ago expressed the earnest sympathy of the United States toward the nationalistic aspirations of the Czecho-Slovaks and Jugo-Slavs, it is not inappropriate that the Congress of the United States should take some action with reference thereto, or, if not, at least express its earnest approval of the struggle for liberty and nationality of these people bowed under the Austrian yoke.

It is America's right, yes, its duty, to sympathize with every nation struggling for liberty. True, the words of Prof. Bliss Perry:

> The ideal passions of patriotism, of liberty, of loyalty to home and section, of humanitarian and missionary effort, have all burned with a clear flame in the United States.

The world is going to understand some day the part being played by the Czecho-Slovaks in this war. They have been silent and enduring sufferers. In the very heart of Austria-Hungary, believing in the righteous cause of the allies, they join with them in every way they can to stimulate their success. The papers of each day bring to us news of revolt and rebellion among the Czechs against Austrian rule. Last week at Prague they tore down the flag of Austria and raised in its place the flag of Bohemia. Compelled to fight against the cause in which they believe, whole Czech regiments refused to march to the Russian front and attacked the German officers commanding them. Dearly have they paid therefor. Czech regiments crossed to the Serbian side, contributing to the Austrian defeat in Serbia in 1914. It has been related that the One hundred and second Regiment crossed over in a body to the Serbians and entered Nish with its band playing the Serbian national hymn. Such instances were common on the Russian front. Whole regiments have been massacred by the Germans and Magyars. Those Czechs who surrendered to the Russians and Italians were soon at the front fighting against Austria. The world will not now nor until the war is ended know what tremendous service these people have rendered to the allies. The world does not know what they have suffered, the tortures that have been inflicted upon them; but some day, when the world is free from the curse of Prussian usurpation, they will know of these mighty people silently, quietly suffering and enduring. On this side of the water thousands of Czechs volunteered in the Canadian Army before we had become a part in the world struggle. They were in the armies of all the allies, but especially of the Italians.

John Huss is honored in Bohemia not so much as a religious reformer but as a champion of the Czech people against German kultur. When he was charged with instigating the Czechs to hatred against the Germans, he answered:

> I have affirmed and yet affirm that Bohemians should by right have the chief place in the offices of the Kingdom of Bohemia, even as they that are French born in the Kingdom of France and the Germans in their own countries, so that Bohemians should rule their people and Germans rule over Germans.

The demand now of the Czechs and Slovaks is for an independent Bohemian-Slovak State. That demand is expressed in the manifesto of the Bohemian foreign committee, issued in Paris on the 14th day of November, 1915, from which I quote:

> All Bohemian political parties have up to this time been fighting for a qualified independence within the limits of Austria-Hungary. But the events of this terrible war and the reckless violence of Vienna constrain us to claim independence without regard to Austria-Hungary. We ask for an independent Bohemian-Slovak State. The Bohemian people are now convinced that they must strike out for themselves. Austria was defeated not only by Russia but by the little, despised Serbia, and is now a dependency of Germany. To-day Berlin has galvanized this corpse, but it is the last effort. Austria-Hungary has abdicated. We have lost all confidence in its vitality; it has no longer any reason for existence. By its incapacity, by its voluntary subordination to Germany, it has convinced the whole world that the former belief in the mission of Austria is out of date, forever overthrown by the European war. Those who defended the usefulness, even the necessity, of Austria-Hungary—and at one time the great Bohemian historian and statesman, Palacky, was one of them—thought of Austria as a federal system of nations and lands with equal rights. But Austria-Hungary as a dualistic monster became the oppressor of all who were not Germans or Magyars. It is a standing threat to the peace of Europe, a mere tool of Germany seeking conquest in the east, a State having no destiny of its own, unable to construct an organic State composed of a number of equal, free, progressive races. The dynasty living in its traditions of absolutism manages to maintain the semblance of the former world power through the undemocratic cooperation of a sterile nobility, a bureaucracy that belong to no race, and a body of army officers that is against every race.

In the reply of the allies to President Wilson's note is found this language:

> The civilized world knows that they [the aims of the allies] include the liberation of Italians, Slavs, Roumanians, and Czecho-Slovaks from foreign domination.

Germany, Austria, and Hungary have well understood the position of the Czechs and Slovaks. They do not dare to permit the regiments of these nationalities to fight unless the Magyar and German troops comprise a large percentage thereof. Wit-

ness the language of one of the Austrian leaders in the Hungarian Parliament on August 28, 1916, when he said:

This is not a war secret, and the whole world sees it, how the service battalions are composed—that in every Czech service battalion at least 40 per cent of Magyar and German troops are included.

America should be enthused by their demand for liberty. America should stand firmly for it when peace terms come. Bismarck once proclaimed that the power ruling Bohemia ruled Europe. A permanent peace can never be established in Europe without an independent Bohemian-Slovak State. That question assumes tremendous international importance and it will grow with every hour.

As early as the seventh century there was trace of a Bohemian State, and during the fifteenth century the Czechs stood almost alone fighting for the freedom of conscience. The Hapsburgs called to the Bohemian throne by the choice of the people pledged themselves to maintain the autonomy of Bohemia. The pledges of the Hapsburgs evidently are no more to be kept than the pledges of the Hohenzollerns.

From the middle of the sixteenth century to the present time Bohemian history has been a struggle between the Hapsburgs, on the one hand, to Germanize the people of Bohemia, and on the other hand the people of Bohemia fighting for independence.

After the Battle of White Mountain the heads of the Bohemian rebellion were executed, property was confiscated, people were exiled, tortured, persecuted. For Bohemia it was a hard struggle after that toward the light, but the unconquerable spirit of the Czech race never dies. There was a revival of their language and their literature, and in 1848 a political renaissance. In the nineteenth century they produced great poets, musicians, literary writers, philosophers, and have gone forward with tremendous industrial activities.

The Slovaks have not made the progress of the Czechs. Cruel Magyars have governed them but to oppress. They have a far greater percentage of illiteracy than the Czechs, and yet they are of the same kind and will reach the same high ideals if permitted to come out of the bondage of the Magyars.

The independent Czecho-Slovak State would consist of Bohemia, Moravia, Silesia, and Slovakia. It would have a population of over 12,000,000 people and territorial extent of 50,000 English square miles. It would be larger than Belgium and rank eighth among the 22 European States. It would be strong financially and not compelled to carry by disproportionate taxation the luxury and foolishness of the Vienna court. True, it would be a little nation, as we speak of such nations, but little nations have their place. Little nations are to be permitted to exist when this war is over. There is a mighty international importance to them. As Lloyd-George, in a recent speech, declared:

The little nations, with their own languages, their own literatures, their glory in their own history, were never more alive, never more important than they are to-day in this conflict of gigantic empires.

In wealth, in ability to produce, in industrial life the new nation would take its place among the strong nations of Europe. A few facts are interesting as to Bohemia, even under the oppression of Austria. In cattle raising and farm products Bohemia takes first place among the Provinces of Austria. Without Bohemia, Austria could not exist. Without the agricultural riches of Bohemia, Germany could not have existed this long in the war.

In 1914 the United States Immigration Service found the percentage of illiteracy among immigrants of the Magyar race was 10.2, among Germans 5.5, and among Bohemians 1.3. Bohemia is rich in mineral resources. A third of all the iron produced in Austria comes from Bohemia's lands. Silver and gold are mined in large quantities; likewise tin. Eighty per cent of the brown coal of Austria comes from Bohemia, Moravia, and Silesia; and of the hard coal 88 per cent comes from these three Bohemian lands. Textile and other industries flourish in Bohemia. More steel is produced than in all the other Hapsburg possessions. Bohemian glass, of course, has been famous for centuries. Shoe factories, shops for musical instruments, pottery works abound. The capital of Bohemia's banks in 1910 amounted to 180,000,000 crowns. Of 669 savings banks of Austria, 356 were located in the Bohemian lands. Bohemia pays more than its share of Austrian taxes. Bohemia pays 4.34 crowns per head in direct taxes, while the rest of Austria pays 1.75. Taxation is not equitable. The Bohemians suffer from that.

I have shown, in a way, what Bohemia is politically and industrially. Let me inquire, What is Austria? What reason is there for Austria to exist? It is true the Hapsburg empire is second in area and third in population among the States of Europe. It consists, however, of various races gathered together, each one insisting on its own nationality, fighting against any attempt to assimilate with other races. There can be no nationality in such an empire.

The population of Austria and Hungary and the various races composing the dual kingdom is as follows:

AUSTRIA.	
Germans	9,950,266
Bohemians	6,435,983
Poles	4,967,984
Little Russians	3,608,844
Slovenians	1,252,940
Serbo-Croatians	783,334
Italians	768,422
Roumanians	275,115
HUNGARY.	
Magyars	10,050,575
Roumanians	2,949,027
Germans	2,037,435
Slovaks	1,967,970
Croatians	1,833,167
Serbians	1,106,471
Little Russians	472,587

Austria is the greatest failure of all the world governments. It is as much a festering sore in Europe as Turkey. Dominated by the Germans, Austria is a mere lickspittle in Germany's plan of world domination. It should be dismembered. Nationalities with their own ideals should be permitted to dissever themselves from Austria and form their own governments. Those parts of Austria inhabited by Italians should be joined to Italy; those inhabited by Roumanians to Roumania; Serbians to the new Serbia; Galicia made a part of the future Poland. Then, with a Bohemian-Slovak independent State, all that is left of Austria will be the Germans and the cruel Magyars. The best solution of the Austrian problem is to get rid of the Austrian Empire. Austria in fighting the Slavs is fighting herself. There can be no federalization or nationalization of Austria. The nation is dead and never can be revived. It should not be. Its mission is merely a cringing vassal of Germany, pouring out incense to the brutal champions of lust and greed. Its burial will produce no sorrow in a liberty-loving world. Its existence has been a farce and a lie. Living only by force, let it be exterminated by force. Let its cringing, cowardly imbecile rulers take the only place that will be left for such rulers after the war—a part of the dust of the earth. No nation has been so contemptible in this war as the Austrian. Austria has no ideals, no literature, scarcely any language. It is a festering cancer, eating to the very heart of civilization. The sooner it is ended and forgotten the better for the world.

The nineteenth section of its constitution provides:

All races of the State enjoy equal rights, and every race has an inviolable right to assert its nationality and to cultivate its language; the equal rights of all languages in the country, in schools and public life, are recognized by the State.

What a farce and a lie, as evidenced by its treatment of Bohemia. The forces of Austria feed upon the Czech countries as parasites. It has attempted to destroy the language of Bohemia; destroy its literature; taken away the schools. Eleven million Germans in Austria have five universities. Ten million Czechs and Slovaks have but one. The Bohemians are not permitted to converse in their native tongue. The Hungarian part of Austria is even worse. One of the leading Bohemian authorities of the country, Mr. Pergler, in an article in The Yale Review some time ago, set forth the situation that for 3,000,000 Slovaks there is not in Hungary a single adequate Slovak school conducted in the Slovak language. The only purpose of Austria is to oppress her subjects, if they are not Germans or Magyars. But Austria's day of reckoning is near at hand. In 1914 for every $6 of national wealth there was $1 of national debt. At that time Austria-Hungary was in the worst financial condition of any of the six leading nations of the world. Economists asserted that a national debt of six billion would be all Austria-Hungary could bear. In 1914 her debt was practically four billion. Her national debt now must be close to her national wealth. She is tottering on the abyss of financial ruin and is practically now in the hands of a receiver, and that receiver is Germany.

At the feet of the German war lords the house of Hapsburg is still accorded the privilege of sitting, and in fear and trembling pour out incense to the Hohenzollerns. What a miserable, contemptible existence for a nation.

There is a call to our country in this situation; a call to strike in the east and the south of Europe through armies and through diplomacy. Germany destroyed the Russians through diplomacy. Are we to permit them to Germanize Bohemia and Slovakia while the instrumentalities are ready there for revolution? Let us assist in the revolution through diplomacy and by money if necessary. Let us also strike by arms from Italy when the present drive is over. It has been said in the papers that Gen. Leonard Wood is to command American troops in Italy. I hope it may be true. Napoleon struck at Austria through Italy. We can do the same. I do not pose as a mili-

tary expert or propose to offer any plans along military lines, or utter one word of criticism against the management of affairs, but I am trusting and hoping that our military powers may figure out a way to strike from Italy north into Austria. The newspapers of late are discussing that plan. In the last few days they have advised us that we are to have an army in Austria. The plan is being discussed and advocated of having a Slav army from America. The matter, I think, is before the Foreign Relations Committee in some form. There are 6,000,000 Slavs in the United States. A strong army could be formed from them. They are anxious to fight Austria. They would constitute a mighty force to stand side by side with their brethren already fighting in the Italian Army.

The present drive of Austria into Italy will amount to nothing. It is the last yelp of the dying beast, for the armies of Austria are filled with many thousands of men who despise Austria and all that it stands for; and are only waiting, as the soldiers did in the Russian campaign and in the former Italian campaign, where whole regiments of Czechs went over, to do likewise. We need have no fear of the drive on the Italian front.

We are not pessimistic as to the western front. The British and French and Americans will hold them until the death. Even if Paris falls there will be no lack of grim determination on the part of this Nation, Great Britain, and France to go through to a finish, knowing that some day the allies must triumph. At attack from Italy into Austria may later, however, relieve the pressure on the western front. Further than that, it would arouse the Czechs and Slovaks to a revolution that would send Austria to its doom. "On to Vienna" will become the slogan as powerful with the Italians as "On to Paris" is with the Germans.

We will reach Berlin from the western front. It will take time. There is another route to Berlin, that from Italy via Vienna, and that possibly may be the shortest route to Berlin.

The people of Austria, outside of the Magyars and Germans, sick of war, starving in body, are ready to rise and welcome troops and assist in the overthrow of the Hapsburgs. What a stimulus to the moral forces of the world would be the dismemberment of the Austro-Hungarian Empire.

It is well that the Secretary of State has expressed the earnest sympathy of this Government for the cause of the Czecho-Slovaks and the Jugo-Slavs; and we should pass some one of the various resolutions which have been introduced and are pending here conveying a message of cheer to those people. Hard, indeed, is it for us to realize the condition of people fighting as they are doing in the very heart of the enemy. The voice of America must be an inspiration to them. Peace terms must include provision for a free and independent Czecho-Slovak State, and we should send that message to these liberty loyalists. Let Germany understand this. Let Austria-Hungary understand it. Let them know that America is to stand for a free Bohemia; a Bohemia no longer fed on the husks of Austrian despotism, but a Bohemia working out its own ideals and its own salvation. A nation warring upon its people as Austria-Hungary is doing can not last. Why should it last? What excuse is there for its existence? Simply to keep on the throne a ruling family that has no regard at all for the citizenship of the land.

Robert Ingersoll once wrote upon "The Doom of Empires":

> The traveler standing amid the ruins of ancient cities and empires, seeing on every side the fallen pillar and the prostrate wall, asks why did these cities fall; why did these empires crumble? And the Ghost of the Past, the wisdom of ages, answers: These temples, these palaces these cities, the ruins of which you stand upon, were built by tyranny and injustice. The hands that built them were unpaid. The backs that bore the burdens also bore the marks of the lash. They were built by slaves to satisfy the vanity and ambition of thieves and robbers. For these reasons they are dust.
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> Their civilization was a lie. Their laws merely regulated robbery and established theft. They bought and sold the bodies and souls of men, and the mournful wind of desolation, sighing amid their crumbling ruins, is a voice of prophetic warning to those who would repeat the infamous experiment, uttering the great truth, that no nation founded upon slavery, either of body or mind, can stand.

The recent Bohemian declaration of independence declares: "We take the side of the fighting Slav nations and their allies without regard to victory or defeat because right is on their side. The problem which side is right in this fatal war is a question of principle and of political morals, a question which at present no honest and sincere statesman, no conscientious and thinking nation can evade." Surely people with such ideals and courage are worthy the help of the great American Republic. We could extend help and cheer by passing some one of the three resolutions which have been introduced, and I earnestly hope the Committee on Foreign Relations may give consideration thereto.

Mr. LEWIS. Mr. President, ordinarily I would not have suggested any views upon these resolutions and should not do so now but for the fact that the able Senator from Iowa [Mr. KENYON] has contributed an historic discussion in their behalf that now calls for indorsement. I represent, in common with my eminent colleague [Mr. SHERMAN], a population of the nationalities referred to by the Senator from Iowa, larger than is represented by any other Senator occupying a seat in this body—not more important, of course, nor more entitled to consideration, but because of their very large numbers they have a right to bring to my attention from time to time their interests and ask of me consideration for them. I beg the indulgence of the Senate for a moment or two while I add rather boldly a thought to the speech which has been made by the Senator from Iowa.

Mr. President, 340,000 of the population referred to by the Senator from Iowa live in my city of Chicago; 1,250,000 represent the best of citizenship in the State of Illinois. Coupled with their intermarriage, they are representative of all of the nationalities referred to by the Senator and expressed in these resolutions. It may interest you to note, sir, that there are nearly 2,000,000 people in the jurisdiction of Illinois belonging to these races, including the Jugo-Slavs. From them, and in different ways, I have obtained expression of their desires and their wishes, and, while I am not able to pass judgment as to what would be the best measure of local self-government, I took it upon myself once to travel through much of their lands. I wrote some articles upon what I felt was the historical situation of those countries. I contributed those articles to magazines of London and of the United States. Subsequently, sir, I had occasion to vindicate my own view, or to attempt to do so, by further investigation when twice in Russia and once through Siberia.

Mr. President, I should like at this time to make a suggestion of where I feel these men of the nations referred to could be of much service and their people be of much value to our Government. If I may be permitted to make an addendum to the eminent Senator's complete address, I would say that on the western front of the European war at this particular time, Mr. President, the forces of the allies are engaged in a terrific struggle and in a very severe encounter. Russia has been overcome by the central powers under the guidance of Prussia. If the nationalities of the Slavs, the Slovaks, and the Czechs and Jugo-Slavs living in the Russian domain shall be wholly overcome by Prussia they will be put into an army and forced to fight not only against Russia but against their own brethren who have come up from the Hungarian countries and the Bohemian land or any of the Slav countries. One of the things the United States could do, as I see it, most profitably would be to stimulate an army of these people who are in Russia into some force as a central army in Russia that they may be an army supplied with arms, munitions, and such other things as are necessary to enable them to contribute to this conflict as combatants in Russia against German military advance.

Guided, sir, by their spirit of liberty, these races would make a conflict against Germany within Russia. They could then rise and fight for the liberty of their land, because they would be supplied with instrumentalities to do so. They would occupy Germany internally, while she is occupied also by the allies without. We would divert from the western line a large number, thousands and thousands, I may add millions, of the support which Germany now has. These being diverted, sir, would weaken the western line and strengthen our possibilities at once against her. It would protect the United States, which in my mind is, of course, a prime consideration.

It may interest Senators who do me the kindness to hear these observations of mine to say that one of the fears I have entertained, and deeply entertain now, is this—that if Germany shall overcome Russia, and so amass her people into an army, Germany will march the Russian German Army through Russia from the north toward Alaska, toward the Bering Straits, and by the way of the Aleutian Islands, seizing Alaska, and proceeding against the United States from the northwest. This to divide us, of course, in our defenses, and force us to send our troops against her to the far Northwest. Then, sir, if she should succeed in getting into the Persian Gulf, from Hamburg, she will come out through Asia Minor into the open seas and down around the Pacific. Then we will have Germany at our shores at the northwest on the Pacific, as well, sir, as at present engaged against us in Europe.

That would mean, sir, a very serious situation for the United States, and one that her people could well at this time dwell upon. If we could take the forces referred to by me in support of this resolution, inspired by liberty as they are, and animated by their spirit of freedom and placing support of military nature within this body, they could build an army, aided by the Slavs of Russia, who likewise want freedom, and all turning upon the invader, Germany, will drive her out of the dominions of Russia.

Thus by this we would defend ourselves, we would protect ourselves against what I fear to be an ultimate invasion from the northwest upon us and from the Pacific, if Germany shall overcome Russia. Now, to say nothing of using these Russian forces as supplementary on the western front, for uses and benefits there from millions and millions of soldiers, it will be clearly seen, sir, that any move of ours to give this aid and support to these people in Russia in building them up as an army would come to be our own immediate rescue.

Now, sir, one of the methods which they would contribute, which to my mind is very practicable, is this; and I offer it in no wise as supplanting the military leaders or suggesting such a thought. I know there is a place for all things and that those who are authorized are those who should be permitted to control, without being embarrassed by any attempt to direct them from the outside——

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Washington?

Mr. LEWIS. Yes; in a minute. Let me finish the sentence. The thought in my mind is that if we can succeed by the suggestion I made, then, sir, Russia herself making the request upon the allies to take action in Russia or in Siberia, we will be able, sir, to avail ourselves of a force not referred to heretofore. I mean China. China is a Republic. She struggles for freedom. She can be overrun by Germany if Germany can overcome Russia and Siberia. With cooperation from Japan in its military institutions with China, supported with the spirit of America and inspired by the desires of the Russians, we could, through China and Japan and the force of these Slavs and the races referred to by the Senator from Iowa and described by me, put such an army from Russia to Siberia as not only to protect that country from the invasion of the Germans, but to turn them, sir, against the Germans within that central territory, driving them from Russia completely and overcoming them, and thus giving to the United States the opportunity to continue her forces upon the western front in solid array as aid of the allies to complete victory in Europe against the central powers.

I yield to the Senator from Washington.

Mr. POINDEXTER. Both the distinguished Senator from Illinois and also the Senator from Iowa, with both of whom I agree in these matters that they have been discussing with so much information and interest, with characteristic modesty disclaim any desire in discussing these problems to interfere with the views of military men. The thought has occurred to me—and I beg the Senator's pardon for interrupting him—that, it seems to me, military men would be about the last recourse of the State to decide questions of this kind. I should like to suggest to the Senator from Illinois that he himself and the Senator from Iowa, as Members of the United States Senate, and the civil authorities of the executive branch of the Government, by their experience in the conduct of government and the scope of view which they have of civil as well as military affairs, are the proper men to decide these questions, and not a general. It is a question of statesmanship; it is a question of world policy; and the experience of history generally teaches us that those who have the narrowest views of things of that kind are military men, who are absorbed upon tactics and strategy and military movements. It seems to me that this is somewhat a different question.

Mr. LEWIS. Mr. President, there is much to be said in support of the view of the Senator from Washington. When I used the word "military" heads I had specific reference to the Commander in Chief and his aides, and to the fact that it was not my intention to suggest any course contrary to that which they had reflected upon and regarded wisest. The Commander in Chief—the President—and his aids, I admit, must be at this time best informed as to the necessary military moves. I beg the Senate to understand, lest I did not make myself clear, that I meant to supplement the able statement made by the able Senator from Iowa of this theory: That not only are we interested from the standpoint of humanity in behalf of these peoples who live abroad in aiding them to achieve the liberty which the Senator from Iowa pointed out in detail and which I support in my argument, but I dared supplement that with the suggestion of a justification to the United States itself as would be of great benefit to our Republic, and that at this particular time, sir, would greatly serve as a vindication, so far as I am concerned, for our immediate action. Sir, I offer these views to deny from any source, should the charge be made, that we were seeking to interfere wholly in the affairs of other countries without a proper interest in our own behalf.

I was seeking to demonstrate where our interests really lay, in addition to the interests of these people, and, sir, to point out some of the respects in which, to my mind, we would not only benefit, but from which the necessity of the situation calls for action in form on the part of this, my country.

I have expressed these views as they are in my mind. I do not wish to occupy this debate, sir, to a greater degree than necessary to the resolution. At a later time I shall resume this subject and carry it to the extent in detail and conclusion that which I feel I am justified in doing by virtue of my position in this body and the convictions that I entertain. At present my views were to support the resolution because of the request of those who come from my city and my State, because of my natural sympathy in their struggle for freedom, but also, sir, for the other reason that the interests of this country just now justify me in suggesting the use of these people in a manner military and defensive to the salvation of the Republic of the United States as well as their own hopes and aspirations.

That was my purpose, sir. That, I fancy I have expressed, I flatter myself sufficiently for this occasion, at least.

Mr. FALL. Mr. President, it seems to me that the observations of the Senator from Iowa and the Senator from Illinois have offered an opportunity, such as has been referred to by the Senator from Washington, for the exposition of real statesmanship or for some statesmanlike suggestions. We already have illustrations of little statesmanship every day. I make that remark in anwer to a side suggestion from the Senator from Iowa. But, Mr. President, the Senator from Illinois has said that he would not even attempt to make any suggestions to the military leaders. The business which is detaining the Senate now very largely, and is occupying the attention of one of its most important committees, the result of which action we are awaiting here in the Senate, is the formation of a military measure—the military appropriation bill—for the consideration of this Congress. We have understood that the Army of the United States was by one means or another to be very greatly increased, and still we are informed that we have 2,000,000 men.

Now, Mr. President, I should like to ask, so that it may be answered at some time, what we propose to do with the 2,000,000 men we have? I speak, of course, merely as a layman, neither as a statesman nor as a military man, but merely as a Senator seeking a little common-sense information. What do we propose to do with the increased forces which we are proposing to raise, as we understand? Where are we going to use them?

The Senate of the United States, having something to do with foreign relations, to that extent at least takes part in the executive consideration of such relations. The Congress of the United States, in raising armies, raises them under the Constitution for certain purposes. To my mind it is perfectly proper for the United States Senate and Congress, in increasing the Military Establishment of the United States, to state directly what the purpose of such increase is, and for that reason I am suggesting certain interrogatories for my information in dealing with this subject when it comes before the Senate. I should like to know from some military man, whether the Commander in Chief or some of his subordinates, what he proposes to do with the increased forces which he is asking that we allow him to raise.

Of course, we may take 5,000,000 men and put them upon the western front, and, with the loss of two or three million of those men in the slaughterhouse, we may break the German lines and force them out of France and Belgium. Now, to an ordinary citizen, a layman, not a military expert, and not speaking, as I say, as a statesman, these thoughts will suggest themselves. We know what we have been contending with for four years on the western front. We see what the situation is now. Where and how are we going to relieve it? To my mind, it is the duty of the Congress of the United States to consider this matter in providing additional troops.

Now, sir, with reference to the very matter under discussion, a short time since the President of the United States stated to the people of Greece that the United States intended to see that justice was done to Greece and the Grecians; that her rights should be absolutely protected in whatever peace was made; and yet those who are threatening Greece are the Bulgarians, and we are at peace with Bulgaria. Those who have overrun Serbia are the Bulgarians, and we are proposing to protect, aid, or assist the Serbians; and now, under this resolution, we are seeking to get the Serbians, with the other nationalities, to assist the United States in this war. We are letting the Serbians go along; they are not even our allies as against Bulgaria, and still Bulgaria is the country which has overrun—with German assistance, it is true—Serbia, and has been continuously threatening Greece. The President, as I said, has solemnly pledged himself, as the Executive, to Greece, and yet the Congress of the United States has so far failed and refused to declare war on the enemy of Serbia and the enemy of Greece.

Now, sir, this is interesting to me, because, as I have said, viewing the military situation simply from the standpoint of a layman and not a military leader nor an expert, it would strike me that the weak point along the western front is the western front in Italy, or the western front at Saloniki. If we are going to raise 5,000,000 men or more—and I certainly shall favor a proposition of that character—if we propose to raise any such force of men in addition to those whom we can readily use on the western front and advantageously use without sending them into a slaughterhouse, where shall we use them? I think Congress has a right and a constitutional duty to perform in providing how they shall be used, or in directing that this Army which they provide to be raised shall be used in a certain way, and in a certain manner or in a certain place, if they so desire. That far, in my judgment, the Congress can interfere with the plans of the Commander in Chief. If the Commander in Chief does not choose to carry out the directions of Congress, he can retain the armies, I presume, and need not use them at all.

The Senator has spoken of Siberia. Mr. President, in my judgment, there is a graver proposition behind the Siberian question now than is generally discussed. There is no use in attempting to disguise from ourselves the fact that for years there has been in the minds of some people some reason for some antagonism between Japan and the United States. I am not one of those who have ever entertained any such idea. I do not believe that there is any necessity whatsoever for any conflict of any kind or character, now or in the future, between Japan and the United States. I am frank to say, sir, that I would vote to-day for any measure which would recognize the preponderating political interest of Japan in Asia, as against the purely political interest of the United States in Asia; and with such a policy adopted on the part of this Government, the Japanese question, in so far as the United States is concerned, will never raise its head. That is all that Japan demanded of Russia; that within certain districts of Asia Russia should recognize the preponderating political interest of Japan—not the closed door, not the preponderating commercial interest, but simply that she had greater political interests in Asia than had Russia; and as a matter of history I suggest that possibly some of us would do well to read the Japanese green book with reference to the Russian difficulty. You will there find that not one word was said indicating any contingency that might lead to the use of arms; not one word was said by Japan prior to the sinking of the Russian vessels and the attack upon the Russian fortified posts. A simple notice was given to her ambassador that it was apparent to Japan that the then conference touching the relative importance of the political interests of the two countries in certain spheres in Asia could not result in any definite decision. That was the only ultimatum issued, and notice was given to the Japanese ambassador to come home, as it was evident that nothing could result from the then conference. The next word which we heard was that the Russian ships had been sunk by Japan.

Japan is a great self-respecting, proud nation, and Japan has her political predominating interests in Asia. Japan will protect those interests in Siberia and in Manchuria, whether the United States agrees with her upon the methods to be used or not. We have it in our power now to agree with Japan and to avoid any future difficulty with Japan. We have it in our power through an agreement with Japan to protect the United States against the very threat which the Senator has referred to of German domination in Siberia and in eastern Russia. Why, then——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. FALL. Mr. President, why should the Congress of the United States not say directly that in providing for the huge increase in the military forces of this country a portion at least of such forces shall be used in Siberia?

Mr. BRANDEGEE. Will the Senator yield?

Mr. FALL. I yield with pleasure.

Mr. BRANDEGEE. I have not given that matter the consideration the Senator has, but I wanted to ask him if it does not seem to him that such a provision would conflict with the President's authority as Commander in Chief of the Army?

Mr. FALL. I have just referred to that proposition; I do not know whether the Senator heard me or not. I said that under the Constitution of the United States the Congress of the United States must raise armies. The Senator of course understands that.

Mr. BRANDEGEE. Certainly.

Mr. FALL. My proposition is that the Congress of the United States has the power and the authority to direct the raising of the armies, and not simply to allow, first, an unlimited number of men to be raised by the Commander in Chief; that that is delegating a power and, as I believe the Senator, or one of the Senators, said the other day, is "passing the buck." That is the first proposition. In the second place, I hold that in raising the Army the Congress of the United States can say not how it shall be used, but where it shall be used for the purpose of prosecuting the war against Germany in Siberia; that so many men shall be raised. Then, as to how best to handle those men for prosecuting the war against Germany in Siberia, that may rest entirely within the discretion of the Commander in Chief of the Army.

Mr. BRANDEGEE. I think the Senator holds exactly what I thought he held; but still the question recurs to my mind whether as a corollary of the constitutional power of Congress to raise and maintain an army we can attach conditions as to where it shall operate, which seems to me to be an invasion of the function of the Commander in Chief.

Mr. FALL. I know the Senator and myself have held different views upon this proposition from the very beginning, and I am aware of the fact that I am in the minority in holding that, in my judgment. I am one of those who does not hold to the theory announced in the Senate that the Commander in Chief of the United States in time of war is a dictator. While I do not agree that the Congress of the United States is able to map out a military plan and to direct an officer as to where he should use a certain number of brigades or corps or a certain army in carrying on a war after a declaration of war, which the Congress itself must make and not the President, the Congress of the United States in providing armies for carrying on that war can say that it is for carrying on war against Germany within Siberia.

I will say now frankly to the Senator that in my judgment the Congress of the United States should have said before a single soldier was sent across the water that the President had authority to send these troops out of the boundaries of the United States.

Mr. BRANDEGEE. I know the power of the President to order troops out of the country has been at times questioned heretofore.

Mr. FALL. I am not questioning that now, the Senator will understand.

Mr. BRANDEGEE. I understand. What seems to me to be doubtful, to put it mildly, is this: I do not see because Congress has power to raise and maintain an army, of which the President is Commander in Chief under the Constitution, that therefore we can say that the army so raised shall not be operated in any place except Siberia.

Mr. FALL. I did not undertake to advance that theory.

Mr. BRANDEGEE. I thought the Senator advanced the same opinion in a different form of words when he said it should operate in Siberia.

Mr. FALL. I think to raise an army to be used in Siberia is a perfectly proper, constitutional, and legal exercise of the power of the Congress of the United States.

Mr. BRANDEGEE. I know the Senator does, but it seems to me to say that it is to operate in Siberia is equivalent to saying that it can not operate anywhere else.

Mr. FALL. Then under the theory of the Senator and others, if the Congress of the United States adopted the resolution suggested and advanced by the Senator from Iowa [Mr. KENYON] and then declared war against Bulgaria to-day, the President of the United States would have the absolute authority to retain all the troops within the confines of the United States if, in his judgment, as a military man and Commander in Chief, that was the best method to prosecute the war against Bulgaria, and we need not prosecute the war at all except on our own soil.

Mr. BRANDEGEE. I think myself that the way the war is prosecuted, so far as ordering the movements of troops and naval vessels is concerned, is entirely within the jurisdiction of the President.

Mr. FALL. Undoubtedly.

Mr. BRANDEGEE. If we should declare war against Bulgaria and the President sent our Army and Navy to Patagonia and adopted a method which is ridiculously improper to carry out the declaration of war he is subject to impeachment, or to whatever remedy——

Mr. FALL. The suggestion which I am making now is that the proposition of using the forces only upon the western front in France in the prosecution of the war against Bulgaria is almost as ridiculous as the proposition which the Senator has suggested.

Mr. BRANDEGEE. It may be ridiculous to our minds, and we may not agree with the policy, but my query is, Can we constitutionally remedy blunders in the movements of troops?

Mr. FALL. I think so.

Mr. BRANDEGEE. Except by expostulating——

Mr. FALL. I unhesitatingly think so. I want to go further. I agree with Sumner that when it becomes necessary to save this Union Congress has done and will do again just as the Executive has repeatedly done and possibly will do again—ultraconstitutional things—if it is necessary to do it.

Mr. BRANDEGEE. Of course, I was not entering into that domain of thought. It may be——

Mr. FALL. But having entered into that domain of thought I naturally replied to the Senator's interrogatory.

Mr. BRANDEGEE. Of course; but I hope neither Congress nor the President ever will violate the Constitution during the war. I wish to take this occasion to say that I entirely agree with the Senator that after having declared war, no matter in what desperate emergency we may come in the future, I have not the slightest idea the President will be any sort of a dictator in this country, even if he should desire it.

Mr. FALL. I think not. I have not the remotest fear of that. But even if he desired to be dictator and would succeed in carrying out his desires, and I am not accusing him of having any such desire—as a matter of fact I am not criticizing at all what the President has done so far, whether under the advice of military men or not. I think the United States now may be proud of what it is doing under the direction of the President of the United States in reinforcing the allies on the western front, or it may be proud of what he is doing in providing ships for such purposes; it may be exceedingly proud of what he is doing in raising men and armaments. The subject nevertheless does crop out as to how this war shall be best prosecuted with the additional number of men we are to raise, and I say that the Congress of the United States has a right to say in raising 500,000 additional men or 1,000,000 additional men that they shall be used in certain places for carrying on the war.

Congress may not be able to compel the carrying out of its suggestions or directions. The President of the United States may in his wisdom refuse to carry out the orders of Congress in the matter. If he does, he will undoubtedly do so because of military reasons satisfactory to him, and I have no doubt that upon his placing before Congress such reasons, if Congress had offended him by directing him to do anything, it would withdraw the direction.

But we are now called upon to provide additional men to carry on this war. We are discussing the matter of the Serbians and Bohemians and Slavs in southern Europe. The fact is that we are confronted with a condition which has existed ever since the declaration of war against Austria. Congress has done nothing to make good the promises of the President of the United States to Greece; it has done nothing to make good the promises we have constantly held out to Serbia; it is doing nothing and has done nothing except in the nature of the suggestion now being discussed as to how best to assist the Serbians, Bohemians, Slavs, and others in southern Europe.

Now, something practical should be done. The matter of discussion of what is practical is peculiarly within the function of the Congress of the United States. As I have said, in my judgment, in the matter of raising armies, the Congress of the United States can not only raise them, but may say it is for the prosecution of the war in the Balkans, that it is for the prosecution of the war in Siberia, that it is for the prosecution of the war in Mesopotamia or in Palestine; and to me as a layman the additional force should be provided and used upon the weak points in the German offensive and not be thrown into a slaughter pen beyond the number necessary to hurl back the advancing Germans in France. It must be apparent to anyone that only a certain number of men can be economically used for such a direct purpose. Now, what are we going to do with the others?

Mr. TOWNSEND. Mr. President——

Mr. STERLING. If the Senator will yield to me, as very pertinent to the discussion a moment ago relative to the Japanese situation and the Japanese attitude toward our allies, I send to the desk an article clipped a day or two ago from the Washington Times entitled "Warns allies not to ignore Japan," by Mr. Arthur S. Draper. I ask unanimous consent that it may be read.

Mr. SMITH of Arizona. I did not hear the request of the Senator from South Dakota.

The PRESIDING OFFICER (Mr. GUION in the chair). The Senator from South Dakota requests the reading of a clipping from the Washington Times.

Mr. SMITH of Arizona. Is it the request of the Senator to print it in the RECORD or to have it read?

Mr. STERLING. My request was to have it read at the desk, but I will waive that.

Mr. SMITH of Arizona. The Senator has a right to do that in his own time, and I would not think of telling the Senator to read it. So I withdraw any objection I may have.

Mr. STERLING. I ask that it may be printed in the RECORD as pertaining to the discussion just had relative to the Japanese situation.

Mr. KING. If the Senator will permit me, I think the article is so pregnant with information that it will prove of very great value to the Senate; I know it will to me. I should be delighted to have it read now.

Mr. STERLING. That was my first impression.

Mr. SMITH of Arizona. I have no objection to the Secretary reading it if I can have it understood that it is my object to keep out of the RECORD—and I am going to do it if I can, with the aid of the Senate—any editorial or printed matter from any source on earth. The Senator in his own time can take the floor and read it, but I would not subject the Senator to that labor, and I will not object if he desires the Secretary to read it from the desk. It will then go in the RECORD. But I will not consent to the printing, if I can help it, of any editorial from any paper in the RECORD without its being read before the Senate.

Mr. STERLING. I will say to the Senator from Arizona that this is not an editorial; it is a communication by Arthur S. Draper, giving his views of Russia, and is directly pertinent to and I should like to have it go in as a part of the discussion of the Japanese situation.

Mr. SMITH of Arizona. I have no objection, if the Senator wants to have it read in his time; but I object to unanimous consent for the printing of editorials in the RECORD.

Mr. TOWNSEND. Mr. President——

Mr. SMITH of Arizona. I say I have no objection to the Senator having it read in his time or in the time of the Senator from Michigan. The Senator understands my position in the matter.

Mr. TOWNSEND. I know the Senator from South Dakota——

The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Michigan?

Mr. STERLING. I yield.

Mr. TOWNSEND. I supposed that I had the floor and that I was yielding to the Senator from South Dakota.

The PRESIDING OFFICER. The Chair had recognized the Senator from South Dakota.

Mr. STERLING. I think the Senator from Michigan is right. I think I asked the Senator from Michigan to yield to me in order to present this matter to be read.

Mr. TOWNSEND. I desire to say a word before I yield. I know the Senator from South Dakota is acting in perfect good faith; I know the Senator from Utah is very anxious to have this article read rather than to have it printed, because it would take some time on the bill in which I am interested; but I recognize that later the Senator from South Dakota could take the floor and read it, whether anybody listened to it or not. Therefore I will yield for the purpose of having it read.

Mr. STERLING. I thank the Senator from Michigan for his courtesy. It is appropriate here and would not be so appropriate at any other time.

The PRESIDING OFFICER. Without objection it will be read.

The Secretary read as follows:

WARNS ALLIES NOT TO IGNORE JAPAN—NORDMAN, RUSSIAN, SAYS SHE SHOULD BE ASKED TO FIGHT WITH THEM—PROBLEM IS DELICATE.

[By Arthur S. Draper.]

LONDON, *July 17.*

Nicholas Nordman, formerly general secretary of the Russian restriction of enemy supplies committee and later head of the economy department of the Russian foreign office under Miliukov and Kerensky, authorizes the following statement of the general political situation in the east. Nordman has just arrived in England from Sweden, where he prepared the recent agreement between Sweden and the allies.

"The far eastern problem is very delicate in its solution and requires great tact, foresight, and brains of the highest caliber. The problem is not a simple one. On the one hand Japanese intervention in Russia without the allies might be considered dangerous, but on the other hand a refusal of the Japanese to help contains the seed of much trouble.

WHAT MIGHT HAPPEN.

"What would happen if Japan considered herself rebuffed by not being invited to help in Russia? Having great interests in the Far East, she might sooner or later consider herself compelled to enter Siberia uninvited.

"It is necessary to remember that Japan is not a republic, but an empire with a strong military party and a highly sensitive honor. The allies must not encourage Japan's imperialistic ambitions by making her believe that to follow liberal tendencies would not secure her as much prestige as the militarists feel she is capable of conquering by force of arms.

"Japan has never been accused of forsaking the allies. The Japanese high code of honor forbids such a thought, but in any case it is not desirable to create a situation in which the interests of Japan will be different from the interests of her allies.

MUST WELCOME IN LEAGUE.

"Japan feels especially strongly any attitude which, rightly or wrongly, she interprets as a differentiation between herself and the other allies. One of the first and obvious ways to retain Japanese sympathy is to somehow arrange so that her national army actually fights the Germans. We must show that we welcome her to one of the highest places in the league of nations. By every means in our power we must encourage Japan to follow other nations in the liberal, democratic path rather than to embrace frank imperialism.

"I conceive that the solution of the eastern problem would probably be to invite Japan to intervene in Russia with the allies on some definite basis. What compensation Japan might require I have no idea. She should be asked. In any case, it is essential that Japan agree not to simply remain in Siberia but advance to fight the Germans as far west as possible.

SHOULD ADVANCE TO URALS.

"She must undertake immediately an advance as far as the Urals, forming a base, say, at Irkutsk and then at Tehelyabinsk, while the western allies form similar bases at Archangel and Vologda. A northern railway connects Archangel with the Tehelyabinsk via Vologda and Viataka. The allied forces should gradually push forward along this railway until they meet, establishing a new eastern front, from which the allied activities can extend westward as the new army gathers strength.

"It seems to me that unless some such action is taken to prevent Germany laying hands on Russian raw materials, Germany will be able to hold out for years. Under such a plan the Germans would undoubtedly immediately occupy Petrograd and Moscow, but under the present circumstances this must be regarded as relatively unimportant.

SEES NO REASON FOR FEAR.

"From the Russian point of view I see no great reason to fear Japanese intervention if it is carried out in conjunction with the allies. From an economical point of view I believe that some foreign force is absolutely necessary to establish the conditions necessary for the productive activity of the Russian people.

"Russia is now in the position of a man standing on his head. Previously 180,000,000 Russians worked while 1,000,000 governed. Now 180,000,000 prefer governing and compelling the 1,000,000 bourgeoisie to work. Such a situation is bound to lead to disaster.

NOBODY WANTS TO WORK.

"The real trouble with Russia at present is that nobody wants to work. The Germans, who fully realize this, keep 30 divisions of troops in the Ukraine, whose chief duty is compelling the people to work. Germany cares nothing for Petrograd, Moscow, and northern Russia, for they are quite unproductive. She completely neglects them, knowing full well that starvation will keep them in her power, while she concentrates her attention on regions rich in food and raw material and which also lead to India.

"By their arrival at Rostoff, the Germans have completed one-third of the way to India. After dominating the Ukraine and Crimea, the Germans will push eastward and busy themselves in the Don and Kuban Cossack regions. Representatives of the Caucasus, which lies still farther on the way to India, are now in Berlin discussing an agreement with Germany."

EXHIBIT OF TRENCH WARFARE AT QUANTICO, VA.

Mr. TILLMAN. Mr. President, about an hour ago I received a letter from the Secretary of the Navy, which I send to the desk. I ask to have the letter read for the information of the Senate, and after it is read I shall have something to say on the subject.

The PRESIDING OFFICER. The letter will be read.

The Secretary read as follows:

THE SECRETARY OF THE NAVY,
Washington, June 19, 1918.

MY DEAR SENATOR TILLMAN: To-morrow (Thursday) at Quantico the marines are going to have an exhibition of trench warfare, machine-gun practice, and other military exercises. I would be glad if you and all the members of the Naval Affairs Committee would go down. We will leave on the 9.30 train, arriving at Quantico at 10.40. We will come back on the *Mayflower*, leaving there at 4 o'clock and getting to the navy yard about 6.30.

Will you be good enough to extend this invitation to all the members of the committee and any other Senators you think would be interested?

Sincerely, yours, JOSEPHUS DANIELS.

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

Mr. TILLMAN. Mr. President, under the broad authority suggested, I take the liberty of inviting any Senator who is interested enough to go down to Quantico to go. The Secretary of the Navy will bring us all back on the *Mayflower*. We will have a ride on the water, if nothing else.

I am very much interested in seeing a little something of this trench warfare and the machine guns we read so much about and hear so much about. That is my reason for having the letter read for the information of the Senate.

Mr. TILLMAN subsequently said:

There seems to be some confusion in the minds of Senators about the time the train will leave for Quantico to-morrow. I merely wish to state that the Secretary says we will leave on the 9.30 train, arriving at Quantico at 10.40. Therefore those who want to go will go to the Union Station and take the 9.30 train.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House recedes from its disagreement to the amendments of the Senate numbered 4, 33, 75, and 101 to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, further insists upon its disagreement to the residue of the amendments of the Senate, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING managers at the conference on the part of the House.

VOLUNTEER OFFICERS' RETIRED LIST.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. TOWNSEND. Mr. President, the bill before the Senate is one that is familiar to all Senators, I presume. It is known as the volunteer officers' retirement bill. A similar measure passed the Senate a few years ago, and then went to the House, where it failed to receive consideration on account of the lack of time before the close of the session. It has been reported several times from the Committee on Military Affairs of the Senate, and I have asked for a vote upon it, but two or three Senators have always been able to employ dilatory tactics sufficiently to defeat final action.

I do not blame any Senator for opposing the bill if he does not believe it ought to pass. I have felt, however, that inasmuch as it is thoroughly understood and has been considered so extensively that it was only fair that a vote should be granted.

I now propose, so far as it lies within my power, to hold the measure before the Senate until a vote is obtained, and if two or three Senators feel it is their duty to delay the business of the Senate and of the country in their efforts to thwart a clear desire of a majority to vote upon this bill, that responsibility must lie with them and not with me.

I first desire to call the attention of the Senate to the fact that there are two reports on this bill.

When it was reported by the Military Affairs Committee, the chairman did not understand that a new report had been prepared, and so the clerk of the committee adopted the old report; that is, the report on the previous bill. I have caused to be prepared, however, another report, going into the matter more in detail than has ever been done before and more nearly brings it up to date. I ask Senators to obtain the last copy, the one of June 6, which gives the various statutes to which references are frequently made, the orders of President Lincoln, and other matters connected with the merits of the subject.

Mr. President, I recognize, as does every other Senator, I believe, that this is the time when economy should be practiced; I have thought that we have voted money sometimes that was not necessary, and if this were an ordinary matter I could consent that action upon it should be deferred; but this question has been postponed for 53 years. The proposed beneficiaries under it are now 53 years older than they were when the obligation was incurred and the practical pledges of the Government made. They are now 80 years of age on an average; they are dying at the rate of 1,200 a year, and but about 7,000 of them are now living. From the very nature of things this legislation can not be longer deferred without continued grave injustice, without irreparable injury, if my contention on their merits is correct. Therefore I am urging final action at this time.

The bill proposes no new policy, Mr. President. This policy, as I recall it, about 40 years after the Revolutionary War, was adopted by Congress, and the volunteer officers were retired not at one-half pay, as we propose here, but at full pay. We are now by our current legislation placing the National Guard, the National Army, and the Regular Army all on an equal footing, and in the future retirement will apply to all with equal impartiality. I feel sure that such a policy will be adopted.

I repeat that there are about 7,000 of these men now living, and according to the best statistics and information which I can obtain, now that the so-called Smoot general pension law has been enacted, this bill the first year will carry something be-

tween four and five million dollars—less than five million. That amount will decrease very rapidly during the next few years, until in six or eight years it will be practically wiped out and there will be no more expense incurred by reason of it.

Mr. President, notwithstanding the opinion of Senators who may talk without the record, but who have convictions or ideas upon the subject of economy, I submit that the volunteer officers of the United States, who enlisted and trained and commanded 95 per cent of the forces of the Civil War, were promised treatment exactly in all respects like that accorded the Regular Army officers. They have not been so treated. Congress has not treated even volunteer officers with impartiality. We have enacted laws retiring some four or five Civil War officers on full pay; they had never been in the Regular Army. Congress has enacted laws retiring men in the Regular Army at the age of 62 at a grade in advance of the highest rank they held in the Army, simply because they served a few days, it might have been, as volunteers in the Civil War. Service as a volunteer retired them one grade higher than their Regular Army service would have entitled them to receive. Certainly the Congress can afford to be as just to the men and officers of the Civil War who left the Army at the close of that conflict when they were no longer needed and went into the pursuits of civil life to repair the ruin of war as it is to officers who remained in the Army during the long years of peace. These volunteers should be treated as fairly and as justly as their comrades who stayed in the Regular Army when the war was over and had their futures provided for, unconnected with danger, because they saw little service on the field after the end of the war. Yet, I repeat, the Congress of the United States has been almost constantly rewarding these Regulars because of their service in the Civil War as volunteers.

But, Mr. President, these facts are known. I have presented them a number of times on the floor of the Senate, and I dislike very much to take the time of the Senate in discussing matters with which all are already familiar. I know the opposition to the bill; in my judgment it is without foundation in reason or justice, but, under the rules of the Senate, Senators can occupy the time, and they have already threatened so to occupy it to defeat the will of the majority. But I repeat that I propose, so far as I am able, to hold the measure before the Senate for a final vote, and if it remains here unduly long opposition Senators will be responsible for delaying the work of Congress and of the country.

I know, sir, as does every other Senator, that we have passed bills in this body which have received the indorsement of some of the Senators who will oppose this bill which had much less merit than this particular one has. I shall not criticize Senators for voting against it. I know Senators do not all agree with me any more than I agree with them. I have no right to criticize them, and I do not do so; but I do insist that, when the merits have been presented to the Senate, there shall be an opportunity to dispose of it by a final vote.

I shall be pleased at any time to answer any question that I may be able to answer going to the merits of the bill itself. I am ready to explain its every detail.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. TOWNSEND. I do.

Mr. GALLINGER. Does the Senator from Michigan really feel and believe that after this bill has been debated for a reasonable time a vote will not be taken on it?

Mr. TOWNSEND. No; I think we shall have a vote on the bill.

Mr. GALLINGER. I stood here the other day and called attention to the fact that there had been very few exceptions during my 27 years' service in the Senate when a vote had been denied on a measure; and I do not believe there is any disposition at this session to delay or to defeat any measure by refusing a vote. I hope the Senator from Michigan will make himself believe, in discussing this question, that we shall have a vote on the bill.

Mr. TOWNSEND. Mr. President, I have faith that we shall have a vote. I will say to the distinguished Senator from New Hampshire that I believe the majority sentiment of the Senate will prevail after the question has been thoroughly discussed.

Perhaps I ought to mention before I take my seat this fact: One of the principal arguments in opposition to the bill has been that it proposes to treat the officers differently from the way the so-called common soldier is treated by our Government. Of course, that is true in a measure, for that is the case in every nation in the world; that is true of all the provisions that are made for an army. It is one of the distinctions which maintain, necessarily; there must be officers and men, and the former receive higher compensation than the latter; but let me remind you, Mr. President, that since 1890 there has been no recognition of rank in the Army among the Civil War volunteers. When we placed them on the flat pension basis we took away from the officer a distinction dear to him, which is recognized by all other nations, and which we ourselves had theretofore recognized.

Furthermore, while I have supported bills for granting pensions to the rank and file, I have recognized that they have been given practically double the pension or the pay which they received while they were in the Army. It is the only retirement that we can grant them. They received $13 a month, while some of them are now receiving $40 a month. The officers who paid their expenses, who were responsible for the property of the Government, and of whom superior qualifications were required, and who were charged with great and important responsibilities, have only received a pension of the ordinary enlisted man, and we are now asking in this bill that they shall receive recognition as officers, and we are doing it with the approval of the enlisted men in the ranks. We are demanding that after 53 years of deferred hope these officers may at least have their rank recognized by the Government, and that they shall be paid not to exceed one-half of the pay of officers of their actual rank but in no case to exceed three-fourths the pay of an active captain in the Army. I believe that would be just.

I repeat, if Senators will look at the references to the statutes which we have quoted, and recall that the act of July 25, 1861, was enacted solely for the purpose of correcting something that was left out of the statute of July 22, if they recall that the act of August 3, 1861, was pending and under discussion when the act of July 22, 1861, was under discussion, they will understand that Congress at that time had in mind not simply equality as to pay and allowances, but equally in all respects, present and future, that they were to be treated then and thereafter as the men in the Regular Army. They have not been so treated. Therefore I have had no embarrassment, even in this time of extreme expense, in asking that justice, long-deferred justice, be approximately done. I believe the passage of this measure will be helpful to patriotism. The report before the Senate does not ask pay for service to their country for these old officers. Their duty was gloriously performed without thought of compensation, and they are patriots now, and more is the reason for this Congress to perform its duty. Our action will further demonstrate that the Government keeps faith with its defenders.

So, Mr. President, I have waited patiently, hoping for the time to come when a majority could express itself. Now, we have the opportunity to do so, and I hope Senators will not think I am overpersistent if I insist in holding this bill before the Senate and urging its friends to be present and not allow two or three Senators to succeed in delaying action until they think something of more pressing war importance shall come up to take this measure off the floor, and with the hope that finally Congress will again fail to act. These veterans, who are now 80 years old and who were our heroes in 1861, as much so as are the men who now are wearing our uniform on the foreign battle fields, this remnant of volunteer officers of the Civil War, should not again be defeated by a filibuster. No Senator can say with reason that this is a proposition to pay these men more than is their just due.

They are entitled to the enforcement of the contract that was made by their Government with them. It is their due; it should be our privilege. In their old age the great majority of them are now in the soldiers' homes, subjects of public charity, and the few remaining days of their lives should be made brighter by this expression of a Nation's gratitude. If Congress is ever to take action on this matter, it must be taken now. The ranks of these officers are being depleted rapidly. They will be with us only a very few years, most of them only a few months. We should not delay action longer.

But I repeat, Mr. President, I have submitted these facts before. Most of the Senators are as familiar with them as I am. If they will read the last report, they will secure all the information I can give; and I shall be content if Senators, after voicing their opposition by such arguments as they can command, will allow us without concerted delay to come to a vote upon the measure.

Mr. McCUMBER. Mr. President, before the Senator ceases speaking I should like to ask him to what extent would the enactment of this bill diminish our ability to pay the salaries of about 70,000 officers who are now performing the duties of file clerks in our several departments?

Mr. TOWNSEND. Well, it would be absolutely insignificant; it would scarcely be counted in the balance. I am glad the Senator has called attention to that fact, because it emphasizes what

I said a moment ago, viz, that we are spending the money of the Government now for all kinds of schemes that are advocated and for salaries for men who live in comfort and have many votes. The men affected by this bill are few in number, and their influence politically is practically gone. They are old men, nearing the end of life; yet their rights ought to be as sacred as the rights of those of the moderns who are drawing big salaries and who are perhaps more potential politically. I refer now, of course, to that army of captains, majors, colonels, and generals who some day will be pensioned for work performed not upon the battle fields but in comfortable offices here in Washington and other war-preparative centers.

The PRESIDING OFFICER. The bill is before the Senate, as in Committee of the Whole, and open to amendment.

Mr. KING. Mr. President, this bill is so important that it seems to me it ought to be discussed when there is a fuller attendance of Senators than is at present found in the Chamber. The justice of the claims of the individuals to whom the Senator from Michigan has referred, according to his view, seems to be so strong that I feel that other Senators ought to be here in order to listen to the advocacy of the justice of their claims.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. KING. I yield to the Senator.

Mr. GALLINGER. Did it occur to the Senator when the Senator from Michigan [Mr. TOWNSEND] was making his splendid speech that there might well have been more Senators present?

Mr. KING. Yes; I thought of that; but I thought perhaps the Senator from Michigan was satisfied with his auditors, and was so satisfied that his bill would pass that I disliked to disturb him. When, however, I remember, Mr. President, that some of my own relatives who took part in the Civil War as volunteers, some of whom obtained commissions, when the war was over went back to private life, and have spent their lives in active work incident to citizenship and not in the Army, and when I realize that this bill now seeks to give them a gratuity, to give them a claim upon the Government, to place them on the same list as men who have given all their lives to the service of the country, who have not gone back to their various vocations, but have been compelled to give, by reason of their stay in the military service, all of their time and all of their talent to the Government—when I realize that it proposes to give men who have not served the Government for 40 years, but have been serving themselves, the same rank, the same pay, the same emoluments, and the same pensions as the former class, I confess that to appreciate the justice of that contention requires a mind built along different lines than my own; and I am so eager to have other Senators listen to the persuasive arguments of the Senator from Michigan and of those who entertain that strange view, that I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Lewis	Sheppard
Bankhead	Harding	Lodge	Sherman
Borah	Hardwick	McCumber	Smith, Ariz.
Brandegee	Hitchcock	McKellar	Smith, Ga.
Chamberlain	Hollis	McNary	Smoot
Colt	Johnson, Cal.	Nelson	Sterling
Cummins	Johnson, S. Dak.	Norris	Sutherland
Curtis	Jones, Wash.	Nugent	Thompson
Dillingham	Kellogg	Page	Tillman
Fall	Kendrick	Poindexter	Townsend
Fernald	Kenyon	Ransdell	Vardaman
Gallinger	King	Robinson	Wadsworth
Gerry	Kirby	Saulsbury	Watson
Gronna	Lenroot	Shafroth	

Mr. VARDAMAN. I have been requested to announce that the Senator from Florida [Mr. TRAMMELL] is absent on official business.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Fifty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. KING. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Senate proceed to the consideration of executive business.

The motion was rejected.

Mr. KING. I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Senate adjourn. [Putting the question:]

Mr. KING. I ask for a division.

On a division the motion was lost.

The PRESIDING OFFICER. The bill is before the Senate, as in Committee of the Whole, and is subject to amendment.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. SMITH of Georgia. Mr. President, I have opposed this measure when it has been before the Senate on prior occasions. As I understand, it proposes to place upon the rolls for pay as retired officers those who served temporarily during the Civil War; I mean those who served during the Civil War and then were retired honorably from the service.

We have a system by which those who entered the Army and served forty-odd years receive two-thirds pay when they reach the age of 62 or 64. I believe the Navy has a retiring age of 62 and the Army 64. We have followed the policy with reference to men who have served in the Army, beginning usually at about 20 and lasting until they are 64, of retiring them on something like two-thirds pay; the exact figures I do not recall—possibly three-fourths. These officers to whom this bill applies served a short time—at most not more than four years, I believe—and the effect of this bill, as I understand, is practically to place them upon the footing of those who served forty-odd years. They left the Army after the war. They have had the opportunity, with the prestige that they won, of success in civil life. Very many of them have won distinguished success in civil life, and this bill, without regard to their financial condition, without regard to their having suffered any injury during the war, with the very short period of service, relatively, proposes to treat them now practically as those are treated who served something like 44 years. It is to give them—is it two-thirds or three-fourths of their salaries during the balance of their lives?

Mr. TOWNSEND. They get three-fourths pay, not to exceed half the pay of a captain.

Mr. SMITH of Georgia. Three-fourths pay, not to exceed half the pay of a captain. Then my statement would be entirely in error as to a general, because you limit the pay to three-fourths pay, not to exceed half the pay of a captain.

I do not intend to consume the time of the Senate upon this measure, and I do not intend in any way to seek to prevent a vote. I am opposed to it, and I only wish to reexpress at this time my opposition. I believe in the most liberal compensation to those who are injured in the service. Anyone injured in the service of the United States as a soldier should be made whole by his country as nearly as money can make him whole; but those who are mustered out sound, those who really do not suffer physical injury as a result of the service, should receive their financial compensation during the period that they are in the service. I have never agreed with the view of the Senator from Michigan that there was any kind of contract with these men or any obligation to these officers—splendid officers no doubt they were, splendid citizens no doubt they are—to put them on the retired roll with retired officers' pay. There has been some talk about that from time to time, but I have seen nothing that amounted in any way to a binding obligation on the part of the Government to give this bounty.

We have carried the pension pay roll over $200,000,000. We appropriated to-day over $200,000,000 for the pension rolls for the ensuing year, the largest bill of the kind in the history of the country, and that over 50 years after the war ceased. The further we get from the war, and the fewer there are to recognize, the higher the charge. I do not think we ought to have made any of these increases in pensions during the past week. I do not think the pension bills of the recent date ought to have passed. I do not think the pension bill ought to have passed yesterday. I was compelled to be away from the city with a committee, visiting some airplane-manufacturing plants, or I should have expressed, not lengthily but very positively, my opposition to the bill that passed yesterday.

This is simply a measure to place these officers on the roll as retired officers, carrying their pay up to something like $3,000 apiece. I have not studied the bill in detail since we had it up more than a year ago, and I may be inaccurate in my figures. I do not pretend to be accurate. At that time it was thought that the charge would be something like $10,000,000 a year. I do not know what it will be now.

It is an ungracious thing to object to pensions. It is an ungracious thing to object to these appropriations. It is not a pleasant thing to do. The Senate has a right, as far as this body is concerned, to do whatever it wants to do, and I will content myself with this very brief expression of my regret that the measure is about to pass and that we are to carry the pension roll for the next year upward by increased bounty to those receiving no injury. We will have to add, I suppose, $10,000,000

or something like that to the appropriations to meet the expenditure that will be incurred under this bill. About what does the Senator from Michigan now think it will be?

Mr. TOWNSEND. I think, as I said before, that under the greatest estimate that has been made by the Interior Department and others, when we take out the pensions that have been granted, it can not exceed $5,000,000. It will be less than that.

Mr. SMITH of Georgia. Of course, each year it will be less.

Mr. TOWNSEND. Very much.

Mr. SMITH of Georgia. Several years ago, when the bill was under consideration, the best estimates I saw then were that it would be between nine and ten million dollars, I think. I have not looked into it carefully as to the total since.

Mr. SMOOT. Mr. President, I will say to the Senator from Georgia that the passage of the bill on June 10 of this year considerably reduces the amount of pensions that will be granted under this bill; I can not say how many million dollars.

Mr. SMITH of Georgia. Oh, yes; because they have already been increased by that bill?

Mr. SMOOT. They have been increased by that bill, and this bill in some cases will not affect in the least the pension drawn by them under the existing law. In other words, if this bill passes there are a good many of the retired officers who will receive under existing law a pension as great as they would receive under this bill, and therefore they will not receive any increase of pension whatever.

Mr. SMITH of Georgia. In other words, the substantial increase in all pensions made within the past few weeks carries the amount they now receive in all cases much nearer to what they will receive under this bill, and in some cases up to as much as they will receive. That is what I understand the Senator to say.

Mr. SMOOT. Yes; that is true.

Mr. SMITH of Georgia. I do not know where all the money is coming from, but I suppose it will come, and with this very brief statement I shall take no more of the time of the Senate upon the subject.

Mr. KING addressed the Senate. After having spoken for some time,

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Utah yield to the Senator from Mississippi?

Mr. KING. I yield to the Senator.

Mr. VARDAMAN. I suggest the absence of a quorum.

Mr. KING. I yield for that purpose.

The PRESIDING OFFICER. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hitchcock	McNary	Smith, Ga.
Brandegee	Hollis	Myers	Smoot
Chamberlain	Johnson, Cal.	Nelson	Sterling
Colt	Jones, Wash.	Norris	Sutherland
Curtis	Kellogg	Nugent	Townsend
Dillingham	Kendrick	Page	Trammell
Fall	King	Poindexter	Vardaman
Fernald	Kirby	Ransdell	Wadsworth
Gronna	Lenroot	Robinson	Watson
Guion	Lewis	Saulsbury	Willey
Hale	McCumber	Sheppard	
Harding	McLean	Sherman	

The PRESIDING OFFICER. Forty-six Senators only have answered to their names. There is not a quorum present.

Mr. MYERS. I move that the Senate adjourn.

Mr. BRANDEGEE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I transfer my pair with the senior Senator from Maryland [Mr. SMITH] to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. VARDAMAN (when Mr. MCKELLAR's name was called). I was requested to announce that the junior Senator from Tennessee [Mr. MCKELLAR] is absent on official business.

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. WARREN (when his name was called). I ask if the Senator from North Carolina [Mr. OVERMAN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. WARREN. I have a general pair with that Senator. I therefore withhold my vote. If privileged to vote, I should vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to my colleague [Mr. NEW] and vote "nay."

The roll call was concluded.

Mr. LEWIS. Mr. President, my purpose in rising is to announce for the day, as well as for this particular vote, the absence of the Senator from Kentucky [Mr. JAMES], occasioned by his personal illness, and the absence of the Senator from Mississippi [Mr. WILLIAMS], occasioned by illness in his family.

Mr. JONES of Washington (after having voted in the negative). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent for the day and I have a pair with him. Therefore I withdraw my vote.

Mr. HARDING (after having voted in the negative). I inquire if the junior Senator from Alabama [Mr. UNDERWOOD] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. HARDING. I have a general pair with the junior Senator from Alabama. In his absence and my inability to secure a transfer I withdraw my vote.

Mr. GALLINGER. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the Senator from Idaho [Mr. BORAH] and vote "nay."

Mr. CURTIS (after having voted in the negative). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK] and ask leave to withdraw my vote, but ask to be counted as present to help make a quorum.

Mr. KELLOGG. I have a pair with the Senator from North Carolina [Mr. SIMMONS]. If permitted to vote, I would vote "nay."

Mr. SAULSBURY. The senior Senator from Nevada [Mr. PITTMAN] and the junior Senator from Nevada [Mr. HENDERSON] are necessarily absent.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 10, nays 32, as follows:

YEAS—10.

Beckham	Kirby	Saulsbury	Willey
Kendrick	Myers	Trammell	
King	Robinson	Vardaman	

NAYS—32.

Brandegee	Guion	McNary	Sherman
Colt	Hale	Nelson	Smoot
Cummins	Hollis	Norris	Sterling
Dillingham	Johnson, Cal.	Nugent	Sutherland
Fall	Lenroot	Page	Tillman
Fernald	Lewis	Poindexter	Townsend
Gallinger	Lodge	Ransdell	Wadsworth
Gronna	McLean	Sheppard	Watson

NOT VOTING—54.

Ashurst	Harding	Martin	Smith, Md.
Baird	Hardwick	New	Smith, Mich.
Bankhead	Henderson	Overman	Smith, S. C.
Borah	Hitchcock	Owen	Swanson
Calder	James	Penrose	Thomas
Chamberlain	Johnson, S. Dak.	Phelan	Thompson
Culberson	Jones, N. Mex.	Pittman	Underwood
Curtis	Jones, Wash.	Pomerene	Walsh
Fletcher	Kellogg	Reed	Warren
France	Kenyon	Shafroth	Weeks
Frelinghuysen	Knox	Shields	Williams
Gerry	La Follette	Simmons	Wolcott
Goff	McCumber	Smith, Ariz.	
Gore	McKellar	Smith, Ga.	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The following Senators are present in the Chamber and not voting, being seven in number: The Senator from Minnesota [Mr. KELLOGG], the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. WARREN], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Washington [Mr. JONES], the Senator from Ohio [Mr. HARDING], and the Senator from Kansas [Mr. CURTIS], making a quorum present.

Mr. LEWIS. As a matter of parliamentary privilege, the Chair did not mean to announce, I fancy, that he recognized the Senators as present and counted them because they were here. The Chair meant to assume that they announced themselves as being present?

The PRESIDING OFFICER. The Chair stands corrected. The Chair should have observed that the Senators, with the exception of the Presiding Officer, announced that they were present. The Presiding Officer did not announce that he was present. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. LENROOT. Mr. President, this bill has been before Congress, either in one House or the other, for a great many years. Up to this time I have taken no attitude in opposition to the bill, because, while it is merely a gratuity, I did not see that it would create a precedent that might be followed in the future which would be very serious to the Treasury of the United States. It is largely because of the precedent that the passage of this bill would create and the action of the Congress in the future with reference to the officers of the present war if this bill is passed that I speak in opposition to the passage of the bill.

I said, Mr. President, that I regarded it as a gratuity if the bill was passed. I am aware that the report of the committee treats this matter as an obligation upon the part of the Government to the surviving officers of the Civil War. I think I shall be able to show that there never has been a pledge upon the part of the Government to retire these officers in the way that is now proposed or in any other way, but even if that were so, from the beginning to the end of the report of the committee they endeavor to argue that the alleged promise held out by Congress and Abraham Lincoln to these volunteer officers that they should be upon the same footing in all respects as officers in the Regular Army was an inducement to these men to offer their services. Mr. President, I believe that is an undeserved reflection upon the volunteer officers of the Civil War. I believe the officers of the Civil War were just as patriotic as are the officers of the war in which we are now engaged, and there is no pretense that there is any such inducement held out to the young men of to-day in entering the Army, and there is no dearth to-day of applications for commissions in this war. I can not for one moment believe that at the time of the Civil War the men who then so nobly responded to the call of their country did it because an inducement was held out to them that they should be put upon the retired list for life. It is a reflection upon them that is undeserved.

But, Mr. President, as we read the history of the Civil War, the motives that induced these officers to enter the service were not different from the history that is being made in this war, and the motives that induce the young men to enter the service now. The fact is, Mr. President, as to officers in the Civil War, as it is true of officers in this war, the securing of a commission is not looked upon as a sacrifice. It is not looked upon as rendering a greater service to the country than the sacrifice of an enlisted man. On the contrary, then, as now, a commission was looked upon as a reward to the man, as giving to him something better and of higher degree than the enlisted man received.

Indeed, the committee in its report recognizes it by stating, I think, more than once in the report that many of these officers were "promoted" from the ranks to an officer's commission. Of course they were, and as officers of the Civil War they received not only higher compensation than enlisted men, but they received the glory, they received the honor, which attended the position.

So it can not be said, it seems to me, that the officer either in the Civil War or in this war is entitled to any greater honor or to any greater consideration after the war is over than is the man in the ranks. Yet this bill would place the officers in that war upon a plane which would give them a compensation many times that which the enlisted man received during his life.

Reference has been made to the fact that the officer in the Regular Army who serves up to a certain age is retired and given retired pay, and the suggestion is made that these men who patriotically offered themselves ought to receive at least the same consideration as those officers in the Regular Army.

Mr. President, it does not seem that it should require any argument to show the distinction. In the case of the Regular Army military service, it is held out as a profession. It is not called forth as a matter of patriotism. It is a profession, and because the man gives up the opportunity for life to acquire a competence for himself and his family, if he has one, devotes his entire life to that profession at a very moderate compensation, retirement pay is given.

But in the case of the officer who served during the period of the war the situation is entirely different. It does not require any such inducement to get him into the service, for I hope we are not paying for patriotism in this country.

But, Mr. President, throughout this report it is argued that here was a pledge made by Congress and by Abraham Lincoln to these officers that they should receive this consideration. If it were true that there was such a pledge, whether or not the men were actuated by that in proffering their service, it would be a pledge that we ought to keep by the passage of this bill. However, I do not think that anyone can read even the report of the committee, which argues for the position that there was such a pledge, and come to the conclusion that there was any pledge or any promise of this character.

What is the legislation upon the subject? On July 22, 1861, the first act was passed, upon which the committee relies as the basis for this bill. That act provided:

SEC. 5. *And be it further enacted*, That the officers, noncommissioned officers, and privates, organized as above set forth, shall in all respects be placed on the footing, as to pay and allowances, of similar corps of the Regular Army.

SEC. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service. * * * (Approved July 22, 1861.)

That is the first legislation that is quoted by the committee. The next act quoted is an act passed by Congress three days later, on July 25, and substantially the only change, so far as it affects this question, is this:

SEC. 2. *And be it further enacted*, That the volunteers authorized by this act shall be armed as the President may direct; they shall be subject to the Rules and Articles of War, and shall be upon the footing in all respects with similar corps of the United States Army, and shall be mustered into the service for "during the war." (Approved July 25, 1861.)

This is what the committee relies upon as the pledge of Congress to these officers that they should be placed upon the same footing in all respects as those who served in the Regular Army. That is true; they were placed upon the same footing in all respects as those who served in the Regular Army, and there has never been any discrimination against them under the law. The fact is that at the time this act was passed there was no retirement law at all upon the statute books of the United States; so if the committee rely upon this act they certainly could not have relied upon any promise that after these officers received their discharge, they should be put upon the retired list and receive retired pay, because there was no such provision of law in existence at the time of the passage of this act. The first retirement law passed by Congress was a little more than one month later, on August 3, 1861. Let us see what that act provided. The only section which the committee claims has any bearing upon this proposition is section 16, which reads as follows:

And be it further enacted, That if any commissioned officer of the Army or of the Marine Corps shall have become, or shall hereafter become—

And, of course, Mr. President, the phrase "hereafter become" means during their service in the Army—

incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely, the pay proper of the highest rank held by him at the time of his retirement whether by staff or regimental commission, and four rations per day, and without other pay, emoluments, or allowances. (Approved Aug. 3, 1861.) (12 U. S. Stat. L., 287–291; sec. 1245, U. S. Rev. Stats.)

Other provisions of the retirement act provided for retirement, I believe, at the expiration of 40 years' continuous service. Every officer in the Civil War had the benefit of that retirement act; no volunteer officer was denied its benefit. It applied to them as well as to officers of the Regular Army. If any volunteer officer of the Civil War during the period of his service became incapable of performing the duties of his office, he was retired under this act and received retired pay. But the difficulty with the situation is, that after these thousands of officers were honorably discharged they could no longer come within the terms of the act; they were separated from the service for reasons entirely apart from those which provided for their retirement in this retirement act. Remember, Mr. President, that this act was passed only a little more than 30 days after the act of July 25 upon which the committee relies as a pledge or promise to these officers. Certainly on August 3, a little more than 30 days after the passage of the act, every volunteer officer in the service of the United States knew exactly what the intention of Congress was and under what conditions he would be retired with retired pay. So it can not be for a moment said that there was any pledge made by Congress or by Abraham Lincoln to these officers which has not been fulfilled to the very letter.

Mr. KING. Mr. President, will the Senator from Wisconsin yield to me?

Mr. LENROOT. Yes.

Mr. KING. Is it not a fact that the officers of the Regular Army who, to use the Senator's expression, separated them-

selves from the Army by voluntary resignation prior to this time, ceased to get the benefit or were denied the benefit flowing from the retired-officers' act?

Mr. LENROOT. Certainly; and that is true to-day. Any officer of the Regular Army who is separated from the service, except under the conditions that are provided for in our present retirement laws, receives neither retirement status nor retirement pay.

Mr. President, it seems to me that no Senator can claim that here is a pledge upon the part of the Government to place these officers upon the retired list with retired pay, because the very legislation referred to by them, and upon which they seek to base their claim for favorable consideration, shows that there was not a pledge; that there was not a pledge in the first place, because at the time this act was passed there was no retirement law in force, and, therefore, if they secured their commissions between July 25, 1861, and August 3, 1861, they could not have entered the service upon the belief that after the war was over they would have a retired status and retired pay, because there was no such law upon the statute books. If they offered their services subsequent to August 3, 1861, they could not then claim that there was any pledge, because by that time Congress had legislated upon the subject, and they were not entitled under the law to a retired status and retired pay at the end of the war if they were discharged from the service.

Mr. KING. Mr. President, the Senator from Wisconsin is giving an exposition of the subject that must be appealing to all fair-minded men, and it seems to me a very great misfortune that Senators should be denied the opportunity of hearing this magnificent argument. I therefore, if the Senator will pardon me, suggest the absence of a quorum.

Mr. TOWNSEND. Mr. President, if I recall correctly, under the ruling of the Senate the right of calling a quorum has been denied unless some business has been transacted since the last call for a quorum has been made. There has been no business transacted since the last call for a quorum, except the Senator's own speech, since we had the presence of a quorum developed by a roll call.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). If the point is made by the Senator from Michigan [Mr. TOWNSEND], the Chair will rule that the point is not well taken. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McCumber	Smoot
Beckham	Hardwick	McLean	Sterling
Brandegee	Hitchcock	McNary	Sutherland
Chamberlain	Hollis	Nelson	Tillman
Colt	Johnson, Cal.	Norris	Townsend
Cummins	Jones, Wash.	Nugent	Trammell
Curtis	Kellogg	Page	Vardaman
Dillingham	King	Poindexter	Warren
Fernald	Kirby	Ransdell	Watson
Gallinger	Lenroot	Saulsbury	
Gronna	Lewis	Shafroth	
Hale	Lodge	Sheppard	

Mr. SHEPPARD. The Senator from Virginia [Mr. MARTIN], the Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Tennessee [Mr. MCKELLAR] are detained on official business.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. FALL and Mr. GRONNA answered to their names when called.

Mr. SMITH of Arizona, Mr. WADSWORTH, Mr. ASHURST, Mr. PHELAN, and Mr. SHERMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, when interrupted by the suggestion of the absence of a quorum, I was attempting to show by the report of the committee itself that there had never been a pledge by Congress or by the Government to place volunteer officers of the Civil War after the war was over upon the retired list with retired pay. I called attention to the fact that the only act relied upon by the committee as conveying this promise was the act of July 25, 1861, which provided that those who should respond to the call for volunteers should be placed upon the same footing in all respects as members of the Regular Army; but at the time that act was passed there was no retirement law for officers of the Regular Army upon the statute books, and therefore at that time there could have been no promise held out to those who offered themselves under the terms of the act of July 25, 1861, that they would receive the benefits of a retirement system. The first retirement act was passed a little more than a month later, on August 3, 1861, and as to any who volunteered after that time they fully understood that there was no such pledge to them, because the terms of the act itself plainly indicated who would be entitled to the benefits of retirement; and that, unless they came within the terms of the act, there was no possibility of their being put upon the retired list with retired pay.

So, Mr. President, it seems to me plain that the proposed legislation now pending can not be justified upon the theory that there was a pledge or an obligation upon the part of the Government to these officers. If this bill passes at all, it passes as a gratuity to these men and not as the fulfillment of an obligation. I wish to discuss it for the moment upon the theory of a gratuity.

First, attention is called by the committee in its report to the fact that there is a precedent for legislation of this character in that Congress in 1828, I think it was, placed the officers of the Revolutionary War upon a retired basis with retired pay; but I call attention to the fact that we had a war in 1812, that we had another in 1848, and that no similar action has been taken with reference to the officers of either of those wars. There was a very good reason why action of this kind might be taken in the case of the officers of the Revolutionary War which would not hold good or be called forth with reference to the officers of other wars.

At the time of the Revolutionary War we had no strong Government and we had no such response to the call for volunteers as we had when Abraham Lincoln issued his various calls. The fact that we had an Army at all in the Revolutionary War was due very largely to the fact that there were patriotic men who, without any assistance from the Government and without that patriotic law which afterwards existed, raised companies and regiments and were responsible in a very much greater degree for the existence of the Revolutionary Army than were the officers of the Civil War responsible for the existence of the Army in the Civil War, because the response upon the part of the enlisted man in the Civil War came very largely from the call of Lincoln, from the call of his country, rather than through the personal efforts of the men who afterwards were officers of the various companies and regiments.

But, Mr. President, treating it as a gratuity, if it were not for the fact that, if this bill passes, it will create a precedent that will entail in the very near future a burden upon the Treasury of the United States of anywhere from $150,000,000 to $500,000,000 a year, I do not know that I should oppose its passage. It is not the five or six or seven million dollars that will be given to these retired officers of the Civil War that is alone involved in the passage of this bill; if this bill passes Congress, it seems to me we will be equally obligated to put every commissioned officer serving in the present war upon the retired list with retired pay when the treaty of peace shall have been made.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. Certainly.

Mr. KING. Let me suggest to the Senator that to be consistent and just according to the standard of the proponents of this bill we will also have to put all of the volunteer officers of the Spanish-American War upon the retired list as soon as they reach the age of retirement.

Mr. LENROOT. That is true; and while that, of course, would not involve perhaps a very great drain upon the Treasury, I do insist if this be a gratuity—and it is a gratuity—that the Congress can not afford to place a mortgage upon the Treasury of the United States for gratuities amounting anywhere, as I said a moment ago, from $150,000,000 to $500,000,000 a year for the next generation to come.

Mr. President, if sympathy for these men and the feeling of gratitude which we have toward them, as we have to all the enlisted men of the Civil War, were all that were involved we might say let this bill go through without protest—and I appreciate, I think, the fact that this bill is going to pass—but on account of the tremendous importance that it assumes because of the precedent that it will create, a precedent that very many Members of the Senate to-day will find confronting them who will still be here one, two, three, four, or five years from now, it is not a matter that should be lightly treated or one that should be regarded from the standpoint, "Oh, here is a paltry sum comparatively speaking, and let it go." I do not see how Senators who vote for this bill can, when this war is over, avoid voting for a like bill for every officer serving in the present war.

It is for that reason, Mr. President, that I can not favor the bill; it is for that reason that I have felt impelled to state my reasons why I can not support it. Not only has there been no pledge upon the part of the Government, not only are we under no obligation by reason of any promise made in the past Con-

gress or otherwise to take this action, but if this action is taken it is taken purely as a gratuity, and the Senate should remember that if it gives this gratuity now it ought for the same reasons and because of the same argument give in a year or two a like gratuity to 200,000 or 500,000 officers who are serving in the present war, involving hundreds of millions of dollars of expense to the Government of the United States.

Mr. McCUMBER. Why does the Senator say, Mr. President, "in a year or two," considering that we have waited 53 years before we have granted it for the officers of the Civil War?

Mr. LENROOT. I am very glad to answer the question of the Senator, Mr. President. If it is right and just that this bill be passed to-day it ought to have been passed 53 years ago.

Mr. McCUMBER. I was asking the question from the standpoint of the Senator that it was a gratuity only.

Mr. LENROOT. It is a gratuity; it is one which should be bestowed upon all in a like situation; and it would not be fair, from the standpoint of a gratuity alone, to let this matter run on for years, so that we would give some men a gratuity, but most of them may go to their graves without having it. If we are going to treat it at all as a gratuity we should treat them all alike, and we should do it at the earliest opportunity.

Mr. VARDAMAN. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from Mississippi moves that the Senate proceed to the consideration of executive business. [Putting the question.] By the sound, the noes seem to have it.

Mr. VARDAMAN. I call for the yeas and nays.

The yeas and nays were not ordered, and the motion was rejected.

Mr. KING. I move that the Senate adjourn, and upon that motion I demand the yeas and nays.

The yeas and nays were not ordered, and the Senate refused to adjourn.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brandegee	Hale	McLean	Sterling
Chamberlain	Johnson, Cal.	McNary	Sutherland
Colt	Johnson, S. Dak.	Nelson	Tillman
Cummins	Jones, Wash.	Norris	Townsend
Curtis	Kellogg	Poindexter	Trammell
Dillingham	King	Ransdell	Vardaman
Fernald	Lenroot	Saulsbury	Wadsworth
Gallinger	Lewis	Shafroth	Watson
Gronna	Lodge	Sheppard	
Gulon	McCumber	Smoot	

Mr. LEWIS. I desire to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Virginia [Mr. MARTIN] are detained on official business.

Mr. VARDAMAN. I wish to announce the absence of the junior Senator from Tennessee [Mr. McKELLAR] on official business.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of absent Senators, and Mr. FALL, Mr. HARDING, Mr. PAGE, Mr. THOMPSON, Mr. WARREN, and Mr. WILFLEY answered to their names when called.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. TOWNSEND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. HARDWICK, Mr. POMERENE, and Mr. KENYON entered the Chamber and answered to their names.

Mr. TOWNSEND. Has the roll call disclosed a quorum?

The PRESIDING OFFICER. It has not.

Mr. TOWNSEND. I move that the Sergeant at Arms be directed to compel the attendance of the absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. CALDER entered the Chamber and answered to his name.

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from Maryland [Mr. FRANCE]. I will let this announcement stand for the day.

Mr. JONES of Washington. I wish to inquire whether or not the Sergeant at Arms has been informed of the order of the Senate.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that he is informed that the Sergeant at Arms is executing the order of the Senate.

Mr. PHELAN and Mr. NUGENT entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present.

Mr. TOWNSEND. Mr. President, I am informed by Senators who are opposed to the bill that they will consent to an agreement to vote on this matter to-morrow. Therefore I send a proposed unanimous-consent agreement to the desk and ask for its consideration.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated.

The SECRETARY. The Senator from Michigan asks unanimous consent that at not later than — o'clock p. m., on the calendar day of Thursday, June 20——

Mr. TOWNSEND. I should like to have that 2 o'clock. The Senator from Utah suggests 4 o'clock.

Mr. KING. As I understand, we will take an adjournment until to-morrow, and the morning hour doubtless will be occupied by the usual matters to come before the Senate, so that the resumption of the discussion upon this matter could not occur until 2 o'clock. I know that there are some observations to be submitted by other Senators, and I desire to submit a few myself.

Mr. TOWNSEND. Would the Senator agree to a recess until to-morrow at noon? Then the matter would come up and be disposed of right away. I do not know of any Senator who will want to occupy much time.

Mr. KING. Mr. President, I should not like to take the responsibility of consenting to a recess.

Mr. TOWNSEND. Then, suppose we have the agreement read "not later than 4 o'clock." Probably we can get a vote before that time.

Mr. KING. I have no doubt that we can reach a vote before 4 o'clock.

Mr. TOWNSEND. I think so.

The PRESIDING OFFICER. The Secretary will state the proposed agreement.

The SECRETARY. The Senator from Michigan asks unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Thursday, June 20, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill S. 130, a bill to create in the War Department and Navy Department a roll designated as the "Civil War Volunteer officers' retired list," and so forth, through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m., on said calendar day, no Senator shall speak more than once or longer than 30 minutes upon the bill, nor more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. KING. I suggest to make it 3 o'clock, because there will be some debate during the first hour when we take up this measure for consideration, and that should be unlimited.

Mr. TOWNSEND. All right.

Mr. VARDAMAN. May I ask if it is the intention of the Senator from Michigan to take a recess?

Mr. TOWNSEND. I am perfectly willing to do that as far as I am concerned.

Mr. KING. I shall ask for an adjournment because I think some Senators would desire to submit some matters in the morning. There will be reports of committees, and I do not think we ought to deprive Senators of the morning hour.

Mr. VARDAMAN. At what hour is a vote to be taken?

Mr. TOWNSEND. The vote is to be taken not later than 4 o'clock.

The PRESIDING OFFICER. The Senator from Michigan has asked unanimous consent for the agreement which has just been read. Is there any objection? The Chair hears none. It is agreed to.

Mr. TOWNSEND. I move to annul the order by which the Sergeant at Arms was directed to compel the attendance of absent Senators.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KING. If no other Senator desires to present any matter at this time, I shall move an executive session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 20, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 19, 1918.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

T. Sambola Jones, of Louisiana, to be envoy extraordinary and minister plenipotentiary of the United States of America to Honduras.

MEMBER OF AIRCRAFT BOARD.

William C. Potter, of New York, to be a member of the Aircraft Board, vice Harry B. Thayer, resigned.

COLLECTORS OF CUSTOMS.

Frederick C. Peters, of Charleston, S. C., to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C. (Reappointment.)

James H. Fry, of Indianapolis, Ind., to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind., in place of Thomas E. Stucky, whose term has expired.

George G. Davidson, jr., of Buffalo, N. Y., to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N. Y., in place of George Bleistein, deceased.

REGISTER OF LAND OFFICE.

Frank S. Heer, of Idaho, to be register of the land office at Boise, Idaho, his present term expiring June 24, 1918. (Reappointment.)

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

First Lieut. Jay D. B. Lattin, Cavalry, to be captain with rank from October 12, 1917.

Second Lieut. George L. Snelling to be first lieutenant with rank from June 10, 1918.

FIELD ARTILLERY ARM.

Second Lieut. Kenneth L. Holmes-Brown, Field Artillery, to be first lieutenant with rank from May 29, 1918.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

To be lieutenant colonel with rank from May 15, 1917, Capt. Robert E. L. Spence, United States Army, retired.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Burton Argyle Baird, Medical Reserve Corps, from June 4, 1918.

First Lieut. Thomas Francis McCormick, Medical Reserve Corps, from June 6, 1918.

First Lieut. James Day Edgar, Medical Reserve Corps, from June 7, 1918.

First Lieut. Wesley Charles Becker, Medical Reserve Corps, from June 8, 1918.

First Lieut. Russell Arthur Hennessey, Medical Reserve Corps, from June 9, 1918.

First Lieut. William Eli McCormack, Medical Reserve Corps, from June 10, 1918.

First Lieut. George Franklin Rendleman, Medical Reserve Corps, from June 11, 1918.

First Lieut. Benjamin Franklin Fridge, jr., Medical Reserve Corps, from June 12, 1918.

First Lieut. Fred Gasser, Medical Reserve Corps, from June 13, 1918.

POSTMASTER.

MASSACHUSETTS.

James F. Healy to be postmaster at Worcester, Mass., in place of John Alden Thayer, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 19, 1918.

SURVEYOR GENERAL.

Henry Gerharz to be surveyor general of Montana.

REGISTER OF LAND OFFICE.

John B. Sanford to be register of the land office at San Francisco, Cal.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Grace B. Caukin to be receiver of public moneys at San Francisco, Cal.

Alexander Mitchell to be receiver of public moneys at Los Angeles, Cal.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants:

James B. Will,
Millington B. McComb,
Donald B. Beary,
Charles J. Moore,
James T. Alexander,
Francis A. LaRoche,
John H. Wellbrock,
Edwards B. Gibson,
Lorain Anderson,
James G. Ware,
Walter A. Edwards,
Herbert H. Bouson,
Ole O. Hagen,
Delavan B. Downer,
William D. Chandler, jr.,
Oscar C. Badger,
James C. Byrnes, jr.,
Robert K. Awtrey,
John R. Peterson, jr.,
Paul F. Foster,
Frank Loftin,
Lewis W. Comstock,
George B. Ashe,
Walter S. Davidson,
Henry J. Shields,
George A. Rood,
Alexander Macomb,
Eugene T. Oates,
Oliver M. Read, jr.,
Joseph M. B. Smith,
Albert R. Mack,
Webb C. Hayes,
Robert M. Doyle, jr.,
Robert M. Hinckley,
Guy C. Hitchcock, and
Thales S. Boyd.

The following-named ensigns to be lieutenants (junior grade):

John C. Lusk and
Stuart A. Maher.

The following-named midshipmen to be ensigns:

Malcolm F. Schoeffel,
Thomas G. W. Settle,
Lucien M. Grant,
James E. J. Kiernan,
Richard M. Rush,
James R. Allen,
Daniel W. Hand, jr.,
Charles A. Nicholson, 2d,
Paul W. Hains,
Ralph A. Ofstie,
Rex LeG. Hicks,
Herbert M. Scull,
Matthias B. Gardner,
Leslie C. Stevens,
Charles H. Cushman,
Howard W. Fitch,
Creighton C. Carmine,
Robert F. Nelson,
Antonio S. Pitre,
Winfield A. Brooks,
Thomas P. Wynkoop, jr.,
Ernest E. Herrmann,
James M. Johnston,
Arthur S. Adams,
William E. Hilbert,
Hugh W. Olds,
Albert T. Sprague, 3d,
Maurice H. Stein,
Hobart A. Sailor,
William McC. Callaghan,
Rodman D. de Kay,
Harold L. Challenger,
John J. Orr,
Hubert H. Anderson,
Joseph Buchalter,
Thomas P. Jeter,
Robert G. Waldron,
Adolph O. Gieselmann,
David H. Clark,

Jeffrey C. Metzel,
Festus F. Foster,
Russell M. Ihrig,
James J. Graham,
Ralph B. Netting,
Ralph H. Roberts,
Valentine H. Schaeffer,
Floyd S. Crosley,
Eugene L. Kell,
Allen D. Brown,
John W. Roper,
William C. Vose,
Harry B. Slocum,
Charles E. Olsen,
Robert P. Briscoe,
Harry R. Thurber,
James B. Sykes,
Lyle N. Morgan,
Clarence H. Schildhauer,
Cuthbert A. Griffiths,
Franz O. Willenbucher,
Harry McC. Jones,
Thomas J. Griffin,
William H. Ferguson,
Ernest H. von Heimburg,
Morton T. Seligman,
Douglas A. Powell,
William N. Updegraff,
Stuart S. Murray,
John O. Huse,
Charles J. Palmer,
William D. Sample,
Arthur P. Thurston,
Logan C. Ramsey,
Scott G. Lamb,
Alfred P. Moran, jr.,
William E. Clayton,
Richard B. Tuggle,
Harry Goodstein,
John H. Cassady,
Julian B. Noble,
Gerald L. Schetky,
Donald C. King,
Henry R. Herbst,
Charles E. Coney,
Dean D. Francis,
Wade E. Griswold,
William H. Mays,
Elmer R. Hill,
Henry D. Baggett,
William L. Marsh,
Bayard H. Colyear,
Charles L. Andrews, jr.,
Ralph W. Hungerford,
Charles B. Hunt,
George McF. O'Rear,
John W. Cullens,
James D. Lowry, jr.,
Albert P. Burleigh,
Eric M. Grimsley,
Charles K. Post,
John B. Griggs, jr.,
Eliot H. Bryant,
George C. Dyer,
Alonzo B. Alexander,
Walter D. Whitehead,
David S. Crawford,
Charles J. Rend,
Everett D. Kern,
Ten Eyck DeW. Veeder, jr.,
Robert L. Boller,
Albert R. Staudt,
Henry C. Fengar,
John Neal,
Gorden H. Mason,
Dorrance K. Day,
Paul F. Lee,
Marshall R. Greer,
Philip P. Welch,
George J. Downey,
Walter S. Barlow,
Joseph R. Lannom,
Louis B. Pelzman,
Harry A. Rochester,
Edwin Friedman,
George Kirkland,
James J. Hughes,
Carl K. Fink,
John J. Patterson, 3d,
Walter Ansel,
Wilfrid C. Wilcock,
Adrian O. Rule, jr.,
Miles P. Duval, jr.,
Walther G. Maser,
Elmer R. Runquist,
Walton R. Read,
Daniel M. McGurl,
William E. Tarbutton,
Homer I. Sherritt,
Philip V. Sullivan,
Stephen K. Hall,
Robert McL. Smith, jr.,
Robert B. Crichton,
Paul H. Talbot,
Russell S. Barrett,
James L. Holloway, jr.,
Gustave H. Bowman,
James L. Wisenbaker,
Ralph E. Jennings,
Frank N. Sayre,
Peyton S. Cochran,
Paul B. Thompson,
Fred W. Beltz,
John B. McDonald, jr.,
Kenneth D. Muir,
John G. Crawford,
Paul D. Dingwell,
James G. Atkins,
Frank V. Aler, jr.,
Leonard C. Parker,
Cyril K. Wildman,
Francis H. Gilmer,
Earle H. Kincaid,
Carleton McGauly,
George W. Brashears, jr.,
Giles E. Short,
Van Rensselaer Moore,
Thomas B. Fitzpatrick,
Dixie Kiefer,
Horace R. Whittaker,
Willis W. Pace,
Harold M. Martin,
Joseph S. Ives,
Edgar R. Winckler,
John L. Reynolds,
William J. Strachan,
John R. Redman,
Ross A. Dierdorff,
George F. Mentz,
Herbert S. Woodman,
George H. Mills,
Charles Allen,
Jack C. Richardson,
Robert M. Dorsey,
Desmond J. Sinnott,
Spencer H. Warner,
John S. Spaven,
Grayson B. Carter,
Riffel G. Rhoton,
Willment P. Martin,
Franklin P. Waller, and
Charles H. Rockey.

Boatswain Joseph A. Rasmussen to be a chief boatswain.

Gunner John Meyer to be a chief gunner.

The following-named officers of the United States Naval Reserve Force to be ensigns for temporary service:

Charles L. Bristol, jr.,
Stuart L. Peck,
Henry W. Reding,
Harold M. Levy,
Elmo H. Conley,
Donald McL. Day,
James I. Boyce,
Ralph R. Brubaker,
Robert D. Longyear,
Frank F. Walker,
Alfred M. Gagneux,
Frederick S. Hodgman,
Louis Etshokin,
Robert C. McKean,

Donald E. Montgomery,
Albert L. Baker,
John H. Fenton,
Vergil A. Davison,
Ralph L. Colton,
Chandler D. Ingersoll,
Bruce Hoggson,
Robert R. Titus,
Herman Siefke, jr.,
Alexander A. Cameron,
Robert A. Skinner,
Frank N. Bolton,
Henry A. Orrick, jr.,
Harold M. Kennedy,
Cecil L. Shockley,
Perry A. Howard, jr.,
Perry McK. Sturges,
Francis P. Baeyertz,
John F. Kelsey,
Cushing Phillips,
Howard L. Seaton,
Edward R. Simpson,
Samuel W. Morris,
Irving B. Levi,
William R. Brent,
Carlisle C. McIvor,
John F. O'Rourke, jr.,
Caspar W. B. Townsend,
Otis R. Marston,
Russell C. Lewis,
Allan C. Davis,
Robert E. Christy,
Freeman L. Curtis,
Ralph C. Taylor,
Frederick N. Worth,
Leonard M. Starbuck,
Harold Edwards,
Raymond W. Smith,
Henry S. Bothfeld,
Hoyt M. Leisure,
David H. Hammer,
Virgil E. Durden,
Edmund G. Flint, jr.,
John T. Goree,
Joseph H. Cox,
Albert H. Siemer,
John R. Montgomery,
Walter S. Mallory, jr.,
Clarence V. Lally,
Carl H. Zeiss,
Clifford L. Fenton,
Louis T. Young,
David M. Gilmore,
John R. Shuman,
Thomas L. R. Husselton,
John P. Hillyard,
John W. Bishop, jr.,
Stephen S. Whitby,
John A. Cleverley,
Harold P. Manly,
Carl King,
John W. Savage,
Francis Earle,
Rodney N. Landreth,
John H. Jones,
Thacher Jenny,
William H. Gridley,
Roy L. Maryatt,
James R. Weaver,
Robert F. Massonneau,
Ira D. Bertolet, jr.,
Percy E. Ricketts,
Frederick R. Rogers,
Albert J. Matthes,
Frederick H. Hunter,
Edward S. Esty,
Ralph McK. Hammer,
Stuart S. Cutler,
Egmont G. Hildner,
Rodney W. Henry,
Edgar C. Earle,
Paul G. Neal,
Warren C. Du Bois,
Donald S. Good,
Raymond D. Thiery,
Lewis J. D. Truhan,
James B. Griffin,
Samuel W. Roberts,
Donald C. Burnham,
Leo M. Blancke,
Hal C. Harding,
Gilder S. Horne,
Edward K. Crothers,
Francis L. Hamill,
Frank O. Wilhelm,
Harold B. Leland,
Robert M. Macdonald,
Paul F. Dudley,
George P. MacDonald,
Herbert E. Harrington,
Arthur E. Stivender,
Howard W. Sherrill,
George N. Whiting,
Edwin W. Hartzell,
Russell L. Colley,
Donald B. Caldwell,
Richard G. Berger,
Matthew K. Coleman,
Dwight L. Armstrong,
Raymond C. Hartung,
Fred C. Shoebridge,
John H. Barnitz,
Frank C. Fisher,
George M. Murray,
Russell P. Crothers,
Sullivan A. Sargent, jr.,
Malcolm M. Chesney,
James I. Marsh,
Frederick S. Blackall, jr.,
Norman F. Thompson,
Allan S. MacGillivray,
Charles W. Cornell,
Ray L. Morrow,
Thomas E. Hapgood,
Lee L. MacLellan,
Donald S. Page,
Hugh Y. Blodgett,
John M. Convery,
Walter S. Hayes,
George E. Hansen,
Ernest A. Scholze,
Frank H. Nelms,
Algernon P. Reeves,
Yale R. Schively,
James H. Mitchell,
Edmund D. Dodd,
Richard C. Enderly,
Hallett W. Thorne,
James C. Stephens,
William A. Schwacofer,
Malcolm J. Otis,
Douglas E. C. Moore,
Walter L. Weil,
Roy J. McKee,
Everett C. Read,
Benjamin T. Hoogland,
Palmer M. Gunnell,
John A. Dodd,
Edward L. Freeman,
William E. Wesson,
Herman C. Anderson,
William H. Parker, jr.,
Thurmond Chatham,
Andrew J. McElhinney,
Franklin McI. Simpson,
Larcom Randall,
Jonathan L. Sellman,
Edgar E. Evans,
Clarence A. Murfey,
Emmett J. Driscoll,
Robert F. MacNally,
William P. Thomas,
Edward DeM. Payne,
Earle Walton,
Murray C. Binford,
George M. Stevens,
Samuel B. Ogden,
Wallace R. Crumb,
Joseph N. Owen,
Robert S. Boles,

Joseph C. Newman,
Benjamin M. Hooper,
Herbert C. Phillips,
Daniel Drake-Smith,
Benjamin Allen,
Clarence E. Knapp,
John H. O'Connell,
William G. Gaston, jr.,
William H. Wilsen,
Daniel M. Lord, jr.,
Arthur F. Folz,
John Adikes, 2d,
Francis D. H. Eaton,
Joseph DeV. Keefe,
Robert L. Clarkson,
Paul F. Hittinger,
Thomas C. Ould,
Charles W. Johnson,
Warren M. Robertson,
Alvin E. Loucks,
Marshall E. Montgomery,
Malcolm L. Wallace,
Walter S. Mack, jr.,
William N. MacGowan,
William C. Wright,
George B. South,
Frank E. McClure,
Harold E. Shore,
David M. Little, jr.,
Leland F. Henderson,
Julian F. Greeley,
Robert L. Atwell,
William J. English, jr.,
Richard H. Woodward, jr.,
Vincent J. O'Reilly,
Barry L. Morgan,
Raymond A. Baur,
Robert V. Anderson, jr.,
Oliver J. Anderson,
Roland N. Calkins,
William O. Randall,
Norman E. Donnelly,
Amor B. Brehman,
William O. Tait,
Clarence H. Benham,
Walter C. Askew, jr.,
David W. Pinkerton,
William D. Phelps,
John G. Muirheid,
Warren S. Pratt,
Carl F. Pieritz,
Charles E. Judge,
Fred A. Hardesty,
Robert S. Babcock,
Harry E. Johnson,
Hilary E. Corwin,
Henry C. Monroe,
Joseph M. Higgins,
Harry H. Fisher, jr.,
Donald B. Van Hollen,
Allison N. Piper,
Lee C. Hinslea,
Stuart D. Hazen,
Everett W. Edwards,
Earl R. Loomis,
Henry S. Bohling,
John B. Fitzpatrick,
William Ross,
George J. Carr,
William M. White,
Leslie Wheeler,
Samuel E. Breck,
Herbert Shoemaker,
Alfred Pedrick,
Charles W. Hickernell,
Lowell McCutcheon,
Edward W. Duggan,
Irving H. Perkins,
Charles W. Brown, jr.,
Charles S. Goldammer,
George W. Van Slyck,
Danford M. Baker, jr.,
Albert S. Kohl,
Arthur F. Morrill,
John H. Duncan,
Thomas C. Perkinson,
James D. Griffin,
Jeremiah F. Sullivan,
Samuel Temple,
Gilbert L. Pitcairn,
Don S. Prescott,
Harry E. Dow,
George C. DeLacey, jr.,
Ralph W. Bulkeley,
Edgar F. Wilson,
Ralph A. McWaid,
Benjamin F. Schwartz,
Charles W. Arnold, jr.,
William R. Squire,
Herbert D. Pearl,
Donald G. Beachler,
George F. Rieman,
George W. Robinson,
Herbert S. Warren,
Frank L. St. John,
Charles L. McCune,
Peter A. Wilkinson, jr.,
Charles T. Ballard,
John L. Priest,
William W. Palmer,
Luther S. Phillips,
Warren P. Vickerman,
Everett L. Cole,
Donald C. McFadyen,
Donald P. Robinson,
Lloyd S. Kinnear,
Foster Gunnison,
Arthur J. Grant,
Bernard C. Decker,
Ryder H. Gay,
Alden W. Allen,
Donald L. Smith,
Frederick L. Ryon,
Samuel H. Packer,
Parker Poole,
Daniel S. Brierley,
Gordon M. West,
Frank E. Vensel, jr.,
Frank H. Inscho,
Robert P. Hughes,
Edgar W. Upton, jr.,
Edward L. Stites,
Charles E. Franklin,
William G. McKee,
Howard W. Clarke,
Henry G. W. Parmele,
Clarence B. Brewster,
Hugh T. Keyes,
James H. Woodward,
Stewart R. Whitehurst,
Oswald C. Grattan,
William E. Bingham,
Paul Fisher,
Mortimer B. Veale,
Clayton R. Jones,
Charles B. McGowan,
Thomas E. Scofield,
Henry F. Massnick,
Louis B. McCagg, jr.,
James L. Billingsley,
Walter H. Stanton,
John A. Cronin,
Murray C. Harvey,
John W. Stafford,
Arthur F. Anderson,
John E. O'Gara,
William H. Bloeser,
Thornton H. Bissell,
Theodore C. Junkins,
David S. Hirschberg,
Philip M. Woodwell,
Edwin Franklin,
John S. Humphreys,
Franklin H. Thomas,
Nils V. Nelson,
Frank W. Wilmarth,
Edmond S. Spencer,
William H. Henszey,
Earle H. Strickland,
Charles W. Williams, jr.,
John G. Allen,
Donald F. Miller,

Rosser A. Huff,
Charles S. Seely,
Richard N. Wilder,
Walter Logan,
Elbert C. Isom,
Philips S. Dutton,
Eliot F. Landon,
Duncan McC. Dayton,
Henry W. Post, jr.,
Alexander V. Tisdale,
Joseph T. Hayes,
Ernest A. Houle,
Samuel M. Hunt,
William H. Cullinan,
Edwin B. Dickinson,
Joseph L. Cassidy,
Jere D. Eggleston,
Otto D. Walz,
Leo B. Tyson,
Arthur C. Torrey,
Elliott F. Upson,
Edward W. Lombard,
Ira W. Truitt,
Horace D. Glover,
Howard N. Porter,
Holden K. Farrar,
Franklin C. Morton,
Abram L. Hopkins,
Milton F. Smith,
Frank H. Wright,
Morton L. Wallerstein, and
John B. Duff, jr.

Asst. Surg. Louis C. Vattier, of the United States Naval Reserve Force, to be an assistant surgeon with the rank of lieutenant (junior grade), for temporary service.

The following-named citizens to be acting chaplains with the rank of lieutenant (junior grade), for temporary service:

Charles B. Bare,
Clinton A. Neyman,
Mortimer A. Sullivan,
Norris L. Tibbetts,
Ludwig Hildebrandt,
Philip C. King,
Powell H. Norton, and
Truman P. Riddle.

POSTMASTER.

PENNSYLVANIA.

Charles H. Cullen, Derry.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 19, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We draw near to Thee, Almighty God our Heavenly Father, that we may worship Thee in the beauty of holiness, renew our allegiance to Thee, and press toward the mark for the prize of the high calling of God in Christ Jesus.

Let Thy blessing crown our efforts as a people, our President and all others in authority, that they may be upheld in their efforts to bring peace out of a terrible war.

Protect our soldiers, sailors, and all others who are giving their support to a successful issue of the mighty conflict; and Thine shall be the praise for liberty, truth, justice, mercy; in His Name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 385. An act to authorize mining for metalliferous minerals on Indian reservations;

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China; and

S. 4631. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4631. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended; to the Committee on the Judiciary.

S. 385. An act to authorize mining for metalliferous minerals on Indian reservations; to the Committee on Indian Affairs.

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China; to the Committee on Pensions.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I call up the conference report on the naval appropriation bill.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

H. R. 10854. Making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

Mr. PADGETT. I ask the Clerk to report Senate amendment No. 101.

The Clerk read as follows:

Senate amendment 101, page 64, line 14: Improvements central power plant systems, including quay wall and fill at power house, $800,000.

Mr. PADGETT. Mr. Speaker, I move to concur in the Senate amendment. That was reserved at the time the bill went to conference by the gentleman from Wisconsin [Mr. STAFFORD]. We have had hearings upon the matter. At all of these stations it has been necessary to increase very largely the power-plant facilities with reference to heat, light, and power on account of the larger activities. A great part of this is for the necessity of having a quay wall with reference to the land mentioned in the amendment agreed to yesterday. This was left open, I presume, on account of that.

Mr. STAFFORD. Will the gentleman inform the House how much of the appropriation is for extension of the power plant and how much is for the wall and fill? The reason that I reserved it was because we had no information about it, and I thought it might be a dredging proposition to fill in swamp land up there at the station. No one has any objections to increasing the facilities of the power plant, but I think there is objection to going ahead with sea-wall construction that can be postponed until after the war is over and utilize the fund for more pressing necessities.

Mr. PADGETT. Admiral Earle, who has charge of the torpedo-plant activity there, was before the conferees, and I called his attention to this amendment and asked him to explain it. He says—I am reading from page 660 of the hearings before the conferees:

Admiral EARLE. That is an addition to the original estimate obtained in the last congressional bill for the power plant. It has been found necessary to add this amount simply on account of the excess cost of the original project.

The CHAIRMAN. This embraces three different things. It embraces improvement of central power-plant system, and then you have a quay wall——

Admiral EARLE. And a fill.

The CHAIRMAN. And a fill at the power house; but the quay wall and fill at the power house is all one.

Admiral EARLE. The land on which the power plant is being built is practically made land, and the fill and quay wall for that are the items required here.

The CHAIRMAN. How much did we appropriate for that enlargement of the power plant in the former bill?

Admiral EARLE. It was $990,000, I think.

The CHAIRMAN. Was that last year, you mean? Was it last year or year before last? There was not anything in the last bill.

Admiral PARKS. I have not seen the station yet, but my understanding is that that power plant had to be extended out on account of the small amount of land available there, and that necessitated this quay wall and fill.

Mr. STAFFORD. Glancing over the testimony, I find they are as vague as they possibly can be as to the amount of appropriation that will be utilized for the heating plant and how much for filling purposes in making land and for how much for a quay wall.

Mr. PADGETT. The hearings continue. I am reading from page 661:

The CHAIRMAN. I would like to have that segregated so that we will know how much is intended for the quay wall and the extensions, and the dimensions of that wall and the fill at the power house.

Mr. BUTLER. Mr. Chairman, did Admiral Parks tell us where any necessity arose for the immediate consideration of this? Admiral Earle said Admiral Parks called his attention to it, and he had only heard of it a very few days ago, and this is an awful lot of money for a power plant at Newport—a torpedo station.

Admiral PARKS. This arises wholly from the necessity for torpedoes, and a power plant was designed which was intended to be sufficient for the production of the torpedoes, and evidently the contracts for machinery, etc., were not let early enough, and prices have been increas-

ing so rapidly that one element of the increase requested is on account of the great increase of the cost of electrical and mechanical equipment. Now, there was one matter there, of air compressors, which is a pretty large item, and awarded since I have been here; that is, within the last three or four months. The prices of those air compressors were certainly high, compared with what we used to have to pay for them, but there is a great increase in the price of all the mechanical equipment we have to buy at the present time.

Mr. STAFFORD. Yes; he is giving information that air compressors, like all other machinery, have gone up tremendously in price. I can testify to that myself. How much of this enormous amount—of course, not very large when we consider that we are appropriating billions—is to be spent for the fill, how much for the quay wall, and how much for the heating plant? You can glance over this testimony and will not find any testimony on this important matter.

Mr. PADGETT. I asked him to insert these items, and I think they are here.

Mr. STAFFORD. I suppose the committee went on the theory that as the bureau chief asked for it, therefore it should be granted without any further inquiry.

Mr. PADGETT. No. Now, if the gentleman will turn to page 687 he will find this:

Admiral PARKS. On account of the large increase in the activities of the torpedo station incident to the war, it was found that the present obsolete and out-of-date power plant was totally inadequate to serve the purpose. It was therefore decided to construct an entirely new and modern power plant in a new section of the island. The space surrounding the old power plant was too restricted to permit of expansion. In order to start this work $850,000 was allotted from one of the bureau's appropriations, covering work for the Bureau of Ordnance. The additional amount now requested is to continue this work which is now under progress and provide for an extensive system of distribution for light, heat, and power from the new power plant to the various buildings on the island. The original estimate provided only for the power plant and did not include extension of the quay wall made necessary by the construction of this power plant, the filling, or the extensive distributing systems necessary.

It was necessary to fill in the site of the new power plant in order to provide space for the construction of this building without further encroaching on the limited area of this island. This made it necessary to extend for a distance of about 700 feet the present quay wall in order to retain the filling. The estimated cost of the filling with the surrounding quay wall is $149,000, the balance being necessary for the distributing system, intake and discharge tunnels for condensing water, and part of the power-plant equipment.

Power plant	$451,000
Distributing system	200,000
Quay wall	131,000
Fill	18,000

So we have a very detailed account of it.

Mr. STAFFORD. Perhaps more detailed than is desirable when we consider that for an extension of 700 feet of quay wall it is estimated that an amount of $131,000 is required, or nearly $200 a foot. That is to be spent in these pressing times for building an ornate granite wall, which could be postponed until other times than now, when we need these funds so much for pressing war activities.

Mr. PADGETT. No; that is a misconception. If you have to dig down 20 feet into the subsurface to build a wall to support the power house and the activities there in manufacturing torpedoes, you will see that it is not a dream nor an ideal conception, but a practical necessity.

Mr. STAFFORD. There is no necessity for building a granite-faced quay wall 700 feet in length at an expense of $131,000.

Mr. PADGETT. Now, here is a letter from the Secretary of the Navy:

NAVY DEPARTMENT,
Washington, May 6, 1918.

MY DEAR SENATOR: It is desired that there be added to the pending naval bill, H. R. 10854, as introduced into the Senate April 22, 1918, page 49, line 9, the following items:

"Improvements central power plant and distributing systems, including quay wall and fill at power house, etc., $800,000." This amount is needed in order to complete the power plant now under construction at the torpedo station, Newport, R. I., and covers the cost of extensive distributing systems, sea wall, and fill at the power plant, and the great increase in the cost of electrical and mechanical equipment. In view of the increase of the activities of this station it was found necessary to increase the area of the island by considerable filling. The new power plant is located on this fill, which necessitates an extensive quay wall construction. This quay wall construction is also an important element in connection with the storage and handling of fuel.

The early completion of the power plant at the torpedo station is vitally needed, as the capacity of the plant has been and is being increased; for the work at the station, making and repairing of torpedoes, work of the highest importance, has largely increased and must continue to meet the needs of the Navy.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

Mr. STAFFORD. Has the gentleman any specific information as to the character of this quay wall of 700 feet for which $131,000 is estimated?

Mr. PADGETT. It is a stone wall, but I could not tell the gentleman the size of the blocks or things of that kind.

Mr. STAFFORD. The gentleman has no information as to whether the matter could not be deferred until after the war?

Mr. PADGETT. Not when they say it is needed for the necessities of the present manufacture of torpedoes. Mr. Speaker, I ask for a vote.

Mr. STAFFORD. It is but another instance of extravagant expenditure.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recede from the House disagreement to Senate amendment No. 101 and to concur in the same.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I now call up Senate amendment 120 and move to still further insist upon the disagreement of the House to that amendment. I want to state in connection with that that the House committee had reported out a bill with reference to the Coast Guard. This Senate amendment embraces a part of the bill as reported by the House committee and other new matter. The conferees are in sympathy with the legislation. The Coast Guard is cooperating with the Navy and is a part of the Navy under legislation during the war. My idea is to have this sent back to conference in order that some proper amendments that have been suggested by the Secretary may be considered by the conferees and reported back to the House in an agreement.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. WALSH. I would like to ask the gentleman why somebody connected with the Coast Guard is not consulted in this matter.

Mr. PADGETT. They were. The House committee had a hearing, and Capt. Berthold and Capt. McAllister were present.

Mr. WALSH. I know; but that was before the measure went to conference. After the measure went to conference you had the Secretary of the Navy before the House conferees to express his views of the legislation and of the Senate amendment.

Mr. PADGETT. Yes; I wanted to get his views. We had already gotten the views of the others and never had gotten the views of the Secretary, so that we would have the whole matter before us.

Mr. WALSH. You got the views of the Coast Guard officials, but you did not get their views of the Senate amendment, because the Senate amendment is entirely different from what the House provided.

Mr. PADGETT. It is not entirely different; it is somewhat different.

Mr. WALSH. It is radically different in several provisions. Can the gentleman state whether the House conferees or whether the gentleman personally is opposed to what would be section 1 of amendment 120?

Mr. PADGETT. Section 1 is the identical provision of the House bill.

Mr. WALSH. Yes; but would the gentleman be opposed to having that redrafted so that instead of its reading "without regard to number or length of service in rank or grade" it should read "without regard to the number or length of commissioned service in rank or grade," so as to have it comport with the provisions of law applying to officers in the Navy?

Mr. PADGETT. I can not say whether I would or would not, because I have not considered that suggested amendment. This paragraph 1 was reported out in the language that it is here in this Senate amendment. The House has passed it, and the Senate has passed it in that manner. That is the language that is agreed upon by the officials of the Navy Department and the officials of the Coast Guard. That is the very language of the bill that the Coast Guard and the Navy agreed upon and sent down to our committee. Speaking for myself, and as I think for the others, the conferees want to go over this matter, and we are in sympathy with this legislation. I think the legislation should be enacted and should be enacted in this bill, because if it goes out of the bill it will be difficult to get consideration of a separate bill in the congested condition of the calendar.

Mr. WALSH. Will the gentleman state what there is objectionable about this amendment? The conferees being in sympathy with the legislation, why does he not move at this time to concur?

Mr. PADGETT. There are several matters in there that the Secretary has called attention to that I think ought to be considered carefully and more in detail than we can here.

Mr. WALSH. You have considered them and the Secretary has been before the House conferees and has expressed his views.

Mr. PADGETT. Yes; and he has expressed his views adversely to some matters that I do not know I am yet prepared to take his views upon.

Mr. WALSH. I do not know what the intentions of the House conferees may be, but it would seem that the House conferees

might well ascertain the views of some of the people in authority in the Coast Guard. I do not think that in providing for legislation for the Coast Guard simply because that branch of the service is now in the Navy the Bureau of Navigation or the Secretary of the Navy should be sole judge as to what legislation should be enacted as affecting that particular service.

Mr. PADGETT. That is not so. We called the two high officers of the Coast Guard before we called the Secretary of the Navy.

Mr. WALSH. But that was before the Senate amendment was put into the bill.

Mr. PADGETT. Certainly.

Mr. WALSH. You had the Secretary of the Navy before you since the Senate amended the bill?

Mr. PADGETT. Yes.

Mr. WALSH. My observation was that it would seem not out of keeping with the proprieties to ascertain the views of the Coast Guard officials as to the Senate amendment which the gentleman is now moving to insist upon our disagreement to.

Mr. PADGETT. For the purpose of perfecting it and reporting it back. That amendment is in the hands of its friends.

Mr. WALSH. I am very glad to hear that, but I wanted to get some idea as to what particular phases of the amendment the House conferees were objecting to, and whether there were any other aspects than those pointed out by the Secretary of the Navy.

Mr. PADGETT. Let me say to the gentleman that the House conferees did not object to any specific part of it, for the simple reason that when this bill went to conference it was one of the items that was reserved out of conference and we were called upon to agree to report back to the House out of the conference report, and for that reason we did not take it up for consideration.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PADGETT. Yes, sir.

Mr. CRAMTON. I am anxious to know, if it is agreeable to the chairman, just a little more definitely as to the extent of his sympathies with this legislation, particularly as to line 19, on page 81, to line 5, page 82, in reference to the rank of the commandant of the Coast Guard, the engineer in chief, and I have also in mind certain senior captains who appear under lines 19 to 23.

Mr. PADGETT. That is legislation that is for two officers——

Mr. CRAMTON. I should have said lines 15 to 23, page 81.

Mr. PADGETT. Lines 19 to 23, beginning there. I will say to the gentleman I think frankly that personally it was my purpose to have a conference with some of the representatives of the Coast Guard people to get their views upon this matter. I have not yet formed an opinion as to whether I will or will not, because I have only investigated that particular phase of it that has been brought in. I have only investigated the Secretary's views about it, and I wanted to get the other side of it before I formed an opinion.

Mr. CRAMTON. I am very glad to hear the gentleman say so. Can the gentleman yield me two or three minutes to make a few observations in reference to this?

Mr. PADGETT. Yes. How much time?

Mr. CRAMTON. Two or three minutes; perhaps five minutes.

Mr. PADGETT. I yield the gentleman five minutes.

Mr. CRAMTON. Mr. Speaker, I am very glad to know that the mind of the chairman, and I suppose of the conferees, is open on this proposition, because it is a matter in which many of us are very much interested. Now, I was sorry to note in the hearings that the Secretary of the Navy appeared to take a position adverse to a proper recognition of the officers of the Coast Guard. This Coast Guard was a branch of the service in the Treasury Department. It was taken over bodily into the Navy for the war, and I do not suppose anyone would do it consciously, but it is inevitable that a feeling of class might have somewhat to do in ruling against the Coast Guard as a sort of outsider in the Navy. As a matter of fact, there are 6,000 men in the Coast Guard——

Mr. PADGETT. Will the gentleman permit me just at that point?

Mr. CRAMTON. Certainly.

Mr. PADGETT. I want to disabuse the gentleman's mind of that attitude of the Navy, and I want to do so in justice to the Navy.

Mr. CRAMTON. But the Secretary and Admiral Palmer have throughout——

Mr. PADGETT. I know, but allow me——

Mr. CRAMTON. Ruled against full recognition of the Coast Guard.

Mr. PADGETT. I want to do it with special reference to Admiral Palmer. We had two hearings upon that matter before the Committee on Naval Affairs. It developed in the first hearing that under the bill—if the gentleman wants to go into particulars, I will give some—it developed in the hearing before the Committee on Naval Affairs, the first hearing, that at a given date—I do not remember the date—there were 132 officers in the Coast Guard in the line. Of that number 31 had the rank of captain, a certain number of lieutenants, and so on down. Under section 1 of the bill, as it was presented, the captains would be increased to 78 and every other officer would be promoted to the next lowest rank except one, and the committee was at once impressed with the idea that that was legislation creating a Salvador army, where we were putting every officer at the top except one.

Mr. CRAMTON. Admiral Palmer makes a very good statement as to that.

Mr. PADGETT. Yes. Now, the committee balked at that, and while the committee was hesitating at it Admiral Palmer talked with me personally and explained it, and came before the committee at the second hearing and explained that while it was true that under the legislation as proposed all of these men would be promoted up to the top, all the bottom would be left vacant, that these men were no longer operating as a unit, that they were distributed around through the Navy and worked as individuals with the Navy and not as a Coast Guard organization, and that they needed the men of that rank, and because of their experience they were valuable; and he talked and urged of us not longer to hesitate to report that bill in favor of the Coast Guard; but he was one of the best friends that they had, and I can not allow a criticism of him when I know that he made that appeal to me personally, and came before the committee and urged that we would pass legislation that would promote every officer to the highest and next highest grade except one in the organization.

Mr. CRAMTON. Do I understand that would have given promotion to all the Coast Guard officers, except perhaps the captain commandant? Is it not a fact that the Secretary of the Navy and Admiral Palmer both as yet have failed to urge any recognition for the four highest officers—captain commandant, the engineer in chief—I think that is the name—and the senior captains?

Mr. PADGETT. The Secretary of the Navy has not recommended a rank above that of commander. Now, in the bill here the Senate amendment provides for the ranking officer to have during the war, while they are operating with the Navy——

The SPEAKER. The time of the gentleman from Michigan [Mr. CRAMTON] has expired.

Mr. PADGETT. Mr. Speaker, I will speak in my own time and yield the gentleman some more.

The SPEAKER. The Chair can never tell whether he is speaking in his own time or that of somebody else.

Mr. PADGETT. I was trying to explain this matter. The Secretary said he did not favor giving the rank of commodore to the ranking officer of the Coast Guard. He says that instead of his duties being increased they have been decreased.

Mr. CRAMTON. That is the point I would like to call attention to in my time.

Mr. PADGETT. He says that before the war the captain commandant of the Coast Guard had an organization and had the management of and the responsibility for his organization, but he says since they have been taken over into the Navy that organization has been dissipated, and that these men have been distributed as individuals with the Navy, and are working with the Navy as a part of it, under naval officers and as naval officers and not as a Coast Guard organization. And that therefore all of the duties and responsibilities and the work, practically, of the captain commandant has dissipated with this organization.

Mr. CRAMTON. Might I proceed there?

Mr. PADGETT. I was going to say to the gentleman, as I said a moment ago, that that was just one side of the matter. I have not yet made up my mind. I could not tell you now what I shall favor, because I do not know. I have not reached a conclusion. Before I reached a conclusion I wanted to have a conference with these men in order to get the viewpoint of the Coast Guard officers with reference to that matter. But I rose for the purpose of disabusing the mind of the gentleman and of the other Members of the House that Admiral Palmer entertained any ill will or disparity against the Coast Guard, because he pleaded for them and for this legislation more than any man, and it was on his plea to the committee that we reported out the bill.

Mr. CRAMTON. Then I will only say, Mr. Speaker, if I may have a few minutes now——

Mr. PADGETT. I yield the gentleman five minutes.

Mr. CRAMTON (continuing). That I hope Admiral Palmer may also make a plea for the men at the head of the Coast Guard

who were in charge of that splendid organization in days of peace and were taken over with it into the Navy Department in time of war.

Now, the Secretary of the Navy, in his statement, or in his letter, to the Naval Committee, earnestly speaks of this matter, and says:

As for the promotion of the captain commandant of the Coast Guard to the rank of commodore the department does not approve this because the captain commandant has less responsibility and less authority than before the war began. The Navy has taken over entirely the operations of the Coast Guard vessels and Coast Guard personnel, and it believes that it is injurious to the morale of the service to give increased rank except where there is increased responsibility, and then only when it is necessary to facilitate naval administration and command.

And he urges certain amendments.

Now, the question in my mind is, If that man is up there with decreased responsibility it is not his fault; it is the fault of the Navy Department that seeks to practically ostracize him and leave him at his desk without increased responsibility.

Let me quote from the letter of Admiral Palmer. It is an excellent letter, for which he should have full credit:

The Coast Guard is now a part of the Navy, and unless we can have means of utilizing its experienced officers as a part of the Navy in their proper positions relative to all other officers of the Navy, then the original legislation which placed it under the Navy will to a great extent be nullified. The Coast Guard, for the period of the war, has lost its identity entirely as a separate organization. Its officers and men are considered as much a part of the Navy personnel as the officers and men of the reserve force of the Regular Navy are, and are assigned to duty accordingly. We have ships which have both Coast Guard officers and reserve officers on them, and we have stations where regular officers, Coast Guard officers, and reserve officers are on duty together. We could very easily have a ship commanded by a regular officer, a Coast Guard officer second in command, and reserve officers the juniors. In order to utilize the long experience of these Coast Guard officers it is necessary that they be given a rank commensurate with their experience, and whether it advances all of them to higher grades or not is immaterial

Now, that reasoning, it seems to me, should apply to the four men at the head of the service as well as to any of the others, and in this tremendous naval expansion that we have there must be duties somewhere in the Navy that the Captain Commandant of the Coast Guard can perform that will give him increased responsibility in keeping with the times. Why, the Coast Guard under peace times had 6,000 men and 229 officers. If we were to give them rank commensurate with the Navy they would have two and one-half rear admirals for those 6,000 men. Now, this legislation does not propose to make a rear admiral or even half of one. It proposes to give the captain commandant the rank of commodore.

Mr. PADGETT. That is a rear admiral of the lower line.

Mr. CRAMTON. Perhaps that gives one of that rank, but it is nothing extravagant. Now, at the present time they are finding places of responsibility for some of these men. For instance, one of those captains to whom they do not propose to give any increase of rank if the Secretary's recommendation is followed, I understand is in charge of the naval training school at San Pedro. Another one is chief of the staff of the twelfth naval district. Now, both of those positions are customarily occupied by naval officers of higher rank, and I do not see if these men are performing the service why they should not have the rank. And in addition it should be understood that these men are men who have had years of training, men who have been familiar with the handling of ships for years, who have been on board ships in active service for many years.

Mr. PADGETT. Will the gentleman permit me just at that point?

Mr. CRAMTON. Certainly.

Mr. PADGETT. We must bear that in mind with this qualification, that they have been operating small ships along commercial lines and not fighting ships along naval lines. But I am not speaking to their disparagement. I do not want a misapprehension to get out. I am friendly to these people and have a great regard for them.

Mr. CRAMTON. I do not want to lessen the gentleman's friendship, but the gentleman realizes that now in our expansion of the Navy it is necessary to take in men who have not had long experience in command of battleships, and many men are taken in and given responsible commissions who have not had the training and experience that these Coast Guard officers have had.

Mr. PADGETT. That is true, but not above captain and rank of that kind.

Mr. CRAMTON. These men, I understand, have had many years of actual experience at sea rather than at desks here.

Mr. PADGETT. I am pretty well informed on the general service, but as I stated to the gentleman a while ago, it is my purpose to get the views of the Coast Guard people as well as the other side.

Mr. CRAMTON. I will say to the gentleman that I had overlooked the hearings of Capt. Bertholf before the gentleman's committee, if they were published.

Mr. PADGETT. They were published.

Mr. CRAMTON. I endeavored to get his hearing before the Senate Committee and found that it was not published.

Mr. PADGETT. But ours were published. We had him there, and we had Capt. McAllister also on the bill that they had agreed upon. And the bill that they agreed upon and sent down as a joint recommendation did not contain these matters. But I am not using that to their discredit, because I have an open mind.

Mr. CRAMTON. I have not desired to get from the gentleman a positive expression of his position.

Mr. PADGETT. Oh, no.

Mr. CRAMTON. I have not wanted to outdo his patience. But I did want to impress upon him that there are Members who are interested in the desirability of retaining and encouraging the Coast Guard as an effective fighting force either in war times or peace times.

Mr. PADGETT. Of course, in peace times they are not a fighting force.

Mr. CRAMTON. They come pretty near to it sometimes; they render duty that is almost as heroic.

Mr. PADGETT. They have hazardous duties.

Now, Mr. Speaker, I ask for a vote on my motion to further insist.

The SPEAKER. The gentleman from Tennessee moves that the House further insist upon its disagreement to Senate amendment No. 120. The question is on agreeing to that motion.

The motion was agreed to.

PROTECTION OF MIGRATORY BIRDS.

Mr. FLOOD. Mr. Speaker, the gentleman from Tennessee [Mr. PADGETT] has yielded to me a minute. I present, for printing under the rule, a conference report on Senate bill 1553.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes.

The SPEAKER. Ordered printed under the rule.

The conference report and accompanying statement are as follows:

CONFERENCE REPORT (NO. 669).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 5, and agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: in lieu of the matter inserted by said amendment insert the following: "*Provided*, That no person who is subject to the draft for service in the Army or Navy shall be employed by the Secretary of Agriculture under the provisions of this act"; and the House agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 12. Nothing in this act shall be construed to prevent or affect the breeding of migratory game birds on farms and preserves for the purpose of increasing the food supply."

And the House agree to the same.

H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,
Managers on the part of the House.

M. A. SMITH,
JNO. K. SHIELDS,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the pro-

tection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, submit the following written statement explaining the effect of the action agreed upon.

The Senate receded from its disagreement to House amendments Nos. 1, 2, and 5.

The Senate receded from its disagreement to No. 3 with an amendment. The first proviso of No. 3 prohibited the expenditure of appropriation for the publication purposes. The amendment agreed upon was the second proviso, which prohibits the employment of any person under the provisions of this act who is subject to draft by the Army or Navy.

The Senate receded from its disagreement to amendment No. 4 with an amendment. The amendment No. 4 was a new section and stated that one of the objects of the bill was to foster the breeding of migratory game birds for food purposes. The amendment agreed upon is a new section providing that nothing in this act shall be construed to prevent the breeding of migratory game birds for food purposes.

H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,
Managers on the part of the House.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, there is only one other Senate amendment that will call for a separate vote, and that is Senate amendment No. 170. I ask that the Clerk report that.

The SPEAKER. Does the gentleman make any motion?

Mr. PADGETT. Yes. I move that the House still further insist on its disagreement.

The SPEAKER. The gentleman from Tennessee moves that the House still further insist on its disagreement to Senate amendment No. 170, which the Clerk will report.

The Clerk read as follows:

Page 100, lines 5 to 10, inclusive, strike out the following: "nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

The SPEAKER. Does the gentleman from New York [Mr. GOULD] want recognition?

Mr. GOULD. No.

Mr. PADGETT. I am entitled to recognition, Mr. Speaker.

The SPEAKER. I know; you have already made your motion. The Chair thought perhaps the gentleman from New York wanted to make a preferential motion.

Mr. GOOD. Mr. Speaker, I desire to make a preferential motion.

Mr. PADGETT. I will let the gentleman make it before I conclude. I want to make a little explanation of three or four minutes.

The legislation as reported by the House committee and as passed by the House is identical with the existing law and with what has been in the naval appropriation bill since and including the year 1915. It is the old question of the manufacturers on one side and the laborers on the other. The House passed this provision. It has also been carried in the Army appropriation bill and also the fortifications bill, as I remember. We have had a number of discussions of it on the floor of the House. We have had a number of votes in the House on it, and the House has always voted in favor of the provision. Sometimes it came on the motion to strike out, and the House refused to strike it out. The committees have sometimes failed to report it, and then it was offered as an amendment, and the House always voted to insert it as an amendment.

We asked the Secretary of the Navy about this matter, and he stated that it was his recommendation that the legislation be left as it now exists and as the House passed it. He said that his labor conditions were getting along fairly satisfactorily, and that while there might be merit—I do not know that he used the word "merit"; perhaps that is my interpolation—while there might be merit in eliminating this portion of the House provision, he did not think it wise at this time to bring in a disturbing element and a new agitation.

With this statement I am going to leave the matter for debate with the House, and if a preferential motion is made we can take the vote on that.

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 170 and agree to the same.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on its disagreement to Senate amendment No. 170, and the gentleman from Iowa [Mr. GOOD] makes a preferential motion that the House recede from its disagreement to Senate amendment No. 170 and concur in the same.

Mr. PADGETT. I believe I have control of the time in charge of the bill?

The SPEAKER. Yes.

Mr. BUTLER. The preferential motion of the gentleman from Iowa gives him an hour.

The SPEAKER. The gentleman from Iowa has the floor.

Mr. PADGETT. Mr. Speaker, I move the previous question on his motion.

Mr. GILLETT. The gentleman does not want to do that.

Mr. PADGETT. I do not want to lose my hour's time.

Mr. BUTLER. The gentleman is entitled to reserve the time.

Mr. NOLAN rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. NOLAN. To see if we can not come to some understanding as to time and as to the division of time for and against the motion.

Mr. PADGETT. I am going to yield to both sides.

Mr. GOOD. I have made a preferential motion. Under the rules of the House I am entitled to one hour on that motion.

Mr. BUTLER. It was so held on me yesterday.

The SPEAKER. You can not take the control of the bill away from the gentleman from Tennessee.

Mr. GOOD. I do not care to take it away.

Mr. PADGETT. My understanding of the rule is that while I made my motion and while the gentleman from Iowa can make the other as a preferential motion and can discuss it, I have control of the time in charge of the bill and that I have an hour, and I am willing to yield to him.

The SPEAKER. The gentleman from Tennessee is entitled to an hour to advocate his own motion, and the gentleman from Iowa [Mr. GOOD] is entitled to an hour to advocate his motion. As to the division of the time, that is not the concern of the Chair.

Mr. PADGETT. How much time does the gentleman want?

Mr. GOOD. So far as I am concerned, the gentleman from Tennessee can control all the time. I want only 10 minutes myself.

Mr. GILLETT. Say 30 minutes to a side.

Mr. NOLAN. Yes; let us have 30 minutes to a side.

Mr. PADGETT. I will take the time for one hour, and I will yield one-half of it to the gentleman from Iowa.

The SPEAKER. In the meantime the gentleman from Tennessee moves the previous question.

Mr. PADGETT. I withdraw that, Mr. Speaker, because I do not want to shut off debate.

The SPEAKER. The gentleman from Tennessee withdraws his motion for the previous question.

Mr. PADGETT. I will divide the time half between myself and half with the gentleman from Iowa.

Mr. GOOD. The gentleman from Pennsylvania [Mr. BUTLER] will control the time on this side.

Mr. PADGETT. The gentleman from Pennsylvania will control the time in favor of the motion of the gentleman from Iowa, and I will control the time in favor of my motion.

Mr. BUTLER. I will yield the control of the time to the gentleman from Iowa to dispose of it among gentlemen in favor of the motion made by the gentleman from Iowa, because I shall vote with the chairman of the committee, Mr. PADGETT, on this question.

The SPEAKER. Why not have the gentleman from Iowa control the time?

Mr. PADGETT. That is right. Let the gentleman yield his half to those advocating his side of it. I will yield the other half to the other side of the question.

The SPEAKER. The understanding is that the debate shall run not exceeding an hour, and that the gentleman from Tennessee shall control one-half the time and the gentleman from Iowa the other half, and do what they please with it. The gentleman from Iowa is recognized.

Mr. GOOD. Mr. Speaker, this provision has been in the naval appropriation bill, a similar provision has been in the Army appropriation bill, and a similar provision has been in the fortifications bill for several years, just as explained by the gentleman from Tennessee [Mr. PADGETT]. But that provision when it came before the House was enacted into law in connection with another provision which prevented the use of any part of the money appropriated to be expended in connection with what is known as the stop-watch or Taylor system.

Mr. GREEN of Iowa. Will my colleague kindly repeat the whole of that last sentence? There was so much confusion in the Hall that I could not hear it.

Mr. GOOD. The statement made by the gentleman from Tennessee [Mr. PADGETT] is practically correct. This provision has been carried in the Army bill, the Navy bill, and the fortifi-

cations bill for several years. It was enacted, however, when it was coupled with a proposition to prevent the use of any of this fund for what are known as stop-watch devices. The situation now is this, that if the motion I have made is adopted, then in the Naval Establishment the Secretary of the Navy and those who have charge of the expenditure of these appropriations and of the employment of labor will be permitted to pay bonuses to speed up production, if it is necessary to speed up to win the war. To-day there are men driving rivets in shipbuilding yards who are capable of driving as many as 5,000 rivets a day if they are permitted to do so, but they are paid on the basis of about 1,000 rivets a day. A man drives his 1,000 rivets, takes his time to it, and as a result you have men doing one-fourth of the amount of work which they are capable of doing; and it is proposed to enact into law a provision which absolutely ties the hands of the Chief of Ordnance in the Navy and the Chief of Ordnance in the Army, so far as production is concerned. My friends, we have come to a time in America when we must speed up or keep our mouths shut with regard to production. It does not lie in the mouth of any man to criticize the lack of production and at the same time vote for a law to delay and hinder production. Every man must do all he can do, if we are to win this war, and you are not giving the opportunity to every man to do what he can if the Government is unwilling to pay labor for its maximum of production. We should encourage officials who have charge of the expenditure of these funds, that they should stimulate production to the point that every man was doing his best in order that our own part in this war may be the maximum of all our people.

Mr. BARKLEY. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Kentucky.

Mr. BARKLEY. I saw in the papers a few days ago that Mr. Hurley had taken under consideration the question of allowing bonuses to men in shipyards for excellence of performance in the driving of rivets. Under what authority does he do that, if the law already prevents it?

Mr. PADGETT. This only applies to naval appropriations.

Mr. GOOD. In the bill passed by the House two or three days ago—the sundry civil appropriation bill, carrying approximately $2,000,000,000 for the building of ships—there is no provision prohibiting the payment of bonuses—not a word in that law with regard to stop watches and bonuses—and any part of that fund can be used not only for paying bonuses in Government-operated shipbuilding yards everywhere except navy yards, but can also be used for the enforcement of the stop-watch or Taylor system.

Mr. BARKLEY. So that there is no law at present that prohibits the paying of bonuses in shipyards?

Mr. GOOD. In the navy yards there is.

Mr. BARKLEY. I mean in other shipyards.

Mr. GOOD. Not under the Shipping Board or the Emergency Fleet Corporation.

Mr. PADGETT. And not in private yards, either.

Mr. GOOD. We have nothing to do with private yards.

Mr. PADGETT. This applies only to Goverument yards.

Mr. GOOD. This applies to the naval program so far as the appropriation for that kind of construction is concerned.

Mr. ROBBINS. In navy yards only.

Mr. GOOD. In Government navy yards only; but it is the announcement of the governmental policy. Are you going to have one policy for riveters and calkers at Hog Island, a Government yard, and another policy so far as the navy yards of the United States are concerned for the same character of work?

Mr. WALSH. Was there not an amendment offered to the sundry civil bill along lines similar to this provision?

Mr. GOOD. If there was, it was not adopted. It never has been carried in the sundry civil biil, nor has it been carried in any of the deficiency bills which have appropriated very large sums for the employment of labor in Government shipbuilding yards, and if we would cut all the politics out and confine our endeavor to the winning of the war it would not be here.

Mr. NOLAN. The gentleman knows that no amendment has ever been offered to any bill that would affect private contracts with the Government.

Mr. WALSH. I am not talking about private contracts. Hog Island is not a private yard. That is a Government yard.

Mr. NOLAN. The gentleman does not understand it, if he thinks that is a Government yard.

Mr. GOOD. I am only talking about this provision.

Mr. WALSH. I do not call the Emergency Fleet Corporation a private corporation.

Mr. GOOD. It only applies to Government establishments. Anyone who says that the Government shipbuilding yard at Hog Island is not a Government plant does not know what he is talking about. The gentleman has referred to the fortification bill. The fortification bill came to the Committee on Appropriations this year with the recommendation of the Secretary of War that this entire provision be eliminated.

I am frank to say that when this matter came before the House first, when we were at peace, coupled as it was with the proposition of the stop watch, I voted for it. It was claimed that the so-called Taylor system has operated against the laboring men. I would vote for it again under similar conditions; but, my friends, it seems to me that we have come to a time when we must pay bonuses. When every industrial establishment that tries to acquire quantity production is paying bonuses why should we tie the hands of the Navy Department or of the Ordnance Department of the Navy in this regard? Where a man can drive 5,000 rivets in a day you say to him, "You shall not do it." When a man can do a certain amount of work in a machine shop, under splendid conditions, without impairing his health, and he wants to do it to help win the war, and if he was in a private establishment he would be permitted to do it and would be paid for it, you say, "No; you can not do it. You stop work when you get so much done and let the standard of efficiency in the United States be the standard of the least efficient." I am not willing now, in this time of war, to write that kind of a provision into the statutes of the United States.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. GOOD. Yes.

Mr. ALEXANDER. I visited a——

Mr. GOOD. I yield for a question.

Mr. ALEXANDER. I understand that these men who drive 5,000 rivets in a day lay off for four or five days; that they have exhausted their nervous energy so that they are not capable of working for four or five days, and hence it does not speed up production at all.

Mr. GOOD. I understand that is not a fact.

Mr. ALEXANDER. It is a fact.

Mr. GOOD. Well, it is not a fact and no one having any knowledge of the situation ever claimed it was so. I understand that these men who work in the Ordnance Department who have a productive capacity that excels the capacity of a great many other men do work every day without impairing their health, and I say that now while we are at war, when we are asking every industry in the country to speed up, and every industry is speeding up, and every automobile factory and every ammunition factory controlled by private enterprise is permitted to pay bonuses, we ought not to prohibit it in Government establishments.

Mr. ALEXANDER. I am not opposed to the payment of bonuses, but I am saying that these stunts in the driving of rivets do not increase the efficiency or speeding up of the work in many instances, for the reason I have stated, because they can not do that every day.

Mr. LINTHICUM. Will the gentleman yield?

Mr. GOOD. Yes.

Mr LINTHICUM. I want to say that this man, Charles Knight, made the record in shipbuilding in driving 4,800 rivets, went to work the next day, and broke the hour record by driving 1,200.

Mr. GOOD. Has he quit work since?

Mr. LINTHICUM. No; he is working every day.

Mr. GOOD. I hope the gentleman will submit his proof to the gentleman from Missouri [Mr. ALEXANDER]. Now, gentlemen, I have here a letter from a gentleman now living in my town, who originally came from Baltimore, who has already received news that one of his brothers has been killed on the other side, and it is from such fellows as that and the boys we are sending on the other side that I want to hear from whether or not we should speed up. Here is what he says:

> The statement is also made that the Tavenner bill is part of the propaganda of Germany to defeat the output of United States ships to carry the war to a successful conclusion.
>
> The statement is also made that in some navy yards, as a result of bonus or reward offers, over 4,800 rivets have been driven by a single man, while the result of the passage of this bill will mean a reduction in the number of rivets driven per man to less than one-fourth.

This letter concludes with a strong demand that Congress should not enact legislation that will prevent our speeding up.

Certainly it must be a part of a German propaganda; anything that will stop production is in the interest of Germany and not in the interest of the United States. Every man must do his part, not only in the shipbuilding yards but in everything. At Hog Island and in the arsenals, wherever we put the man, he must do a man's part, and that is all he can do to win the war. All I am asking here is that we adopt the Senate amendment that permits the business policy adopted by every business establishment throughout the United States, a policy, as explained by the gentleman from Pennsylvania [Mr. GARLAND], a man who holds a union card, a union man, that there can be no objection

to it from any patriotic union man in the United States. [Applause.] It gives to labor its reward. It gives to a man an incentive to do more than he did the day before; and if we are going to win the war, if we are going to win it in a reasonable length of time, not only the labor must speed up, but Congress must be willing to pay that labor for everything it produces, and that is all that the amendment that I have offered will accomplish. Let us by our vote answer the last call of Joseph H. Choate—"Hurry up, hurry up; for God's sake, hurry up!" [Applause.] Mr. Speaker, I reserve the balance of my time.

Mr. PADGETT. Mr. Speaker, I want to make a personal statement, and in doing so I want to read into the RECORD for the information of the House a couple of telegrams. I want to say that I have always been very friendly to labor. I have endeavored at all times to promote by legitimate legislation its interest and its welfare, but I have received two telegrams that did not stimulate my kindly feelings. I want to read them so that the House may have the benefit of them:

PORTSMOUTH, VA, *May 25.*

Congressman PADGETT,
Washington, D. C.:

Just received advice that Senate amends House naval appropriation bill making possible bonus and Taylor system in navy yards. This measure, if it becomes effective, will undoubtedly cause walkout all manufacturing departments Government, as was done in similar instance over three years ago. Urge upon you to effect its defeat in House Monday.

W. B. WYATT.

NORFOLK, VA., *May 25, 1918.*

Hon. LEMUEL P. PADGETT,
Washington, D. C.:

G. H. T. U. 14824, of Portsmouth, Va., urge you to defeat in House Monday Senate amendment to Navy appropriation bill. If accepted by House, thereby making effective bonus and Taylor system in navy yards, will undoubtedly cause walkout of all Government yards, as was done similar occasions three years ago.

D. S. THOMAS, *Secretary.*

I am reading these at this time to let the House know that I received them. While I have been always the friend of labor I must confess that when I received these telegrams, instead of arousing within me a feeling of sympathy, I felt the devil in me as big as a bullfrog. [Laughter and applause.] I do not believe that it is the right spirit. It is not the right spirit in which to approach the House of Representatives in considering an amendment to legislation upon a great policy. I want to make that statement so that the House could debate it in the beginning and not at the end.

Mr. CANNON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CANNON. Is the gentleman aware that at the end of the Chamberlain bill, which became a law a few days ago, there is a provision written into the law giving the President the power to draft into the military service of the United States, without regard to residence, experts in industry and agriculture?

Mr. PADGETT. That is legislation subsequent to this.

Mr. CANNON. I know, but that is the law. I have wondered, that being the law, if the threat contained in the two telegrams might not result in action, and whether or not, if these gentlemen were informed that that is the law, they would care to enter the military service at $30 a month.

Mr. PADGETT. That is a question for everyone to answer for himself.

Mr. CANNON. I do not know whether these men know it or not, but it seems to me that if they do know it, if they do know that that is the law, and it ought to be the law—I do not suppose there is any disposition to use it on the part of the administration unless it becomes necessary—it would discourage telegrams of that kind. I think we all receive similar telegrams from all over the country.

Mr. GOOD. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GOOD. In order that we may confine the debate to the exact issue, the gentleman from Tennessee will agree with me that the Taylor system is not involved in this amendment; the only thing involved here is the payment of bonuses.

Mr. PADGETT. And premiums.

Mr. KEATING. If the gentleman from Tennessee will yield, I think it is only fair to state that the bonus and premium is a part of the Taylor system, and the gentleman's statement is not quite correct. The bonus and the premium are all a part of the Taylor system, and you can not have one without the other.

Mr. PADGETT. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. NOLAN].

Mr. NOLAN. Mr. Speaker and gentlemen of the House, I have no defense to make of men, whether they be officers of an organization or not, who send such telegrams as have been read by the chairman of the Committee on Naval Affairs. I believe in conciliation and mediation. I believe that no organization and no set of men are justified during this great emergency, whether they be workmen employed by the Government of the United States or whether they be employed by contractors, to threaten a strike because of proposed legislation. I am not in sympathy with the spirit that prompted the telegrams, neither do I think they ought to affect the judgment of the House on this important question.

The people that are in favor of stop-watch methods of efficiency and the bonus and premium systems of payment that follow this system have been guilty of carrying on a campaign of misrepresentation in connection with this section of the naval bill, and the retired naval officer that the gentleman from Iowa speaks of—Capt. Stayton, who represents the Navy League—is largely responsible for the feeling engendered in the Middle West by his misstatements, as I will presently show from an extension of remarks of the gentleman from Nebraska in the CONGRESSIONAL RECORD under date of June 13.

Every effort is being made by the wage-adjustment board of the Emergency Fleet Corporation, the Shipping Board, and the National War Labor Board to adjust not alone labor troubles in war industries, but in every other industry in the country during the period of the war, and I trust that out of the efforts some permanent good may come regarding the adjudication of industrial disputes in this country. On the other hand, there has been carried on from Washington a propaganda that has disturbed the men working in all of the Government establishments of the country regarding this sort of legislation. The gentleman from Iowa [Mr. GOOD] does not understand the situation in the shipbuilding industries of this country nor in the Government establishments, nor does he understand the principle involved or he would not make the statement that the bonus and premium payments are not part of the Taylor system. They go hand in hand with the stop-watch and time-measuring devices, and for that reason this second section has always been considered a vital part of this legislation and has been attached to all appropriation bills and was only stricken from this bill in the Senate on motion of a Senator who advocated and voted for the use of the stop watch.

Mr. GOULD. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. GOULD. Do they use the stop-watch method in foundries where bonuses might be paid?

Mr. NOLAN. Only where the Taylor system is involved, and these establishments are few and far between. No concern in this country that has any interest in the welfare of their employees uses any part of the Taylor system. Here is the situation in the navy yards of this country: There is no restriction whatever on piecework nor the amount of money that the men might earn. There is no restriction whatever on daywork, and absolutely no restriction of output, and the Secretary of the Navy has taken the position that he has means at his command and at the command of his subordinates to determine when a man is doing a fair day's work and whether the Navy Department is receiving adequate return for the money paid.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. NOLAN. Yes.

Mr. BANKHEAD. I presume this is a confession of ignorance on my part, but I would like to know, and I imagine some others would like to know who have not heard this question discussed, how the Taylor system operates and what the effect of it is.

Mr. NOLAN. I could not give the gentleman even an idea of it in 10 minutes. First of all, it is primarily based on the stop-watch method of time study, basing the production obtained and the time unit obtained under the stop-watch method in determining the output of each individual mechanic, generally taking the most highly efficient mechanic and basing the standard of all of the workers in the plant on this man's output when working at abnormal speed under ideal conditions, and making payment for the task set plus the bonus and premium payments, which the House has frequently decided was not fair and should not be established in Government plants.

The gentleman from Iowa [Mr. GOOD] referred to Capt. Stayton. I want to call attention to this gentleman's activities in the Middle West, and I call attention to an extension of remarks in the Appendix to the CONGRESSIONAL RECORD by the gentleman from Nebraska, Mr. DAN V. STEPHENS, in which Mr. STEPHENS says:

I have a stenographic report of Capt Stayton's speech at Norfolk, Nebr., in which he states:

"They have passed through both Houses a bill which says it shall be held lawful to say how many rivets they may drive, and Nebraska's Members of Congress all voted for it."

What do you think of a retired naval officer that will go around the country making misleading statements of this kind, that only

tends to arouse class feeling and hatred during the war? An active pro-German propagandist that would make these statements would be imprisoned. This man represents the Navy League, that has been discredited on account of similar misleading statements by its officers concerning the efficiency of the Navy since we entered the war.

Mr. STEPHENS has a stenographic report of this gentleman's speech in Nebraska. He has been going throughout the Middle West creating dissension among the farmers with such statements as that. The gentleman from Nebraska has made an extended address. In fact, he has exposed this man in a letter written to the Chamber of Commerce of Omaha, Nebr., concerning the actions of Capt. Stayton and his whole line of argument, which has been a campaign of misrepresentation, and in some places has made false statements for the deliberate purpose of stirring up the people of this country with the idea that the men employed in the industrial establishments are slackers and are not doing their bit.

I want to call attention to the facts in connection with the Wage Adjustment Board and production in the shipyards. The Wage Adjustment Board met first in the city of Washington to adjust the wage question in the Pacific Northwest, the Puget Sound district. They were here for some time. Trouble arose in San Francisco, and they went there to settle that wage question on the Pacific coast. They settled wage rates for the basic trades all over the Pacific coast, and also the piecework rates. They came East and then settled the wage questions all over this country. They took the rates put into effect on the Pacific coast for the basic trades, and for piecework, and they have established them in every industrial section of the country where we are building ships—in the South Atlantic, the Gulf States, the Atlantic coast, the north Atlantic, the Delaware River, the Great Lakes, and the Pacific coast districts. Every shipyard in the country to-day building ships for the Government of the United States, whether they be for the Navy or for the Shipping Board, is working under the rates set by the Wage Adjustment Board, connected with the Emergency Fleet Corporation. Here is the position these men have taken regarding bonus and premium payments: They found a condition in this country where the shipyards or industrial establishments that would come under the provisions of their award would be competing against another shipyard or another industrial establishment to get the better class of mechanics, offering additional inducements in the way of cash payments. It does not make any difference whether these cash payments are called bonus or premium or an addition to the hourly rate or the daily rate. They found this created a disorganized condition. They found one establishment getting the cream of the men, because it was willing to pay more, and then asking the Shipping Board, through the Wage Adjustment Board, to make allowances for the increases granted. Every wage and every piece rate has been passed on before it was put into effect. The employers would come to the Wage Adjustment Board and say they would put into effect this rate, a higher rate than the Wage Adjustment Board had set, asked the Government to make allowance for the increases they granted to the men, but the Wage Adjustment Board and the Fleet Corporation would not allow it, and they took this position in the Delaware River award, and I am going to quote it to you out of their hearings, held in Philadelphia upon the Delaware River wage rate.

Here is the Wage Adjustment Board's findings on the bonus and premium system of payment:

> In addition to the straight day wage and the piece-wage systems we have found in operation in different yards numerous bonus, premium, and contract systems of wage payment. The minimum-wage scale and the piece-rate scales which we prescribe are designed to introduce a greater degree of uniformity in connection with wage payments. We, therefore, direct that no bonus or premium in addition to the rates of wages prescribed in this award shall in future be paid, except with the express permission of this board. This is not intended, however, to prohibit shipyards from paying piece rates to employees in other occupations than those covered by the appended piece-rate scales.

The board that rendered this decision is made up as follows: Mr. V. Everitt Macy, president of the National Civic Federation, appointed by the President, representing the people; Mr. Louis A. Coolidge, of the United States Shoe Machinery Co., representing the employees; and Mr. A. J. Berres, secretary of the Metal Trades Department of the American Federation of Labor, representing labor. Mr. Coolidge was selected by the employers and Mr. Berres was selected by Mr. Gompers to represent the workers. I think this will be conceded to be a representative and impartial tribunal. This action was taken to stabilize the production in the shipyards of the country and to stop disorganization, to stop men going from one yard to another because they were offered greater inducements. Here is the position. I happen to know this of my own knowledge. I have taken the matter up with the Wage Adjustment Board and I find they have taken this position: Whether the employer asks for permission to put in effect a raise in pay or increase in piece prices and is willing to pay it out of his own pocket, or whether he asks the Government to make an allowance for it, the position of the Wage Adjustment Board is that the shipyards can not pay above the rates they set, you can not pay any cash award, and the reason for it is to stabilize labor in the great shipyards, and after a year's investigation and a year of experience, they have found that the best thing that we can do is to stop the bonus and premium systems, which do not prevent piece-work rates in every line of business, and they are getting better results.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. NOLAN. I will.

Mr. JOHNSON of Washington. And contracts for the building of ships are let based on the scale of wages made in that report?

Mr. NOLAN. Absolutely; prices are fixed.

Mr. BROWNING. Would the gentleman yield?

Mr. NOLAN. I will for a question.

Mr. BROWNING. Does the gentleman think that the department is getting the maximum amount of labor at the present time?

Mr. NOLAN. Every yard in this country that has had any experience, that has had a chance to build up an organization, is producing results. Let me quote you here some information I gave to the gentleman from Nebraska. I insert a newspaper clipping from the San Francisco Bulletin of June 3, 1918, to prove that the shipyard workers and the employees around San Francisco Bay are doing everything within their power to stimulate production by offering prizes for the best records made by the workers, and there has not been one word of protest from the men or their organizations. It is high time that organizations, individuals, or any agency that circulate false and slanderous statements about the workers of this country should be called to account and if they can not make good they should be jailed as enemies of this country. The Bulletin article is as follows:

> R. S. BROWN SCHAW-BATCHER WINNER—OTHERS IN DOUBT.
>
> R. S. Brown has been returned the winner of the Bulletin's riveting contest for the Schaw-Batcher plant for the week ending Saturday, and will be awarded the Bulletin's prize of $25 offered to the man making the best riveting record for the week. Brown led on four out of five working-days of the week. Brown set a terrific pace during the entire week, most of his work being on a shell under difficult conditions. He drove common-head rivets, which require calking, and all of his riveting was water-tight work. On the first day of the contest he broke a world's record. While there are no definite standards of comparison, owing to the widely varying conditions of shipbuilding work, officials at the plant said Brown's performance was undoubtedly among the world's best showings for a single week's work.
>
> The Union Works leaders were so closely bunched that no decision could be announced to-day. The counting department of the works is reviewing the records, and a decision probably will be announced to-morrow. Young, Stewart, and Fetisoff, all star riveters, came under the tape so close together that this special survey of the week's work was made necessary. At both plants the men were highly commended for the week's showing, and although Memorial Day being a holiday cut into the week's total the returns for the five days were among the best for any similar period in the history of the two plants.
>
> The big Oakland contest, with three plants, the Bulletin offering a $25 prize for the leader in each plant, started this morning. Next week the Vallejo shipbuilders, competing for the same prize, will show what they can do in the way of knocking out destroyers.
>
> TYNAN ACCEPTS ARMES'S $10,000 RIVETING WAGER.
>
> Coincident with the beginning of the Oakland week of the Bulletin's riveting contest, J. J. Tynan, general manager of the Union Iron Works, has accepted the offer of a $10,000 wager by George Armes, president of the Moore Shipbuilding Co., that a gang of Moore riveters can beat any gang in the world. Tynan read of Armes's challenge while on his way West after a business trip to New York and Washington. From Julesburg, Colo., he sent the following telegram to San Francisco:
>
> "I accept George Armes's challenge of $10,000 to be posted as a wager that a team from any department of the Moore Shipbuilding Co. can defeat any similar team from any other yard in the United States.
>
> "J. J. TYNAN."

Armes, in issuing his challenge last week, criticized many claims to riveting prowess made throughout the East and in England, saying that investigation would show that the spectacular records were for "snap" riveting on inside water-tight work, and that competition with the countersunk, water-tight rivets, where it is necessary to calk the rivet with a flush die, would tell a different story. He believes he has some world-beating gangs. On the arrival of Tynan plans for the big sporting event probably will be concluded. It will be necessary to standardize the competition to insure a contest under as nearly as possible even conditions.

Tynan already has a personal wager of $5,000 with Vice President Powell, of the Bethlehem Steel Co., pitting the Union Iron Works against the company's Fore River plant in this year's output of destroyers.

Mr. BROWNING. We have information here from Admiral Parks, I do not know whether the gentleman has seen it or not, in which he says:

> All the information I have indicates that less useful work is secured for the $4.40 than was formerly secured for $1.60, and some have placed it as low as 65 per cent. The other thing is the increase in the cost of material.

Mr. NOLAN. The answer that I make to this statement is that Admiral Parks shows about as much knowledge of the true conditions obtaining in the mechanical establishments of the Navy as the average naval officer does and that is nothing at all. This will continue until Admiral Parks and others like him are sent to sea to do the things they were educated at Annapolis to do and leave the running of the navy yards to practical mechanics who have devoted their lives to shipbuilding and other mechanical operations.

Mr. BROWNING. If the gentleman will permit——

Mr. NOLAN. The gentleman can get some time, I want to get through. I want to call attention to this fact. We on the Pacific coast, instead of the labor organization and men objecting to speeding up, there is a series of contests going on for a week at a time—it is not for a day—to see what a man could do, but it is for a week, and that is a fair test. I want to tell you the prize they are getting. The prize offered by the newspapers at San Francisco Bay is $25 for the greatest production in each individual shipyard for a week and that is based upon the man's earnings, the amount of money that he gets in his pay envelope on Saturday night. Mr. Armes, the general manager of Moore & Scott Shipbuilding Co., at San Francisco, issues a $10,000 challenge to the world in a riveting contest, to the world in a riveting contest where the contest will be fair and conditions of the driving of rivets similar, and they are waiting for someone outside of San Francisco to take up this wager. The general manager of the Union Iron Works at San Francisco has accepted the challenge on behalf of his men and the contest will soon be on. This latter yard led all the shipyards of the country for the month of May with an average of 64,000 rivets per day for the month. That is the situation out there where the yards are highly organized, almost 100 per cent, absolutely no attempt on the part of the organization or the employees to restrict production.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NOLAN. Can I have two minutes more?

Mr. PADGETT. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. PADGETT. That is a mistake somehow. However, I will yield two minutes to the gentleman from California.

Mr. NOLAN. I want to say to the House that every attempt on the part of Congress to interfere with the policy of the Navy Department or the War Department or the Shipping Board regarding labor has caused a great deal of unrest and dissatisfaction. I believe it is the cause of these telegrams. It gets the men worked up and when you find men like Capt. Stayton going around the country representing the Navy League and making the sort of statement he made in the State of Nebraska you can expect some sort of a reaction on the part of the other side. I am going to ask permission to extend my remarks by including a resolution passed by the annual convention of the American Federation of Labor. This resolution was passed June 14 at St. Paul, Minn., and particularly protests against the Senate amendment which the gentleman from Iowa [Mr. GOOD] would have us agree to.

ST. PAUL, MINN., *June 14, 1918.*

The American Federation of Labor convention unanimously adopts the following resolution which urges Congress to restore the language in the naval appropriation bill which was eliminated by the Senate and to incorporate the same anti-Taylor system proviso in appropriation bills which have carried it heretofore:

"Whereas the American Federation of Labor has repeatedly gone on record against the introduction in the arsenals and navy yards of the United States of the Taylor system and similar systems of shop management; and

"Whereas a drive appears to have recently been made by associations of manufacturers and chambers of commerce against the reenactment of legislation which for several years has been incorporated in appropriation bills passed by Congress, followed by the Senate of the United States on May 22, 1918, eliminating from the naval appropriation bill the portion of this legislation which prohibits premium and bonus systems of payment, while leaving the portion which prohibits the use of stop-watch time study; and

"Whereas a very high degree of efficiency, which has been demonstrated is attainable without the use of such drastic systems of shop management; and

"Whereas the President of the United States and the Council of National Defense have urged legislatures not to lower the standards of labor or withdraw any of the safeguards which have been thrown around it during the period of the war: Therefore be it

"*Resolved*, That the thirty-eighth annual convention of the American Federation of Labor reiterate its former position against the introduction of these systems of so-called scientific management, and urge Congress to restore the language above referred to which was eliminated from the naval appropriation bill in the Senate and to incorporate the same anti-Taylor system proviso in the appropriation bills which have carried it heretofore; and be it further

"*Resolved*, That the Speaker of the House and President of the Senate be advised of this action."

Gentlemen, I trust the House will defeat the motion of the gentleman from Iowa and adopt the motion of the chairman of the Committee on Naval Affairs. Both of these propositions go hand in hand. You can not have the Taylor system unless you have the bonus and premium system, and you can not have them unless you have the stop watch. You are only putting into this bill a law to disturb conditions in the mechanical establishments conducted by the Navy and against the advice of Secretary Daniels. It does not extend to the shipyards. The Wage Adjustment Board, for the purpose of stabilizing production, for the purpose of increasing production throughout the country and obtaining the best results, have thought it best to put into effect an order to prohibit the bonus and premium system——

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. COOPER of Wisconsin. Who appointed the board which made the decision to which the gentleman has referred?

Mr. NOLAN. The President of the United States appoints one man, the United States Shipping Board another, and the American Federation of Labor the third.

Mr. COOPER of Wisconsin. And that board specifically and officially reported against the bonus system?

Mr. NOLAN. Without any solicitation on the part of labor or the employees, they came to the conclusion that the bonus and premium system of payment in the shipyards tended to curtail rather than increase production.

Mr. STEPHENS of Nebraska. I wanted the gentleman to bring that out.

Mr. NOLAN. It is through their own experience and without any opposition from anybody.

Mr. ROSE. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. ROSE. Is it the policy of the Government now to refuse private corporations the right to pay bonuses to any of their employees, and then let that bonus enter into the question of cost?

Mr. NOLAN. They will not permit it to be paid in any part of the country, because they feel it will disorganize shops and disorganize the shipyards. [Applause.]

Mr. WALSH. Will the gentleman state what the resolution to which he referred is about?

Mr. NOLAN. It is a resolution adopted by the American Federation of Labor protesting against the Senate amendment, which would permit of the Taylor system of bonus and premium payments. This resolution is dated June 14, 1918, and was adopted by the annual convention now in session at St. Paul, Minn.

Mr. PADGETT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, as has been said by both gentlemen who have just debated this amendment, the amendment we now have under consideration concerns only the payment of premiums and bonuses to Government employees as a reward for extra labor performed. When we passed this amendment in the House it contained, first, a limitation providing that the stop watch or any other kind of measuring device should not be used to make a time study of the length of time necessary to do a given piece of work, and the second provision provided against the payment of any premiums or bonuses. Now, the Senate has retained the prohibition against the stop watch or any other time-measuring device, but has refused to write into the bill the prohibition against the Government paying a bonus or premium to a man who is willing and able to speed up his efforts in this hour of his Government's great need.

I am in favor of the motion to concur in the Senate amendment.

The present is certainly no time for the Government of the United States, through congressional action, to give recognition to the contention that the slowest man in the factory or on the job should set the pace for all the rest of the workers who are engaged in that particular enterprise.

If there is any worker who is willing to speed up, and can do so without injury or hurt to himself, he should be allowed to do so, and the Government should be permitted to pay him a reasonable bonus or premium as a reward for his industry. No sound argument can be urged against it.

Now, the gentleman from California [Mr. NOLAN], who so persuasively argues for his side of the contention, says that Congress ought not to undertake to interfere with the labor policy of the War Department or the Navy Department. Well, I call your attention to this fact, and I especially direct the attention of the gentleman from California to it, that Congress originally enacted this so-called Tavenner amendment over the express protest of the Secretary of War, Newton D. Baker, and the Chief of Ordnance, Gen. William Crozier, and in the face

of their explicit statements that "to prohibit the system of which the record shows undoubted advantages, both to the Government and the employees, because of a charge unsupported by evidence seems to be most unwise."

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. STEPHENS of Nebraska. The gentleman is certainly mistaken in the statement that that was passed over the protest of the Secretary of War.

Mr. BLACK. I am not mistaken.

Mr. STEPHENS of Nebraska. I will read from a statement by the Secretary of the Navy.

Mr. BLACK. I said the Secretary of War.

Mr. STEPHENS of Nebraska. I beg your pardon. I thought you said the Secretary of the Navy.

Mr. BLACK. I said the Secretary of War, and the letter to which I have referred was written to the Speaker of the House when the Tavener amendment was before Congress in 1916. Now, the proposition, gentlemen, is this: In the present time of great stress and need is the Congress of the United States going to deny the man who is willing to speed up on the output of his labor the opportunity to do so and deny him any incentive for extra effort? We have called upon the farmers of the Nation to produce larger crops than ever before, and what is their answer? Notwithstanding that thousands of our most experienced young men have left the farms and have gone into the Army and no one has been found to take their places, except the women and children, the farmers have answered the call of the Nation with one of the largest wheat crops that has even been produced in this country, and the farmers of the South are now cultivating and have the prospect of harvesting a very large cotton crop, and besides that, are producing large amounts of diversified feed crops. To dig a living out of the ground requires endurance, courage, and association with the sun and the soil, and certainly the inspiring lesson of what the farmers are doing to meet the increased needs of the Nation should not be lost on the rest of the country, and more especially upon the Congress of the United States.

Mr. Speaker, it seems to me that the placing of restrictions on production at a time like this merely to satisfy the exactions of some of those who claim to speak for union labor has the effect to place the interests of a class above those of the common good. I do not believe that union labor would desire it if the rank and file were consulted. It is a blind man who can not see that the United States is facing the most stupendous task that it has even undertaken to accomplish, and I am not going to place myself in the attitude where our soldiers at the front can say "that you voted to draft me to stem the tide of onrushing German savagery and to bare my bosom to the whirling bullets and the bayonet's thrust in defense of American liberty and the asperations and ideals of a free Government, but that when a proposition came up to limit and retard the production of the things which are so vitally needed to successfully prosecute the war you gave it your support."

It is my desire as a Member of Congress to treat all alike. To assume that every man wants to do his duty in the hour of his country's peril and to give him ample opportunity to do so, I shall therefore vote to concur in the Senate amendment.

Mr. PADGETT. I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, we have discussed the Taylor system so often that it would appear to be unnecessary to go into the matter again. The proposition before the House is to adopt a Senate amendment to the naval appropriation bill.

I think we will all agree that the man best qualified to pass upon the desirability of this amendment is the Secretary of the Navy, the head of the Navy Department. I do not question either the intelligence or the patriotism of my good friend from Iowa [Mr. GOOD], or my equally good friend from Texas [Mr. BLACK], but I submit to the common sense of this House, what do they know about the operations of the Navy Department? If you gentlemen were seeking information concerning that department, if you wanted to learn how to make that department efficient, where would you go? You would go to the Secretary of the Navy. Now, what does the Secretary of the Navy say about this proposed amendment? He appeared before the conferees appointed by this House and stated his position so clearly that no one can possibly misunderstand him, and, instead of submitting my own views to the House, I want to submit the views of the Secretary.

Secretary Daniels, responding to a question propounded by the distinguished gentleman from New York [Mr. RIORDAN], a member of the Naval Affairs Committee, said:

> I wish the Senate amendment stricken out and to pass it as the House passed it. I think we ought to insist upon the bill as it passed the House.

Proceeding, he says:

> We have discussed this matter often. If you put that in it will produce dissatisfaction among the men who are building ships and repairing ships, and they are doing excellent work, in the main. They have done better work than they have ever done.

Gentlemen on the floor of this House who probably have never seen a shipyard dare arise here and indict the great body of American workers. Why, gentlemen, do you not realize that if labor is not loyal in this crisis, we can not win the war, and the reason we can win the war and will win the war is because labor is loyal and because labor is doing its full part. The telegrams read by the chairman do not represent the attitude of the workers. Every responsible labor leader is opposed to strikes at this time.

I want to very earnestly resent and deny the charge made by the gentleman from Iowa [Mr. GOOD] that labor is "lying down" during this great crisis when our country is leading a world war; and I submit as the best witness on that point the Secretary of the Navy, who is in charge of operations. Proceeding with his testimony before the House conferees, Mr. Daniels said:

> They—
>
> The workers in Government establishments—
>
> have done better work than they have ever done, and in spite of the coldest winter we have ever seen these men have measured up, most of them, well, and they are now very enthusiastic and earnest, not only in the work they are doing but in the spirit they have toward the war. I think that in most of the yards more than 90 per cent of the men took bonds and subscribed to the Red Cross fund. Everything is coming along finely, and they are showing a spirit toward the war that is splendid. I do not know anything that has heartened me so much as the feeling that the men building and repairing ships really feel they are in the Navy in every way. You put this thing in and immediately they say you are going to put the Taylor system back, and it is going to reopen an old controversy that will not do us any good.

That is the plea I make to the Members of this House to-day. The President of the United States and his Secretary of the Navy have determined upon a well-defined labor policy, a policy which is producing results, a policy which is making records in this country, and I appeal to the Members of this House not to permit anyone to toss a monkey wrench into the machinery. I ask the Members of this House to indorse the judgment of the Secretary of the Navy.

Mr. GOOD. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER pro tempore (Mr. RUBEY). The gentleman from Illinois is recognized for four minutes.

Mr. MADDEN. Mr. Speaker, of course labor is loyal and will continue to be loyal to everything that the country needs in this great crisis. But no harm can come to labor by authorizing the Secretary of the Navy to give them a bonus for speeding up. If there is anything in the world we need it is speeding up. We are demanding that the President of the United States shall speed up in the manufacture of guns and ammunition, in the raising of food supplies. We are demanding that he shall speed up by raising a greater Army, by building more ships, by furnishing the facilities to send our men abroad, so that they will be on the battle line. And why should we not authorize the Secretary of the Navy to speed up in the preparation of the facilities to do these things that the President, as the Commander in Chief of the American Army and Navy, may require to be done?

The Congress of the United States and the people of the United States demand a vigorous prosecution of the war, and they demand that every man, great and small, laborer and capitalist, influential and noninfluential, organized or unorganized, shall do everything within the power of the Nation to win the war.

There is only one question at issue. That question is the honor of America, and no man and no set of men should have the power to take an attitude that will prevent the constituted authorities from exercising every power within the Government to speed up.

We are not asking anybody by this provision of the bill to do anything more than to accept a bonus for speeding up. In God's name, shall we say that the Government shall not have the power to speed up? Shall there be hours fixed during the war within which men shall work? Can you win a war by putting men on the battle line and saying, "You will only be compelled to fight between 6 o'clock in the morning and 12 o'clock at noon?" The men who go to the front are required to fight night and day, without hours. Without cessation, they must submit themselves to the bullets of the enemy, and there are no hours there.

So I say that we, who are not in the battle line, owe a duty to those who are, and it should be our duty and our pleasure to protect and fortify them in every way, so that they may bring back the flag of the Union untarnished, filled with the glory of victory. This amendment offered by the gentleman from Iowa [Mr. GOOD] is but an attempt on the part of the Representatives of the people to give evidence to our men at the battle line that we are in

harmony with what they are attempting to do, and that all, everyone, labor and capital, shall be employed to the fullest possible extent to win victory for American arms. [Applause.]

Mr. PADGETT. Mr. Speaker, I yield three minutes to the gentleman from Nebraska [Mr. STEPHENS].

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for three minutes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the gentleman from Iowa and the gentleman from Maryland made reference to the number of rivets that are being driven under certain contest conditions, and I desire in connection with that statement to read a telegram from the gentleman appointed by the Labor Department to investigate the progress of the shipbuilding program on the Pacific coast. He says:

[Telegram.]

SEATTLE, WASH., *May 9, 1918.*

SECRETARY OF LABOR,
Washington, D. C.:

Actual scientific survey for planning division of Shipping Board, under direction of Dr. Henry Suzzallo, president University of Washington, submitted to Shipping Board March 4, and covering the eight steel shipyards in Washington and Oregon, shows average, including pick-up and all classes of most difficult rivets, of 258 rivets per gang driven in eight-hour shifts, and an average of 347 on approximately straight-away work. These averages based upon approximately 900 rivet gangs and 5,000,000 rivets. Most competent opinion, checked by records, establishes a good standard for riveter driving all classes at 300 per eight hour day. This vitally depends on sufficient quantity of air at proper pressure, efficient planning of work, and maintenance of tools. Unions placing no restriction on number of rivets driven. No material changes of significant proportions in yard conditions since report submitted. In some types of difficult work 60 rivets is a good day's work. Statement that the general average per day is 60 rivets is absurd.

HUGHES.

I also quote from San Francisco Bulletin of recent date news items giving records of contests in rivet driving, which completely discredits the charge that every effort is not being put forth by labor in this crisis.

TYNAN ACCEPTS ARMES'S $10,000 RIVETING WAGER.

Coincident with the beginning of the Oakland week of the Bulletin's riveting contest J. J. Tynan, general manager of the Union Iron Works, has accepted the offer of a $10,000 wager by George Armes, president of the Moore Shipbuilding Co., that a gang of Moore riveters can beat any gang in the world. Tynan read of Armes's challenge while on his way West after a business trip to New York and Washington. From Julesburg, Colo., he sent the following telegram to San Francisco:

"I accept George Armes's challenge of $10,000 to be posted as a wager that a team from any department of the Moore Shipbuilding Co. can defeat any similar team from any other yard in the United States.

"J. J. TYNAN."

Armes, in issuing his challenge last week, criticized many claims to riveting prowess made throughout the East and in England, saying that investigation would show that the spectacular records were for "snap" riveting on inside water-tight work, and that competition with the countersunk, water-tight rivets, where it is necessary to calk the rivet with a flush die, would tell a different story. He believes he has some world-beating gangs. On the arrival of Tynan plans for the big sporting event probably will be concluded. It will be necessary to standardize the competition to insure a contest under as nearly as possible even conditions.

Chairman Hurley, of the Shipping Board, says—

Contests which cause men to overwork themselves for the sake of establishing new records, with the result that they are incapacitated for several days afterwards and the general system of the yard is demoralized, are to be discontinued. What we are trying to do is to encourage a spirit of sportsmanship that will stimulate all the men to do their best at all times.

I also quote from the San Francisco Bulletin the following figures as to the driving of rivets in a recent contest:

SATURDAY'S RECORD.

Schaw-Batcher: Brown, driving four hundred and thirty ¾-inch common head rivets in a shell in four hours; Kesler, second; Ventura, third.
Union Iron Works: Young, first, driving three hundred and twenty ¾-inch rivets in a keel in four hours; Beggs, second; Stewart, third.

I think it is important that all these facts should be made distinctly clear to this House. The charge has been made time and again that the unions have restricted the number of rivets to be driven to approximately 75 a day. These facts dispute it.

Mr. LOBECK. The gentleman, in the telegram that he read, spoke about gangs. Will he explain what a gang is?

Mr. STEPHENS of Nebraska. The gang consists of several men. There is only one man who drives the rivets, and he has several assistants.

Mr. LOBECK. If he drives 5,000 in a day, can he do that all alone?

Mr. STEPHENS of Nebraska. Oh, no.

Mr. LOBECK. I thought he could, from the expressions I heard here.

Mr. NOLAN. Will the gentleman from Nebraska enlighten the House as to the action of Capt. Stayton in his district?

Mr. STEPHENS of Nebraska. I had only three minutes, and I want to read some further testimony on this contest work, because the claims that have been made by the gentleman from Iowa [Mr. GOOD] are not based upon the facts; therefore his contention that his motion should prevail is not sound.

The SPEAKER. The time of the gentleman has expired. The gentleman from Tennessee [Mr. PADGETT] has four minutes remaining and the gentleman from Iowa [Mr. GOOD] four minutes.

Mr. PADGETT. Mr. Speaker, I move that the House further insist upon its disagreement. I do so because of the recommendation of the Secretary of the Navy. He makes no objection to this. He says things are going along very satisfactorily, and to inject this question now might produce disturbances and cause friction when things are moving along pleasantly. Personally, I want to say that I see no objection to allowing labor to receive compensation for what it does. It seems to me men who accomplish much should receive more pay than men who accomplish little. That is my idea, personally.

Mr. NOLAN. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. NOLAN. Is the chairman of the Committee on Naval Affairs aware of the fact that the wage rates established by the Wage-Adjustment Board have been put into effect in every navy yard in the country?

Mr. PADGETT. Yes.

Mr. NOLAN. And that if you have a different condition in the shipyards than you have in the navy yards it is going to disturb the working conditions?

Mr. PADGETT. I know that the Shipping Board have been raising wages so fast that we could hardly keep up with them. I will just give you an illustration.

Mr. NOLAN. Is it not a fact that the wage rates established by the shipyards have been put into effect in the navy yards?

Mr. PADGETT. Yes; and I reported that in the conference report, and we had this illustration of it: When we had the bill before the House the committee reported a number of wage increases of the statutory men, because the per diem men doing the same kind of work had been raised by the Wage Board higher than the statutory men doing the same class of work and superior to them in rank. Before the bill got out of the Senate the Shipping Board raised the rate again, and the Senate raised it again, and the House agreed to it yesterday. That makes two raises of wages that have taken place on this present bill.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. PADGETT. No; I have not time now. Mr. Speaker, I want to say further that in moving to still further insist I am not influenced to do that by these telegrams. These telegrams were the hardest things I have had to get over to make this motion. They did not influence me to do it, and my interest in the matter was very much dampened by the fact that any such telegrams had been sent to Congress by any organization under conditions like those of the present. But under all the circumstances, in view of the recommendations of the Secretary of the Navy, I would be very glad if we can just allow existing law to continue and go along as we are moving along, very satisfactorily.

Mr. LINTHICUM. The gentleman does not think that telegram represents that organization, does he? Does he not think it is more the wording of the secretary than of the organization? The gentleman does not imagine that was ever submitted to the organization, does he?

Mr. PADGETT. I do not know. I read the telegrams just as they came to me.

Mr. STEPHENS of Nebraska. Has not the chairman of the committee received letters from employers of labor which were just about as vindicative as that telegram?

Mr. PADGETT. No; I have not.

Mr. STEPHENS of Nebraska. Well, I have received a good many of them.

Mr. PADGETT. I think in this emergency, when Congress is confronted with the problems which are before us, the sending of a telegram to Congress threatening a strike if Congress sees fit to do a certain thing, is without justification. Notwithstanding that, in view of existing conditions and upon the recommendation of the Secretary of the Navy, and his statement that conditions are moving along pleasantly and nicely, and as this has been the existing law since 1915, I hope the House will still further insist upon its disagreement to the Senate amendment.

The SPEAKER. The gentleman from Iowa [Mr. GOOD] has four minutes remaining.

Mr. GOOD. Mr. Speaker, I will ask not to be interrupted. It will be observed that if this amendment is adopted the question is left entirely in the hands of the Secretary of the Navy. He can pay a bonus if he thinks it necessary to win the war, or he can refuse to pay a bonus. This only gives him the opportunity of doing what practically every manufacturer in the

United States does to-day, in paying bonuses to the labor of America to speed up production. In Great Britain the laboring men's unions have waived all restrictions, and finally Great Britain has enacted into law a provision that will permit speeding up. I quote from the index only because my time is so limited:

A. In general, all trade-unions shall submit to changes necessary for accelerating the output of war munitions or equipment.
B. In particular, they shall permit—
1. Unrestricted individual production.
2. Dilution of skilled labor by the introduction of female semi-skilled or unskilled labor.

The same legislative program went through in France. This is how labor of England and France view the situation. They will give up their union to win the war. Some people would reverse the situation in America.

Mr. Speaker, we have increased the price of wheat to $2.20 per bushel. We have increased the price of copper to 23½ cents a pound. We have increased the price of coal from 50 to 100 per cent. Was that done because the coal miner, the copper miner, and the farmer were not patriotic? No. It was on the theory that it was necessary in order to speed up, and to-day in order to speed up in the navy yards of the United States it is necessary that every laborer therein should do his best and that he should receive all he can earn. It is true that the Secretary of the Navy has made a statement in disapproval of this speeding-up plan. He says it is not necessary; but where does he get his information? Mr. Speaker, I say without fear of contradiction that there is not a man on the floor of this House but what would rather take the statement of the Chief of Ordnance in the Navy and the Chief of the Bureau of Yards and Docks as to production than that of the Secretary of the Navy, because it is their business to know what it is costing them to produce and how best to get production. The chairman of the committee, the gentleman from Tennessee, asked Admiral Earle, Chief of Ordnance:

That labor at $2 produced as much labor result as $4.40 now produces—that is, 8 hours' labor at $2 a day then produced as much product or result as a 10-hour day now produces at $4.40 a day?
Admiral EARLE. Yes.
Admiral PARKS. In many cases it produced more than the 10-hour day now produces. The efficiency is low.
The CHAIRMAN. That is certainly a sad comment.
Admiral PARKS. It is a terrible business, Mr. Chairman. It is the most serious thing in this country. It is the most serious thing in the war or anything else.

Admiral Parks, Chief of the Bureau of Yards and Docks, gave similar testimony before the committee as late as May 29, 1918, as follows:

The CHAIRMAN. On the question of labor, how does the product as the result of the 10 hours of labor which costs you $4.40 compare with the 8 hours of labor for which you paid $1.60 before the war?
Admiral PARKS. All the information I have indicates that less useful work is secured for the $4.40 than was formerly secured for $1.60, and some have placed it as low as 65 per cent. The other thing is the increase in the cost of material. Power plants, of course, are operated out of this appropriation.
The CHAIRMAN. How much of the increase in the cost of labor and material has developed since the hearing in January? The hearing in January was on the basis of $7,000,000. The increase in labor, and so forth, has not taken place since January, has it?
Admiral PARKS. Yes, sir; twice; I should say 20 per cent since January, on the average.

Mr. Speaker, to put this provision into the law at this time is to say to the managers of every manufacturing plant in America who are paying a bonus that they are not patriotic to labor. By refusing to adopt the amendment you say to the Secretary of the Navy "You shall not speed up, you shall not pay labor anything extra for the extra labor that they can perform and are willing to perform in order to win the war."

Mr. Speaker, we should write this amendment prohibiting the payment of bonuses into the law. I know that union labor has been for it. I undertake to say that if a vote was had to-day by union labor, labor which is honest and patriotic would support the amendment I have offered. Union labor wants to win this war, and the only way to win it is to do all we can do, not only in the trenches in France but in the factories and in the navy yards and arsenals of the United States. We must have one policy for the Navy and Army, and that is to get the maximum of production. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Iowa to recede and concur in amendment 170.

The question was taken; and on a division (demanded by Mr. KEATING and Mr. NOLAN) there were 50 ayes and 37 noes.

Mr. NOLAN. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of order that no quorum is present. Evidently there is not, and the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 87, nays 205, answered "present" 1, not voting 137, as follows:

YEAS—87.

Bacharach	French	McLaughlin, Mich.	Sanford
Black	Garner	McLaughlin, Pa.	Saunders, Va.
Borland	Garrett, Tenn.	Madden	Scott, Iowa
Britten	Gillett	Magee	Sells
Browne	Glynn	Meeker	Sherley
Browning	Good	Mondell	Sisson
Buchanan	Gordon	Moore, Pa.	Slemp
Burroughs	Gould	Mott	Steen
Cannon	Green, Iowa	Osborne	Small
Clark, Pa.	Hamilton, Mich.	Paige	Snyder
Connally, Tex.	Harrison, Va.	Parker, N. J.	Stafford
Cooper, W. Va.	Haugen	Parker, N. Y.	Sterling, Ill.
Cox	Hayes	Peters	Stevenson
Cramton	Hutchinson	Platt	Strong
Dale, Vt.	Ireland	Polk	Timberlake
Darrow	Kearns	Ramsey	Towner
Dempsey	Lobeck	Reed	Volstead
Doolittle	Longworth	Robbins	Walsh
Drane	Lufkin	Rogers	Wason
Dupré	McArthur	Rose	Watson, Pa.
Edmonds	McFadden	Rowe	Woodyard
Freeman	McKenzie	Sanders, Ind.	

NAYS—205.

Alexander	Eagle	Lazaro	Shouse
Almon	Ellsworth	Lea, Cal.	Siegel
Anderson	Elston	Linthicum	Sims
Ashbrook	Esch	Little	Sinnott
Aswell	Evans	Littlepage	Slayden
Ayres	Fairchild, B. L.	London	Smith, Idaho
Bankhead	Farr	Lonergan	Smith, Mich.
Barkley	Fisher	Lunn	Smith, C. B.
Barnhart	Flood	McAndrews	Snook
Beakes	Focht	McClintic	Steagall
Bell	Foster	McKeown	Stedman
Blackmon	Frear	McKinley	Steele
Bland	Gallagher	Mansfield	Steenerson
Blanton	Gandy	Mapes	Stephens, Miss.
Bowers	Garrett, Tex.	Martin	Stephens, Nebr.
Brand	Graham, Ill.	Mays	Sumners
Brodbeck	Gray, Ala.	Montague	Sweet
Brumbaugh	Greene, Mass.	Moon	Swift
Burnett	Hadley	Morgan	Talbott
Butler	Hamill	Morin	Taylor, Ark.
Byrnes, S. C.	Hardy	Neely	Taylor, Colo.
Caldwell	Harrison, Miss.	Nicholls, S. C.	Thomas
Campbell, Pa.	Haskell	Nichols, Mich.	Thompson
Candler, Miss.	Hastings	Nolan	Tillman
Carter, Okla.	Hawley	Oldfield	Van Dyke
Cary	Hayden	Oliver, Ala.	Venable
Chandler, N. Y.	Heflin	Overmyer	Vinson
Church	Helm	Overstreet	Volgt
Clark, Fla.	Helvering	Padgett	Waldow
Classon	Hensley	Park	Walker
Claypool	Hersey	Phelan	Walton
Cleary	Holland	Pratt	Watkins
Coady	Huddleston	Price	Weaver
Collier	Hull, Iowa	Quin	Webb
Connelly, Kans.	Hull, Tenn.	Rainey, J. W.	Welling
Cooper, Wis.	Humphreys	Raker	Welty
Crisp	Igoe	Ramseyer	Whaley
Crosser	Jacoway	Randall	Wheeler
Decker	Johnson, Ky.	Rankin	White, Me.
Delaney	Johnson, Wash.	Rayburn	White, Ohio
Denison	Jones	Reavis	Williams
Denton	Keating	Riordan	Wilson, La.
Dewalt	Kelly, Pa.	Roberts	Wilson, Tex.
Dickinson	Kettner	Rodenberg	Wingo
Dill	Kincheloe	Romjue	Wise
Dillon	King	Rouse	Wright
Dixon	Kinkaid	Rubey	Young, N. Dak.
Dominick	Knutson	Sabath	Young, Tex.
Doremus	Kraus	Sanders, La.	Zihlman
Doughton	La Follette	Sanders, N. Y.	
Dowell	Langley	Scott, Mich.	
Eagan	Larsen	Shallenberger	

ANSWERED "PRESENT"—1.

Chandler, Okla.

NOT VOTING—137.

Anthony	Dunn	Griest	Lehlbach
Austin	Dyer	Griffin	Lesher
Baer	Elliott	Hamilton, N. Y.	Lever
Beshlin	Emerson	Hamlin	Lundeen
Booher	Estopinal	Heaton	McCormick
Byrns, Tenn.	Fairchild, G. W.	Heintz	McCulloch
Campbell, Kans.	Fairfield	Hicks	McLemore
Cantrill	Ferris	Hilliard	Maher
Caraway	Fess	Hollingsworth	Mann
Carew	Fields	Hood	Mason
Carlin	Flynn	Houston	Merritt
Carter, Mass.	Fordney	Howard	Miller, Minn.
Cooper, Ohio	Foss	Husted	Miller, Wash.
Copley	Francis	James	Moores, Ind.
Costello	Fuller, Ill.	Johnson, S. Dak.	Mudd
Crago	Fuller, Mass.	Juul	Nelson
Currie, Mich.	Gallivan	Kahn	Norton
Curry, Cal.	Gard	Kehoe	Oliver, N. Y.
Dale, N. Y.	Garland	Kelley, Mich.	Olney
Dallinger	Glass	Kennedy, Iowa	O'Shaunessy
Davidson	Godwin, N. C.	Kennedy, R. I.	Porter
Davis	Goodall	Key, Ohio	Pou
Dent	Goodwin, Ark.	Kless, Pa.	Powers
Dies	Graham, Pa.	Kitchin	Purnell
Donovan	Gray, N. J.	Kreider	Ragsdale
Dooling	Greene, Vt.	LaGuardia	Rainey, H. T.
Drukker	Gregg	Lee, Ga.	Robinson

Rowland	Sherwood	Temple	Watson, Va.
Rucker	Smith, T. F.	Templeton	Wilson, Ill.
Russell	Snell	Tilson	Winslow
Schall	Sterling, Pa.	Tinkham	Wood, Ind.
Scott, Pa.	Stiness	Treadway	Woods, Iowa
Scully	Sullivan	Vare	
Sears	Switzer	Vestal	
Shackleford	Tague	Ward	

So the motion to recede and concur was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. OLNEY with Mr. HICKS.

Mr. FERRIS with Mr. CHANDLER of Oklahoma.

Mr. SCULLY with Mr. FESS.

Mr. SHERWOOD with Mr. DUNN.

Mr. DIES with Mr. FAIRFIELD.

Mr. GREGG with Mr. WARD.

Mr. ESTOPINAL with Mr. HUSTED.

Mr. HOOD with Mr. FOSS.

Mr. KITCHIN with Mr. MANN.

Mr. CARAWAY with Mr. CARTER of Massachusetts.

Mr. CANTRILL with Mr. COOPER of Ohio.

Mr. BUSHLIN with Mr. ANTHONY.

Mr. DALE of New York with Mr. COPLEY.

Mr. BYRNS of Tennessee with Mr. CAMPBELL of Kansas.

Mr. DOOLING with Mr. AUSTIN.

Mr. CAREW with Mr. COSTELLO.

Mr. FIELDS with Mr. CURRY of California.

Mr. CARLIN with Mr. CRAGO.

Mr. DENT with Mr. KAHN.

Mr. FLYNN with Mr. DAVIS.

Mr. GALLIVAN with Mr. DAVIDSON.

Mr. GARD with Mr. DYER.

Mr. GLASS with Mr. GARLAND.

Mr. GODWIN of North Carolina with Mr. EMERSON.

Mr. GRIFFIN with Mr. FORDNEY.

Mr. HAMLIN with Mr. DALLINGER.

Mr. HILLIARD with Mr. FULLER of Illinois.

Mr. GOODWIN of Arkansas with Mr. ELLIOTT.

Mr. HOUSTON with Mr. GOODALL.

Mr. HOWARD with Mr. GRIEST.

Mr. KEY of Ohio with Mr. GRAHAM of Pennsylvania.

Mr. LEE of Georgia with Mr. KENNEDY of Iowa.

Mr. LESHER with Mr. GRAY of New Jersey.

Mr. LEVER with Mr. KIESS of Pennsylvania.

Mr. MAHER with Mr. GREENE of Vermont.

Mr. OLIVER of New York with Mr. KENNEDY of Rhode Island.

Mr. O'SHAUNESSY with Mr. KREIDER.

Mr. POU with Mr. LEHLBACH.

Mr. RAGSDALE with Mr. LUNDEEN.

Mr. HENRY T. RAINEY with Mr. MUDD.

Mr. RUCKER with Mr. McCULLOCH.

Mr. RUSSELL with Mr. MILLER of Minnesota.

Mr. SEARS with Mr. MERRITT.

Mr. SHACKLEFORD with Mr. PURNELL.

Mr. THOMAS F. SMITH with Mr. FULLER of Massachusetts.

Mr. SCHALL with Mr. STINESS.

Mr. STERLING of Pennsylvania with Mr. SNELL.

Mr. SULLIVAN with Mr. SWITZER.

Mr. TAGUE with Mr. TEMPLE.

Mr. ROBINSON with Mr. TILSON.

Mr. DONOVAN with Mr. TINKHAM.

Mr. WATSON of Virginia with Mr. WOOD of Indiana.

On the vote:

Mr. KEHOE (against) with Mr. GEORGE W. FAIRCHILD (for).

The result of the vote was announced as above recorded.

By unanimous consent, leave was granted to the following Members to extend their remarks in the RECORD upon amendment No. 170: Mr. GOOD, Mr. COX, Mr. CARY, Mr. SIEGEL, Mr. NOLAN, Mr. LANGLEY, Mr. KINKAID, Mr. GREEN of Iowa, and Mr. HULL of Iowa.

Mr. PADGETT. Mr. Speaker, I move that the House still further insist upon its disagreement to the remaining amendments not heretofore acted upon. There are some immaterial and pro forma amendments not acted upon.

The SPEAKER. The gentleman from Tennessee moves that the House still further insist upon its disagreement to the rest of those amendments.

Mr. ROBBINS. Mr. Speaker, what are they?

Mr. PADGETT. They do not involve anything; they depend upon those that we have already acted upon.

Mr. ROBBINS. To make the bill in harmony?

Mr. PADGETT. Yes.

Mr. NOLAN. Mr. Speaker, is it necessary to put the motion to disagree to amendment No. 170?

The SPEAKER. No; the defeat of the motion to recede and concur is equivalent to a motion to still further insist on disagreement. The question is on the motion of the gentleman from Tennessee that the House further insist upon its disagreement to the remaining amendments.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that the House ask for a further conference with the Senate upon the disagreements.

The SPEAKER. The gentleman asks unanimous consent that the House ask for a further conference. Is there objection.

There was no objection.

The Chair announced the following conferees: Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WATSON of Virginia indefinitely, on account of illness.

UNITED STATES SHIPPING BOARD.

Mr. ALEXANDER. Mr. Speaker, I call up for consideration the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes." This bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. HELM. Mr. Speaker, reserving the right to object, I desire to submit a request to call up the bill H. R. 11984, authorizing the fourteenth decennial census, and I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HELM. Mr. Speaker, the Committee on the Census has reported a bill to take the fourteenth decennial census. It is quite obvious that in the immediate future a recess will be taken. This bill is a very important bill and must be passed at this session of Congress.

Mr. GILLETT. Mr. Speaker, will the gentleman yield?

Mr. HELM. Yes.

Mr. GILLETT. Why must it be passed at this session of Congress?

Mr. HELM. Because if this session of Congress expires without the passage of this bill it will have to go over until the next session, the short session, when, deducting about two weeks for a holiday, with all of the war legislation that will then be pressing and the annual appropriation bills it will be impossible to get the bill up for consideration.

Mr. GILLETT. Has it not generally been passed at that session?

Mr. HELM. No, sir. The next Congress convenes in December, 1919. Under this bill, and under any bill authorizing a decennial census, the work must begin six months ahead in order to permit the bureau to organize for taking the census. That is to say, the work of the census should begin not later than July 1, 1919. Now, if this legislation is postponed until the next Congress—the first session of the Sixty-sixth Congress convenes in December, 1919—there would be only about two weeks, deducting holidays, before the decennial year begins, and it is of pressing and vital importance that the bill be passed without delay. I want to be agreeable; I do not want to obstruct anybody or be in anybody's way. I would be perfectly contented and satisfied if the House would agree that this bill should follow immediately after the consideration of the two bills which the gentleman from Missouri [Mr. ALEXANDER] is going to present for consideration. I recognize the fact that this bill under the Constitution is, I believe if I were so disposed to press it, entitled to consideration over any other bill. It is a privileged bill and entitled to consideration, but I do not want to be in a position of obstructing other men who are interested in other bills.

Mr. WALSH. Will the gentleman yield?

Mr. HELM. I will.

Mr. WALSH. Of course, I do not agree with the gentleman that this bill should be made a privileged bill at this session of Congress; but if no action is taken at the present session of Congress, the President has authority to convene the next Congress in special session.

Mr. HELM. Call a special session for the purpose of passing a census bill? Absolutely preposterous.

Mr. WALSH. Then the bill can not be of the importance which the gentleman claims it to be at this session.

Mr. HELM. Do I understand the gentleman from Massachusetts to say that he would have a special session of Congress convene for the purpose of passing a census bill that could be passed without any inconvenience to anybody at this session of Congress?

Mr. WALSH. I mean to say this, that if this measure is of the importance which the gentleman says it is under the Constitution, it certainly is of sufficient importance for a special session, and special sessions have been called upon many matters of less importance.

Mr. HELM. Supposing, making a violent assumption, that the gentleman were President of the United States——

Mr. WALSH. I want to say to the gentleman he should not make such an extremely violent assumption and turn a serious matter into a joke.

Mr. HELM (continuing). Would the gentleman convene a special session of Congress for the purpose of considering it?

Mr. CANNON. Will the gentleman yield?

Mr. HELM. Certainly.

Mr. CANNON. The gentleman is quite right. I think there is no doubt on earth this is a question of the highest privilege under the Constitution.

Mr. HELM. There is not a particle of question about it, but I want to be reasonable——

Mr. CANNON. The gentleman, I suppose, could on the question of consideration, if the House was with him, take it up; but I think the gentleman's request is entirely reasonable, after the two bills from the Merchant Marine and Fisheries Committee are disposed of, in asking the House to make this the next order.

Mr. HELM. I ask unanimous consent, without waiving any rights or privilege status of the bill, but insisting on them, that after the consideration of the bills now proposed by the gentleman from Missouri, not to interfere with conference reports or appropriation bills, that this bill be taken up for consideration.

The SPEAKER. The gentleman from Kentucky [Mr. HELM] asks unanimous consent that at the conclusion of the consideration of the two bills that the gentleman from Missouri [Mr. ALEXANDER] has had made privileged that this census bill shall be taken up, not to interfere with conference reports or appropriation bills. Is there objection?

Mr. NOLAN. Mr. Speaker, reserving the right to object, some more of us here have measures which we consider of importance, but we have been told they are not war measures, and if we expect action we had better go to the Rules Committee. Some of us took that advice as far back as last February, especially the committees that are interested in those measures. I take it the Committee on the Census ought to do the same thing, so I object.

The SPEAKER. The gentleman from California objects, and that is the end of it.

Mr. HELM. Mr. Speaker, I desire to give notice that at the conclusion of the consideration of the bills offered by the gentleman from Missouri that I propose to move to take up the census bill.

The SPEAKER. The gentleman gives notice that as soon as the two bills are out of the way he will attempt to get up the census bill. [Laughter.]

Mr. HELM. Well, I am going to raise the question of privilege, and I am going to pass it up to the Chair.

The SPEAKER. The Chair will pass on it when he comes to it, but he is not going to pass on it now.

Mr. HELM. Well, I did not ask the Chair to pass on it now. [Laughter.]

The SPEAKER. The gentleman from Missouri asks that the bill H. R. 12100 be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

Mr. STAFFORD. Mr. Speaker, this is a very important bill, and I do not think it should be considered in the Committee of the Whole House on the state of the Union, and therefore I object.

Mr. ALEXANDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, and, pending that motion, I ask unanimous consent that general debate on this bill be limited to one hour, one half to be controlled by myself and the other half by the gentleman from Massachusetts [Mr. GREENE]. I will say in this connection that when we get into consideration of the bill section by section it is not our purpose to insist on limitation of reasonable discussion of the sections as they come up for consideration.

The SPEAKER. The gentleman from Missouri asks unanimous consent, pending his motion, that general debate on this bill be limited to one hour——

Mr. ALEXANDER. And confined to the subject matter of the bill.

The SPEAKER. And confined to the subject matter of the bill, the time to be controlled half by the gentleman from Missouri and half by the gentleman from Massachusetts [Mr. GREENE]. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, with the gentleman from Nebraska [Mr. SHALLENBERGER] in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes."

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri asks that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The gentleman from Missouri [Mr. ALEXANDER] is recognized.

Mr. ALEXANDER. Mr. Chairman, it is not my purpose at this time to go into a detailed explanation of the provisions of this bill. They will be explained in detail when we take it up under the five-minute rule section by section. That the two bills, H. R. 12100, the one now under consideration, and 12099, are of the utmost importance, is emphasized by the fact that they are essentially war measures. The bills were reported out of the committee on the 15th day of May. They are very different from the original bills which I introduced at the instance of the Shipping Board, and were entirely rewritten in the committee after the most thorough investigation and consideration. The report of the committee is unanimous, so that there is no difference of opinion in the committee about the policy of this legislation or as regards the necessity for it at this time.

On May 23 I received this letter from the President, which shows that he regards this proposed legislation of the utmost importance:

THE WHITE HOUSE,
Washington, May 23, 1918.

Hon. J. W. ALEXANDER,
House of Representatives.

MY DEAR JUDGE:

* * * * * * *

I am writing these lines chiefly to express my interest in the passage of H. R. 12100, increasing the powers of the United States Shipping Board, and H. R. 12099, empowering the President to regulate ocean-freight rates and to requisition vessels. I feel confident that the Congress will realize the capital importance of both these measures, but I am writing notwithstanding, in order that you may know my own constant interest in them.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

Mr. Hurley, chairman of the Shipping Board and president of the United States Shipping Board Emergency Fleet Corporation, writes me under the date of June 6 as follows:

UNITED STATES SHIPPING BOARD,
Washington, 6 June, 1918.

Hon. J. W. ALEXANDER,
Chairman Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D. C.

MY DEAR JUDGE ALEXANDER: Your committee has recently reported two bills—H. R. 12099 and H. R. 12100—conferring on the President and the Shipping Board additional powers over shipping, which we consider vital to our work of supplying ships for the prosecution of the war and of preserving the American merchant marine from foreign control.

We are in urgent need of this legislation and consider it of the greatest importance that the new powers contained in the bills be granted at the earliest possible moment.

For lack of adequate powers to control freight rates, shipowners are extorting freight charges which impose an unjust burden on American industry and on the Government of the United States and of the allies.

For lack of adequate power to control terminal facilities, charges for wharfage and dockage and storage have reached unconscionable heights, resulting in open and undisguised profiteering.

I am sure that your committee appreciates the importance of the legislation and feel that we can rely upon you to urge upon Congress the desirability of enacting it as soon as possible.

Cordially, yours,

EDWARD N. HURLEY, *Chairman.*

Under the date of June 11 Mr. Hurley also writes me as follows; and I will say by way of explanation that when these

bills were considered in the committee the provision of H. R. 12099 to which he refers was stricken out by the committee. It was done at the suggestion of Mr. P. A. S. Franklin, who is one of the committee in control of shipping. His suggestion did not have my approval and did not have the approval of all the members of the committee, but we deferred to his judgment in the matter. After reconsideration by the committee, we unanimously decided to restore the provision to the bill, and at the proper time I will offer an amendment restoring the provision to H. R. 12099. I am presenting this letter at this time that you may get the attitude of Mr. Hurley toward this legislation. These bills, H. R. 12100 and H. R. 12099 are regarded by the committee of great importance as war measures, and we have asked that the consideration of one shall follow the consideration of the other. He says:

UNITED STATES SHIPPING BOARD,
WASHINGTON, *June 11, 1918.*

Hon. J. W. ALEXANDER,
Chairman Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D. C.

DEAR JUDGE ALEXANDER: I wonder if it would be possible for your committee to put back in the rate-regulation bill, which you have recently reported, the section authorizing the President to regulate rates and charges for wharfage, dockage, stevedoring, etc.?

This section was eliminated, I am informed, because it was feared that the practical difficulties of regulating charges of this character would be too serious to overcome. Recent investigation, however, has impressed us so strongly with the seriousness of the problem of high charges of this character that we feel that it is our duty to try to regulate them if Congress will give us the power. Wharfage rates have increased in some cases more than fivefold.

I hope that it will be possible, without delaying the bill, to restore this section.

Yours, very truly, EDWARD N. HURLEY,
Chairman.

Now, if I had the time I would explain just in what respects we amend the shipping act under the provisions of H. R. 12100. Section 2 of the shipping act is amended by adding at the end of the first paragraph a provision the purpose of which is to further safeguard our Government and insure the control of ships being built in American shipyards, to prevent foreign interests, under any sort of device or contract or trust agreement, to get control of our shipping. The same is true as regards our shipyards. The committee were impressed with the importance of so hedging these great interests with legislation that all the resources of this country might be utilized and made effective in the building of ships and retaining to ourselves the control of all our great shipbuilding interests. In other words, during this crisis, when one of the great problems confronting us is to build ships quickly and in large numbers and make them available to transport our troops and supplies and munitions to Europe, provide food and munitions of war for our allies, it should be placed beyond the power of any foreign government to hamper us or get control in any way of our ships or of our shipbuilding industries.

I assume that our allies, with whom we are in entire accord and are cooperating, would not undertake to do this. But we do know there are influences, inspired by alien enemies, that would hamper us and, if possible, get control of our shipping and of our shipbuilding industries not only to cripple us now but with a view of restoring their losses of shipping after the war is over. It is the opinion of the committee, as it is the opinion of the Shipping Board, that any possible action of that kind should be prevented, and this bill is framed with that end in view.

Now, section 9 of the shipping act of September 16, 1916——

Mr. CANNON. Will the gentleman yield?

Mr. ALEXANDER. I will.

Mr. CANNON. Is this a war measure?

Mr. ALEXANDER. Yes, sir; and most of the provisions are limited to the period of the war.

Mr. CANNON. I think it is important that the House should know what portions are going to be permanent law.

Mr. ALEXANDER. If I get the time, when we come to the consideration of the bill under the five-minute rule, I will undertake to make that very clear.

Mr. HARDY. I suggest to the gentleman that he look on page 5, section 37.

Mr. ALEXANDER. I will do no more now than refer to the provision to which my attention has been called. If you turn to section 4, page 5, you will note this provision:

That said act is hereby amended by adding at the end thereof eight sections, as follows:

"SEC. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board"—

To do any of the things that are specifically enumerated and prohibited. I will not take the time now to point out just what those are, as I do not wish to consume any more time just now. I reserve the balance of my time and hope later to explain any question that may be asked.

At this point I will incorporate as part of my remarks my report on the bill, which explains the bill very fully and makes clear the necessity for this legislation:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, submitted the following report:

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes," having considered the same, report it to the House with the recommendation that it do pass.

Section 9 of the shipping act of September 7, 1916, makes it unlawful, during a period of war or emergency, without the approval of the Shipping Board, to sell to a foreigner or transfer to a foreign flag any vessel registered or licensed and enrolled under the laws of the United States. The present bill is designed to perfect and extend this provision, by amendment and by the addition of further sections, to supply defects and to meet practical difficulties of administration which over a year's experience under the shipping act has revealed. The new legislation is rendered necessary by the dearth of tonnage created by the unrestricted submarine warfare of the Imperial German Government. As a consequence of this shortage, there has been during the past two years a systematic, determined, and resourceful effort on the part of foreign financial interests to buy up and take from under the American flag the vessels of the American merchant marine. Prices have been tendered which before the war would have seemed beyond the dreams of avarice. Every type of vessel, from schooner to ocean liner, has been coveted. Most American shipowners, to their great credit, have resisted these tempting offers. Others have found their efforts frustrated by the Shipping Board. A small minority of shipowners, however, have attempted by every device which legal ingenuity could suggest to evade the provisions of the President's proclamation. It is to meet the efforts of this small minority that the present bill has been drafted. It is also designed to give to the Shipping Board a more complete control over construction of vessels for foreign account and purchase of American shipyards by foreigners.

The bill is a war measure and, excepting a few provisions which will be specially referred to in this report, its effect is restricted to periods of war or emergency.

Section 1 of the bill adds to section 1 of the shipping act, containing definitions of terms, two additional definitions. The term "vessel" is defined as at present in the Revised Statutes (Title 1, ch. 1), except that it is specifically made to include hulls in course of construction, thus extending the prohibition against foreign sales to ships building in American yards. In the absence of such a provision, a hull in course of construction does not become a "vessel" until launched. (Tucker v. Alexandroff, 183 U. S., 424.) The term "documented under the laws of the United States" is defined to mean "registered, enrolled, or licensed under the laws of the United States." The effect of this definition is to bring under the act vessels licensed but not enrolled (i. e., ships under 20 tons). In view of the military value of even small vessels, this change is considered important.

Section 2 of the bill amends section 2 of the shipping act by setting forth more in detail under what circumstances a corporation is deemed to be a citizen of the United States within the meaning of the act. Under the present law a corporation, partnership, or association is not a "citizen" unless "the controlling interest therein is owned by citizens of the United States." This phrase has been elaborated to include every possible device by which foreign interests could obtain control in law or fact over corporations formed under American law.

Section 3 amends section 9 of the shipping act as follows:

To the first paragraph of the section, which provides that vessels sold, leased, or chartered to a citizen of the United States under the shipping act may engage in coastwise trade, there are added the words "while owned, leased, or chartered by such a person." The effect of this is to make certain that vessels sold, leased, or chartered from the board shall be entitled to the coastwise privilege only as long as the person owning, leasing, or chartering them remains a citizen of the United States. This is permanent legislation and is designed to express more clearly the intent of the original shipping act and guard against possible misconstruction.

The second paragraph is retained without alteration.

In the third paragraph, the first sentence, prohibiting transfers or sales to foreigners in time of war or emergency without the Shipping Board's consent, is taken out, since the substance of it, in greatly extended form, appears in later sections. In the second clause (which is operative at all times, in war or peace), forbidding sales or transfers of vessels of American ownership or flag without a prior tender to the Shipping Board, the words "documented under the laws of the United States" are used, in conformity with the new definition in section 1, and the paragraph is made applicable not only to vessels owned by citizens of the United States, but to vessels owned by corporations organized under American laws, but which, by virtue of the definition in section 2, are not citizens of the United States.

The next paragraph, containing penalties, is amended to include vessels "placed under" foreign registry, as well as those "transferred" to foreign registry, to cover vessels of American ownership, but which had not yet received American documentation.

Section 4 of the new bill adds to the shipping act eight new sections, numbered from 37 to 44, inclusive, which will take the place of the clause in paragraph 3, section 9, of the shipping act, eliminated by the present amendment. As was the case with the clause which they replace, the new sections, except as hereafter indicated, are operative only in times of war or emergency.

Section 37 extends existing prohibitions in time of war or emergency in the following respects:

The words "transfer to" foreign registry are supplemented by the words "placed under" foreign registry, for the reasons above set forth with respect to section 9. Vessels owned by corporations not American citizens are included in the prohibition for reasons already indicated.

Not only sales and charters to foreigners, but mortgages to foreigners, without the consent of the Shipping Board, are made unlawful. This is because a mortgage has proved to be a common device by which foreign capital has sought to obtain control of American vessels.

Besides vessels, the section is made applicable to "any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein." Under present war conditions shipbuilding has become of such vital national concern that foreign control is as much to be avoided as is foreign control of American shipping.

Agreements or understandings transferring to foreigners stock control of corporations owning American ships, dry docks, and shipyards are made unlawful, to prevent evasion of the act by formation of dummy corporations.

Finally, it is declared to be unlawful to make any contract to build a ship for foreign account, except with the consent of the Shipping Board, or to procure any vessel built in the United States to depart from the United States except under American documentation. This paragraph enacts the principle that in war time the output of American shipyards, embodying American labor and resources, must serve the world's commerce and the needs of the war under the American flag.

Appropriate penal provisions are contained in this section, and any sale, mortgage, lease, transfer, documentation, or agreement in violation of the section is declared to be void. It is expressly provided that consideration paid under such a void transaction shall be recoverable. This will be a strong deterrent to shipowners who might otherwise hope that they could throw the burden of forfeiture proceedings on the purchaser, while themselves retaining the proceeds of the sale.

Section 38 prescribes the method of prosecuting forfeitures, bringing it into uniformity with the practice under the customs laws and the navigation laws. This section is applicable to all forfeitures under the act, in normal times as well as in times of war or emergency.

Section 39 provides that conviction in a criminal prosecution under the act shall be prima facie evidence in a proceeding for forfeiture. This will facilitate enforcement of the act, while preserving to the parties concerned their full constitutional rights.

Section 40 further facilitates the practical enforcement of the new provisions by requiring a declaration to be filed with all bills of sale, mortgages, hypothecations, or conveyances recorded with collectors of customs, setting forth the facts relating to the citizenship of the vendee, mortgagee, or transferee; and a heavy penalty is provided for any person who knowingly makes a material false statement in such declaration. This section will call to the attention of shipowners and their brokers and attorneys the prohibitions of the law, and will make it easier to nip in the bud any attempted violation. In its phraseology the section follows the language of the present Federal recording act (R. S., 4192), except that until the statement is filed the transaction is declared to be invalid against any person whatsoever. Under existing law, unrecorded instruments of this character are invalid against "any person other than the grantor or mortgagor, his heirs and devisees, and persons having actual notice thereof." This modification is necessary to effectuate the purpose of absolutely preventing sales, mortgages, or conveyances to persons whose citizenship is not certified to.

Section 41 makes it possible to grant approval to sales, transfers, or other transactions on condition. It often happens that the sale of a vessel, perhaps specially appropriate to a particular foreign service essential to the war, is deemed advisable, provided the purchaser makes certain undertakings regarding the use of the vessel and the control of its movements. As the law now stands it is not certain that a violation of such an undertaking is punishable. There is some danger that the purchaser may obtain the Shipping Board's consent by agreeing to conditions and after he has secured the vessel repudiate the conditions. The section, in effect, provides that violation of such a condition shall nullify the approval and render the transaction punishable as though no approval had been granted.

The second paragraph to this section makes it unlawful to knowingly make a false statement of a material fact to secure the approval of a transaction required to be approved by the act. This is permanent legislation which will have a wholesome effect on the conduct of business before the Shipping Board.

Section 42 provides that a vessel registered, enrolled, or licensed under the laws of the United States shall be deemed to continue to be documented under the laws of the United States within the meaning of section 37 until surrender of its documentation has been approved by the Shipping Board. This is to make certain that the owner of a vessel can not evade the law by procuring a cancellation of his register or enrollment, thus under a possible construction of the present shipping act freeing himself from some of its restraints.

Section 43 requires a proclamation of the President to indicate that the period of war or emergency has ended.

Section 44 gives a short title, for convenient reference, to the shipping act of September 6, 1916. Section 5 of the amending act gives a short title to the present bill.

The bill reported herewith is considered an essential measure for the preservation of an American merchant marine. It has the unanimous support of the committee.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GREENE] is recognized.

Mr. GREENE of Massachusetts. Mr. Chairman, I have no desire to occupy any time at present on this bill. The purpose of the bill has been explained by the chairman, and there was no disagreement in the committee as to the necessity of the legislation. The committee carefully considered the bill item by item, and they believe that they present a bill which fully protect the rights of American shipbuilders and American shipowners and amply protect the rights of the Government. During the hearings testimony was presented showing that attempts had been made to interfere with the work of upbuilding an American merchant marine and it was forcibly intimated to the committee that there was danger that some of the representatives of foreign governments that are engaged against us in war would not hesitate to make some attempt to control our shipbuilding interests, and also, by purchase or other acts, obtain stock in the various vessels that the Shipping Board and private enterprise might construct, such alien enemies might control the management of the vessels or in the event of corporations being formed they might become controlling factors in such corporations. The committee have given these features careful consideration and have endeavored in this bill to amply protect every interest against the machinations of all our enemies, foreign and domestic.

The report upon the bill is very explicit and gives full information of the reasons for the legislation.

The experiences which have clearly demonstrated the need of the proposed legislation since the declaration of war fully justify the action of the committee in presenting this bill.

As there is but a limited time allotted for general debate, I will conclude my remarks and yield 10 minutes to the gentleman from Washington [Mr. HADLEY], a member of the committee.

Mr. HADLEY. Mr. Chairman, I believe with the chairman of the committee that the bill will be better followed if the detailed explanations so frequently made of a bill are made in the course of consideration under the five-minute rule. However, there are some of the primary features of the bill to which I wish to call attention by way of explaining the purpose and effect of the measure as proposed. My statement will be directed to those purposes only, leaving the other amendments to consideration in the course of the procedure under the five-minute rule.

Like all ordinary general legislation in days of peace the act creating the Shipping Board was made permanent law, and in the main was adapted to normal conditions. While it anticipated the possibility of war or national emergency, and contained certain provisions applicable thereto, in the very nature of things it could not reasonably be expected that all emergency conditions would have been adequately provided for in that act. In the light of its experience under the operation of the law, the Shipping Board has asked for amendatory legislation embodying substantially the provisions of this bill. It has been modified and rewritten so as to express the composite judgment of the committee.

I support it because it will conserve American tonnage to America. In this hour, when with all the allied nations we wait with anxiety for the actual addition to our merchant marine of the tonnage now building, it would be the part of utmost folly, it would be suicidal, in fact, to permit the possibility of alienation of any portion of it during the war to those not citizens of the United States, without the approval of the Shipping Board. Under existing law some of the avenues of transfer are securely barred, but not all. It is with a view to barring every unapproved means of transfer and every objectionable avenue of escape, that a portion of section 37 is now proposed as an addition to the original act, it being a part of section 4 of the pending bill. With the prohibition against transfers of vessels there is also coupled a like prohibition against the sale or transfer of "any shipyard, dry dock, shipbuilding, or ship-repairing plant or facilities, or any interest therein."

Will anyone say that while the country is at war it is entirely safe to leave all these, or any of them, open to the negotiation, acquisition, or control of aliens without any outstanding power to approve or prevent it? In the absence of this amendment I know of no express provision of law whereby anyone may lawfully interfere to restrain the consummation of transactions of such doubtful business policy and potential menace.

During the period of the war the control of transfers is no more vital than the control of contracts.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. HADLEY. I would like to make this statement, and then I will be glad to yield to the gentleman if I have the time.

No one will question for a moment that the right to contract for the construction of a vessel within the United States to be delivered to an alien during the war, without the approval of the board, ought to be absolutely prohibited. Some may contend that the right to so contract during the war for such construction and delivery after the war ought to be permitted. Speaking for myself, I am not willing to contribute in any manner or in any degree to the possibility of the control of American shipyards for foreign account after the war, at the very moment when through the exigencies of war their full capacity may be of imminent necessity for the rehabilitation and expansion of the American merchant marine. If by good fortune it shall develop at the close of the war that our tonnage is such that some portion of our facilities might have been safely and remuneratively employed in the construction of vessels for aliens immediately following the war, it will be far better to sustain any possible temporary disadvantage or loss from that source, as the penalty of reasonable prudence now, than through reckless improvidence to expose the country to possible contingencies which can not now be foreseen, but which may be freighted with consequences far more untoward and hazardous. Upon this theory of good policy the bill carries the provision:

That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the

board, * * * to enter into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States.

This is a limitation upon the right of contract which the law does not now contain, but one which I shall cheerfully support as a wise precaution during the period of war, and a limitation the exercise of which we may well rest in the jurisdiction and control and in the sound discretion of the Shipping Board.

It is also proposed to amend the shipping act in a further material and essential particular as follows:

Section 2 of that act provides that—

No corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof.

Under the operation of the law it is thought that that language may not be sufficiently restrictive to defeat all possibility of control of American corporations by foreign interests. In order to effect that result the language of section 2 of the bill is employed as an addition or supplement to that portion of section 2 of the existing law just cited.

The following is the amendatory provision:

The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

That is proposed as permanent law.

In addition to this, the bill contains a temporary provision in subdivision (d) of the new section 37, which is limited to the duration of the war, conditioned that it shall be unlawful without first obtaining the approval of the board—

(d) To make any agreement or effect any understanding whereby there is vested in or for the benefit of any person not a citizen of the United States the controlling interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District, or possession thereof, and which owns any vessel, shipyard, dry dock, or shipbuilding or ship-repairing plant or facilities.

There are a number of other important amendments, but it is not my purpose to discuss them in general debate. I have only said this much with respect to the points touched upon to emphasize the fact that this is legislation of an emergency character which ought to be speedily enacted in the interest of our merchant marine, in the interest of the successful prosecution of the war, and in the interest of our gallant soldiers and sailors to whom we owe not only unlimited support but every protection which prudence and foresight can provide. [Applause.]

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. HADLEY. Yes.

Mr. WALSH. I am very much interested in the statement that the gentleman has made, which so fully sets forth the purposes of this bill and in such a clear manner. But I wanted to ask the gentleman what other public emergencies did the committee have in mind in framing this amendment whereby they provide that in case of war "or during any national emergency" certain things shall be unlawful. What sort of emergencies did the committee have in mind outside of war?

Mr. HADLEY. The gentleman refers to section 37, "that when the United States is at war or during any national emergency * * * it shall be unlawful," and so forth?

Mr. WALSH. Yes.

Mr. HADLEY. That is language contained in the existing law.

Mr. WALSH. Was not that carried earlier in the measure, that same language?

Mr. HADLEY. I think not.

Mr. ALEXANDER. That is the language of section 9 of the shipping act. It has been transferred to section 37.

Mr. WALSH. That is just reincorporated in section 37?

Mr. ALEXANDER. Yes.

Mr. WALSH. What kind of emergencies would that cover?

Mr. ALEXANDER rose.

Mr. HADLEY. I will yield to the gentleman from Missouri to answer; I will be glad to.

Mr. ALEXANDER. It might include an acute situation in which we were short of shipping in our foreign commerce. It might be when foreign nations were at war, and it could be like that situation which ensued after August 1, 1914.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield to the gentleman two minutes more.

Mr. HADLEY. That language was contained in the existing law, an act passed in time of peace, without reference to the existing war, but contemplating at that time the possibility of emergencies which I shall not now discuss, because we are not now discussing conditions that existed at the time the shipping act was passed. But it is now part of the new section, and is carried on as existing law on which this act is based.

Mr. WALSH. And is it true that this act as amended will apply during the present war, and that when peace comes certain of its provisions will terminate and not become effective again until there is war or a national emergency?

Mr. HADLEY. That is true; and in fact all the principal provisions to which I have referred will so terminate, except where the language in the permanent law is now amended with respect to the controlling interest of foreign corporations. That is permanent law. Others are not so material as that which I have explained.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. HADLEY. Yes.

Mr. LONDON. I wanted to ask the gentleman from Washington if the prohibition contained in subdivision (a) of section 2 does not amount in effect to a prohibition of the holding of stock by any alien? The only way of securing that a majority of the stock should be vested in citizens of the United States would be to destroy the negotiability of the individual share of stock.

Mr. HADLEY. The language to which the gentleman refers——

Mr. LONDON. That is on page 2, line 20 and following.

Mr. HADLEY. "If the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States," in that event the controlling interest would not be contemplated to be owned by a citizen of the United States unless the condition exists.

Mr. LONDON. It seems to me the section accomplishes this, that the entire stock will have to be owned and controlled, because the individual purchaser of stock will not be in a position to know whether his share, along with other shares, will not constitute a majority in the nature of foreign holdings. Is not that the effect of it?

Mr. HADLEY. That is a question of fact that will be determined in the transfers of stock. The point we seek to make is that the controlling interest shall not pass out of the hands of our citizens.

Mr. LONDON. I am not opposed to it, but it practically destroys the negotiability of the individual stock.

Mr. HADLEY. I think when the transactions are frank and open there will be no hesitation on the part of those in control of the corporate books to indicate the situation as to existing transfers, so that a purchaser may understand it as it may exist.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. ALEXANDER. Mr. Chairman, I do not believe anyone on this side cares to take time. I will yield to the gentleman from Washington [Mr. HADLEY] five minutes more if he wants it.

Mr. ROBBINS. I want to ask the gentleman from Washington a question.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HUMPHREYS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution and bill of the following titles:

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces; and

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

UNITED STATES SHIPPING BOARD.

The committee resumed its session.

Mr. ALEXANDER. I will yield five minutes to the gentleman from Pennsylvania.

Mr. ROBBINS. What I conceive to be a very important feature of this bill, Mr. Chairman, is that provision by which they seek to prevent the control of a shipping company, or a ship even, under section 2 from passing into foreign hands. As I understand this section and the explanation that the gentleman gave of it, it relates only to the majority interest of the stock of the company. The minority may be held by foreigners. This inhibition only works against the majority control of the stock which controls the company. If this company owns ships how are you going to enforce that provision? There is no provision in this bill that works a forfeiture of the charter. There is no provision here that renders null and void the transfer of the stock.

For instance, take the American Merchant Marine, that is an American corporation. Suppose it has 100,000 shares of stock and 49,900 shares are held abroad. That would still leave the control in the United States, in citizens of this country. How are you going to prevent the small amount of stock to pass control from being transferred into another corporation?

Mr. HADLEY. I think the gentleman will find, when we come to read the bill under the five-minute rule, that there are provisions of forfeiture carried in it that will probably answer the question with sufficient definiteness. Sections 38 and 39 deal with the subject of forfeitures, and section 39 reads:

That in any action or proceeding under the provisions of this act to enforce the forfeiture of any vessel or interest therein or of any stocks, bonds, or any other securities, the conviction in a court of criminal jurisdiction of any person for a violation thereof with respect to such vessel or to such stocks, bonds, or other securities, shall constitute prima facie evidence of such violation against the person so convicted.

Mr. ROBBINS. I noticed that, and it does not strike me as going to the extent to which this provision ought to go. Of course, there is a penal provision on page 6, under clause (e), which provides for a fine or imprisonment, but that does not meet the proposition. You must have some remedy here for the forfeiture of the stock clearly provided. Otherwise your statute will be nugatory and impossible of enforcement, and if you are going to preserve these ships in American registry, then you must have some method in this act of stopping this transfer. Otherwise your act will not be enforcible.

Mr. EDMONDS. If the gentleman will yield, I should like to call his attention to the fact that the only time when this controlling interest would be of vital importance would be that referred to in section 37, which prevents the transfer during the time of war of the controlling interest in a company, either in the stock or in the ships to a foreign party. Now, such being the case, in that section 37 there is carried a forfeiture of stock and in some cases of ships.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. HADLEY. I yield to the gentleman from Virginia.

Mr. SAUNDERS of Virginia. I think the difficulties suggested by the gentleman from Pennsylvania [Mr. ROBBINS] will resolve themselves if he will look to that section of the original act to which this particular section of our bill is an amendment.

Mr. ROBBINS. I have that act before me.

Mr. SAUNDERS of Virginia. If the gentleman will look at section 2, he will see—

That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof.

In that act certain rights are afforded to citizens of the United States, and this amendment further defines the circumstances under which a corporation, partnership, or association shall not be deemed to be a citizen of the United States, and if they are not citizens, then they will not be within the benefits of the act. The amendment intends to make it impossible for any arrangement to be effected by which such a corporation, partnership, or association shall be a citizen of the United States, when the real control of same is in the hands of aliens. We have sought to make the language used so sweeping and comprehensive that no lawyer, however ingenious, would be able to work out any device under this section to keep the letter, while breaking the spirit of the law.

Mr. ROBBINS. Of course, it operates on the majority holders.

Mr. SAUNDERS of Virginia. Yes. As far as the minority holders are concerned, we do not concern ourselves about them. The majority control must be in the hands of citizens of the United States. We do not care about the minority members.

Mr. ROBBINS. And it renders the majority holdings non-negotiable.

Mr. SAUNDERS of Virginia. That may be true.

Mr. GREENE of Massachusetts. I yield 10 minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, I heartily favor the bill under consideration. As the chairman of the committee stated a moment ago, there is no difference of opinion among its members as to the expediency or the necessity of this legislation at this time. The prime purpose of this bill is to make it impossible, at least during the war, to transfer ships that we are now constructing at great expense to a foreign flag. We wish to safeguard and secure under American control these ships that we are now building to meet this emergency. We should not permit by any means, directly or indirectly, any of this tonnage or any interest in it to pass out of our control, at least until the war is over. I regard its passage as vitally important at this particular time.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BURROUGHS. Yes; for a question.

Mr. STAFFORD. I assume that in the consideration of this bill concrete instances were furnished to the committee showing the necessity of some such legislation. Will the gentleman kindly communicate some of these cases?

Mr. BURROUGHS. I do not have particular cases in mind, but if the gentleman will read the hearings he will get all the testimony that was presented to the committee. The hearings have been printed for distribution.

Mr. STAFFORD. I know the gentleman has attended the hearings before the committee.

Mr. BURROUGHS. I did attend them, but I do not happen to have a copy of the hearings before me.

Mr. STAFFORD. I do not care to embarrass the gentleman.

Mr. BURROUGHS. I am not sure that concrete instances were cited in the testimony, but it certainly was stated upon the authority of the witnesses who appeared before the committee that there had been an effort to circumvent the evident purpose of the shipping act and transfer ships or hulls of ships in various stages of completion from American to foreign ownership. Representatives of the Shipping Board made these statements, as I recollect, and cited the fact that particular inducements had been offered in some instances in order to get control of our shipping interests.

The necessity of this legislation is grounded in the fact that there is to-day in the world a shortage of tonnage due to the great losses from the submarine.

At present there seems to be a widespread feeling, based in part on encouraging statements by our naval authorities, that the submarine peril is passing, if in fact it has not already passed. I sincerely and earnestly hope it is passing; but I am disposed to look the facts, very ugly though they may be, squarely in the face. What are the facts?

The submarine has been, if indeed it is not yet, the deadliest weapon of the war. All the artillery, all the infantry, all the battleships, all the millions of tons of explosives and projectiles the Germans have shot into the air have not inflicted the damage nor cost the allies so dear as a few hundred of these undersea boats. They have destroyed or crippled or kept in harbor more than one-half the ocean-going tonnage of the whole world. By forcing a convoy system, devious routes, and no lights, they have cut down the effectiveness of what remains nearly one-half more. They have destroyed more tonnage than all the allies, including the United States, can probably rebuild in the next two years. They have prevented and still prevent effective aid to Russia. They are still sinking more ocean-going tonnage than all the yards of the world were building before the war.

As bearing out what I have stated, according to monthly statements of the British Admiralty, the submarine losses in 1917 amounted to approximately 6,620,000 gross tons, the equivalent of more than 10,000,000 tons dead-weight. For the quarter ending March 31, 1918, according to the same authority, the loss was 1,123,510 gross tons, or 1,685,265 tons dead-weight. This refers to British and allied losses. French Admiralty figures for April, 1918, show losses of 381,631 tons gross, making a total for one-third of 1918 of 1,505,141 tons gross, equivalent to 2,257,711 tons dead-weight.

At this rate, submarine losses in 1918 will be close to 7,000,000 tons dead-weight. While these figures would show a reduction in the total losses from sinkings for the year of 3,000,000 tons over losses in 1917, they are still, in my opinion, sufficiently large to cause concern. While it is possible and perhaps likely that these losses may be reduced, we must not blink the fact that it is also possible that they may be at any time greatly increased.

I append the following table compiled from monthly statements of the British Admiralty:

Losses by submarine.

Quarter ending—	British.	Allied nations.
March, 1917	911,840	1,619,373
January, 1917	1,361,370	2,236,934
September, 1917	952,938	1,494,473
December, 1917	782,880	1,272,843
Total	4,009,028	6,623,623
March, 1918	687,576	1,123,510

It should be borne in mind that these figures represent gross tonnage according to the British method of measurements. In order to get their equivalent in dead-weight tonnage, which is the usual standard in which American tonnage is expressed, these amounts should be multiplied by 1.6.

Now, in view of this peril, which, as it would seem from the figures above quoted, is by no means at an end, but, on the contrary, still constitutes a very real menace to the success of the allied cause, it must be apparent to all that every possible precaution should be taken to safeguard our tonnage against the shortage occasioned by the submarine. The problem as it presents itself to us has been well stated by Mr. Arthur H. Pollen, England's distinguished naval critic. In September last, in an article published in the New York Tribune, Mr. Pollen used the following language:

If the United States of America is to maintain an army of 1,000,000 men on French soil, it is a conservative estimate to suppose that each man will need at a minimum 4 tons of shipping and may need 5. I don't know what tonnage will be called for to take over 25,000 aircraft, the proposed contribution of raw material, and the extra food which the people of America are to deny themselves for the sake of their fellow fighters in Europe. But clearly if the position in Europe is to be improved by a larger number of men, increased supplies of munitions, a greater reserve of food, and a more numerous force for fighting in the air, it is by shipping and by no other means that these benefits are to accrue to us.

American intervention, then, calls for more shipping, and at the time of writing it is vanishing at a net rate of at least 500,000 tons a month. By February, 1918, the total stock of shipping will be between thirty-three and thirty-four millions tons; a year later it will be twenty-eight or twenty-nine millions tons.

Allowing only 5,000,000 tons for the purely military requirements of the United States, there will be available for the general purposes of the allies, therefore, 29,000,000 tons at the beginning of 1918 and 24,000,000 a year later.

Can the allies carry on the war when their over-sea supplies are limited to this extent? This depends, of course, to a great extent on the amount of food that can be raised by the abnormal efforts of Great Britain and France during this and next year. It depends, too, upon improved methods of unloading and loading ships so that each vessel may do more journeys in a given time.

Finally, it depends upon the extent to which the allied peoples in Europe can limit their consumption of food, either voluntarily or by the enforced order of the State. There are too many unknown factors for it to be possible to say exactly what is the minimum shipping that will see us through.

But it is quite obvious that there must be a certain level that may be called the vanishing point.

It is the object of the whole German submarine campaign to bring the world's shipping to this point at the earliest possible moment. It represents the only hope the German high command can entertain for avoiding a final military defeat.

At the present moment, Mr. Chairman, the loss of tonnage due to submarine depredations has not been replaced. Indeed, in spite of all the efforts of all the allied nations combined, the total net loss has largely increased since Mr. Pollen wrote the words I have quoted. To offset the 1917 losses the total new construction in all yards of the United Kingdom amounted approximately to 1,800,000 dead-weight tons, while America was able to place in service in the same year less than 700,000 tons, making a total of about 2,500,000 tons placed in commission in 1917 as against a loss of upwards of 10,000,000 tons in that year. Thus rapidly, Mr. Chairman, we were approaching what Mr. Pollen terms the "vanishing point" at the beginning of the present year.

Since January 1, 1918, the records of the United States Bureau of Navigation and official returns in the United Kingdom show new tonnage completed, as follows:

Tonnage completed.

Month.	United States.	United Kingdom.
1918.	*Tons.*	*Tons.*
January	91,541	87,852
February	123,100	150,075
March	166,700	252,511
April	240,000	169,000
May	260,000	.....
Totals	881,341	659,438

From the foregoing figures it will be seen that in the first three months of this year the total construction in this country and in the United Kingdom amounted to 871,779 dead-weight tons to offset a loss during this first quarter of the year amounting to 1,685,265 tons.

This brings me to a discussion of what we may reasonably expect in the way of new construction in 1918. If Great Britain maintains the same rate of progress for the balance of this year as in the first four months, she will construct and place in service during 1918 about 2,000,000 dead-weight tons. If she does this, she will have attained as high a mark in ship construction as she has ever reached in all her history. Indeed, it is more than likely that she will fall short of this total production for the year, particularly as she is short of labor, is understood to be delayed for steel plates, and is depending upon the United States for portions of her steel plate, which we are now with difficulty delivering in sufficient quantity to our own shipyards.

How about America? Evidence before the Commerce Committee of the Senate in its recent investigation would seem to indicate that the maximum output of steel and wooden shipping in the United States for this critical year of 1918 will not greatly exceed 3,000,000 tons. Mr. J. W. Powell, vice president, in charge of shipbuilding for the Bethlehem Corporation, comprising several large shipbuilding plants and understood to hold contracts for nearly one-third of our ship program, in testifying before the Senate committee said:

I am sure that in 1918, with the various handicaps we are going up against, if the country turns out 3,000,000 tons it will be a very wonderful performance.

Such, in substance, was also the testimony of Mr. Homer L. Ferguson, president of the Newport News Co., and one of our best and most experienced shipping authorities. Mr. Ferguson thought it would be the end of 1919 before we would be able to expand our shipping construction to a rate of 5,000,000 tons a year. Mr. Hurley, chairman of the Shipping Board, a few days ago stated what was his opinion and also that of Mr. Schwab, Director General of the Emergency Fleet Corporation, that the expert estimate of 3,000,000 tons for this year can be exceeded; but he gave no estimate of his own or any figures further than to say that before this year closes we shall be turning out a half million tons each month. The figures for May, which I have already quoted, are but little more than half this amount.

When we consider, as we should in this connection, our present inadequate railroad facilities, our difficulties in maintaining deliveries of steel, engines, boilers, turbines, and other necessary equipment for only 2,000,000 tons of steel ships per annum, not to mention the practical obstacles of lack of timber, lack of skilled shipping labor, and lack of steel and wooden ship building management, we may, indeed, think ourselves very fortunate if we succeed in adding a total of 3,000,000 tons to the world's shipping in 1918. Submarine losses since April 1 last are not definitely known, since the figures are not yet available. It is believed, however, that when issued they will show a considerable decrease over those last published. If they amount to anything like 7,000,000 tons for the year 1918, as the figures I have already given would seem to indicate, is it not apparent that with Great Britain building only 2,000,000 tons and America 3,000,000 tons in 1918 the peril of the submarine is still with us? We must not forget either that last year the British comptroller of shipping, Sir Joseph Maclay, announced that the United States must be depended upon for 6,000,000 tons of new shipping each year to offset the ravages of the submarine, and Sir Joseph was talking of "gross weight"; if he had used our term of "dead-weight" tons, his figures would have been over 9,000,000 instead of 6,000,000.

Mr. Hurley has recently stated that by the end of 1920 the Shipping Board will have given us 25,000,000 tons.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. BURROUGHS. Yes; I yield.

Mr. WATSON of Pennsylvania. Did I understand the gentleman to say that the program of the United States was to build 28,000,000 tons of shipping?

Mr. BURROUGHS. What I said was that I understood the chairman of the Shipping Board had recently stated that by 1920 he expected to have 25,000,000 tons of shipping.

Mr. WATSON of Pennsylvania. I read some time ago that there are only 45,000,000 tons in the whole world. Do I understand the gentleman to say that our program is to build more than half the tonnage of the world?

Mr. BURROUGHS. I have given you the statement of the chairman of the Shipping Board, which, I think, was made in an address at South Bend, Ind., on the 10th day of this month. So far as I am concerned, I sincerely hope that his prediction may be fulfilled, because I believe that we shall need every one of those ships. Certainly we shall need them if we are to have and

maintain an Army in France of anywhere near 5,000,000 men. That would allow only 5 tons of shipping for the transportation and maintenance of each soldier, and I understand the best expert opinion places the amount necessary at an even higher figure than that.

What I am afraid of is that we will not get the 25,000,000 tons by 1920. I am afraid all the factors of the problem have not been taken into account. There is all the difference in the world between a paper program based upon imaginary and ideal conditions and a carefully thought-out proposition that takes into consideration every obstacle that may be reasonably anticipated. Theory has to be corrected by facts in order to be of much practical value. Mr. Hurley talks about an average of three ships a year on each of 751 ways, and says that in 1919 "the average tonnage of steel, wood, and concrete ships continuously building on each way should be about 6,000 tons." On this basis he figures that we should be able to produce in one year 13,518,000 tons, which, he says, is more than has been turned out by Great Britain in any five years of her history.

As against this prediction, which I sincerely trust may be fulfilled, but which I must say seems to me somewhat visionary, let us consider a few facts. We know that in the last 10 months we have actually built 1,000,000 tons. We know that there is now a threatened shortage of coal and an actual shortage of freight cars upon which the great fabricating yards are so vitally dependent for their supplies. We know what happened last winter, and already we are being warned that like conditions may again force shutdowns and embargoes. We know that "steel is the sinew of war," and steel, we are told, depends first of all on coal. We face a famine in coal because the railroads can not remove it from the mines fast enough to keep up production. Both at Hog Island and Bristol, where I visited the yards less than a month ago, I was told by the managers that there was no doubt in their minds about being able to build the ships provided only they could be furnished with the necessary material. We know that we have had many shortages of steel because of the inability of the railroads to get the coal to the steel mills to produce the steel. Now, if that is true on a program of 2,000,000 or 3,000,000 tons a year, what may we reasonably expect when this program is multiplied many times?

Frankly, I see no way in which it can be done, unless we greatly extend our program in the production of concrete ships. And why should we not do this? We are told that the present program provides for about 40 concrete ships, with a total capacity of about 300,000 tons. Why may it not be a million or 2,000,000 tons instead of 300,000 tons? My understanding is that such a program could be carried out without any substantial interference with the present program of steel and wood construction. Is it objected that the concrete ship is still an experiment? If so, my answer is that the fabricated steel ship is also very much of an experiment. Some of our best authorities in steel construction look with a great deal of misgiving at the fabricated ships. They are certainly quite different from any ships heretofore built in that in many instances a great part of them is, so it is stated, designed and worked out by engineers who never saw a ship drawing before. Both Mr. Ferguson and Mr. Powell speak with considerable misgiving concerning the whole scheme of the fabrication of ships. Mr. Ferguson says, "No one knows whether these ships are going to give trouble," and Mr. Powell says, "I do not think very much of the scheme. I think those gentlemen are going to learn a good deal more as they live a little longer."

Personally, from such investigation as I have been able to make, I believe in the fabricated ships; and I believe also in the concrete ships. The *Faith*, the 5,000-ton concrete ship launched at San Francisco early in May, seems to have fully justified its name. I understand that Mr. Hurley was the original advocate or at least one of the original advocates of the concrete ship. The *Faith*, which was the first of her kind to be constructed in this country, performed without any sign of vibration, meeting every test, and in some respects exceeding expectations. The cost of construction is much less than that of either the wooden or steel ship. The estimated cost of the concrete ship is said to be between $100 and $110 a ton complete, while the wooden ship costs around $165 a ton complete, and the steel ship is now costing close to $200 a ton complete. This is probably four times as much as it would have cost us to construct steel ships 8 or 10 years ago. In those days governmental aid of $5,000,000 a year would have given a very respectable merchant marine, but everybody "saw red" when the word "subsidy" was mentioned, and the consequence was that we came into the war without any merchant marine whatever that was worthy of the name so far as over-sea trade was concerned. To quote Mr. Hurley's language:

> The vast supplies which we were sending abroad were shipped under terms and conditions laid down by other nations because the great bulk of our exports was carried in ships flying foreign flags. There were American tourists everywhere; there were also American products ready to go everywhere; but American ships nowhere.

Much has been accomplished in spite of almost insuperable difficulties. The Shipping Board has added a million tons of new construction to American shipping in the last 10 months. We have taken over German and Austrian vessels with a total dead-weight tonnage of 730,176. We have requisitioned from the Dutch under the order of the President 86 vessels more with a total tonnage of 526,532. In addition, we have chartered from neutral countries 215 vessels with an aggregate dead-weight tonnage of 953,661. "To-day," Mr. Hurley says, "we have more than 1,400 ships with an approximate total dead-weight tonnage of 7,000,000 tons under the control of the Shipping Board." In the month of May we produced 53,000 tons more shipping than were produced in the entire year of 1915. In the first five months of this year we delivered almost twice as much as was built in all American shipyards in the years 1915 and 1916. The May output, according to Mr. Schwab, is the largest amount of shipping ever placed in commission in any one month in the history of the world.

When we consider the great, the almost insuperable, obstacles under which this vast increase of production has been made possible, we may well congratulate and commend all those who have been in any manner responsible for it. But while all this is true and ought to give us much hope and courage for the future, it is also equally true, so far as human foresight can forecast the future, that for many months to come the whole allied world will probably be unable to produce ships faster than the deadly submarine will destroy them. It is for this reason that it is especially and vitally important that we take every precaution by the passage of legislation like that now under consideration to safeguard and secure to the American flag every one of the ships that we are now building, as well as every one of the ships already built and every one of the ships that we propose to build.

I have the utmost confidence, Mr. Chairman, that we are going to win this great war. We may not do it this year, and we may not do it next year. It may take an Army of 3,000,000 men; it may take an Army of 5,000,000 men; it may even conceivably take an Army of 10,000,000 men. It will most certainly involve enormous expenditures and infinite sacrifice. A good part of this is due to the fact that we were not ready for it, and did not prepare for it when we ought to have seen it coming. For a long time the "world was on fire" and our house was protected by others while we were asleep. While "sparks were falling all around us" we did not even take the precaution to see that the fire department was in good working order. But, at last, thank God, we are awake, or at any rate are fast waking up. We now have an Army of very respectable size on the fighting front, and nobody has the slightest doubt but that that Army is going to give a good account of itself wherever and whenever it is called upon. Indeed, it is already doing so. Our Navy operating in foreign waters has already won the plaudits of the world. All branches of our fighting forces are maintaining the honorable traditions of the American name.

We did not seek the war. We did everything in honor possible to avoid it. For us it is a war of self-defense; for our enemies it is a war to subdue and subjugate the world. For them it was never anything else, from the moment that Germany, in defiance of all law, threw her mighty armies across the Belgian frontier. The fate of the whole war rests to-day upon the adequacy of America's war plans and the effectiveness of her war operations.

Since I became a Member of this House, about a year ago, I have voted for every war measure that has come before us for consideration. Many of these measures have not in all their details commended themselves to me. Many of them on principle I would not for a moment support in time of peace, but I have felt that they were necessary now in order to make our fighting machinery effective. So far as I am concerned, no plans can be too ample, no weapon too massive, no energy too great, to execute the true will and purpose of our people in this war, which is, as I interpret it, to impose a just, complete, and lasting peace upon a foe who must be made forever incapable of again assaulting the world. As the President, our Commander in Chief, has so well said: "Let it be force to the utmost—force without stint or limit." That is apparently the only language our enemy is capable of understanding. Very well, then, we will talk to him in that language, and by that sign, Mr. Chairman, we will surely conquer.

Mr. ALEXANDER. Mr. Chairman, there is no further desire for time on this side.

Mr. GREENE of Massachusetts. And no further time required on this side.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes," is hereby amended by adding at the end thereof two paragraphs, as follows:

"The term 'vessel' includes all water craft and other artificial contrivances of whatever description and at whatever stage of construction, whether on the stocks or launched, which are used or are capable of being or are intended to be used as a means of transportation on water.

"The term 'documented under the laws of the United States' means 'registered, enrolled, or licensed under the laws of the United States.'"

Mr. ALEXANDER. Mr. Chairman, the language at the beginning of line 8, page 2, and ending in line 15, page 2, is new matter, and is an amendment of section 1 of the shipping act. It says:

The term "vessel" includes all water craft and other artificial contrivances of whatever description and at whatever stage of construction, whether on the stocks or launched, which are used or are capable of being or are intended to be used as a means of transportation on water.

The Revised Statutes define the word "vessel" to include every description of water craft or other artificial contrivance capable of being used for transportation by water.

The definition in the bill amplifies the definition in the Revised Statutes to include not only water craft or other artificial contrivance of whatever description capable of being used or intended for use in transportation by water, but to vessels at whatever stage of construction, whether on the stocks or not.

When the Shipping Board under existing law undertook to commandeer vessels under construction in the several shipyards of the United States, vessels which had been contracted for by foreign powers, they were confronted with the fact that a vessel in the course of construction is not a vessel within the meaning of the law. Our Supreme Court in the One hundred and eighty-third United States, page 424, had held that "in the absence of such a provision a hull in the course of construction does not become a vessel until launched." Hence this amendment of the existing law is proposed in order to give the Government control over vessels from the time the keel is laid. The last paragraph is as follows:

The term "documented under the laws of the United States" means "registered, enrolled, or licensed under the laws of the United States."

That definition is added to the existing law because later on in the bill we make the bill apply to all vessels documented under the laws of the United States—that is, all vessels documented, registered, enrolled, or licensed, which would place under control of the Shipping Board vessels of 20 tons or more.

Mr. STAFFORD. Will the gentleman explain the difference between registry and enrollment?

Mr. ALEXANDER. Under the navigation laws, if a vessel wishes to engage in foreign trade it must be registered. If it engages in coastwise trade it may be enrolled, but under the enrollment it can not engage in foreign trade. Hence a registered vessel is one that can engage in foreign trade, while an enrolled vessel is one that is confined to the coastwise trade.

Mr. WATSON of Pennsylvania. Did I understand the gentleman to say that the provision of this section includes all vessels over 20 tons?

Mr. ALEXANDER. Yes; the provisions of the bill applying to enrolled vessels would give the Government control during the period of the war of all vessels over 20 tons.

Mr. WATSON of Pennsylvania. But not under 20 tons.

Mr. ALEXANDER. No.

Mr. WATSON of Pennsylvania. When I have been to the Shipping Board they always informed me that they did not include vessels under 1,500 tons.

Mr. ALEXANDER. For certain war purposes it may be desirable for us to control vessels of small tonnage during the period of the war.

The Clerk read as follows:

SEC. 2. That section 2 of said act is hereby amended by adding at the end of the first paragraph thereof a paragraph, as follows:

"The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States."

Mr. SAUNDERS of Virginia. Mr. Chairman, in addition to what I said a moment ago in this connection I desire to say that the meat of this whole matter may be found in the concluding sentence of this amendment, to wit that "if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States," the controlling interest in a corporation shall not be deemed to be owned by citizens of the United States.

In other words, by the wording of this amendment such a situation is intended to be brought to pass that by no possible legal legerdemain can any arrangement be made by which the controlling interest may be in the hands of some other person or persons than citizens of the United States, and at the same time the corporation continue to be a citizen of the United States. I rather think the original act accomplished this result, but there were certain subtle suggested possibilities under the existing law that caused the committee to report the amendment under consideration, as a corrective for these possibilities.

Mr. EDMONDS. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. EDMONDS. I would like to call attention to the fact that in the testimony of the attorney for the Shipping Board he called attention to the fact that some law firms in New York City who represented people abroad would buy a ship and all the stockholders would be the members of this law firm, the stock being held in trust for foreign clients. As I understand it, this is to get around that arrangement.

Mr. SAUNDERS of Virginia. It seemed to the committee that the plan referred to by the gentleman from Pennsylvania might circumvent the purpose of the original act. Hence the amendment to afford a remedy for a possible weakness in that act.

Mr. ROBBINS. What is there in this section you are attempting to amend that would make it impossible or to prevent foreign owners from electing a dummy board of directors who are citizens of the United States and thereby through them control absolutely a shipping corporation, the vessels of which were built and owned by people or interests not of the United States, which ought to be controlled by bona fide citizens of the United States? Would not that give control to foreigners?

Mr. SAUNDERS of Virginia. How?

Mr. ROBBINS. By electing a board of dummy directors who are citizens of the United States while the actual owners would be foreigners. Why ought not this provision to go further? I am heartily in favor of this bill, and what I am suggesting is in good faith to endeavor to strengthen it if it is weak. The bill came in here without much chance on my part to investigate it, but I have before me the shipping act of September 7, 1916, which it is proposed to amend. I think this provision ought to go even further than it does and prevent the acting upon a board of directors of any person who is not a citizen of the United States.

Mr. SAUNDERS of Virginia. I will ask the gentleman to look to the original language of section 2. As I have stated, this act confers certain rights and privileges upon citizens of the United States. Anyone not a citizen of the United States is denied these rights and privileges.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WHITE of Maine. I was going to suggest, in answer to the gentleman from Pennsylvania [Mr. ROBBINS], that you could not have dummy directors except through an arrangement between the dummies and the real parties in interest. Subdivision C of section 2 is so drawn as to prevent an arrangement of that sort, it seems to me.

Mr. SAUNDERS of Virginia. Yes, that is true.

Mr. ROBBINS. That, of course, applies only to the majority stock.

Mr. SAUNDERS of Virginia. The amendment provides that under the circumstances recited the controlling interest in a corporation shall not be deemed to be owned by citizens of the United States.

If such a scheme as the gentleman from Pennsylvania suggests, was sought to be worked out, it would not only be in fraud of the law, but would be inoperative, since it would be an arrangement by a contract, or understanding for the majority of the voting power to be exercised in behalf of some one not a citizen of the United States. Under the terms of the amendment, should such a scheme be perfected, the controlling interest in the corporation would be held not to be owned by citizens of the United States. The scheme would instantly fail of its purpose, if sought to be effected on the line indicated in the suggestion of the gentleman from Pennsylvania.

Mr. ROBBINS. I want to be sure about it.

Mr. SAUNDERS of Virginia. The committee invites constructive criticism of the pending bill. It is not wedded to the language reported, and desires to make the bill as strong and as comprehensive as it may be made.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. Shortly after the beginning of the European war certain ships under the register of a neutral government were transferred under a trust arrangement to American citizens so that those ships could have the protection of the neutral flag of our Government. The original shipping bill was designed to give the benefit of American registry to ships owned bona fide by citizens of the United States and not under color by foreign owners. As has been pointed out by the gentleman from Virginia [Mr. SAUNDERS], section 2, as originally framed, did not reach the case where there was mere colorable title of ownership. The legal title of a majority interest might be owned by American citizens, and yet there might be trust arrangements whereby the real title would be in foreigners, and the profits accruing from the operation of the ships would go to foreigners.

The Shipping Board has called attention to the evasion of the real purpose of the law so as to allow Americans to have foreign-built ships come within the benefits of American registry and have suggested the amendment that is incorporated here in section 2. This will correct abuses that have been called to the attention of the department and only allow the protection of American registry to those cases where there has been bona fide transfer of ownership to American citizens of the majority interests of the company in the control of these foreign-built ships.

The Clerk read as follows:

SEC. 3. That section 9 of said act is hereby amended to read as follows:

"SEC. 9. That any vessel purchased, chartered, or leased from the board may be registered or enrolled and licensed, or both registered and enrolled and licensed, as a vessel of the United States and entitled to the benefits and privileges appertaining thereto: *Provided*, That foreign-built vessels admitted to American registry or enrollment and license under this act, and vessels owned, chartered, or leased by any corporation in which the United States is a stockholder, and vessels sold, leased, or chartered to any person a citizen of the United States, as provided in this act, may engage in the coastwise trade of the United States while owned, leased, or chartered by such a person.

"Every vessel purchased, chartered, or leased from the board shall, unless otherwise authorized by the board, be operated only under such registry or enrollment and license. Such vessels while employed solely as merchant vessels shall be subject to all laws, regulations, and liabilities governing merchant vessels, whether the United States be interested therein as owner, in whole or in part, or hold any mortgage, lien, or other interest therein. No such vessel, without the approval of the board, shall be transferred to a foreign registry or flag, or sold; nor, except under regulations prescribed by the board, be chartered or leased.

"No vessel documented under the laws of the United States or owned by any person a citizen of the United States or by a corporation organized under the laws of the United States or of any State, Territory, District, or possession thereof, except one which the board is prohibited from purchasing, shall be sold to any person not a citizen of the United States or transferred to or placed under a foreign registry or flag, unless such vessel is first tendered to the board at the price in good faith offered by others, or, if no such offer, at a fair price to be determined in the manner provided in section 10.

"Any vessel sold, chartered, leased, transferred to or placed under a foreign registry or flag, or operated in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than $5,000 or to imprisonment for not more than five years, or both."

Mr. ALEXANDER. Mr. Chairman, I think I can in a very few words explain wherein section 3 of the pending bill amends section 9 of the shipping act. The first paragraph of section 3, amending section 9 of the shipping act is in the language of the first paragraph of section 9, except, beginning in lines 20 and 21, these words are added at the end of the paragraph, "while owned, leased, or chartered by such a person." We simply make it clear that vessels mentioned sold, leased, or chartered from the board shall be entitled to engage in the coastwise trade of the United States while owned, leased, or chartered by a citizen of the United States. While that was the intent of the original act, yet it was not made entirely clear.

The provisions of section 3, beginning with the second paragraph, in line 22 down to line 8, page 4, is in the language of the second paragraph of section 9 of existing law.

The third paragraph of section 3, beginning in line 9, page 4, and ending with line 19, page 4, is in the language of the third paragraph, existing law, except we have taken the first sentence out of the paragraph and transferred it to section 4, which adds section 37 as a new section to the shipping act, and provides that "when the United States is at war, or during any national emergency, the existence of which is declared by proclamation of the President, no vessel registered or enrolled and licensed under the laws of the United States shall, without the approval of the board, be sold, leased, or chartered to any person not a citizen of the United States, or transferred to a foreign registry or flag." In framing the bill and amending section 9 of the shipping act, we thought that the language should more properly be incorporated in section 37. Now, in line 9, page 4, we insert "documented" instead of the words "registered or enrolled and licensed," as provided in section 9 of the shipping act. And in lines 11 and 12 and 13 we add, "or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof," and in lines 20 and 21, page 4, the new matter is as follows:

To or placed under a foreign registry or flag.

These are the only amendments of section 9 of the shipping act.

The existing law provides that the vessels may not be transferred to a foreign flag.

It is the opinion of counsel for the Shipping Board that the language is susceptible of this construction, that in order to forbid the transfer of a vessel to a foreign flag it would presuppose that the vessel should have been registered or enrolled or licensed under the laws of the United States, and it would only be in the event that the vessel had been so registered, enrolled, or licensed the transfer to a foreign flag would be unlawful; hence the language "to or placed," so that "any vessel sold, chartered, leased, transferred to or placed under a foreign registry or flag" is forbidden; hence if a vessel should be built in an American shipyard and should not apply for a registry or enrollment or license it may not be transferred to a foreign flag without the consent of the Shipping Board. It is simply to amplify the law and to throw every safeguard around our shipping that is possible.

Mr. ROBBINS. Will the gentleman yield?

Mr. ALEXANDER. I do.

Mr. ROBBINS. Will the gentleman explain why in this bill, line 12, page 4, the term is used "district, or possession thereof"?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. I can understand the word "district" probably relates to the District of Columbia.

Mr. ALEXANDER. I ask that I may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBBINS. Is there any authority in the possessions of the United States for incorporating shipbuilding companies? Is that to extend an unknown authority that has not existed and is that extended out beyond the power of supervision of the United States? It seems to me we might by this law.

Mr. ALEXANDER. It is very difficult to define just what our relations are in the Philippine Islands. The islands of Guam and Tutuila and the Panama Canal Zone are possessions of the United States.

Mr. ROBBINS. Does the gentleman say there is any authority of law in those places to incorporate ship companies——

Mr. ALEXANDER. None that I know of.

Mr. ROBBINS. I am asking, Is there any authority in those possessions which the gentleman has enumerated and others, such as the island of Hawaii and the Virgin Islands, which we have recently taken over, to incorporate ship companies?

Mr. SAUNDERS of Virginia. Certainly there must be in the Philippine Islands which is an organized body.

Mr. ALEXANDER. They have a government of their own. We have framed a constitution of the Philippine Islands, and in large measure they have local self-government and it is not our intention to interfere with them, but in framing this bill we want to be sure in amending existing law to make the law broad enough to protect our own Government in the exercise of any rightful authority it may be called upon to exercise.

Mr. ROBBINS. Is it intended to apply any authority that may be used to incorporate ship companies there?

Mr. ALEXANDER. Well, I do not think it necessary to decide that question, but it is very clear that we are not conferring power to incorporate companies there, but we do not want to surrender any control we may have over vessels documented under the laws of the United States, or owned by citizens of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof.

Mr. STAFFORD. Will the gentleman yield?

Mr. HARDY. As I understand, we want to make this cover any corporation that is now organized or might be organized under any present law or in any law that might authorize a corporation to organize under the authority of the United States.

Mr. STAFFORD. Will the gentleman yield?

Mr. ALEXANDER. I will yield.

Mr. STAFFORD. I wish to inquire whether this section is limited merely to the war period or whether it has its effect after the war terminates?

Mr. ALEXANDER. This provision is general in its nature, and is not limited to the period of the war.

Mr. STAFFORD. Then, as I understand the purpose of the amendment, it is that even after the war is ended there can be no transfer of any ship built in American shipyards to any private interest that is foreign in its citizenship without the approval of the Shipping Board?

Mr. ALEXANDER. In other words, if the vessel is documented under the laws of the United States, or owned by a citizen of the United States, and so forth, it must be tendered to the Shipping Board first, and the Shipping Board shall have the privilege to purchase before it is sold on foreign account. That is all.

Mr. STAFFORD. Of course I thought that when the war is ended——

Mr. ALEXANDER. That is a provision of the existing law.

Mr. STAFFORD. That is a provision of the existing law so far as the shipping act is concerned.

Mr. ALEXANDER. Yes.

Mr. STAFFORD. Which was passed only recently.

Mr. ALEXANDER. It was passed on September 16, 1916.

Mr. SAUNDERS of Virginia. We are not changing existing law in that respect at all.

Mr. STAFFORD. I am quite well aware of that, but I am seeking to ascertain the real purpose of the committee in limiting transfers in a regular way of vessels in American shipyards. Then, I take it, that under this provision it would virtually discourage foreign shipping interests or foreign investors from coming into this country to have their ships built, no matter whether our shipyards would be lying idle or not.

Mr. SAUNDERS of Virginia. What I meant to say was that the committee had no intention in connection with the pending bill to do anything on the line which the gentleman is discussing. He is discussing matters provided for by existing law.

Mr. STAFFORD. That is existing law——

Mr. SAUNDERS of Virginia. Laws now on the statute books.

Mr. STAFFORD (continuing). So far as it was embodied in the shipping act passed in 1916. We are amending that act, and it is possible for us now to change it.

Mr. SAUNDERS of Virginia. Oh, yes. But we did not undertake to amend the law in the respect referred to by the gentleman. That substantive matter was fully considered before these amendatory sections were reported by the committee. There was no suggestion from any quarter that it was necessary to change established existing law other than we have undertaken to do.

Mr. STAFFORD. It was existing law before we passed the shipping act, and I understand it is the policy recommended by the administration and supported by the committee.

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. No matter how long after the war terminates, foreign investors desiring ships can not come here to have their ships built in American shipyards without having them offered first to the Shipping Board.

Mr. SAUNDERS of Virginia. That was the policy established by this House some time ago, and we did not think it was well to undertake to change it.

Mr. STAFFORD. Does not the gentleman think that that will rather discourage the building of ships for foreign countries?

Mr. SAUNDERS of Virginia. That is the policy of foreign nations, and we do in substance do more than to say to shipowners: "If you want to sell, at least give your own country an opportunity to buy." If when the opportunity is given, the United States does not care to buy, it is not likely the Shipping Board would interfere with the sale to other parties.

Mr. STAFFORD. Of course, before the outbreak of the war, Great Britain and France and others of the allied countries had orders with American shipbuilding concerns for ships, and yet I can see when we return to a peace basis, with this condition existing, it would discourage foreign investors from placing orders for ships in American shipyards if they were subject to the condition that the ship when completed would first have to be offered to the Shipping Board before it could be sold.

Mr. SAUNDERS of Virginia. That is not the effect of this section. It says:

No vessel owned by any person or citizen of the United States or by a corporation organized under the laws of the United States—

And so on. There is another provision of the law that relates to foreigners seeking to have vessels constructed in the yards of the United States. We will come to that later.

Mr. STAFFORD. That is, it will discourage, as I said before, foreign interests from having ships built in American shipyards.

Mr. HARDY. If the gentleman will permit me, I want to say that the shipping act in that respect was passed because we ascertained the fact that nearly every big nation since this war began has passed laws forbidding the transfer of ships under their flags to foreign governments.

Mr. STAFFORD. That is for during the war. It was a war exigency.

Mr. HARDY. I do not know whether it is or not. But England has done it, France has done it, and Germany has done it.

Mr. STAFFORD. I justify that position, but they did not have the policy before the war. They were in war before we passed the shipping act.

Mr. HARDY. We provide further by forbidding the owners of vessels under the American flag from transferring them to other flags.

The Clerk read as follows:

SEC. 4. That said act is hereby amended by adding at the end thereof eight sections, as follows:

"SEC. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board:

"(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or

"(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship repairing plant or facilities, or any interest therein; or

"(c) To enter into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States; or

"(d) To make any agreement or effect any understanding whereby there is vested in or for the benefit of any person not a citizen of the United States, the controlling interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District, or possession thereof, and which owns any vessels, shipyard, dry dock, or shipbuilding or ship repairing plant or facilities; or

"(e) To cause or procure any vessel constructed in whole or in part within the United States, which has never cleared for any foreign port, to depart from a port of the United States before it has been documented under the laws of the United States.

"Whoever violates, or attempts or conspires to violate, any of the provisions of this section shall be guilty of a misdemeanor, punishable by a fine of not more than $5,000 or by imprisonment for not more than five years, or both.

"Any vessel, shipyard, dry dock, shipbuilding, or ship repairing plant or facilities, or interest therein, sold, mortgaged, leased, chartered, delivered, transferred, or documented, or agreed to be sold, mortgaged, leased, chartered, delivered, transferred, or documented, in violation of any of the provisions of this section, and any stocks, bonds, or other securities sold or transferred, or agreed to be sold or transferred, in violation of any of such provisions, or any vessel departing in violation of the provisions of subdivision (e), shall be forfeited to the United States.

"Any such sale, mortgage, lease, charter, delivery, transfer, documentation, or agreement therefor shall be void, whether made within or without the United States, and any consideration paid therefor or deposited in connection therewith shall be recoverable at the suit of the person who has paid or deposited the same, or of his successors or assigns, after the tender of such vessel, shipyard, dry dock, shipbuilding, or ship repairing plant or facilities, or interest therein, or of such stocks, bonds, or other securities, to the person entitled thereto, or after forfeiture thereof to the United States.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. This is subject to amendment, as I understand it.

Mr. ALEXANDER. Yes.

Mr. CANNON. I frankly confess that I am not familiar with the act which this act seeks to amend, and I am not very familiar with this act. I asked the gentleman from Missouri [Mr. ALEXANDER] while he occupied the floor in general debate, if this was a war measure, and he replied that it was. But, as I understand, subsequently, although I was called out for the last 20 or 30 minutes, it was stated that this is permanent law in large part, without regard to the war emergency.

Mr. ALEXANDER. I think the gentleman has not correctly quoted my statement. I said in large part the provisions of this bill are war provisions, and that is true. The provisions of this section 3, adding section 27 to the shipping act, are war emergency provisions and do not apply except in the event of war or a national emergency.

Mr. CANNON. What I want to know—and I do not suppose I can know without great investigation and far greater knowledge than I have—is when this Shipping Board is going to go out of existence.

Mr. ALEXANDER. The law creating the Shipping Board is permanent law.

Mr. CANNON. This is permanent law? We are to have it with us always unless the law is amended?

Mr. ALEXANDER. I hope we will always have some governmental agency that will have to do with our American merchant marine, whether it is the Shipping Board or some other agency.

Mr. CANNON. We never had the Shipping Board before?

Mr. ALEXANDER. No; but I think it is quite necessary that we should have it now and in the future.

Mr. CANNON. I understand that we are at liberty to buy ships built in foreign countries. In other words, our law that prohibited a foreign-built ship from flying the American flag and engaging in our coastwise trade has been repealed, has it not?

Mr. ALEXANDER. No; it has not been repealed. We have a law which provides that foreign-built ships owned by American citizens may be admitted to American registry, to engage in the foreign trade. That is a provision, section 5, of the Panama Canal act.

Mr. CANNON. Yes. I understood it was in some act.

Mr. ALEXANDER. And in this Congress the Committee on the Merchant Marine and Fisheries reported out a bill providing that ships foreign owned might be admitted to American registry under certain limitations during the period of the war, and it passed this House and the Senate without any question. I refer to the act of October 6, 1917.

Mr. CANNON. They can not, then, after the war engage in our coastwise trade?

Mr. ALEXANDER. Oh, no.

Mr. CANNON. After the war is over, when peace comes, do we have to get anybody's authority, with our great number of shipyards that we are going to have, before we can build a ship and sell it to anybody in the world?

Mr. ALEXANDER. No; not after the end of the war.

Mr. CANNON. Not after the end of the war?

Mr. ALEXANDER. I will say six months after the end of the war, to be accurate.

Mr. CANNON. So that we will be in the same condition that the balance of the world is supposed to be in as regards us—that we will have an industry in the United States that can build ships and sell them to anybody?

Mr. ALEXANDER. I think so, and I hope that will be the result.

Mr. CANNON. Without anybody's leave?

Mr. ALEXANDER Yes. I hope that we may be able to build ships for the world. I would not want to put any limitation on that privilege on the part of the American shipyards.

Mr. HARDY. If the gentleman will permit, I will read section 37, of which this clause is a part. It begins with the statement that "When the United States is at war, or during any national emergency, the existence of which is declared by the proclamation of the President, it shall be unlawful" to do all these things, ending with that clause just before paragraph 38, so that this part of this bill is limited specifically to during the war or a national emergency.

Mr. CANNON. I am very glad indeed to have the assurance of the gentleman, who I have no doubt is familiar with the legislation heretofore enacted and the proposed legislation, that when the war closes, or six months thereafter, we will have as much right to sell a ship built in our own yard to anybody in the world as we have to sell a bushel of wheat.

Mr. ALEXANDER. I share the gentleman's wish, and I would regret to put any limitation on that right.

Mr. CANNON. I may be pardoned, perhaps, for my ignorance in asking these questions, because it is impossible for a man of my limited capacity to keep track of all the legislation that has been enacted since the declaration of war.

Mr. ALEXANDER. The gentleman would be a marvel if he could.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr STAFFORD. This section, which applies to vessels built in the United States during the period of the war or during a national emergency, the existence of which is declared by proclamation of the President, would permit the President to determine without review the finality of the question of what that emergency is?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. So that if the President saw fit, even for economic reasons, to determine that it was for the best interests that these vessels, built in this country, should not be sold abroad, and he would declare that by proclamation, the prohibition of this section would apply?

Mr. HUMPHREYS. He would have to say that it was a national emergency.

Mr. ALEXANDER. The existing law is to this effect:

> When the United States is at war, or during any national emergency, the existence of which is declared by proclamation of the President, no vessel registered or enrolled or licensed under the laws of the United States shall, without the approval of the board, be sold, leased, or chartered to any person not a citizen of the United States or transferred to a foreign registry or flag.

That is the existing law.

Mr. STAFFORD. So that the mere conclusion of peace will not restore our shipping conditions back to the conditions that prevailed before the war, because the conditions following the war will be abnormal, undoubtedly, and might cause the President, because of the exigency, to declare that an emergency arises whereby this law should still continue.

Mr. ALEXANDER. For instance, after the war began in Europe on August 1, 1914, we had this condition, that there was no existing law to prevent vessels under American registry from being transferred to a foreign flag; but under the shipping act of September 16, 1916, the President would have had the power to prevent transfers. We had a great dearth of shipping. Because we did not have bottoms in which to transport our commodities to Europe, the price of cotton fell to 6 cents a pound and ocean freight rates increased a thousand per cent; and following the present war a condition might ensue that might compel the President, in the national interest, to declare a national emergency to exist and prevent those transfers as long as the emergency continued.

For instance, we will have millions of men in Europe; we will have vast supplies and munitions there; and it is going to take a long time to get our soldiers home and restore normal peace conditions; and other nations will be reaching out to get tonnage in order to meet their demands, which of course have become acute and will become more acute on account of the war; and hence it gives the President the power to protect us in that event.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. CANNON] has raised a question that I do not think has been cleared up, not to my mind, at least. It does not bear exactly on this section, however. This is a dual bill. The first three sections of it are permanent law. They are amendments to the act of September 7, 1916. The last eight sections, designated as under section 37, are new law and are only emergency legislation, in force "during the war or during a national emergency." I do not know what that would cover, but the President's proclamation would, of course, define such emergency and give effect to it.

This temporary provision here, during the war, contradicts the permanent section, I think. For instance, under subdivision (b) the transfer of any vessel or of "any interest therein" is prohibited. The permanent law applies only to the majority interests in a vessel or corporation owning vessels. That is clearly a contradiction. I do not know whether this is the committee's intention or not, that during the war, or during an emergency, there could not be any transfer even of shares of stock in any corporation owning ships of a minority holding of the shares of stock; but that is what is accomplished by this legislation.

Mr. ALEXANDER. What line is the gentleman referring to?

Mr. ROBBINS. Lines 17 and 18, on page 5. Unless you get the approval of the Shipping Board, it prohibits absolutely the transfer of any interest whatever in any documented ship or stock in a company or any interest in any dry dock. Those provisions of the temporary law apply to any interest whatever. Now, the first sections, the permanent law, apply only to the controlling interest. If it is the intention to make it that way, then you have done that, but I do not think that ought to be the intention.

Mr. ALEXANDER. That is the intention of the act.

Mr. ROBBINS. Then it is contradictory.

Mr. ALEXANDER. I beg the gentleman's pardon.

Mr. SAUNDERS of Virginia. Why is it contradictory?

Mr. HADLEY. Is not the effect of the two provisions to which the gentleman refers to lay down a proviso to the permanent law, putting a limitation on the act in time of war or emergency? We are doing that every day in all of our legislation, passing provisions which are not applicable in time of peace, and drawing a definite distinction between the permanent law for times of peace and the temporary law for time of war or emergency. As the chairman of the committee states, the intention is to prevent the transfer of any interest in shipping during the period of the war.

Mr. ROBBINS. That is to say that a corporation organized to own shipping can operate during a time of peace if a majority of the stock is owned by American citizens, but as soon as the war comes on all the stock must be transferred to American citizens or forfeited to the United States. That is what is done by this legislation.

Mr. SAUNDERS of Virginia. Why does the gentleman make that statement?

Mr. ROBBINS. Because that is exactly what this act does.

Mr. SAUNDERS of Virginia. Where does the gentleman find the support of his statement in the law?

Mr. ROBBINS. You do that by section 37. You enumerate six or eight things that can not occur during war or national emergency.

Mr. SAUNDERS of Virginia. But there is no affirmative requirement that existing interests shall be transferred. If it is held in the United States, you can not dispose of it; but I understood the gentleman just now to say that when war came on some one who was not a citizen of the United States who held an interest in such a corporation would be required to transfer that interest to some citizen of the United States.

Mr. ROBBINS. Certainly.

Mr. SAUNDERS of Virginia. There is nothing in the law to that effect.

Mr. ROBBINS. I am assuming that this law is in effect during this war.

Mr. SAUNDERS of Virginia. That is correct.

Mr. ROBBINS. Suppose a company is organized to operate between the United States and South America. That is one of the commercial fields we want to stimulate. Now, suppose a minority of the stock is owned in Brazil and a majority of the stock is owned in the United States. When war comes on, it does not matter between what countries, the Brazilian stockholders will have to divest themselves of their stock.

Mr. SAUNDERS of Virginia. Will the gentleman point out anything in the law imposing that requirement on the Brazilian stockholders?

Mr. ROBBINS. Under section 37 during time of war it is unlawful for any foreigner to hold any interest. You go on to say in this section what can not be done.

Mr. SAUNDERS of Virginia. Will the gentleman read anything which makes it unlawful for a citizen of Brazil to continue to hold his interest during the war?

Mr. ROBBINS. Subdivision (b).

Mr. SAUNDERS of Virginia. If the gentleman will pardon me, I will read subdivision (b). That provides that when the United States is at war or during any national emergency it shall be unlawful, without first obtaining the approval of the board—

(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein.

This language does not require the Brazilian stockholder to sell his interest to some one in the United States?

Mr. ROBBINS. Because such stockholders can not hold it.

Mr. SAUNDERS of Virginia. Why not?

Mr. ROBBINS. Because such stock will be forfeited under this act.

Mr. SAUNDERS of Virginia. There is no provision against his holding it.

Mr. ROBBINS. This act causes a forfeiture of all such stock or interest.

Mr. SAUNDERS of Virginia. Point out the provision imposing such a forfeiture.

Mr. ROBBINS. He can not hold any interest in any vessel or dock. That is what the law says.

Mr. SAUNDERS of Virginia. Will the gentleman point to any provision in the law supporting the assertion which he has just made?

Mr. ROBBINS. The things are enumerated here that can not be done. These are:

SEC. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board:

(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or

(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein.

Mr. SAUNDERS of Virginia. In other words, there can not be a transfer pending the war.

Mr. ROBBINS. You prohibit any interest in any vessel being held by a foreigner.

Mr. SAUNDERS of Virginia. Oh, no. It simply prevents any interest in a vessel from being transferred. That does not prohibit the holding of any interest.

Mr. ROBBINS. Why not?

Mr. SAUNDERS of Virginia. Because the law does not forbid it.

If the gentleman will pardon me, I will say that the purpose of this section is to preserve the status of property rights in ships, shipyards and so forth during the pendency of war, or during the period of a national emergency declared by the President. It merely preserves the status, and does not require anyone to part with his interest. This status may not be changed by sale, mortgage, lease, or any manner of transfer.

Mr. ROBBINS. If that be true, how could such provision be enforced against a ship company that is owned abroad under American charter and operated as a line of steamships to foreign countries? How could you enforce it against the North German Lloyd Line, for example, owned in Germany and the title held by an American Co.? You do not mean ships built in this country could be taken over by that line? If this could be done, the act will be ineffectual.

Mr. SAUNDERS of Virginia. What has that got to do with it? Section 37 provides that when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board, to transfer, sell, mortgage, lease, charter, deliver to any person not a citizen of the United States the property, or interest in property indicated.

No amount of interpretation can make the language plainer than it is. It means what it says, but I repeat that there is nothing in the section requiring an alien or other stockholders to transfer his stock to an American citizen, during war, or an emergency.

Mr. ROBBINS. Does it not discourage the very thing that I am pointing out, namely, our foreign commerce. Both our citizens and our Government after the war is over wish to encourage foreign commerce. One of the ways that we will encourage foreign commerce with other nations is to induce people of other countries that we trade with to become interested in steamship lines that ply between their country and our own.

Mr. SAUNDERS of Virginia. During the war we are interested in maintaining our control over every interest in ships and shipyards owned by American citizens. That is all this section proposes to do.

Mr. ROBBINS. That is true, but I am looking beyond the war. If we make peace terms next year in the present war, and two years later we have a war with Japan, as an illustration only—for I hope we may never have such war or any other war—will not this act be in effect them?

Mr. SAUNDERS of Virginia. Certainly.

Mr. ROBBINS. Will it not have a harmful effect on prospective investors in shipping securities to pass a law that will forfeit such investments when war occurs?

Mr. SAUNDERS of Virginia. Does the gentleman think that this is wise legislation with respect to the existing war, but that it would be unwise legislation with reference to some hypothetical future war? I do not see how he can draw such a conclusion.

Mr. ROBBINS. The gentleman does not seem to want the act criticized.

Mr. SAUNDERS of Virginia. Yes, I do; I invite all the just criticism that may be made.

Mr. ROBBINS. I say that if this act will defeat the extension of the commerce of the United States it ought not to be passed. By holding out a threat to foreign investors who would invest in shipping generally with us, to enact any law that would deter those investors, in case of war their interests would be in jeopardy and they would have to offer such investments for sale.

Mr. SAUNDERS of Virginia. Why does the gentleman make that statement when there is not a word, or a line in the act that will support such a conclusion. The act deals with citizens of the United States and with transfers on their part.

Mr. ROBBINS. The bill, in section 37, provides, by the use of the words continually "or any interest therein," just such result. That means the control of the minority stockholders.

Mr. HARDY. Will the gentleman yield to me, to see if I can make it clear?

Mr. ROBBINS. I yield.

Mr. HARDY. It simply means that while we are at war—this war or any other war just like it—during that war no American citizen owning a ship shall be allowed to sell that ship to a foreigner without the consent of the Shipping Board. That is all it means—that no American citizen during this war may sell any ship that he owns, or any interest in a ship that he owns, to a foreigner without the consent of the Shipping Board. It is as plain as it can be.

Mr. ROBBINS. What about the minority's interest? It surely is forfeited by the provisions of this act in its present form.

Mr. WALSH rose.

Mr. SAUNDERS of Virginia. Mr. Chairman, just a word. This matter I think has been pretty well developed. The gentleman from Pennsylvania first presents a proposition of construction and then one of policy. With respect to the proposition of construction or interpretation I undertake to say, as I have said before, that there is nothing in the law that requires—to use his own illustration—the Brazilian stockholder after war is declared, to transfer his interest in an American ship to an American. So much for the proposition of construction. With reference to the proposition of policy, if it is admitted that the law is a wise one with reference to the existing war, why, as a matter of policy, would it not be a wise one with reference to some future war? Why would it not be as good policy then as now to retain control over American ships and shipyards during the pendency of war?

The gentleman asks a question about the minority interests. We go further in this emergency clause than in the permanent portion of the law with respect to minority interests. In the permanent portion of the law we do not forbid the transfer of minority interests. The provisions of permanent law in this connection relate to the controlling interests; but under the emergency section, having in mind its great purpose, which is to maintain the absolute control of the United States over all interests in shipping and shipyards owned by citizens of the United States, we do provide not only with reference to the controlling interests, but with reference to the minority interests, "that neither shall be mortgaged, sold, or in anywise transferred during the war, or the emergency declared by the President, without the consent of the Shipping Board." Does not the gentleman agree with me that what may be wise and necessary as an emergency proposition, need not be repeated in the permanent law?

Mr. WALSH. Mr. Chairman, the gentleman from Virginia [Mr. SAUNDERS] has expressed very clearly the thoughts which I had in mind as to what this section contains. The gentleman from Pennsylvania [Mr. ROBBINS] is a very close student of legislation here, and usually criticisms which he makes are well founded as to construction to be placed upon legislation. The words which seem to give him difficulty are "any interest therein" referring to vessels or charters. I agree fully with the committee and think their language is phrased here so that there can be no misinterpretation about it, and that the authority which they seek to put into force is that in the case of the existing war, or in case of a future war, with reference to vessels—and we have to depend on ships for our foreign commerce—when war is declared it shall be impossible for American citizens to transfer their interests in these ships to some foreign corporation or citizenship and thereby, to that extent, place beyond our control and jurisdiction these ships engaged in foreign commerce. In other words, we seek to maintain the ownership of those vessels in the same situation that they were immediately before the war was declared, and I submit that that should be so—that it is a poor time in time of war to let the control or ownership of our shipping pass out of the hands of American citizens; that it ought to be kept in the same control and subject to the same jurisdiction that it is in peace times.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. HARDY. Also just what the gentleman has said in reference to ships is made by section 3 to apply to shipyards.

Mr. WALSH. Yes, of course; and I direct the attention of the gentleman from Pennsylvania to the fact that that applies to shipyards and that in so far as this section is concerned it is surely an emergency section, so to speak, and applies only during the war time, and it would seem to me that this is a good time to announce that policy and to put it into effect and to state that in the future, if we should become involved in any other war, which we all hope and pray we may not, this legislation shall then become effective and that the ownership of ships and vessels and shipyards shall be held, so to speak, in statu quo upon the outbreak of the war, and that these persons shall not be permitted to divest themselves of ownership and thereby put themselves to that extent out of the jurisdiction and control of the United States authorities, which are supposed to exercise jurisdiction over these vessels engaged in foreign commerce. If the gentleman will read the various subsections and section 37 again, in consideration with what the chairman of the committee and the gentleman from Virginia [Mr. SAUNDERS] have said, I think he will see that it is not susceptible to the interpretation which he puts upon it, and that the words "or any interest therein" need not give him the concern which he expressed.

The Clerk read as follows:

SEC. 39. That in any action or proceeding under the provisions of this act to enforce the forfeiture of any vessel or interest therein or of any stocks, bonds, or any other securities, the conviction in a court of criminal jurisdiction of any person for a violation thereof with respect to such vessel or to such stocks, bonds, or other securities, shall constitute prima facie evidence of such violation against the person so convicted.

Mr. ALEXANDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read:

The Clerk read as follows:

Page 7, line 20, after the word "enforce," strike out the word "the" and insert in lieu thereof the word "a," and in line 20, after the word "forfeiture," strike out the words "of any vessel or interest therein or of any stocks, bonds, or any other securities," and in line 23, after the word "respect," strike out the words "such vessel or to such stocks, bonds, or other securities" and insert in lieu thereof the words "the subject matter of the forfeiture."

Mr. ALEXANDER. "The subject of the forfeiture" would be better language. So it would read.

The Clerk read as follows:

That in any action or proceeding under the provisions of this act to enforce a forfeiture the conviction in a court of criminal jurisdiction of any person for a violation thereof in respect to the subject of the forfeiture shall constitute prima facie evidence of such violation against the person so convicted.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 40. That whenever any bill of sale, mortgage, hypothecation, or conveyance of any vessel, or part thereof, or interest therein, is presented to any collector of the customs to be recorded, the vendee, mortgagee or transferee shall file therewith a written declaration in such form as the board may by regulation prescribe, setting forth the facts relating to his citizenship, and such other facts as the board requires, showing that the transaction does not involve a violation of any of the provisions of sections 9 or 37. Unless the board, before such presentation, has failed to prescribe such form, no such bill of sale, mortgage, hypothecation, or conveyance shall be valid against any person whatsoever until such declaration has been filed. Any declaration filed by or in behalf of a corporation shall be signed by the president, secretary, or treasurer thereof.

Whoever knowingly makes any false statement of a material fact in any such declaration shall be guilty of a misdemeanor and subject to a fine of not more than $5,000, or to imprisonment for not more than five years, or both.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word for the purpose of asking a question with reference to evidence required there as to ownership in a corporation. Why is it not better to provide that such evidence shall also be accompanied by a certified resolution of the board of directors instead of a statement just signed by the president, secretary, and treasurer? There are some jurisdictions in which that is required as evidence of corporate action. It is best evidence of corporate action to require a certified copy of the action of the board of directors under the seal of the corporation. That is really the evidence of corporate action, and the best evidence. I should think in a case of this kind, involving the title to a ship or other property, that such evidence should be produced.

Mr. ALEXANDER. Has the gentleman read section 41?

Mr. ROBBINS. Yes; I have read it through. I am speaking of the evidence of corporate action required here in this section.

Mr. ALEXANDER (reading):

"Section 40 further facilitates the practical enforcement of the new provisions by requiring a declaration to be filed with all bills of sale, mortgages, hypothecations, or conveyances recorded with collectors of customs, setting forth the facts relating to the citizenship of the vendee, mortgagee, or transferee; and a heavy penalty is provided for any person who knowingly makes a material false statement in such declaration. This section will call to the attention of shipowners and their brokers and attorneys the prohibitions of the law and will make it easier to nip in the bud any attempted violation. In its phraseology the section follows the language of the present Federal recording act (R. S., 4192), except that until the statement is filed the transaction is declared to be invalid against any person whatsoever. Under existing law, unrecorded instruments of this character are invalid against 'any person other than the grantor or mortgagor, his heirs and devisees, and persons having actual notice thereof.' This modification is necessary to effectuate the purpose of absolutely preventing sales, mortgages, or conveyances to persons whose citizenship is not certified to."

Mr. ROBBINS. Well, I am only making the suggestion. I am not going to offer an amendment. I am speaking of the corporate action of a corporation and the evidence thereof. Of course, evidence of the action of a corporation would be fully set out by such resolution.

Mr. ALEXANDER. This is a question of proof of the requirements of sections 9 and 37.

Mr. HARDY. I think the gentleman has in mind the action of the corporation selling their interest. That might be required to be of record, but this section is to affect the buyer and to determine the citizenship, and see it is in compliance with the law.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 42. That any vessel registered, enrolled, or licensed under the laws of the United States shall be deemed to continue to be documented under the laws of the United States within the meaning of subdivision (b) of section 37, until such registry, enrollment, or license is surrendered with the approval of the board, the provisions of any other act of Congress to the contrary notwithstanding.

Mr. WALSH. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee, or some member of it, whether the definition of "vessel" as set out in this act would include the class of craft which we provided for the other day to be documented—usually yachts or small fishing craft. I think it was over 16 feet long——

Mr. ALEXANDER. Under the definition of "documented" vessels, in the first section of this bill, are included vessels registered and enrolled or licensed under the laws of the United States which would not include any vessel of less than 20 tons register.

Mr. WALSH. It would not include those smaller craft, the registration for which we provided the other day?

Mr. ALEXANDER. No; that is, in the bill for numbering the gentleman means.

Mr. WALSH. For numbering.

Mr. ALEXANDER. No; it would not affect them.

Mr. WALSH. So as to fishermen having small craft of 16 to 18 tons and wanting to sell them to some person who is not a citizen it would not apply?

Mr. ALEXANDER. No.

Mr. ROBBINS. Mr. Chairman, I want to ask a question suggested by the question of the gentleman from Massachusetts. This applies to all water craft. Would it apply——

Mr. ALEXANDER. It does not apply to all water craft. It applies to vessels of 20 tons and over.

Mr. ROBBINS. I mean in excess of 20 tons. Does it apply to craft employed on rivers in domestic commerce?

Mr. ALEXANDER. All rivers, lakes, bays, sounds, and the ocean.

Mr. ROBBINS. Would it apply to the Monongahela River craft?

Mr. ALEXANDER. I suppose it would, if there is any craft on the Monongahela River of 20-ton registry or over.

Mr. ROBBINS. There is a great deal of it there. In fact, there are thousands of tons of it. The commerce on the Monongahela is the largest of any inland stream.

Mr. ALEXANDER. I understand. I apprehend the Shipping Board would not place any limitations on any craft of that sort unless it should become necessary as a war measure; but on the seacoasts during the period of the war it may be quite necessary for the Shipping Board to have supervision over all vessels to which the bill applies.

Mr. ROBBINS. I can understand why it should apply to seacoast craft, but why should it apply to inland streams like the Monongahela and Ohio?

Mr. ALEXANDER. We might have put in exceptions of that sort if it had been thought necessary, but we hardly thought it was necessary to do so. We will assume that the Shipping Board is composed of men of average intelligence, that they are thoroughly patriotic, and that they want to facilitate our commerce and not place any obstacles in the way of legitimate enterprise and will administer this law in a reasonable way.

Mr. WALSH. Will the gentleman state what was in contemplation in the definition of "vessel" when they said "all water craft and other artificial contrivances of whatever description"? Is that in the present law?

Mr. ALEXANDER. That is the language of the existing law and had been from time immemorial. The word "vessel" includes every description of water craft and every contrivance capable of being used in transportation by water. That is the definition given of vessel in the Revised Statutes.

Mr. WALSH. I wondered what that included.

Mr. ALEXANDER. It does not say just what it includes.

Mr. WALSH. It does not permit much of anything to escape that will float?

Mr. ALEXANDER. That is the existing law, and has been, as I have said, for a long time.

Mr. ROBBINS. I presume that relates to these hydroplanes that are being built, and to keep them from going into the ownership of foreign countries.

Mr. ALEXANDER. Possibly.

The Clerk read as follows:

SEC. 5. That this act may be cited as "Shipping act amendment, 1918."

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire in all seriousness, What is the need of section 5? I question whether heretofore we have adopted any such policy of describing an act that was amendatory of another act that it should be known as an amendment of said act.

Mr. ALEXANDER. It is a matter of convenience. The committee is not wedded to it, but this is a very comprehensive piece of legislation, and in referring to it for the purpose of amendment or in the way of citation in any decision by the court it would be much more convenient to say "shipping-act amendment, 1918." I think that is sufficient reason.

Mr. STAFFORD. As suggested by the gentleman from Massachusetts, it might lead to confusion.

Mr. ALEXANDER. The purpose of it is to prevent confusion.

Mr. STAFFORD. I do not see where it would be serviceable at all in referring to this act. I can see the reason for describing the principal act as "the shipping act of 1916."

Mr. ALEXANDER. Well——

Mr. STAFFORD. Mr. Chairman, I move to strike out section 5.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 10, strike out section 5.

The CHAIRMAN. The question is on the amendment.

Mr. WALSH. Mr. Chairman, I have listened to what the chairman said with reference to this section, and I can see the purpose the committee had, but inasmuch as we are amending the shipping act and provide in the last section of the shipping act as amended that it shall be known as the shipping act, it would seem to me that it would be unnecessary to cite that amendment as the shipping-act amendment.

Mr. ALEXANDER. For that reason I am willing to concede the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise and report the bill to the House as amended, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHALLENBERGER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12100, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD, and also that all those who have spoken on the bill may be permitted to revise and extend their remarks.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all those who have spoken on the bill may be permitted to revise and extend their remarks. Is there objection?

Mr. WALSH. Reserving the right to object, will the gentleman say "within five days"?

Mr. ALEXANDER. Yes; within five days.

The SPEAKER. Within five legislative days. Is there objection?

There was no objection.

PRESCRIPTION OF CHARTER RATES AND FREIGHT RATES.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill H. R. 12099, and move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of that bill.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12099) to confer on the President the power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

The SPEAKER. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12099.

ADJOURNMENT.

Mr. ALEXANDER. Pending that motion, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Thursday, June 20, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting communication from the Assistant Attorney General submitting a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases, which require an appropriation for their payment (H. Doc. No. 1178); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a judgment rendered against the Government by the district court of the United States for the district of Maryland, under the provisions of the act of August 9, 1916 (H. Doc. No. 1179); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12179) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., reported the same with amendment, accompanied by a report (No. 670), which said bill and report were referred to the House Calendar.

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (S. 3735) to provide for enlistments in the National Guard of the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 671), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 12509) providing extra compensation for work done for the War Department by certain employees thereof during the time for which leave of absence is granted by law; to the Committee on Military Affairs.

By Mr. SISSON: A bill (H. R. 12510) to tax the manufacture and sale of deadly weapons, and for other purposes; to the Committee on Ways and Means.

By Mr. CAREW (by request): A bill (H. R. 12511) to amend the Federal income-tax law approved September 8, 1916, as amended October 3, 1917, to provide for the encouragement of home building and housing by cooperation; to the Committee on Ways and Means.

By Mr. RUCKER: A bill (H. R. 12512) to amend section 3 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally refered as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 12513) granting an increase of pension to Henry S. Robert; to the Committee on Invalid Pensions.

By Mr. CAREW: A bill (H. R. 12514) granting a pension to Margeret F. Gallagher; to the Committee on Pensions.

By Mr. COSTELLO: A bill (H. R. 12515) granting a pension to Elizabeth Harmoning; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 12516) granting a pension to Pierre L. Carmouche; to the Committee on Pensions.

Also, a bill (H. R. 12517) granting a pension to Sophia Bruder; to the Committee on Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 12518) for the relief of the Davis Construction Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the National Society of Sons of the American Revolution, asking that German-language publications be discontinued; to the Committee on the Judiciary.

Also, resolutions of a mass meeting held in the largest church in Piedmont, Mo., and of the delegate convention of the Woman's Christian Temperance Union of Lorain County, Ohio, urging prohibition during the period of the war; to the Committee on the Judiciary.

Also (by request), resolution of the National Society of the Sons of the American Revolution, asking that the teaching of the German language in the public schools be discontinued; to the Committee on Education.

Also (by request), petition of citizens of Centralia, Mo., protesting against the zone system of postage for periodicals and asking for its repeal; to the Committee on Ways and Means.

Also (by request), petition of F. P. Wood, osteopathic physician, St. Louis, Mo., favoring House bill 5407; to the Committee on Military Affairs.

By Mr. BROWNING: Petition of 284 citizens of Collingswood, N. J., urging Nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petitions of residents of Oconomowoc, Ixonia, La Prairie, and Turtle; members of the Methodist Episcopal Church at Shopiere, Brookfield, Pewaukee, Elkhorn, and Clinton Junction; members of the Congregational Church at Evansville; members of the Baptist Church at Union Grove and Elkhorn; members of Lodge No. 322, Independent Order of Odd Fellows, Milton; members of Women's Study Circle, Orfordville; and members of Student Defense Council of Madison, all in the State of Wisconsin, asking that legislation be enacted by Congress to prohibit the manufacture and sale of intoxicating liquors during the war; to the Committee on the Judiciary.

By Mr. ELSTON: Memorial of the Shipyard Riggers' Union, No. 15678, of Oakland, Cal., favoring repeal of zone-rate postal legislation; to the Committee on Ways and Means.

By Mr. LINTHICUM: Memorial of the Baltimore Federation of Labor, urging the passage of House bill 123; to the Committee on Labor.

Also, petition of Edwin T. Daneker, of Baltimore, Md., urging the immediate passage of House bill 6421; to the Committee on Invalid Pensions.

Also, resolution of the Baltimore clearing house and letters of the American Bank of Baltimore and of the Farmers & Merchants National Bank, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

Also, petition of Dr. Robert R. Keiningham, of Baltimore, urging the passage of House bill 5407; to the Committee on Military Affairs.

Also, petition of George B. Sammons, Baltimore, Md., favoring increased pay for pressmen in the Government Printing Office; to the Committee on Appropriations.

Also, petition of W. P. Summers, of Baltimore, Md., favoring the Jones amendment to the food-emergency bill; to the Committee on Agriculture.

Also, petition of the International Bedding Co. and the Diamond Pillow, Feather & Down Co., both of Baltimore, and Evans Bros., of Elkton, Md., protesting against the repeal of the second-class mail provisions of the war-revenue act; and of H. W. Porter, of Baltimore, Md., asking for the repeal of this legislation; to the Committee on Ways and Means.

Also, petition of Guy K. Mitchell, of Baltimore, urging partial payments of income and excess-profits taxes; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Mr. Charles T. Brockway, of Syracuse, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of Rev. A. F. Brown and others, of Pompey, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of the East Syracuse Woman's Christian Temperance Union, for the passage of a bill to prohibit the use of foodstuffs for the manufacture of intoxicating liquors and to

limit all intoxicating liquors now on hand to nonbeverage purposes; to the Committee on the Judiciary.

By Mr. BAKER: Resolution adopted by the Newhall and Saugus Branch of the Red Cross, asking for war prohibition; to the Committee on the Judiciary.

Also, petition signed by the majority of the representative people of Quincy, Cal., protesting against the zone system; to the Committee on Ways and Means.

By Mr. ROWLAND: Resolution adopted at a public meeting in the city of Bradford, Pa., June 17, 1918, to amend the Federal Constitution in regard to polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. SNELL: Petition of the Spanish-American War veterans of Clinton County, N. Y., for passage of bill to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China; to the Committee on Pensions.

Also, petition of First Baptist Church, Malone, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of United Presbyterian Church, Lisbon, N. Y., for the passage of a bill to prohibit effectively the use of any kind of foodstuffs during the war for the manufacture of intoxicating beverages and to limit all intoxicating liquors now on hand to nonbeverage uses; to the Committee on the Judiciary.

SENATE.

THURSDAY, *June 20, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at this sacred moment dedicated to the thought of God, we bow in Thy presence to lift our hearts to Thee for Thy guidance this day. Thou hast been pleased to call these Thy servants into a place of ever-increasing responsibility, facing problems unsolved and which will yield their secret only to men whose hearts are right toward Thee. Grant us this day Thy guidance and blessing, that we may do all things according to Thy will and advance the interests of Thy kingdom through the work of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

WOMAN SUFFRAGE.

Mr. HOLLIS. Mr. President, I am instructed by the Committee on Woman Suffrage to give notice that a week from to-day or as soon thereafter as the parliamentary situation will permit some member of the Woman Suffrage Committee will move to proceed to the consideration of the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage.

Mr. SMOOT. Will the Senator yield?

Mr. HOLLIS. I yield.

Mr. SMOOT. Would it not be well to have the Senator give notice that the joint resolution will be called up upon a certain day, because if that notice is not given Senators will not know whether it is going to be brought up or not. There is no business before the Senate now which is so pressing that the vote can not be taken upon the day for which the notice will be given. I wish the Senator would give a notice, and that would be a notice to Senators who want to vote for it to be here and to those who want to vote against it to be here, and there will be no excuse for not taking the vote on that day.

Mr. HOLLIS. I gave the instruction of the committee exactly as it was given to me. The matter was thoroughly considered by the committee and it was supposed that there would be nothing in the way so that the joint resolution could be taken up a week from to-day, which will be next Thursday. It is the intention of the committee to have the chairman if he is here, if not to have the vice chairman, move to proceed to the consideration of the joint resolution on Thursday of next week, a week from to-day.

Mr. TOWNSEND. Mr. President——

Mr. HOLLIS. I yield.

Mr. TOWNSEND. I regret exceedingly that the committee has come to the decision which it has reached on this subject. I am interested in the joint resolution and would like very much to be present to vote for it when it comes up, but after to-morrow night it will be impossible for me to be here within the next two weeks. Arrangements have been made affecting sickness in my family which I must meet. I had not supposed that there was any thought of bringing the matter up at this session of Congress, from what has been said heretofore.

I do not know that I should have made any arrangements if I had been notified in advance, but I repeat, I am exceedingly sorry that in a matter which is evidently going to be discussed it will not be possible for me to be present within that time.

Mr. HOLLIS. The committee very carefully considered the matter of absences, and the reason why they decided to ask for a vote as early as next week, Thursday, is that so many Senators are planning to go away about the 1st of July. The committee wanted the Senate to have fair notice, so that everyone might be present and vote for or against the measure. It seemed wise to us to put it before the 1st of July, and to put it before the end of the week, so that there might be a day or two for discussion in case there is discussion. I notified one who may be considered the leader on the other side yesterday, and he told me he thought we could agree practically not to have much discussion but to vote next week, Thursday. I believe myself that that can be brought about. I think there will be a few speeches, perhaps, on both sides, but no intention to filibuster.

Mr. ASHURST. Mr. President——

Mr. HOLLIS. I yield.

Mr. ASHURST. Just for a moment. There is one Senator who is a very earnest advocate of this proposed amendment to the Constitution who is absent many miles, and is very likely to be away at that time. If we are to vote on Thursday, I wish to telegraph him, he having a long distance to come.

Mr. HOLLIS. If the committee is able to bring about a vote next Thursday, it will do so, and it has every reason to think that it can.

Mr. ASHURST. The only point is whether I can notify him that a vote will be taken on that day.

Mr. HOLLIS. I think both sides have about decided to vote on that day.

Mr. LODGE. Mr. President, I have just come into the Chamber. I understand the Senator from New Hampshire is simply giving a notice. He is not asking an agreement now to vote at any time?

Mr. HOLLIS. I am not.

In this connection, Mr. President, I desire to read a resolution passed by the American Federation of Labor at its annual convention at St. Paul, June 14, 1918:

Resolution passed by the American Federation of Labor at St. Paul, June 14, 1918.

Whereas the American Federation of Labor and its affiliated bodies have repeatedly urged upon the legislators of this country the essential justice and economic need of equal suffrage for women and men; and

Whereas the military needs of the country are drawing millions of men out of industry and women are filling their places; and

Whereas this substitution of voteless women for voting men inflicts upon us, the working people of the Nation, an acute injustice by cutting down our voting strength and our share in the control of our Government: Therefore, be it

Resolved, That the American Federation of Labor in convention assembled considers this injustice no longer tolerable and demands in behalf of the working people of the United States that the United States Senate take immediate action to enfranchise the women of this Nation by passing the Federal women's suffrage amendment now pending in that body.

Though not directly related but somewhat connected with this matter I also wish to put in the RECORD a telegram from St. Paul, dated June 19, 1918:

ST. PAUL, MINN., *June 19, 1918.*

Hon. HENRY F. HOLLIS,
United States Senate, Washington, D. C.:

American Federation Labor now in convention here unanimously adopted following resolution:

"Whereas 4,000 women operatives employed in the United States Bureau of Engraving and Printing at Washington are paid but $1.92 to $2.24 per day; and

"Whereas this scale represents for the majority of these women no increase for 15 years, although the pay of the greater portion of the male forces of the bureau has been increased since the war began and the pay of the women operatives is less than the wage paid to unskilled male labor in the bureau; and

"Whereas the Director of the Bureau of Engraving and Printing and the President of the United States have recommended that Congress appropriate sufficient funds to bring the pay of the women operatives up to the minimum of $920 per year: Therefore, be it

"*Resolved*, That the thirty-eighth annual convention of the American Federation of Labor hereby urges upon Congress the importance of bringing the wage scale of Government departments into conformity"——

Mr. SMITH of Arizona. Mr. President, I make a point of order against the reading of these things into the RECORD. I was not here at the beginning. I do not know what it is, and it is immaterial to the Committee on Printing what it is, but I object to its being printed in the RECORD.

Mr. HOLLIS. Mr. President, I have not yielded the floor, and I desire to read this telegram.

Mr. SMITH of Arizona. It is in the morning hour, and I make the point of order that it can not be done.

Mr. HOLLIS. No objection was made to the reading, and I will merely finish it.

Mr. LODGE. If the Senator will allow me——

Mr. HOLLIS. I yield.

Mr. LODGE. On the point of order, the Senator from New Hampshire was giving a notice on behalf of a committee, and in connection with that he read a resolution or statement of the American Federation of Labor. He is now, I understand, reading a similar statement. He is not offering petitions, as I understand it.

Mr. SMITH of Arizona. I know, and in the morning hour you can not put into the RECORD even the resolution to which the Senator refers unless by unanimous consent and by a vote of the Senate.

Mr. LODGE. If the Senator will yield to me——

Mr. SMITH of Arizona. I demand the regular order.

The PRESIDENT pro tempore. The Chair decides that the point of order made by the Senator from Arizona is well taken. The resolution under which we have had recent decisions by the President of the Senate is that no other portion of such communications shall be inserted in the RECORD except that provided in the rule, and, of course, the reading by a Senator is the insertion in the RECORD and therefore it is not in order.

Mr. HOLLIS. There is no doubt about the rule. I shall put it in the RECORD some time during the day. I appeal to the Senator from Arizona to allow unanimous consent for me to finish it. There are only about 10 lines left.

Mr. SMITH of Arizona. I do not object to the reading, but I object to the printing in the RECORD.

Mr. LODGE. The Senator can read it later.

Mr. BRANDEGEE. Mr. President, I must demand the regular order.

The PRESIDENT pro tempore. The regular order is the presentation of petitions and memorials.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed a bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes."

PETITIONS AND MEMORIALS.

Mr. CUMMINS. I present a petition in the form of a resolution and being very brief I will read it.

Mr. SMITH of Arizona. I demand the regular order and object to reading in the RECORD of any resolution in the morning hour.

Mr. CUMMINS. If the Senator from Arizona insists upon his objection I have a right to describe briefly and succinctly the nature of the resolution or the petition I now present.

Mr. LODGE. Under the ruling of the Chair I ask for the regular order.

The PRESIDENT pro tempore. The presentation of petitions and memorials is in order.

Mr. CUMMINS. I present a petition in the form of a resolution by the military nurses of the State of Iowa in behalf of the Susan B. Anthony suffrage amendment and begging that the Senate shall take prompt and favorable action upon it.

Mr. SHAFROTH. I have a telegram in the nature of a petition from the governor of the State of Colorado and from all the State officers of the State of Colorado urging the immediate passage of the Susan B. Anthony amendment.

Mr. PHELAN presented a petition of the Pattern Makers' Association, of San Franciso, Cal., praying for the enactment of legislation to provide 30 days' leave of absence to employees in the navy yards of the United States, which was ordered to lie on the table.

He also presented a petition of the congregation of the Presbyterian Church of Gilroy, Cal., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. KNOX presented a memorial of Congressional District Group No. 1, of Philadelphia County, Pa., remonstrating against the delay in bringing the Federal woman-suffrage amendment to a vote in the Senate, which was ordered to lie on the table.

Mr. HALE presented a memorial of the Maine National Bankers' Association, of Rumford, Me., remonstrating against the guaranty of certain bank deposits in national banks, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HITCHCOCK, from the Committee on Foreign Relations, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

A bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones (Rept. No. 517); and

A bill (S. 4728) to authorize the payment of $2,000 to the Government of Japan for the benefit of the family of Tatsuji Saito, a Japanese subject killed at Camp Geronimo, Mexico, May 25, 1916 (Rept. No. 518).

Mr. McNARY, from the Committee on Public Lands, to which was referred the bill (S. 2494) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national forest land, reported it without amendment and submitted a report (No. 519) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WATSON:

A bill (S. 4735) to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes; to the Committee on the Judiciary.

By Mr. MARTIN:

A bill (S. 4736) for the relief of Richard J. Easton; to the Committee on Naval Affairs.

By Mr. GALLINGER:

A bill (S. 4737) granting a pension to Joseph J. Horan (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 4738) to acquire by purchase certain coal lands in West Virginia, contiguous and tributary to the lines of the Virginian Railway Co., to be developed and operated by the Government; and to acquire by purchase the Virginian Railway Co.'s property, to be operated by the Government, to insure a certain and ample coal supply for the Army and Navy and to insure prompt and adequate transportation facilities for the same, and for other purposes; to the Committee on Interstate Commerce.

AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. JONES of Washington submitted an amendment proposing to appropriate $90,000 for the construction and equipment of a lighthouse depot at Ketchikan, Alaska, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KENYON submitted an amendment authorizing the Secretary of War to sell at not less than an appraised valuation, to be fixed by three disinterested persons appointed by him, the property now known as Meridian Hill Park, on Sixteenth Street, city of Washington, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to appropriate $200,000 to investigate the reclamation of drainage lands outside existing reclamation projects, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

SEED GRAIN.

Mr. CURTIS submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

PENSIONS FOR STATE MILITIA.

Mr. KNOX (for Mr. PENROSE) submitted an amendment intended to be proposed by him to the bill (H. R. 3547) to extend the provisions of the pension act of May 11, 1912, to the officers and enlisted men of all State militia and other State organizations that rendered service to the Union cause during the Civil War for a period of 90 days or more, and providing pensions for their widows, minor children, and dependent parents, and for other purposes, which was referred to the Committee on Pensions and ordered to be printed.

EMPLOYMENT OF STENOGRAPHER.

The PRESIDENT pro tempore. If there is no further morning business, the morning business is closed.

Mr. HARDWICK. I ask the unanimous consent of the Senate for the immediate consideration of Senate resolution 260. It is simply a resolution directing the Committee on Immigration to provide for its hearings. I think no Senator will object to it.

There being no objection, the resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Immigration, or any subcommittee thereof, be authorized to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, and that expenses contracted hereunder shall be paid out of the contingent fund of the Senate.

REVOCATION OF LEAVE OF ABSENCE.

Mr. WILLIAMS. I ask that the leave of absence granted to me by the Senate about four weeks ago on account of sickness in my family be revoked.

The PRESIDENT pro tempore. There being no objection, it will be so ordered.

HOUSE BILL REFERRED.

H. R. 12100. An act to amend an act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes, was read twice by its title and referred to the Committee on Commerce.

VOLUNTEER OFFICERS' RETIRED LIST.

Mr. TOWNSEND. As the morning business is closed, I move that the unfinished business, Senate bill 130, be laid before the Senate.

Mr. KING. Mr. President——

Mr. TOWNSEND. I yield to the Senator.

Mr. KING. I desire to call up for consideration a bill reported from the Judiciary Committee yesterday. I think it may be disposed of during the morning hour. It is an important measure. If the Senator will consent to temporarily lay aside the bill which he has just called the attention of the Senate to, I should like to have that bill disposed of.

Mr. TOWNSEND. The only particular interest I have in the matter now is that there are a great many Senators who would like to have the pending bill disposed of, as there is something else they wish to attend to, and I thought we might possibly dispose of the unfinished business. If the Senator wanted to speak, I thought possibly he could do that now, and we could thus dispose of the bill, and then have time to take up the Senator's bill or any other measure the Senate wished to take up.

Mr. HARDWICK. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HARDWICK. During the morning hour is it not the right of the Senator from Utah to move to take up any bill without regard to the unfinished business?

Mr. TOWNSEND. I have moved to take up Senate bill 130, which is the regular order.

The PRESIDENT pro tempore. The Senator from Michigan was recognized and moved to take up Senate bill 130.

Mr. HARDWICK. Oh, he made the motion first.

Mr. TOWNSEND. But I do not want to be discourteous. I want to accommodate myself to the Senator from Utah and other Senators. My thought has been that we could dispose of the bill before the Senate much more quickly if we should commence at once than if we delayed it for other business to intervene.

Mr. CUMMINS. Will the Senator from Michigan yield to me for a moment, that I may make an inquiry of the Senator from Utah? Is the bill to which the Senator has just referred and which he desires to bring up the bill from the Judiciary Committee relating to condemnation?

Mr. KING. Yes.

Mr. CUMMINS. With regard to that bill, I want to say that with its purposes generally I am in entire sympathy, but I have not seen a printed copy of it yet.

Mr. KING. It is on the Senator's desk.

Mr. CUMMINS. It must have been put on my desk this morning.

Mr. KING. Yes.

Mr. CUMMINS. There will be a very important amendment to propose to the bill and I have not had an opportunity to prepare it. The Senator from Utah knows in a general way what the amendment is. I hope he will not bring on the bill for consideration until Senators can have a chance to examine and study it, so that they may appreciate the value or want of value of the amendment which will be proposed.

Mr. KING. Mr. President, will the Senator from Michigan yield to me for just a moment?

Mr. TOWNSEND. Yes.

Mr. KING. Mr. President, out of deference to the request of the Senator from Iowa [Mr. CUMMINS], I shall not ask that the bill to which I have referred be now taken up; but I desire the Senator to be advised that as soon as the measure for which the Senator from Michigan [Mr. TOWNSEND] asks consideration is out of the way, even though it be at a late hour this afternoon, I shall move to take up for consideration the bill to which I have referred and which the Senator refers to. I think we can dispose of it within a short time.

I might say, in passing, that the bill authorizes individuals, associations, or corporations to exercise the right of eminent domain for the purposes of supplying the Government, or those who may be engaged in furnishing the Government war supplies or in Government work, with electric energy. There are hundreds if not thousands of plants owned by private persons or by corporations that are producing war supplies. They require electric power. In some instances they produce their own power, but in most cases they obtain the electricity to run their plants from power companies. There are a number of States in which the authority to condemn for power purposes is not given. While it is true that there are electric power companies operating within such States, and transmission lines have been constructed, all rights of way for such purposes have been secured by purchase, and when the owner refuses to sell, either the land, or grant an easement, the power company is halted in its plans or it has to abandon them. In those States, I regret to state, selfish persons are now holding up the Government and are holding up power corporations that are perfectly willing to furnish additional power to the Government, or to plants engaged in governmental activities, by charging such exorbitant prices for rights of way over their land that action is impossible.

The bill provides that the right of eminent domain shall be exercised only during the present war, and then only after the Secretary of War shall approve of the undertaking after he shall find that the generation or transmission of electric power is necessary to increase the supply of power for the governmental objects to which I have referred. Senators can see the importance of it, because very important work is now being halted by reason of the inability to acquire power.

Mr. CUMMINS. Mr. President, in order that there may be a general understanding of the subject, I may be permitted to say that, so far as I know, no member of the committee has any objection to—in fact, they are all in favor of—the proposed condemnation in order to furnish the power to State corporations that are doing Government work. The point that will have to be considered, however, is as to whether, as against the laws of the States, the privilege of using the land after the war ceases and after these corporations cease to do work for the Government shall continue; that is to say, whether the Government will authorize the condemnation of lands or other property to be enjoyed by private corporations after the Government's use has entirely ceased. That is the only point, so far as I recall, upon which there is difference of opinion amongst the members of the committee.

Mr. TOWNSEND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 130, being what is known as the volunteer officers' retirement bill.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Georgia. Mr. President, I do not wish to object, but I should be glad again to call the attention of the Senate to the importance of instructing its conferees on the Agricultural appropriation bill with regard to $2.50 wheat. We are tied up, and we think we can not bring the conference report back to the Senate because a majority of the Senate conferees will not agree to bring it back. The only way out of the difficulty is for the Senate to instruct its conferees what to do. I have reached the conclusion that we can not pass the provision for $2.50 wheat, and, in order to save the Agricultural bill, the wise course is simply to instruct the conferees on the part of the Senate to yield. In view, however, of the fact that the Senator from Michigan has only until 4 o'clock for the consideration of his bill, I shall not press my request at this time; but after that bill shall have been voted upon this afternoon I shall again endeavor to bring before the Senate the subject to which I have referred.

Mr. TOWNSEND. Very well.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Michigan to proceed to the consideration of Senate bill 130, being the unfinished business.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. LODGE. Mr. President, I am in favor of the bill which has just been laid before the Senate and which has been reported by the Senator from Michigan [Mr. TOWNSEND], and I intend to vote for it. However, I do not propose to consume time in advocating it, but I merely wish to ask that a protest relating to the subject of the notice of the Senator from New Hampshire [Mr. HOLLIS], which I was unable to present owing to the vigilance of my friend the Senator from Arizona [Mr. SMITH], be printed as a part of my remarks at this time. I shall not ask to have it read.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Chair hears none.

The protest referred to is as follows:

WINCHESTER, MASS., *June 18, 1918.*

Hon. HENRY CABOT LODGE,
Washington, D. C.

DEAR SENATOR LODGE: The Unitarian women of the Winchester Branch of Antisuffragists ask that at the proper time you will read, or cause to be read, in the Senate Chamber the following statement and protest:

At the close of a long session of a business meeting of the American Unitarian Association, May 21, when many delegates had left the meeting, a resolution was passed by a small majority of the remaining delegates urging the United States Senate to vote for the Susan B. Anthony amendment.

The Unitarian women belonging to the Winchester Branch of Massachusetts Antisuffragists, numbering about one-fifth of the 350 members, strongly protest against this resolution. Their reasons are threefold: They believe the amendment itself is unconstitutional in its attempt to override State rights and majority rule; they believe it most unpatriotic to try to force upon our country now, in its time of stress, a measure that would not only embarrass the Government by bringing 25,000,000 untrained voters into its electorate, but would also cause an increased expenditure of many millions of dollars at every election—now when every dollar is needed for the war and war relief—and they believe the vote is not a representative vote of the American Unitarian Association.

The members—all the members of this branch of antisuffragists—desire to avail themselves of this opportunity to express, not only to our two Massachusetts Senators but to all the Members of the Senate who have taken such a firm and manly stand against the Susan B. Anthony amendment, their sincere appreciation and their warmest thanks.

Yours, with great respect,

MARIA A. PARSONS,
Publicity Committee of the Winchester Antisuffrage Branch.

Mr. SMITH of Georgia. Mr. President, I wish to call attention to the fact that at the present time there has been great effort upon the part of many men not within the proper age to secure officers' commissions in the military service. A commission as an officer of the Army of the United States is a thing greatly to be desired, and I scarcely think there is a man of physical strength enough to go to war who does not desire an officer's position. I mention this in connection with the fact that the pending bill discriminates between officers and privates; but I rose not so much even to mention that as to call attention to the fact that there is no guaranty now being made and no promise of any kind now being made to the men who are seeking commissions as officers during the war in the Government service that they shall be given retired officers' pay at any time after they are mustered out.

I wish to make that statement now, that it may go into the RECORD, lest there should be any mistake about it in after years. If anyone knows of any such promise, I should like to hear it. I am sure there is none, and I am sure that the claim of a promise can not possibly be made hereafter as to the men who are now so anxious to have commissions. If I could accommodate all from my own State with commissions who desire them, I think I could fill all the commissioned places that are to be filled in the Reserve Army.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. KING resumed the speech begun by him on yesterday. After having spoken for some time,

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Utah yield to the Senator from Georgia?

Mr. KING. I yield.

ADMISSION OF CONTRACT LABORERS.

Mr. HARDWICK. If the Senator from Utah will yield to me for just a moment, I desire to make a brief statement to the Senate and to give a brief notice to the Senate.

Recently under a departmental order, which takes effect today, the Secretary of Labor has undertaken to repeal the contract-labor law, the literacy test, and the head-tax provisions of the immigration laws of the United States. Because of the fact that the present debate is proceeding under a unanimous-consent agreement, to come to an end at a given hour, I do not wish to inject that question into the debate; but I notify the Senate that, at the conclusion of the morning business to-morrow morning, it is my intention, if I can secure the floor, to address to the Senate some remarks relating to this remarkable, unprecedented, and unjustifiable proceeding on the part of a bureau of our Government.

Mr. BORAH. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield to the Senator from Idaho.

Mr. BORAH. I do not want to encourage the Senator from Georgia to enter into the discussion, as he says he does not desire to do so, but the statement he has made is a very interesting one. How has the Secretary of Labor undertaken to do what the Senator from Georgia has stated?

Mr. HARDWICK. Under a provision of the act "the Commissioner General of Immigration, with the approval of the Secretary of Labor"—I am reading now from the act itself—"shall issue rules and prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of otherwise inadmissible aliens applying for temporary admission."

It was intended by Congress, as the debates and hearings in both Houses all disclose, to provide for cases where an alien inadmissible here had made the trip and was sick on the ship, and humanity required that he should be temporarily allowed to land, or wanted to visit his people for a day or two—some such case as that. It is proposed to apply this proviso to thousands of contract laborers to be brought in here from Mexico.

I thank the Senator from Utah for his courtesy.

VOLUNTEER OFFICERS' RETIRED LIST.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Wednesday, June 19.

Mr. KING. Mr. President, it is an unpleasant task and an unpopular course to pursue, to oppose measures of this character. Indeed, I have learned that there is scarcely any proposition looking to obtaining money from the Treasury of the United States that does not meet with approval, and opposition thereto is disapproved. It is a popular "indoor sport" nowadays to devise methods to take money from the Federal Treasury. The stupendous demands made upon our country by reason of the war—demands which must be met—not only do not diminish the plans to raid the Public Treasury but apparently increase the number and augment the amounts demanded. Almost daily bills are introduced calling for appropriations reaching millions, and, indeed, hundreds of millions of dollars. Claims old and musty and which upon examination are found to be without merit and in some instances unconscionable are presented, and appropriations asked to meet them. One would think that the shadow of this great contest now hanging over us, which involves the life of this Nation and the cause of civilization, would occasion the most serious concern upon the part of public officials and compel them to examine with the utmost care every claim presented against the Government and every demand made for money taken from the people under the taxing power or resulting from loans made by the people based upon bonds which will mortgage our country for generations to come. But this paradox is presented; the more pressing are the requirements upon the Government in order to save the Nation, and the greater the appropriations for such purpose, the more numerous are the extraneous and unmeritorious demands upon the Government. It would seem as if the appetite of many persons were whetted by reason of the great appropriations made to meet the imperative demands of the war, and that satiety could only come, if it can come at all, by still larger appropriations, not required by the war, but to meet claims questionable in character or wholly devoid of merit. Perhaps it is human nature that prompts so many to make demands upon the Government, because they see the great stream of money pouring from the Treasury into so many activities and into so many channels.

I respectfully submit that the bill under consideration does not come with appealing force to the conscience of Senators, nor is it in my opinion founded upon any valid or just considerations. Apparently it is pressed now because so many claims are presented, many of which are unworthy and ignoble, and some of

which are so indefensible as to make their proper characterization impossible within parliamentary limitations.

The proposition contended for by the proponents of this bill is entirely new to me. My acquaintance with the proceedings of this body and of the House of Representatives had not led me to discover that legislation of this character had ever received consideration at the hands of the Congress of the United States. Indeed, I never heard of this bill until yesterday, when the Senator from Michigan [Mr. TOWNSEND] asked for its immediate consideration. I then obtained a copy of the bill and hastily examined it. I was astounded when I ascertained its provisions and learned what was demanded within the four corners of the measure. When I was informed that similar bills had passed both branches of Congress upon various occasions, but not during the same session, my astonishment was increased. Further examination of the bill this morning confirmed the impression which the perusal of the bill yesterday created upon my mind. It seems incredible to me that legislators charged with the weighty responsibilities resting upon Members of this body could countenance this measure. The bill to me is so shocking, so violative of every principle of justice and right, as I comprehend the meaning of those words, that it not only provokes my opposition but excites my indignation. No elaborate investigation of the bill, no careful analysis of its provisions, are necessary, in my opinion, to acquaint the most casual reading of the measure with the unjust and unrighteous provisions therein found.

There are some propositions presented to us from day to day which, as soon as they are stated, provoke an opposition, strong, intense, and uneradicable, or meet with immediate favor, dependent upon the standards and perspectives of those to whom the statements are made. Speaking generally, Mr. President, questions are frequently presented which, measured by accepted ethical standards, are to be condemned. There is nothing in this world enduring except the truth and justice and righteousness. All things else are evanescent. Men's systems of philosophy, the creeds fashioned by man, political systems, and human governments—these are exotics, the things of an hour, and go to nameless graves and are forgotten. But the principles of justice, the great moral standards revealed by God, the truths emanating from Him, quickening the consciences of men, to guide them along the pathway of life, are immutable and immortal. The same standard of justice and righteousness should govern nations as that which governs individuals. No legislation should be enacted that does not square with the highest principles of justice and righteousness and with the highest ethical and moral precepts. The cause of the present war is found in Germany's cynical and callous disregard of this view and her insistence that the State is subject to no moral restraints and may not be controlled by any ethical standards. One great German writer has said that questions of right and justice are for individual conduct but have no relation to the conduct or activities of the State. Germany has displayed a brutal and cynical disregard of the fundamental principles of justice that underlie all things that are enduring.

As stated, there are some propositions presented to us in life which seem so unjust, so lacking in merit, that our opposition to them is immediately aroused. Of course, I do not claim to be governed by any higher standards than those observed by other Senators or the citizens of our land, and in my opposition to this bill I do not want to offend those who differ from me or to question their motives or sincerity or impute to them any views less worthy than those which I entertain. It may be that my opposition to this bill is unwarranted and that my judgment as to its merits is without proper support. It is possible that I am viewing the proposition from an improper standpoint and that there are phases of this question which I have not been able to comprehend, but I confess that I can see no merit in the bill, and judging it by the ordinary standards of right and wrong, as I try to understand those standards, the bill is not only devoid of merit but it is wrong and unjust and should be overwhelmingly defeated.

What is the proposition contained in this bill? Baldly and nakedly stated, it is this: That men who volunteered for military or naval service during the Civil War and served for a limited period of time and were mustered out of service, or separated themselves from service by resignation or otherwise, and returned to their homes, to their business pursuits, and to the activities of citizenship, and who, from that time until the present, have been engaged in private pursuits providing a competency for themselves and their families and not subject in any way to the military or naval control of the United States, are now to be regarded and treated as though they had been withdrawn from their business pursuits and their private work and labor, and had been under the military or naval service of the Government and had been giving all their time and their talents to military and naval activities; and are to now be placed upon the retired list as officers and receive the same retired pay and other benefits as are provided for officers who have given their entire lives to their country. In other words, those who have been engaged in civil life, devoting their energies to their own work and labor, and to their own aggrandizement, and to the building up of their own fortunes, are to receive a gratuity from the Government and to be placed upon the same footing as those who have given their entire lives to their country, and who as boys went into the Military and Naval Academies of our country, turning their backs upon all of the opportunities that this great Republic offered in order to serve their country. Years ago our Government established a Military and a Naval Academy and limited the number of young men who were to be received and trained therein for military and naval service in our country. It is true, we have been a democratic and peace-loving people and have abhored war and all of the evils which it produces. We have not believed in a large standing Army, or in imposing militarism upon the people of this Republic. Our people were devoted to the arts of peace and our Nation looked out upon the warring nations of the world with the deepest regret, with the hope that peace and concord would come to nations, and with a desire to escape the conflagrations which have enveloped so many nations of the earth. Perhaps we have loved peace so much that we were deaf to the calls of duty and failed to properly prepare against an evil day and the assaults of a powerful and unscrupulous foe. Looking back now upon the past, many of our people believe we have been wanting in wisdom and vision, and that we failed to make such preparations for the defense of this Republic as prudence and wisdom dictated.

I do not intend to discuss the question of whether we have been guilty of omissions in this regard, and whether, if we had been better prepared for war, this great contest might have been avoided. People, perhaps, will always differ upon this question, and no good can result, at least at this hour, from a discussion of it. But I allude to the matter because it is germane to the point I am now attempting to make.

Though we were a pacific Nation, we provided the skeleton of an army. It was regarded as imperative that naval and military officers should be trained and brought to a high state of efficiency. Our Military and Naval Academies have always ranked high and the young men who have gone from these institutions have reflected honor upon our country. They have shown themselves to be gallant and able officers both in peace and in war, both on land and upon sea.

The policy of our Nation was to select a limited number of young men and have them trained in these academies. Those who went there realized, upon entering these institutions, that they were bidding good-by to the great opportunities this Nation held out for young men of the Republic. They knew that they were withdrawing themselves from the broad fields of opportunity that were spread out to be occupied by the energetic and virile young men of the Republic. Looking back upon the history of those who have entered the Naval and Military Academies of our country during the past three-quarters of a century it must be admitted that they made sacrifices in leaving their homes and families and friends and ties of youth and the avenues so numerous threading this Republic—avenues leading to wealth and distinction and honor.

I hope it is not an improper comparison to allude to those who have withdrawn themselves from the activities of life and, taking upon themselves priestly vows, have consecrated their lives to religious service and to the obligations of their church; and many noble women have also denied themselves those joys and the supreme happiness resulting from family unions, and have consecrated their lives to religious service and charity and to deeds of love and tenderness. As stated, perhaps this is not a happy comparison, and yet it illustrates, though imperfectly, the point I am attempting to make. The young men who went to the Military and Naval Academies and thereafter took part in the Civil War made sacrifices which many of us do not comprehend when they left their homes and dedicated their lives and all that they had to this Republic. We are all familiar with the situation of our country immediately before the Civil War. Then, as since, the opportunities afforded by our country to energetic young men were unequalled in any land or in any age. The resources of our Republic had scarcely been touched, new States were to be founded, and empires were to be built within the limits of the United States. Every young man of ambition knew that in the great field of opportunity there were wealth and fame and honor and distinction in store for all. Yet, as stated, the young men who went to these institutions of learning just before the days of the Civil War closed the doors of success and wealth and fortune and glorious opportunity upon

themselves, and offered their lives and all that they had to their country. They served through the dark years of the Civil War and proved that they were worthy representatives of a great and free people. When the war was over most of them felt that they could not in honor resign their positions in the Army and in the Navy and enter into the activities of civil life. Moreover, their training had fitted them for military and naval careers. In a way their education had not fitted them for civil life, but had prepared them for service in the Army and in the Navy. We all appreciate that immediately following the Civil War the business opportunities presented in our country were very great. In all parts of the land there was development and progress; wealth and prosperity came to the people, and the young men who had entered the Civil War, coming from civil life, quickly returned to their homes and engaged in the business pursuits and in the business undertakings which brought to them and to our country prosperity and wealth. I do not mean to contend that the officers who came from the military academies of the United States were more valiant or patriotic than those who entered the Army from the walks of life. Every American is filled with pride at the chapter of our country's history which records the heroic deeds of the young men who left the field, and farm, and shop, and the business pursuits in which they were engaged, and volunteered their services in defense of the flag. All honor is due the brave men who entered the Army and saved our country from disunion. In the great Army that was formed during the Civil War thousands of officers were raised from the ranks. Many of them were mere boys when they entered the Army, but they had, for the time being, given up their pursuits and callings in order that they might serve their country. It would be, of course, improper to say that their services were less distinguished or less valuable than those of the officers who came from West Point and Annapolis.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from North Dakota?

Mr. KING. I yield.

Mr. McCUMBER. Does the Senator feel that those young men who had no assistance from the Government, who through their own energy, their own patriotism in a bloody conflict won their spurs and their official recognition, should be less recognized than those who were educated solely at the expense of the Government and without any expense to themselves? Are they less entitled to meritorious consideration?

Mr. KING. Mr. President, before I conclude I think I can satisfy the distinguished Senator who has just interrogated me as to my views with respect to the question that he has just propounded; but permit me to say that the question as I interpret it seems to have a sting in the end of it and seems to carry, as I think, an unjust insinuation against the boys who were educated, to use the Senator's expression, "solely at the expense of the Government and without any expense to themselves." Mr. President, I repeat, that the young men who have gone to the Military and Naval Academies have denied themselves opportunities which were open to them and which have been seized by the other young men of our country. As I have stated, America has been and is the land of opportunity. Our Nation possessed inexhaustible resources, and to the young men of industry and ambition success was certain. The undeveloped resources of our Nation afforded boundless opportunities for the American people in the fields of industry and civil life. As suggested, the young men who went to the Military and Naval Academies knew what opportunities they were denying to themselves. They knew that in a democracy, in a peaceful nation, those engaged in the military service occupied positions that are not desired by most of the people and are envied by but few. The Senator's question seems to imply a criticism of those who were educated for military and naval service at the expense of the Government. I might with propriety reply that under our public school system nearly all of the children of our land are educated at the expense of the Government. The States impose heavy taxes for educational purposes and the children are educated at the expense of the taxpayers of the States; so if there is criticism to be leveled against the officers who are educated by our Government there would be legitimate ground for criticism of practically all of the young men and women who receive their educational training in our country. Even the universities are supported, at least most of them, by taxation, and those who receive the benefit of such universities are "educated at the expense of the State." Of course, those who are trained at West Point and Annapolis are educated by the Federal Government.

Mr. McCUMBER. Mr. President, will the Senator yield again?

Mr. KING. I yield.

Mr. McCUMBER. Let me say to the Senator that he does me not so much an injustice as he does himself an injustice in construing my remark to the effect that those who had won their spurs by their own efforts, without assistance from the Government, were entitled at least to equal credit at the close of a great war with those who were educated by the Government, as being a disrespectful statement or a thrust at those who were so educated. I know that the Senator down in his own heart does not think that any such intention could be charged to me.

Mr. KING. Mr. President, I can afford to do myself an injustice. I can not afford to do the distinguished Senator from North Dakota or anybody else an injustice, but I certainly interpreted his remark as a delicate thrust at those who had been educated at West Point by our country.

Mr. President, I come back again to what I was stating a moment ago, namely, that I think those young men who have denied themselves the opportunities afforded in this great Republic for business success, for professional advancement or political preferment, for wealth, and for honorable station in the business and social activities of our Republic, and have gone to West Point and immured themselves—because that has been their position in the past—in the Army, and have condemned themselves to isolation, to the occupation of little forts here and there in Indian districts and in outlying sections of our country during the past 50 and more years, are entitled to consideration and to all the praise that may be given to men of brave and self-sacrificing character.

Of course, I am not derogating from the credit due the young men who volunteered for service in the Civil War and who rose to positions of trust and responsibility in the Army or in the Navy. As I have stated, they gave valiant and patriotic service to their country. No doubt they fought as well and served their country as valiantly as did the officers graduated from West Point and from Annapolis, but I am insisting that when the war was over and they returned to their homes and entered upon professional and private work, and availed themselves of all the opportunities for success, for wealth, for honor, for political preferment, and were the recipients of all of the joys and pleasures resulting from home and home ties and the duties that result from citizenship in this Republic, and from active participation in the civil and political affairs of our country, that it is unfair and unjust that they shall be entitled to the same rewards and gratuities and emoluments as the officers who continued in the service of the Government and were denied all of the advantages and privileges and opportunities possessed and enjoyed by the former.

I desire to suggest an illustration which may in a way answer the questions propounded by the Senator from North Dakota. If I may be permitted this illustration, I will assume that my honorable friend from North Dakota was old enough to have entered West Point prior to the Civil War. Assume that he forsook the opportunities which his State afforded him for business success, for political preferment, for an honorable station in the Nation; assume that he left his home and friends and all social ties and obligations; that he abandoned his home and home life—because that is involved when one enters the Army and gives his life, as an officer, to his country; assume that by this course he condemned himself to poverty, because poverty is the inevitable companion of the officers of our country; and suppose when the Civil War broke upon this Nation he was assigned to service, and that during the entire period of the war he exposed his life and gave his service upon a hundred battle fields to his country; assume further that when the war was over he continued in the service of his country, was assigned to duty at military posts in remote parts of our country, to the grinding, monotonous service that came to the officers of the Army after the war was over; assume still further that he continued in the military line of service until the day for retirement came, and that during all of these years the hand of the Government was upon him, that he was denied every opportunity for political preferment or to engage in any business that would enable him to amass a competency for his old age, and when his service in the Army was ended he was left without home, without means, without profession, without support, except the small pittance paid by the Government; now assuming all the matters herein stated to be facts in the case, and I am briefly stating the situation as it is found in the lives of substantially all of the officers of the Regular Army, will anyone who possesses a spirit of justice say that the Senator should be regarded in exactly the same light as I should be regarded if I met the situation presented in the following assumed case: Assume that when the Senator went to West Point as a youth, I refused an appointment to that institution but entered upon a business career; that after the Civil War broke out I volun-

feered and entered the Army, and in due time was promoted and received a commission as an officer; that I did my duty until the war was ended and then resigned my commission and returned to my home and took up my interrupted business career; suppose that I was blessed with a home and all of the joys resulting from that great gift and all the ties connected with it; that I participated in the civil and political affairs of my city and county and State, and for more than 50 years continued my business activities and secured a competency, and that now a bill is presented which has for its object the placing of my name alongside that of my distinguished friend's, who had given so many years of his life to his country, and which also sought to give me the same retired pay, or gratuity, whatever the term may be, as that which the Government under the law gives to him.

Does the Senator think that it would be just and fair and right that a measure of such a character should receive approval? I confess that the proposition to me is monstrous, and yet that is just what this bill seeks to accomplish. Speaking for myself, I should be ashamed if I were in the position just referred to to ask for or receive from the Government of the United States the benefits and gratuities provided in the pending measure.

Thursday, June 20, 1918.

Mr. KING. Mr. President, yesterday, before I had finished what I desired to say concerning the bill under consideration, I yielded the floor, intending to resume at a later time. An agreement has been reached under which a vote will be had upon this bill during the day. I appreciate that there is a determination to force this bill through the Senate, and that many Senators have determined to support it. It may be that any efforts that I may put forth to defeat it will be unavailing. I am persuaded, however, that the sound and sober judgment of the great majority of the Members of this body is opposed to the bill. When I yielded the floor I was attempting to show why provisions of this bill were unjust and unfair, and that the entire framework of this measure could not be defended in equity or in morals. This measure, as I am advised, is not a new one. The Senator from Michigan who is demanding its passage now has been its protagonist for a decade or more. With all the zeal and earnestness which he possesses, this measure has been pushed in both branches of Congress for a number of sessions last past.

As I stated yesterday, the bill is hoary with age. It possesses no redeeming features and contains no virtues entitling it to live. The judgment of fair-minded men, in my opinion, denounce it as a criminal and convict it of offenses worthy of death. We could do no better service to-day than to execute a righteous and just sentence pronounced by a fair and just jury, and after bringing it to a well-deserved end quietly inter it in a field of dishonor.

But I am afraid that it would be a rather unusual spectacle for the Senate of the United States during this session to kill a bill calling for five or six millions of dollars for this year and large amounts annually for an indefinite period.

What is the justification for this bill?

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Utah yield to the Senator from Ohio?

Mr. KING. I yield to the Senator.

Mr. POMERENE. The Senator has just stated that it would cost five or six million dollars.

Mr. KING. The first year.

Mr. POMERENE. The first year. I rise to ask whether the Senator has any authentic information upon that subject? On one or two other occasions when this bill came up I inquired, and I was not at that time able to get any information as to its probable cost. There is nothing that seems to me to be reliable; and if the Senator has any definite information as to the number of the beneficiaries under the bill and as to what it will cost the Government, I would be glad to have it.

Mr. KING. In reply to my friend I will say that my information is only that which is furnished by Senators in the debate. As I stated, I never heard of this measure until yesterday. I have had little opportunity—indeed, no opportunity—to make any investigation as to the beneficiaries under this act, but I am told by the Senator who is in charge of the bill there will be approximately 8,000 beneficiaries.

Mr. SMOOT. Mr. President——

Mr. KING. I have no doubt the number will be in excess of that figure. I yield to my colleague.

Mr. SMOOT. There is a complete list of the beneficiaries under the bill, and the last list published showed, I think, eight thousand two hundred and odd. That was some years ago, and if the deaths that have occurred among the retired officers is the same percentage that have occurred among the soldiers of the Civil War, there are now less than 7,000 alive in the United States.

If that be the case, taking into consideration the passage of the pension bill on the 10th of this month, the expense could not be more than $4,500,000 to $5,000,000 a year; and when you take into consideration that the average age of these officers now remaining is about 80, of course we must recognize that the death rate from now on will increase rapidly.

That is the situation as it appears as to number. As to what it is going to cost, my belief is that it will cost nearly $5,000,000 the first year. I am quite sure it will not be more than that amount.

Mr. KING. Mr. President, whether it was $1 or whether it was $10,000,000, as far as the principle is concerned, the same rule ought to determine our conduct.

Mr. SMOOT. I think the Senator is correct, and I only made the statement in answer to the question asked by the Senator from Ohio [Mr. POMERENE], not in any way to have it appear that I was discussing the merits or the demerits of the bill.

Mr. KING. If my remarks conveyed the idea to my colleague that I was placing him in opposition to or in favor of the bill, I had no such intention. I do not know the views of my colleague in regard to this measure; but the point I am making is that whether the bill calls for $1 or for $10,000,000, if it is wrong it should not receive the support of the Members of this body.

No one, Mr. President, can accurately determine the number of persons who will be beneficiaries under this bill, and no one can definitely predict the amount which the Government will be called upon to annually pay if this measure shall be enacted into law. In nearly every instance estimates of what a measure will cost the Government have proven to be inaccurate and wholly misleading. It is needless to say that the Government is always the one that suffers from the inaccuracies and misleading information furnished prior to the passage of the bill.

This is particularly true of measures providing for gratuities, bounties, pensions, and drafts drawn upon the future. It is safe to say that this bill, if it shall become a law, will require, in order to meet its terms, millions of dollars annually in excess of the amounts suggested by its zealous and interested advocates.

Yesterday the able Senator from Wisconsin [Mr. LENROOT] analyzed the specious plea made by the Senator from Michigan that this proposed legislation merely carried out a "contract" which was entered into between the United States and those who will be beneficiaries under this bill. His argument was convincing and was unanswerable. It is beyond my comprehension how able and distinguished Senators, many of whom are lawyers of ability and standing, can insist that the legislation of Congress passed in 1861 constituted a "contract" between the Government and the volunteer officers under the terms of which the latter were entitled to be retired according to their military ranks and receive retired pay in the same manner and to the same extent as officers in the Regular Army.

The Senator from Michigan says that there was a plain and specific "contract," and that under this contract the Civil War volunteer officers are entitled to be placed upon the "retired list" and receive the same emoluments or "retired pay" as is paid to "retired" Regular Army officers. Senators are familiar with these acts, but I desire to call their attention to them in order that they may understand my contention, that under no construction that can be given these acts can it be fairly or reasonably contended that they constitute a contract of the character referred to or otherwise or a promise upon the part of the Government to grant the gratuities provided for in the pending bill. Before reading the acts referred to I desire to state that I have examined the Congressional Globe, which contains the debates occurring at the time of their passage. When the act of July 22, 1861, was presented to Congress there was some discussion preceding its passage. The act passed a few days later provoked no discussion and seemed to be regarded as a proper supplement to the act of July 22. It is an accepted principle of statutory construction that where a legislative enactment is ambiguous the interpretation placed upon it at the time of its enactment by those who enacted it into law may be resorted to by the courts to aid them in reaching a proper interpretation. I insist that the two acts just referred to are free from all ambiguity. No reasonable or fair construction of these acts can support the conclusion announced by the Senator from Michigan.

There is nothing in the debates just referred to indicating that the subject of retirement was contemplated or that volunteer officers, if a retirement act ever were enacted, should receive the same consideration as officers of the Regular Army. As Senators will recall, the retirement act which the proponents of this measure now invoke, or under which they seek relief,

was not passed until nearly one month after the acts of July 22 and July 25, 1861. The act of July 22, 1861, which is relied upon as the basis of the so-called "contracts," is as follows:

SEC. 5. *And be it further enacted*, That the officers, noncommissioned officers, and privates, organized as above set forth, shall in all respects be placed on the footing as to pay and allowances of similar corps of the Regular Army.

SEC. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the Regular service. * * *

The act of July 25, 1861, provides—

That the Volunteers authorized by this act shall be armed as the President may direct; they shall be subject to the rules and articles of war, and shall be upon the same footing in all respects with similar corps of the United States Army, and shall be mustered into the service for during the war.

It is manifest that the act of July 25 had two principal objects in view, namely, that the officers and privates organized under the act of July 22 should be subject to the rules and Articles of War, and that they should be "mustered into the service for during the war." Where is there any "promise" or "contract," express or implied, that the volunteer officers should many years thereafter be retired upon half or two-thirds pay? It is true that the first act referred to declared that the officers and the privates "shall in all respects be placed upon a similar footing as to pay and allowances as similar corps of the Regular Army."

Everyone knows that that legislative declaration was carried into effect. The volunteer officers and privates during the Civil War were placed "upon the same footing as to pay and allowances" as officers and soldiers of similar corps of the Regular Army. There was no distinction whatever and no discrimination in regard to pay and allowances as between the Volunteers and the Regulars. How can it be contended that this act was a contract for retirement 40 or 50 years thereafter, when there was no act nor no regulation in existence at the time the act was passed which provided for the "retirement" of officers or indicated that officers might be "retired" and receive part pay?

The attempt is made to rest this bill upon an alleged contract. The frenzied efforts made to distort the language of this act into a "contract" is conclusive proof that there are no equities in the bill and that neither justice nor right can be invoked in its support.

I insist that no person can successfully maintain the position that the act referred to creates a contract. The absurdity of this position, if I may be pardoned a repetition, is manifest when attention is called to the fact that there was no law upon the statute books, no provision or regulation of any character, permitting, allowing, or promising retirement of officers when the acts of July 22 and July 25 were passed. The one purpose of these measures was to mould into one army the Volunteers and the Regulars, and to give to the Volunteers while in the Army the same pay, the same allowance, the same privileges and benefits as were enjoyed by officers and soldiers of the Regular Army serving in similar corps.

There is not a suggestion in these acts that they relate to periods subsequent to the war or that they were designed to create a status for either officers or men after the war. They were enacted before the war and to determine the status of the volunteers during the war, or at least while in the military service of the Government. The position of those who insist that there was a contract is so sophistical as to become absurd. The absurdity of this contention becomes more apparent when the retirement act of August 3, 1861, is examined. It provides that any commissioned officer of the Army or the Marine Corps who becomes incapable of performing the duties of his office while in the service shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion.

Section 15 of the same act provides that "any commissioned officer of the Army or Marine Corps who shall have served as such for 40 consecutive years may, upon his own application to the President of the United States, be placed upon the list of retired officers with the pay and emoluments allowed by this act."

As I understand the contention of the Senator from Michigan, volunteer officers who resigned from the Army at the conclusion of the Civil War, or were mustered out of service, and who returned to their homes and have never rendered any further military service to the Government, come within the provisions of section 15 and are treated as having served "40 consecutive years," and are therefore to be placed upon the retired list and given the same pay and emoluments as are allowed to Regular Army officers whose military service extended over a period of "40 consecutive years." The English language would be meaningless if such a position were tenable. As I have stated, the contention becomes absurd and ridiculous and can not be viewed, upon the part of rational and fair-minded persons, with any spirit of toleration.

Even the Regular Army officers were compelled under this act to serve "40 or more consecutive years" before they could obtain the benefits of the act respecting retirement. If a Regular Army officer, one who had graduated from West Point and had served through the entire Civil War and for many years thereafter, separated himself from the Army one year or one month or one day prior to the 40-year period, he would thereby cut himself off from the retirement provisions of the act. In other words, before any officer was entitled to retirement and to the emoluments bestowed upon retired officers, there had to be at least "40 years of consecutive military service."

How can it then be contended that volunteer officers who were mustered out of service at the end of the war, or who voluntarily resigned at that time or at any period before 40 years of service, are entitled to the benefits of the retirement act. If a Regular Army officer could not be retired and could not receive the retired pay given by the Government until he had 40 years or more of military service, under what pretext can the contention be made that a volunteer officer who served but a few months or but a few years and went back to civil life can be treated as having been "40 years or more" in the military service of the Government and thus be entitled to be placed upon the retired list and receive from the Government during the remainder of his life one-half or two-thirds pay? And yet the bill which we are now considering provides that all surviving officers who "served as officers in the Regular Army, Navy, or Marine Corps of the United States during the Civil War and who were honorably discharged from service for disability and have not been reinstated in said service nor retired with continuing retired pay, shall, upon application duly made, be entered on said list and receive the same retired pay and other benefits, according to former rank and service"; and the bill further provides that "he shall receive out of any money in the Treasury retired pay according to his former rank and aggregating a term of service the amount thereof bearing such proportion to the retired pay herein granted to officers of the same rank for two years' service as the aggregate term of service bears to said term of two years." This compensation is to continue "during the natural life of the beneficiary and it shall be paid quarterly and shall not exceed three-fourths of the initial actual pay now received by a captain in the United States Army."

Mr. President, this bill is a flagrant attempt to raid the Treasury of the United States. As I have stated, it can not be defended upon any moral ground. Therefore the absurd contention is made that the bill is in execution of the terms of a valid "contract" made on the 22d day of July, 1861. As I am advised, not until about 10 years ago was there any thought of a contract. It must also be kept in mind that but a few of those who would be entitled to retired pay under the provisions of this act were in the Army prior to the passage of the retirement act on the 3d day of August, 1861. Inasmuch as that act specifically declared that any officer, in order to be placed upon the list of retired officers with the pay and emoluments allowed by the act, shall have served as such for 40 consecutive years, it can not be urged that those entering the Army after that date understood that there was a contract under which they might be retired and receive retired officers' pay if they separated themselves from the military service before the expiration of "40 years of consecutive service in the Army." In other words, the volunteers knew that there was no such contract when they entered the Army, and when they voluntarily retired from military service they never dreamed of a "contract" or a "sacred promise," such as is now contended.

It is a significant fact in the consideration of this subject that substantially all of those who would be beneficiaries if this bill were enacted into law have been drawing pensions from the Government for many years. They are now receiving pensions and will continue to receive them as long as they live.

Mr. KENYON. Mr. President——

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. I desire to ask the Senator from Utah if there are any statistics before us or were there any hearings on this bill showing the financial condition of the beneficiaries under the bill?

Mr. KING. Mr. President, I am not advised as to that; all I have seen is the report of the committee. Of course, the claim will be made, I have no doubt, that these men who volunteered and who were glad to get the commissions are old and infirm and are proper subjects for gratuities from the Government; but

there is nothing, so far as I know—there is certainly nothing which has been presented here—to indicate the financial standing of those who are embraced within this bill.

Mr. KENYON. Some of them, I presume, are very wealthy?

Mr. KING. Unquestionably. One of them, I have just been told by a Senator, has an immense fortune; and I have no doubt that suggestion is true in the case of many others.

Mr. KENYON. I should like to ask the Senator a further question. Are there any statistics or has he any information as to the pension which is drawn by any of these men?

Mr. KING. They are all now drawing pensions.

Mr. SMOOT. Under special acts.

Mr. KING. Many of them are drawing pensions of from $30 to $40 a month; all are entitled to pensions; and some of them are receiving pensions under private or special acts, which give some of them still larger sums.

Mr. KENYON. Does the Senator from Utah know how many are drawing pensions under special acts?

Mr. KING. I am not able to give my distinguished friend that information, but I can state that most of them have been drawing pensions for many years, and all are entitled to pensions under general pension laws. And, as stated, some are paid under special acts.

Mr. KENYON. I voted for this bill when it was here before, but I am not at all certain that it was a correct vote. I am very much impressed with the argument of the Senator from Utah, and I am asking solely for information.

Mr. KING. I appreciate that, and I regret that I can not give the Senator from Iowa all the information he desires. The Senator from Iowa is a fair-minded man; indeed, I believe he is one of the most conscientious men in public life. I want to submit an illustration to him, practically the same one I submitted to the Senate yesterday. I may be pardoned for this repetition because there are some Senators now present who were not in the Chamber when I spoke yesterday.

Suppose that the Senator from Iowa and the distinguished Senator from Idaho [Mr. BORAH], who now honors me with his presence, had been 17 or 18 years of age when the Civil War broke out; that the Senator from Iowa had been appointed to West Point; that he abandoned home and friends and State and gave up all the prospects for a successful career in his splendid Commonwealth—a State affording great opportunities to the virile, ambitious young men of this Republic. And suppose he closed his eyes to all the opportunities for success and consecrated his life to his country; that in entering the Military Academy he renounced all political preferment, all civil success, all business or professional success, and condemned himself to a life of poverty, for that is the life which the average Army officer must lead after graduating from West Point; that when the fires of the Civil War came upon the country, he entered the Army and fought gallantly and bravely; that after the war was over he continued in military service until he was 62 years of age, serving at Indian posts in various parts of the West, living the dreary and monotonous life that the Army officers after the Civil War were compelled to lead. Suppose that now in his old age he is retired under the act of Congress and his only source of income is the "retired pay" from the Government upon which he and his wife must live, though it is but little more than a pittance. Now let me continue the illustration by presenting the other aspect of the subject. Assume that the Senator from Idaho refused to go into the Army; that is to say, he preferred to remain in civil life. He saw the splendid opportunities of his State for a successful professional career as a lawyer, as a business man. He 'prefered to remain a private citizen and to engage in the activities incident to life in this great Republic." But when the call of our country came he volunteered and the boys with whom he enlisted chose him as their lieutenant or as their captain. He fought for six months or a year during the Civil War, with the same bravery as did the distinguished Senator from Iowa. When the war was over he was mustered out, and he went back to his home town, to his home and home ties, to his family and friends, and to his interrupted business. He then prosecuted it with success, and he achieved honor and distinction in the State and in the Nation; and, if not wealth, he acquired a competency for his family in his old age.

Now a bill is before Congress to put him in the same class as the distinguished Senator from Iowa. Add to the assumed facts the further fact—because it is true with respect to both of them—that the Senator from Idaho had been drawing a pension for 25 or 30 years and the Senator from Iowa never had a pension, because he was not within the pensionable status; the Senator from Iowa could not be retired unless he stayed in the Army for 40 years.

Now we propose by this bill to place the Senator from Idaho in the same class as that in which the Senator from Iowa was placed, and to give him the same honors and emoluments as the latter. And this in utter disregard of the advantages which the Senator from Idaho has enjoyed. Now we propose to put the Senator from Idaho in the same class with the Senator from Iowa and to retire him as a general or a major and pay him a large monthly allowance as long as he lives. It is wholly immaterial that he may be wealthy and that he has no need of the pension. Can such legislation be justified?

The Regular Army officers received no pensions, and were not entitled to "retired pay" until after they had given "40 consecutive years" of their lives to military service. If these volunteer officers who have been in civil life since 1864, 1865, and 1866, and have been devoting all their energies to their own business pursuits, and in many instances have built up fortunes and obtained wealth and station, and who for perhaps 40 or 50 years have been drawing pensions, are now placed upon the retired list and made generals and majors and captains and colonels, and are paid in the same manner and to the same extent as the Regular Army officers who have given their entire lives to their country, it will be an act so indefensible, so criminally wrong, and a discrimination so glaring as to bring down upon this entire scheme the condemnation of all fair-minded men. And yet that is the bald, naked proposition presented. Why have not the proponents of this measure provided that the amounts received by those who will profit by this act from the Government in the way of pensions be returned to the Treasury before the beneficiaries under this bill are entitled to be placed upon the retired list? But, of course, such a provision would meet with relentless opposition from those who are pushing the passage of this bill. They are insisting that the Government promised to place them in the same category as the Regular Army officers, yet the Regular Army officers have not been drawing pensions for 40 or 50 years, and, as I have just stated, most of those who come within the provisions of this act have been receiving varying amounts as pensions from the Government for many years. They are unwilling to be placed in the same position as the Regular Army officers with respect to past pensions and emoluments and gratuities. They are so disinterested and fair that they want the alleged "contract" to apply in futuro only. In other words, they want favors and benefits above and beyond those bestowed upon the Regular Army officers, where it will be to their advantage; and so they have claimed pensions and received moneys which they are not willing to return to the Government, and now insist upon retirement with the same emoluments as Regular Army officers. This position is so selfish and so hiddeously ugly that it ought to be revolting to every Senator and to all fair-minded men.

A bill containing the same provisions as this one was before the Senate in 1916. The senior Senator from Georgia [Mr. SMITH] presented to the Senate a letter from a volunteer soldier who had served during the Civil War. The letter is such a scathing arraignment of this bill that I desire to present it for the consideration of the Senate:

1302 TAYLOR STREET,
San Francisco, Cal., December 4, 1916.

Hon. HOKE SMITH,
United States Senate, Washington, D. C.

SIR: There is now before Congress a bill (S. 392; H. R. 386) known as the "Retired volunteer officers' bill," on which a vote is now pending in the United States Senate, but which has been postponed from time to time, by reason of objection of Senators.

I am writing to you to ask that if this bill ever comes up for passage you will vote against it. I ask this as an old soldier, who is vitally interested, and therefore has a right to a candid hearing.

I am opposed to this bill, so vehemently opposed to it that I can hardly speak calmly about it; nor can I understand how it is that the great body of the Grand Army of the Republic, and the greater body of veterans of the Civil War, can be so silent, or apathetic—unless, indeed, they do not understand.

Up to the time that this stupendous piece of treachery was concocted all veterans "stood together" and were loyal to each other, seeking legislation for the common good. Now, the comparatively small percentage who wore shoulder straps have thrown down their comrades and are seeking to make laws greatly to their own advantage, which is "class legislation."

Most of them are already receiving the highest pensions paid under present laws, viz, $30 per month. Not content with this, which is often double what humbler comrades of the rank and file are getting, they have the hardihood to project a scheme, the logic and language of which is: "To he——l with the old soldier, let him go to the home and eat beans, so we can get a retired officers' pay of $100 to $150 per month—live like retired gentlemen and throw bouquets at ourselves for our astuteness." A dastardly desertion and betrayal of the men they once honorably stood with.

As a basis and proof of my premises and prayer, I offer the following facts:

The present pension bill (Sherwood) takes into account two things—age and service—and these are, and must be, the only true foundation for all claims. Let us examine.

Have the proponents of this bill any advantage, or disadvantage by years, which needs special compensation?

None whatever. This is obvious to everybody, without argument.

Their claim, then, must rest on the assumption of "superior service." Let us see.

The company to which they belonged was recruited in the neighborhood or town where they had been schoolboys and had grown up together. When the company was full an election of officers was held. Always two or more tickets, but one successful candidate for each position—a captain and two lieutenants—not more than a shade smarter than the defeated candidates.

Being promoted to these positions they now enjoy the distinction, the honors, the authority, which accompany them.

What did they bring to these positions?

Any superior education or preparation? None whatever.

Any acquaintance with tactics? None.

Any knowledge of strategy? None.

Any familiarity with military engineering? None.

Any understanding of problems of transportation? None.

Anything about subsistence? Nothing.

Anything about clothing or sanitation? Nothing.

Anything about the school of the soldier? Nothing.

No years, or even days, were ever spent in study at a military school.

Not a dollar was ever paid as the price of qualification.

We each bought "Hardee" and began the "School of the Soldier" together.

Did they march farther or faster than their neighbor boys? They did not.

Did they endure hardships more severe than their schoolmates? They did not.

Did their counsels overcome the mighty combinations of treason? They were not asked.

Like the rest of us, they simply obeyed orders.

We stood in line while we could and ran when we had to.

As sprinters they were a good company average. When taken prisoners they were first to be exchanged.

What, then, did they do during the war which justifies this claim? Nothing.

They were abundantly paid; they thought so themselves then.

What have they done since? Nothing.

They have enjoyed the savings of those years. They followed their own interests untroubled by "orders" or "service," and 90 per cent of them have for 50 years occupied the best positions in civil life.

On what, then, in God's name, are they resting their preposterous claims?

On the ghost of an old service, exhumed after 50 years, dusted off, and revalued by a committee of interests and pressed with insulting effrontery upon a patient and long-suffering Congress.

The weapons are untrue assumptions, illogical arguments, specious reasoning clouding the real issue, and astounding and impudent persistence.

The retired Army officer spent his whole life, until his years retired him, in the service of his country.

The Volunteer officer never gave his years to the service of his country; he never was "retired"; he was mustered out with the rest of us and has followed his own sweet will as a civilian for 50 years, untrammeled by "orders," and has been at the "pie counter" most of the time.

Honorable sir, I carried, when fully equipped, about 45 pounds; the captain about one-ninth as much, and had a trunk and transportation for the rest.

My Belgian rifle weighed 14 pounds, exclusive of ammunition; his beautiful sword, one-ninth as much.

For this service I received $13 per month; he received nine times that amount and garnered the honors—and feminine smiles—"When knighthood was in flower."

He was fully paid when in service; when that ceased his claim ceased as completely and permanently as mine.

If he has further claim, so have I, and not in ratio of 1 to 9, but equal.

Let me beseech you, in the name of fair dealing, to vote against and defeat this bill.

H. E. WORCESTER,
Company B, Eighteenth Wisconsin Volunteer Infantry.

Since this letter was written another pension act has been passed which greatly increases the amounts paid to those who were called into military service during the Civil War. Under the recent act large pensions were provided for all who had served 90 days or more in the Civil War. It was not necessary that they should have done military duty or have been within a thousand miles of any battle field. It is well known that several hundred thousand men were drafted a few months before the close of the war. Many of them served but a few days or a few months. Most of them were utilized in guarding transportation lines in sections remote from the battle lines. The act referred to does not require that in order to obtain its benefits a person should have been wounded or have incurred any disabilities while in service. The mere fact that he was in the military service of the United States for 90 days or more was sufficient to give him a pensionable status. So volunteer officers who went back to private life after the war are included within the general pension laws and are receiving the additional benefits provided in the measure which recently became a law. Moreover, many of the volunteer officers are receiving special pension of varying amounts, and, as I stated a few moments ago, the great majority of the 8,000 or more who will be provided for under this bill have been receiving pensions from the Government for many years.

The writer of the letter which I have presented employs this striking sentence:

> The volunteer officer never gave his years to the service of his country; he never was retired; he was mustered out with the rest of us and has followed his own sweet will as a civilian for 50 years, untrammeled by "orders," and has been at the "pie counter" most of the time.

Of course, as to the accuracy of the statement that the volunteer officer has been at the "pie counter" I am unable to state, and I can not indorse the criticism. If the volunteer officers have held various official positions, and I know that many of them have, there certainly was nothing improper in so doing. Indeed, the American people properly recognized the service of both volunteer officers and men, and when they reentered private life they were often placed in high official positions, not only in the States in which they resided, but also in the Nation.

The writer of the letter presents a suggestion that must have occurred to all who have given this matter any consideration. He calls attention to the fact that the volunteer officers, in many instances at least, were selected by their associates who belonged to and were recruited in the same neighborhood as that in which they resided, and that the officers brought no more superior preparations for military service to their positions than their companions and friends who enlisted as privates. They had the honors which the officer's commission entitled them to and the increased emoluments resulting from their higher positions in the Army. They retired when the war was over to their homes and engaged in business pursuits, as did the privates. There is no more reason, according to the logic of Pvt. Worcester, why the volunteer officers should now be retired and paid large gratuities from the Treasury, than his boyhood friends and associates who served as faithfully as he did. Pvt. Worcester evidently is acquainted with the arguments used to support this measure, because he states that—

> The weapons are untrue assumptions, illogical arguments, specious reasoning clouding the real issue, and astounding and impudent persistence.

May there not be some truth in his statement that this bill presents "The ghost of an old service, exhumed after 50 years * * * pressed with insulting effrontery upon a patient and long-suffering Congress"? The writer of the letter indicates that "a committee of interests" are pressing this legislation. I presume he means that there is an organization, composed of those who will be beneficiaries under this bill, which is demanding that this bill shall be enacted into law. It is possible, Mr. President, that there is an organization powerful enough to drive through Congress this unjust and iniquitous bill. It is possible that those who are to profit by this bill are sufficiently potential to secure legislation which has for eight long years been denied by Congress.

Is there any intelligent person who believes that if this measure were not supported by those who will be beneficiaries under its terms, and Congress were left without being influenced or appealed to in any manner to pass this bill, that it would receive a single vote? My opinion is that it would not only be unsupported, but no Senator or Representative would introduce it. But the desire of these eight thousand or more volunteer officers, who have not been connected with the military service of the Government for more than 50 years, and who have given their energies during that period to their own affairs, to have their names entered on the retired list as of the highest rank held by them during their service more than half a century ago, as generals, colonels, majors, captains, and lieutenants, and to receive from the Public Treasury the emoluments provided in this bill, becomes a driving power which is employed to secure this proposed legislation.

I repeat that this bill can not be defended in morals nor can it rest upon any legal foundation for support. I submit that it is an affront to the brave men who entered West Point and thereafter gave their lives to their country. It is iteration and reiteration for me to state that the Regular Army officers made great sacrifices when they took upon themselves military careers. Their act practically alienated them from home and friends and condemned them to hardships and vicissitudes and poverty. It is, in my opinion, unfair and an insult to men of the class just referred to to take these thousands of volunteer officers, who have devoted the past 50 years to their own pursuits and callings, many of whom have grown rich and enjoyed political distinctions and honors and now enjoy the fruits of their labors, and give them the same status as that occupied by those whose entire lives have been devoted to their country and whose declining years find them homeless in most instances and with only a small bounty from the Government to preserve them from want.

I referred to the power of an organization to secure legislation. It is a matter of public history that numerous organizations are formed in our country for the purpose of securing legislation. If it is within the propriety of parliamentary language, I would say that some organizations exist only for the purpose of burglarizing the Treasury of the United States. The Government is deemed to be legitimate prey, and wild and fan-

tastic schemes and propositions of questionable character find advocates who press with assiduity and unflagging zeal demands for Federal appropriations. In my opinion there are grave dangers to be apprehended from the persistent activities of powerful organizations which seek either municipal or State or Federal legislation. We know that corporations as well as individuals, by persistent lobbying, have secured franchises and improper concessions and grants from municipalities; and we read of State enactments which have been injurious to the general public, but highly advantageous to special interests or to a favored few, whose efforts were strongly put forth to secure the passage of the same. The history of national legislation will confirm the statement that sinister influences have at various times operated to secure the passage of laws not for the public welfare, but for private advantage. A few years ago there was great indignation because of the supposed activities of lobbyists in behalf of various corporate interests. A demand was made that the lobbyists be driven from the Capitol. No fair-minded person would deny either corporations or individuals the right to be heard when legislation is proposed that will affect them or their interests. Congress is not omniscient, and facts should be welcomed by legislators that will enable them to act in matters of legislation with an understanding of the questions involved and in a rational and just way. But I have sometimes felt that some organizations existed not to present facts to public officials who were called upon to act upon important matters, but to suppress or distort the facts and to set in motion powerful influences calculated to break down all opposition to the plans and purposes of such organizations. Senators have perceived the evil effects of organizations of this character, and of the intolerant and dishonest attitude often assumed by them. Frequently forces are unloosed in the districts and States, from which Representatives and Senators come, for the purpose of developing local sentiment which is to be exercised in favor of desired congressional legislation. We often hear it stated that a "back-fire" has been started against some Senator or Congressman. This method is frequently employed to compel legislators to support or oppose pending measures.

These methods are shameful and are discreditable to a great democracy. There have been powerful organizations effected to manufacture public sentiment and to misrepresent true public sentiment for the purpose of securing congressional action that would have been violative of international law. Organizations of this character sought to compel Congress to enact laws preventing the exportation of munitions to belligerents and to assume an unneutral attitude toward our present allies. There have been organizations that sought to bring this Republic into conflict with the Republic of Mexico. Public officials encounter conflicting forces and currents on every hand, and powerful influences are often exerted to prevent a fair and just consideration of public questions and action for the public welfare.

Without intending to refer the organizations in favor of woman suffrage or the temperance organizations to any class, I have sometimes felt that they as well as other organizations have been too intolerant and have conducted their activities in such a way as to call for a sharp rebuke. The senior Senator from Minnesota [Mr. NELSON] stated a few days ago that he was anxious for a vote on the proposed amendment to the Constitution in regard to woman suffrage. He gave his reason for this anxiety that he was "so pestered" by the lobbyists that he was unable to perform his work, and he desired a "little rest before he was called to another sphere of action." It seems that some of the charming ladies think the world will perish and the star of civilization will grow dim if the Constitution of the United States is not amended. Apparently they forget that the States are sovereign and each State can grant the franchise to women whenever it desires.

This bill presents another aspect which is of serious import. Precedents are guides to human conduct. It is wise and proper that they should be of importance in determining not only individual but governmental action. The decisions of the courts become the precedents for the future, and personal and property rights find protection in precedents. The present war may take from the peaceful pursuits of life millions of our bravest young men. There will probably be several hundred thousand of them commissioned in the Army and the Navy. Many of these officers will be volunteers and many will be found in the ranks of the National Army. It is not their purpose to give their entire lives to military and naval service; they expect, as we all do, that the war will terminate within a comparatively short period. The war may continue one year; it may last several years; but we know that Prussian militarism will be beaten to the earth, and that the sacred cause of liberty, for which we and our brave allies are fighting, will triumph, and that a just and lasting peace will come. These brave officers, who have gone from civil life into the great army of liberty, will greet with inexpressible joy the day when they can lay down their arms and return to home, to loved ones, and to the peaceful pursuits formerly followed by them. They do not expect, nor do they desire, military careers. They want to return to fields and farms and shops and former labors and professions, and with energy and zeal do their part to build up this Republic and to achieve for themselves success in the chosen vocations and professions to which their lives will be devoted.

There will be some, however, and particularly those who were educated in the military and naval academies, who will expect to devote their lives to military service under their country's flag. If the volunteer officers of the Civil War at the termination of the war separated themselves from the Army and returned to their homes and private pursuits, and for 50 years followed their chosen callings, are now entitled to be placed upon the retired list with the military rank which they held in the Army and are entitled to all of the emoluments and gratuities that are provided for the Regular Army officers, then under such precedent the hundreds of thousands of officers who will serve in this greatest of all wars, officers who volunteered or were drafted, will be entitled to like consideration and can, with as much propriety, demand that they be given a similar status. The young men who are now being given commissions in the Army and in the Navy do not have any expectation of being treated as Regular Army and naval officers when the war is over. They expect, as stated, to return to civil life. They do not desire to remain in the Army. They do not desire, and certainly can not expect, after many years shall elapse that they will be restored to an "officers' roll" and obtain "retired pay" and emoluments and the same official grade as those officers who, when the war is over, continue for many years in the military and naval service of their country, devoting their lives and energies to the military duties placed upon them. The passage of this bill will constitute a precedent which in the years to come will arise to plague the Republic. No doubt, if this bill shall pass, there will be selfish and unpatriotic men in after years who will insist that they be accorded the same treatment as this bill proposes to accord to the volunteer officers who served in the Civil War.

But, Mr. President, I have been told that nothing can prevent the passage of this bill to-day, that the die is cast, and that its success is certain. If this be true, then I suppose it would be the gracious thing for me to extend congratulations to the distinguished Senator from Michigan, who has been the particular champion of this bill for so long a time. It may be expected that I should say to him, in the language of the Scriptures, "Well done, thou good and faithful servant." The balance of the Scripture I can not bring myself to quote.

Mr. President, I fear that appeals for economy will prove unavailing. They become tiresome, and the Senator who too often raises his voice against what he conceives to be extravagance and unwise appropriations will be regarded as unprogressive and antiquated. However, I appeal to Senators to pause and act with caution and circumspection when legislation is proposed that calls for Federal appropriations. I am willing to be generous—indeed, more than generous, in appropriating for the war. There is nothing which should be denied that will contribute to the winning of the war. There is only one goal now to be reached, and that is a complete and decisive military victory over our implacable foe. No matter what the cost—no matter it billions shall be piled upon billions—whatever is needed for the success of this great enterprise, it will be gladly given. As Cato concluded each address with the words, "Delenda es' Carthago," I know that all patriotic Americans daily demand that "Prussian militarism shall be destroyed."

We need billions for those whom we are sending across the seas. They are fighting for us, for our Nation, and for humanity. That is one reason why we should act with prudence in legislative matters. We should be economical to the point of parsimony in all things except in the appropriations for the Army and for the Navy. Every dollar that can be advantageously used in appropriations for the war should be appropriated without hesitation, and because such stupendous sums are required for the war it is imperative that the strictest economy should be practiced in all other branches of the Government. Not one dollar should be appropriated for any purpose that is not imperatively required. There are many matters that can wait. Our energies should be concentrated upon the one question, the overshadowing, the omnipotent question—the little petty matters and even larger things, they can wait. The war is devouring hundreds of industries and destroying the business enterprises of many of our population. There can not be "business as usual." The nonessential must give way to the things

that are absolutely indispensable. There must be in our private lives, in our business pursuits, economy. Every avenue must point toward the great highway of war, and every stream throughout the broad land must pour its contents into the great river of war. And so the resources of the Nation must be devoted to the winning of the war. Our appropriations must have in view the winning of the war. Every appropriation must be justified because it contributes to the success of our military undertaking.

Col. Harvey, in his vigorous and highly useful "War Weekly," sums up the situation in his trenchant style by saying: "Billions for war only." I can not refrain from quoting from the article just mentioned, although I may not assent to all his statements and conclusions:

> Staggering as are the figures here given—the expenditures of the Government for the year just closing amount to approximately $13,000,000,000—no loyal American will begrudge the outlay. No consideration of expense must be allowed to interfere with the winning of the war, and no patriotic citizen will criticize the administration because of the vastness of its expenditures or complain of the burden which increased income and excess-profits taxes impose—provided the money is wisely expended.
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> But with expenditures mounting at such a pace, with every citizen from the highest to the lowest compelled to contribute till it hurts, there comes imperative necessity for prudence, for economy, for wisdom. This is no time for cheeseparing, it is true. But also it is no time for reckless extravagance. "Millions for war but not one cent for politics" must be the watchword of all who control the expenditure of the public funds. Woe unto the administration which is convicted of wasting the substance of the American people, at this of all times, to promote the political welfare of any party or any candidate, avowed or merely prospective! The American people are a just and generous people. They are brave and they are patriotic. They are even forgiving. In large measure they have forgiven—at least for the time being—that unwillingness to prepare which now compels them to pay twice and thrice the cost which would have been incurred had military preparation been undertaken in due season. But a stern accounting awaits their public servants if they shall be found to have wasted the Nation's substance in pandering to certain elements of the voting population. And those whose ambitions prompt them to commit extravagances in order to promote their personal political welfare should take heed lest the nomination when procured prove worthless because they have incurred the wrath of those whom they have betrayed.
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> Avoidable extravagance at this critical period of the war is simple treason. It is a betrayal, not alone of those who are straining every nerve to pay taxes and buy bonds, but of those who have gone "over there" cheerfully to give their lives, if need be, to save their country and the world from Prussianism. It is especially their betrayal, because every dollar wasted will mean subtraction from the material assistance which their Government can render them.

I have sometimes thought that sufficient attention was not given to the question of taxation and the fiscal measures required to meet the expenses of our Government. Stupendous appropriations are required, and we pass measures carrying billions of dollars with but little consideration. It is so easy to spend money, to pass appropriation bills, but always there must appear before the thinking man the specter which can not be driven away, which haunts him by day and by night, "How shall the appropriations, often so lavishly made, be met?" A few Senators only have positions upon the committee that considers ways and means and the great questions of finance involved in governmental operations. Most Senators are upon committees which report bills calling for expenditures. So the training of most legislators is along the line of spending money, not in the school that teaches how money shall be provided. We appropriated billions of dollars for the fiscal year 1918. We taxed the people so heavily that some financiers affected to believe that the financial fabric of the people would be strained. We were compelled to borrow billions in addition to that which was derived from taxation; and the States and counties and municipalities and school districts laid their heavy hand upon the people and took from them hundreds of millions of dollars. Our industrial condition was not only disturbed but in many instances suffered serious dislocations.

As I stated a moment ago, industries were destroyed, business houses were closed down, and many of the channels of trade and commerce were changed and greatly modified. All must admit that some fountains of national wealth have been dried up and the productivity of the people in many of the activities of life has been impaired, if not destroyed. Millions of men have been taken from pursuits and industries and business concerns of our country, and in many instances it has been impossible to fill their places. This has resulted inevitably in losses more or less serious to the Nation. Of course there have been compensations in the increased business in war activities, but the aggregate earnings of all the people will be less than what they were prior to the war. With a diminution in the earnings of the people and with a greatly increased demand for money for war purposes it is certain that the burdens of taxation will become increasingly heavy, and the necessity for additional loans from the people will be greater. I call attention to these facts, patent to every one, merely for the purpose of basing thereon a plea for economy upon the part of Congress. A distinguished Senator said to me that it is easier to get appropriation bills through Congress than to secure the passage of any other form of legislation. A friend of mine recently stated that he believed that if a corporation were organized to secure an appropriation to build an aerial tramway to the moon an appropriation could be obtained.

Mr. President, it is so easy, as I have stated, to be liberal with money that is not our own and to open the vaults of the Treasury in order that the golden flood may flow out. An able official of the Government stated in my presence this morning that it was a wholesome thing for governments to spend money; that the appropriations made went back to the people, and to that extent put money in circulation and gave an impetus to business. Of course, such a position is not only fallacious but so unsound and preposterous as to merit the strongest condemnation. The Government can raise money only by taxation and by the extension of credits. Taxation may be so burdensome as to be destructive of industry. The power to tax is the power to destroy, and the nation that proceeds upon the theory that it can be profligate in expenditures because it can exercise the sovereign power of taxation without limit, and the borrowing power which is a prerogative of a sovereign nation, will end in financial ruin, which may be followed by political revolution and national destruction. Wisdom demands, both in war times as well as in days of peace, that a sound fiscal system should be adopted, and that fundamental and rational principles of finance should be adhered to. With the expenses of the Government daily increasing, and with the sources of revenue diminishing, it becomes an imperative duty that the strictest economy shall be observed in the administration of the affairs of the Nation.

I have had occasion heretofore to remark that when the war spirit pervades the land the former standards of conduct seem to be abandoned, if not forgotten. The enormous expenditures of the Government fascinate the people, and the days of peace and the expenditures of peace times seem so unimportant and so mean and petty that a spirit almost akin to contempt arises and we feel that we have outgrown such provincial conditions. Everything is exaggerated and swollen. We have a biased view and our judgment is unbalanced. We justify enormous appropriations because we are at war, and, automatically, we apply the same standard to individual conduct and to all relations and activities. Everything must be done in a big way—not always in a thorough way—at great expense and under the fever, excitement, and lash of expedition. Reasons can be urged for all sorts of expenditures and enormous increases justified in payment for everything undertaken. We become intoxicated at the dazzling spectacle presented of billions of dollars being expended within a comparatively short time, and under this spell the tendency is to pass bills without scrutiny, regardless of the demands which they make upon the Public Treasury.

I recall that a few months ago I had the honor to preside when an appropriation bill was presented for consideration in this body. My recollection is that the measure called for over $3,000,000,000. Without debate, discussion, or explanation, and within less than an hour, a bill carrying this vast amount received the approval of the Senate.

I read in the paper this morning a criticism offered yesterday in the House of Commons by a distinguished statesman of England. He alluded to this unrestrained spirit which takes possession of the people in times of war and the disposition to extravagance and folly in dealing with public funds. He adjured the Parliament and the Government to watch every appropriation measure and to practice the utmost economy in expending all sums appropriated by the Parliament.

Mr. President, we appropriated at the last session of Congress, approximately, $18,000,000,000.

Mr. SMOOT. More than that.

Mr. KING. My colleague states more than $18,000,000,000. The amounts carried by the various appropriation bills were so staggering that the human mind can scarcely comprehend them. For the coming fiscal year the demands that will be made upon the Treasury will be greatly increased. The appropriate committee is now considering the military appropriation bill and will report within a few hours a measure calling for approximately $11,000,000,000. What amount we will be called upon to provide to meet the expenses of the Government for the fiscal year of 1919 it is impossible now to even conjecture. And yet in the face of conditions of this character we manifest indifference when bills are presented calling for millions not required for the war and in many instances wholly unnecessary and wholly unjustified.

Disclaiming any desire to be critical, it does seem to me, Mr. President, that instead of trying to stop the stream and to pre-

vent the dam from breaking we are, unwittingly of course, encouraging its destruction. I submit that it subjects us to the charge of being callous and indifferent to the country's welfare, if not unpatriotic, to support measures requiring appropriations that are not absolutely needed at this time. There are many matters that require attention, many enterprises that call for governmental aid, but most of them can wait until the world's greatest conflict has been concluded. Before this war is over the resources of this great Nation may be taxed to the utmost, and the burdens placed upon the people be so heavy as to be oppressive. Not only patriotism but wisdom requires that so far as it is possible to provide for the future it should be done. It would be criminal folly and almost traitorous negligence to omit preparations and provisions for the morrow. We should not proceed upon the theory that the war will end this year and that our credit will be inexhaustible, and that we can raise by taxation unlimited amounts. Rather, we should proceed upon the theory that the war will last for an indefinite period, that we will be required to furnish many millions of men, and that the cost to our Nation will be fifty or seventy-five billions of dollars.

We know that the American people will never make peace with Germany until Germany's military power is destroyed and the righteous and just demands of this Nation and our allies have been satisfied. There can not be any peace so long as Germany is a military force and power. It were better for this war to continue for decades and for the people of this Republic to endure privations and sacrifices, the extent of which we can not comprehend, than to have an indecisive ending of this conflict. We are fighting not only for the life of this Nation, but for the salvation of other nations, and that civilization may not be destroyed.

The peace of the world and the safety of nations can not longer be jeopardized by a soulless and devastating nation.

Germany is the mad dog of the world. She must be muzzled until the poison is eradicated from her system.

We are fighting for that happy day when the earth shall not be an armed camp, and when justice shall obtain between nations, and fraternity and fellowship bind the nations into a league or confederation governed by enduring principles of justice and righteousness.

Mr. President, day before yesterday a number of measures were passed by this body calling for increased appropriations. One claimed to be a pension bill growing out of the Spanish-American War. Young men who were unmarried volunteered for service when the War with Spain came to our land. Many of them served but a few days and spent their time in their own States or in camps within the United States. I know of some who went to California and had a delightful time in the forests of that great State. This bill gave large pensions to their widows and children, notwithstanding the fact that they were not married when they entered the service, nor did they receive any wounds or take part in any battles. The theory seems to be that if one volunteers for a few months' service in the Army he and his family shall be entitled to pensions at the hands of the Government.

The Senator from Kansas, who had charge of the bill, in urging its passage, said it only called for a few million dollars a year. As I remember, it was only ten or twelve million dollars per annum, and, of course, the plea for the measure rested upon the ground that the Government should be generous in dealing with those who had rendered military service. Of course, such a plea cheapens patriotism and breeds a spirit of dependency utterly at variance with the spirit which should animate those who live in a free Republic.

I can not understand the position which seems to be approved by most legislators that it is the duty of the Government to pay gratuities and pensions to men who volunteered for military service and spent but a few days or a few weeks not in actual conflict, but in some pleasant camp, and returned home in perfect health and strength, without wounds or without any physical disabilities resulting from their service. Yesterday we appropriated $220,000,000 in the general pension bill. Next year it may be half a billion dollars.

Senators will recall that a few years ago, when the great Senator from Iowa, now deceased, Senator Allison, and Senators Hale, Frye, and Hoar, and Morgan, and Cockrell, and Vest, and Daniel sat in this Chamber, expenditures were scrutinized and appropriation bills were subjected to rigid examination. The appropriation bills of that period were comparatively insignificant, measured by the vast amounts carried by the appropriation bills of this Congress, and yet those distinguished men examined with care and patriotic zeal the items carried in the bills under consideration. In my opinion the existence of war should increase rather than diminish the determination of public officials to enact wise and prudent legislation; it should compel greater consideration of measures carrying appropriations. In times of war chains are often forged to bind the people, and policies are adopted and steps taken which result in future burdens for the people. With the historical evidences before us proving that waste and extravagance are concomitants of war and that financial burdens are created by war, there should arise within the hearts of all who have to deal with public questions a determination that only such legislation shall be enacted as is absolutely necessary and is rational and just.

There is a sacred trust resting upon Senators and it should be discharged with an eye single to the welfare of the Republic. Senators upon the other side of the Chamber have upon a number of occasions criticized the party in power for its extravagance since the war began. My distinguished colleague [Mr. SMOOT] in a recent speech stated, in effect, that the Democratic Party was guilty of "criminal extravagance." The proponent of this bill is one of the leaders of the Republican Party. He doubtless expects the support of Senators who are of his political faith. Doubtless many will support this bill, and perhaps some of them will go before the people and charge the party in power with extravagance and a criminal waste of public funds. I would like to state, by way of parenthesis, that I have discovered no great desire for economy upon the part of Republican Senators. They are usually found supporting appropriations of the character which I have been condemning. They criticize, claim incompentency and extravagance, but are the chief offenders in supporting legislation which gives color or foundation for the criticism.

The Democratic Party may expect that our Republican friends will challenge the ability of the Democratic Party to conduct the affairs of the Nation and bitter criticism will be leveled against the party in power because of its alleged incompetency and it will be charged with the profligate waste of money, and yet if the record is examined it will be found that Republican Senators have supported with almost perfect unanimity and with uninterrupted constancy appropriations and measures which come within the category to which the pending measure must be assigned.

However, if there shall be extravagance in the conduct of the affairs of the Government or appropriations unnecessary and unwarranted, the Democratic Party will not be excused by the great electorate of the Nation because the Republicans have more constantly and with greater unanimity supported such legislation. It will not be sufficient for the Democrats to secure immunity and to exculpate themselves from charges of incompetency and of extravagance by replying that the Republicans supported the measures which may apparently give color to the charge. The party in power will be held responsible for mistakes, if any are made, in the conduct of the affairs of the Government. While this is a republic, it is a government through parties. The control of a government by parties has its disadvantages, but the benefits and advantages are superior to those appearing in nations that are controlled by groups. The Democratic Party controls the House and the Senate; the Executive is a Democrat, chosen by a great and a historic party. The Democratic Party is in control of the Government; and while it is true there is a manifest disposition upon the part of all loyal Americans to subordinate partisanship, and while the Republicans have exhibited a commendable spirit of patriotism and a sincere desire to uphold the hands of the President in the prosecution of the war, nevertheless if there shall be any failure in any branch of the Government, if any mistakes shall be made, whether in domestic or in foreign policies, whether relating to internal affairs or whether connected with the prosecution of the war, the Democratic Party will be compelled to bear the burden and odium of such mistake or failure, and it will be judged indepedently of the fact that Republicans were responsible in part for the act or omission constituting the basis of criticism or complaint.

Mr. President, the psychology of war, though it has received attention, is still somewhat of a phenomenon. It produces a mental condition that is almost inexplicable. It affects the social relations of the people and disturbs their entire current of thought and action. It arouses the cupidity of many people, and while it stimulates patriotism and develops a strong national spirit and brings out some of the finer and nobler qualities of the people, it also uncovers some of their baser and, indeed, ignoble characteristics. Many are obscessed with the desire for gain and profit and the acquisition of wealth. The speculative spirit is strongly developed and frenzied and extravagant views take possession of many whose past lives and conduct show a prudence and sobriety utterly at variance with the perceived change, and the spirit that prompts a disregard of details and sober, conservative conduct and leads

to wild and extravagant expenditures manifests itself most strongly in bodies or in groups of large proportions. It is a matter of historical knowledge that individuals acting in mass will do things which they would regard as immoral and unjust if they were to act individually in respect to them. Judge Dillon calls attention to this sociological phenomenon in his reference to the conduct of municipal councils. He shows that many corrupt franchises have been granted and many acts done by municipal governing bodies composed of honorable and upright men that, if the responsibility had rested upon the individual members of the municipal councils to act upon the measures, the result would have been entirely different.

And the conclusion is drawn that the conscience of the individual is more acute than the mass conscience; that a group of individuals will more readily support an unjust and improper measure than the indivdual members of the group if the responsibility rested upon each one individually. Perhaps, Mr. President, the psychology of war finds expression in this great body. It may be possible that we are not immune from its dangerous manifestations. It is possible that this pathological condition accounts for the expression so often heard here and elsewhere, "We are at war and we must expect extravagance and waste, and that serious, if not fatal, blunders will be made."

No one could reasonably expect a great peace-loving people to convert a democratic nation into a military power without serious mistakes. It is impossible to change the entire current of our lives and the great streams of business and commerce and direct all things into the channel of war without industrial disturbances, profound social convulsions, and political and governmental difficulties. Of course there will be mistakes and waste, but because we appreciate that such will result does not warrant those charged with responsibilities in closing their eyes or in encouraging extravagance or defending improper legislation.

Mr. SMOOT. Mr. President, will my colleague yield?

Mr. KING. I yield.

Mr. SMOOT. Mr. President, for some 14 years I have been trying to protect the Treasury of the United States from raids made upon it, and I have become almost discouraged; but what I wanted to call my colleague's attention to is the fact that all of the increases in pensions that have been agreed to at this session of Congress do not amount to one-sixth of 1 per cent of the appropriations which were made last year. In other words, even if this bill is passed, and the appropriations amount to only $24,000,000,000—which some think is lower than the total will be for the coming fiscal year—the amount involved in the increase of pensions will be about one-eighth of 1 per cent; and what I should like my colleague to do, and what I believe he will do in the future, will be to try, in connection with some of us, to eliminate extravagant appropriations from the other 99⅞ per cent. In the latter is where the extravagant appropriations are made and wicked waste is made possible.

Perhaps my colleague and I do not agree upon the question of pensions. I think that the passage of my pension bill, increasing the pensions of the Civil War veterans $35,000,000, was nothing more than justice to the men who served their country as the veterans did. I believe it with all my heart. If I were the Government of the United States, and those men had served me as they served the Government of the United States, I want to say to the Senate now that I would take care of them just the same as the Government is doing to-day, and a little better. Therefore I do not consider the appropriation for the Civil War veterans an unwise expenditure upon the part of the Government, because I believe the Senator himself, if those men had rendered that service to him, would take as good care of them as the Government has, from the day the service was rendered down to the present time—of course, if he were in the same position as the Government, and owned the same amount of property, and had the same powers and resources.

I fully agree with most of the statements made by my colleague with relation to the extravagant appropriations that are being made, and I say to him that the day will come when an accounting will be demanded; and when that day comes I want to be one to say to the American people that I tried my best to prevent unjust appropriations. But there is too much in what the Senator says, that whenever it comes to taking money out of the Treasury of the United States you will find very few opposing it.

Mr. KING. Mr. President, though I am a Democrat and have supported the Democratic Party ever since I have taken part in political life, I believe that in hours of great national peril there should be a subsidence of the partisan spirit. There should be no partisanship in the prosecution of the war. There is no party principle involved in the appropriations which we are called upon to make, and there is little if any legislation now required which could properly call for a partisan vote, and certainly upon the question of conserving the resources of our Nation in order to successfully prosecute the war and upon all questions involving economy and wise and prudent expenditures of the public moneys no partisan question ought to arise. While I may be regarded as partisan, I have always had pleasure in commending the patriotic service of great Republican leaders and calling attention to the contributions which they have made in behalf of our country.

I appreciate any efforts that may have been put forth by my distinguished colleague and Republican Senators to curb appropriations.

Replying to the suggestion of my colleague concerning the pensioning of the old soldiers, I do not know that I seriously disagree with his position. I have felt that there were some receiving pensions who did not deserve them. I believe that a grateful people should generously treat the brave men who risked so much to defend the flag and to preserve this Nation. Those who were wounded or incurred disabilities should be treated most generously. There should be a proper distinction between men in that situation and those who served but for a few days and incurred no risks or dangers and sustained no physical injuries. I would be more than generous to the families of those who died upon the battle fields or from wounds and disabilities incurred in the line of service. Those who did serve their country, those whose service contributed to the preservation of the Union, I would treat not only justly and fairly but generously. But, Mr. President, I do not intend to discuss the subject of pensions. I alluded to the matter merely by way of illustration. In the generalizations submitted I have not had in mind any particular pension legislation. I have been attempting to emphasize the fact that the spirit of the hour seems to be inconsistent with calm and careful and prudent consideration of legislation, and particularly such measures as relate to Federal appropriations. The question of a few billions of dollars in an appropriation bill excites but little comment and receives but indifferent attention.

It has been said that we may be called upon to appropriate $24,000,000,000 for the fiscal year of 1919. I ask Senators, merely for the purpose of arresting attention and provoking a critical examination of all measures proposed calling for public funds, where are we to obtain this enormous sum? It is obvious that we will be unable to raise more than perhaps 30 per cent of this vast amount by taxation. It would be impossible to meet all of the expenses of the Government from current taxation. To secure $8,000,000,000 in one year under the taxing power will bear heavily upon the people. It must not be forgotten that the sources of taxation are decreasing and that the war is devouring or destroying some industries and enterprises which in the past have been prosperous. In addition to the national demands the people will be compelled to bear the burdens imposed by the States and municipalities. These burdens will be heavy; but that is not the end of the demands which the people will be compelled to meet. Twelve or fifteen millions or more must be supplied by the people. War-savings stamps and bonds must be purchased by the people in order that the Government may obtain the money required to meet its obligations.

There is a limit to taxation. A well-formulated rule has been suggested as follows: Taxation should be carried to the point where the remainder of the needed income of the Government can safely be provided out of the proceeds of loans; that is, be provided without producing inflation of credit and prices. It must be remembered that there are limits not only to taxation but to the sources from which the Government can obtain the means to prosecute the war. The only source to which the Government can go is current income; that must produce both the tax revenue and the revenue obtained from the sale of Government securities, and, indeed, the revenue from every other source.

Prof. W. I. King's estimate of the entire income of all the people of the United States in 1910 was approximately $30,000,000,000. Perhaps at the time our country entered the war, owing to the inflation of the currency and other causes, the income, that is, the earnings of all the people, was approximately forty to forty-five billions of dollars annually. Of course, this means the income expressed in terms of money. As I have stated, the Government can obtain funds only from the surplus or current funds; that is, the excess of the income of the people above their other expenditures.

It is manifest that with some sources of income being curtailed if not destroyed, the gross income of the people will probably be less during the current year than it was during 1916. It has been stated by economists that when our current

income was from thirty-five to forty billions of dollars, there were only $5,000,000,000 available for investments. In other words, after the wants of the people had been satisfied out of this annual income there was left for investment or for savings, only $5,000,000,000. Of course the amount consumed by the people must be materially reduced or bankruptcy would come to the Nation. If the Government takes eight billions of taxation, then the people will be compelled to spend less and save more in order to meet the revenue demands of the Government.

Those who are called upon to appropriate billions to meet the expenditures of the Government must seriously consider the question of how the Government is to be financed. It would be not only imprudent but childish to make great appropriations without adopting adequate means to meet them. Senators must keep constantly before them the thought that this war may be of long duration, and that with diminishing resources the ability of the people to meet the increased demands will be correspondingly diminished, all of which presents a powerful argument for economy and earnest, serious consideration of every measure presented which seeks to take money from the Treasury of the Government.

I am calling attention to these matters not for the purpose of dampening the enthusiasm of anyone for the war, but only for the purpose of creating, if possible, a determination upon the part of the people to practice economy to the end that there may be more funds available to the Government and to induce, if possible, the highest economies in the administration of the affairs of the Government.

A gentleman stated to me yesterday that Congress was spending money like a drunken sailor. His idea was that the spirit of extravagance was found everywhere, and that even the Senate was not immune from its poisonous effects.

Mr. KENYON. Mr. President——

Mr. KING. I yield to my friend from Iowa.

Mr. KENYON. I quite agree with the Senator that a drunken sailor spending money is a very sober individual compared with Congress.

I note that the Democratic platform in Indiana yesterday declared in favor of a budget system, as the Democratic national platform two years ago declared in favor of it, and likewise the Republican platform. Does not the Senator think that Congress will have to answer to the American people for not establishing some budget system or some sensible system of finance in running this Government? Are these platform promises all camouflage, as such promises generally are? Does not the Senator believe that we must change in some way our system of doing business? Here are a number of committees all appropriating, with no coordination between them, each one apparently spending all the money it can get hold of. How long could any private business last under such a system?

Mr. KING. I know that the Senator has been advocating for years the budget system. Why, it is so stupid as to be criminal for a great nation such as this to continue without a budget system. It seems incredible that a nation which is spending billions should make no provision for the ascertainment of its expenditures, and the determination of its resources. Thousands of claims are made, numerous committees are recommending appropriations, hundreds of bills are passed carrying large appropriations, and yet there is no central body or committee or authority to coordinate, if I may use the term, the appropriations and the resources and revenues. Of course, we violate every business rule and throw common sense to the wind in following the methods which control our dealings with fiscal matters and governmental expenditures.

Mr. KENYON. Mr. President——

Mr. KING. I yield.

Mr. KENYON. I do not believe the Senator, with all his splendid ability, can get a single committee in the Senate to consider the budget plan, or even to appoint a commission to give information to committees that know nothing about the budget plan. That has been my experience; and I hope we will quit in our political platforms advocating budget systems, as both parties are doing, and then never doing anything about it. Let us at least be candid.

Mr. VARDAMAN. Mr. President, will the Senator permit me to interrupt him?

Mr. KING. I yield.

Mr. VARDAMAN. I presume the Senator from Iowa means to say that he wishes political parties would quit lying?

Mr. KENYON. I wish they would; but I do not think they will.

Mr. VARDAMAN. They are not going to; but the Senator wishes they would quit making promises that they never intend to fulfill.

Mr. KING. Mr. President, the Senator from Mississippi [Mr. VARDAMAN] must not be impatient nor indulge in gloomy forebodings. We have made great progress. Humanity has been "marching on." The moral growth of a people is slow, and the centuries alone can bear attestation to the fact that mankind is governed by a moral law which produces slow and painful and tragic advancement. But there has been advancement, great advancement, and liberty and truth have come into the world, and God's presence is felt the world over.

Mr. President, there are many disheartening things in public life. Reforms are not effectuated in a day or in a generation. All progress is the result of evolutionary development. Political systems are growths and these governmental improvements will only come as the result of agitation and intelligent and rational discussion. There is social evolution as there is biological development, and humanity moves slowly out of darkness and twilight into a brighter and broader day. But the difficulties encountered are merely stepping-stones to higher things. Without desiring to moralize as the suggestions of the Senator from Iowa might incline one to do, it is sufficient to say that our Nation is the product of struggle and political development. Opposition, defeats, and obstacles result in strength and courage, and lead the people to stronger endeavor and higher resolves and ultimately to greater achievements. The Senator from Iowa ought not to be discouraged. If his plan is treated apathetically, or if it is violently opposed, his enthusiasm should increase and his persistence become more dogged. I commend to him the examples of those who have carried the banners of reform in all ages of the world. The masses of the people have looked with wondering eyes and oftentimes with contempt and hatred at the struggling forms of those heroic characters who have ascended the rugged heights of greatness and success.

The budget system will come; we will change this stupid, blundering way which we now follow in our legislative methods.

Mr. President, who ultimately must meet the burdens imposed by taxation? It is labor. Who is it that produces wealth? It is not the banker; it is not the capitalist; it is the man who works and toils in the mine, in the shop, and on the farm. This great building, beautiful in its architectural proportions, would not have been here except for labor. All the gold and silver in the world could not build this splendid structure. God himself is a builder; labor is worship, as Carlyle tells us; and upon the shoulders of labor the future of humanity rests. The man who toils and builds and produces—he is the true follower and faithful servant of the Master Workman.

We want to remember the men who toil, the men who have to bear the burdens of the future—the farmers, the laboring men, who out of nature's great bosom must wring those things indispensable to life and absolutely essential to our prosperity. They will bear the burdens of the future, not the bankers, not the business men; and every dollar that we expend now we have got to take some day out of the bent form of the laboring man. Yet we spend money as though it were inexhaustible.

Mr. President, I have said all that I intend to say against this bill. I again characterize it as an unjust and indefensible measure. It ought to be defeated. Let us do our duty and defeat it now. I feel convinced that if such a fate overtakes it, my distinguished friend from Michigan, because of his innate sense of justice, deep down in his heart will say, "Amen."

Mr. VARDAMAN. Mr. President, I admire very much the optimism of my distinguished friend from Utah [Mr. KING]. I am reminded that the dream of the philosopher to-day is often the creed of the persecuted minority to-morrow, the day following to become the faith of a nation. I join with him also in the sincere hope that—

> Out of the twilight of the past
> We move to a diviner light;
> For nothing that is wrong can last,
> Nothing's immortal but the right.

I confess, however, that the buoyant, hopeful spirit which usually pulsates in my bosom has had its action somewhat retarded recently by the unfolding of events; but I did not rise to discuss matters generally. I notice, as I look over the Democratic side of the Chamber, that there is but one Senator on that side, and he is a good, faithful, honest, hard-working Republican. [Laughter.] On the Republican side there are four equally industrious, patient, long-suffering statesmen. That is the usual condition we find in this Chamber when unanimous consent to vote on a bill has been given.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Mississippi yield to the Senator from Kansas?

Mr. VARDAMAN. With pleasure.

Mr. CURTIS. I want to call the Senator's attention to the fact that there are six Senators over here, and that I think he overlooked the occupant of the chair.

Mr. VARDAMAN. Oh, of course, the occupant of the chair can not get out. [Laughter.] He does not deserve any credit for being present. He is here under compulsion.

Mr. KENYON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Iowa will state his parliamentary inquiry.

Mr. KENYON. The Senator from Mississippi having stated that there are no Senators present on the Democratic side, and one Republican sitting there, and only six on the Republican side, I ask if that is not in fact the suggestion of the absence of a quorum?

Mr. VARDAMAN. No; it is not. There is a quorum here, for all practical purposes.

Mr. KENYON. I ask the question seriously.

The PRESIDING OFFICER. The Chair thinks not.

Mr. VARDAMAN. But, as I was about to say, that is usually the condition which we find in this Chamber after the Senate has consented to vote upon a measure, however important it may be.

Mr. President, it is with great reluctance that I oppose any measure which is ardently and earnestly favored by my friend, the able, genial, and always courteous Senator from Michigan [Mr. TOWNSEND]. I know that my friend, the able Senator, is honest, patriotic, and faithful to all the duties and obligations of life as God gives him the power to see the right. He believes that the officers on the Federal side of the War between the States have earned the peculiar distinction which this bill confers, and that the enactment of this law is but simple justice, long deferred.

I am willing to concede, Mr. President, that the Government of the United States is under obligations to those veterans, and that it is the duty of this Government to see that the shadows of the evening of life are not darkened by the adumbrations of poverty or the apprehensions of want; and in recognition of their services to the Government, I shall gladly vote to give them a pension which will insure all the comforts of a modest, proper life. I wish it understood that I yield to no Member of this body in my respect and admiration for the brave man who did his duty, as God gave him the power to see his duty, on the Federal side of that unfortunate war which submerged our fair land in fraternal blood during the years of 1861 to 1865.

My honored father gave four of the best years of his good life to the service of the Stars and Bars on the other side of the question, and I know with what respect and high regard he held the brave men who wore the blue, "when the war drum throbbed no longer, and the battle flags were furled." They were foemen worthy of his steel, and he respected them for their bravery and heroism. There was no lingering hate in his heart. There were none of the slumbering fires of the feud in the hearts of the brave men who fought the battles of that war on either side. After the Stars and Bars trailed in the dust of defeat on that fateful day at Appomattox, and the court of might handed down its decision on the question of the right of secession, the southern soldiers accepted the arbitrament of that court as irrevocable, and from that day to this they and their sons have been ready to die in defense of the Stars and Stripes.

When I hear questions growing out of that war discussed in this Chamber in a partisan spirit at this late day, it universally affects me as a kind of mental emetic, and an almost uncontrollable impulse seizes my soul to vacate the Chamber. Whatever may have been the differences of opinion regarding the cause that brought on the War between the States and the rights involved in that titanic struggle, they have all been settled years ago, permanently and eternally. The Union is complete, and the issues growing out of that war and the questions confronting us to-day will require perfect unity of heart, of mind, of soul and body, and the cooperation of the intellect of all the people, in all the walks of life, to save America, if indeed the Republic shall be saved from the disintegrating influences which have wrought the downfall of the republics of the past, whose skeletons are scattered on the shores of time to-day.

Hate hurts the heart that harbors it. It beclouds the intellect, poisons the springs of human love, and obscures the vision which is necessary to lead us safely across the turbulent sea to the port of permanent peace and everlasting prosperity.

I do not oppose this bill because the beneficiaries of the legislation were on the northern side of the conflict 50 years ago. I would dishonor the place I hold in this Chamber if such a thought or impulse as that ever entered my mind. But, Mr. President, I think that in the realm of patriotism there is no caste, no aristocracy of rank, no privilege of emoluments. Nor do I think that in this Republic anything should be done to make professional military service popular with the citizenry of this country. It is the duty of every citizen to give his all in defense of the Nation in time of war, and that duty is equally binding upon the citizen in time of peace.

If this bill shall be passed, it will be followed in quick succession by a bill putting upon the retired list officers who served in the Spanish-American War, and then will follow in turn legislation putting upon the retired list the officers who are rendering such heroic service to the country in the trenches of France, thus imposing upon labor a burden which labor will not be able to bear. This Government has no right to take the products of human toil, the toil of its citizens, and give it to another citizen, whatever service that citizen may have rendered the Government, unless that citizen needs the pension to provide the comforts of life. The pension roll should be a roll of honor. The Government should bestow the pension in the spirit that it would absolve any other moral obligation. No true patriot ever speculates in his patriotism, and no patriotic service is ever rendered to the Government with a hope of pecuniary reward. While the officer's salary is greater than that of the private soldier, the responsibility is also greater; and in so far as dollars and cents can compensate an officer for this greater responsibility in time of war the Government does so.

But the service which the officer renders to the Government is of no more importance, involving no greater personal sacrifice, and the motive is no higher and purer than that which prompts the private soldier. It may be proper to give greater compensation to the officer during the war; but after the war is over, when the Government comes to pay the tribute of its gratitude to the soldier for the service rendered in time of war, the officer and the private should be on a dead level of equality. There should be no favorites when the services are equally meritorious.

I was an officer, if I may be permitted a personal reference, in the war between this country and Spain, 20 years ago. I know I suffered no greater hardships; I am sure that I did not offer to make the supreme sacrifice any more readily or more willingly than inspired the conduct of the private soldier. It will require quite as much for the private soldier to live in comfort in times of peace as will be necessary to support the officer. And I confess that I would suffer a humiliating sense of injustice, of indefensible selfishness, if I should demand more for myself from the Public Treasury than I am willing to accord to my brethren in the ranks.

I repeat, Mr. President, in the realm of real patriotism there is no aristocracy of rank, and there should not be a difference in emoluments for the services rendered by the volunteer citizen soldiery of this Republic.

Pass this bill and you lay the foundation for a military aristocracy in this country. You will create a class that will live in idleness upon the products of somebody else's toil. They will become at once a most potential factor in politics, and all the influence that will emanate from that class of honorable citizens will be antagonistic to the true spirit of equality and democracy which should control the affairs of this country. It is a dangerous experiment and I fear will lead ultimately to military despotism in this Republic.

Mr. President, America is passing through a crucial test. Just whether we are going to be able to save the Republic in all of its pristine vigor and democratic efficiency is problematical. For myself, I confess that I am a little apprehensive for the future. The one ray of light, however, which breaks through the clouds overhanging the horizon of the Nation's future is the saving grace of the honesty, courage, and patriotism of the plain man and woman at home. Somebody has said: "The veil which covers the face of futurity is woven by the hand of mercy." That is true—wisely and providentially true.

It is the uncertainty of the future which makes it possible for us to endure the hardships of life to the end. But we can not be too careful and circumspect in this hour of desperate emergency. Eternal vigilance is the price of liberty. The influences set in motion to-day may mark the present as the turning point in the life of the Government. I have sometimes thought that it would be a wise provision if the organic law of this Nation contained a clause which would provide that the life of all laws enacted in time of war should be limited to the duration of the war.

The world is crazy, daft. A blood lust dims the intellectual eye, intoxicates the heart, and smothers out the fires of love in the human soul. Hate is the dominating passion of the hour and greed for gain multiplies our difficulties. Everything is being done to cause us to question the wisdom of tried policies and principles which have made America great. There are some statesmen in this country who seem to be inspired with a feeling of contempt for everything ancient, however meritori-

ous it may have proven itself to be. It is time to stop, look, and listen. There are snares and pitfalls on the highway just ahead and in these trying days when we see a strange mingling of all the good, heroic, moral, and sublime with the bad, low, groveling qualities of the human soul, I repeat, we should hesitate and consider well before we take the important step. The men who were willing to give their lives in defense of their Nation's flag I am quite sure if they should think about just what this character of legislation will lead to inevitably, would not ask that the Republic make the sacrifice herein involved. We can not afford to destroy the Republic in order to pay a compliment to a few distinguished persons.

I have always been taught to regard the heroes of the War between the States as the character of man described by one of the ancient philosophers, who said:

> The greatest man is he who chooses right with the most invincible resolution; who resists the sorest temptation from within and without; who bears the heaviest burden cheerfully; who is calmest in storms and most fearless under many menaces and frowns; whose reliance on truth, on virtue, and on good is most unfaltering.

I hope that the conduct of my fellow countrymen may not cause me to change that exalted opinion, which found lodgment readily in my youthful, impressionable mind.

Mr. President, as stated in the outset, I regret that I can not support this measure. I should like to pay the tribute of my respect and admiration to these brave soldiers of the Civil War by extending to them any favor that they might ask, and I should like to vote for it for the further reason that my friend, the honorable Senator from Michigan [Mr. TOWNSEND], desires so earnestly the passage of this measure, but my sense of obligation to my country prevents me from voting for the bill.

Mr. TOWNSEND. Mr. President, I trust the Senate is ready for a vote and I should not occupy any time at all were it not for two or three statements that were made during the latter part of the remarks of the Senator from Utah [Mr. KING].

Mr. GALLINGER. I will ask the Senator from Michigan to yield to me for a very brief statement.

Mr. TOWNSEND. I gladly yield.

Mr. GALLINGER. Mr. President, when I came into the Chamber a moment ago the attention of the country was being called to the fact that there were very few Senators present. Had it not been that I was engaged in the Committee on Appropriations as a member of a subcommittee considering a very important bill there would have been one more Senator in the Chamber than there was, and as in a very few minutes I shall have to return to the committee room to continue the work, I shall take but a minute or two to make a statement concerning my attitude on the pending bill.

When this bill was laid before the Senate a year ago or thereabouts I gave it very careful examination, and I came to the conclusion then that it is a very proper recognition to be given to the few remaining soldiers of the Civil War. I have been told that they average 80 years of age, and in the very nature of things this recognition, whether it be a matter of obligation or gratuity on the part of the Government, will not continue for many years.

These men, Mr. President, rendered a very important service to the Government in "the days that tried men's souls," and for that reason they deserve our consideration in anything and everything that will tend to their comfort in their declining years.

If I felt that any harm would come to the Government because of this legislation, if I felt that it would impose upon the labor of the country, as suggested by my friend the Senator from Mississippi [Mr. VARDAMAN], a burden that they ought not to bear, I certainly would not support the bill.

But it is, after all, Mr. President, a trifle that the bill carries. We are considering now a bill in the Committee on Appropriations which carries about $3,000,000,000, and it is going to be very largely added to. In the Committee on Military Affairs they are considering a bill that carries $11,000,000,000, I understand. Under those circumstances the trifle that is carried in this bill is scarcely worthy of consideration.

Mr. President, for the reason I have already stated, that I examined this bill with great care and came to the conscientious conclusion that it deserved my support, and having reexamined it since it has been under consideration at this session, I wish to record my vote in favor of it when the vote shall be taken at the hour of 4 o'clock or at such earlier hour as may be determined upon. I believe it is good legislation. I believe it is legislation that is just and fair to the few remaining veterans of the Civil War who were officers in the Army, and I can not believe that it will do any real harm to any interests of the Government or any class of our citizens.

I thank the Senator from Michigan.

Mr. TOWNSEND. Mr. President, as I said when I yielded to the distinguished Senator from New Hampshire, I do not care to make any further remarks upon this bill further than to correct two or three statements which have been made by those in opposition to it.

In the first place, the Senator from Wisconsin [Mr. LENROOT] repeatedly stated yesterday that the act of August 3 was about a month after the acts of July 22 and 25. Of course if he had consulted the calendar, he would have discovered that it was only a few days—about a week—between the dates of enactments.

The fact of the matter is that the act of August 3 was pending before Congress when the acts of July 22 and 25 were under consideration, and the reference to retirement was under discussion and had been under discussion when the act of July 25 amended the act of July 22. So the statement should be that these volunteers "in all respects" were to be on an equality, including retirement, with the Regular Army soldiers.

Mr. President, the Senator from Utah [Mr. KING] dwelt at some length, as have others, upon the fact that when the volunteer officers were mustered out at the close of the war they had all the opportunities of life before them and that the officer who had been in the service as a volunteer, but immediately entered the Regular Army, was confined in his opportunities to the vocation of a soldier. I will state what the fact of the matter is. I wish to make no invidious distinctions, because I have only the highest regard for the Regular Army officers; but when the volunteer officer was mustered out and into the Regular Army he had his whole future financial, business, and social life guaranteed to him. There was no need for him to worry thereafter. He and his family were provided for, whereas these boys went home after having spent five years in the service of their country, in many cases impaired in health, only to find many of the opportunities gone that existed for them before they enlisted. They did not have the opportunities that they theretofore had had; and the pathetic part of it is that while the volunteer officers who entered the Regular Army and for the remainder of their lives lived amidst the most agreeable surroundings, it is easy to imagine, with none of the cares and worries attendant upon the struggle for a livelihood or for a competence necessary to themselves and families, yet to-day a large percentage of the volunteer officers who were mustered out and entered the walks of peace are now in the soldiers' homes of the country. Their future was not guaranteed. They have not succeeded financially. They are known now as "old pensioners," with few so poor as to do them reverence.

Mr. President, we have not treated the Regular Army officers in "all respects" as we did the volunteers. Senators who have discussed this bill in opposition have left out the real point, namely, that as many as a dozen laws have been passed by Congress since the war closed giving additional benefits to Regular Army officers who were volunteer officers during a portion of the Civil War, and solely because of the fact that they were for a time Civil War volunteers.

Now that the Senator from Wisconsin [Mr. LENROOT] has come into the Chamber, I repeat what I said when he was out—that he did not understand the act of August 3, 1861. He said it was passed a month after the other two acts. It was passed only a few days after the act of July 25, and during all that time the act of August 3 was before Congress, as the RECORD will show. The question of retirement was discussed while the act of July 25 was under consideration.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER (Mr. TRAMMELL in the chair). Does the Senator from Michigan yield to the Senator from Wisconsin?

Mr. TOWNSEND. I yield.

Mr. LENROOT. Would it not be true that there would be less reason to believe that they would have any benefit of retirement because they then knew that the act of August 3, 1861, would not apply to them after they had separated themselves from the service?

Mr. TOWNSEND. They knew nothing of the kind. The opposite inference was absolutely necessary under the act of August 3.

But, Mr. President, I do not care to discuss that point any further. I wish simply to correct the inference that was given out by the Senator from Utah [Mr. KING]. In a low voice he stated that he thought the author of this bill would say "amen" if a majority of the Senate would vote it down. The Senator is mistaken. I know he is a courteous Senator and does not wish to cast any reflection upon my motives, but I trust my record on this floor has shown that I have never yet advocated any measure that I wanted defeated. I may have made mistakes,

as other Sentors have, and undoubtedly I have made them, but I am conscientiously in favor of this bill. I believe it ought to have been enacted long ago. During the few years I have had charge of it I have frequently met with committees of volunteer officers who have had charge of the measure—some of the finest men I have ever known. I do not think to-day there is a single member of the original first two or three committees living. They are all gone. They died contending for what they believed to be but justice to themselves and their comrades. That picture is before me. I think I have devoted as much thought to this subject as has any other Senator here, and I repeat that I am conscientiously in favor of the passage of the bill.

I do not care to delay the Senate further from a vote if it is ready to proceed. I suggest the absence of a quorum, that all Senators who are in the city and who desire to do so may vote.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martin	Smith, S. C.
Bankhead	Hardwick	Nelson	Sterling
Calder	Hollis	Norris	Sutherland
Chamberlain	Johnson, Cal.	Overman	Thompson
Colt	Jones, Wash.	Page	Townsend
Culberson	Kellogg	Phelan	Trammell
Cummins	Kendrick	Poindexter	Underwood
Curtis	King	Ransdell	Vardaman
Dillingham	Kirby	Robinson	Warren
Fernald	Lenroot	Saulsbury	Watson
Gallinger	Lewis	Shafroth	
Gronna	McLean	Sheppard	
Hale	McNary	Shields	

Mr. CURTIS. I desire to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and the junior Senator from Indiana [Mr. NEW] on official business, and to let this announcement stand for the day.

Mr. SHAFROTH. I wish to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. SUTHERLAND. I wish to state that my colleague [Mr. GOFF] is absent on account of illness.

The PRESIDING OFFICER (Mr. TRAMMELL). My colleague [Mr. FLETCHER] is absent on official business.

Mr. LEWIS. I desire to announce the absence of the Senator from Tennessee [Mr. MCKELLAR] and the Senator from Kentucky [Mr. BECKHAM], detained on official business; also the absence of the Senator from Kentucky [Mr. JAMES], occasioned by personal illness.

The PRESIDING OFFICER. Forty-nine Senators having answered to their names on the roll call, there is a quorum present. The bill is before the Senate as in Committee of the Whole and subject to amendment. If no amendment be proposed, it will be reported to the Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. VARDAMAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I do not know how he would vote on this question, and therefore I withhold my vote. If permitted to vote, I would vote "yea."

Mr. GALLINGER (when his name was called). I have a general pair with the senior Senator from Florida [Mr. FLETCHER], which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. JONES of Washington (when his name was called). The junior Senator from Virginia [Mr. SWANSON] is necessarily away for the day. I have a pair with him, so I shall have to withhold my vote. If at liberty to vote, I should vote "yea."

Mr. KELLOGG (when his name was called). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS] and therefore withhold my vote.

Mr. LODGE (when his name was called). I have a pair on this question with the senior Senator from Georgia [Mr. SMITH]. In his absence, and being unable to secure a transfer of the pair, I withhold my vote. If the Senator from Georgia were present, he would vote "nay" and I should vote "yea."

Mr. MCCUMBER (when his name was called). I have a general pair with the senior Senator from Colorado [Mr. THOMAS]. He being absent from the Chamber, and being unable to secure a transfer of the pair, I withhold my vote.

Mr. SUTHERLAND (when his name was called). I have a pair with the junior Senator from Kentucky [Mr. BECKHAM]. He being absent, and not knowing how he would vote, I withhold my vote. If permitted to vote, I should vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. In his absence I transfer that pair to my colleague [Mr. NEW] and vote "yea."

Mr. LODGE (when the name of Mr. WEEKS was called). My colleague [Mr. WEEKS] is unavoidably absent. He is paired with the Senator from Kentucky [Mr. JAMES]. If he were present, my colleague would vote "yea."

Mr. WILLIAMS (when his name was called). I have a pair with the senior Senator from Pennsylvania [Mr. PENROSE], who, I understand, has not voted. I transfer that pair to the Senator from New Mexico [Mr. JONES] and vote "nay."

The roll call was concluded.

Mr. LEWIS. I desire to announce that the Senator from South Dakota [Mr. JOHNSON], the Senator from Idaho [Mr. NUGENT], the Senator from Kentucky [Mr. BECKHAM], the Senator from South Carolina [Mr. TILLMAN], and the Senator from Delaware [Mr. SAULSBURY] are detained on official business. I wish also to announce that the Senator from Tennessee [Mr. MCKELLAR] is detained on official business, and, if present, would vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is unavoidably absent on account of illness. He has a general pair with the senior Senator from South Carolina [Mr. TILLMAN]. If my colleague were present, he would vote "yea."

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island [Mr. GERRY], but on this question I am at liberty to vote, and I vote "yea."

Mr. COLT. Has the senior Senator from Delaware [Mr SAULSBURY] voted?

The PRESIDING OFFICER. He has not.

Mr. COLT. I have a general pair with that Senator, and being unable to obtain a transfer I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I transfer my pair with the Senator from Connecticut to the Senator from Nevada [Mr. HENDERSON] and vote "nay."

Mr. MCCUMBER. I transfer my general pair with the senior Senator from Colorado [Mr. THOMAS] to the senior Senator from Utah [Mr. SMOOT] and vote "yea."

Mr. DILLINGHAM. I transfer my pair with the Senator from Maryland [Mr. SMITH] to the Senator from Washington [Mr. POINDEXTER] and vote "yea."

The result was announced—yeas 30, nays 26, as follows:

YEAS—30.

Brandegee	Gallinger	Knox	Sterling
Calder	Gronna	Lewis	Thompson
Chamberlain	Hale	McCumber	Townsend
Cummins	Harding	McNary	Wadsworth
Curtis	Hitchcock	Nelson	Warren
Dillingham	Hollis	Norris	Watson
Fernald	Johnson, Cal.	Page	
France	Kendrick	Sherman	

NAYS—26.

Ashurst	Kirby	Pomerene	Smith, S. C.
Bankhead	Lenroot	Ransdell	Trammell
Borah	Martin	Robinson	Underwood
Culberson	Myers	Shafroth	Vardaman
Gulon	Overman	Sheppard	Williams
Hardwick	Phelan	Shields	
King	Pittman	Smith, Ariz.	

NOT VOTING—40.

Baird	James	New	Smith, Mich.
Beckham	Johnson, S. Dak.	Nugent	Smoot
Colt	Jones, N. Mex.	Owen	Sutherland
Fall	Jones, Wash.	Penrose	Swanson
Fletcher	Kellogg	Poindexter	Thomas
Frelinghuysen	Kenyon	Reed	Tillman
Gerry	La Follette	Saulsbury	Walsh
Goff	Lodge	Simmons	Weeks
Gore	McKellar	Smith, Ga.	Willey
Henderon	McLean	Smith, Md.	Wolcott

So the bill was passed.

SALARIES OF STEAMBOAT INSPECTORS.

Mr. VARDAMAN. Mr. President, I move that the Senate proceed to the consideration of the bill (S. 2194) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

Mr. WILLIAMS. I will ask the Senator what is the purpose of the bill?

Mr. VARDAMAN. The purpose of the bill is to increase the salaries of steamboat-boiler inspectors. The bill had the unanimous approval of the Committee of Commerce of the Senate, and it has been so amended that the amounts have been fixed at the same sum at which they were fixed in the House bill, which passed and came over to the Senate some months ago.

Mr. WILLIAMS. Is this bill identical with the House bill?

Mr. VARDAMAN. It is identical with the House bill, I think.

Mr. WILLIAMS. I have no objection to its consideration.

Mr. VARDAMAN. I want to say, Mr. President——

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi that the bill named by him be taken up for consideration?

Mr. BRANDEGEE. Mr. President, I ask for the reading of the title of the bill, so that we may know what is proposed to be taken up.

The PRESIDING OFFICER. The Secretary will state the bill by title.

The SECRETARY. A bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

Mr. BRANDEGEE. Mr. President, I ask for the reading of the bill. I understand an objection can be made to the consideration of the bill at any time before its reading is completed.

Mr. KING. Is this the bill which was before the Senate a day or two ago and which passed?

The PRESIDING OFFICER. No; this bill was taken up some time ago, when it was read and amended.

Mr. KING. Is this the measure which the Senator from Arkansas [Mr. ROBINSON] presented to the Senate for consideration?

Mr. VARDAMAN. No; the Senator from Arkansas presented a bill increasing the salaries of inspectors of locomotive boilers and of machinery on railroads. This bill provides only for the inspectors of steamboats.

Mr. KING. I hope the Senator from Mississippi will not ask for the consideration of the bill this afternoon. I know that a number of Senators, upon my assurance that another bill would immediately follow the one which has just been passed, left the Chamber.

Mr. HARDWICK. It is not thought that this bill will involve any debate.

Mr. KING. I understand that it is a bill to largely increase salaries.

Mr. HARDWICK. No.

Mr. VARDAMAN. No, Mr. President; it does not largely increase salaries. This is the first bill, I am advised, increasing the salaries of these men in 40 years. The bill has the ardent support of the Secretary of Commerce, and I might say is the companion bill to the one which we passed day before yesterday for the railroads. Identically the same principle is involved. The bill has been before the Senate for months, and the Secretary of the Department of Commerce thinks it ought to be passed.

Mr. KING. May I ask the Senator from Mississippi a question?

Mr. VARDAMAN. I shall be glad to answer the Senator.

Mr. KING. I suppose the bill involves taking money out of the Treasury of the United States?

Mr. VARDAMAN. Well, the occupants of the offices created by law, of course, are not required to work for nothing. This bill increases the salaries somewhat.

Mr. KING. It proposes an increase of compensation?

Mr. VARDAMAN. It proposes an increased compensation; and I will say to the Senator that, as I am advised, it is the first time in 40 years. The Senator will observe, if he will investigate the matter, that the increase is not out of proportion at all, nor is it inconsistent with the labor to be performed and the demands of the service of the Government.

Mr. KING. It pays a compensation, as I understand, of $5,000 for steamboat-boiler inspectors.

Mr. VARDAMAN. One of the salaries is $3,400; but there is only one $5,000 salary in it. Some of these inspectors are paid $2,500, $2,300, and $2,100. As I have stated, we have amended the bill so as to conform to the House bill fixing the salaries as they were fixed in the bill, which passed the other House, as I understand, unanimously.

Mr. NELSON. Mr. President, will the Senator from Mississippi yield to me?

Mr. VARDAMAN. I yield to the Senator.

Mr. NELSON. There is only one $5,000 salary, which is, I suppose, for the Chief of the Steamboat-Inspection Service. All the others range between $1,800 and $2,500. There are 11 inspectors, the country being divided into 11 districts. This provides for an increase of one district, to include Alaskan waters. The increase in salaries is very moderate compared with other salaries.

I want to say further and reiterate what the Senator from Mississippi has said, that this is the first increase in 40 years in the salaries of these men. It is their duty to inspect—and they will have extra work now—all the hulls and boilers of the new ships that we are building. Their work will be greatly increased over what it ever has been before.

Mr. BRANDEGEE. I rise to a parliamentary inquiry. I think I was under a misapprehension when I asked that the bill be read. I was under the impression that the Senator from Mississippi asked unanimous consent for the consideration of the bill. I understand now the Senator moved to proceed to the consideration of the bill, did he not?

Mr. VARDAMAN. I did.

Mr. BRANDEGEE. Then, of course, I do not call for the reading of the bill. The Senator has the right to make that motion, and the bill will be read after the motion is carried, if it is carried.

The PRESIDING OFFICER. On May 17 the bill was read, amended, and carried over for further consideration. Now the Senator from Mississippi makes the motion that the Senate proceed to its further consideration.

Mr. KING. Mr. President, will the Senator from Mississippi yield to me?

Mr. VARDAMAN. I yield.

Mr. KING. I shall not offer any factious opposition to the motion made by the Senator from Mississippi to proceed to the immediate consideration of the measure to which he referred, although I am convinced that we are not dealing with an important question in a broad and comprehensive manner. However, I am beginning to appreciate the fact that with the present views of the Senate opposition to measures that call for governmental appropriations will receive but little support. Bills that increase salaries or make heavy drafts upon the Treasury meet with but little, if any, obstacles to their passage. It is so easy to defend any bill that calls for an appropriation, and it is an ungracious task, as well as an unpopular one, to oppose such measures. I know that many salaries paid to Government employees are inadequate, and I believe that there should be a fair and reasonable adjustment of salaries and that important increases should be made in the compensation paid many of those who are now in the service of our Government. But I want to call attention to the fact that to deal with this question in this piecemeal fashion is very unwise and will be productive of very unfortunate results. I should like to see, as stated, a broad and comprehensive measure introduced to deal in a proper and just way with the entire subject. But Senators will recognize the unwisdom of taking up in this spasmodic and piecemeal fashion the question of salaries and compensations to be paid Government employees. If a bill is passed to-day dealing with only a few employees in some branch of the service, it will at once arouse demands from other departments, bureaus, and branches for increases in compensation, and if these demands are responded to, and separate bills are passed dealing with the separate demands, it will be impossible to harmonize the compensation paid, or to consider all of the elements relating to the question, and which should be considered as a basis for fixing compensation. Some employees of the Government will get too much, measured by what is paid to others, and these apparent, if not real, discriminations will provoke controversy, lead to resentment, and culminate in the introduction of additional special bills to deal with special cases and with a limited number of employees; and so, instead of bringing contentment, piecemeal legislation will provoke discontent and keep a subject, which ought to be disposed of, constantly before the legislative branch of the Government. Mr. President, to deal with the question of compensation and salaries of governmental employees of our country in minute bills, in special measures, is unfortunate, and, as I have stated, will cause difficulties and grievances which we will yet have to meet.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. VARDAMAN and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The junior Senator from Mississippi has the floor.

Mr. VARDAMAN. Mr. President, the Senate passed a bill day before yesterday increasing the salaries of railroad locomotive inspectors. As was stated by the Senator from Minnesota [Mr. NELSON] a moment ago, the duties imposed upon the steamboat inspectors have been multiplied, and the responsibilities resting upon them are enormous. The Secretary of Commerce, in discussing this question, says:

> This bill has my unqualified support. It proposes to increase the salaries of the inspectors, which I think should be done. The men in that service are thoroughly equipped and trained for this work, and, in my opinion, are underpaid. Further, because of the unusual demand

at the present time for men outside of the service having the equipment and training of those in it, it will be quite difficult to hold the latter unless something is done to make their employment inviting and their pay commensurate with the duties performed.

The United States Government has no right to ask any citizen to render service for less compensation than that service is worth. It is a fact, I am told, that the salaries of these men have not been increased for 40 years, and the increased cost of living and the multiplied duties and responsibilities imposed upon them, I think, justify an increase of their salaries at this time. The laborer is worthy of his hire, and the passage of this bill will only do justice to a number of earnest, honest, patient public servants.

Mr. WILLIAMS and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. The senior Senator from Mississippi is recognized.

Mr. WILLIAMS. Mr. President, I do not care very much about the fate of this particular bill, although I think it ought to pass, and I shall vote for its passage. I think that the arguments made in favor of its passage are sound and have hitherto been unanswered.

I rise mainly for the purpose of denying, so far as I am concerned, the allegation made by the Senator from Utah [Mr. KING] to the effect that "in the present mood or temper of the United States Senate resistance to any appropriation bill would be vain and hopeless." So far as I am concerned, that is absolutely an unwarranted charge against the membership of the Senate. I shall not vote during the war for any appropriation that I do not think to be necessary or advisable, any more than I would vote in peace times for an appropriation on the same account. Of course, there are things that during a time of war are necessary and advisable which during a time of peace would be neither necessary nor advisable.

After taking issue with the Senator from Utah upon that charge against the sense of economy that ought to exist in this body, and which I think does exist, then I want to take issue with a phrase of my colleague. He says that "the Government has no right to call upon any man for service at less compensation than the service is worth." Do Senators realize what that means—that the States, that the Government, that one's native land, that one's mother country has no right to call upon one for service unless due compensation in money is paid? What shall become of the private soldiers in the United States Army, some of whom are millionaires, a great many of whom are cotton-plantation owners, and a great many of whom are living upon an income of anywhere from $2,000 to $10,000 a year?

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the senior Senator from Mississippi yield to his colleague?

Mr. WILLIAMS. I do.

Mr. VARDAMAN. I thought I said "service of the character" which the steamboat boiler inspector performs.

Mr. WILLAMS. The Senator did not so state.

Mr. VARDAMAN. Well, if I did not say that, of course I intended to refer to civil employees.

Mr. WILLIAMS. The Senator did not say that; but if he had said it, it would have made no difference. The Republic has the right to call upon every man for any service that he can perform. If he is too old or too young to perform military or naval service, then he can perform some other service; and if the Republic needs him for it, then he must serve, and he has no right to bargain with the Republic on the basis of what he formerly received in that or some other employment. Nobody has a right to bargain with his mother about doing his duty in her protection. He must protect her against any or all odds.

As I was about to say, what becomes of the private soldier? What shall become of the yeoman in the Navy? What shall become of the lieutenants in the Navy? There are Senators here who have boys who are graduates of the Massachusetts Institute of Technology who could obtain the very first year after they had graduated two or three times the pay they receive as lieutenants in the Army or Navy.

I am a little bit tired of this constant profiteering. Although I disagree with the Senator from Utah with regard to his vote upon this particular bill, I do agree with him in the substance and the meaning of what he said. It seems to me that every man in the United States wants "a raise" out of the Government somewhere or somehow. Men in civil office come begging it hat in hand; the Civil War veterans come begging it hat in hand; the men who are engaged in ordinary Government or commercial employment come begging it hat in hand; the men who are selling bananas come begging it hat in hand; the men who are selling cotton come begging it hat in hand; the men who are selling wheat come begging it hat in hand; the men who are employed as stenographers come hat in hand asking of the Government $1,400 a year, when the Senate is paying to stenographers only $1,200. I for one have grown tired of "patrioteering" when it is synonymous with "profiteering." I deny the right of any man to say that he shall serve the Republic only upon the condition that he gets as much as he could get somewhere or somehow else.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from North Dakota?

Mr. WILLIAMS. I yield.

Mr. McCUMBER. I think the Senator ought to include one other class who come with a club in their hands.

Mr. WILLIAMS. Well, Mr. President, I am glad the Senator made that suggestion. The Senator is right. If there is any difference between the two classes, the class that I have described is less reprehensible than the class to which the Senator has referred. Here we have the power to make men within certain ages go into the Army or into the Navy, whichever they choose, and serve for the pay of a private soldier, and a great many of these very men now have read the riot act to us and told us that, although they are getting ten times the pay of a private soldier, unless they got twenty times that pay they will establish a strike or unless they can pay less they will inaugurate a lockout. I put the lockout in with the strike. I am tired of it. The American people are tired of it. There are just two classes of people in America to-day—the men who want to win this war at any hazard and the men of the other class, who are either disloyal or nonloyal or lukewarm; the men who spend their energies, not in encouraging the American people, but in criticizing the American administration; the men who have in past times or now said that this is "a Wall Street war," "a rich man's war," "a capitalists' war," and who have uttered a lot of other unspeakable lies of that description. I care not whether the lieing utterance was before or after we went in to defend American honor—defamed and insulted. I differ with the Senator from Utah about this particular bill; I think it ought to pass, but I agree with him in his arraignment of the profiteers who pretend to be patriots and are patrioteers, and who every day are calling upon the United States Treasury for greater and greater and yet greater appropriations.

It is for me a matter of honor as well as a matter of pleasure to denounce and defy and even insult people who think that in war times, when the whole Republic is at stake, they or others for whom they speak must be as well off as they were in peace times. I am not as well off. You are not as well off. The ordinary citizen is not. The Government is taking its share of our share of the general profits, and the Government ought to take it. If you can not put your life in the trenches, then you have got to put your pocketbook there, and there are two ways of putting your pocketbook there. One is to pay taxes as far as the necessities of the Government demand their levying, and the other, if you are a Government employee, is—and it is just as important—to live, if possible, on what you are already earning, without asking the Government for any more. I am disgusted with the conduct of the civil-service employees of the United States Government in the city of Washington, who are asking more and more and yet more, like that woman in the Bible, who never was satisfied. Many of these people are earning more now than they ever earned in their lives before. Even the Senate and House employees are in this great movement. Everybody wants something more.

Why, I heard not many weeks ago that there would be a movement to recoup Senators and Congressmen, because of the 6 per cent tax they paid by increasing their salaries. Of course, it amounted to nothing. Of course, you could not get half a dozen men in either House to stand for that sort of a disloyal proposition; but the mere fact that it was mentioned shows the general tendency to spoliate the Government. We have given to the President power to put square pegs in square holes and round pegs in round holes.

By the way, that reminds me that not long ago, when I referred to that, the Senator from Illinois [Mr. SHERMAN] grew very witty, and not only witty but very intelligent besides that, upon the subject of square pegs and round holes and round pegs and square holes, and displayed the very utmost possibility of knowledge upon that subject. He made one of the wittiest, one of the cleverest, and one of the most humorous speeches that has been made in the United States Senate in 25 years.

The Senator displayed the very absolute utmost of knowledge concerning pegs and holes, but he also displayed the utmost and most absolute want of knowledge concerning civil-service rules, regulations, and laws limiting Executive discretion that I ever have witnessed since I have been a Member of this body or of the other body. He seemed to think that the President already had a right, notwithstanding the civil-service laws, to do what-

ever he pleased with the employees of the Government. The Constitution made the President the executive power and gave him the right to appoint the other members of the executive branch of the Government; but Congress, with the approval of various Presidents, curtailed that power until Theodore Roosevelt once told me, when I went to him to try to get an old Confederate veteran kept in at one time: "WILLIAMS, if you will point out to me a single place in this Government that I can control regardless of any law, I will give you a chromo. I want a place or two myself."

That was the knowledge of a President faced with a situation, not the want of knowledge of a facetious peg-and-hole Senator. The knowledge of the Senator from Illinois was very little as regards the law, although the Senator from Illinois displayed a very diligent study of pegs and holes, and there, anent, developed an amount of information that I never even suspected that any human being could possess or carry, like Goldsmith's parson, in one small head. I want to pay my tribute to him now as a man of wit and intelligence and humor and thorough purpose when it comes to pegs and holes and also my tribute to him as a man of absolute ignorance of the circumlocutions and limitations that surround the President of the United States with regard to the appointment of men to executive offices, or did surround him until we passed the law against which the Senator from Illinois inveighed and voted.

Now, we have passed the law and the President has had the responsibility thrown upon him, and if the President does not respond to it, and does not put square pegs in square holes and round pegs in round holes, then he can be criticized.

Now, Mr. President, I want to say this upon the bill itself: I come from the part of the country where these people chiefly serve. I am informed that while every other salary, even in peace times, was rising either annually or every five years or decennially, for about 40 years these people have had no raise at all. Their duty is of the utmost importance and responsibility. Not a steamboat goes out on the Ohio or Mississippi River whose passengers and crew do not depend absolutely upon the expert knowledge of these steamboat-boiler inspectors, and these men ought to have an increase of salary, and if this matter had come up in peace times I would have voted for it with as thorough a conviction as I vote for it now.

ADJOURNMENT UNTIL MONDAY.

Mr. HITCHCOCK. Mr. President, I understand that there is a general concurrence that when we adjourn we shall adjourn until Monday. I move that when the Senate adjourns to-day it adjourn to meet on Monday next at 12 o'clock.

The motion was agreed to.

SALARIES OF STEAMBOAT INSPECTORS.

The PRESIDING OFFICER. The question is on the motion of the Senator from Mississippi [Mr. VARDAMAN] that the Senate proceed to the consideration of Senate bill 2104.

Mr. SMOOT. Mr. President, I am compelled to attend a meeting at the Western High School in a very few moments, and I want to speak for just a moment upon the bill, and then I shall have no objection to having the bill taken up.

Mr. VARDAMAN. Let us take it up, and then the Senator can speak.

Mr. SMOOT. I shall be glad to have that done.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, which had been reported from the Committee on Commerce with amendments.

Mr. SMOOT. Mr. President, the other day when this bill was up I took the position that the salaries provided for in this bill had been increased by the Appropriations Committee on different occasions and that the Secretary of Commerce had asked the Appropriations Committee to increase those salaries at this time; and as the Appropriations Committee was not increasing salaries in the legislative appropriation bill, of course, it refused to increase these. I rise now simply to say that it is a mistake to say that these salaries have not been increased for 40 years, and I want to call attention to some of them that have been increased, in order that the RECORD may show it, and then the Senate can do as it pleases about the bill.

First, take the Supervising Inspector General. His salary 40 years ago, or when the bill creating the office was passed, was $3,500. It was increased to $4,000 by the Appropriations Committee, and the pending bill provides for its increase now to $5,000.

Mr. VARDAMAN. When was the increase made?

Mr. SMOOT. I will say to the Senator that I did not make a note of the exact dates.

Mr. VARDAMAN. I want the Senator to understand that my statement was taken from the report of the House commitee.

Mr. SMOOT. I am giving the Senate the facts, and I am not going to say anything further about the bill. I simply want the RECORD to show that these employees of the Government have been treated the same as other employees, wherever the case has been presented to the Appropriation Committee in such a way that they thought an increase ought to be made.

Mr. WILLIAMS. Mr. President, I desire to say, in justice to myself, that when I said their salaries had not been increased for 40 years I did not say it upon the basis of any research that I had made, but upon the basis of the statement made by my colleague and upon the basis of the report that I understood had been made by the committee; and if those are in error, of course, I am in error.

Mr. SMOOT. Mr. President, when the first bill passed the inspector of the district of Michigan received $900, and under this bill his salary is $2,500.

The salary of the inspector at the port of Albany was originally $1,200, and now it is $2,500.

The salary of the inspector at Portland, Me., was $1,200, and now it is $2,500.

The salary of the inspector at Oswego, N. Y., was $800, and now it is $2,350.

And so I might go along the line.

Mr. WILLIAMS. Are any of them from the South—the Mississippi River?

Mr. SMOOT. Yes; there is Charleston, S. C. That salary was $1,200, and under this bill it is $2,100.

Mr. WILLIAMS. What about the Mississippi River? I think those salaries have been the same for a generation.

Mr. NELSON. Mr. President, the Senator is utterly mistaken about Charleston. The salary there is $1,500.

Mr. SMOOT. Mr. President, I say that the original salary, under the law as it originally passed, was $1,200; and if the Senator wants me to do so, I will have the law here, and I can read it. I know that since then the salary has been increased to $1,500, but I say the original law provided for a salary of $1,200, and I was going to call attention then to the increases since the law was originally passed; and perhaps I might as well do it now, as I pass along.

Mr. KING. Mr. President, will my colleague yield?

Mr. SMOOT. Yes.

Mr. KING. In a word, will the Senator explain the duties of these men and what reason there is for such a large increase?

Mr. SMOOT. I will say to my colleague that there is a reason for an increase in their salaries because of the great number of ships that are being built at these ports, and, of course, the responsibility of examining the boilers and the ship itself is greater than it has been in the past; and that is the reason why they are asking for the increase. All I wanted to do was to correct the statements made that there have been no increases for 40 years, because we often hear that statement made in the discussions that there have been no increases in the salaries since the positions were first established.

Take the assistant inspectors in New York: The original salary was $2,000, and to-day it is $2,000, and under this bill it is $2,500.

In New Orleans, La., the salary originally was $1,600. To-day it is $1,800, and under this bill it is $2,100.

In Boston, the original salary was $1,600. It was increased to $2,000, and under this bill it is $2,100.

At Chicago the original salary was $1,600, and it has remained $1,600 until this time. The pending bill increases it to $2,100 a year.

In the case of the clerks that were authorized to be appointed, under the original law their salary was $1,200, and it has been kept at $1,200 until this time. The pending bill increases their salary to $1,500.

I simply wanted to say that much, Mr. President, in order to place in the RECORD the situation as it is to-day and to show partially how the Appropriations Committee have increased these salaries from the time the law was originally passed. That is all that I have to say about the bill. I, as well as other Senators, know that while some of the increases are exceedingly large, they are only large where shipbuilding has become a very important industry in the State in which the port is located, and, of course, in consequence there are additional duties devolving upon these men; and that is the reason why the increases in this bill were asked.

Mr. McCUMBER. Mr. President, I agree most earnestly and heartily with the remark of the Senator from Mississippi [Mr. WILLIAMS] that no American citizen who has a drop of patriotic blood in his veins ought to hold up the Government in any way in this time of dire trouble and necessity, but I submit to the Senator that under the present conditions there is a circum-

stance which would seem to justify the Congress itself in making this increase.

I know the Senator will agree with me that the element which affects the price of commodities which every American citizen must purchase to a greater degree than any other element is the question of the labor cost of production. That is the first and most important element to consider. Now, if the Government itself, by its own act, whether it is done through an idea of necessity or otherwise, so increases the initial cost of everything that must be purchased, how can the Government excuse itself from increasing the salaries of those persons whose salaries were fixed upon the basis of the cost of living at the time they were established?

For instance, let me take the Senator's own State, or let me take the adjoining State of Virginia. Before the war your Virginia colored man received from a dollar and a half to two dollars a day for the lowest class of labor. Now, that lowest class of labor fixed the price of the commodities which most of the salaried people had to purchase. Then came the Government, and immediately, without any real necessity—because it had the power to call upon all of its citizens to perform services for the Government—the several branches of the Government began to bid against each other, until they raised the price of the lower class of labor from 200 to 400 per cent.

Let me give a little illustration. Here is a poster that is being sent out by the Post Office Department all over this country, and especially here in the Southern States. It is a bid to the colored laborers on the farms to leave the farms and come to the cities. This is the way it reads:

Uncle Sam needs you! Work for the Government! The United States Government wants a thousand laborers in its navy yard at Norfolk, Va., to back up the fleet. Four dollars and forty cents for 10 hours; free transportation and sleeping quarters. For information, apply at the post office.

Then here is a circular letter sent to every postmaster in Virginia and every postmaster in Maryland and the adjoining States. Here is the first paragraph:

There is urgent need for a thousand unskilled laborers—

Not skilled laborers, but unskilled laborers—

at the navy yard at Norfolk, Va. Unskilled laborers there are paid 40 cents an hour for 8 hours, with time and a half for overtime work. They are now working a 10-hour shift, which brings the pay to $4.40 for 10 hours.

Posted right alongside of that is another notice appealing to the farmers of Virginia and Maryland to work day and night, any number of hours that may be necessary, to produce the greatest quantity of grain they can possibly produce to support this war.

Mr. WILLIAMS. Mr. President——

Mr. McCUMBER. I yield, with pleasure.

Mr. WILLIAMS. Does the Senator contend that it is not the first duty of the United States Government to get labor at the Government's price, if possible, at the shipbuilding yards and at the munitions plants, in order that we may win this war?

Mr. McCUMBER. It is my view——

Mr. WILLIAMS. Does the Senator contend that that is not the duty of the United States Government? I did not ask his view.

Mr. McCUMBER. No; but I was stating my view of the duty of the United States Government.

Mr. WILLIAMS. Now, if the Senator confesses that that is the first duty of the United States Government, then I should like to know, in keeping with his argument and mine—both of which run upon all fours—what right there is upon the part of anybody who incidentally suffers by it to complain?

Mr. McCUMBER. The point is this: There was no necessity of the several departments bidding against each other. If the departments had started out in the beginning and fixed a scale of wages that was just and fair, and then had insisted, as they are insisting now, that there shall be no idle men, that they must either go into the trench or into the workshops or onto the farms, they would not have increased the cost of living to double and treble what it was before the war.

Mr. WILLIAMS. Of course, I agree with the Senator that every able-bodied man within the limitations of those that are called upon by the Government either ought to be at work or ought to be in the Army. I also agree with what I believe is the Senator's opinion, although not yet expressed, that wherever a man who is within the draft age and in Government pay is striking for higher pay, which in the opinion of the Government is unreasonable, he ought to be conscripted and put to work on a private soldier's pay or else sent to the trenches. I think the Senator will agree with me about that. But I do not agree with the Senator that "the different departments of the Government have been bidding against one another." They have been bidding together for labor.

Furthermore, the Senator says that the Government at the beginning of the war "ought to have established a wage rate and kept by it." The Senator surely must know that the Government could not do that; that it never has been able to do it; that the wage rate has been fixed by the labor of the United States in its unions, and outside its unions, too; and that the Government has been compelled to meet it. The Government either had to leave the ships unbuilt and the munitions unmanufactured, or it had to meet the demands made for wages by labor.

Now, of course, the Senator might denounce labor as unpatriotic for making too great demands. That is a different proposition. It is subject to argument upon both sides; but the Government of the United States is not a subject of denunciation because it paid what it had to pay, and it has not bid any more for labor than it had to bid; and to prove that it has not even yet got the labor it needs, notwithstanding all of its bids.

Mr. McCUMBER. Mr. President, in principle I agree entirely with the Senator. Our only difference is upon the facts to which we apply that principle. I insist, first, from as careful consideration and paying as much attention to the conditions as is possible for me to do, that the several departments are unnecessarily competing with each other. My second proposition is that the Government now, in many of the places where it employs labor, is using a far greater number of laborers than it can actually give work to; and I instanced the other day places where perhaps 10 men were doing the work that 2 men really ought to do.

Now, Mr. President, in my opinion it was not necessary, and, in my opinion, it is not necessary to-day to send out notices of this character over the country. I believe in conscripting, not labor but the manhood and the womanhood, if necessary, of the American people and utilizing it in the service of the country.

Mr. WILLIAMS. Mr. President——

Mr. McCUMBER. Here is what I want to get at, and then I will yield to the Senator. When you fix the price of this colored labor at $4.40 a day, with sleeping apartments, you take that labor from the farmer of Maryland and the farmer of Virginia, and then you tell the farmer to pay that price for that kind of labor and produce his wheat for $2.20 a bushel. Now, that is the injustice. If you are going to fix the price according to the demand of labor, then you ought to allow the price of the product of the farmer's labor to be determined by the demand.

Mr. WILLIAMS. Now, Mr. President, the Senator's argument would be sound if the premise were granted that the United States Government could use all the labor that is needed or ordinarily employed upon the farms. But the United States Government can not use one-hundredth part of it. It is calling for the best labor at the highest price, which is merely the fulfillment of an old Jeffersonian Democratic theory that the higher the per diem price the more efficient the labor is. In fulfillment of that the Government of the United States wants the most efficient labor possible.

Those notices have been sent to my plantation in Mississippi. They have been sent to other people, and a great many of the most intelligent negro men, the most skillful and alert and wide-awake have left the farms and gone to Government employ. Why not, if I could not afford to pay what the Government had to pay? I think that is a blessing in disguise for the entire South, because I think it leads to the purchase of machinery, it leads to the running of traction engines, traction plows, and all that, as a substitute for brute negro man power, or man power of any unskilled sort—white or black.

At home I have been able to do the work of about four men and six mules with a traction engine. It is teaching us. In the meanwhile the United States Government culls the labor, and the Government in behalf of the life of the Republic ought to be allowed to cull the labor. In the meanwhile all that accrues to the benefit of the labor, whether black or white, accrues to the public benefit.

Now, the Senator knows as well as I that there can be no prosperity in any country that begins at the top and goes down to the bottom. It must begin at the bottom and go up to the top. If this Government can effect a revolution whereby the ordinary negro labor of the South can be made prosperous, it will bring prosperity to the entire South.

Now, I am not complaining of it. I have been put to it, and put to it like the dickens. My son, who has been running the home farm, has been put to it. As a consequence he has had to go out himself and work in the sun all day long with a traction engine dragging plows or a harvester. But it is all for the best in the long run and it is all leading up to this, Mr. President, that the better the distribution of wealth the better it is for the country, taking more and more from the man who has too much, whether he be a cotton planter like me or a cotton manufacturer in New England, and giving a larger

share of it to the labor upon which as a basis his prosperity is founded.

Mr. McCUMBER. We are on common ground again.

Mr. WILLIAMS. One of the great things that is going to happen as the result of this war is that we will never again look upon wealth in exactly the way we have looked upon it hitherto. We will look upon it as a trust for the benefit of the Republic and civilization, and we will look upon a man who has a little bit too much as a man who ought to contribute a little bit more in order to help the world along, and if a man has a little bit too little as a man who ought to be given a little more in order that he may help the world along.

I am a cotton planter in Mississippi. I have been hurt upon my home farm, where I am cultivating some 1,400 acres. I raised only twenty-odd bales of cotton there last year. I raise cattle, and I raise hogs, and I raise sheep and soy beans and corn and velvet beans and oats and various things. I did the best I could. Of course I did not make as much money out of it as I could have made with all cotton at 30 cents a pound. I had no right to make as much.

I do not subscribe to the idea that I have got to get the same revenue out of my means of existence in the United States when the Republic is in trouble as I had a right to get when the Republic was at peace. I have no regard for the man who thinks he ought to get that much, or who for demagogic or vote-getting purpose as an officeholder or office seeker contends that other people ought to get that much. Our sons in France would have a right to despise us who are at home if that were our contention, when they are venturing their lives—priceless in mere money value.

Mr. McCUMBER. Mr. President, the Senator's arguments always contribute great value to any discussion, even though they sometimes put him in something of an inconsistent attitude. The Senator says that the Government is seeking the highest class of labor and paying the highest price for that highest class of labor.

Mr. WILLIAMS. To enable it to cull the unskilled labor market.

Mr. McCUMBER. So it appears; but the Government is not stopping there. It is paying the highest price for the lowest class of labor, and even that——

Mr. WILLIAMS. But, Mr. President——

Mr. McCUMBER. Just a moment. I gave the Senator considerable time and I will give him more. Even that I am not seriously objecting to, provided that the Government will allow that law of compensation to seep through all American society. If the Government fixed the salary of a clerk at $900 or $1,200 a year, when the price of this lower class of labor was about $500 a year, then when the Government itself, by its own activities, raises the price of this lower class of labor to $1,500 a year, thereby increasing to that extent the cost of living of the clerk who spent years in getting an education to enable him or her to earn $900 to $1,200 a year, I insist that the Government ought to take that into consideration in increasing the salary of the clerk so that the clerk may be able to meet the higher cost of living that has been created by the Government itself.

Mr. WILLIAMS. Just there——

Mr. McCUMBER. Let me finish the sentence. Take the $4.40 a day that the negro down in Virginia is now offered, together with a sleeping place. At 26 days' labor in a month, that gives him $124.40 a month. That means $1,482.80 a year, while the average white clerk who has had to educate himself is working for the Government for all the way from $75 to $100 per month.

You have increased the cost of your negro labor to such an extent, let me tell the Senator, that they are able to live on four days' labor in the week and lie off the other two days. They are doing that for the most part, thereby curtailing production and thereby increasing the cost of living. The only reason, I say to the Senator candidly, that would justify me in voting to increase the salaries is not because they are coming with open hands begging for it, but because I think it is the duty of the Government to fix a salary that will compare with the cost of living, especially when the Government itself, as I view it, is responsible to a great extent for the higher cost of living.

Mr. WILLIAMS. Mr. President, in answer to the Senator—answering the last thing he said first—this "lying off" because the laborer is securing so much more wage than he had hitherto secured, is a thing that attracts the attention of the economist only during the transitory period. If you take a man who is receiving a dollar a day and give him $2 a day, his first temptation is to lie off on Friday and Saturday and to make a little bit more money during the balance of the week than he made formerly during the whole week while doing two days' less work. But very soon after that the fact that he has more money than he ever had before arouses new desires and new appetites and new wants and a higher standard of living, and the moment all that is aroused he begins to find that his new wage meets his new wants just about as well as the old wage met his old wants. That is the argument at the bottom of the undoubted economic principle that the highest priced labor is always the most efficient labor, and that the cheapest labor by the day always is the most inefficient and therefore the most expensive. The Senator hires in North Dakota men at $50 a month to work for him raising wheat, and down here in Virginia they hire an ignorant uninitiative negro laborer at $25 a month to do the same thing. In the Valley of Virginia they have a superior soil to his, and notwithstanding that he with his efficient and intelligent labor can beat the Virginia farmer in the wheat market on the net results every year. I hire in Mississippi men—who are negro men, generally—to do my work, and I pay about $25 to $30 a month, counting their keep and their cabin and their garden and their wood and everything. Others hire men to raise cotton in Egypt at 14 cents a day, in India men at 8 cents a day, and yet with me upon the quarterdeck and my negro laborers well fed on corn and bacon and peas at the gun I can beat Egypt and India raising cotton every week in the year, and I have done it, and my ancestors before me for very nearly a hundred years. Why? Because the heart of the laborer here is singing with hope. He thinks he is going to rise some time. Even the ordinary negro laborer thinks he is going to be something beyond what he is right now, in wages if in nothing else, and the white man, intelligent and initiated, whom the Senator employs, knows he is, and can beat any negro laborer in net productive gain, when he pays them twice as much as I do. Why? Because his labor is much more efficient, is much more in earnest, is much more honest, works better, and because the idea of giving an honest day's work for an honest day's pay is better lodged in his brain, so that he does not necessitate as great an overhead charge for supervision and watching. Now, so much for that.

The second fallacy that the Senator has committed is this: He says the Government, if it bids for unskilled labor, ought to go ahead and increase the wage of clerks, and all that. I tell the Senator again the Government has nothing directly to do with the pay of any clerks, except Government clerks. The Government is already paying ordinary stenographers $1,400 a year. As a consequence, I find it almost impossible to find a competent stenographer in my office for a place now vacant at $1,200, which the Senate grants me to pay.

The Senator says if the Government does what he says with regard to one species of labor, it ought to do it with another. What will happen in the case I have instanced? If the Government continues to raise that wage for a stenographer and mine continues by resolution of the Senate to remain where it is, all the best stenographers will go to the Government and I will get "the leavings" or I will get nobody. That is as plain as that 2 and 2 make 4. There can not be any dispute about it.

The Senator says that when you increase the wages of farm labor and do not increase the wages of clerks for people outside engaged in commerce, and all that, it is unjust and inconsistent. There are two fallacies involved in that. The first is the supposition that the Government is trying to fix the wages of anybody except the people whom the Government employs. That is the first fallacy.

The second fallacy is that when the Government does fix wages of the people whom it employs its action has no effect upon other people doing like work. It does have effect upon other people's wages.

Say the Government employs one-twentieth of what would otherwise be the agricultural labor of the country in the shipbuilding yards and in the munition plants. The Government does not, as the Senator says, "appeal to the lowest labor." It appeals to unskilled labor, but in the army of unskilled labor it is the best labor with the most intelligence and the most initiative and the most ambition that leaves the farm and goes to a Government munition plant or to a Government shipbuilding plant. So the Government culls the best and highest, not the lowest, unskilled labor.

Now, what is the effect upon the balance of unskilled labor? It is that you and I have got to offer higher wages. So it does have its effect upon other people.

Now, what is the effect upon the clerk in a store? If the amount paid by the Government or the wages on your farm get to be more than they are for the clerk, unless the clerk is a fool he will go out and go to work on a farm or in a shipyard, unskilled as he is, and do the best he can.

But there is another principle, just as with the junkers and professors in Germany. Professors in the universities serve as officers in the army at one-half, sometimes one-third, of what they could get in other avocations. Why? Because they have

a profession which gives social status and are not classed as menials or manual laborers. This country is full of men who would rather practice law or practice medicine at $600 a year than work in a ditch at $1,200, just as Prussia is full of men who would rather be lieutenants in the army at a salary that would surprise you because of its insignificance rather than to be manufacturers or farmers at three times the amount of money, because a man can be a rath and his wife can be a rathin, and they possess a certain status in society.

That is the case in America. The lawyers and doctors and clerks who are not daily manual laborers represent a state of things that ought not to exist but does exist. Some day the time will come when the man who carries a hod filled with 50 bricks will receive as much social recognition as the judge of the court who earns less money than he does. But that time has not come yet, and the judge is not willing to swap places. Here are men at Hog Island earning $10 a day, some of them $15, a few $20. There is not a judge on the bench in Mississippi who is paid $2,500 a year who would be willing to swap places with the laborer at Hog Island even if he could tote as many bricks. It is a question of social status for himself, but far more than that, for his wife and children. Man lives no more by money alone than by bread alone. Men will fight for $30 a month who would not work for three or five times as much.

Now, the thing the Senator made a mistake about is this, and it is the big thing: This Government has nothing to do, and ought to have nothing to do, with the wage of labor except in so far as the labor is employed by the Government. It has everything to do with that, and thus far it has not fixed the wage, but has met the wage that labor has demanded, and which for the most part labor demanded because the Government was getting this culled unskilled labor and ought to pay more than the ordinary wage for unskilled labor.

I remember when I first came back from school and went to work on a cotton plantation the ordinary wage around there was $12.50 a month besides supplies, and the garden, and the wood, and the balance of it. I said to my manager, "What are you paying?" He said, "$12.50." I said, "Offer $15." The neighbors nearly held a riot meeting upon it. I said, "I want culled labor. I want to be able to say to the laborer on my plantation, 'If you do not do to suit me, you have got to leave my employ.' I do not want to be put in the fix of my labor saying to me, 'If you do not do to suit me, I will leave.'" After a while my neighbors found I did not want all the labor in the county, nor in the township or precinct even, but just a small part of it. I culled the labor. I got men I could rely upon—the best colored labor upon the creek, and the colored labor stood by me all the time, until I made an ass of myself by seeking and accepting public office.

It is the same thing with the Government. The Government is not fixing the price of labor except in so far as the Government employs certain laborers, and the Government is not fixing even that wage except by bargaining with the labor, and thus far the labor has had the best of the bargain. When it comes down to a solid rock basis he ought to have it. Why? Because the Government is not getting the ordinary unskilled labor, not the lowest labor, as the Senator said, but the best, the most ambitious, the most enterprising, and the most intelligent and the most initiative labor of that class—those who are willing to leave a cotton plantation and their accustomed work and go to work for a higher wage at a new sort of work. The ordinary fellow is like the fellow who stayed back in Europe. The culled labor is like our ancestors who came here. The ordinary fellow is afraid of new environments. He is afraid of the Indians. He is afraid of the wilderness. He is afraid of almost anything, and prefers to stay with his "cousins and his uncles and his aunts"; but when he stayed there he just simply kept staying as his descendents kept staying, and both staying still. They did not improve much. We Americans are not a superior people except in courage and initiative and invention. Why are we superior in those respects? Simply because the adventurers, and the inventors, and the reckless and the bold and the brave were willing to commit themselves to the wilderness. Go upon an ordinary cotton plantation. There is the ordinary laborer named Jim, who says, "I do not want to go to any munitions plant. It might blow me up." Tom and Dick say, "I do not know anything about building those ships. I am going to stay right here." Pete, who is an extra negro, says, "Look here, that looks like $4, and I am going to try it on anyhow."

It is just the same in principle and motive as the man who came from Norway, the man who came from Scotland, the man who came from England, the man who came from Switzerland to the United States, who said, "If I can succeed, I can start a family; I will be the sire of a generation of people and I will be looked up to." The other fellow was willing to stay in Europe and in the rut and willing to be looked down on—"nothing venturing, nothing winning."

By the way, I am a little tired of the constant criticism of the Government. I expect some of you are getting a little ashamed of criticizing the Secretary of War. You have already gotten ashamed of criticizing the Secretary of the Navy. You started to ridicule him as a North Carolina country editor who did not know anything about anything at all, much less a Navy, and now you are all in loud acclaim of him. Every now and then a certain degree of northeastern arrogance flows out of people's sweat nerves when we do not even know it is coming. "Of course," the Jews said, "there could no good come from Nazareth." What are you going to do with the man who comes from Raleigh, N. C.? That is worse than Nazareth, in New York and New England opinion. He has made good, has he not? You do not dare say he has not; not any of you. A few little lieutenants and lieutenant commanders and admirals and commodores in the Navy got mad with him because he shut off the wine at their mess and told them they ought to treat private sailors a little more politely. But even they acclaim him now.

The same thing will happen with regard to the Secretary of War. In less than three weeks you will be praising him here and in your newspapers. While you were criticizing him for very dire and almost inexcusable mistakes that have been made by the Signal Corps—all West Pointers—and in the aircraft construction service, he was putting 800,000 men in France.

My dear friends, let us think about the good things we are doing. I saw the other day that somebody out West had started a society, and the society had only one pledge; a fellow just signed a certificate to this effect, "I hereby certify that I really do not believe that I could have run this war to everybody's satisfaction." Everyone who was willing to sign that, whether a Socialist, Populist, Republican, or Independent, was allowed to become a member of the society.

A man's real heart intent is to be judged by his bias. A man with a bias against what we are trying to do is naturally ready to criticize. A man with a bias in favor of what we are trying to do is naturally ready to praise. The Democratic platform in Indiana the other day was exactly right. Everything dropped to the cardinal first principle of winning this war. I said this on the floor of the Senate, and the funny part of it is that I was accused of partisanship for saying it; I said I would vote for any man, Republican or Populist, who was heart and soul in favor of winning this war, neither disloyal nor nonloyal nor lukewarm—before it began or now—in preference to the most ultra Democrat of opposing bias who ever existed if he were nominated in my own State. Catch me the man who is fault-finding, and I will catch you the man who is at the best lukewarm in loyalty and self-devotion. Catch me the man who is a bit too optimistic, and I will catch you the man who is, at the worst, overzealous for the American Republic.

Mr. SHERMAN. Mr. President, I wish to occupy about 30 minutes, I will state to Members. That will be 4.30, and it will leave a half hour in which desired matters before adjourning over until Monday may be attended to.

Mr. SMITH of Georgia. Will the Senator let me interrupt him for a moment? There is one matter that we should bring before the Senate before it adjourns to-day, upon which I hope the Senate will act. It is the position with reference to the Agricultural appropriation bill. It is exceedingly important that some action should be had on that bill. I am very anxious to take the sense of the Senate this evening as to whether the conferees should adhere to $2.50 wheat or whether we should recede from it, or whether the conferees should bring the subject back to the Senate and let the Senate determine just whether it desires it to adhere to $2.50 wheat or recede.

Mr. McCUMBER. I hope the Senator will not attempt to press that this evening. It was expected that we would adjourn probably not later than 4 o'clock this afternoon, and I know a great many Senators who would like to be present and be heard upon that question are absent for the day. I do not think it would be possible to get a vote on it or even an expression of the Senate until late in the evening. I hope the Senator will let it go over until our next meeting.

Mr. SMITH of Georgia. Would not the Senator be willing that the conferees should be requested to report the subject back to the Senate for consideration by the Senate? If that were done, without directing the conferees, we could on Monday determine what had better be done.

Mr. McCUMBER. A great many Senators are opposed to that, including myself.

Mr. SMITH of Georgia. Opposed to reporting it back?

Mr. McCUMBER. I am opposed to the matter coming back to the Senate at all. We wish to leave it with the committee until the committee itself can come to some kind of an agree-

ment. Were it not for the fact that Senators are now absent who I know will not be present again this afternoon, I should not object, because I certainly do not wish to delay the matter.

Mr. SMITH of Georgia. I called attention this morning to the fact that I would bring the subject up when the Senate disposed of the officers' retirement bill which was before the Senate.

Mr. SMITH of South Carolina. If the Senator from Georgia will allow me, as acting chairman——

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois has the floor. Does the Senator from Illinois yield?

Mr. SHERMAN. The conference report can not be disposed of, I am sure, without much debate.

Mr. SMITH of South Carolina. I merely want to make a statement.

Mr. NORRIS. The Senator from Illinois has the floor.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. NORRIS. I desire to remind the Senator from Illinois now that if he yields to other Senators to debate the wheat question he will have a whole lot of yielding to do.

Mr. SMITH of South Carolina. Mr. President, it is not a question of debate, and I am not going to debate it; but as the servant of this body, and being responsible to it, and as acting chairman of the committee, I think I ought to make a statement. I am not taking sides, pro or con.

I want to state that the conferees on the Agricultural appropriation bill have met time and time again; compromises have been offered but not even considered because of the attitude of the two sets of conferees. I see no possibility, nor does the Senator from Nebraska, that any compromise or any agreement will be reached without further instructions from their respective bodies. I can not get the conferees even to agree to that. The Agricultural appropriation bill is of tremendous importance, and some disposition will have to be made of the matter in dispute or the bill will lapse.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. SHERMAN. Mr. President, I should like to be heard at some length on the conference report when it is taken up, as I apprehend would some other Senators from grain-producing States.

Mr. RANSDELL. Mr. President, would the Senator from Illinois yield to me for one moment to ask for a vote on the conference report on the river and harbor bill? It will require no debate.

Mr. SHERMAN. If it takes no time beyond the presentation of the conference report, I yield.

Mr. RANSDELL. I do not want to discuss it at all. I simply want a vote on it.

Mr. SHERMAN. If it takes any time or statement or explanation, I should have to decline to yield. I will occupy just a limited time, I will say, about 30 minutes, and unless the Senate is anxious to adjourn early there will be half an hour left between the time I expect to occupy and 5 o'clock.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. SHERMAN. I yield.

Mr. HITCHCOCK. I want to say to the Senator from Illinois, and to other Senators, that it is quite important before we adjourn to-night that a short executive session be had.

Mr. SHERMAN. I will conduct myself accordingly, unless I am disturbed.

Mr. KING. If the Senator from Illinois will yield to me, I desire to say to the Senator from Nebraska that it is my purpose to present for consideration a very important administration bill as soon as this bill is out of the way, and I want to hold the Senate here until the bill is passed if it takes until midnight.

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. SHERMAN. Mr. President, when I conclude depends entirely on when I begin. I have not yet begun. I shall conduct myself very expeditiously, unless I am disturbed. If interruptions occur, I shall visit upon the Senate all the horrors that follow that parliamentary procedure. Otherwise, I shall reach in the time designated the end of my comments.

We have taken considerable time on what is not very vital—a mere matter of money—and, according to the old Spanish proverb, as the senior Senator from Mississippi [Mr. WILLIAMS] remarked at one time, gentlemen never quarrel about money. So it has been a friendly dispute all afternoon, Mr. President, and not on vital matters. The matter which I wish the Senate to consider between now and Monday, I consider to be a vital matter; one that might be before this body in 24 hours after we adjourn and upon our reconvening for action. It is not a mere matter of raising salaries or reducing them, but it is a matter of supreme consequence. The footfalls of it are heard across the continent now. It is one that I think that we had just as well concern ourselves with, and I shall take the 30 minutes, Mr. President, in so concerning myself between now and next Monday morning that we may have time for reflection.

Watchful waiting is an Executive phrase made to reconcile the American people to convulsive disturbances in Mexico, which broke over the border and destroyed life and property in the United States. Its immediate offspring was an abortive military expedition some hundreds of miles into Mexico. The practical effect was the loss of lives of American soldiers at the hands of Carranza's forces, the expenditure of some millions of dollars, and the creation of a belief among Mexicans that the United States was impotent either to assert itself or discipline bandits who invaded American territory. There remains throughout Mexico a thinly disguised contempt for the United States.

Again the administration is engaged in international watchful waiting. Unhappily, the second instance of waiting on the Russian situation is likely to be more disastrous. It concerns our allies as well as the rehabilitation of Russia. Russia is now in process of being cut into convenient pieces, absorbed and amalgamated into German Provinces. The Bolshevist government is an ally of Germany, so far as it has either vitality or organism. Its leaders, Lenine and Trotzky, it can be proven have been in constant communication with Germany both before and since their accession to power. I believe they are the puppets and willing instruments of Germany in molding Russian people and territory for German uses. Their government is a satire on the name.

It is a compound of slaughter, confiscation, anarchy, and universal disorder. It is the paradise of I. W. W.'s and the superlative heaven of anarchists and direct-action socialists. It has released a vast military force of the central powers to break in a savage deluge on the allies and Americans on the French border.

I believe the Bolshevist government is now endeavoring to obtain recognition from the United States. This insolent attempt is equal to the impudent assumption that what they represent is worthy of association with respectable governments. Yet this Senate had as well begin now to consider its course on that question as to discuss the question of a few dollars on salaries or effecting a few economies by reducing salaries. If we wish to clasp the hand that has smitten us and our allies in all probability the opportunity will come unless public opinion shall be so aroused as to kill the approach before it reaches diplomatic birth. This is a fit case for pitiless publicity. It is because of this that I desire to be heard on this before next Monday. The sooner this publicity comes, the more effective it is likely to be. The American people, not including direct-action socialists, pacifists, I. W. W. W.'s, and all that alien and traitorous ilk, if given an opportunity can express a public opinion of Bolshevists. It would be well, in that event, that the Senate is still an open forum. It at least can make some headway against the Creel Publicity Bureau and star-chamber suppression of public information bearing on questions that vitally concern many millions of young Americans and huge tax levies for some years to come.

Evidence accumulates constantly that German officers and soldiers taken prisoners by the preceding Russian Government are now the active instruments in organizing the military forces of the Bolshevist government. Those military forces are being thrust farther and farther toward Asiatic Russia. Germany already has possession of the Baltic Sea Provinces, and is rapidly absorbing the territory from East Prussia and the Gulf of Finland to the Arctic Ocean. The Ukraine is in process of becoming her dummy and vassal. Our enemy is about to reach vast supplies of breadstuffs, meats, oils, and metals. It is but a short step to the conscription of men in that vassal territory.

Siberia is a wheat field and cattle range of value, as well as a source of minerals. To-day evidence at hand indicates that many thousands of her captured soldiers are being organized into a military force to subjugate and hold that country. This is with the connivance or tacit consent of the Bolshevist government. This movement by Germany is a direct blow at one of our powerful allies, Japan. That nation can not act singly. If she moves her forces westward across Asia to meet this danger without our consent she risks entanglements where she

must have a fast friend. She has a disciplined ready army reaching into millions. She has a powerful navy that can patrol Oriental waters from Vladivostok to the Mediterranean.

It is as well understood as any other diplomatic matter lacking official publicity that the United States opposes the entry of Japan into Asia. The American public opinion has been covertly inflamed against Japan by German influences. A systematic campaign accusing Japan of vast territorial ambition in Asia and the dismemberment of the Chinese Empire, or Republic, has been conducted both before and since 1914. The object of such a school of prejudice is evident. So long as Japan is inert Germany is left free to pursue her conquest and absorption of Russia. Here and there in the vast domain of that unhappy country there are struggles against German authority, ostensibly by Bolshevists. Such instances are widely isolated and sporadic in character. They serve as a convenient blind to mask the steady concentrated movement of Germany toward her goal. Great Britain and France both favor military action by Japan, not only to hold war supplies at Vladivostok and elsewhere but to check the development of German power and compel that Government to divide her forces now engaged in driving toward Paris and the Channel ports. Here, again, the American people face a case of watchful waiting. In this instance, however, it is not insurrectionary Mexico, it is an aggressive, resolute Germany. That Government knows precisely what it intends to do and it is doing it with unparalleled rapidity and decision.

We are watching at the front what is known as the Hindenburg drive, and while the public attention of the diplomatic corps is directed to that point as well, Germany is rapidly concentrating her forces in Russia and preparing to penetrate Asiatic Europe. Advices that do not come to me from diplomatic sources, it is true, nor yet from official sources, but from travelers returning from central Asia concerning the vast wheat fields and mineral country of Siberia, and from private citizens have come to me, and I regard such reports as authentic.

I have repeatedly heard those representing the administration refer to the struggle in which we are now engaged as a world war. It is. Therefore let our Government treat it as a world war and wage it by every effective method known to a civilized power. We must trust Japan, and, trusting her, ask her to attack the Government that menaces her by preparing a drive against her through Asia to the Pacific shore. Japan now waits for affirmative action by the American Government. That waiting is not by her voluntary act. It evidences great moral self-restraint when a powerful enemy is aggressively and constantly preparing a military movement that must end in serious injury to her to know that she waits on her allies before action and on the Senate for such action as it can take. The United States, represented by the present administration and by Congress, must take the responsibility for further delay.

Why does the administration hesitate? Irresolution and inaction are as dangerous in this crisis as the approaching columns of an invading army. Some time ago I deemed it proper to comment upon the character of certain of the President's official family.

I did it with this in view, and with it my comment this evening is a connected whole. I believe it to be justified if the character of his appointees who have access to the Executive ear have manifested sympathy with elements in our own country, who in turn are akin in sympathy, thought, and action with our enemies abroad. The labor unions of Mexico, for instance, are I. W. W. in their organization. Their constitution, rules, and practices are similar to the constitution and rules of that body in the United States. I have copies that are considered accurate from both countries, and they are similar in principle, and paragraph after paragraph is precisely similar in language. Not only are evils attendant upon unjust property holdings, both alien and domestic, sought to be destroyed, but the fair and just rights of property are assailed and confiscation is the usual course of affairs in that country. The development of Mexico industrially is at a standstill. Famine prevails in many Provinces. Domestic tranquillity is unstable. The moral influence of the United States has been exerted to support the present Carranza government, and properly so. I have no objection to that now. Without our recognition and constant help Carranza would have been unable to meet the opposition he found.

Leaving out of consideration the violation of the rights of American citizens in Mexico ever since it has been given over as a prey to disorder, adventurers, and bandits, it is prudent now to consider the conditions on our southern flank. German officials and military officers abound throughout that country to-day. Within a few miles of the United States border they are found in association with Carranza officials; they are banqueting at their tables; they are drinking toasts into the small hours of the morning, wishing success to both enterprises; they are instilling persistently hostility among Mexicans to the United States. Some time ago I placed in the CONGRESSIONAL RECORD the cablegrams of felicitation exchanged between the Kaiser and the President of the Mexican Republic, the substance of which was that they wished each other long life and success in their governments. One, at least, is not compatible with a victorious peace by this country. The sources of large supplies of fuel oil are in Mexico. The presence of German authorities in that vicinity, as well as generally across the border, is a constant menace to us and our allies. The sympathetic bond between the turbulent element in Mexico and the I. W. W.'s, the pacifists, pro-Germans, and the like in our country, is not reassuring. I have what I consider reliable reports from men in the Southwest that there is a concerted sympathetic movement between the disturbing element in our own country and a like element in Mexico, acting in union with each other. June 1 was the date fixed for an insurrection. However, it did not occur, although it was expected confidently among the disorderly element and the banditti of Mexico.

Certain of the Mexican Provinces, such as Lower California, Sonora, and Sinaloa, are supposed to be the lurking place of Villa. Whatever be the actual truth, that territory is full of hostile sentiment towards this country. My information is that the turbulent element there is in constant communication with a similar element in our own country, planning domestic disorder. The I. W. W. and kindred spirits are definitely known to be in league with this effort.

In the trials now pending against Haywood and others in Chicago conclusive evidence is provided in correspondence addressed to Haywood and his associates to establish a concerted plot for a general uprising in this country. I believe a part of the Mexican plan is for a joint outbreak. I have no doubt but that the activity of Germans in Mexico is promoting this attack on our domestic peace. It is a part of their world scheme to disintegrate, weaken, and destroy their enemies. It succeeded in Russia. The German expects it to succeed in the United States. The American people are a different background before which to stage such proceedings. We have a conservative, law-abiding element. It is the great middle class which is the object of the bolshevist attack in Russia. The Lenine and Trotsky government appeals to the proletariat. I have heretofore defined this element in Russia by quotations from Trotzky's book known as "Our Revolution." It is practically government there by what is the I. W. W. in this country. The vagrant, the spendthrift, the disturber, the lawless, the criminal, the chronic idler, those who clamor for a divide, who believe all men are entitled to all things, that the world owes them a living whether they earn it or not; that the difficulties of collecting that living should be made the business of a Bolshevist government in this country, the direct-action socialist, the anarchist, the I. W. W., and in effect the parlor socialist, and, I am sorry to say, in many instances the single taxer, a number of whom the present administration persistently keeps in office; all believe and in their moments of reflection hope for such a government in the United States. That is their daydream, and they hope at some time it may come to pass.

Is it in a desire to pacify or conciliate this element that the explanation is to be found for the inexplicable inaction and destructive delay that characterizes the situation in the executive department of our Government? Neither, Mr. President, can this war be fought by nor can revenue be collected from the radical. Let the President trust the great, loyal middle group of Americans, who are neither theorists nor radicals. The effort to satisfy the radical will fail in both peace and war.

On January 9, 1918, the President's mediation commission reported to him on alleged labor conditions. Since their report, headed by Mr. Haywood, 112 I. W. W.'s have been placed on trial in the United States court in Chicago.

I have followed the evidence in that case; I have read with some detail the correspondence presented there, as well as the oral testimony given under the solemnity of an oath in that trial. In correspondence signed by various officials of that organization our soldiers are stigmatized as "murderers." I. W. W.'s are urged to resist the conscription act by "refusing to join bands of potential military murderers." Members are advised to hold their jobs with one hand and a Winchester in the other until they have fed themselves and starved their masters into submission. Factory fires totally destroying plants are referred to in such a way as to leave no doubt that I. W. W.'s are the responsible incendiaries. In the evidence adduced specific instances extend all the way from New York to Puget Sound. Nothing more comprehensive in destruction has been uncovered since the structural ironworkers' dynamite plot, headed by the McNamaras. Sabotage is a familiar weapon.

An employer is by their teachings their enemy at all times and places. The owner of property is but another name for an oppressor. Fruits and foods of all description are destroyed by the millions. Murder is justified if a property owner be the victim. They follow precisely the same practices and believe the same murderous creed of the bolshevist in Russia. Law is spurned, public officers despised, and government an object of contempt. The general tenor of their belief leads to a government, if such a travesty on the name is tolerated, as Russia's present condition and a large portion of Mexico. Deliberate murder, incendiary fires, both in fields, in great agricultural areas, and in industrial plants, with domestic disorder and immense destruction and delay in war preparations, as well as in civilian matters, are directly chargeable to the I. W. W.'s and their pro-German instigators. Minute directions, as shown by the documents and correspondence, on how to practice sabotage are given by their leaders. They are instructed to execute those instructions throughout the United States. If resistance is offered, they are to meet force by force, and the resulting taking of life is defined not to be murder but as the waging of industrial warfare against their enemies, the employer and the property owner.

The correspondence further shows a direct connection between these men on trial, the I. W. W.'s and men of their ilk in the United States, and the bolshevist government in Russia. An exchange of literature is found to have been made, and unity of action is to be developed in both countries.

Incidentally Mooney's conviction in California engages their attention. That is what they meant when then stated that its effect was to be felt far beyond the confines of California. Agitation around the world is to obtain his release. The executions of their members, tried and convicted under the laws of several States for atrocious murders, are denounced as crimes of capitalism against the poor. The war is described as a struggle of the rich to rivet economic chains on the working class everywhere.

There is not any such thing, Mr. President, as a working class in this country. We all work; everybody but the idler and the vagrant works in some way, either by his hands or his head or a mixture of both mind and muscle. The idea that there can be no class created here is foreign to the truth and to the genius of the American Government. Conscription is to be resisted accordingly, because it is only a means of riveting the rights of the property owner upon the neck of the nonproperty owner. They anticipate world-wide power. They point to Russia as an initial success of their beliefs. Letters antedating by only a few weeks the Russian Revolution sought information from Haywood and others on the progress being made in America to take property from those who now own it and bring about industrial freedom by confiscating it and vesting it in these idle organized vagrants of the Republic. The connection between Russia and the United States through this lawless brood is similar to the relation between the like element in Mexico and this country.

In view of the foregoing developments the mediation commission's report on the I. W. W. is illuminating. In the Arizona disorder the I. W. W. is minimized and dismissed as a trivial factor. The commission refers to "shocking dislocations of a basic war industry." Behind and controlling, however, the factor which immediately led to the strike are, it is said, the underlying labor conditions of the mining industry of the State, which were devoid of safeguards against strikes and, in fact, provocative of them. Distant ownership in Arizona is given as a contributing cause, as if no man who lived out of the community had a right to own anything in the community. Migratory labor, it is said, has helped to spread ideas of liberalism into our industrial life. Racial conditions, alien languages, unmarried men, a feeling of injustice—all are cited to explain the transient character of the time occupied in work by the drifting laborer. The remedy is promptly recommended as the trade-union, because of its unifying spirit. It is further found in the commission's report that the heavy profits in Arizona of the copper companies has provoked the opinion that the war is capitalistic. The I. W. W. does not, the report says, account for the disorder. This is found in industrial wrongs. The foregoing relates to the Arizona copper fields.

The Pacific Northwest conditions are analyzed. It is found that unhealthy social conditions explain the unrest there. Hardships in the camps are presented. Physical comforts and certain spiritual satisfaction are demanded. A healthy social environment is lacking, resulting in migratory, drifting workers. The camps have not been made communities. In such places the I. W. W. membership averages high. It will be admitted that many lumber camps are temporary. The nature of the occupation makes the accommodations rough. Violence is readily resorted to. In view of these conditions it is singular the commission's report minimizes the I. W. W. and dismisses them with but little claim to a disturbing cause of the widespread trouble. The commission's report says "according to the estimates of conservative students of the phenomena a very small percentage of the I. W. W. are really understanding followers of subversive doctrines. The I. W. W. is seeking results by dramatizing evils and by romantic promises of relief." The I. W. W. is further excused by finding that it "has exercised its strongest hold in those industries and communities where employers have most resisted the trade-union movement." This translated into commonplace language, means wherever the employer has refused to convert his establishment into a closed shop it has bred I. W. W.'s with their resulting sabotage and destruction. The argument therefore is that you must accept the closed shop or the I. W. W.—and you may take your choice. When it is reflected that this report is made by those holding official positions it can be understood how far such representatives of the Government have departed from their sovereign duty to speak for all and not for a mere group of the American people.

Not content with these partisan reflections, the report continues "too often there is a glaring inconsistency between our democratic purposes in this war abroad and the autocratic conduct of some of those guiding industry at home," referring to the Bisbee deportation. The commission further adventures into revenue matters as well as expenditures, and advises that "so long as profiteering is not comprehensively prevented to the full extent that governmental action can prevent it, just so long will a sense of inequality disturb the fullest devotion of labor's contribution to the war." It is recommended that profiteering be prohibited in order to satisfy the workmen; that all industries be unionized as an accepted part of the labor policy of the Nation. When it is fully realized that Federal officers are attempting to force upon, not only employers, but everybody, the closed shop and compel membership in unions, the extent to which the commission has perverted its powers and abused its authority can be understood.

Mr. President, I have a news clipping, a cablegram from a soldier in France, a former sheriff in Cochise County, Ariz. He is one of those indicted for deporting the I. W. W.'s from Bisbee and other points. He acknowledges his responsibility, and says that when he can return from the service he desires to be placed upon trial for the alleged offense. These men who deported and stopped the eruption of this lawless element acted even more wisely than they knew. They prevented the destruction and disorder that was plotted for that part of the United States. They prevented the perpetration of the same offenses for which those 112 defendants in Chicago are on trial to-day. It is worthy of remark here that I. W. W.'s are on trial in Chicago, and those who protected the communities from that disorderly clan in the Southwest are themselves indicted for doing what the Government failed to do but ought to have done.

I have no criticism to make against a closed shop. That is a matter of choice and collective bargaining. I have been the subject of some denunciation in resolutions of labor unions. I am content to be their object of attack if I can restore their membership to an appreciation of the civil rights of an American citizen. They must understand that at last institutional liberty in free governments can not rest upon the arbitrary acts which many of them insist upon substituting for the law of the land. Unions can not become the Government nor can antiunion sentiment rule. Both comprise American citizens and both must be given the equal protection of law. I have supported many acts to protect the right of a union to exist and of a workman to be a member of a union without discrimination. I repeat what I have said many times. I have no hostility to unions. I will as consistently support their right as I will those whom they attack and sometimes seek to destroy. When, however, Government authorities undertake to promote and thrust upon everybody the rule of the union, I protest against such an administration of governmental power. The union like other useful organizations must appeal to the voluntary action of those whom it would bring within its membership or influence. It is utterly repugnant to the elemental principles of free government that public officers shall force the union upon everybody, willing or unwilling.

Back of the dangerous character of the Mediation Commission's report on this subject is the covert but poorly concealed suggestion that the I. W. W. is suffering from unbearable wrongs which make him uncontrollable in his impulses and free from responsibility when faced with the criminality of his widespread lawlessness. Not long ago a certain magazine which hails itself as an economic progressive advised the Government to go slow in prosecuting I. W. W.'s. The answer of the Senate

to that suggestion was the passage of the bill of the Senator from Montana, which is now awaiting action in the House, slumbering in a committee—it ought to be the law of this country—by which the Government would be given adequate power to deal properly with this seditious element wherever found.

The magazine article to which I have referred adopted the tone of the Mediation Commission's report. Instead of prosecuting them for obstructing enlistments and opposing the war they were to be counseled with and asked to state their purposes. Instead of holding an incendiary responsible for his arson he is to be requested to come before a commission and state why he resorts to the torch instead of law-abiding methods to better condition. A murderous fiend who avows the right, the justice of his violence, is not to be prosecuted but called on to state his grievances which induced him to take the life of his fellow man.

To put it in more palpable and generalized statement the claim is both in the Mediation Commission's report and the editorial in the magazine named that an I. W. W. is an irresponsible instrument propelled by ungovernable economic forces to commit the outrages mentioned as the fit and proper method to redress his grievances. Instead of punishing him for crime the Government must remove the conditions which compelled him to commit crime. Those conditions the I. W. W. will tell you if you own property is to give it to him. After he shall have consumed it or made it useless, being a migratory worker, he will vanish from the scene until your industry and thrift has collected further supplies for him to take. It is the universal sentiment of this school that all men are alike if you pay them alike. The difference between a tramp and an industrious farmer, or any other employer who has enough to become responsible, is merely the possession of property. If it were all taken away from private owners, or an equal divide made, there would be no tramp, no I. W. W.'s, no millionaires, and no crime. The same thing is to be accomplished by universal Government ownership of all instruments of production, distribution, and all other means contributing to present private undertakings. There is no difference in effect between the socialistic state and the happy condition of the I. W. W. if permitted to control. The difference is purely theoretical. Socialism would likely be a concentrated tyranny in the hands of a few determined men while the I. W. W. government would be universal disorder out of which would emerge the rule of the cave man. Both travel to the same destination. Both are retrogressive and utterly destructive of the fruits of civilized effort.

This chronic pervert of journalism frankly appeals to an American bolshevist movement. It manifests its chronic hatred, with the I. W. W.'s, of any self-supporting man or woman who can save anything and thereby become a property owner. It hails with satisfaction every I. W. W. disturbance as proof of the necessity of a socialistic state. At heart it is an apostle of socialistic violence. It is a pacifist clothed in war colors for prudential reasons. It enjoys postal privileges only because it supports the administration's tendency toward universal Government ownership. It is willing to take the present tendency as a basis of an executed hope in the due course of economic progress toward a general divide.

This element in our country previous to the war have denounced existing laws in the most scurrilous terms. Civil society has been criticized in language of derision and contempt. The marriage relation and that of parent and child exposed in words of ribaldry and obscenity unfit to mar the CONGRESSIONAL RECORD. All such distinguished gentry, however, are by the Mediation Commission analyzed as mere victims of conditions which relieved them from moral wrong. The inference is that indictment and punishment of such unmitigated pests for the wholesale crimes they have committed systematically across the continent is official persecution. The remedy is for such social philosophers as the members of that commission to devise a sytem which shall enable the I. W. W. to be satisfied and to take from those who have and earn and vest in those who neither have and seldom earn. It is this insidious but fatal spirit which hovers about and threatens the head of this administration. It is in this poisonous influence I find the deadly hesitation and destructive delays in dealing promptly with the situation in Russia. It explains why the United States Government holds Japan back from defending herself against the enemy gathering his power for a vast assault across Asia to the Pacific shore.

The United States is the fittest power to deal with this question in its relation to Russia. France is probably considered by the Russian who thinks on such matters as having been sympathetic with the Czar's government. Great Britain is under a similar impression. What led to treaties or secret diplomatic understandings with the Czar's government is not inconsistent with the future welfare of Russia. English diplomats met everywhere in Europe and Asia the machinations of Germany. Like the United States, much of England's population were strangly blind to the Kaiser's purpose of universal empire. England's statesmen who foresaw the danger had this oblivion and the deadly pacifist to deal with at home.

Both Great Britain and France entered into such arrangements with the then Government of Russia as were calculated to join Russian power with them to resist German encroachments. Added to this known condition is a very heavy indebtedness, held in France and some in England, against the Russian Government. The Bolshevist becomes frantic at the mere mention of paying a debt, whether it be public or private. A creditor deserves death equally with the property owner; and in Finland, another of the Bolshevist provinces, they have recently imposed that as the penalty for being creditors. Literally, vessels filled with the blood of bankers have been shed in some of the Bolshevist provinces. That is their practical way of canceling debts.

Great Britain and France have both consented to Japan's intervention in Asiatic affairs. They, however, are not, for obvious reasons, in the good graces of the Bolshevist. The fact that the United States has so far declined to consent to Japan's protection of her country against the coming danger is considered by the Bolshevistic government as an admitted proof of sympathy and ultimate recognition. It is here the borderland of danger is reached. It will be entered upon the day we are asked to recognize the present medley of ruin which claims to control the Russian Empire. Within 48 hours we are liable to have sent to the Senate the notification of the demand for confirmation and recognition of an ambassador from the Bolshevist government, which will involve the question of recognizing it among the family of nations and in some measure limit us in dealing with it as well as our allies.

To us it is of vital concern that we act and act now. The initial decision is to request Japan to use her entire military and naval strength to crush the German conspiracy which, either by tacit consent or secret plot, is now enlarging its domain so it can sustain aggressive war for an indefinite period. This country is more favorably situated to give the deciding influence than any other in the world. If we do not allow the radical Bolshevist element in this Republic to taint the executive mind, we can strike Germany a fatal blow at a decisive moment. This is no time for watchful waiting on this vital subject. Such an obsession can never be forgiven, because it means weary years of destructive and world-wide war. Nothing matters now but the defeat of Germany. The embattled nations of the earth are met upon a vast military front. Scarcely a neutral of consequence remains. The elemental forces of nations face each other in a final struggle. Either free government and permanent peace or absolutism and the reign of armed legions forever will be hereafter the lot of mankind. The issue is joined. The struggle is irrepressible. This Republic must now realize that the two antagonistic sympathies can not survive. The world has ceased to be politically and geographically large enough for each to remain. Kings may survive the conflict. They will, however, be executive, subject to the rule of law and not arbitrary rulers over the lives and welfare of helpless subjects. So, what matters it with lesser affairs if we conquer the one great enemy? With Germany overthrown, negotiations can settle all subsidiary questions.

What matters it if we reduce or increase salaries here by a few million dollars, if we can accomplish the paramount purpose of crushing the public enemy?

Nations will be sated with blood. A surfeit of war will have turned the hearts of men toward the basis of a permanent peace. The domestic problems, the economic questions and beliefs, however radical, however reactionary, however wise, may be relegated to the civil authorities and the parliaments of a free people. This collossal danger must not be confused or aggravated by seeking to use it to promote favorite reform, however ardently hoped for by their disciples. Now is the time effectively to see clear-eyed and with a unity of purpose. With a fighting line that girts the earth, it is the duty of our country to utilize to the fullest limit every instrument against Germany. Every power, every people, every commercial resource, every treaty or understanding that will strengthen the arm and direct the blow upon the warlike head of our enemy is to be utilized now, not next year, but now while the enemy is delivering what he hopes to be an effective blow against us.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Illinois yield to the Senator from Nebraska?

Mr. SHERMAN. Yes, sir.

Mr. HITCHCOCK. Does the Senator think he is justified in the assumption that Japan desires at the present time to intervene in Siberia, and that she is restrained because the United States has not expressed approval?

Mr. SHERMAN. I think I am.

Mr. HITCHCOCK. I think the Senator is very much mistaken.

Mr. SHERMAN. Events will determine whether I am mistaken or not.

Mr. HITCHCOCK. I think the Senator is very much mistaken, and that Japan is no more anxious to take a step of that sort than the other nations, including the United States, are if it were desirable.

Mr. SHERMAN. Whether she is anxious or not, I will not undertake to say; but that she is willing to intervene in Siberia and upon the Pacific shores to protect herself against a potential enemy that will be within striking distance I believe I am justified in saying is true.

Mr. HITCHCOCK. I think it is a great mistake for the Senator here, in his capacity as a Member of the United States Senate, to give out the impression that he knows that Japan desires now to intervene in Russia.

Mr. SHERMAN. I have stated that she is willing to intervene as her part in this war, as an ally of the United States. I believe she is willing if she has the consent of our Government to do so.

Mr. HITCHCOCK. I feel very sure that the Senator is mistaken, and I have some reason for expressing that belief.

Mr. SHERMAN. I am very glad to have the Senator express his belief on that question. I have expressed mine. Future events will determine who is right. I have some information that satisfies me that I ought to say what I am now saying this afternoon on the floor of this Chamber.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Utah?

Mr. SHERMAN. Yes, sir.

Mr. KING. I feel sure that the Senator from Nebraska has more accurately stated the Japanese-Siberian situation as it existed a short time ago than the distinguished Senator from Illinois. I feel that I am not betraying any confidence when I say that I have every reason to believe that a few weeks ago there was no general demand in Japan that a military expedition be sent to Siberia unless it was imperatively required for the preservation of her rights and interests and the interests of her allies, and that Japan was not then convinced that a military expedition, either by herself or in connection with her allies, would be of any advantage. My opinion upon this matter was formed after some investigation of the matter and after getting some information from what might be called official sources. I believe, however, that since then the changed and changing conditions have altered somewhat Japan's attitude and led to a feeling upon the part of various elements in Japan that there should be intervention—allied intervention, let me say—in Siberia, at least.

I have no doubt but what many officials of the Japanese Government feel that Germany is a real menace to Japan. As to how extensive or universal the feeling is in Japan for Japanese intervention in Siberia I can not with any degree of certainty or accuracy state.

Mr. SHERMAN. Mr. President, I can not turn aside, in the time within which I desire to conclude, to discuss the question of whether Japan has hesitated to express any desire to intervene, because up to this time certain conditions upon that intervention in continental Asia have been sought to be imposed upon her with reference to territory after the war shall have ended. Because of those conditions, Japan has not indicated that with the conditions annexed she is willing to make the sacrifice. I think the whole truth will be found to be that if Japan had the expression given her by the United States, that I understand the European allied powers have given her without conditions annexed, she would enter upon a defensive war for her Asiatic flank and let the conditions be determined by negotiations after the war shall have been won. I am so strongly convinced of the truth of this condition that I have been moved to make this assertion this afternoon. I am neither dogmatic nor infallible. I may be incorrect. I am stating what I learned, not from official sources, with which I am not favored, but from what I consider correct outside unofficial sources, including, as I stated, men who have returned from Siberia very recently and who have journeyed all the way from the wheat fields of the Caspian Sea and Black Sea region to Vladivostok in their travels, including very minute observations on the way. Even if I am in error, it will do less injury by far than if I am right and unheeded.

We must not wait until Paris shall be besieged at close quarters, until the Channel ports shall have fallen into the hands of the enemy. Neither must we wait until Russia shall have been absorbed and assimilated by German power, her vast population conscripted, Province by Province, and turned by German drill sergeants to fight us wherever our troops are found. This can be met not by watchful waiting, but by decisive instant action. The longer it is delayed the more it will cost us of the young blood now assembling in the vast camps of our country. The more we must levy by future revenue bills and draw from the people in future loans.

Public sentiment supports the conscription act. It subscribes for liberty bonds. It will give of its men and of its money without stint to the end of this struggle and with strictly nonpartisan action.

There has been no partisan division in this Chamber, nor will there be, upon the vital question of meeting and conquering the public enemy. In return for it, without regard to political divisions, it will demand and it will have the pitiless publicity so beloved by the Executive in former years, at least. Secret policies promoting economic changes, however necessary in the opinion of some elements, must not be permitted to obscure our primal duty to our Nation or the nations who are giving their all in this war. However wise super and extra official ambassadors may be, and however useless mere official pigmies elected by qualified voters may seem to those irresponsible rulers of diplomatic communications, this is still a government through the established forms of constitutional power and limitation of the American people. If those who have become mad by excessive learning or thinking too precisely along a narrow channel of thought, or upon some event, shall attempt to mold our diplomacy or control our warlike action by attempting to promote either at home or abroad certain economic obsessions it will at least be a crime not only against our people but against the free governments of the world. The supreme purpose to be served now is not the promotion of a general divide or leveling of possessions or condition either in Russia, Mexico, or the United States. It is to break the military power once and for all of Germany. If the war powers of this Republic be deflected or used for any other purpose it is an abuse and a perversion of government generously trusted by nonpartisan action in the hands of the Commander in Chief, with no thought of domestic or economic questions in the future. The latter are incidental and can be met by the future civilian after the great military peril shall have been abated. The primary question here is to use all of the instrumentalities at home and abroad to conquer the public enemy, and then refer, in time of peace, the civilian questions to civilians.

The PRESIDING OFFICER. The question is on agreeing to the amendments of the committee, which will be stated by the Secretary.

The first amendment was, on page 2, line 9, before the word "supervising," to strike out "ten" and insert "eleven"; in line 17, before the words "a year," to strike out "$3,600" and insert "$3,450"; on page 3, line 9, after the word "Florida," to insert "Tampa, Florida"; in line 25, before the words "per year," to strike out "$3,100" and insert "$2,900"; on page 4, line 5, before the words "per year," to strike out "$2,850" and insert "$2,700"; in line 12, before the words "per year," to strike out "$2,600" and insert "$2,500"; in line 16, before the words "per year," to strike out "$2,400" and insert "$2,350"; in line 24, after the word "Florida," to insert "Tampa, Florida"; on page 5, line 2, before the words "per year," to strike out "$2,250" and insert "$2,100"; in line 6, before the words "a year," to strike out "$2,600" and insert "$2,500"; in line 10 before the words "per year," to strike out "$2,400" and insert "$2,350"; in line 11, before the words "a year," to strike out "$2,200" and insert "$2,100"; and at the top of page 6, to insert:

The Secretary of Commerce may appoint not exceeding four traveling inspectors when in his judgment they are necessary for the improvement of the service, each of whom shall be entitled to a salary of $3,000 a year and his actual necessary traveling expenses while traveling on official business.

So as to make the bill read:

Be it enacted, etc., That sections 4402, 4404, and 4414 of the Revised Statutes of the United States be, and they are hereby, amended to read as follows:

"SEC. 4402. That there shall be a supervising inspector general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the Steamboat-Inspection Service, and who shall be entitled to a salary of $5,000 a year and his actual necessary traveling expenses while traveling on official business assigned him

by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"SEC. 4404. There shall be 11 supervising inspectors, who shall be appointed by the President, by and with the advice and consent of the Senate. Each of them shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and shall be a competent judge of the character and qualities of steam vessels and of all parts of the machinery employed in steaming. Each supervising inspector shall be entitled to a salary of $3,450 a year and his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"SEC. 4414. There shall be in each of the following collection districts, namely, the districts of Philadelphia, Pa.; San Francisco, Cal.; New London, Conn.; Baltimore, Md.; Detroit, Mich.; Chicago, Ill.; Bangor, Me.; New Haven, Conn.; Michigan, Mich.; Milwaukee, Wis.; Willamette, Oreg.; Puget Sound, Wash.; Savannah, Ga.; Pittsburgh, Pa.; Oswego, N. Y.; Charleston, S. C.; Duluth, Minn.; Superior, Mich.; Apalachicola, Fla.; Galveston, Tex.; Mobile, Ala.; Providence, R. I.; and in each of the following ports: New York, N. Y.; Jacksonville, Fla.; Tampa, Fla.; Portland, Me., Boston, Mass.; Buffalo, N. Y.; Cleveland, Ohio; Toledo, Ohio; Norfolk, Va.; Evansville, Ind.; Dubuque, Iowa; Louisville, Ky.; Albany, N. Y.; Cincinnati, Ohio; Memphis, Tenn.; Nashville, Tenn.; St. Louis, Mo.; Port Huron, Mich.; New Orleans, La.; Los Angeles, Cal.; Juneau, Alaska; St. Michaels, Alaska; Point Pleasant, W. Va.; and Burlington, Vt.; Honolulu, Hawaii; and San Juan, P. R.; one inspector of hulls and one inspector of boilers.

"The inspector of hulls and the inspector of boilers in the districts and ports enumerated in the preceding paragraphs shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce, namely:

"For the port of New York, N. Y., at the rate of $2,900 per year for each local inspector.

"For the districts of Philadelphia, Pa.; Baltimore, Md.; San Francisco, Cal.; and Puget Sound, Wash.; and the ports of Boston, Mass.; Buffalo, N. Y.; and New Orleans, La., at the rate of $2,700 per year for each local inspector.

"For the districts of Michigan, Mich.; Milwaukee, Wis.; Duluth, Minn.; Providence, R. I.; Chicago, Ill.; and the ports of Albany, N. Y.; Cleveland, Ohio; Portland, Me.; Los Angeles, Cal.; Juneau, Alaska; St. Michael, Alaska; and Norfolk, Va.; Honolulu, Hawaii; and San Juan, P. R., at the rate of $2,500 per year for each local inspector.

"For the districts of Oswego, N. Y.; Willamette, Oreg.; Detroit, Mich.; and Mobile, Ala.; and the Ports of St. Louis, Mo.; and Port Huron, Mich., at the rate of $2,350 per year for each local inspector.

"For the districts of Pittsburgh, Pa.; New Haven, Conn.; Savannah, Ga.; Charleston, S. C.; Galveston, Tex.; New London, Conn.; Superior, Mich.; Bangor, Me.; and Apalachicola, Fla.; and the ports of Dubuque, Iowa; Toledo, Ohio; Evansville, Ind.; Memphis, Tenn.; Nashville, Tenn.; Point Pleasant, W. Va.; Burlington, Vt.; Jacksonville, Fla.; Tampa, Fla.; Louisville, Ky.; and Cincinnati, Ohio, at the rate of $2,100 per year for each local inspector.

"And in addition the Secretary of Commerce may appoint, in districts or ports where the volume of work requires them, assistant inspectors, at a salary, for the port of New York, of $2,500 a year each; for the port of New Orleans, La.; the districts of Philadelphia, Pa.; Baltimore, Md.; the ports of Boston, Mass.; Chicago, Ill.; and the district of San Francisco, Cal., at $2,350 per year each; and for all other districts and ports at a salary of $2,100 a year each; and he may appoint a clerk to any such board at a compensation not exceeding $1,500 a year to each person so appointed. Every inspector provided for in this or the preceding sections of this title shall be paid his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"Assistant inspectors, appointed as provided by law, shall perform such duties of actual inspection as may be assigned to them under the direction, supervision, and control of the local inspectors.

"The Secretary of Commerce may appoint not exceeding four traveling inspectors when in his judgment they are necessary for the improvement of the service, each of whom shall be entitled to a salary of $3,000 a year and his actual necessary traveling expenses while traveling on official business.

"And the Secretary of Commerce may from time to time detail said assistant inspectors of one port or district for service in any other port or district, as the needs of the Steamboat-Inspection Service may, in his discretion, require, and the actual necessary traveling expenses of assistant inspectors so detailed, while traveling on official business assigned them by competent authority, shall, subject to such limitations as the said Secretary may in his discretion prescribe, be paid in the same manner as provided in this section for inspectors."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. I ask the Senate to take up for consideration the conference report on the river and harbor appropriation bill.

There being no objection, the Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. RANSDELL. Mr. President, I will state that there are one or two matters upon which the conferees have not been able to agree, and my official information is such that I believe that this report should be rejected and the whole matter sent back to conference. I should be pleased to have a negative vote on the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was rejected.

Mr. RANSDELL. I move that the Senate further insist upon its amendments and request a further conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Presiding Officer appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. NELSON managers at the further conference on the part of the Senate.

CONDEMNATION OF LANDS FOR MILITARY PURPOSES.

Mr. KING. I move that the Senate proceed to the consideration of Senate bill 4687. It will take but a few moments.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 4687) to amend further an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, as amended, and for other purposes, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That during the pendency of the present war, any person, association, or corporation, for the purpose of furnishing electric power to the United States or to persons, associations, or corporations engaged in the manufacture of ships, explosives, or munitions of war, or other articles and things for the use of the United States or its allies, upon compliance with the conditions hereinafter set forth, may institute proceedings in any district court of the United States or in any court of any State having jurisdiction of the property to be condemned, for the acquirement or condemnation of any land, the temporary use thereof, or other interest therein, or right pertaining thereto, required for the location or construction of any power plant, or for the transmission of electric power for the operation of any plants which are or may be employed in the production of the articles and things hereinbefore mentioned. That proceedings for the condemnation of property required for the generation and transmission of such electric power shall be prosecuted in accordance with the procedure prescribed for the condemnation of property in the State wherein the proceedings may be instituted.

SEC. 2. That before any person, association, or corporation, furnishing or to furnish electric power for the purposes mentioned in section 1 of this act, shall have the right to institute proceedings for condemnation, they shall submit to the Secretary of War a full and complete statement of the plan for furnishing power and the nature and extent of the easements or property which they desire to acquire under condemnation proceedings, for the purposes stated in the preceding section. If the Secretary of War approve such plan and finds that the construction or extension of such facilities for the generation or transmission of power is necessary to increase the supply of power for the objects and purposes stated in section 1 of this act, then such person, association, or corporation shall upon the approval of such plan by the Secretary of War, have the right to construct, maintain, and operate the facilities described in such plan, and may cause proceedings to be instituted in any court having jurisdiction thereof for the acquirement by condemnation of any lands, the temporary use thereof, or other interest therein, or right pertaining thereto, including such land or other property previously devoted to public use, as may be needed for the construction, maintenance, and operation of such facilities: *Provided*, That nothing in this section shall be construed as authorizing any rights in any waters of the United States except such as may be necessary to build such transmission lines along or across said waters as may be approved by the Secretary of War: *Provided further*, That the Secretary of War may, prior to granting his approval as above set forth, require such person, association, or corporation to file with him a bond, in an amount and with a surety or sureties satisfactory to him, conditioned upon the prompt construction of the proposed facilities and the diligent maintenance and operation of the same to the satisfaction of the Secretary of War during the present war.

SEC. 3. That any person, association, or corporation having secured the approval of the Secretary of War and filed a petition for condemnation as herein provided may, upon filing with the court in which such petition is filed a bond to secure payment of just compensation to the owners of property taken, in a form and an amount and with a surety or sureties approved by said court after such notice and such hearing as the court may prescribe, have the right of immediate possession and use of such property or rights.

SEC. 4. That no plan for the construction or extension of any facilities shall be submitted to or approved by the Secretary of War hereunder after the existing state of war between the United States and its enemies shall have terminated, and the fact of such termination shall be ascertained and proclaimed by the President, but such termination of the existing state of war so ascertained and proclaimed shall not interfere with the condemnation of any land or other property or rights needed for the construction, maintenance, and operation of any facilities approved hereunder by the Secretary of War before such proclamation: *Provided, however*, That the Secretary of War may upon such termination of the existing state of war and prior to the entry of judgment in any condemnation proceeding hereunder and the commencement of construction or extension of the proposed facilities revoke any approval given hereunder to the plan for such proposed facilities: *Provided further*, That nothing in this act shall be construed as granting the right to operate such facilities after the termination of the existing state of war.

Mr. KING. I move to amend the committee amendment by striking out, on page 7, lines 15 and 16, the following words, if the Senator from Wisconsin will follow me:

Including such land or other property previously devoted to public use,

The PRESIDING OFFICER. The Senator from Utah proposes an amendment to the committee amendment, which will be stated.

The SECRETARY. In the committee amendment, on page 7, lines 15 and 16, it is proposed to strike out the words "including such land or other property previously devoted to public use."

The amendment to the amendment was agreed to.

Mr. CUMMINS. I offer an amendment to the committee amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. After the word "mentioned," in line 16, page 6, it is proposed to insert the following:

Provided, That the right acquired by the condemnation herein authorized shall terminate when the power furnished ceases to be used in production for the United States or for the allies of this country in the present war.

Mr. KING. In behalf of the committee I accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. LENROOT. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 7, line 7, after the word "power," where it occurs the first time, it is proposed to insert "and that the condemnation herein authorized."

Mr. KING. I accept that amendment.

The amendment to the amendment was agreed to.

Mr. LENROOT. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 7, line 19, after the word "rights," it is proposed to insert "in any public lands of the United States or."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

Mr. FALL. Mr. President, I have been very much interested in the discussion of this bill and I understand it very fully. [Laughter.] I presume that the rights of the Senator from New York [Mr. WADSWORTH] with reference to Niagara Falls have been properly preserved.

Mr. KING. I can assure the distinguished Senator that they are fully protected.

Mr. FALL. With that assurance, I shall make no objection.

The PRESIDING OFFICER. The question is upon the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to authorize condemnation of lands for the generation and transmission of electric power."

VALIDATION OF HOMESTEAD ENTRIES.

Mr. POMERENE. I move that the Senate proceed to the consideration of executive business.

Mr. MYERS. Will the Senator withhold that motion for a minute? I wish to call up a bill from the calendar.

Mr. POMERENE. It is important to have an executive session.

Mr. MYERS. I shall then desire an executive session. It will take but a minute.

Mr. POMERENE. If it leads to any discussion I must insist on my motion.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Montana?

Mr. POMERENE. I yield, provided the bill leads to no discussion.

Mr. MYERS. I move that the Senate proceed to the consideration of the bill (S. 947) validating certain homestead entries.

Mr. CURTIS. Let the bill be read.

The PRESIDING OFFICER. It will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That all pending homestead entries made in good faith prior to January 1, 1916, under the provisions of the enlarged homestead laws, and all rights to enter land under said laws, based on settlement made thereon in good faith before said date, and while the land was unsurveyed, by persons who, before making such enlarged homestead entry, had acquired title to land under the homestead laws, and therefore were not qualified to make an enlarged homestead entry, or such settlement, be, and the same are hereby, validated, if in all other respects regular, in all cases where the original homestead entry was for less than 160 acres of land: *Provided*, That no settlement claim shall be validated hereby where adverse claim for the land has been initiated before the passage of this act.

SEC. 2. That no homestead entry heretofore made under the provisions of section 2 of the act of Congress entitled "An act for the relief of the Colorado Cooperative Colony, to permit homestead entries in certain cases, and for other purposes," approved June 5, 1900, shall be canceled for the reason that the former entry made by the entryman was commuted under the provisions of an act entitled "An act relating to the public lands of the United States," approved June 15, 1880 (21 Stat., 237). And all entries heretofore canceled on the ground that an entryman who commuted under the provisions of said act of June 15, 1880, is not entitled to the benefits of the act of June 5, 1900, shall be reinstated upon a showing by the entryman or his heirs, within one year from the approval of this act, that there were no valid grounds for the cancellation of such entries except that a former entry was perfected under the act of June 15, 1880, in all cases where valid adverse rights have not attached to the lands covered by such second entries since the date of their cancellation.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana to proceed to the consideration of the bill just read.

The motion was agreed to, and the Senate as in Committee of the Whole proceeded to consider the bill.

Mr. LENROOT. I offer an amendment to the bill.

The PRESIDING OFFICER. It will be stated.

The SECRETARY. On page 2, line 2, strike out the word "sixty" and insert the word "twenty" before "acres," so as to read:

In all cases where the original homestead entry was for less than 120 acres of land.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. STERLING. Mr. President, I had not seen or read this bill before, but I should like to know from the Senator from Wisconsin his reason for offering the amendment.

Mr. LENROOT. The only effect of the amendment is that it will not give the right of validation to one who has had a former entry in excess of 120 acres, the reason being that if one was entitled to enter 160 acres and had entered 159 acres he ought not by virtue of merely lacking 1 acre of the amount he was entitled to have the right of an additional entry for 320 acres.

Mr. STERLING. I simply want to say that the illustration given by the Senator from Wisconsin I do not think is very pertinent. The way public lands are taken is in quarter sections of 160 acres or subdivisions thereof. It will be 160 or 120 or 80 acres, as the case may be. It seems to me that where the original entry was less than 160 acres there ought to be a validation of the entry.

Mr. LENROOT. Does the Senator think if an entryman has 159 acres of the best land in the United States the mere fact that he did not get 1 more acre should entitle him to an additional entry of 320 acres?

Mr. STERLING. No; I do not think that; but I think if he has 1 acre in excess of 120 acres there ought to be a validation of the subsequent entry.

The amendment was agreed to.

Mr. LENROOT. I also offer the following amendment.

The SECRETARY. On page 2, at the end of line 5, insert the following additional proviso:

Provided further, That the acreage of any entry so validated shall be reduced by the number of acres comprised in the former entry of the claimant. In making such reduction the entryman shall be permitted to designate in a compact form the portion to be excluded from his entry.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL GERMAN-AMERICAN ALLIANCE.

Mr. POMERENE. Mr. President——

Mr. KING. Before the Senator makes his motion, will he yield to me?

Mr. POMERENE. I yield.

Mr. KING. I wish to give notice that on Monday I shall ask the Senate to take up for consideration the resolution for the revocation of the charter of the National German-American Alliance.

EXECUTIVE SESSION.

Mr. POMERENE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent

in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, June 24, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 20, 1918.

RECEIVER OF PUBLIC MONEYS.

Adelbert B. Gray to be receiver of public moneys at Carson City, Nev.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 20, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Come Thou Almighty God, Heavenly Father, and possess our minds and hearts; quicken all that is purest, noblest, best in us, that we may do the work Thou hast given us to do, with clear conceptions, pure hearts, and willing hands; to the glory and honor of Thy holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. LONERGAN for two days, to attend the funeral of a former Member of Congress.

ALIEN SLACKERS.

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a memorandum which I left with the President some days ago in regard to alien slackers.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendment the bill (H. R. 12000) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the bill (S. 4597) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed bill and joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3524. An act to amend an act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916; and

S. J. Res. 157. Joint resolution admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 70. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4597. An act extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.; to the Committee on Interstate and Foreign Commerce.

S. 3524. An act to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916; to the Committee on Patents.

S. J. Res. 157. Joint resolution admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Ways and Means.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 11185. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4482. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

AMENDMENT TO WAR-RISK INSURANCE ACT—CHANGE OF REFERENCE.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that House bill 12512 may be transferred from the Committee on Interstate and Foreign Commerce to the Committee on Military Affairs.

Mr. CARTER of Oklahoma. Reserving the right to object, I want to make a parliamentary inquiry. On June 7 the House agreed to have a transfer——

The SPEAKER. Has that anything to do with this request?

Mr. CARTER of Oklahoma. It has not anything to do with it except that it has to do with rereferring bill from one committee to the other.

Mr. GARRETT of Tennessee. I am asking unanimous consent.

Mr. CARTER of Oklahoma. The gentleman can go ahead with his request for unanimous consent, and I can ask my question afterwards.

The SPEAKER. Is the gentleman's parliamentary inquiry about this bill?

Mr. CARTER of Oklahoma. Not this particular bill.

The SPEAKER. We do not want to mix up the two. The gentleman from Tennessee asks unanimous consent to refer House bill 12512 to the Committee on Military Affairs.

Mr. STAFFORD. Will the gentleman indicate the title of the bill?

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read the title of the bill (H. R. 12512) to amend section 3 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917.

The SPEAKER. Why does the gentleman want to rerefer this bill?

Mr. GARRETT of Tennessee. Mr. Speaker, personally I do not care anything about it. I have made the request only in the interest of orderly procedure and because this bill belongs to the Committee on Military Affairs. A very peculiar situation arose. While the war-risk insurance bill was under consideration it became necessary to increase the rank of generals, and the simplest and easiest way apparently was for the Senate to put an amendment on the war-risk insurance bill which did that. The House conferees agreed to it. They probably agreed to more than they expected to agree to at that time. Ordinarily in both House and Senate this matter would go to the Military Affairs Committee. The amendment that is proposed in the bill introduced by the gentleman from Missouri deals wholly with the question of rank and pay of men in the Army. It does not deal with the question of insurance. It just happened to be attached here by accident. It ought to go to the Committee on Military Affairs.

The SPEAKER. The Chair understands the thing now. It never ought to have been on that bill to start with, but it was put on; so in referring the bill, inasmuch as it amended that act, it looked as though it ought to go to the Committee on Interstate and Foreign Commerce.

Mr. GARRETT of Tennessee. It was entirely correct to refer it to that committee under the title of the bill.

The SPEAKER. The original amendment never ought to have been put on the war-risk bill, but it was done, and can not be undone now, and this is probably as good a thing as could be done. Is there objection?

There was no objection.

PENSIONS.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 7634, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ASHBROOK. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT (NO. 655).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7634) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, 6, 8, 9, 10, 17, 21, 33, 34, 36, 37, 39, 42, 47, 49, 51, 53, 54, 55, 56, 59, and 61.

That the House recede from its disagreements to the amendments of the Senate numbered 1, 7, 11, 12, 13, 15, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 35, 38, 40, 41, 43, 45, 46, 48, 50, 58, 60, and 62, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Mary Gehres, former widow of Jacob Diehl, late of Company H, Twenty-fourth Regiment, and Company A, Forty-third Regiment, Ohio Volunteer Infantry, and pay her a pension at the rate of $25 per month."

And the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1: Strikes out the provision for increase of pension of Edward Wilkinson.

On amendment No. 2 (George Butterbaugh): Provides an increase to $30 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 3 (William M. Pace): Provides an increase to $40 per month, as provided by the House, instead of $30, as amended by the Senate.

On amendment No. 4 (Joseph McArmstrong): Provides an increase to $27 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 5 (Andrew Robertson): Provides an increase to $30 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 6 (Edward B. Ward): Provides an increase to $27 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 7: A typographical correction.

On amendment No. 8 (William Sewing): Provides an increase to $27 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 9 (William Watson): Provides an increase to $30 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 10 (Marshall Barnes): Provides an increase to $30 per month, as provided by the House, instead of $27, as amended by the Senate.

On amendment No. 11 (Lewis J. Cundiff): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 12 (Samuel M. Reese): Strikes out the provision for increase of pension.

On amendment No. 13 (Charles Bishop): Strikes out the provision for increase of pension.

On amendment No. 14 (Harvey Bartley): Provides an increase of pension to $30 per month, instead of $36, as provided by the House, and $27, as amended by the Senate.

On amendment No. 15: Strikes out the provision for increase of pension of John Trenter.

On amendment No. 16 (Franklin Manning): Provides an increase of pension to $32 per month, instead of $36, as provided by the House, and $30, as amended by the Senate.

On amendment No. 17 (Charles White): Provides an increase of pension to $27 per month, as provided by the House, instead of $25 per month, as amended by the Senate.

On amendment No. 18 (George M. Mays): Provides correction of typographical error.

On amendment No. 19 (Stephen J. Coleman): Provides increase of pension to $32 instead of $36, as provided by the House, and $30, as amended by the Senate.

On amendment No. 20 (Dabner D. Wright): Provides an increase to $32 per month instead of $40, as provided by the House, and $30, as amended by the Senate.

On amendment No. 21 (James H. Scott): Provides an increase to $27 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 22 (James Cassidy): Strikes out the provision for pension.

On amendment No. 23 (William Myers): Provides an increase to $24 per month, as amended by the Senate, instead of $21, as passed by the House.

On amendment No. 24 (James S. Doolittle): Strikes out the provision for increase of pension.

On amendment No. 25: A typographical correction.

On amendment No. 26: A typographical correction.

On amendment No. 27 (John Barker): Strikes out the provision for increase of pension.

On amendment No. 28 (John W. Robinson): Strikes out the provision for increase of pension.

On amendment No. 29 (Henry King): Strikes out the provision for increase of pension.

On amendment No. 30 (James J. Short): Strikes out the provision for increase of pension.

On amendment No. 31 (George R. White): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 32 (Deborah Sebring): Strikes out the provision for pension.

On amendment No. 33 (Hutcheons B. Durham): Provides an increase to $30 per month, as provided by the House, instead of $25, as amended by the Senate.

On amendment No. 34 (Mathew Whitford): Provides an increase to $36 per month, as passed by the House, instead of $30 per month, as amended by the Senate.

On amendment No. 35 (William McClarren): Strikes out the provision for increase of pension.

On amendment No. 36 (Alfred T. Hawk): Restores the provision for increase to $30 per month, as passed by the House, stricken out by the Senate.

On amendment No. 37 (John Pope): Provides an increase to $50 per month, as provided by the House, instead of $40, as amended by the Senate.

On amendment No. 38 (Carrie B. Wilson): Strikes out the provision for pension.

On amendment No. 39 (James Buchanan): Provides an increase to $50 per month, as passed by the House, instead of $40, as amended by the Senate.

On amendment No. 40 (Thomas Lee): Provides an increase to $21 per month, as amended by the Senate, instead of $30, as passed by the House.

On amendment No. 41: A typographical correction.

On amendment No. 42 (John Cashman): Provides an increase to $27 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 43 (William Row): Provides an increase to $30 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 44 (Mary Gehres): Restores the provision for pension passed by the House, stricken out by the Senate.

On amendment No. 45 (David Carter): Strikes out the provision for increase of pension passed by the House.

On amendment No. 46 (Dudley G. Allen): Strikes out the provision for pension passed by the House.

On amendment No. 47 (Fairfield Dresser): Provides an increase of pension to $30 per month, as passed by the House, instead of $25 per month, as amended by the Senate.

On amendment No. 48: A correction in phraseology.

On amendment No. 49 (Winfield S. Gregory): Provides an increase to $27 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 50 (Thomas Ward): Provides an increase of pension to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 51 (Simon J. Martin): Provides an increase of pension to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 52 (Thomas L. Jennison): Provides an increase of pension to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 53 (Charles G. Ginther): Provides an increase to $30 per month, as passed by the House, instead of $25 per month, as amended by the Senate.

On amendment No. 54 (Anna Smith): Restores the provision to pension the widow, passed by the House but stricken out by the Senate.

On amendment No. 55 (William J. Nash): Provides an increase to $50 per month as passed by the House, instead of $40, as amended by the Senate.

On amendment No. 56 (Asbery Mayfield): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 57 (Andrew J. Gaskins): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as passed by the Senate.

On amendment No. 58 (Alonzo Whitehouse): Strikes out the provision for increase.

On amendment No. 59 (Wallace Chamberlin): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 60: A correction in phraseology.

On amendment No. 61: Provides an increase of pension of Henry Daniels to $30, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 62: Inserts a provision for increase of pension of Joseph T. Lewis.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 8496, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ASHBROOK. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT (NO. 656).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8496) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 19, 20, 21, 22, 26, 27, 28, 40, 41, 45, 46, 50, and 52.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 5, 11, 17, 23, 25, 31, 32, 34, 35, 36, 38, 39, 42, 44, 47, 48, 49, 53, 54, and 55, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the matter stricken out insert the following:

"The name of John Waterhouse, late of Company E, Third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.
ED. S. JOHNSON,
WILLIAM H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in

explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Barbara F. Hicks): Strikes out the provision for increase of pension.

On amendment No. 2 (Isaac D. Nichols): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 3 (John Sanders): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 4 (Samuel H. Smith): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 5 (William H. Brenner, sr.): Provides an increase to $21, as amended by the Senate, instead of $24, as passed by the House.

On amendment No. 6 (James M. Birdwell): Provides an increase to $30, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 7 (Andrew P. Grubaugh): Provides an increase to $30, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 8 (John Ervin): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 9 (Archibald W. Mayden): Provides an increase to $50 per month, as passed by the House, instead of $40, as amended by the Senate.

On amendment No. 10 (Simeon Flory): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 11 (Josiah W. Lamb): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 12 (Nathaniel H. Guthery): Provides an increase to $30, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 13 (Benjamin B. Cravens): Restores the provision for increase to $30 per month, stricken out by the Senate.

On amendment No. 14 (James W. Stine): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 15 (Upton J. Hammond): Provides an increase to $36 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 16 (Enos Pearce): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 17 (Charles W. Webster): Strikes out the provision for increase of pension.

On amendment No. 18 (George W. Horton): Provides an increase to $36 per month instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 19 (Nelson G. Mills): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 20 (Zedekiah Stapleton): Provides an increase to $30, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 21 (Edward Van Kleeck): Provides an increase to $24, as passed by the House, instead of $21, as amended by the Senate.

On amendment No. 22 (Morris Lincoln): Provides an increase to $30, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 23: A typographical correction.

On amendment No. 24 (Cyrus S. Lyon): Provides an increase to $32 per month instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 25: A correction.

On amendment No. 26 (Hiram Hineline): Provides an increase to $36, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 27 (Elizabeth Mathews): Restores the provision for pension, stricken out by the Senate.

On amendment No. 28 (Samuel Shoup): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 29 (John Waterhouse): Provides an increase to $40 per month, having passed the House at $50, and stricken out by the Senate.

On amendment No. 30 (Miers B. Betts): Provides an increase to $32 per month instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 31 (Charles G. Craig): Strikes out the provision for pension.

On amendment No. 32 (Myrenus Loomis): Strikes out the provision for pension.

On amendment No. 33 (Emanuel Mayberry): Provides an increase to $40 per month instead of $50, as passed by the House, and $36 as amended by the Senate.

On amendment No. 34 (Frederick J. Cressey): Provides an increase to $50 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 35 (George Young): Provides an increase to $50 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 36 (Isaac B. Robinson): Strikes out the provision for pension.

On amendment No. 37 (James N. Russell): Provides an increase to $30 per month instead of $40, as passed by the House, and $27, as amended by the Senate.

On amendment No. 38 (Thomas Phillips): Strikes out the provision for increase of pension.

On amendment No. 39 (Samuel Cooper): Strikes out the provision for increase of pension.

On amendment No. 40 (John E. Spilman): Provides an increase of pension to $50 per month, as passed by the House, instead of $40 per month, as amended by the Senate.

On amendment No. 41 (Joseph C. Whittington): Restores the provision for pension, stricken out by the Senate.

On amendment No. 42 (Frances Watches): Strikes out the provision for pension.

On amendment No. 43 (Edward Smith): Provides an increase to $32 per month, instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 44 (Horatio S. Howe): Provides an increase to $40 per month, as amended by the Senate, instead of $50, as passed by the House.

On amendment No. 45 (Henry Brown): Provides an increase to $30 per month, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 46 (George F. Bennett): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 47 (Mary F. Russell): Strikes out the provision for pension.

On amendment No. 48 (Abbie H. Lewis): Strikes out the provision for pension.

On amendment No. 49 (David K. W. Briggs): Provides an increase to $30 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 50 (John Geuder): Provides an increase to $30 per month, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 51 (August Dorman): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30 as amended by the Senate.

On amendment No. 52 (Robert Stevenson): Provides an increase to $30 per month as passed by the House, instead of $25 as passed by the Senate.

On amendment No. 53 (Charles S. Phelps): Strikes out the provision for increase.

On amendment No. 54 (Allen McKee): Provides an increase to $40 as amended by the Senate, instead of $50 as passed by the House.

On amendment No. 55 (Harriet J. Houghtaling): Strikes out the provision for pension.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 9160, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ASHBROOK. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT (NO. 657).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9160) entitled "An act granting pensions and increase of pensions to certain soldiers of the Civil War and certain widows and dependent children of soldiers and sailors of said war" having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 8, 10, 11, 13, 14, 15, 18, 19, 21, 24, 27, 28, 32, 35, 36, 38, 39, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 5, 6, 7, 16, 17, 20, 22, 23, 26, 29, 30, 31, 33, 34, 37, 41, 42, and 43, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (William Baynes): A correction.

On amendment No. 2 (Lizzie Yorker): A correction.

On amendment No. 3 (Daniel Kelly): Restores the provision for increase of pension stricken out by the Senate.

On amendment No. 4 (William Gibson): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 5 (George W. Mayden): Strikes out the provision for increase of pension.

On amendment No. 6 (Joseph Quinn): Strikes out the provision for increase of pension.

On amendment No. 7 (William R. Hogue): Strikes out the provision for increase of pension.

On amendment No. 8 (Abbie P. Haskell): Restores the provision for pension stricken out by the Senate.

On amendment No. 9 (Samuel Mickey): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 10 (Silas J. Pickerill): Restores the provision for increase of pension stricken out by the Senate.

On amendment No. 11 (Joseph W. Santee): Provides an increase of pension to $30 per month as provided by the House, instead of $25 as amended by the Senate.

On amendment No. 12 (George Gunnell): Provides an increase to $32 per month, instead of $40 as passed by the House and $30 as amended by the Senate.

On amendment No. 13 (Joseph R. Moore): Provides an increase to $27 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 14 (John W. Barnett): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 15 (William Henderson): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 16: A correction.

On amendment No. 17: A correction.

On amendment No. 18 (Hattie M. Dunsmoor): Restores the provision for pension stricken out by the Senate.

On amendment No. 19 (Adelia Hamilton): Restores the provision for pension stricken out by the Senate.

On amendment No. 20 (Ruel Rounds): Provides an increase to $36 per month as amended by the Senate, instead of $30 as passed by the House.

On amendment No. 21 (Ellen M. Smith): Restores the provision for pension stricken out by the Senate.

On amendment No. 22 (Sargent Clark): Strikes out the provision for increase of pension.

On amendment No. 23 (Margaret Steele): Strikes out the provision for pension.

On amendment No. 24 (Chauncey W. Young): Provides an increase to $30, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 25 (Canada D. Hicks): Provides an increase to $40 per month instead of $50, as passed by the House, and $36, as amended by the Senate.

On amendment No. 26 (Percival C. Bishop): Provides an increase to $36, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 27 (William A. Woods): Provides an increase to $50, as passed by the House, instead of $40, as amended by the Senate.

On amendment No. 28 (Joseph B. Sullivan): Provides an increase to $27 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 29 (Adaline Ballard): Strikes out the provision for pension.

On amendment No. 30 (John C. Morgan): Strikes out the provision for increase of pension.

On amendment No. 31 (Katharine W. Hauns): Strikes out the provision for pension.

On amendment No. 32 (James C. Weller): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 33 (John R. Ogden): Strikes out the provision for increase of pension.

On amendment No. 34 (George W. Hicks): Strikes out the provision for increase of pension.

On amendment No. 35 (Sarah D. Bowman): Restores the provision for pension stricken out by the Senate.

On amendment No. 36 (William Harrier): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 37 (John L. C. Kline): A correction.

On amendment No. 38 (John L. C. Kline): Provides an increase to $30, as passed by the House, instead of $25, as passed by the Senate.

On amendment No. 39 (Oliver P. Krutz): Restores the provision for increase of pensions.

On amendment No. 40 (Valentine Fish): Provides an increase of pension to $36 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 41 (Ellen Hawkes): Strikes out provision for increase of pension.

On amendment No. 42 (Mary A. Luther): Strikes out the provision for pension.

On amendment No. 43 (Ellen M. Cornell): Strikes out the provision for pension.

On amendment No. 44 (James Beyea): Provides an increase to $32, instead of $40, as passed by the House, and $30, as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 9612, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The clerk will report it by title.

The Clerk read the title of the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ASHBROOK. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT (NO. 658).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9612) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 4, 7, 8, 9, 12, 14, 16, 17, 19, 20, 24, 25, 27, 37, 40, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, 10, 15, 18, 21, 22, 26, 28, 30, 31 32, 33, 34, 43, and 44, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (John Blackburn): Provides an increase to $30 per month, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 2 (Sarah E. Canton): Restores the provision for pension, stricken out by the Senate.

On amendment No. 3: A correction.

On amendment No. 4 (John Norfleet): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 5 (James Smalley): Provides a pension of $21 per month, as amended by the Senate, instead of $24, as passed by the House.

On amendment No. 6 (John Burns): Strikes out the provision for increase of pension.

On amendment No. 7 (Isaac C. Pierce): Provides an increase to $27 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 8 (Simeon C. Shields): Provides an increase to $30 per month, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 9 (Eliza H. Cooley): Restores the provision for pension, stricken out by the Senate.

On amendment No. 10 (John McKinney): A correction.

On amendment No. 11 (John W. Rawley): Provides an increase to $32, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 12 (David F. Pierce): Restores the provision for increase stricken out by the Senate.

On amendment No. 13 (David Hunter, jr.): Provides an increase to $30 per month instead of $36, as passed by the House, and $25 as amended by the Senate.

On amendment No. 14 (George Saunders): Restores the provision for increase stricken out by the Senate.

On amendment No. 15 (Edward R. Chapin): Strikes out the provision for increase of pension.

On amendment No. 16 (James Hagen): Provides an increase to $30 per month, as passed by the House, instead of $27 as amended by the Senate.

On amendment No. 17 (Effie C. Strout): Restores the provision for pension stricken out by the Senate.

On amendment No. 18 (James Thomas): Provides an increase to $36 per month, as amended by the Senate, instead of $40 as passed by the House.

On amendment No. 19 (Polly Kiff): Restores the provision for pension stricken out by the Senate.

On amendment No. 20 (Morton B. Fitts): Provides an increase to $30 per month, instead of $25 as amended by the Senate.

On amendment No. 21 (Robert Hart): Strikes out the provision for increase of pension.

On amendment No. 22 (Sarah E. Dieffenbacher): Strikes out the provision for pension.

On amendment No. 23 (Arba H. Trufant): Provides an increase to $32 per month instead of $40, as passed by the House, and $30 as amended by the Senate.

On amendment No. 24 (Thomas C. Layton): Provides an increase to $30 per month, as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 25 (Samuel H. McCartney): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 26 (Frances McCloe): Strikes out the provision for pension.

On amendment No. 27 (Elijah Houghton): Provides an increase to $30 per month, as passed by the House, instead of $27, as amended by the Senate.

On amendment No. 28 (George W. Littleton): Provides an increase to $40 per month, as amended by the Senate, instead of $30, as passed by the House.

On amendment No. 29 (Samuel A. Bennett): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 30: A correction.

On amendment No. 31: A correction.

On amendment No. 32: A correction.

On amendment No. 33 (William C. Tanner): Strikes out the provision for increase of pension.

On amendment No. 34 (James E. Merrifield): Strikes out the provision for increase of pension.

On amendment No. 36 (George M. Burns): Provides an increase to $32, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 35 (Mandell Wells): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 37 (Emma L. Parker): Restores the provision for pension, stricken out by the Senate.

On amendment No. 38 (James H. Baker): Provides an increase to $32 per month instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 39 (John Gillon): Provides an increase to $32 per month instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 40 (Albert Burgher): Provides an increase to $24, as passed by the House, instead of $21, as amended by the Senate.

On amendment No. 41 (James E. Upham): Provides an increase to $30 per month instead of $36, as passed by the House, and $25, as amended by the Senate.

On amendment No. 42 (William R. Tingley): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 43 (James Longmire): Strikes out the provision for increase of pension.

On amendment No. 44 (John W. Walker): Provides an increase to $40 per month, as amended by the Senate, instead of $36, as passed by the House.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 10027, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 10027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

Mr. ASHBROOK. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT (NO. 859).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10027) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 20, 21, 22, 23, 25, 26, 28, 30, and 31.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 13, 14, 24, and 29, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Alfred Cooper): Provides an increase to $36 per month, instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 2 (George H. J. Little): Provides an increase to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 3 (John Reid): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 4 (Phoebe A. Jones): Restores the provision for pension, stricken out by the Senate.

On amendment No. 5 (Francis M. Kirkpatrick): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 6 (Henderson Morgan): Provides an increase to $30 per month, as amended by the Senate, instead of $24, as passed by the House.

On amendment No. 7 (Almeda King): Restores the provision for pension, stricken out by the Senate.

On amendment No. 8 (James M. Shuey): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 9 (John O. Harmon): Provides an increase to $40 per month, instead of $25 as amended by the Senate.

On amendment No. 10 (William J. Coleman): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 11 (J. Comly Rich): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 12 (Edith King): Restores the provision for pension.

On amendment No. 13 (Mary Lydick): A correction.

On amendment No. 14 (Mary J. Titus): Strikes out the provision for pension.

On amendment No. 15 (Gustavus Odor): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 16 (John Lattimore): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 17 (Ida E. Jones): Restores the provision for pension stricken out by the Senate.

On amendment No. 18 (Frederick Von Dissen): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 19 (Albert Cunningham): Provides an increase to $36, instead of $40 as passed by the House and $30 as amended by the Senate.

On amendment No. 20 (Alvin O. Thayer): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 21 (George S. Armstrong): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 22 (Jonathan Bondy): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 23 (John R. Bungard): Restores the provision for increase of pension.

On amendment No. 24 (Annie L. Marksbury): Strikes out the provision for pension.

On amendment No. 25 (William W. Carson): Provides an increase of pension to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 26 (Anderson Bandy): Provides an increase of pension to $27 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 27 (Robert S. McCreary): Provides an increase to $40 per month, instead of $50 as passed by the House and $36 as amended by the Senate.

On amendment No. 28 (Melissa C. Lewis): Restores the provision for pension.

On amendment No. 29: A correction.

On amendment No. 30 (Guilford D. Taylor): Restores the provision for increase of pension.

On amendment No. 31 (Mathew McGoldrick): Provides an increase to $40 per month as passed by the House, instead of $25 as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 10477, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 10477) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The Clerk read the report.

CONFERENCE REPORT (NO. 660).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10477) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 6, 8, 10, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 11, 12, and 13, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Albert N. Hopkins, late of Regimental Band, Second Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Allen Farler, late of Company I, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving."

And the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10477) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Thomas C. Thodey): Provides an increase to $30 per month, instead of $36, as passed by the House, and $25, as amended by the Senate.

On amendment No. 2 (Phebe Morgan): Strikes out the provision for pension.

On amendment No. 3 (Alfred A. Gambill): Strikes out the provision for pension.

On amendment No. 4 (Charles Nack): Provides an increase to $36 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 5 (Michael C. Bierring): Provides an increase to $30 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 6 (William H. Snedaker): Provides an increase to $30 per month, instead of $25, as amended by the Senate.

On amendment No. 7 (John T. McGown): Provides an increase to $32 per month, instead of $36, as passed by the House, and $30, as amended by the Senate.

Amendment No. 8 (Amanda L. Townsend): Restores the provision for pension, stricken out by the Senate.

Amendment No. 9 (Benjamin D. Cole): Provides an increase to $32 per month, instead of $40, as passed by House, and $30, as amended by the Senate.

Amendment No. 10 (Maggie A. Skinner): Restores the provision for pension, stricken out by the Senate.

Amendment No. 11: A correction in phraseology.

Amendment No. 12 (Ellen M. Davenport): Strikes out the provision for pension.

Amendment No. 13 (John Short): Strikes out the provision for pension.

Amendment No. 14 (Albert N. Hopkins): Provides an increase to $40 per month, instead of $50, as passed by the House and stricken out by the Senate.

Amendment No. 15 (Allen Farler): Provides an increase to $36 per month, instead of $40, as passed by the House and stricken out by the Senate.

Amendment No. 16 (Albert Wentink): Provides an increase to $36 per month, as passed by the House, instead of $30, as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 10850, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 10850) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The Clerk read the report.

CONFERENCE REPORT (NO. 661).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10850) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 10, 13, 18, 19, 21, 22, 24, 25, 30, 31, 32, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 9, 11, 12, 14, 15, 16, 20, 23, 26, 27, 28, 29, and 34, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Annie Branigan, widow of John J. Branigan, late of Company C, Fourth Regiment, and Company L, Twelfth

Regiment, Illinois Volunteer Cavalry, and pay her a pension at the rate of $25 per month."

And the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10850) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Isabella C. Waddell): Strikes out provision for pension.

On amendment No. 2: A correction.

On amendment No. 3: A correction.

On amendment No. 4 (Samuel H. Samples): Provides an increase to $30 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 5 (William H. Eply): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 6: (George Houts): Provides an increase to $32 per month instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 7 (Myron I. Hartwell): Strikes out the provision for increase.

On amendment No. 8 (Henry H. Crane): Strikes out the provision for increase.

On amendment No. 9 (Lucius A. West): Strikes out the provision for increase.

On amendment No. 10 (Samuel Gooding): Provides an increase to $40 per month, as passed by the House, stricken out by the Senate.

On amendment No. 11 (Elizabeth Shoeman): Strikes out the provision for pension.

On amendment No. 12: A correction.

On amendment No. 13 (Horace W. Brown): Restores the provision for increase of pension.

On amendment No. 14: A correction.

On amendment No. 15: A correction.

On amendment No. 16: A correction.

On amendment No. 17 (Annie Branigan): Restores the provision for pension.

On amendment No. 18 (Isaac L. Prescott): Provides an increase to $36 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 19 (James Powers): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 20: A correction.

On amendment No. 21 (Mary A. Kiplinger): Restores the provision for pension.

On amendment No. 22 (Charles E. Kyte): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 23 (Garrison J. Jaques): Provides an increase to $36 per month, as amended by the Senate, instead of $30, as passed by the House.

On amendment No. 24 (Sarah L. Seltzer): Provides for the restoration of provision for pension passed by the House and stricken out by the Senate.

On amendment No. 25 (Irving Holcomb): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 26 (Philo M. Russell): Provides an increase to $30 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 27: A correction.

On amendment No. 28: A correction.

On amendment No. 29: A correction.

On amendment No. 30 (Charles W. Cross): Provides an increase to $30 per month, as passed by the House and stricken out by the Senate.

On amendment No. 31 (Mary E. Croasmun): Restores the provision for pension passed by the House, but stricken out by the Senate.

On amendment No. 32 (Sabina Chaney): Restores the provision for pension passed by the House, but stricken out by the Senate.

On amendment No. 33 (William S. Kiddey): Provides an increase to $27 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 34 (Henry G. C. Rose): Provides an increase to $36 per month, as amended by the Senate, instead of $30, as passed by the House.

On amendment No. 35 (John P. Simonds): Provides an increase to $30 per month, instead of $36, as passed by the House, and $25, as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 11364, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 11364) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The Clerk read the report.

CONFERENCE REPORT (NO. 662).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11364) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 4, 5, 7, 8, 12, 13, 14, 16, 21, 22, 26, 28, 29, and 33.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 10, 15, 17, 18, 19, 20, 24, 27, 30, 31, 32, and 34, and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Restore the matter stricken out amended to read as follows:

"The name of George Stoneking, late of Company I, Twentieth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$40"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$32"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of

the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers of the part of the House.
ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11364) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Nathan L. Nims): Provides an increase to $36 per month, as passed by the House, instead of $30 as amended by the Senate.

On amendment No. 2 (Jacob Schofler): Strikes out provision for increase of pension.

On amendment No. 3 (Sallie Blevins): A correction.

On amendment No. 4 (Mary A. Ames): Restores the provision for pension.

On amendment No. 5 (Joseph K. Kelly): Restores the provision for increase of pension.

On amendment No. 6 (Jacob Barger): Provides an increase to $32 per month instead of $36, as passed by the House, and $30 as amended by the Senate.

On amendment No. 7 (Mary F. Church): Restores provision for original pension.

On amendment No. 8 (Margaret J. Rogers): Restores provision for pension.

On amendment No. 9 (George Stoneking): Provides increase to $30 per month instead of $36, as passed by the House, and stricken out by the Senate.

On amendment No. 10 (Eliza J. Fosha): Strikes out provision for pension.

On amendment No. 11 (John Fasnacht): Provides increase to $32 per month instead of $40, as passed by the House, and $30 as amended by the Senate.

On amendment No. 12 (William J. Wyatt): Provides increase to $30 per month, as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 13 (James M. Hummer): Provides an increase to $30 per month, as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 14 (Nancy E. Benedict): Provides an increase to $25 per month, as passed by the House, stricken out by the Senate.

On amendment No. 15 (Margie A. Raines): Strikes out provision for pension.

On amendment No. 16 (Richard C. Newsom): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 17 (David A. Gage): Provides an increase to $21 per month, as amended by the Senate, instead of $25, as passed by the House.

On amendment No. 18 (Emma Chase): Strikes out provision for pension.

On amendment No. 19 (Daniel Keene): Strikes out provision for pension.

On amendment No. 20 (Annie Ridgway): Strikes out provision for pension.

On amendment No. 21 (Hezekiah E. Hawver): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 22 (Milton T. Bedford): Provides an increase to $27 per month, as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 23 (Lucian B. Walker): Provides an increase to $40 per month, instead of $50, as passed by the House, and $30, as amended by the Senate.

On amendment No. 24 (Henrietta Schmidt): Strikes out provision for increase of pension.

On amendment No. 25 (Mathias Klingel): Provides an increase to $32 per month instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 26 (William W. Agee): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 27: A correction.

On amendment No. 28 (Martin T. Shadwick): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 29 (George W. Monmonier): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 30 (Joseph B. Doan): Strikes out provision for pension.

On amendment No. 31 (Charles J. Mead): Provides an increase to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 32 (Alonzo Green): Provides an increase to $36 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 33 (Etta C. Bartholomew): Restores the provision for pension.

On amendment No. 34: A correction.

On amendment No. 35 (Samuel P. Thurber): Provides an increase to $32 instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 36 (Charles H. Williams): Provides an increase to $32 instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 37 (Benjamin F. Smith): Provides an increase to $36 instead of $40, as passed by the House, and $30, as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ASHBROOK. Mr. Speaker, I call up the conference report on an omnibus pension bill, H. R. 11663, which is on the Speaker's table, and I move that the House agree to the conference report.

The SPEAKER. The Clerk will report it by title.

The Clerk read the title of the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The Clerk read the report.

CONFERENCE REPORT (NO. 654).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11663) entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 13, 15, 17, 18, 19, 21, 22, 31, 32, 34, 40, and 42.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 7, 8, 9, 10, 11, 12, 14, 20, 23, 24, 26, 29, 35, 39, and 41 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Hanson Harmon, late of Company C, One hundred and fifty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Henry Stone, late of Company I, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Restore the matter stricken out, amended to read as follows:

"The name of Presley Jackson, late of Company F, Fifty-third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$36"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32"; and the Senate agree to the same.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

ED. S. JOHNSON,
WM. H. THOMPSON,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (Silas D. Taylor): Provides an increase to $32 per month, instead of $40 as passed by the House and $30 as amended by the Senate.

On amendment No. 2 (Joseph K. Dixon): A correction.

On amendment No. 3 (Serelda Pargin): Strikes out provision for pension.

On amendment No. 4 (James West): Provides an increase to $32, instead of $36 as passed by the House and $30 as amended by the Senate.

On amendment No. 5 (John W. Amos): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 6 (John W. Ramsen): Provides an increase to $21 per month as amended by the Senate, instead of $30 as passed by the House.

On amendment No. 7 (Charles W. Brace): Provides an increase to $18 per month as amended by the Senate, instead of $25 as passed by the House.

On amendment No. 8 (Sarah E. Vining): A correction.

On amendment No. 9 (John H. Maxwell): Strikes out provision for increase of pension.

On amendment No. 10 (Jonas Bratton): Provides an increase to $30 per month as amended by the Senate, instead of $36 as passed by the House.

On amendment No. 11 (Sarah C. Haggard): Strikes out provision for pension.

On amendment No. 12 (William Richardson): A correction.

On amendment No. 13 (William Richardson): Provides an increase to $30 per month as passed by the House, instead of $25 as amended by the Senate.

On amendment No. 14 (Harrison Ruark): Strikes out provision for increase of pension.

On amendment No. 15 (Abraham Mott): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 16 (Hanson Harmon): Provides an increase to $30 per month instead of $36, as passed by the House, stricken out by the Senate.

On amendment No. 17 (Irwin Jordan): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 18 (Richard G. Paynter): Provides an increase to $30 per month, as passed by the House, instead of $25 per month as amended by the Senate.

On amendment No. 19 (Charlotte Heald): Restores the provision for pension.

On amendment No. 20 (Ellen E. Greenfield): Strikes out the provision for pension.

On amendment No. 21 (John Jarrett): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 22 (Jeremiah Hunt): Provides an increase to $36 per month, as passed by the House, instead of $30, as amended by the Senate.

On amendment No. 23: A correction.

On amendment No. 24: A correction.

On amendment No. 25 (Henry Stone): Provides an increase to $40 per month instead of $50 per month, as passed by the House but stricken out by the Senate.

On amendment No. 26: A correction.

On amendment No. 27 (Presley Jackson): Provides an increase to $30 per month instead of $40 per month, as passed by the House but stricken out by the Senate.

On amendment No. 28 (George Snow): Provides an increase to $32 per month instead of $36, as passed by the House, and $30 as amended by the Senate.

On amendment No. 29 (John S. Wray): Provides an increase to $36 per month, as amended by the Senate, instead of $40, as passed by the House.

On amendment No. 30 (Joseph Holmes): Provides an increase to $36 per month instead of $40, as passed by the House, and $25 as amended by the Senate.

On amendment No. 31 (James McCammon): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 32 (James A. Brown): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 33 (James W. Calkins): Provides an increase of $32 per month instead of $36, as passed by the House, and $30, as amended by the Senate.

On amendment No. 34 (Mary J. McGuire): Restores the provision for pension stricken out by the Senate.

On amendment No. 35 (Amara J. Batchelder): Provides an increase to $30 per month, as amended by the Senate, instead of $36, as passed by the House.

On amendment No. 36 (John McGill): Provides an increase to $32 per month instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 37 (Charles Plummer): Provides an increase to $40 per month instead of $50, as passed by the House, and $36, as amended by the Senate.

On amendment No. 38 (John Heblanthal): Provides an increase to $32 per month instead of $40, as passed by the House, and $30, as amended by the Senate.

On amendment No. 39: A correction.

On amendment No. 40 (Augustus Brown): Provides an increase to $30 per month, as passed by the House, instead of $25, as amended by the Senate.

On amendment No. 41 (Mary E. Livingston): Strikes out the provision for pension.

On amendment No. 42 (Irvin Howard): Provides an increase to $40 per month instead of $30, as amended by the Senate.

JOE J. RUSSELL,
WILLIAM A. ASHBROOK,
JNO. W. LANGLEY,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

On motion of Mr. ASHBROOK, a motion to reconsider the several votes by which the conference reports were agreed to was laid on the table.

Mr. ASHBROOK. Mr. Speaker, on behalf of the beneficiaries in these bills I desire to thank the Chair for recognizing me at this time to call up the reports.

EXTENSION OF REMARKS.

Mr. CLAYPOOL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a short address delivered by Mr. Gallagher, a friend of mine from Ohio.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing an address by Mr. Gallagher, of Ohio. Is there objection?

Mr. STAFFORD. Reserving the right to object, was the speech delivered by the gentleman from Illinois [Mr. GALLAGHER]?

Mr. CLAYPOOL. No.

Mr. STAFFORD. Has he any connection with the House in any official way?

Mr. CLAYPOOL. No.

Mr. STAFFORD. I object.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE (H. DOC. NO. 1183).

The SPEAKER laid before the House the following communication from the Secretary of the Navy in response to House resolution No. 372, of June 3, 1918, which was read, ordered printed, and referred to the Committee on Naval Affairs. Under a previous order of the House it is printed in the RECORD:

NAVY DEPARTMENT,
Washington, June 18, 1918.

MY DEAR MR. SPEAKER: In compliance with the request contained in House resolution 372, of June 3, 1918, viz:

"*Resolved*, That the Secretary of the Navy be requested to report to the House of Representatives the number of men in the service of the Navy Department who were, on June 5, 1917, between the ages of 21 and 31 years, for whom requests for exemption from military duty or deferred classification have been asked by such department and allowed, the name and home address of each such person, and the character of work he is performing in the service of the department, and the length of time he has been in such service,"

I have the honor to submit the following information:

Name.	Home address.[1]	Length of service in department.	Character of work.
OFFICE OF THE SECRETARY OF THE NAVY.			
Camalier, R. F.	1659 Fuller Street	1 year	Private secretary to Assistant Secretary of the Navy.
Miner, H. S.	Taunton, Mass.	5 years 8 months	Correspondence clerk, Office of Assistant Secretary of the Navy.
McCune, J. J.	228 A Street SE.	1 year 6 months	Correspondence clerk, Office of Secretary of the Navy.
Pleset, Charles	Hyattsville, Md.	11 years 8 months	Assistant to appointment clerk in direct charge of detail work in connection with appointment of all civilian employees in Navy Department and navy yards.
McGrath, Hugh J.	Brocton, Mass.	3 years 9 months	Supervisory work of an original character in appointment division.
Stake, C. F.	Northbrook Courts, Sixteenth and Newton Streets.	11 years 4 months	First assistant to Chief of Supply Division.
OFFICE OF THE SOLICITOR.			
Morawski, J. J.	North Attleboro, Mass.	1 year	In charge of work in connection with chartering, purchasing, and commandeering of vessels and bonding of officers in the pay corps.
OFFICE OF CHIEF OF NAVAL OPERATIONS.			
Chalmers, F.	1425 T Street NW.	8 years 10 months	Confidential clerk to Assistant to Operations.
Coughlin, L. J.	825 Western Avenue, Lynn, Mass.	1 year 11 months	Senior clerk in ship movements section.
Daniels, H. C.	315 H Street NW.	1 year	Confidential clerk for Chief of Naval Operations.
Frumerman, D.	217 South Sixth Street, Marietta, Ohio.	1 year 8 months	Senior clerk in chief clerk's section.
Laden, N. H.	2 Frank Street, New Haven, Conn.	3 years 8 months	Acting chief clerk, Naval Intelligence.
Leizear, B. S.	R. F. D. No. 2, Silver Spring, Md.	7 years 8 months	Assistant to principal clerk of aviation.
Worford, C. T.	205 Ninth Street SW.	1 year 1 month	Draftsman.
OFFICE OF DIRECTOR OF GUNNERY EXERCISES AND ENGINEERING PERFORMANCES.			
Hummler, R. R.	52 West St. Clair Street, Cincinnati, Ohio.	10 months	Draftsman.
Blankman, Leo[1]	7302 Wade Park Avenue, Cleveland, Ohio.	8 months	Do.
Burkhart, Ward M.[1]	450 West Lemon Street, Lancaster, Pa.	1 year 8 months	Clerk.
Bennett, B. G.[1]	Brooklyn, N. Y.		Do.
Jameson, M. R.[2]	Houston, Tex.	1 year 7 months	Draftsman.
Wayne, Emlen P.[2]	Haddonfield, N. J.	2 years 8 months	Clerk.
BUREAU OF NAVIGATION.			
Schuyler, F. J.	Auburn, N. Y.	9 years 6 months	Registrar, in charge of division.
Rydalch, Wm. N.	Salt Lake City, Utah	5 years 6 months	Assistant to registrar.
Johnson, Louis F.	Fall River, Mass.	5 years	Senior assistant in office of the chief clerk.
Shunk, Claude	Washington, D. C.	4 years 6 months	Handles general correspondence.
HYDROGRAPHIC OFFICE.			
Maryman, James E	1304 Emerson Street NE.	7 years 1 month	Plotting data on charts and preparing outfits of charts for shipment.
Aldridge, H. F.	517 Rhode Island Avenue NW.	1 year 10 months	Making drawings of navigational charts on zinc plates.
Reynolds, F. S.	615 Sixth Street NE.	1 year 3 months	Making original hydrographic drawings, correcting and preparing navigational charts.
O'Brien, C. V.	Clarendon, Va.	1 year 9 months	Making original drawings and computations for navigational charts.
Hoffman, I. N.	1513 Thirtieth Street NW.	2 years	Making original hydrographic drawings, correcting and preparing navigational charts.
MacMurray, C. H.	54 Adams Street NW.	5 years 6 months	Making original drawings and correcting and preparing navigational charts.
Godfrey, Fredric T	56 W Street NW.	8 years 1 month	Engraver.
Turner, Joseph L.[3]	At sea	1 year	Nautical expert.
Easton, Ernest C.	612 O Street NW.	9 months	Lithographer.
Church, Charles L.	1713 Pennsylvania Avenue.	2 years 6 months	Engraver.
Jones, R. W.	Resigned.		Printer-draftsman.
Willis, Warren J.[4]		2 years 3 months	Nautical expert.
Hass, George, jr.	1332 I Street NW.	8 years 10 months	Engraver.
Ruby, Fred C.	105 Holly Avenue	7 months	Nautical expert.
Alden, Leroy T.	1311 Thirtieth Street NW.	4 years 10 months	Draftman.
Lindstol Norman.	1007 Thirteenth Street NW.	1 year 9 months	Do.
Lowry Robert H.	451 First Street SE.	1 year 1 month	Plate printer.
Torrillo Patrick J.	314 Fifth Street NE.	5 years 1 month	Do.
Weeks, Albert E.	3014 Dent Street	10 years 5 months	Draftsman.
Weeks, Walter I.	321 N Street SW.	2 years 6 months	Engraver.
Umholtz Frank A.[1]	1208½ N Street	1 year 2 months	Lithographer.
Congdon, Harold R.[3]	At sea	7 months	Nautical expert.
NAVAL OBSERVATORY.			
Wylie, C. C.	Marissa, Ill.	4 years 10 months	Care of chronometers and watches for Navy (time service).
Watts, C. B.	Bloomington, Ind.	6 years 2 months	Do.
Sollenberger, P.	Alexandria, Va.	4 years 3 months	Do.
Bower, E. C.	Berkeley, Cal.	4 years 8 months	Do.

[1] Addresses are Washington, D. C., unless otherwise given.

[1] Subsequently withdrawn from deferred classification.
[2] Subsequently enlisted in Navy.
[3] Subsequently entered Merchant Marine Service.
[4] Subsequently entered Naval Reserve.

Name.	Home address.	Length of service in department.	Character of work.
NAVAL OBSERVATORY—contd.			
Conrad, Wm. A.	New Albany, Ind.	2 years 7 months	Care of chronometers and watches for Navy (time service).
Katz, Wm.	New York, N. Y.	1 year	Do.
Fries, Chas. Nicholas.	Phoenixville, Pa.	3 years 2 months	Repair and overhaul of navigational instruments for vessels of Navy.
Dowling, Frank W.	Washington, D. C.	3 years 9 months	Do.
SUPPLIES AND ACCOUNTS.			
Sauls, R. A.	Rosecraft, Md.	8 years	In charge of appropriation register.
May, Jerome	116 V Street NW.	11 years	In charge of tabulating machine room.
Vining, R. D.	1832 Biltmore Street.	8 years	Charge of cost section.
Weber, E. L.	610 Irving Street	6 years	Special investigator for officer in charge Supply Division.
Grudd, M.	1417 Park Road	3 years	In connection with award of contracts.
Custer, A. B.	1859 Monroe Street	7 years	Executive clerk.
Hoffman, P. S.	Hyattsville, Md.	6 years	General requisition clerk.
Fisher, E.	Apartment 8, The Grafton, 936 N Street NW.	do	In connection open purchase, navy yard contracts.
Serby, M. A.	1432 R Street NW.	1 year	Do.
Stoddard, J. W.	517 Taylor Street NW.	do	Specially qualified chemist.
Sitler, Jos. M.	1319 Gallatin Street	2 years	Executive assistant to officer in charge, Fuel and Logistics Division.
O'Connor, J. M.	57 New York Avenue	8 years	Arranges for stocks and transportation of fuels at navy yards.
Young, Benj. T.	583 Riverside Drive, New York, N. Y.; 1855 Calvert Street.	1 year	Ship charterings and special matters pertaining thereto.
Chappell, F. S.	4020 Third Street NW.	6 years	Accounting-adjustments appropriations.
MEDICINE AND SURGERY.			
Powell, Edward J.	3108 O Street NW.	8 years 3 months	Senior clerk; supervises work of division of officer personnel.
Zehner, Harry [1]	136 Grove Street, Brooklyn, N. Y.	2 years 2 months	In charge of tabulation of statistics, supervises work of statistical division.
Marks, J. S. [1]			Clerk.
BUREAU OF ORDNANCE.			
Biondi, Harry J.	Hyattsville, Md.	5 months 14 days	Draftsman.
Degenhardt, Geo. A.	2421 K Street NW.	11 months 15 days.	Do.
Jenkins, Albert L.	2138 F Street NW.	5 months 24 days	Do.
Lenden, James H.	2030 G Street NW.	7 months 20 days	Do.
Lyke, Lawrence F.	1367 Ferry Place	8 months 17 days	Do.
May, Joseph H.	2138 California Street	9 months	Do.
Miller, John, jr.	800 F Street SW.	9 months 5 days	Do.
Patrick, W. E., jr.	1119 K Street NW.	11 months 7 days	Do.
Schmid Carl G.	5311 Illinois Avenue.	7 months 29 days	Do.
Slocum, B. H.	708 A Street SE.	8 months 3 days	Do.
Smalling, C. D.	Del Ray, Alexandria, Va.	do	Do.
Solomon, Abraham.	1135 Sixth Street NW.	6 months 3 days	Do.
Walter, John M.	426 C Street NE.	9 months 22 days	Do.
Friedman, M. L.	409 Massachusetts Avenue NW.	6 years 3 months 19 days.	Clerk.
Gilbert, George.	Naval ordnance plant, Charleston, W. Va.	1 year 8 months 9 days.	Do.
Harris, Michael.	1135 Sixth Street NW.	10 months 10 days.	Do.
Radford, Lawrence	1630 Nineteenth Street NW.	10 months 17 days.	Technical assistant on optical material.
BUREAU OF YARDS AND DOCKS.			
Aronson, S. L.	4709 Homer Avenue, Arlington, Md.	1 year 8 months	Draftsman.
Appleman, L. V.	1747 Park Road	8 years 7 months	Do.
Anderson, H. B.	1102 Euclid Street	1 year 8 months	Do.
Andrae, C. W.	18 Cole Avenue, Baltimore, Md.	11 months	Do.
Barab, M.	1317 Rhode Island Avenue.	1 year 1 month	Do.
Bolton, H. E.	R. F. D. No. 1, Rosslyn, Va.	8 months	Do.
Birnbaum, J.	712 Columbia Road	1 month	Do.
Burke, J. G.	1412 Fifteenth Street	5 years 2 months	Mechanical electrical aid.
Bessey, R. F.	1219 Shepherd Street	1 year 6 months	Expert aid.
Brownman, D. E.	1428 Potomac Avenue SE.	1 year 1 month	Draftsman.
Bell, H. T.	1824 H Street	11 months	Do.
Belcher, G. N.	Apartment 207, Alabama Apartment.	1 year	Do.
Burmeister, F. J.	1428 Potomac Avenue SE.	9 months	Do.
Brandstetter, J. M.	2032 Lincoln Road	1 year 7 months	Do.
Breitman, J. J.	1505 R Street	1 month	Do.
Baxter, H. P.	1347 L Street	1 year 2 months	Do.
Blum, D.	1230 Massachusetts Avenue.	7 months	Do.
Blust, E. L.	309 Eleventh Street	2 years	Blue printer.
Berry, R. B.	1752 F Street	2 months	Draftsman.
Barker, H.	1309 Park Road	1 month	Do.
Cromwell, R. D.	1425 Clifton Street	1 year 2 months	Do.
Cleary, L.	43 Rhode Island Avenue NE.	1 year	Do.
Colgan, F.	1225 L Street	1 year 3 months	Do.
Campbell, W. J.	do	1 year 8 months	Do.
Cohn, M.	1322 L Street	7 months	Do.
Capraro, A. V.	928 New York Avenue.	6 months	Do.
Chovan, A. L.	3453 Fourteenth Street.	1 year 7 months	Do.
Christianson, O. A.	1217 N Street	4 months	Do.
Coith, A. T.	1513 Rhode Island Avenue.	do	Do.
Dwyer, W. J.	51 Adams Street	1 year 1 month	Do.
Dreifus, A.	1338 Irving Street	1 year	Do.
Duba, J.	1208 Pennsylvania Avenue.	1 year 7 months	Do.
Davis, F. R.	3571 Tenth Street	11 months	Subinspector.
Decicco, F.	614 I Street	4 months	Draftsman.
Dubin, G. H.	106 V Street	do	Do.
Dorfman, D. W.	1110 Sixteenth Street	do	Do.
Davenport, E. E.	1224 Thirteenth Street.	1 month	Do.
Eleston, J.	50 Seaton Place	1 month	Do.
Epstein, H.	320 Thirteenth Street	6 months	Do.
Edwards, C. E.	1431 Longfellow Street.	1 year 2 months	Do.
Fox, W. F.	624 Maryland Avenue NE.	do	Do.
Fleming, G. E.	1632 North Capitol Street.	4 months	Do.
Fuchs, B.	106 I Street	3 months	Do.
Federman, C. R.	3432 Lowell Street	do	Do.
Frick, W. J.	1427 Maryland Avenue.	8 years 9 months	Do.
Foster, T. A.	1740 Q Street	2 months	Do.
Feiner, I. G.	2525 Twelfth Street	do	Do.
Feitel, A. H.	432 M Street	do	Do.
Fried, I.	1505 R Street	do	Designing engineer.
Fruchtbaum, J.	1726 P Street	1 month	Draftsman.
Gerlach, A. C.	1225 Eleventh Street	1 year 2 months	Do.
Giguere, G. H.	225 D Street	1 year 6 months	Do.
Goldstein, H. W.	1212 Euclid Street	1 month	Do.
Gauger, R. R.	1446 Harvard Street	9 months	Do.
Galbraith, R. K.	1735 First Street	1 year 1 month	Do.
Grabau, E. G.	1527 Rhode Island Avenue.	1 year 9 months	Do.
Glacny, F. P.	1409 Decatur Street	1 year 2 months	Do.
Graver, J. W.	1340 Fairmount Street.	9 months	Do.
Geist, C.	632 Ninth Street NE.	2 months	Do.
Glober, W. E.	1343 Q Street	do	Do.
Hawkins, C. E.	3428 Brown Street	1 month	Do.
Hammond, L. M.	234 V Street NE.	1 year 8 months	Do.
Hickey, J. J.	1222 Quincy Street	9 months	Do.
Harris, B. H.	1212 Twenty-second Street.	do	Do.
Hill, L. F.	1350 Monroe Street	1 year 1 month	Do.
Haug, G. J.	1225 O Street	8 months	Do.
Hart, R. S.	4022 Fifth Street	1 year 3 months	Do.
Herman, A. C.	710 Nineteenth Street.	1 year 1 month	Do.
Hall, C. E.	1346 Park Road	1 year 2 months	Do.
Harper, E. C.	2152 F Street	do	Do.
Hartig, K. W.	1316 Euclid Street	do	Do.
Heap, G. R.	Y. M. C. A.	1 year	Do.
Herman, L. H.	20 Todd Street NE.	1 year 9 months	Clerk.
Ivan, G. E.	422 H Street	10 months	Draftsman.
Joseph, M.	18 Bryant Street	1 year 9 months	Do.
Justment, L.	914 L Street	1 year 2 months	Do.
Johns, J. E.	1532 North Capitol Street.	4 months	Do.
Jaffe, S. J.	2522 Fourteenth Street.	2 months	Do.
Jaros, A. L.	207 East Capitol Street.	do	Do.
Keys, F. R.	2020 O Street	1 year 9 months	Do.
Kenney, H. W.	1526 Seventeenth Street.	1 year 1 month	Do.
Klonower, A. A.	304 Wardman Courts S.	1 year	Do.
Katz, I.	916 Eighth Street NE.	6 months	Do.
Knott, G. L.	216 Willow Street, Takoma Park.	do	Do.
Keister, J. L.	2009 Eleventh Street	1 year 2 months	Do.

[1] Subsequently enlisted in the Navy.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF YARDS AND DOCKS—CON.			
Kerr, W. B	1805 Gilford Avenue, Baltimore.	2 months	Draftsman.
Kramer, J.	2821 Georgia Avenue.	1 month	Do.
Lippitt, E. G	125 Eleventh Street NE.	1 year 2 months	Do.
Lunt, H. E	3650 Warder Street	1 year 1 month	Do.
Landow, P.	1317 Rhode Island Avenue.	8 months	Do.
Lempit, M.	1123 Sixth Street	5 months	Do.
Littell, R. I	649 Massachusetts Avenue.	4 months	Do.
Lawrence, W. D	707 Mount Vernon Place.	1 year 6 months	Do.
Landres, M. M	1115 Sixth Street	3 months	Do.
Larson, N.	1409 U Street	2 months	Do.
Lott, M. W	2216 First Street	do	Do.
Leonard, W. D	2021 First Street	do	Do.
Morrison, C. F	2302 First Street	1 year	Do.
Mosley, T. J	1404 Fifteenth Street.	10 months	Technical assistant.
MacDonald, T. J	407 Rock Creek Church Road.	do	Draftsman.
Malcolm, J. E	643 Ninth Street NE.	9 months	Do.
Morgan, E. W	520 Quincy Street	do	Do.
Morrison, L. A	3328 M Street	1 year 9 months	Do.
May, M. S	1316 Park Road	1 year 3 months	Do.
Moulton, D	3550 Warder Street	11 months	Do.
McKinnon, T. J	2509 Monroe Street NE.	1 year 10 months	Clerk.
McCullough, H	Lanham, Md.	5 months	Draftsman.
Murphy, E. R	Apartment 108, The Woodworth.	do	Do.
Miller, M.	1942 Calvert Street	3 months	Do.
Miller, C. G	1105 Sixth Street	1 month	Do.
Murphey, H. V	3578 Thirteenth Street	3 months	Do.
Mark, C. G	1813 F Street	do	Do.
Marchak, H	1115 Monroe Street	2 months	Do.
Muller, F. J	3105 Nineteenth Street.	1 month	Do.
Nichols, R. B	University Club	1 year 10 months	Engineering Aid.
Neary, J. F	121 New York Avenue.	8 months	Draftsman.
Newman, T. S	1220 Twelfth Street	4 months	Do.
Nielson, E. R	1351 Oak Street	2 months	Do.
O'Brien, L. A	52 Brunswick Apartment.	1 year 1 month	Do.
O'Neil, R. J	1333 Massachusetts Avenue SE.	1 year 2 months	Do.
Powell, J. D	Y. M. C. A.	1 year 1 month	Do.
Platt, H. C	2719 Thirteenth Street.	do	Do.
Potbury, R. J	1131 Euclid Street	5 years 11 months	Do.
Potts, A. H	901 Cold Spring Lane, Baltimore.	1 year 2 months	Do.
Pistner, L.	1430 Newton Street	4 months	Do.
Pugh, C. K	2002 G Street	1 month	Specification writer.
Quirk, E. P	18 Channing Street	6 months	Draftsman.
Raboy, N.	619 P Street	1 year 1 month	Do.
Rothbard, S	567 P Street	1 year 8 months	Do.
Russell, L. H	3916 New Hampshire Avenue.	1 year 2 months	Do.
Remsen, P.	2129 G Street	1 year 9 months	Do.
Rowell, A. T	1335 Kenyon Street	1 year 2 months	Do.
Rosenblah, F	3558 Warder Street	1 year 1 month	Do.
Reside, J. T	The Ashley	1 year 11 months	Do.
Rosenthal, H	1769 Church Street	1 year 6 months	Do.
Rosenstein, R	1842 Kenyon Street.	4 months	Do.
Roohan, J. E	27 W Street	1 month	Do.
Rosenburg, S	1814 Riggs Place	do	Do.
Seltzer, W. R	640 I Street NE	1 year 2 months	Do.
Swarz, A.	529 Seward Square SE	1 month	Do.
Stiles, G. H	2002 G Street	1 year 8 months	Do.
Stubbs, H. D	1334 Vermont Avenue.	1 year 3 months	Do.
Starrels, A	2914 Eleventh Street.	8 months	Do.
Sinclair, L. H	323 Shepherd Street.	11 years 10 months	Do.
Siebel, W. L	147 R Street NE	1 year 2 months	Do.
Sullivan, H. C	Brentwood, Md., box 321.	5 years 9 months	Do.
Smith, N. P	4600 Fourteenth Street.	1 year	Do.
Simpson, J. B	907 G Street SE	1 year 6 months	Do.
Shaw, W. A	1002 Kenyon Street	8 months	Do.
Shernow, S	2801 Georgia Avenue	1 month	Do.
Shapiro, H	1215 Harvard Street.	6 months	Do.
Sidran, M.	758 Columbia Road.	4 months	Do.
Strohl, R. N	153 Rhode Island Avenue.	do	Do.
Smith, W. H	1016 Massachusetts Avenue.	do	Do.
Swartout, R. L	905 Twenty-third Street	do	Do.
Supowitz, D	72 S Street	3 months	Do.
Sarbacher, W. A	291 South Pulaski Street, Baltimore, Md.	3 months	Do.
Schwartz, L. E	215 B Street	do	Do.
Smith, J. R	2325 Pennsylvania Avenue.	do	Do.
Shubert, P. O	1317 F Street	2 months	Do.
Spann, W. T	2216 First Street	do	Do.
Stevenson, F. W	1220 Fairmount Street.	1 month	Do.
Stewart, W. A	111 First Street	do	Expert aid.
Taylor, J.	3141 Mount Pleasant Street.	9 months	Draftsman.
Thies, W. H	1801 G Street	5 years 9 months	Do.
BUREAU OF YARDS AND DOCKS—CON.			
Thode, E. W	Sixteenth and S Streets.	8 months	Expert aid.
Voller, E. N	1301 K Street	7 months	Draftsman.
Wieselthier, A	821 Fifth Street NE.	1 month	Do.
Warren, H. E	1852 Second Street	9 months	Do.
Weisfeld, L. W	1950 Calvert Street	7 months	Do.
Wilberding, M. X.	1303 Newton Street NE.	1 year 2 months	Do.
Whitcraft, E. E	676 Fourth Street SE.	1 year 1 month	Do.
Weber, E.	1134 Sixth Street	1 year 3 months	Do.
Willams, F. H	626 Carroll Avenue, Takoma Park.	10 months	Do.
Widmayer, J. J	3319 Twelfth Street NE.	5 years	Do.
Wanderer, O. W. R.	70 Rhode Island Avenue.	10 months	Do.
Williams, E. L	Hyattsville, Md., box 441.	7 months	Do.
Witek, T.	1818 N Street	8 months	Do.
Wiese, R. H	115 Maryland Avenue NE.	5 months	Blue printer.
Will, E. N	1101 O Street	4 months	Draftsman.
Weinstein, P.	1905 Kenyon Street	do	Do.
Wilkinson, W. M.	1701 Park Road	3 months	Supervising engineer.
Wessel, W.	124 V Street NW	2 months	Draftsman.
White, G. H	2407 First Street	do	Do.
Wirth, G. W	142 Adams Street	do	Do.
Walker, H.	3129 Eleventh Street	do	Do.
Zirpel, W. C	3520 Thirteenth Street.	1 year 3 months	Do.
BUREAU OF CONSTRUCTION AND REPAIR.			
Alvord, H. B	314 Eleventh Street SE.	7 months	Aeronautical mechanical engineer.
Anderson, J. W	1467 Irving Street	1 month	Ship draftsman.
Arnold, W. H	1926 N Street NW	10 months	Do.
Bancel, A. F	1813 Adams Mill Road.	2 years 3 months	Do
Bassler, R. E	4112 Ellicott Street	10 months	Aeronautical draftsman.
Baughn, Earl	401 Carroll Avenue, Takoma Park, D.C.	1 year 2 months	Expert electrical aid.
	710 Rock Creek Church Road.	5 months	Aeronautical draftsman.
	321 Tennessee, Avenue.	1 year 2 months	Do.
Bradley, Horace	Y. M. C. A.	1 year 1 month	Ship draftsman.
Brown, R. F	1214 Girard Street	1 year 1 month	Do.
Bell, Wm. H	734 Quincy Street NW.	4 months	Do.
Burgess, C. P	North Chevy Chase, Md.	3 months	Assistant inspector naval construction.
Benner, C. F	9342 Amesbury Avenue, Cleveland, Ohio.	12 days	Ship draftsman.
Bennett, F. S	15626 Holmes Avenue, Cleveland, Ohio.	3 days	Do.
Burley, E. R., jr	5463 Dorchester Avenue, Chicago, Ill.	2 days	Aeronautical mechanical engineer.
Cassidy, C. P	539 Shepherd Street NW.	1 month	Ship draftsman.
Gary, G. L	105 Rock Creek Church Road.	1 year 1 month	Do.
Clapps, G. A	1924 First Street NE.	6 months	Aeronautical draftsman.
Clark, W. D	1320 New York Avenue.	5 years 4 months	Ship draftsman.
Creswell, G. W	1908 H Street NW	10 months	Do.
Cerbe, Chas	3459 East One hundred and second Street, Cleveland, Ohio.	9 days	Do.
De Puy, S. H	West Wardman Court.	11 months	Do.
Ehrman, H. A	1338 Fairmont Avenue NW.	5 months	Laboratory assistant.
Early, I. B	113 W Street NW	do	Aeronautical draftsman.
Eichler, E	3658 Warder Street	1 year 4 months	Do.
Dunn, J. G	909 Michigan Avenue.	4 months	Do.
Faulconer, J. M	Silver Springs	2 years 1 month	Ship draftsman.
Fowkes, R. T	2131 Fourth Street NE.	1 year 8 months	Do.
Frisz, F. J	Alabama Apartments.	2 years 4 months	Do.
Gibbons, C. D	1421 Columbia Road NW.	4 years 7 months	Do.
Ginsbach, H. N	Cherrydale, Va.	1 year 3 months	Do.
Goodman, W. E	1347 Irving Street NW.	1 year	Structural steel draftsman.
Gross, F. B	1312 Girard Street NW.	11 months	Mechanical draftsman.
Grossman, I	702 K Street NE	1 year 5 months	Ship draftsman.
Guth, Chas. E	11302 Hessler Avenue, Cleveland, Ohio.	10 days	Do.
Gruber, A. H	1113 East Capitol Street.	1 month	Aeronautical draftsman.
Haire, H. R	423 H Street NE	1 year	Ship draftsman.

Name.	Home address.	Length of service in department.	Character of work.
BUREAU OF CONSTRUCTION AND REPAIR—con.			
Hawgood, H. R.	4112 Ellicott Street.	6 months	Aeronautical draftsman.
Hobson, F. M.	1411 Perry Place NW	1 year 5 months	Ship draftsman.
Holling, John	1201 Clifton Street NW.	7 months	Electrical expert aid.
Hooper, A. G	1920 K Street NW.	2 years 8 months	Ship draftsman.
Hall, N. A	1632 Riggs Place	3 months	Electrical and mechanical engineer.
Hough, E. J	42 C Street NW.	4 years 4 months	Ship draftsman.
Howard, D. J	3161 Eighteenth Street NW.	1 year	Do.
Hurley, C. W	1669 Columbia Road NW.	11 months	Structural steel draftsman.
James, C. M	Riverdale, Md	1 year 1 month	Ship draftsman.
Jamison, A. D	311 South St. Asaph Street, Alexandria, Va.	6 months	Mechanical engineer.
Jones, R. N	822 Allison Street NW.	1 year 1 month	Ship draftsman.
Kaiser, E. J	331 Thirteenth Street SE.	2 years	Do.
Kelly, L. E	1829 F Street NW.	8 months	Material engineer.
Klopfer, L. W	6404 Georgia Avenue	5 years 1 month	Ship draftsman.
Knecht, J. W	1436 W Street NW.	11 months	Material engineer.
Larson, W. C	159 Randolph Street.	2 months	Mechanical draftsman.
Levin, M. W	2024 Madison Street, Baltimore, Md.	1 month	Assistant ship draftsman.
Lasier, E. L	1445 Girard Street	2 years 1 month	Material engineer.
Lewis, C. A	902 D Street SW.	2 years	Ship draftsman.
Lidback, L. R	714 Eighteenth Street NW.	1 year 1 month	Do.
Micotti, A. D	1211 Twelfth Street NW.	2 months	Structural steel draftsman.
Mankey, W. A	4112 Ellicott Street	1 year 8 months	Ship draftsman.
Murphy, A. E	1430 W Street NW.	2 months	Assistant inspector naval construction.
Maish, A. F	4001 Marlboro Place.	2 months	Structural steel draftsman.
Mathews, C. L	159 Randolph Place NW.	1 month	Ship draftsman.
Marshall, J. G	131 A Street NE.	1 year 1 month	Mechanical draftsman.
Mayer, R. G	1431 R Street NW.	11 months	Aeronautical draftsman.
Maxim, E. N	506 Seward Square	2 years 1 month	Ship draftsman.
Maxson, D. G	1817 F Street NW.	11 months	Do.
Mayer, Leo	1896 East Seventy-ninth Street, Cleveland, Ohio.	10 days	Do.
Mather, T. H	1199 East One hundred and Twenty-fifth Street, Cleveland, Ohio.	10 days	Ship draftsman.
McCally, R. E	1708 F Street NW.	3 months	Structural steel draftsman.
Nixon, C. G	1211 B Street SE.	2 months	Aeronautical draftsman.
Nettleton, G. H	1752 S Street NW.	3 months	Do.
Phillips, I. B	703 E Street NE.	6 years 3 months	Supervising draftsman.
Postman, Benj	40 New York Avenue NW.	9 months	Aeronautical draftsman.
Ramsey, J. G	211 Fourteenth Street SE.	6 months	Ship draftsman.
Reed, A. C	2138 G Street NW.	2 months	Assistant material engineer.
Reynolds, R. S	113 W Street NW.	11 months	Aeronautical draftsman.
Robicheau, Joseph.	94 Harrison Street, Cherrydale, Va.	1 year 3 months	Ship draftsman.
Strobel, I. E	2414 K Street NW.	4 months	Assistant ship draftsman.
Sieker, G. E	1229 Howard Street NW.	11 months	Ship draftsman.
Stieve, W. M	810 Taylor Street NW.	1 year 1 month	Do.
Teal, Leon	118 Wyoming Apartments.	2 months	Aeronautical draftsman.
Taylor, L. B	1961 East One hundred and sixteenth Street.	10 days	Ship draftsman.
Vail, H. P	3120 Park Place NW.	10 months	Aeronautical draftsman.
Whitley, H. S	113 W Street NW.	8 months	Do.
Whittle, G. V	1321 H Street NW.	3 years 4 months	Ship draftsman.
Schmidt, Carl H.	1106 Vermont Avenue.	8 years 7 months	Stenographer and typewriter.
BUREAU OF STEAM ENGINEERING.			
Cockerille, C	3343 Eighteenth Street NW.	10 years 3 months	Supervising electrical draftsman.
Armstrong, W. B	3025 Fifteenth Street NW.	2 years 1 month	Electrical draftsman.
Baxter, C. W	1337 Gallatin Street NW.	1 year	Do.
Catlin, Henry L	Calvert Street, Riverdale, Md.	7 months	Do.
Collins, Willis	2612 Evart Street, Langdon, D. C.	1 year	Do.
Bell, H. J	322 Massachusetts Avenue.	1 year 4 months	Marine engine and boiler draftsman.
Frohwein, P. H	1739 Oregon Avenue.	1 year 8 months	Leading marine engine and boiler draftsman.
Howell, Wm. R	Apartment 302, Wardman Courts.	2 years 1 month	Do.
Emmett, C. G	656 Pennsylvania Avenue SE.	10 months	Marine engine and boiler draftsman.
Cummings, B. Ray	1926 I Street NW.	11 months	Expert radio aid.
Parker, James E	3421 Fourteenth Street NW.	8 months	Expert radio inspector.
Hart, Francis A	do	9 months	Expert radio aid.
Allen, Geo. Y	1915 Fourteenth Street NW.	11 months	Radio draftsman.
Johnston, Richard J.	Boyd and Carroll Avenues, Takoma Park, Md.	1 year	Assistant inspector of engineering material.
Stewart, J. M	Ballston, Va.	2 years 7 months	Radio draftsman.
Fried, J. A	1737 G Street NW.	8 months	Do.
Trogner, A. M	46 Q Street NE.	2 years 1 month	Supervising radio draftsman.
Newkirk, A. C	316 Seaton Place NE.	11 months	Electrical draftsman-copyist.
Stephenson, F. T	Hyattsville, Md.	do	Do.
Stolberg, I. E	222 Eighth Street SW.	10 years 4 months	Electrical draftsman.
Helms, Chas. H	1333 Gallatin Street	1 year	Do.
Sandblom, Wm. B.	900 Tenth Street NE	1 year 8 months	Do.
Kunde, C. O	2518 Seventeenth Street NW.	7 years	Do.
Fiedler, L. R	1910 First Street NW.	1 year 2 months	Electrical draftsman-copyist.
Harris, Benj	229 G Street NW.	1 year	Marine engine and boiler draftsman.
Schombert, J. H	1314 Thirty-fourth Street NW.	7 years 8 months	Do.
Pumphrey, Elwood L.	203 R Street NW.	11 months	Electrical draftsman copyist.
Martin, Wm. L	417 Hobart Place NW.	1 year 8 months	Marine engine and boiler draftsman.
Moore, A. K	417 Sixth Street SW.	1 year 2 months	Do.
Johnson, T., jr	1926 I Street NW.	1 year	Expert radio aid.
Kieser, Lee J	936 N Street NW.	1 year 3 months	Electrical draftsman.
Wolff, F. B	2301 H Street NW.	1 year 1 month	Do.
Cassey, T. E	Sixteenth and Newton NW.	7 years	Do.
Cowles, E. F	1415 K Street NW.	6 months	Radio draftsman.
Hartrick, C. E	1615 Hobart Street NW.	5 months	Marine engine and boiler draftsman.
Reiser, W. H	2515 University Place.	6 months	Aeronautical draftsman.
Allen, C. F	1495 Newton Street	5 months	Radio draftsman-copyist.
Erdle, L. J	1846 Ontario Place	do	Marine engine and boiler draftsman.
Haubrick, A. F	451 Irving Street	3 months	Do.
Fletcher, V. H	1527 Rhode Island Avenue NW.	do	Do.
Sprague, L. A	613 Columbia Road	do	Do.
Isham, A. H	1527 Rhode Island Avenue.	do	Do.
Meier, C. M	1000 Twenty-sixth Street NW.	do	Do.
Mann, A. P., jr	1132 Twelfth Street NW.	do	Electrical draftsman.
Westervelt, C. S	6510 Summit Avenue, Chevy Chase, Md.	1 year	Do.
Wagner, R. R	1656 Hobart Street NW.	3 months	Marine engine and boiler draftsman.
Goldstein, A. B	125 Thomas Street NW.	9 years 8 months	Leading clerk of a division of bureau.
Biggers, B. S	1723 G Street NW.	2 years 10 months	Stenographer and typist.
Stein, A. C	1811 G Street NW.	3 years 8 months	Do.

The requests for the exemption of the 46 clerical employees were made in December, 1917, at which time, during the great expansion then taking place, it was imperative that the working force should not be disrupted. All of the men on this list have been and still are of the greatest importance in carrying on the work of the Navy Department. Nevertheless, I have felt that in order to carry out the spirit of the draft regulations I should not retain them any longer on the deferred classification list, even though in so doing it is going to be extremely difficult to replace them, and the actual work of the department will suffer without question. I have therefore directed that the requests for exemption of the clerks be withdrawn.

All over the country in shipyards, navy yards, ammunition factories, etc., technical employees, such as draftsmen, mechanics, inspectors, etc., are exempted and placed on the deferred classification lists, because it is impossible to replace them with technically trained men, and the technical employees for whom exemption has been requested by me, while they are working in the Navy Department proper at Washington, are just as important as the technical employees in the shipyards, navy yards, and ammunition plants, and they will be retained on the deferred classification list.

Respectfully submitted.

JOSEPHUS DANIELS.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

EMPOWERING PRESIDENT TO REGULATE OCEAN FREIGHT RATES AND TO REQUISITION VESSELS.

Mr. ALEXANDER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12099) to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes. Pending that motion I will state that I have no requests for time for general debate. I would like to inquire of my colleague

from Massachusetts [Mr. GREENE] if he desires any general debate?

Mr. GREENE of Massachusetts. I have had no requests, but I think there may be some.

Mr. ALEXANDER. What is the gentleman's judgment with reference to general debate?

Mr. GREENE of Massachusetts. I think we ought to have some general debate.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that general debate be limited to one hour, to be confined to the subject matter of the bill, one half to be controlled by the gentleman from Massachusetts [Mr. GREENE] and one half by myself.

The SPEAKER. The gentleman from Missouri asks unanimous consent that general debate be limited to one hour to be confined to the subject matter of the bill, one half to be controlled by him and the other half by the gentleman from Massachusetts [Mr. GREENE].

Mr. GREENE of Massachusetts. Mr. Speaker, I have just had a request to amend that by making it one hour on each side.

Mr. ALEXANDER. I do not object to that.

The SPEAKER. The gentleman modifies his request by asking that general debate be limited to two hours, one hour on a side, to be confined to the subject matter of the bill, one half to be controlled by the gentleman from Massachusetts [Mr. GREENE] and the other half by himself. Is there objection?

There was no objection.

The motion of Mr. ALEXANDER was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BURNETT in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the bill by title.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, this is a companion bill to the bill which we considered yesterday (H. R. 12100) and is intended to vest in the President plenary powers to prescribe charter rates and freight rates and to requisition vessels during the period of the war. The power and authority vested in the President, or which may be delegated by him, and all the restrictions imposed by this act, shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government, provided that if, in the judgment of the President, the tonnage shortage at such time is so severe that the national interests of the United States are jeopardized he may, by proclamation, extend the provisions of the act for a further period of six months. The committee is of opinion that it is wise to insert that provision because we confidently expect after the war is over there will be such a great demand for tonnage, both on our part and on the part of our allies, that the President should have the power in order to meet the emergency to extend and exercise the powers conferred upon him under the provisions of this act for a further period of six months.

Section 5 of the bill provides:

That the President may, by proclamation, require that vessels of the United States of any specified class or description, or in any specified trade or trades, shall not be chartered unless the instrument in which such charter is embodied, and the rates, terms, and conditions thereof are first approved by him—

And so forth.

It is the judgment of the Shipping Board, concurred in by the Committee on the Merchant Marine, that this power should be vested directly in the President, to be administered by and through such agency as he may select. That agency no doubt will be the United States Shipping Board. The powers conferred by this section are at present being exercised indirectly through the control of bunkers and stores by the charter committee of the Shipping Board, but it was thought by the legal department of the Shipping Board that this power should be conferred directly upon the Shipping Board by express provision of law; and I think that there can be no reasonable objection to doing so.

Section 6 provides:

That the President shall have power to determine, prescribe, and enforce the freight rates and the terms and conditions of affreightment which shall govern the transportation of goods on vessels of the United States. It shall be unlawful to charge, collect, or claim any compensation for the transportation of goods on any such vessel, or to enforce or attempt to enforce any terms or conditions of affreightment, or to make or receive any payment or do any act with respect to such transportation, not in accordance with the rates, terms, and conditions so prescribed, anything in any contract, whether heretofore or hereafter made, to the contrary notwithstanding.

Under the shipping act the Shipping Board has power to regulate freight rates on vessels which are common carriers by water in interstate commerce on the high seas or the Great Lakes, but has no power to regulate or enforce rates on vessels which are not common carriers or to vessels engaged in the foreign trade, and I will say that the power is limited in its practical application to the Great Lakes and to coastwise trade. As I have said, the Shipping Board has no such power to regulate rates on vessels engaged in the foreign trade.

It is of the utmost importance that the President, for the period of the war, should have plenary power to prescribe reasonable rates not only in our coastwise trade and on the Great Lakes but especially in our foreign trade and then to enforce them as to all our shipping in this war period through such agencies as he may select. This power is exercised by foreign Governments as it may affect their ships, and it is necessary that our Government should have the same power. I am told that an overwhelming number of our shipowners are very cheerfully complying with the present requirements, which are enforced indirectly through the chartering committee of the Shipping Board, but there are always some who are not amenable to reason, justice, and patriotism. They may challenge the power that is being exercised at this time. Counsel for the Shipping Board informed the committee that there is already a disposition to do so. Hence, it is of the utmost importance that this power be expressly conferred on the President in such form as to be beyond question.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. I assume this bill is not framed under the clause of the Constitution granting power to regulate foreign and interstate commerce.

Mr. ALEXANDER. It is strictly a war measure and exercises war powers.

Mr. STAFFORD. The bill being framed with the idea that it is a war measure, with authority in the President under the war powers to fix rates, I wish to inquire whether under the bill there is any review by any court of the rates that may be fixed by the President or any agency he may appoint in respect to the use of the vessel.

In the railroad bill we passed, as the gentleman knows, there was express provision that the rates must be reasonable and just, and those rates were subject to review upon complaint by the Interstate Commerce Commission. While in this bill you make provision for an aggrieved person who is dissatisfied with the rates which may be levied for the use of docks, dry docks, and wharves to go to the Court of Claims and present his case, there is nothing whereby you give any aggrieved party the right to go to court to seek relief in case the rates fixed for the use of the vessel is unsatisfactory or what he regards as unreasonable and unfair. Have we the right to exercise that power without some relief being granted to the aggrieved party to seek relief in case he is dissatisfied with the terms or in case he thinks the terms fixed by the agency of the President are unreasonable and unjust?

Mr. ALEXANDER. We have the right, if this were not a war measure, under the Constitution, which vests in the Congress the power to regulate interstate and foreign commerce, to prescribe or vest in some tribunal the power to regulate and prescribe freight rates on ocean-going vessels, whether in the domestic or the foreign trades; but the point the gentleman makes is this, if I get his point, that while section 6 of the bill vests in the President the power to determine what these rates may be, we do not provide for a review by some other tribunal. It is my opinion that if the President should prescribe rates which are unreasonable and confiscatory, the party affected would have the right to go into a court of competent jurisdiction and challenge the reasonableness of the rates, without any express provision in this bill authorizing him to do so. We could not limit that right.

Mr. STAFFORD. Why do you recognize the distinction in the bill by granting the right to an aggrieved party when the President through any activity appropriates docks, wharves, and dry docks, and do not recognize that in express language when we appropriate ships or fix the rates which shall be charged for cargoes by those ships?

Mr. ALEXANDER. The dock, the warehouses, the lighters, the ships, are privately owned properties, and the bill very properly provides that they may not be taken over by the Government and used for public purposes, although it may be to meet an emergency created by the war, without just compensation being made to the owner. We could not do otherwise, unless we fly in the face of the provision of the Constitution, which says that private property may not be taken for public use without just compensation being made.

Mr. STAFFORD. Well, I assume vessels of the United States, which is the term in the bill, refers to all vessels registered in the United States and that those vessels are private property. Wherein is the distinction between the private property whether wharves, docks, dry docks, and ships which are floating? They, too, are private property. The argument of the gentleman would go to the extent that even in the case of ships there should be some authority given so as to allow the owner to seek just compensation in case the rates fixed by the agents of the Government were not satisfactory.

Mr. ALEXANDER. There is a very wide difference between a ship which is privately owned and a rate fixed for some public service. To illustrate: A railroad car or locomotive may not be utilized in interstate commerce for the transportation of freight, but if the Government should take it over, it would be necessary to pay the owner the value of the car or the locomotive, but if that car or locomotive is to be used as an instrument in interstate commerce the Government may come in under the interstate-commerce provisions of the Constitution and regulate the rates that may be charged for the service.

Mr. STAFFORD. But this bill is not framed, the gentleman said, under the authority vested in Congress to regulate interstate and foreign commerce, and so I will go one step farther and ask whether the bill does not provide for the regulation of shipping that is purely intrastate?

Mr. ALEXANDER. I said under the Constitution the Congress has the power to regulate not only interstate but foreign commerce as well, and hence we might vest in the Shipping Board the power to regulate foreign commerce by water, and that power may be exercised in time of war as well as in time of peace.

But the gentleman says some of this shipping may be intrastate. Grant it; yet so far as these agencies are concerned, the power vested in the Congress by the Constitution to declare war, raise armies, and provide for the national defense, carries along with it all of the powers necessary for the successful prosecution of the war. We have vested in the President the broadest powers to take over not only ships but shipyards, steel plants, and other industries. We are commandeering many agencies that we might not take over or commandeer in peace times.

Mr. STAFFORD. But as to those ships which will be used absolutely in intrastate traffic, which will be the parallel of your dry docks and wharves, the gentleman does not provide any medium whereby the aggrieved party can go into court——

Mr. ALEXANDER. We do as to docks.

Mr. STAFFORD. Not as to ships purely engaged in intrastate traffic. Then, furthermore—and I will direct the chairman's attention if he will permit—when we were attempting to exercise the authority of Congress under that clause of the Constitution giving Congress the power to regulate interstate and foreign commerce, we have fixed what the Congress has determined would be a reasonable rate, and we authorized an agency of the Government to determine for us what that maximum reasonable rate is; but this bill that is reported by the committee of the gentleman is not framed on the idea of exercising that power, but, as the gentleman stated in the beginning, it is framed with the idea of exercising the war powers of the President. I am pointing out that there is no provision whatsoever in the bill which grants relief to the aggrieved party who may feel himself dissatisfied and thinks the rates which are fixed by the agency of the President are confiscatory and not compensatory.

Mr. ROSE. Will the gentleman yield?

Mr. ALEXANDER. I want just to emphasize the fact right now that we are discussing section 6. That is the section to which I am addressing my remarks, and we will take care of the other propositions when we get to them.

Mr. ROSE. My thought is that the question raised by the gentleman from Wisconsin this morning is the fact that in the railroad bill the provision is made for the aggrieved party not being satisfied with the rate to appeal to the court to secure justice from his viewpoint; but this present bill does not provide any proceeding of that nature, and that, therefore, there must have been a reason for its being provided for in the railroad bill, and a reason—the reason not disclosed—for its omission in the present bill.

Mr. ALEXANDER. The railroad bill gives the President the power to prescribe the rates of transportation, and the rates are subject to review by the Interstate Commerce Commission. This bill does not do so. It vests in the President the power, through such agency or agencies as he may choose, to determine what these rates and terms of affreightment may be. These powers are being exercised now in an indirect way through the power vested in the President under the espionage act and other acts. The Shipping Board, through the chartering committee, of which Welding Ring is chairman, will not let ships have bunker coal or let them have provisions unless they will agree to reasonable regulations, and in that way they are controlled; but it is an indirect, it is not a satisfactory, way, and it is questionable if the power which is being exercised might not be subject to serious doubt, hence the Shipping Board wishes the Congress to confer the power directly and place it beyond question.

Mr. STEVENSON. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. STEVENSON. In section 6 it is stated that it shall be unlawful to charge, collect, or claim any compensation for the transportation of goods in violation of the rate so fixed.

Now, the rule is universally recognized that to fix a rate for transportation that is below the cost of transportation is confiscation of the property of the transporting company. Now, I understand the answer which you made a while ago is that he has his remedy in the courts for that, as the railroads had in enjoining enforcement of the rates when they were below the cost of transportation. But when you have the provision that it shall be unlawful to claim any compensation for the transportation in violation of the rate so fixed and then when in the sixteenth section you make it a criminal offense, punishable by a fine of not more than $5,000 or imprisonment of not more than two years, to do any of these things forbidden, do you not attempt to shut the door of the courts and everything else to the man who is being required possibly to transport something for less than it is worth? That is the question that is bothering me about this bill.

Mr. HARDY. Will the gentleman from Missouri yield to me?

Mr. ALEXANDER. Yes.

Mr. HARDY. When that railroad rate measure came up the condition was this, that the railroads had been put in charge of the Director General, and power was given him to fix rates. We had in existence the Interstate Commerce Commission, whose whole duty for 30 years has been the investigation and examination of rate questions. It was proposed in that bill to practically take the rate-fixing out of the hands of the Interstate Commerce Commission and turn it over to the Director General, and we had quite a fight here in the House as to whether there should be a final decision as to the rates by the Director General or whether they should be reviewed by the Interstate Commerce Commission. My recollection is that we decided finally in favor of the Interstate Commerce Commission; that is, we gave the right of review to the Interstate Commerce Commission, though that was done over my vote.

Mr. STEVENSON. They have the right of review.

Mr. HARDY. They have the right of review.

Mr. STEVENSON. And it certainly has been justified by subsequent developments.

Mr. HARDY. I do not know of any justification or even application of it. In fact, I do not think there has ever been any such review. But, Mr. Chairman, in addition, if the Interstate Commerce Commission on its review should fail to do justice to a party thinking himself aggrieved, he still has a right to appeal to the court for reasonable rates. Now, in this bill the supposition is, and I have no doubt the facts will be, that the only body created and existing by law now that has taken unto itself a study of the shipping rates or has any authority is the Shipping Board. That body will be the body most likely designated by the President to fix these rates, so that it would be useless, if not absurd, to provide for an appeal from the rates fixed under this law to the Shipping Board, which occupies in relation to water rates the same situation that the Interstate Commerce Commission does as to rail rates. It would be providing for a review by the Shipping Board of rates fixed by the Shipping Board.

Now, one thing further. Assuming that these rates are fixed by the constituted authority, the Shipping Board or the Emergency Fleet Corporation, whichever it is, under authority delegated by the President, this bill intends that the President through this agency shall fix the rate, but if they fix a confiscatory rate unquestionably the party affected would have the right to appeal to the courts without any provision here to prevent confiscation of his property.

Mr. STEVENSON. Now you come right down to the point of difficulty with me.

Mr. HARDY. Let me go further. I know the point you stated, but I did not get to it. You say that it further provides a penalty for violation of this section. But that must be understood to apply with regard to the final fixation of the terms or rate fixed under a proceeding by the court. In other words, if an injunction against the rate-fixing power was gotten out, and the court should hold the rate fixed was unreasonable, then it would not be a violation of the law to act in pursuance of the ruling of the court, but the rates fixed must stand until set

aside by the court. And in time of war we must necessarily proceed to do things and adjust them afterwards. Sometimes we must act before all rights are adjudicated.

Mr. ALEXANDER. And I will say this, that it is the duty of the shipper to conform to that rate as long as it is in force. He can not ignore the rate and charge another and higher and different rate without becoming amenable to the penalty prescribed in the act.

Mr. HARDY. Will the gentleman from Missouri yield? Even in the railway bill we provided the rates fixed by the Director General should hold and rule until they were overruled by the other authorities.

Mr. ALEXANDER. I will say this, that it is my recollection that that bill does not give the Interstate Commerce Commission power in the first instance, but only gives the power of review, and it does not give the Interstate Commerce Commission the right finally to overrule or set aside the rates prescribed by the President, as I recall. Their powers are hedged about by certain limitations.

Mr. STEVENSON. I am not going to be led off into that. The difficulty you have, and which I think you gentlemen have very learnedly avoided answering, is this: How can a man claim in court a higher compensation than that allowed when you say that it shall be a penal offense punished by fine and imprisonment to claim any compensation other than that which you fix under this bill?

Mr. ALEXANDER. If that is the gentleman's question——

Mr. STEVENSON. Just one minute.

Mr. ALEXANDER. I believe I have the floor, and I do not want the water to be muddied before I have a chance to clear it up.

Mr. STEVENSON. All right.

Mr. ALEXANDER. If that is the gentleman's difficulty, it may be the difficulty of others, for the gentleman is a good lawyer; and if the gentleman construes it to mean that a man may not go into court and make a claim for a different rate without being guilty of a penal offense, and to clear up that doubt I would not object to striking out the words "or claim" and make the section read "charge or collect any compensation," and so forth.

Mr. STEVENSON. I inquired specifically if he will not be debarred the right of bringing his action to recover the difference between the rate fixed and that. That is all the difficulty I have about it.

Mr. SAUNDERS of Virginia. I apprehend from what the gentleman states that the contention of the gentleman from South Carolina is that the language used in the bill is both calculated and intended to hinder and prevent a company from appealing to the courts against a confiscatory rate.

Mr. STEVENSON. I do not think that it is intended to do that, but I think it is calculated to do it, and therefore it should not be allowed without a qualification.

Mr. SAUNDERS of Virginia. Let us see. How could it have that effect as against rights afforded by the Constitution?

Mr. STEVENSON. But if you make it a penal offense for a man to assert his right under the Constitution, while that will not prevail, nobody here who has ever studied the law but knows that a man who is bold enough to go ahead and risk the chances of its being held unconstitutional and take the chances of getting in jail will be punished under this. But a great many people are afraid to go into court when they have got a penalty staring them in the face.

Mr. SAUNDERS of Virginia. I am trying to ascertain the gentleman's objection. Does the gentleman from South Carolina think that we can forbid an aggrieved party from applying to the courts for relief against confiscation? Or is he afraid that the language used will have a deterrent effect upon a party contemplating such an appeal to the courts?

Mr. STEVENSON. It would not only have a deterrent effect, but he would be confronted with a penalty if he made a mistake, or if his lawyer, make a mistake, in bringing a claim.

Mr. SAUNDERS of Virginia. But if he proposes to exercise his constitutional rights, nothing that we can put in the statute would prevent him from presenting his case to the courts.

Mr. STEVENSON. If it were determined in advance that he has that right, well and good; but if it is provided in specific terms that he has not that right then——

Mr. SAUNDERS of Virginia. A litigant always has the right to appeal to the courts against a rate that he claims to be confiscatory. We can not debar a man from the exercise of a constitutional right by making it penal for him to attempt to set up this right.

Mr. STEVENSON. You could not deter him from it, but you could intimidate him from it, because it is always a question as to whether or not he has the right. That is the reason why I brought up this question. I have always found the chairman of this committee ready and willing to make clear all disputed points.

Mr. ROSE. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Certainly.

Mr. ROSE. It looks to me, considering the fact that this seems to raise a serious objection to the bill, as though there is no reason for the chairman not accepting some reasonable language as an amendment that would permit an appeal to be made to the court.

Mr. ALEXANDER. I have no objection to doing that. Mr. Chairman, how much time have I?

The CHAIRMAN. The gentleman has 10 minutes.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman.

Mr. MOORE of Pennsylvania. This act is to run only for the period of the war?

Mr. ALEXANDER. Yes, and six months thereafter.

Mr. MOORE of Pennsylvania. I was unfortunate in not hearing the gentleman's opening speech. Did he discuss the question of profiteering?

Mr. ALEXANDER. No; I have not done so.

Mr. MOORE of Pennsylvania. I observe in the report on page 4 this statement, referring to the bill:

> And, second, that it will make this contribution at fair and reasonable rates, without that profiteering which has unfortunately characterized some aspects of the shipping business, both before and since the United States entered the war.

Mr. ALEXANDER. Where is the gentleman reading?

Mr. MOORE of Pennsylvania. That is on page 4 of the report. I call the gentleman's attention to the fact that the President in his last address to the House referred to profiteering in general terms, and that since that time there has been much discussion of it in the newspapers, the contention being on the part of some that there is an exaggeration of the facts in regard to profiteering.

I assume this bill has something to do with the assessment of freight rates, or at least their equalization, under the authority of the President?

Mr. ALEXANDER. Yes.

Mr. MOORE of Pennsylvania. Has the gentleman any specific information in regard to profiteering in freight rates?

Mr. ALEXANDER. Well, I know that ocean freight rates since August 1, 1914, increased from 500 to 1,000 per cent. I have been told that the freight money of many vessels on one voyage would equal the value of the vessel. I have been told that the shipment of coal from Newport News to Italy at one time cost as much as $50 a ton, and the effort has been made ever since, both on the part of our Government and on the part of the governments of our allies, to enforce reasonable freight rates on ocean vessels engaged in carrying foodstuffs, munitions, and fuel to our allies and vessels used by ourselves for military purposes. As you know, we are advancing very large sums of money to our allies in the way of loans, and we can not with any sort of complacency look on and permit that money to be used or paid for that kind of profiteering.

Mr. MOORE of Pennsylvania. If there has been profiteering in ocean freight rates, it is not peculiar to the merchant marine of the United States?

Mr. ALEXANDER. Oh, no. It was quite general.

Mr. MOORE of Pennsylvania. All nations have been indulging in it?

Mr. ALEXANDER. Yes. The allies were confronted by the same problem and have the situation pretty well under control now, and I am glad to say our Government has also, but, as I have had occasion to state in explaining the desirability of this legislation, the power is exercised indirectly through other agencies, and we are now conferring that power on the President directly.

Mr. MOORE of Pennsylvania. If by virtue of this act the President should proceed to trim the profiteers and regulate the rates, so far as Americans are concerned, what would be the attitude of other nations in regard to their shipping?

Mr. ALEXANDER. We provide that foreign ships operated by American citizens shall come under the operations of the law as well, and Great Britain, France, and Italy, I believe, exercise very complete control over their shipping.

Mr. MOORE of Pennsylvania. We can not enact legislation affecting foreign nations, but has the gentleman any intimation as to what the President would do under the powers given him in this act to control the freight rates of the United States?

Mr. ALEXANDER. The shipping-control committee of the Shipping Board is composed of Mr. B. S. Franklin, chairman, Mr. Raymond, and Sir Connop Guthrie, of Great Britain, so that the control is international.

Mr. MOORE of Pennsylvania. One more question, if the gentleman will permit. I read in one of the newspapers the other night a statement that negotiations were pending for the purchase of a large part of the International Mercantile Marine holdings by English interests. Does the gentleman know anything about that?

Mr. ALEXANDER. I did not catch that.

Mr. MOORE of Pennsylvania. I say, I read in an obscure part of a newspaper the other day that negotiations were pending in England for the purchase or acquisition of a large part of the International Merchant Marine.

Mr. ALEXANDER. My attention has not been called to that.

Mr. MOORE of Pennsylvania. I think Mr. Franklin, to whom the gentleman referred, has something to do with that organization. I wondered if anything of that kind was in contemplation, in view of the introduction of this bill.

Mr. ALEXANDER. The bill we passed yesterday is the one that is intended to prohibit by any device our shipping from passing under foreign control.

Mr. MOORE of Pennsylvania. That bill is intended to keep the ownership and control in the United States, as I understand it?

Mr. ALEXANDER. It is.

Now, Mr. Chairman, I will only delay the committee a moment longer. Section 9 gives direct authority to make rules and regulations regarding safety and protective devices in the war zone and to exclude vessels not fit for war-zone service from the submarine zone. This power is now being exercised indirectly both through the Bureau of War-Risk Insurance, which charges an additional premium for vessels not properly camouflaged or armed, and through the War Trade Board, which denies bunker fuel and stores to vessels not suited for use in the war zone. In the main this indirect method of control is efficacious, but it is desirable that this power be directly conferred on the President.

Section 10 forbids the chartering of foreign vessels without the consent of the President. Of course, it is a necessary and an entirely legitimate measure of control over foreign tonnage. The President should be able to restrain the unregulated bidding for neutral vessels, which for a time threatened to unduly inflate the neutral tonnage market.

Section 11 perfects and expands existing law authorizing the requisitioning of vessels, and contains provisions which the experience of the past year in the practical administration of the Shipping Board's requisitioning program has shown to be essential.

At the proper time I shall offer an amendment to section 12, which has been agreed to by the Committee on the Merchant Marine and Fisheries, which will extend the power vested in the President under section 12 to prescribe the priority in which the persons in possession of dry docks, wharves, or terminal facilities shall serve vessels and shippers, but give him the additional power to determine, prescribe, and enforce the rates, terms, and conditions charged or required for the furnishing of such service.

Section 13, in connection with section 12, confers important additional powers over dry docks, wharves, loading and discharging facilities, and warehouse equipment and terminal railways. They may be requisitioned, or acquired by purchase or lease, the priority of services performed by them may be directed, and rules regarding the conduct of their business may be made. At present there is no power to control the activities of essential facilities of this character. They are free to charge what the traffic will bear, and to do whatever work is most remunerative. Since our entry in the war, rates for wharfage and the use of dry docks have soared to extortionate heights. At a time when the profits of shipowners are being rigidly limited it would be a serious reproach if owners of essential terminal facilities were permitted to profiteer without restraint. Since most shipping is now directly or indirectly for Government account, any unreasonable profits are made a charge on the Treasury of the United States, and should be prohibited.

Mr. Chairman, I reserve the remainder of my time.

Mr. GREENE of Massachusetts. Mr. Chairman, the bill now under consideration is distinctly a war measure. I know it is fashionable to proclaim that fact regarding many bills which engage our attention, but this bill is really a war measure, and would not have been considered by the Committee on the Merchant Marine and Fisheries at any other time since I have been a Member of the House. The provisions in the bill are made for the purpose of giving some control to the question of the chartering of vessels, perhaps a little more control than some members of that committee thought was desirable in regard to vessels of smaller tonnage; but, after full consideration and realization of its importance, the committee agreed to report the bill as now presented.

Some question has been raised here as to profiteering. That is a very common phrase since the war began. We realize that perhaps there is justification for some remarks on this subject. The question of freight rates and the cost of vessels is a very important one, and there has certainly been a very great advance in both of these important factors since the war began in 1914 on the other side of the ocean. Vessels that were supposed to be valueless have been repaired, put in commission, and sold at what would have been thought to be enormous prices at any time during the last 10 or 15 years. The charges for freight, both in the coastwise trade and in the over-sea trade, have been very extortionate indeed, and I agree fully with what the chairman of the committee has said about the question as it has affected our allies on the other side of the ocean. We are loaning money to these allies of ours, and it brings these nations into a large indebtedness to us. There is a variety of opinions in this country as to whether we shall receive from some of these countries abroad a return in money for what we have advanced and shall continue to advance to them until the war is concluded. Looking back historically to the time of the Revolution, we remember that France advanced to our weak and struggling Nation money and aided us in a great many ways, besides sending to us Gen. Lafayette and a gallant body of French troops to enable us to establish the Government under which we live. She was generous enough to remit to us some part of the money that we owed to her.

I would not be surprised myself if, when this war is concluded—if we all live to see it concluded—this country would be called upon by some of the nations abroad, if not all of them, to allow them a long limit in time of payment, if not an entire wiping out of any indebtedness that may have been incurred to us on account of the present war, for, according to my belief, these countries which entered the war before we did certainly bore a large part of our burden and defended our rights as well as their own in the terrible struggle with which they were confronted. So that if I should happen to remain a Member of the Congress when that question shall be determined I should certainly be strongly inclined to favor being very liberal in considering any claims that may be put forward by our allies for what I believe to be the exceedingly great work they have done in our behalf, not only by defending themselves but in protecting us as well against the encroachments of the enemy.

Under permission granted to me to extend my remarks I append a copy of a letter which I wrote in reply to a letter sent to me by Peter Golden, secretary Irish Progressive League, under date of April 26, 1918:

WASHINGTON, D. C., *April 26, 1918.*

Mr. PETER GOLDEN,
Secretary Irish Progressive League,
321 Third Avenue, New York, N. Y.

DEAR SIR: Your letter of the 18th instant came duly to hand and contents noted. You must recall that the Congress adopted the selective-draft act, for which I voted. This act was an administration measure and it was approved by President Wilson.

Under its provisions a large military and naval force were called "to the colors." The citizens of the United States were not consulted as to the advisability of the act. The men called are now on the fighting line "across the seas," under that compulsory call, for the purpose of aiding the allied nations abroad to resist the attempt of the German autocracy to overthrow their respective governments.

As a loyal American citizen and a member of the United States House of Representatives, I can not conceive it to be my duty to take any action in opposition to a proposal made by any foreign nation to conscript any of its citizens qualified to perform military duty, when their purpose is to secure soldiers or sailors to defend that nation from destruction or damage by the acts of its enemies. I can not believe that there are any great number of persons in the United States of Irish birth or ancestry, who would, after calm deliberation, indorse the ideas expressed in your communication, and I regret that you should at this critical period in our national life send such a communication to me.

Very respectfully,

WILLIAM S. GREENE.

This bill has provisions which I believe to be absolutely necessary. There is no feature of it to which I shall interpose any objection. This bill in many ways puts power into the hands of the President, or such persons as he may select, to regulate not alone the freight rates but the chartering of vessels both in the coastwise trade and in the over-sea trade, and I think it is perfectly proper that such regulation should be provided during the existence of the present war.

Our committee provided additional powers that were not included in the shipping bill when first presented, because at that time a great many of us did not realize the necessity which experience has shown to exist. The duration of the powers in this bill in section 3 certainly completes the suggestion made by the chairman and myself that this is a war measure, and no one need be at all disturbed by reason of the great powers that are granted.

In section 5 the President has power to require the charter of American vessels to be approved by him, or agencies through which he will act, to make certain that the vessels which may

be built, purchased, or leased will be used for the purposes of "winning the war."

There were suggestions in the committee that this requirement might cause undue delay, and so I believe that might have resulted if the committee had required these acts to be done by the President alone; our belief being that, because of his multifarious duties, he could not perform the duty as easily as he could through designated agencies. Some members of the committee thought that vessels in the coastwise trade carrying cargoes from port to port ought to be relieved from this supervision and regulation, and amendments looking to that end may be presented for consideration.

The President also has the power, if he deems it necessary, to extend the time for six months after he issues his proclamation announcing the conclusion of the war. It is very evident, I think, that there will be occasion for an extension of that time even for six months after that period.

He has the power also to regulate the freight rates and terms of freight rates on American ships. There is another reason why the law is very necessary. It has come to our notice that possibly the Shipping Board itself may have, in the necessities of the occasion, gone a little beyond the powers that had been granted them in the original bill, and these provisions in this bill will make certain the power of the President and those whom he directs to carry out what experience has proven to be necessary, and it is hoped that this measure will prove to be an advantage to the people of the United States. It is believed that the law can be and will be so administered that it will prove advantageous to those who will come under its provisions.

I have not the figures of the immense advance in freight rates. I know there has been an immense advance in coal freight rates in the bituminous as well as in the anthracite coal trade and in the general shipment of merchandise in the coastwise trade. That advance has arisen through the great demand occasioned by the law of supply and demand. The supply of vessels has been very much limited, and the demand has been great. The natural result is that people who own vessels suitable for transporting coal and manufactured articles have taken advantage of the opportunity to make money both before and after the war had been declared.

Now, I am not objecting to people making money. I believe it is necessary that they should. I am not going to attempt to say that any man or corporation transacting business should be so restricted that he can not make money. If you are going to take that line and carry it out by undue exactions from men who have to make money you will soon ascertain that when you need money to meet outstanding obligations or to provide the necessary amount to carry on the war that the burden will fall upon those who can ill afford to bear the burden.

What I want is to win this war. This bill is intended to be for the purpose of helping to win the war, and at the same time while you regulate the freight rates you do not want to regulate them to the extent that people who build vessels at enormous cost will not be able to get a fair, reasonable, and perhaps unreasonable rate for the use of their property which they put at great risk when they go upon the seas. Of course it is not as safe to travel across the water now as it was before the war. We know there are quite a number of men in the House who voted for a proposition to restrict Americans from sailing across the water on vessels owned by belligerents engaged in war and liable to be torpedoed. I think some of these people who took that ground had rather too much faith in our present enemy across the water—that he was held up by some agreement or regulation or peace conference at The Hague or some other place, whereby he would be governed by what afterwards proved to be in the eyes of the Kaiser and his followers mere scraps of paper.

So I think we want to be very careful in all the considerations of this and similar bills, and not to draw the line so closely that there will not be an opportunity for people to invest their money at the present high prices and to get their money back, if not a little more, because many men who go into business are not satisfied with simply getting their money back, they want to make a little profit for themselves and their families. I am not of a nature that I want to prevent any man from making money. Business has been good of late, and I hope it will continue as long as the war lasts, but I do not want the prices to become so high that they will be unduly burdensome.

The question of storing, lightering, bunkering, and all similar matters were considered very fully by the committee. We had some very competent testimony called to our attention wherein we thought perhaps it was well not to restrict those privileges and that we had better not include these provisions in the law. The more the committee thought about it, however, the more we were convinced it was well to put in all the restrictions that are contained in the bill; also as to the dry docks. By the way, I might say that I believe to-day that we ought to build a great many dry docks, because during the war, and even after the war is concluded, these dry docks will be of immense value if we are to properly repair and care for the American merchant marine, which we are now constructing, and these dry docks will be advantageous in promoting our foreign trade after the war.

I have been a believer in an American merchant marine—not exactly in the way provided by establishing the Shipping Board, because I believed in having an American merchant marine a long time before the Shipping Board was ever thought of—and have always advocated it on this floor and elsewhere and have always believed in the necessity for it in time of peace, and everyone believes that it is a necessity of the war. I am a strong believer in it to-day, and if there is any criticism that I could possibly make of gentlemen who have opposed that necessity in the past, it is that they were not willing to do a single thing—a few on the Republican side and a great many Democrats on the other side of the aisle; in fact, a large majority of them—to build up an American merchant marine. It was not confined alone to the men of one party, because I could possibly move my hand and touch some men on the Republican side of the House who thought it was not necessary, because they happened to live in a mountain State and away from the salt water. They thought there was no necessity for an American merchant marine.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. MONDELL. As I am the only person within reach of the gentleman from Massachusetts, and as I also come from a mountain State, I assume that he refers to me, and if that is his reference I desire to say to him that he is entirely mistaken.

Mr. GREENE of Massachusetts. Then I take it all back.

Mr. MONDELL. I have always voted with the gentleman for the establishment of a merchant marine. [Applause.]

Mr. GREENE of Massachusetts. I take it back, and I am glad to know that. My memory may not be very good upon that one subject. I will take it all back and I will wipe it out of the RECORD and give the gentleman a good standing.

Mr. MONDELL. Oh, he may leave it in the RECORD.

Mr. GREENE of Massachusetts. Very well. I came on to the Committee on the Merchant Marine and Fisheries the very day that I came into the House, now more than 20 years ago. I was appointed by Speaker Reed, and I am the oldest member of that committee now, with the longest service, and during that time I never have been backward in favoring the upbuilding of an American merchant marine and I never have been afraid of the word "subsidy." I do not believe that any Democrat ought to be afraid of a subsidy after the action they have taken since this war began, because they have spent money more rapidly than I ever could have imagined money could be spent by the Congress for this very meritorious object. I never imagined there could possibly arise any proposition out of the Democratic side of the House that even war would bring them to such standard that they would vote such enormous sums for the building of an American merchant marine. I congratulate them that they have at last occupied the ground upon which I firmly stood 20 years ago and believed in many years previously.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GREENE of Massachusetts. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman, after reading the politically patriotic utterances of the Vice President in Indianapolis yesterday, say that the Democratic Party could be accused now of having subsidized the shipbuilders of the United States?

Mr. GREENE of Massachusetts. I think they could be, without the slightest question of doubt and no opportunity to make a denial. Certainly they have subsidized them beyond all imagination—yes, even of a radical Republican like myself, for I never had the slightest imagination of any such exhibitions or recantations of their party platforms.

Mr. MOORE of Pennsylvania. Does the gentleman venture to think the Democratic Party has gone beyond a subsidy?

Mr. GREENE of Massachusetts. Oh, yes.

Mr. MOORE of Pennsylvania. And has actually provided Government money for the purchase and construction of ships?

Mr. GREENE of Massachusetts. Undoubtedly.

Mr. MOORE of Pennsylvania. That is an easier way to get ships than by the old subsidy method, is it not—much easier?

Mr. GREENE of Massachusetts. Oh, yes. I suppose they would argue now that it was a law of necessity.

Mr. MOORE of Pennsylvania. But the gentleman must concede, in view of what the President has said about "politics being adjourned," that it is improper for the Vice President of the United States or any of the rest of us to discuss politics under the circumstances.

Mr. GREENE of Massachusetts. I am not going to undertake to control the President or the Vice President of the United States in their political actions. They appear to be a law unto themselves.

Mr. MOORE of Pennsylvania. Does the gentleman think he could control the Vice President in the Indiana campaign?

Mr. GREENE of Massachusetts. No; and I do not desire to. I think he will be so badly whipped in the Indiana campaign that he will forget that he has ever been an active figure in Indiana or national politics.

Mr. MOORE of Pennsylvania. The gentleman thinks the Vice President is likely to do the best he can for his party, notwithstanding what the President said?

Mr. GREENE of Massachusetts. I believe he will do that, and I shall not yield my political convictions or desert the party which has so signally honored me, and I hope every other Republican will not hesitate to do his full duty. I do not anticipate there will be any weakness in the Republican ranks, and I do not believe there will be any exhibition of weakness on the Democratic side. I think they are going to claim a great deal and get away with it if they can.

Mr. HARDY. As I understand it, we are all in hearty agreement and the gentleman believes as we do that we are on the highway now to building up a great American merchant marine.

Mr. GREENE of Massachusetts. I do; and I am very glad to notice they are building ships in Texas, and I will frankly state that I never expected to live to see that day. The gentleman from Texas [Mr. HARDY] was a very strong opponent of doing anything for the coastwise or the over-sea trade, and I never expected in my lifetime to hear that anyone would ever drive a nail in a ship in Texas. [Laughter.]

Mr. MOORE of Pennsylvania. We are doing all this, then, not by the hateful subsidy system but by digging into the Treasury and taking the money out direct?

Mr. GREENE of Massachusetts. Why, certainly; and the most we ever thought of in the prosperous days of the Republican Party was to spend about $5,000,000 a year, and that was such a horrifying sum that we could not get the votes of our own party and practically no votes from the Democratic Party. The money that we wanted to spend for the upbuilding of the merchant marine was just that limited amount I have mentioned in order that the United States might come into proper competition with people from abroad who could build vessels a great deal cheaper than we could and man them a great deal cheaper than we could and control them a great deal cheaper than we could. We merely wanted to make up the difference in cost. Then there was a familiar argument of some of the men who lived in the interior that we did not need any merchant marine.

They said if we established a merchant marine the cost of the vessels to be built would be so great and the cost of management so large that we could not do anything in competition, and furthermore it would raise the price of freight in carrying the products of the farms and factories abroad, therefore we should not build and maintain an American merchant marine. This war has settled one thing, and clears that situation up in the minds of a great many people, and I hope it will clear it up in the minds of all the people. That clearing up is knowledge of the fact that after the grain and other products reach the shores to be carried across the sea the freight rates are made on this side and are paid by the persons who receive the freight on the other side before the vessels leave these shores, and that these freights are not paid by the producer, but they are paid by the consumer.

I believe these facts settle the much-discussed question that if we build up an American merchant marine we are going to raise the price of freight unduly after the merchant marine is established. If we produce the merchant marine and have competition, we shall certainly be able to reduce the freight rate. It has been the experience of all persons in regard to all these propositions that the freight has been reduced rather than increased. So that while there are some things in this bill I would not have answered for under ordinary circumstances, I cheerfully support the bill as it is presented to-day. I believe it is a proper bill to present at this time, and I shall vote for it, and I think there will be but little opposition to the bill when the final vote is taken. [Applause.] I yield the gentleman from Wyoming [Mr. MONDELL] five minutes.

Mr. MONDELL. Mr. Chairman, I do not represent a maritime section. In fact most of my acquaintance with shipping has been with that kind of shipping known as "prairie schooners," and in view of that lack of intimate knowledge of the general subject I have some hesitancy about making any suggestion relative to a bill having to do with shipping, particularly before gentlemen who do know a great deal about it and who have given the matter, from the present standpoint and viewpoint, a great deal of careful consideration. Before I go to a very brief discussion of two sections of the bill I expect to refer to I want again to remind my good friend from Massachusetts [Mr. GREENE] that though I represent a people 1,800 miles from the seacoast and from 1 mile to 1½ miles above sea level, I have always supported in this House, and I have had no very considerable criticism at home on account of that support, a program for the building up of the American merchant marine. Our people were intelligent and farseeing enough to realize that an industry of this sort would be as helpful to those who live in the interior as those who live on the coast. The gentleman from Massachusetts has well emphasized the fact that we delayed building up our merchant marine until we were compelled to do it by war conditions. In that connection it might be well to recall that we are now paying heavily for our delay. It is costing us from two and a half to three and a half times as much per ton for our shipping as we would have paid for it three or four or five years ago. We have been fearful in the past of the competition of British shipping on account of their cheap construction. As a matter of fact, we are paying in some cases for cargo vessels nearly four times as much in cost per ton as cargo vessels cost to build five and six years ago in British shipyards. This great cost is going to have a very profound effect on the shipping business after the war ceases, and it will require careful management and wise legislation to get us safely and satisfactorily over a condition that will be created by the very high cost of our present construction. However, the ships are absolutely essential and they must be built, even though the cost be very high.

Now, Mr. Chairman, coming down to the bill, again expressing my somewhat of embarrassment in discussing a measure of this kind before men who know more than I do about it, I want to submit just a few observations on sections 5 and 6. These sections propose the fixing of charter and freight rates by the President through such agency as he may provide, in this case I assume by the Shipping Board. The object and the purpose is sound I think beyond question, but I have some doubts about the propriety of the provisions which have been enacted for the purpose of insuring this Federal control over charters and freight rates. Particularly section 5, with regard to charter rates, it seems to me that it would have been better to have provided that the President should fix maximum charter rates wherever it was necessary that be done and then prohibit any charter rates above the maximum so fixed. What has been done is to provide that no charter contracts shall be entered into until the charter rate and provisions have been approved by the agency that the President shall provide.

It strikes me that is a good deal as though in the matter of the regulation of railroad freight rates we had provided that in each case the shipper in carload lots should not ship from any station anywhere in the United States until the contract of shipment and of rates should have been approved by a board here in Washington or some local Federal official.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Will the gentleman yield me five minutes more?

Mr. GREENE of Massachusetts. I yield the gentleman five minutes additional.

Mr. MONDELL. I do not want unduly to take up the gentleman's time. Manifestly we would never have had proper freight movements under any such provision as that. What was done was to give the Interstate Commerce Commission authority to fix a reasonable rate and the shipper shipped with the knowledge of what that rate was. I do not pretend to know enough about this business to know how much delay might be caused by the provisions contained in section 5; but it seems to me in the case of short voyages and small boats, where the charter contract might frequently change, there might be a very great deal of delay under the provision which if carried out as evidently intended in the bill might require the reference to a board here in Washington, or some Federal official somewhere, of every charter contract. It would be very much better, it seems to me, and the same result would be accomplished by laying down general rules regarding the maximum charter rates.

Mr. ALEXANDER. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. ALEXANDER. I think the gentleman has not read the language of the section with care. It would be impracticable for the President to prescribe the charter rates on each vessel. It says:

That the President may, by proclamation, require that vessels of the United States of any specified class or description, or in any specific trade or trades, shall not be chartered unless the instrument in which such charter is embodied and the rates, terms, and conditions thereof are first approved by him.

In other words, there will be a general provision applying to certain vessels of a certain class and description, or in certain trades, and those regulations will be enforced as to all vessels in such class or trade and will not involve delay. There has got to be a general broad bill——

Mr. MONDELL. May I say the language of the bill seems to require the approval of each charter contract——

Mr. ALEXANDER. Oh, no.

Mr. MONDELL. I think that is a fair interpretation. Of course, until the President brought shipping under regulation nothing would be required.

But if the President by proclamation should bring the coastwise shipping or foreign shipping, or all coastwise and foreign shipping, under these provisions, it seems to me the language of this section would require the submission of the charter contract in every case to some official to visé and approve before that particular contract could be carried into effect. Now, if the language was modified a little, so as to do what I assume my friend has in mind, bring that charter contract within certain limitations, then there need be no delay. There would be a general rule, or a rule applicable to certain conditions, that would apply in all cases and would not result in delay.

Mr. HARDY. It was the purpose of the committee in this bill to provide in a way a kind of standardized charter applicable to certain classes of vessels, and when a vessel was placed by the President's proclamation in a certain class it would take its line of charter from that proclamation and that class.

Mr. MONDELL. If that could be done under this legislation, it would be all well and good; but I doubt if it could be done. I think that under the legislation it would be necessary to submit to examination every charter contract for approval. I do not think there could be any general rule.

Mr. WHITE of Maine. I was going to ask the gentleman from Texas if he did not believe, nevertheless, that every charter must be submitted to some authority?

Mr. HARDY. I think unquestionably that is true. It would be submitted to the Shipping Board under this proclamation of the President.

Mr. MONDELL. Every particular charter?

Mr. HARDY. Every particular charter in the language as it now is.

Mr. MONDELL. Just how much delay that would entail I do not pretend to know, but it occurs to me it might lead to a very great deal of delay; and I am of the opinion—and I am not prepared to suggest language, but I think perhaps the gentleman from Maine [Mr. WHITE] is—that there might be a modification of this language under which a general rule could be laid down, which, being complied with, there need be no visé or approval of the particular charter so long as it came within the general provisions.

Mr. ALEXANDER. It is not expected the President will exercise these powers directly. It is expected they will be exercised through agencies, and in the Shipping Board there is a committee through whom these powers, I presume, will be exercised.

Mr. MONDELL. I realize that; but it seems to me the language of the bill is not happy in that it would compel those having charge of these matters to require the presentation of the charter contract in every instance, no matter how brief a period it might cover or how insignificant the ship might be.

Mr. McLAUGHLIN of Michigan. Do I understand that if this measure becomes a law it would include all the shipping on the Great Lakes as well as on the ocean?

Mr. MONDELL. It might include the shipping on the Great Lakes and on all the rivers and include a charter from one harbor to another 20 miles away or a charter on any one of the interior rivers.

Now, it seems to me the criticism I have just made applies also to section 6, which relates to freight, although I think the language of that section might possibly be construed to admit the fixing of a general schedule of rates which could not be exceeded; but one reading section 6, and interpreting it in accordance with the ordinary rules of construction, would be led to believe that very often in the matter of a freight rate it would be necessary to refer to some Federal agency, perhaps hundreds of miles or thousands of miles away, questions with regard to the freight rates on a small shipment of goods by boat. Clearly the committee did not intend that any such condition should arise, and still that is exactly the condition I fear under this bill.

Mr. GREENE of Massachusetts. It was intended to have agents in various shipping ports to meet that condition.

Mr. MONDELL. But even then, let me say to my friend, who knows a great deal more about this than I do, that we ought, it seems to me, to follow the rule that we follow in land shipments of fixing the rate so that the shipper would know the rate and not be required to submit his rate in every case to the approval of some officer before he could make the shipment.

Mr. GREENE of Massachusetts. I agree with the gentleman on that.

Mr. WHITE of Maine. I think the intention of the committee was to do precisely the thing you say it was not its intention to do.

Mr. MONDELL. If it was the intention of the committee to require submission to an official of every shipment, no matter how small, every charter contract, no matter how brief the period covered or how small the ship, they have carried out their intent perfectly in the provisions of the bill, but I did not understand that was their intent; and if that was not their intent, but if their intent was to simply fix Federal control and provide for reasonable rates, then these two sections need amendment.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. EDMONDS].

Mr. EDMONDS. Mr. Chairman, in ordinary times I would not support one section of this bill, but the war emergency has shown the necessity of legislation of this character in order to regulate the movement of men and munitions, together with the facilities necessary to expedite such movement, and I feel it is our duty to pass it. The experiences during the past few months of the departments interested in the conduct of the war have shown the necessity of the legislation, and it has been the earnest desire of the committee to present a bill in which the ordinary course of trade shall be disturbed only for such a time as it is absolutely necessary to accomplish the war purposes.

It will be noted all through the bill that power is given the executive department by regulation to require certain conditions in connection with shipping which can either be enlarged or modified as necessity shows the wisdom of the action.

This is rendered necessary by the varying conditions which govern the transportation of goods by water, and, in my opinion, is wise, as from the present outlook it will not be very long before it will be found possible to spare ships from the transport and supply work necessary for the support of our Army and our allies for the purpose of entering the carrying trade handling commercial business. I believe I am warranted in making this prediction when we consider the waning activities of the submarine and the enormous production of shipping tonnage in sight at our shipyards and those of our allies.

The bill provides in sections 5, 6, and 7 that charters or terms for freightment should be under the control of the President. I believe that this provision is wise and good.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. EDMONDS. Certainly.

Mr. MOORE of Pennsylvania. Suppose there should be disparity between rail freight rates and water rates, which it is contended there is at the present time. Would it be up to the President just now to adjust those rates in order to give transportation a square deal with the railroads?

Mr. EDMONDS. You mean, of course, railroad rates?

Mr. MOORE of Pennsylvania. Yes.

Mr. EDMONDS. I presume the President, through the railroad bill and this bill, would have the power to do so.

Mr. MOORE of Pennsylvania. If it appeared, by reason of the preference now given to railroads under Government control, that certain water lines were being discarded, it would then be up to the President under this bill to adjust the water rates so that they might be made to conform to the rail rates, if that were desirable.

Mr. EDMONDS. Undoubtedly so.

Mr. MOORE of Pennsylvania. The power to fix rates on inland water lines is given to the President in this bill?

Mr. EDMONDS. He is given the power to fix the rates on any shipping, on the rivers or lakes or anywhere, just as he desires.

The gentleman from Wyoming [Mr. MONDELL] made a statement here as to maximum rates on the lakes and rivers. This gives the President the power, wherever he finds it necessary,

to fix the freight rate, no matter whether it is on a boat going on the Ohio River or the Mississippi River down to New Orleans, or whether it is on a boat on the Great Lakes or on a car on a railroad.

Mr. MOORE of Pennsylvania. The President has now the power to fix rates on railroads?

Mr. EDMONDS. Yes.

Mr. MOORE of Pennsylvania. Under this bill he would have the power to fix water rates on inland lines?

Mr. EDMONDS. Yes; he would have the power to fix water freight rates on inland lines.

Mr. MOORE of Pennsylvania. So that if there was any unfair competition anywhere he would have the power to adjust it?

Mr. EDMONDS. Under this bill he would have the power to adjust it.

These three sections—5, 6, and 7—deal directly with the fixing of freight rates. They give the President the power, if he desires to establish a maximum rate, also to establish a regular rate for certain trades, so that I do not see why the committee would have any objection to giving the President the necessary power during this emergency.

Section 8 authorizes the extension of the three sections to foreign vessels under charter to American citizens. Section 9 gives direct authority to make rules and regulations regarding safety and protective devices in the war zone, and to exclude vessels not fit for war-zone service from the submarine zone. This is a very important section.

Section 10 takes up the charters of foreign ships in the future, being subject to the approval of the President or such board as he selects. Section 11 perfects and expands existing law authorizing the requisitioning of vessels, and contains provisions which the experience of the past year in the practical administration of the Shipping Board's requisitioning program has shown to be essential.

Section 12 sustains the priority order, which is also contained in section 6, and confers power over the facilities necessary for loading ships and for taking care of their cargoes. Under section 13 the President has the power to requisition these facilities, if necessary, or to purchase them, if necessary. Section 14 provides the machinery for just compensation.

Section 15 states what shall be done with any funds that are paid into the different boards originated by the President to carry out the provisions of this act and determines how the money is to be disposed of. Section 16 provides penalties for the violation of the law and section 17 refers to the constitutionality of the provisions of the act.

I would like to call to the attention of the committee that under other different activities of the Government many of the provisions of this act have already been operative, the necessity being so great that these agencies were utilized to accomplish results.

While such actions under the general bills given to the President containing powers for the conduct of the war are undoubtedly within the letter of the law, it is far better for us to pass legislation of this kind defining in detail the powers granted the executive departments than to have the matter to be carried out in an indefinite manner, such as could be done under the present general acts.

A question has been raised here by some gentleman as to what the foreign powers are doing. I have here the English War Cabinet Report of 1917, presented to Parliament by command of His Majesty, and published in London in 1918. I would like to quote from this report. It says, under the head of "Transport":

> The outstanding effort of the ministry of shipping has been so to organize and redistribute the nation's ships that, in conjunction with the policy decided on for the restriction of import of nonessentials, ample supplies should be maintained for civilian and war needs. With such good results has this been done that in the summer of 1917 we actually imported more grain and flour into the country than in the summer of 1916. The quantity of goods brought into the country fell off considerably at the end of 1916 and the beginning of 1917, but during the summer, owing to the reorganization of shipping, there was an excellent recovery. For example, each of the months of July and August the cargo imported was scarcely below the monthly average of 1916 and exceeded by over 500,000 tons the quantity of cargo imported in December, 1916. In June and July we imported nearly 500,000 tons more of grain and flour than in the same two months of 1916.

Now, this is what I want to particularly call the committee's attention to:

> These striking effects have only been accomplished by a drastic treatment of the problem. At the end of 1916 the proportion of tonnage which had been requisitioned by the State was less than one-half of the whole. A large proportion of tramp shipping had been requisitioned, but by far the greater part of the liners remained unrequisitioned and was licensed to continue to trade in the accustomed routes. In the course of a few months practically the whole of the British ocean-going mercantile marine has been brought under requisition at Bluebook rates.

I can not explain Bluebook rates to you. I have been trying to find out what they are, and perhaps at a later date I will, but I presume that they are the established rates. I read further:

> All tramps have now been requisitioned save in certain special cases, and this means that the increase in the number of tramps on full requisition is about 500. The whole of the ocean-going liner service has also been requisitioned, and this affects about 800 vessels.
>
> This practically complete requisitioning has proved of immense service. First and foremost, by enabling the withdrawal of ships from the longer trades and their transfer to the shorter, it has secured for the Nation an enormous addition to its cargoes even while its shipping has fallen in quantity. Quick instead of slow returns have greatly increased the carrying capacity of the vessels so diverted by the saving in time occupied on each voyage.

A little further on it says:

> There is no question that prior to the adoption of a system of practically complete requisitioning profits made by shipowners were so great as to cause grave disquiet amongst the public. The shortage of shipping caused by the war had rushed freights up to figures enormously in excess of anything paid in the past. These freights materially added to the cost of food and other essential materials, and strong criticism was directed in the press and on public platforms against such earnings going into private shipowners' pockets.
>
> As the control and practical direction of British ships became more and more complete it was of increasing importance to adjust to the vital needs of the nation the various demands for tonnage arising in the different departments. A tonnage priority committee was therefore set up, upon which each department of state concerned with the nation's supplies is represented. The committee having before it the demands for tonnage, estimates the amount of cargo it is possible to carry and is enabled so to coordinate the various requirements as to secure the best possible distribution of carrying capacity. So far the task has been accomplished in such a way as to insure that no section of the national need has gone unsatisfied.

I just want to call the attention of the committee to the report of the war cabinet. It is very complete, and I presume each one of you has a copy of it in your office. But I would like to say this, that in carrying on this war we must handle the shipping business in such a manner as will prevent profiteering and will place the ships in the trade to which they are best adapted and which is most advantageous for the movement of our goods. I trust, gentlemen, that you will pass the bill.

Mr. McLAUGHLIN of Michigan. In the opinion of the gentleman is the need of this legislation as great for interior shipping, like that on the Great Lakes, as for ocean shipping?

Mr. EDMONDS. Only in so far as it can be used to prevent profiteering.

Mr. McLAUGHLIN of Michigan. And that is entirely a business proposition, for the protection of the people, and not for the safety of the Government in this time of war.

Mr. EDMONDS. Profiteering has an effect on the price of the commodities that are transported via these water routes. I should like to call the attention of the gentleman to the fact that a great many ships have been taken off the Lakes——

Mr. McLAUGHLIN of Michigan. That is true.

Mr. EDMONDS. And it may be necessary for the President to establish on the Lakes a priority board, to say what necessary work these ships may do; that is, the remainder of the ships left upon the Lakes.

Mr. McLAUGHLIN of Michigan. There is a rumor to the effect that the Director General of Railroads is dissatisfied with some of the low rates by water, and that he would like to have them increased, to the ultimate advantage of the railroad properties of the country. I presume if this bill should become a law the administration would have the right to increase the water rates, making them practically the same as by rail, and so depriving communities now having low rates by water of that advantage which they now possess.

Mr. EDMONDS. I think that is probably true. I do not see that there is anything in the bill to prevent the administration from either advancing or decreasing rates.

Mr. McLAUGHLIN of Michigan. Does the gentleman, as the result of his investigations, know of any feeling like that, that the Director General of Railroads would like to see rates by water increased for the protection and advantage of the railroads?

Mr. EDMONDS. I never had any intimation from anybody to that effect.

Mr. McLAUGHLIN of Michigan. Does the gentleman see any real need for including the interior transportation lines in this bill?

Mr. EDMONDS. So far as the power to requisition is concerned, and to utilize the tonnage and other facilities, I should say that it was necessary, and that this bill would cover conditions that have arisen on the Lakes. As a matter of fact, I believe the price of wharfage in Buffalo has been put up so high that it has had an effect upon the utilization of the Erie Canal. I think that is correct, is it not?

Mr. ALEXANDER. Yes; and while conditions are not as acute on the Great Lakes as they are in the ocean trade, still

anything that increases the price charged for the transportation of a commodity necessary to the winning of the war is just that much of an additional burden on the Treasury. I should regret very much to have the water transportation rates on the Great Lakes increased in order to help the railroads. I never heard any suggestion of that kind.

The CHAIRMAN (Mr. COX). The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Does the gentleman from Missouri want to use any of his time now?

Mr. ALEXANDER. How much time have I left?

The CHAIRMAN. The gentleman from Missouri has 20 minutes remaining, and the gentleman from Massachusetts 21 minutes.

Mr. ALEXANDER. I yield five minutes to the gentleman from Texas [Mr. HARDY].

Mr. HARDY. Mr. Chairman, I hardly think it is necessary to take up the time at my command. I wish to say only a few words. When this bill came to our committee it was a wide subject with many particulars, and we entered into the consideration of it with a full concession of the necessity of very great investigation. I think nearly every section in the bill has been rewritten half a dozen times. After we got it into the shape that it is in I believe that any Member of Congress, if he had been with us, would have gone with us to the end and would have agreed with us in the conclusion we reached, because every single phrase in the bill was discussed, and we were almost, if not quite, of one opinion as to every part of it.

Mr. WHITE of Maine. Mr. Chairman, while I voted in favor of reporting this bill, and while I am supporting it, there are several sections in it and there are phrases in it which I do not personally like. I should like to interpolate that statement.

Mr. HARDY. I am glad that the gentleman has made that statement. He states the exact fact. In the final framing of the bill the gentleman from Maine [Mr. WHITE] stated that there were some phrases in it, and I believe in sections 5 and 6, that he had some doubt about. If I remember correctly, he voiced a good deal the same sentiment as the gentleman from Wyoming [Mr. MONDELL] expressed a few moments ago. The fact was simply this as to these sections: The first criticism was that it would require a great deal of detailed information in approving and passing on each charter. Representatives of the Shipping Board, however, said to us that section 5 had practically been in operation under the implied powers of the Shipping Board, and that they had found no practical difficulty in applying what they were asking the express authority to do here. In other words, the testimony was as to this section that the powers conferred are at present being exercised indirectly through the control of bunkers and stores by the charter committee of the Shipping Board, and they testified before us that the chartering committee found no practical difficulty in executing the provisions of this section. That answers really the criticism made by the gentleman from Wyoming [Mr. MONDELL], and the objection in the mind of the gentleman from Maine, I think, in objecting to section 5.

Now, section 6, giving the rate-fixing power, and section 5 are both so general in their terms as to make the application of them as ready and easy as it is possible to be. I am sure that if you undertook to parse the words and phrases in which to grant the power which we will all agree is absolutely necessary to win this war, you could not compress them into terms and words any more concise than the language we have placed in these sections. We might have gone into great detail, incumbering the bill with a thousand particulars and incumbering its administration with a thousand difficulties. The more general you can make the terms of a bill of this kind the easier it is in its work. I have been one of those who hold that view in reference to railroad regulations. I believe if you could embody railroad regulations in general terms and leave the administration to work out specific matters it would be better.

That is the effect of sections 5 and 6. The President issues his proclamation classifying all ships subject to this law. The charter committee of the Shipping Board sees to the administration and to the issue of each charter just as each business is given a license. We have the authority now to license nearly every business in the United States. It must be done under general regulations, and so with the question of freight rates the rates will be fixed, not for a particular vessel, but for a class of vessels, and all vessels under the dominion of the Government or Government administration must apply the general rates fixed.

Now, I think possibly an interpolation of one word might be advisable in section 6. It says that the President shall have power to determine, prescribe, and enforce the freight rates. I think it might be strengthened if we said reasonable rates. I do not think he could prescribe anything that was not a reasonable rate anyhow, but I have no objection to placing that in there and then it would be well understood that if a confiscatory rate were adopted they could appeal to the courts. That, I think, however, is immaterial. I think the rates prescribed must be reasonable, anyhow.

As a matter of fact, there is this peculiar thing about this bill. It affects the widest interests of the Nation in one of the greatest American industries. The whole shipping of the United States is interested, and there has not been from the shipping interests one syllable or scintilla of protest. They seem willing to join all their energy, united with the power of legislation in Congress, to win the war. I feel that in presenting this bill there was by every member of the committee but one motive, and that was to so coordinate the powers of this Government as to put every ounce of our strength and capacity into the ultimate winning of the war. We should not haggle over technical ideas or possible difficulties, but we want to pass a bill that in our judgment will contain the essential elements for the control of shipping, making available every ounce of our strength and capacity toward the winning of the war. I believe that practically this bill as it comes from the committee needs no alteration or amendment, except the amendments that we have agreed to. I have taken more time than I intended to.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, my excuse for consuming any time on this bill is because it applies to inland waterways and will affect very materially the commerce in and around western Pennsylvania, with which I am quite familiar and upon the rivers which extend into my district.

Sections 5 and 6 are, of course, the storm centers of this bill. They are unconstitutional, I believe, because they violate the fifth amendment to the Constitution, which provides that "private property shall not be taken for public use without just compensation."

This section 5 provides that the President shall have the right to classify all vessels of the United States and shall have the right to fix freight rates such as he may approve.

That classification would include the navigation of the Mississippi, Ohio, Allegheny, and Monongahela Rivers. These rivers are traversed by passenger steamers, towboats, barges, and freight boats. There has been no advance in freight rates by these boats since the war broke out, there has been no profiteering, and there is no necessity for this legislation. These steamers run between points that are competitive with railroads—for instance, between Pittsburgh and Morgantown, Pittsburgh and Wheeling, Pittsburgh and Wheeling and Cincinnati. These are in direct competition with railroads that parallel the river on either bank. They have, of course, been compelled to make a rate so low that it will get them the freight, and they have had to maintain that rate. The Interstate Commerce Commission has had no control over the steamers, but has, of course, over the railroad rates. It is proposed to upset that whole existing arrangement. It is proposed to come in here and give the President the power to classify these steamers and fix the rates by which they must operate. The owners have no right to appeal; no matter what the President does, no right of appeal is given under this clause. The gentleman says that the owners if dissatisfied could go into the courts. They can not under this section, but later on, where the bill applies to wharves and docks, the owners if aggrieved have the right to take 75 per cent of the price offered and appeal as to the other 25 per cent. Under sections 5 and 6 there is no such right given.

Now, Mr. Chairman, the provision applying this bill to the inland water traffic and passenger and freight transportation by boat is in direct violation of the wishes of the people that patronize these boats and the business that has been developed along the Ohio, Allegheny, and the Monongahela Rivers. Therefore I say that there ought to be an amendment added to this bill providing that it shall not apply to inland rivers and canals. I do not know so much about the Great Lakes and I have no complaint about the traffic on the Great Lakes.

Mr. HARDY. Mr. Chairman, will the gentleman yield.

Mr. ROBBINS. Yes.

Mr. HARDY. The gentleman spoke of the paragraph here authorizing the payment in case of disagreement upon the price of property taken, either ships or docks——

Mr. ROBBINS. That applies to docks.

Mr. HARDY. Docks and ships also—the payment to the party if he does not agree to the terms tendered of 75 per cent.

Mr. ROBBINS. Yes.

Mr. HARDY. And giving him the right to go into court to obtain whatever else over that amount may be just. Can the gentleman conceive of any parallel proposition to a freighter, where you would allow him, say 75 per cent of the freight

charged, and then go into court to determine whether or not he should pay the other 25 per cent?

Mr. ROBBINS. To whom do you say?

Mr. HARDY. To the man paying the freight. Suppose the freight rates are fixed too high, and the man says that it is too high. Can the gentleman imagine any parallel provision that could be put in sections 5 and 6 to this, with reference to taking property?

Mr. ROBBINS. Yes. You should have made a provision that in the matter of rates he should have the right to appeal to the Interstate Commerce Commission as was provided in the railroad bill, in section 10, where the right is given to appeal to the Interstate Commerce Commission and have the question of rates reviewed and corrected.

Mr. HARDY. I do not know whether the gentleman was in the House when I made an attempted explanation of the bill——

Mr. ROBBINS. Yes; I heard the gentleman's explanation and I do not want him to repeat it in my time.

Mr. HARDY. Would not the appeal in this case be to the Shipping Board in lieu of the Interstate Commerce Commission?

Mr. ROBBINS. No. The Shipping Board is going to be the agency of the President to fix these rates.

Mr. HARDY. Yes.

Mr. ROBBINS. That is the same as appealing to the President himself. The President, in the first instance, fixes the freight rates, in the case of the railroad bill, and there is the right of appeal to the Interstate Commerce Commission to review that rate.

Mr. HARDY. The gentleman recognizes that the Shipping Board holds exactly the same position with relation to waterways that the Interstate Commerce Commission holds with reference to railroads?

Mr. ROBBINS. I do not recognize that. In section 2 of the bill you provide that the President may exercise the power and authority hereby vested in him "through such agency or agencies as he shall determine from time to time." That would be the Shipping Board, which will be the President himself. He who acts through an agent acts himself. There is no appeal given here. The whole authority is vested in the President, as in the Shipping Board, and he could fix a rate for a class of vessels that ply on the inland waterways of the country that would be absolutely confiscatory of their property.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield? I will grant him five minutes if he wants more time.

Mr. ROBBINS. Yes.

Mr. ALEXANDER. Does the gentleman say that there is no remedy to a shipper if the Shipping Board, as the agent of the President, should fix a rate that would be confiscatory? Does he say that it is necessary that it should be expressly written in the law?

Mr. ROBBINS. There is nothing in this bill that will give the right of appeal, so far as the matters referred to in paragraphs 5 and 6 are concerned.

Mr. ALEXANDER. Can you take that right away? Suppose we would say in the bill that he should not have the right?

Mr. ROBBINS. Then the clause is unconstitutional if it attempts to take property "without due process of law" or "just compensation."

Mr. ALEXANDER. That provision of the Constitution does not apply. I did not know that a rate is property within the meaning of that provision of the Constitution.

Mr. ROBBINS. And I think the gentleman well understood that when he wrote in the end of the bill that if any clause should be held unconstitutional the rest of the bill should stand. These two paragraphs might be declared unconstitutional and the remaining provisions of the act stand.

Mr. ALEXANDER. Oh, no. I hardly think that provision of the Constitution does not apply to a rate in the sense in which the gentleman would apply it. In this bill where we take docks or ships which are private property we provide a method by which the value may be ascertained.

Mr. ROBBINS. In passing, I want to say that I am heartily in favor of the enactment of this bill in its general purposes. I believe in encouraging our foreign commerce. I have always been a friend of the development of the merchant marine of the United States, and I believe that when the merchant marine of the United States dwindled, as it did prior to this war to practically nothing, it was because we did not subsidize our ships and protect them in every way, as other nations do, that we made a very grave mistake. We are going to finish this war with one-fourth of the tonnage of the whole commercial world, if the war continues for another year. Therefore this bill, or some similar bill, should be enacted for our protection; and while this bill is only a war measure, the next Congress, educated by the operation and the working of this bill, the majority—if they are in control, which I hope they will not be—seeing the benefits of this temporary legislation, will enact, I sincerely hope, a permanent measure for the encouragement of the over-seas commerce of the United States. But the proposition that perplexes me now is why should a bill of this kind be made so general in its terms that it will apply to commerce on rivers in my district, such as the Monongahela, Allegheny, and Youghiogheny Rivers? There we have lines of boats that ply and compete for freight and passenger traffic, and have for half a century.

Mr. HADLEY. The gentleman is aware that these provisions as to rates are really permissive? They are authorizations, and so long as the mandatory condition applies neither to foreign or domestic commerce, if the authorization is outstanding, is the gentleman fearful that the President will exercise a power because there is such authorization merely because it exists? If profiteering does exist, should it not be exercised? If profiteering should manifest itself on inland waters and in domestic commerce, why should not the President have the authority to meet that condition when it presents itself as well as in foreign commerce?

Mr. ROBBINS. There is no profiteering; the necessity does not present itself; there is no occasion for this sort of legislation on these rivers. I happen to know something of the navigation on the rivers in and around Pittsburgh and in my district in western Pennsylvania. I am not speaking of the other rivers, because I do not know the conditions that prevail on them; but I am speaking of the general principle when applied to these rivers. I know the situation on the Ohio River as far as Wheeling, and on the Monongahela up to Morgantown. There has been absolutely the same line of boats on them for years, and I have seen them since this Congress convened, and they have practically the same rates of freight to-day that were in effect years ago; and to put these boats under the control of a board here in Washington so that every time they make a rate to carry coal or freight traffic or passengers they must consult the Shipping Board and obtain a right to enforce such rate from such a board here in Washington, I say would be unfair and unnecessary and extremely burdensome and annoying.

Mr. MADDEN. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. MADDEN. Would it not be possible and altogether likely that under the provisions of this bill the President, or whoever may be charged with the responsibility of fixing rates, might make very much higher rates for the river and Great Lakes traffic than now prevail?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. I yield the gentleman five additional minutes.

Mr. ROBBINS. I have been interrupted, and I thank the gentleman very much, and I do not know that I shall use all of it.

That is one of the dangers.

Mr. MADDEN. That is what I think.

Mr. ROBBINS. I suggested a moment ago with that thought in view that it might be developed that rates that had been effective on this river between Morgantown and Pittsburgh in direct competition with the railroads, or between Monessen and Pittsburgh, between McKeesport and Wheeling, would be radically changed by the President or this board, and the river traffic entirely destroyed. Now, then, it is suggested here that the railroad rates have been raised arbitrarily by the Director General of Railroads, without notice to anybody, overnight as it were, and that the railroads with these higher rates will come in competition with the cheaper existing rates on rivers and lakes. Then what will happen to the water rates? They will be reduced by the President, of course. Now, gentlemen of the committee, have you thought about this: That in order to keep the traffic on the railroads, that will naturally seek the lowest means of transportation, the President will have to reduce water traffic?

Mr. MADDEN. If the gentleman will permit, I do not know anything about by what authority this statement was made, but this statement has been made to me, that it is proposed to increase the rates on the Erie Canal in order not to interfere with the competition, or rather not to create competition, with the New York Central Railroad. Now, if any such disposition is in the mind of anybody, regardless of whether this law operates for it or not, it ought to be dissipated, and I think one way to dissipate it is to provide the proper amendments which will enable the people of the United States to continue to be the beneficiaries of the low water-rate transportation which exists throughout the United States on the Great Lakes and inland waters.

Mr. ROBBINS. That is certainly very true. We are spending on the Ohio River this year $5,000,000. We have spent here-

tofore, I do not know accurately how much, but it must be at least $10,000,000 or $20,000,000, in constructing a system of navigation by locks and dams from Pittsburgh clear down to Cincinnati and on to Louisville. Now, if the people are not to receive any benefit from this wonderful expenditure of the people's money to develop cheap water transportation; if we are to place by this bill all water transportation in the hands of a Government board, and they are to raise the rates because railroad rates are higher, in order to preserve railroad traffic and not allow freight to drift to the rivers, the people have spent their money to provide cheap transportation in vain, and this use that is going to be made of this bill is wrong. Therefore I say that sections 5 and 6, giving that arbitrary power to the President, ought to be amended to exclude the rivers from its provisions. I do not mean because I oppose sections 5 and 6 in their present form that I am against the bill; I am going to vote for it even with both of those sections in because of the great good the bill is going to do in the breaking up of war profiteering on the seacoast.

Mr. MADDEN. If the gentleman will permit, I have just talked with the chairman of the committee about the possibility of the thing happening to which I called the attention of the gentleman from Pennsylvania, and he calls my attention to the fact that we passed a law some time ago in which we provided that the regulation of the traffic movement on the lakes and inland waters should not be affected by the legislation that we are passing covering ocean travel. This law, as I am assured by him, does not repeal the provisions of the original law. If that is true, then there is not any objection to the enactment of this law.

Mr. ALEXANDER. The shipping act applies only to interstate commerce, coastwise and on the Great Lakes. The provision of section 18 is:

That every common carrier by water in interstate commerce shall establish, observe, and enforce just and reasonable rates, fares, charges, classifications, and carriers, and just and reasonable regulations and practices relating thereto, and to the issuance, form, and substance of tickets, receipts, and bills of lading, the manner and method of presenting, marking, packing, and delivering property for transportation, the carrying of personal, sample, and excess baggage, the facilities for transportation, and all other matters relating to or connected with the receiving, handling, transporting, storing, or delivering of property.

We do not disturb existing law at all.

Mr. ROBBINS. That act does not apply to the Monongahela and Ohio Rivers.

Mr. ALEXANDER. Oh, no.

Mr. ROBBINS. It applies to the Great Lakes.

Mr. ALEXANDER. It did apply to all our inland waters when it passed through the House.

Mr. ROBBINS. It does not now?

Mr. ALEXANDER. It does not now.

Mr. ROBBINS. In its present form.

Mr. PLATT. Will the gentleman yield?

Mr. ROBBINS. I will.

Mr. PLATT. Is it not true the Director of Railroads practically did fix the rate on the canals at the same rates paid on the railroads?

Mr. ROBBINS. I do not know.

Mr. PLATT. It was so stated. The rates on the Erie Canal were fixed the same as the rates on the New York Central. Unless——

Mr. ROBBINS. I do not know anything about the rates on the canals and I am unable to answer. I do know about rates on the river, and I know some of the rates have been obtaining for years and years in competition with rail rates, and I do know this bill makes it possible to raise those river rates and deprive the people of cheap water rates which they have long enjoyed.

Mr. PLATT. They have been raised, have they not?

Mr. ROBBINS. No; they have not been raised on the Monongahela and Ohio.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That when used in this act—

(a) The term "United States" includes any State, Territory, or District of the United States, the insular possessions, the Canal Zone, and all lands or waters subject to the jurisdiction of the United States.

(b) The term "person" includes corporations, partnerships, and associations.

(c) The term "charter" means any agreement, contract, lease, or commitment by which the possession or services of a vessel are secured for a period of time, or for one or more voyages, whether or not a demise of the vessel.

Mr. ALEXANDER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 1, line 9, strike out the word "and," and before the period insert a comma and the following: "States, municipalities, and other subdivisions thereof."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 3. That all power and authority hereby vested in the President or by him delegated and all restrictions imposed in this act shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government: *Provided*, That if, in the judgment of the President, the tonnage shortage at such time is so severe that national interests of the United States are jeopardized, he may, by proclamation, extend the provisions of this act for a further period of six months.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to amend by striking out the word "Imperial."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GRAHAM of Illinois: Page 2, line 9, strike out the word "Imperial."

Mr. ALEXANDER. Mr. Chairman, I object to that. Our declaration of war is against the Imperial German Government.

Mr. GRAHAM of Illinois. Just a moment. I desire to discuss it briefly. It is true that the declaration of war was against the Imperial German Government, but the treaty of peace may be with the Imperial German Government or it may be with the German Government as it then exists. I do not believe we ought to even by intimation presume in this matter that the treaty of peace we are to make shall be with the present Imperial German Government. It may be with a republican form of government. It may be with some other form of government. I do not believe it is wise in all of these acts that we pass to designate that the treaty of peace that we are to make will be with the present Hohenzollern régime in Germany.

It is a rather immaterial matter to me, but it occurred to me that it was unwise to express it in this way. Nobody can tell at this time whether the present Government will continue to exist or not. I do not see any reason for including the word "Imperial." I think it ought to be stricken out for the reason I have stated. The chairman says we declared war against the Imperial German Government. That is true, but that is no reason why the treaty of peace that shall end this conflict shall be with that Government.

Mr. ALEXANDER. The gentleman is indulging in a hope that I doubt will ever have fruition. If as one of the results of this war the Hohenzollern dynasty in Germany shall be overthrown and a republic erected in its stead, I am sure we and mankind generally would have reason for congratulation. In framing the bill we simply followed the language of the declaration of war. We declared war against the Imperial German Government, and I apprehend that that is the Government with which we will have to determine the terms of peace. There is no evidence now of disintegration of the Hohenzollern dynasty or that a republic will succeed the present Imperial German Government.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GRAHAM of Illinois. This act specifically declares that all restrictions imposed in this act shall cease upon the proclamation of the final treaty of peace between the United States and the Imperial German Government. I want to ask the chairman this question. Suppose some other form of government is set up in Germany; what do you say then about the effect of this act? Will it be presumed as a matter of legal intendment that the then existing government, although it may be some other form of government, shall be the government included in the meaning of this act?

Mr. ALEXANDER. If there should be any obstacle in the way, we could remove it; but it is so remote it has never engaged our serious attention.

Mr. GARRETT of Tennessee. Will the gentleman permit?

Mr. ALEXANDER. I will.

Mr. GARRETT of Tennessee. It would be impossible to anticipate and put into terms of law another government at this time. It seems to me we had better leave that as it is. But I want to call the gentleman's attention to this: That we are not at war with the Imperial German Government only, but with Austria, and I merely suggest that the gentleman consider whether there might or might not be an amendment.

Mr. ALEXANDER. I really do not think it is important. Whenever we come to terms with Germany I imagine Austria will be out of the war.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 6. That the President shall have power to determine, prescribe, and enforce the freight rates and the terms and conditions of affreightment which shall govern the transportation of goods on vessels of the United States. It shall be unlawful to charge, collect, or claim any compensation for the transportation of goods on any such vessel, or to enforce or attempt to enforce any terms or conditions of affreightment, or to make or receive any payment or do any act with respect to such transportation, not in accordance with the rates, terms, and conditions so prescribed, anything in any contract, whether heretofore or hereafter made, to the contrary notwithstanding.

Mr. GRAHAM of Illinois. Mr. Chairman, I move to strike out the last word.

I want to call the attention of the chairman to this language, which has bothered me considerably:

Anything in any contract, whether heretofore or hereafter made, to the contrary notwithstanding.

Do I understand by this language that the President may make such changes in rates or contracts as he desired, and that any preexisting contract shall be held to be null and void if it comes in conflict with the rules that the President has made? I believe I am right in my construction of this language. Now, the question in my mind is this, is this sort of a provision legal? Is it within the constitutional power of Congress to enact? I am thoroughly in sympathy with this bill and practically all of its provisions, but it occurred to me as I read this particular language that a contract might be in existence between some shipowner and some individual or some corporation, or some State, if you please, by which certain rights had accrued to it, and that this contract, by the operation of this act, if it is good, might be absolutely voided and be held as of nothing. And this is entirely contrary to my ideas of what our constitutional powers are.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. GRAHAM of Illinois. Yes.

Mr. BANKHEAD. What particular section or provision of the Constitution does the gentleman have in mind that this language is violative of?

Mr. GRAHAM of Illinois. In answer to the gentleman, let me say that Congress can do such things, I take it we will all agree, as are conceded by the Constitution. There is no provision in the Constitution that I know of that confers upon Congress the right to void preexisting contracts, unless it is the general clause of the Constitution that provides that Congress may pass the necessary acts to provide for the common defense and welfare.

Mr. ALEXANDER. Does not the gentleman recall the constitutional provision vesting in Congress the express power to regulate interstate and foreign commerce, and is not that the power that is invoked in regulating rates in interstate and foreign commerce?

Mr. GRAHAM of Illinois. Yes. But there is nothing in that that will provide you can void existing contracts by which rights have accrued to an individual.

Mr. BANKHEAD. My friend will remember the provision of the Constitution as to the violability of contracts, but that it provides no State shall have the power to pass a law violating an obligation.

Mr. GRAHAM of Illinois. I remember that. It is in section 10 of Article I of the Constitution. If I remember correctly, it is provided that no State shall pass laws that violate the obligations of a contract. But nowhere in the Constitution, if I understand it correctly, is any power given to Congress to pass acts violating the obligations of contracts. And unless we have that power I do not see how it can be done.

Mr. ALEXANDER. I will say to the gentleman that it is inconceivable to me, in view of the express power vested in the Congress of the United States to regulate interstate commerce, that anybody might make a contract for a rate that the Congress might not, by enforcing that provision of the Constitution, make null and void.

Mr. GRAHAM of Illinois. Well, it is not inconceivable to my mind. I have to say in regard to this matter that I simply wanted to call it to the attention of the committee and the chairman, not with the hope, perhaps, that any change would be made in the provision, but simply to express my fear that this particular provision of the act may hereafter be held to be illegal by our courts.

It appears to me that it goes beyond our constitutional power. I do not believe that Congress has such power that it can, without reason or without justification of any kind, except the mere desire of some administrative officer of the Government, avoid and do away with the obligation of a preexisting contract.

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I move to amend page 3, line 11, after the word "enforce," by striking out the word "the" and inserting the word "reasonable."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ALEXANDER: Page 3, line 11, after the word "enforce," strike out the word "the" and insert the word "reasonable."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GRAHAM of Illinois. Mr. Chairman, I simply wanted to say in regard to that insertion that that changes the section appreciably, in my judgment.

Mr. ALEXANDER. The gentleman from Texas [Mr. HARDY] had already suggested that I offer that amendment.

Mr. GRAHAM of Illinois. Many of my remarks might not have been necessary if I had known that the gentleman was going to insert that word.

Mr. BLACK. Mr. Chairman, I would like to ask the gentleman a question, if he will yield, as to the effect of his amendment.

Mr. ALEXANDER. Yes; I yield.

Mr. BLACK. Suppose the President, in the exercise of the powers granted him under this law, should fix an unreasonable rate. I am at a loss to know what remedy the shipper would have for the redress of his grievance.

Mr. SAUNDERS of Virginia. He would not have any.

Mr. BLACK. Even if it should be confiscatory, what remedy would he have? As I understand it, no court can mandamus the President or issue an injunction against him. I would like to know what protection a shipper would have in the event the President should prescribe an unreasonable rate.

Mr. ALEXANDER. These powers would be delegated to the Shipping Board, and I do not see any reason why it should not be enjoined from enforcing a rate.

Mr. BLACK. Suppose the President issues an order himself fixing a certain rate. I should think the shipper would be absolutely helpless.

Mr. SAUNDERS of Virginia. Mr. Chairman, just a few words with respect to the criticisms of the gentleman from Illinois [Mr. GRAHAM], first as to the reasonableness of the provision to which he objects, and then as to the sufficiency of our power to enact and make effective that provision.

The committee used the language found in the bill for the very obvious reason that otherwise at times the Shipping Board would be utterly unable to determine, prescribe, and enforce reasonable freight rates, since it would be confronted in many instances with contracts made in anticipation of the establishment of such rates. In such cases, the parties would undertake to say to the board: "We have entered into contract relations about this matter, and are therefore protected against your attempt to regulate and prescribe our rates." The committee desired to make it entirely clear that no such attempt by way of anticipation on the part of anyone could be made effective to thwart the purpose of the bill to give ample power to the agencies that this bill creates to establish, prescribe, and enforce reasonable freight rates and reasonable terms and conditions of affreightment.

With respect to the power on the part of Congress to avoid the contracts to which I have referred, it is merely necessary to cite in support of the same the absolute and plenary power of Congress to regulate interstate commerce. It has been announced time and time again by the courts, that Congress possesses all the powers necessary to make effective any powers that are lodged in Congress by the Constitution. Hence it follows that, if we can regulate interstate commerce, we are clothed with the power to make that regulation effective by avoiding, if we choose to do so, any private contracts sought to be set up in the way of contravention to such regulation. The provision itself is, I think, a wise one, nor do I believe that it will work out any results of inconvenience or hardship.

But whether it is wise or unwise, it is abundantly manifest that Congress enjoys the power, by virtue of its authority over interstate commerce, to avoid any contracts made by way of anticipation in the attempt to defeat the establishment of reasonable rates.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREEN of Iowa. I can readily see why the committee would desire to prevent contracts being made in anticipation of the enactment of this law, and for that purpose I can readily see why it would be necessary to provide that from and after such a date—from the time of the introduction of the bill, for example, or something of that kind—it would be necessary to

have such a provision. But I doubt the necessity of making it so sweeping as it is.

But what I would like to ask my friend, who is a jurist of wide experience, is if he knows of any instance where Congress has by the enactment of any law set aside a contract which, but for that law, would be in full force and effect? I understand, of course, that the provisions of the Constitution only forbid the States from enacting laws which impair the obligations of a contract, but I recollect of no instance where Congress has undertaken to do anything of that kind.

Mr. SAUNDERS of Virginia. I will say to my friend that I do not now recall any particular Federal statute which undertook in express terms to avoid some particular contract; but although I can not at this moment place my hand on the appropriate authorities, my general understanding is that there have been many instances in which the effect of congressional legislation has been to avoid and render of no effect contracts that had been theretofore made. In all the discussions to which I have listened, or in which I have taken part in this connection I have never heretofore heard any doubt cast upon the power of Congress, in the exercise of the powers conferred upon it by the Constitution, to do what is proposed to be done by this section. I have no doubt that if given time I can support this statement by many appropriate instances.

Mr. BANKHEAD. If the gentleman will yield to me, I had occasion very recently to make an examination of that question in the Supreme Court Library, and I think I can furnish the gentleman, in a short brief which I made on that proposition, the citations which confirm absolutely the suggestion just made by the gentleman.

Mr. SAUNDERS of Virginia. I am obliged to my friend for the support which he brings to my contention.

Mr. WHITE of Maine. Mr. Chairman, I ask unanimous consent to return to section 5 for the purpose of offering an amendment.

Mr. ALEXANDER. I suggest to the gentleman that we wait until we finish the bill and then return.

The CHAIRMAN. Is there objection to the request of the gentleman from Maine?

Mr. ALEXANDER. I object for the present, but before we get through we will take up that matter.

The CHAIRMAN. If there be no objection, the amendment offered by the gentleman from Missouri [Mr. ALEXANDER] will be agreed to.

There was no objection.

Mr. GRIFFIN. Mr. Chairman, I would like to say just a word on that subject.

The CHAIRMAN. Without objection, the gentleman will be recognized for five minutes on a motion to strike out the last word.

Mr. GRIFFIN. If we are going to legislate here with the idea that we are going to get any recourse out of the Supreme Court in the event that the rates fixed by the board established by the President are considered to be unreasonable, we are barking up the wrong tree. On June 3 the Supreme Court of the United States handed down a decision in a draft-board case, where an application was made for a mandamus to compel the board to do certain things, and the decision of the Supreme Court in effect was that the act of the local board and of the draft authorities was an administrative act, the act of the President, and the court refused to entertain jurisdiction of the proceedings.

Mr. BLACK. Mr. Chairman, I move to amend section 6, line 10, by striking out the word "President" and inserting "United States Shipping Board."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 3, line 10, strike out the word "President" and insert in lieu thereof "United States Shipping Board."

Mr. BLACK. Mr. Chairman, when the railroad-control bill was before the House for consideration some time ago I took the emphatic position, which was also taken by a great many other Members of the House, that the jurisdiction of the Interstate Commerce Commission over freight rates ought not to be impaired. I do not think that the determination of what are just and reasonable freight rates is an executive function, and therefore no such power should be conferred upon the President. I do not think it was ever contemplated by the framers of our Constitution that even in time of war the President of the United States should ever be delegated such authority. The power to prescribe just and reasonable freight charges is a legislative duty and therefore a congressional function. This power to fix rates is the power of the people, which they delegated in the Federal Constitution to their Representatives in Congress, and, of course, we all understand that it is impractical for Congress to sit as a board to determine rates, because it can not have the facilities of information at hand or the time to deal with such matters in their minute detail. Therefore it has created an agency, to wit, the Interstate Commerce Commission, to do this thing so far as railroad transportation is concerned. And now our merchant marine is attaining such proportions that it is necessary and proper to create some board or commission with the right and the power to fix and determine the rates on water transportation, with the understanding always, of course, that the courts have the power to review such rates and determine whether or not they are confiscatory. That is a right which we could not take away even if we wanted to. But I submit that we ought not to confer a rate-making power upon the President of the United States, because our Government is a Government of three distinct branches, and it is not at all necessary to abrogate the functions of either branch even in time of war. One of them, of course, is the legislative, another is the executive, and the third is the judicial. The President of the United States can not go to the Supreme Court and tell them what he wants done in a pending decision, and he would not, of course, attempt it. The President can not come to Congress and command that we pass a law, and neither can Congress control the President in the exercise of his executive functions under the Constitution. The courts of the country could not go to the President, if he fixes a rate under this section 6, and say, "Mr. President, you have fixed a rate that is unreasonable, a rate that is confiscatory upon the rights of the shippers, and therefore we demand that you lower it."

The courts of the country can not issue a decree of that kind, at least I do not think they possess any such authority. Therefore this rate-making power is one we ought not to confer upon the President. But under this section 6, which we are now considering, we ought to confer it upon the United States Shipping Board. If that board, in the exercise of its proper function as a rate-making body prescribes a rate that is confiscatory, that is unreasonable, then the shipper or the carrier may go into the courts of the country and have his redress of grievances. I call the attention of the House to the fact that the act of September 7, 1916, entitled "An act to establish a United States Shipping Board, and for other purposes," contains the following provision:

Whenever the board finds that any rate, fare, charge, classification, tariff, regulation, or practice, demanded, charged, collected, or observed by such carrier is unjust or unreasonable, it may determine, prescribe, and order enforced a just and reasonable maximum rate, fare, or charge, or a just and reasonable classification, tariff, regulation, or practice.

Therefore, I submit that it would not only be in harmony with the spirit and intent of the Constitution to confer the rate-making power on a board created by an act of Congress, such as the United States Shipping Board, but that is what we have already done in a previous act of Congress.

Mr. ROBBINS. Will the gentleman permit a question?

Mr. BLACK. Yes; I will.

Mr. ROBBINS. I think there is a great deal in the gentleman's idea that there ought to be a different authority for fixing this rate. Does not the gentleman think it ought to be the Interstate Commerce Commission, because of the competition between rail and water rates, and because of the vast machinery and accumulated knowledge that the Interstate Commerce Commission has on that question of rates, that the new Shipping Board would not have?

Mr. BLACK. I do not know to just what extent the Interstate Commerce Commission have made a detailed study of water transportation. Probably they have, and perhaps that commission would be a very competent body to fix such rates. But while we are on this subject, I think undoubtedly the rate-making power ought to be fixed either in the Interstate Commerce Commission or in the United States Shipping Board, and probably best in the Shipping Board, because we have already enacted similar legislation in the act of September, 1916.

Mr. WHITE of Maine. Will the gentleman yield for a question?

Mr. BLACK. I yield to the gentleman.

Mr. WHITE of Maine. Is it not a fact that in the shipping law the regulation of rates in interstate commerce by water is lodged in the Shipping Board, and does not this section at least suspend that law?

Mr. BLACK. That is my understanding. And another thing that we might as well give some thought while we are considering this law, and that is this: We confer upon the President the power to transfer to any other agency that he may select this rate-making power. Under the railroad-control law the Director General of the Railroads has the power to initiate rates. The President might see proper to delegate the authority

granted in section 6, now under consideration, to make shipping rates to the Director General of Railroads, and he would have the absolute power to do it. We have only just a few days ago had an experience which should awaken Congress to the danger of being too free in conferring the rate-making power as an executive function. The Director General of the Railroads issued an order—No. 28, I believe it was—putting into effect general increases in freight rates, supposed to have been on an average of 25 per cent. He provided that they should apply to intrastate traffic as well as interstate traffic. When the railroad commissioners of the different States began to analyze that order it is claimed that in many cases the freight rates would be increased from 200 to 300 per cent on intrastate traffic. Therefore a general complaint went up from all over the country, and I understand the Director General intends to modify his order and to change the effect of it.

An illustration of this kind serves to illustrate very forcibly the great necessity of conferring the freight rate-making power upon some board or commission that has facilities for gathering information necessary to inform it as to how and to what extent rates ought to be lowered or increased. And where the action of such board can be reviewed by a court of proper jurisdiction, so that if mistakes, errors, or wrongs are found in its orders the court can grant the proper relief to the shipper or carrier.

There are other administrative powers and duties conferred in the bill upon the President which I strictly favor and approve, for instance, as in the very next section, No. 7, which says that the President shall have the power to prescribe the order of priority in which goods may be carried or other service performed by any vessel of the United States, and so forth.

That is a perfectly proper executive function in time of war and there are many other similar ones provided in this act, such as the authority to requisition ships, with which I am in thorough sympathy and accord. But, on the other hand, I am just as positive in my conviction that the proposition to determine what are just and reasonable freight rates should remain with the United States Shipping Board where Congress placed it in the act of September 7, 1916.

Mr. DEMPSEY. Mr. Chairman, I was present, as was the gentleman from Texas, during all the discussion on the railroad bill. I remember very well that the question as to how the regulation of rates should be conferred, whether upon the President or upon the Interstate Commerce Commission, was one of the important questions which was settled by this House. I think that the House in this bill will deal with the question the same as it did with the railroad bill. In the end the power was retained in the Interstate Commerce Commission.

The gentleman who has just taken his seat suggests that the power be now conferred on the Shipping Board. It is not my understanding that the Shipping Board was instituted for fixing rates.

Mr. ALEXANDER. Under section 18 of the shipping act the Shipping Board has plenary power over rates in the coastwise trade and on the Great Lakes, over common carriers by water. They have that power now.

Mr. DEMPSEY. I am glad the gentleman has told me that. I asked a member of the committee, because I was in doubt about that point. The members of the committee with whom I conferred advised me that the Shipping Board was exercising that power, but they did not understand that it was within the act.

Mr. ALEXANDER. Section 6 confers on the President the power to regulate freight rates and the terms and conditions of affreightment on American ships. This is a power at present conferred on the Shipping Board only with respect to common carriers engaged in coastwise trade and on the Great Lakes.

Mr. DEMPSEY. All I wanted to say on the question is this: The gentleman from Texas was in some doubt as to whether or not the Interstate Commerce Commission had dealt with water rates, had made a study of it, and whether there were decisions on those matters. There is no doubt about that matter. The Interstate Commerce Commission for many years dealt with the question of interstate rates, combination rates by water and by rail, and there are abundant decisions upon that question, and there are many landmarks to which we all could refer. However, if, as the chairman says, and he no doubt is right, there is already a provision conferring this power on the Shipping Board, the simple substitution proposed by the gentleman from Texas will make this act accord with section 18 of the general act; the gentleman's amendment is in accord with both acts, the general act and this act, and should prevail.

Now, I want to say that it hardly seems possible that the acts of the President would be immune from review by the courts any more than the acts of the Interstate Commerce Commission. If, as a matter of law, the fixing of rates is an attribute of the power of Congress and we confer it upon any other body simply because we can not sit and determine these questions, it does not seem to me to be material whether we confer the power upon the President or upon any other body. The act of the agent would be subject to the same review, because the power remains ultimately in the same body, and it is simply an exercise of the power by delegation.

Mr. BLACK. Will the gentleman yield?

Mr. DEMPSEY. I will.

Mr. BLACK. The courts may have jurisdiction to review a thing, but when they want to enforce the judgment, how can they do it? They can not issue an injunction or mandamus to the President of the United States, because if they did it would be void and of no effect.

Mr. ALEXANDER. Mr. Chairman, the amendment proposed by the gentleman from Texas would not be germane to the provisions of this bill, in my judgment. This is a bill to confer on the President power to prescribe charter rates and freight rates, and to requisition vessels, and for other purposes. Section 2 provides that the President can exercise the power and authority vested in him through such agency or agencies as he shall determine from time to time. It would be within his power to exercise it under the provisions of this bill through the Interstate Commerce Commission. But I assume that the Shipping Board will be the body to whom will be delegated the power, for the reason that the shipping act vests in the Shipping Board the power to regulate water rates in the coastwise trade and on the Great Lakes, and gives the Shipping Board very comprehensive powers regulating transportation by water, not only in the coastwise trade and on the Great Lakes but in the over-seas trade as well. But the power vested in the Shipping Board to regulate rates does not extend to the regulation of rates in over-seas trade, for reasons it is not necessary to explain now. Whether or not the board should have that power in peace times is one of policy. We could give them that power.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. LONGWORTH. Does he construe section 6 of this bill as repealing section 18?

Mr. ALEXANDER. Oh, no; not at all. It does not interfere with it in any way. It does not suspend it.

Mr. LONGWORTH. I may be wrong about it, but, as I understand it, at present, as the gentleman just stated, the Shipping Board has the power to regulate rates in interstate commerce on ships.

Mr. ALEXANDER. Yes; on common carriers by water; but the gentleman knows that a large part of our commerce is carried in what we call tramp ships, and they do not come within the provisions of the act, and our purpose was to extend the power so that the President, acting through such agency as he may designate, would have control over not only common carriers by water and tramp ships in the coastwise trade but in the foreign trade as well.

Mr. LONGWORTH. Suppose an American ship, one of those ships now being constructed, were engaged in interstate commerce, who would then have the power?

Mr. ALEXANDER. If it was a tramp ship, the Shipping Board would not have any control over the rates. If it was a common carrier, within the meaning of the law, and engaged in interstate commerce, the Shipping Board would have control of the rates under section 18 of the shipping act.

Mr. LONGWORTH. And the President would not?

Mr. ALEXANDER. If he delegates the power to the Shipping Board as regards the vessels——

Mr. LONGWORTH. But suppose he does not? I am asking for information. Section 6 of this bill gives the President power to control rates on all American ships.

Mr. ALEXANDER. Yes.

Mr. LONGWORTH. Whether engaged in interstate commerce or not.

Mr. ALEXANDER. Yes.

Mr. LONGWORTH. Would not that repeal to that extent, or suspend during the war, the control now exercised by the Shipping Board?

Mr. ALEXANDER. It might render unnecessary the exercise of the power vested in the Shipping Board under section 18 of the shipping act, but the purpose and intent of this provision is to extend the power so that they can control the rates of vessels to which the act does not apply. If the provisions of the shipping act had been broad enough to include all traffic of vessels, whether common carriers or tramps, whether engaged in coastwise or foreign trade, there would have been no necessity whatever for this legislation.

Mr. LONGWORTH. Suppose this section is not to be construed as repealing section 18, at least during the period of the war, would not that leave a concurrent jurisdiction in fixing rates, so far as the coastwise trade is concerned, with the President and the Shipping Board?

Mr. ALEXANDER. I assume that the President will delegate this power to the Shipping Board so that the same tribunal will exercise the power in both instances.

Mr. LONGWORTH. He might or might not.

Mr. ALEXANDER. Oh, well, that is understood.

Mr. LONGWORTH. It seems to me that the law is not very clear on that matter.

Mr. ALEXANDER. It would be a very anomalous situation if he should delegate the power to some other tribunal.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. DEMPSEY. Is not all you seek to do by section 6 then to extend the power of the President in fixing rates on foreign commerce?

Mr. ALEXANDER. No; not on foreign commerce alone.

Mr. DEMPSEY. And tramp steamers in coastwise trade. Is that it.

Mr. ALEXANDER. It is intended to give the President power through the agency to whom the power will be delegated—full power to regulate the rates on all classes of water transportation to which I have referred.

Mr. DEMPSEY. If it gives him full power, and the Shipping Board has part of the power now, then it must repeal section 18.

Mr. ALEXANDER. No; I do not think it repeals it. If the power now vested in the Shipping Board has been broad enough, there would not have been any occasion for this legislation, because the power now vested in the Shipping Board applies only to vessels that come within the definition of common carriers and in the coastwise trade and on the Great Lakes. It is rather an extension or amplification of the power.

Mr. BLACK. Mr. Chairman, I would like to ask the gentleman from Missouri a question, because I would not want to do anything that would impair the purpose of this bill. If it is to be assumed that the President will delegate this authority to the United States Shipping Board, then, resting on that assumption, the adoption of my amendment would really confer the rate-making power where it is evidently intended by Congress it should rest.

Mr. ALEXANDER. I think it would be unfortunate if we should undertake to divide up these powers. The bill is drawn upon the theory that these powers shall be vested in the President and shall be exercised through such agencies as he may select.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GRAHAM of Illinois. In relation to this matter, as I understand it, contracts for affreightment and freight rates on coastwise ships are at present subject to approval by the United States Shipping Board, from what the gentleman has said. Suppose contracts have been entered into on some coastwise shipping line, fixing certain rates and charges which have already been approved by the United States Shipping Board, and this act is passed with section 6 in it. Then these contracts thus approved may be, if the President desires, voided, if I read this correctly.

Mr. ALEXANDER. I will say to the gentleman that as a matter of fact the Shipping Board has never yet undertaken to exercise any of the regulatory powers vested in them under the shipping act. The board was created in February, 1917. The war ensued in April, and their time and energies have been devoted to the shipbuilding program; but the powers that we seek here to vest in the President are exercised now indirectly through the charter committee of the Shipping Board and through the power vested in the President in the espionage act to control the export of commodities. For instance, vessels are not allowed to have coal or supplies unless they conform to those rules, and it has worked very well, in the main, but the power may be challenged, and while we are enacting the law, in the opinion of the counsel of the Shipping Board, it ought to be put beyond any question and the power directly vested in the board, for it is a situation that must be controlled, and that, too, very effectively, if we are to prevent profiteering at the expense of the Treasury.

Mr. GRAHAM of Illinois. The thing I am trying to get at is, I do not very much like to vote for a measure, however much I may favor it, if I thought I would thereby do some injustice to somebody who had entered into a contract in good faith. Of course, the chairman of the committee has an intimate knowledge of the situation, and if any contracts of that kind exist he would probably know of them.

Mr. ALEXANDER. I will say this, the provisions of this bill, together with the report, were printed in full in the Journal of Commerce, in New York, and other papers in the country, and never to this moment have we received a protest from any source whatever, and really, if the people directly interested have not any fears it is not necessary for us to have any fears. If there were any such contracts now in force we would very likely have had our attention called to them.

Mr. LONGWORTH. Will the gentleman yield further?

Mr. ALEXANDER. I will.

Mr. LONGWORTH. I want to get this matter straight in my mind; it is not yet. Let me read the gentleman from his report with regard to section 6:

> Section 6 confers on the President power to regulate freight rates and terms of affreightment on American ships. This is a power at present conferred on the Shipping Board only with respect to common carriers engaged in coastwise trade. The extraordinary inflation of freight rates due to the ship shortage renders it imperative that the President should have this power with respect to all vessels in all trades.

Now, does not section 6 of this bill suspend at least during the war all power of the Shipping Board over any vessel in any trade?

Mr. ALEXANDER. Let us concede it does, then what?

Mr. LONGWORTH. That is what I asked the gentleman and I understood the gentleman to say "no."

Mr. ALEXANDER. I do not think it does, but assuming it does, then what?

Mr. LONGWORTH. If it does, then the President, of course, may confer on the Shipping Board power to regulate freights on all vessels, or he may reserve it to himself, or give it to someone else.

Mr. ALEXANDER. Certainly, he could do that.

Mr. LONGWORTH. That is what I was not clear about.

Mr. ALEXANDER. This is a war measure and applicable during the war.

Mr. LONGWORTH. Then, it suspends during the period of the war all the regulatory powers of the Shipping Board?

Mr. ALEXANDER. I do not think so, but this additional power may, as a matter of fact, be vested in the Shipping Board by the President.

Mr. LONGWORTH. Not under the law.

Mr. HARDY. If the gentleman will permit me to make this statement: There are quite a number of things to be done under the authority of this bill. It may be found necessary to use one agency to do one thing and another agency to do another. We might have adopted and divided those agencies up and said the President should do this through this agency and that through this other agency, and to have divided it into a dozen different fields of activity under this bill, but we thought it best to clothe the President with the power of exercising the functions or the powers granted in this bill through such agency as he considers proper.

Mr. LONGWORTH. Together with the powers heretofore conferred on the Shipping Board by act of Congress?

Mr. HARDY. Certainly.

Mr. LONGWORTH. So, therefore, they are repealed.

Mr. HARDY. I think, in so far as this act contravenes the Shipping Board act, it repeals that act.

Mr. LONGWORTH. That is the question to which I was trying to get a response.

Mr. HARDY. There is a clause in the shipping act which provides for fixing the rates by the Shipping Board. That would be repealed unless the Shipping Board gave authority under this——

Mr. LONGWORTH. That is the question.

Mr. HARDY. Let me say this, it would be suspended during the war, not repealed, because it is a war measure.

Mr. DEMPSEY. I would like to ask the gentleman a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEMPSEY. I ask that the time of the gentleman be extended for a minute in order to answer this question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York. [After a pause.] The Chair hears none.

Mr. DEMPSEY. Has the attention of this committee been called to the fact that the New York Board of Transportation has protested against the very large increase of rates on the Erie Canal, and has said that after that canal had been built at a very great expense by the State of New York that it would probably be put out of business by increases to so very high rates as to preclude business upon the canal?

Mr. HARDY. Let me make this statement to the gentleman. I have not had notice of what incident he speaks, but it has come to my hearing that there has been a proposition by the Director General of the Railroads to raise some water and rail rates together, in order to make them equal, where an all-

rail rate comes in competition with water and rail. I should hate to see this act or any other act raise rates on water routes for the purpose of furnishing more business to our railways when they are as congested as they are now. That is a matter of practice, a matter of policy, that I think we must present, if there is any case like the gentleman speaks of, with our protest to the powers that be. I fully agree, if there has been an effort to raise the rates on the Erie Canal in order to throw more freight to the railways, that is wrong.

Mr. DEMPSEY. Does not the gentleman understand that one of the chief difficulties with water transportation in the past has been that where railroads have paralleled waterways they have made lower rates than they have elsewhere, and with the object and sole object of driving the waterway out of business?

Mr. HARDY. To which I am utterly opposed, and I hope the gentleman can help us remedy it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, at the time of the discussion of the act taking over the railroads the questions just presented by the gentleman from Texas [Mr. BLACK] were also raised, and I pointed out to the House in the course of that discussion what would result if the control of rates was taken from the Interstate Commerce Commission and predicted exactly what is happening under the powers conferred by that act.

I said then, and I repeat it, that we have only one board of experts in this country that is competent to determine railroad rates, unless you take the railway experts themselves, who determine rates just as the railroads want to have them. That one board is the Interstate Commerce Commission. Now, what is happening to-day? Rates are being fixed that will absolutely ruin communities if they are put in force; will absolutely ruin certain kinds of business; will even put the Erie Canal out of operation. Although I do not know and I do not think any gentleman can refer me to any authority in the bill taking over the railroads to fix rates upon canals or rivers, it has been done in the name of the Director General. Where the Director General of the Railroads gets that authority is more than I can imagine. He can, of course, so arrange matters that no freight will be delivered to a canal boat or to a steamboat and thereby deprive them of traffic, but no authority has been given him to fix rates on waterways. Yet he seems to have fixed rates on the Erie Canal, and I might say in this connection that my information is, from the gentleman from California [Mr. CURRY], that he has also ordered the rates raised on the Sacramento River to an amount equal to the railroad rates, whereas before they were only about half.

Mr. DEMPSEY. Will the gentleman yield in that connection?

Mr. GREEN of Iowa. Yes.

Mr. DEMPSEY. I understand, as an illustration, that the rate on fire brick from New York City and New Jersey points to Buffalo has been raised from $1.50 to $3.60 per unit, which I think is a ton, more than double what the rate has been for a great many years. And the gentlemen who have received freight in that way tell me it will absolutely ruin and put them out of business.

Mr. GREEN of Iowa. I know of a number of similar instances. The rates are being fixed simply in the interest of the railways without consideration or with only slight consideration, at least, of the interests of the respective communities, the interests of the public in general, or the rights of the individuals.

Now, what is going to happen if the provisions of this bill are kept as they stand and the amendment offered by the gentleman from Texas is voted down? It will be even worse than what is happening under the bill taking over the railroads, because it will be all confusion under the terms of the bill. No one knows whether the act giving the Shipping Board authority is going to prevail, whether this act is going to prevail, or even to what vessels it applies. If I understand the gentleman from Missouri [Mr. ALEXANDER] correctly, it is not really intended that this bill shall apply to every canal boat that floats upon the waters of the United States. I may be wrong about that, but I am unable to determine from the bill positively whether it does or does not. I hardly think that was the intention of the committee.

I propose later on to offer an amendment which will define the class of vessels to which the act refers. It says now that they are "vessels of the United States," and some gentlemen sitting by my side say that would mean every boat floating on a river, canal, lake, or wherever it may be. As I understand it now, the Shipping Board has authority to regulate rates on the coastwise trade and on the Great Lakes, but not on the inland rivers. That authority probably belongs to the Interstate Commerce Commission as yet——

Mr. ALEXANDER. The Interstate Commerce Commission has no authority to regulate these rates. Where there is a rail and a water rate, making a joint through rate, they control that, but they have no right to regulate an independent rate.

Mr. GREEN of Iowa. The gentleman will, I hope, pardon me. He did not ask me to yield, but interrupted me before I finished my sentence. The gentleman is expressing the situation correctly. Now, if this bill applies to the rates on the inland waters it would conflict with the authority of the Interstate Commerce Commission as it now stands, so far as it applies to the rates on inland waters in connection with the joint rate made by a railway and a steamboat line. It seems to me that the amendment of the gentleman from Texas ought to prevail. The reasons which he gave are most cogent. There is no way in which we can reach a decision made by the President in the same manner as we could a decision made by a board. An action of mandamus may be made against a board to compel it to apply a reasonable rate. It may be enjoined from applying an unreasonable rate.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. CAMPBELL of Kansas. The gentleman has given considerable study to this question. Is there any way to reach the rates promulgated by the Director General of Railroads recently?

Mr. GREEN of Iowa. That, of course, is a little foreign to the subject that I have in mind now, but the Interstate Commerce Commission can, under the railway control bill, review the rates established by the Director General.

Mr. CAMPBELL of Kansas. But will they do so?

Mr. GREEN of Iowa. In effect, and in so far as the actual result is concerned, I think the power will amount to nothing.

Mr. CAMPBELL of Kansas. That is what I had in mind.

Mr. GREEN of Iowa. Now, if an error is made, how is it to be reached under that bill? If a wrong conclusion is reached upon these rates, what remedy is the shipper to have that would be adequate in any way? I insist, Mr. Chairman, that the amendment of the gentleman from Texas [Mr. BLACK] ought to prevail.

Mr. CLEARY. Mr. Chairman, there are a few things that I know about water transportation, and I have thought perhaps by relating some of them it might throw a little light on the subject. Where you speak of the rail and water transportation, that occurs only in a few places.

Now, I have been for 25 years vice president of the Lake Champlain Transportation Co. We would bring down iron ore by water from Lake Champlain to New York to go by rail into eastern Pennsylvania, and that would be a through rate. But there is a lot about this water transportation that should not be left to any one particular board. That is the reason why I think it would be a good thing to put it up to the President, so that he could appoint special boards for special interests.

Now, in the case of water transportation, take it in and around the city of New York and all the waterways leading to and from it; take the rate to New Haven, which is 75 miles from New York; the present rate on coal is about 75 cents a ton. The rate to Derby, which is only about 60 miles from New York, is about 85 or 90 cents a ton. The reason for the difference is that there is a little extra towage and not so much water. They have to go up there with 600 tons, whereas they can go up to New Haven with 1,200 tons.

The Shipping Board down at New York used to reach these water men. They assembled in the Produce Exchange and met the freighters, and then and there all questions were gone over—How much could a boat carry, and What was the cost to a certain point, and What was it to another point; and it was on all this information that the rates were finally named. So that it seems to me that the committee is right for this reason, that the Shipping Board may have plenty to do already in the things they are now managing, and the President might use some other agency in protecting, we will say, the kind of traffic I am talking about.

Mr. BLACK. Mr. Chairman, will the gentleman yield?

Mr. CLEARY. Certainly.

Mr. BLACK. The point I have in mind is not the creation of boards to carry out principally executive functions; but as to the rate-making power, it being a legislative power, does the gentleman think it well for Congress to delegate it to an agency in such a way that the courts would have absolutely no control or power to settle the reasonableness or unreasonableness of the rate?

Mr. CLEARY. The legal proposition I shall not attempt to discuss. That is the reason why the lawyers do most of the discussing of these legal propositions, becaue they are legal.

I know only of the physical conditions, and it is of those that I am speaking.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield for a question?

Mr. CLEARY. Yes.

Mr. DEMPSEY. As I understand the gentleman's argument on the question he has just been speaking of, it is this: He does not say that it should be the President, but it should be some board other than this board, because he believes this board already has all it can do. He thinks that some other board can look into the evidence?

Mr. CLEARY. Yes. In water shipments there are a great many things to be considered. The depth of water, the cost of towing, and the kind of boats, all enter into the cost of transportation; the Champlain Canal and the Erie Canal enter into the matter.

And, speaking of the Erie Canal, I want to say that a great wrong has been done there because of lack of knowledge. In its palmy days I shipped millions of tons over the Erie Canal. I was the manager of two through transportation lines through most of my life, and the Erie Canal got its business because it carried more cheaply than the railroads. That is the reason.

But when you put the water rates up to the railroad rates the boats are going to Buffalo light. That situation has got to be remedied. Therefore the board appointed by the President should have special knowledge of that canal business. They should learn it, and they ought to learn it from the people who know. So it is with all your inland business. I do not think that some one particular power should attempt to govern all the seaboard rates and the ocean rates across and the sound rates and the Hudson River rates. There is too much of it. It ought to be confined to men who know what they are talking about and who know what they are doing, and then they will not destroy it.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. CLEARY. Yes.

Mr. GREEN of Iowa. The gentleman is aware of the fact that some board, or somebody appointed by the President, is putting the Erie Canal out of business at the present time?

Mr. CLEARY. They will learn in time. [Applause.]

Mr. ELSTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. ELSTON. Mr. Chairman, inasmuch as the pending bill relates to ships, I feel that it would not be out of place to mention a most advantageous arrangement recently effected by the Emergency Fleet Corporation in the location of one of its Pacific coast concrete-ship yards in Oakland Harbor, Cal. The Government thereby obtains without cost a 25-year lease on a site comprising nearly 100 acres fronting on deep water and valued at over $1,000,000. The land belongs primarily to the cities of Oakland and Alameda, with a possible undivided and undefined interest in the State of California. It lies in the heart of Oakland Harbor, between the cities of Oakland and Alameda, and constitutes an ideal location for Government purposes. Comment has more than once been made on the floor of this House upon the tremendous expenditures of the Government in the purchase of yards at Norfolk, Hog Island, and other localities. I have no criticism to make on this great outlay of money for necessary land purchases, as I assume that the Government officials acted honestly and paid no more than the fair market price. It is with some pride, however, that I refer to the generous action of the State of California and the cities of Oakland and Alameda in leasing to the Government for 25 years without cost a most valuable piece of water-front land. I believe also that commendatory mention should be made of Mr. R. J. Wig, chief of the concrete division of the Emergency Fleet Corporation, and of his associate, Mr. H. J. Brunnier, through whose efforts the lease was consummated. In closing I might say that recently the city of Alameda, with the cooperation of the Legislature of California, tendered to the United States Government without compensation the whole, or such part as may be needed, of a 3,000-acre tract of water-front land on San Francisco Bay for the proposed new naval base selected at Alameda by the Helm Naval Base Commission. This land is valued at many million dollars. [Applause.]

Mr. SAUNDERS of Virginia. Mr. Chairman, unquestionably this act confers very large powers upon the President; but the country is confronted with a situation which renders it absolutely necessary that these powers should be lodged in the Executive, or lodged elsewhere, if there is any other functionary or tribunal in which it is considered that they should be more appropriately lodged. Of course whenever large powers are granted it is always possible that these powers may be abused. The purpose of this bill is to enable the United States to control the ocean-going and other rates which have heretofore, in many instances, mounted to such extravagant heights that they have been simple robbery. Because we propose to create the authority by which these abuses may be rectified, it is suggested that the President, in the exercise of the powers that we confer upon him, may take rates which at present are fair, just and equitable, and enlarge them to inequitable and unjust proportions, to the prejudice of the public interests. Well, that is a possibility. I admit that under the powers given, he can do that very thing. But does anyone conceive that it is likely that the President will pursue such a course in lieu of rectifying the rates which at present are in so many instances outrageous and oppressive. Power is given to correct, not to create abuses, and it is to be presumed that this power will be exercised to consummate the legislative intent.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes, I yield.

Mr. GREEN of Iowa. I would not want to be put in the position myself to which the gentleman refers. The idea that I had was simply that the President might not be infallible.

Mr. SAUNDERS of Virginia. Oh, he is not.

Mr. GREEN of Iowa. Not being an expert on rates.

Mr. SAUNDERS of Virginia. He is not.

Mr. GREEN of Iowa. And that mistakes might be made.

Mr. SAUNDERS of Virginia. They may.

Mr. GREEN of Iowa. And for that reason, that the courts ought to have some chance to rectify those mistakes.

Mr. SAUNDERS of Virginia. The courts are not infallible. Some of the greatest mistakes that I have ever observed have been committed by the courts.

Mr. GREEN of Iowa. So far as boosting the rates is concerned, no one would dream that the President would put the rates higher than they are now, but they might be made inequitable as between different shippers and different communities.

Mr. SAUNDERS of Virginia. Oh, they may. You can not lodge in the President, or in the Interstate Commerce Commission, or in any other tribunal, the power to do large things, without affording the opportunity for the abuse of this power.

Mr. DEMPSEY. As I understand the gentleman's argument, it is that freight rates should be controlled so as to be made reasonable?

Mr. SAUNDERS of Virginia. That is what I think should be done.

Mr. DEMPSEY. I do not understand that the gentleman has addressed himself at all to this question, which is the question before the House, whether it would not be better to lodge those powers to reduce rates to reasonable sums in the Shipping Board rather than in the Executive.

Mr. SAUNDERS of Virginia. I simply have not reached that proposition. I propose to discuss it. The gentleman from New York who has preceded me has pointed out very sufficient reasons why the powers conferred upon the President should not in their entirety be committed to any one tribunal, or any one agency, but should be exercised through a number of appropriate agencies or tribunals. Section 2 of this bill provides that the President may exercise the power and authority vested in him through such agency, or agencies as he shall determine from time to time.

With respect to rate matters I take it for granted that in the exercise of a wise discretion he will avail himself largely of the Shipping Board. If we do not believe that he will exercise his discretion wisely then we ought not to confer upon him the powers proposed. That is clear.

Mr. DEMPSEY. With respect to certain powers heretofore conferred on the Shipping Board, the suggestion has been made that by this act we have given the President the power to override that action of the Shipping Board.

Mr. SAUNDERS of Virginia. Yes, that is true.

Mr. HARDY. During the war.

Mr. SAUNDERS of Virginia. Yes, during the war, or a national emergency

Mr. DEMPSEY. If it is the intention of the act to confer the real power on the Shipping Board, and that the President shall simply be nominally in control of it, why not say what we intend to do, to name the Shipping Board?

Mr. SAUNDERS of Virginia. But the President will be in real control of the Shipping Board.

I was proceeding to say that, with respect to certain phases of this rate problem, the President will naturally exercise the powers conferred through one agency, and with respect to certain other phases of the same problem will exercise these powers through some other and more appropriate functionary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. I ask for five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. In large measure I take it that the question of rates will be dealt with by the President through the Shipping Board. But we do not propose to limit his powers in that respect. Something may arise in connection with general rates, or with some particular rates, or with some particular line of transportation, or with some particular collection of ships, which the President may prefer to deal with through some agency other than the Shipping Board. He is given the power to do that. It has been pointed out by the gentleman from New York that it is well that he should have this power. If this committee thinks that it is unwise that this power should be conferred, on the ground that it is susceptible of abuse, or that if given it is likely to be exercised in contravention of the public interest, then this grant of power should be denied and this bill defeated. It has been pointed out that all large grants of power are susceptible of great abuses. But this possibility of abuse should not lead us to the conclusion that on this account large powers should never be conferred. If with respect to one of the instances cited, it is considered that the powers conferred would be most efficiently exercised through the Shipping Board, it may be presumed that in that particular respect the President will make use of the Shipping Board. But at the same time if there are other situations that can be more properly dealt with through other agencies, we ought not to cripple the power of the President to establish and make use of those agencies.

That is the situation which confronts us. The powers given are large. The committee does not shrink from the acknowledgement of that fact or of the further fact that the possibility of abuse is great. But I never have been able to see how you can give large powers of discretion, and then so hedge about, curtail, and limit these powers so given as to remove the possibility of abuse. It can not be done. So long as any power of discretion remains, the possibility of abusing that discretion is co-existent. So far as the Shipping Board is concerned, that board is the creation of the President. The board is composed of his appointees. Why is it to be presumed that these appointees will exercise these powers more wisely and more effectually than the President will exercise the powers conferred upon him?

Mr. BLACK. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. BLACK. The difference I make is this: If an unreasonable rate should be put into effect the difference would be that the courts of the country would have no power of review if put in effect by a proclamation of the President. But if put into effect by the board, that board would be subject to review by the court.

Mr. SAUNDERS of Virginia. I do not know that I agree with the gentleman. With respect to the powers of the President that belong to him by virtue of the Constitution it may be admitted that the courts could not enjoin him from the exercise of those powers, but I do not by any means concede the proposition that when by legislative enactment authority is given to the President to do certain things he is thereby clothed with a sanctity that will protect acts improperly done in the alleged exercise of this authority from the lawful jurisdiction and authority of the Federal courts. I do not admit that contention.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the amendment was rejected.

Mr. STEVENSON. Mr. Chairman, I understood the committee assented to the amendment which I proposed in line 14, page 3, section 6, to strike out the words "or claim" and insert before the word "collect" the word "or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 3, line 14, strike out the words "or claim" and before the word "collect" insert the word "or," so that it will read: "it shall be unlawful to charge or collect any compensation," etc.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 11. That the President shall have power to requisition for military purposes, or for any other national purpose connected with or arising out of the present war, the temporary possession of any vessel, or, without taking actual possession, to requisition the services of any vessel and to require the person entitled to the possession thereof to issue to the master such instructions as may be necessary to place the vessel at the service of the United States.

Upon requisitioning such possession or services, or as soon thereafter as the exigencies of the situation may permit, the President shall transmit to the person entitled to the possession of such vessel a charter setting forth the terms which, in his judgment, should govern the relations between the United States and such person and a statement of the rental or rate of hire which, in his judgment, will be just compensation for such vessel and for the services required under the terms of such charter. If such person does not execute and deliver such charter and accept such rental or rate of hire, the President shall pay to such person a sum equal to 75 per cent of such rental or rate of hire as the same may from time to time be due under the terms of the charter, and such person shall be entitled to sue the United States to recover such further sum as added to such 75 per cent will make up such amount as will be a just and reasonable rental or rate of hire for the use of the vessel and for the services required under the terms of such charter. In the event of loss of or damage to such vessel, due to the operation of a risk assumed by the United States under the terms of such charter (in the event that no valuation of such vessel or mode of compensation has been agreed to), the United States shall pay just compensation for such loss or damage, to be determined by the President; and if the amount so determined is not satisfactory to the person entitled to receive just compensation, the President shall pay to such person 75 per cent of the amount so determined, and such person shall be entitled to sue the United States to recover such further sum as added to such 75 per cent will make up such amount as will be just compensation.

Mr. ALEXANDER. Mr. Chairman, on page 6, line 18, after the first word "for," I move to amend by inserting the words "the use of," so it will read "just compensation for the use of."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 6, line 18, after the word "for," insert the words "the use of."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. ALEXANDER. On page 7, lines 2 and 3, I move to strike out "just and reasonable rental or rate of hire" and insert the words "just compensation," and in line 4 strike out the words "under the terms of such charter."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 2, strike out the words "just and reasonable rental or rate of hire" and insert in lief thereof the words "just compensation." In line 4, page 7, strike out the words "under the terms of said charter," so that the lines as amended will read: "such further sum as added to such 75 per cent will make up such amount as will be a just compensation for the use of the vessel and for the services required."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 12. That the President shall have power to prescribe the priority in which the persons in possession of dry docks, wharves, or loading or discharging terminal facilities, in any port of the United States, or warehouse equipment or terminal railways connected therewith, shall serve vessels and shippers, and to make any rules and regulations with respect to the conduct of the business thereof which may in his judgment be necessary and proper.

Mr. ALEXANDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 7, strike out all of section 12 and insert the following:

"SEC. 12. That the President shall have power to prescribe the order of priority in which persons in possession of dry docks, wharves, lighterage systems or loading or discharging terminal facilities, in any port of the United States, or warehouse equipment or terminal railways connected therewith, shall serve vessels and shippers and to determine, prescribe, and enforce the rates, terms, and conditions charged or required for the furnishing of such services, including stevedoring and handling of cargo, and the handling, dispatching, and bunkering of vessels, and to make such rules and regulations with respect to the conduct of any such business as may be necessary and proper. It shall be unlawful to charge, collect, or claim any compensation or enforce or attempt to enforce any terms or conditions or to make or receive any payment or do any act with respect to any such service not in accordance with the rates, terms, and conditions so prescribed, anything in any contract, whether heretofore or hereafter made, to the contrary notwithstanding."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 13. That the President shall have power to acquire by purchase or lease, or to requisition the title to or temporary possession of, or to assume temporary control of, any dry docks, wharves, or loading or discharging terminal facilities, in any port of the United States, or warehouse equipment or terminal railways connected therewith.

Whenever the President requisitions or assumes control of any such property, the United States shall pay just compensation therefor, to be determined by the President. If the amount so determined is not satisfactory to the person entitled to receive just compensation, the President shall pay to such person 75 per cent of the amount so determined and such person shall be entitled to sue the United States to recover such further sum as added to such 75 per cent will make up such amount as will be just compensation.

Whenever the President acquires by purchase, lease, or requisition, or assumes control of any such property immediate possession may be taken thereof to the extent of the interest acquired therein, and such property may be immediately occupied and used without regard to the provisions of section 355 of the Revised Statutes.

Mr. ALEXANDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 8, lines 5 and 6, strike out the word "warehouse" and insert the word "warehouses," and insert a comma thereafter.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Whenever the President acquires by purchase, lease, or requisition, or assumes control of any such property immediate possession may be taken thereof to the extent of the interest acquired therein, and such property may be immediately occupied and used without regard to the provisions of section 355 of the Revised Statutes.

Mr. ALEXANDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 8, after line 23, insert a new paragraph as follows:
"Nothing in this section shall authorize the President to requisition the title to any such property owned by any State, municipality, or subdivision thereof."

Mr. ALEXANDER. Mr. Chairman, I will say in explanation that there are municipalities that own their warehouses and terminal facilities, such as Seattle and Philadelphia, and I simply explain that we are not conferring the power to take over and condemn permanently these warehouses and other facilities.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

SEC. 15. That all vessels of which the possession or services are requisitioned under this act, and all dry docks, wharves, loading or discharging terminal facilities, warehouse equipment, or terminal railways, of which the President may acquire the title or possession or of which he may assume control under this act, may be operated and managed as the President may from time to time direct. The net proceeds derived from any activity authorized in this act or the joint resolution of May 12, 1917 (Public No. 2), or the division entitled "Emergency shipping fund" of the act of June 15, 1917 (Public No. 23), shall be deposited in the Treasury in a separate and distinct fund and may be expended by the President in carrying out the purposes of this act, and within the limits of the amounts heretofore or hereafter authorized, for the construction, requisitioning, or purchasing of vessels.

Mr. ALEXANDER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, lines 6 and 7, strike out the word "warehouse" and insert in lieu thereof the word "warehouses," and insert a comma thereafter.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. ROBBINS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, line 21, after the word "vessels," insert the following:
"*Provided*, That none of the provisions of this act shall apply to vessels of less than 500 tons burden plying exclusively on the inland waterways and rivers of the United States."

Mr. ALEXANDER. Mr. Chairman, on that I reserve the point of order.

Mr. ROBBINS. Mr. Chairman, the purpose of that amendment is to exclude the operations of this bill from the craft that operate on the rivers and canals, of course, but especially on the rivers of the interior of the country—the Monongahela, the Ohio, and the Allegheny.

Mr. Chairman, the purpose of this amendment is to exempt from the provisions of this act the boats and craft that navigate the rivers of the United States in the interior of the country and the canals. I have the honor to represent on this floor the twenty-second district of Pennsylvania, composed of the counties of Westmoreland and Butler. Through and adjoining Westmoreland County flow the Monongahela and Allegheny Rivers, which are navigable and which, at their juncture at Pittsburgh, form the Ohio, and the Youghiogheny, which is navigable in part. On these rivers there are great commerce lines and passenger boats plying regularly between the cities and towns along these rivers, and towboats—peculiarly constructed craft used on the western rivers which push boats ahead of them laden with coal, iron, glass, and general freight.

The purpose of this bill is to requisition and take over boats that can be used in carrying troops and supplies to our armies in Europe. These boats will never be used for this purpose, hence the restrictions of this act requiring licenses, the filing of the contracts under which they operate, and various restrictions that will be imposed on ocean-going and coastwise traffic should not be enforced against these boats.

It would be a great inconvenience and interference with the operation of these boats on the rivers named if they were compelled to get all of their freight tariffs and charges, requisitions, and other permits from Washington City. Therefore I urge the passage of this amendment, so that they may be exempted and permitted to continue in the commerce in which they are engaged in and around the city of Pittsburgh, and the rivers tributary thereto, unrestricted and free as heretofore.

Mr. Chairman, I am in favor of this bill. Stringent, far-reaching and arbitrary as its provisions are, it is aimed at the profiteering on the seacoast by owners of vessels, whether individuals or corporations, that they have large freight craft, and which is levied not only on the Federal Government but on all business enterprises seeking and requiring ocean transportation.

I am in favor of every move that will assist the President and our Government in the transportation of troops, equipment, and supplies to Europe and in the prompt return of our sick and wounded soldiers to their native land.

Mr. Chairman, we are building rapidly an immense ocean tonnage. During the month of May 71 ocean-going steamers of various sizes were launched. Scarcely a day passes that there does not glide from ways into the sea a new ship from some of the many shipyards on the Pacific or Atlantic coast. If the war lasts another year, the United States will have at least 8,000,000 tons of shipping afloat more than we have now. We will, in fact, own and control one-third of the entire ocean-going traffic of the world by the end of 1919. This splendid accomplishment of American energy and American industry, now engaged in the construction of ships, must be protected and encouraged in every way if Congress can protect and encourage it. There was a time, gentlemen of the House, when the American ships sailed every sea, when the Stars and Stripes floated to the breeze in every port. In those days the commerce of the United States was carried in American bottoms, upon ships commanded by American officers, manned by American seamen. That day, alas, was prior to the Civil War; but after the close of the war our shipping went rapidly into decline and at the outbreak of the present war our merchant-marine fleet was by far the least of the great commercial nations. We were paying hundreds of millions of dollars a year to foreign shipowners for the transportation of American goods which should have been paid to American shipowners to maintain and support our own ships, flying our own flag. The prime purpose of this act of Congress is to take over all shipping and to control foreign shipping in all American ports.

The prejudice against ship subsidies has largely disappeared. We are going further now than any subsidy ever went. Our Government is not only building and operating its own yards, but owns and has requisitioned and operates practically all the ships that sail the seas outside of those of our allies. This policy is bringing into existence rapidly and with increasing speed a splendid merchant marine, sailing the American flag and manned and officered by American seamen.

Believing as I do, that this bill will encourage this great fleet to carry our vast commerce during the war and to carry commerce of every other nation when the war is over, I am willing to support this bill. The President has written a letter asking its passage, and I am supporting the President and supporting my country when I support this bill. After the war is over and these ships are released from carrying the grim freight of war and have returned our victorious troops to their native land, under the beneficent clauses of this bill, which will remain in force for six months after the war is over, the true mission of our merchant marine will become apparent not only to our American people but to the nations of the world, and that mission, Mr. Chairman, is the complete commercial dominion of the high seas. Then again will the American flag be seen upon all of the seas, and then again will American commerce have its ancient and right place at the front and head of all the commercial nations of the world. This is our destiny and this is the purpose of this act of Congress that we will this day place upon the statute books of our National Legislature.

Mr. ALEXANDER. I will say this to save time. What we have in view is to control the rates that are necessary in our foreign trade to get our soldiers and our supplies and our munitions to Europe to fight and win this war——

Mr. ROBBINS. I am in hearty sympathy with that.

Mr. ALEXANDER. And I can not imagine the people of the Ohio River are any less patriotic than anyone else——

Mr. ROBBINS. They are just as patriotic.

Mr. ALEXANDER. And if anybody should undertake to profiteer there I can not imagine they would want to protect them——

Mr. ROBBINS. We do not.

Mr. ALEXANDER. I do not care to waste further time. If the gentleman wants them exempted, all right.

Mr. ROBBINS. All right, then. I will not talk about it further, if it is agreed to.

Mr. ALEXANDER. I will withdraw the point of order.

Mr. ROBBINS. Mr. Chairman, I ask unanimous consent to modify my amendment in accordance with the request of the chairman of the committee. Will the Clerk please report it as modified.

The Clerk read as follows:

Mr. ROBBINS moves to modify his amendment by striking out the word "waterways," so that the amendment will read:

"*Provided*, That none of the provisions of this act shall apply to vessels of less than 500 tons burden plying exclusively on the inland rivers and canals of the United States."

Mr. CLEARY. Mr. Speaker, just a word. Does not the gentleman think he ought to cut out the tonnage and say "freight carried on rivers and canals?" Because some boats carry a little more, and a fellow would not like to come down light and carry 500 tons if he can carry 600 tons.

Mr. DEMPSEY. If it is to be amended, it should be a thousand tons, because the barge canal carries 900 tons.

Mr. CLEARY. But you do not need to go into that. Cut the tonnage out.

Mr. ROBBINS. That is all right.

The CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Further modification, striking out the words "of less than 500 tons burden," so that the amendment as modified will read:

"*Provided*, That none of the provisions of this act shall apply to vessels plying exclusively on the inland rivers and canals of the United States."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS].

The amendment was agreed to.

The Clerk read as follows:

SEC. 17. That if any provision of this act, or the application of such provision to certain circumstances, is held unconstitutional, the remainder of the act, and the application of such provision to circumstances other than those as to which it is held unconstitutional, shall not be affected thereby.

Mr. ROBBINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 10, line 8, after the word "thereby," strike out the period and insert the following:

"*Provided*, That the President shall make report in writing to Congress on the first Monday of December each year of all action taken under the provisions of this act."

Mr. ALEXANDER. Mr. Chairman, I reserve a point of order against that.

Mr. ROBBINS. Mr. Chairman, the purpose of this amendment is quite apparent from the reading of it. It is simply to give Congress on the first Monday of December each year a report from the President of what is done under this act. This act is a very drastic one, as has been stated by all of the gentlemen who argued it. It is arbitrary in its power, extensive in its provisions, and most inclusive in its purpose. With the exception now of the canals and rivers, it includes all the waterways of the country and all the vessels of the country plying in coastwise and ocean traffic. Not only are the provisions of this act to be considered but all the rules and regulations that are to be made under it, and I think it would be very wise for the navigation interests of this country and the corporations operating steamships abroad and coastwise to know at the end of the year what the President has done by reason of this act. While it is true it is a war measure, and while it will expire by limitation when the war has been closed by the proclamation of the President, or six months thereafter, if the exigency exists for extending it, I contend it would be fair and right and proper to the vast shipping interests of this country to know what the President has done under this bill, because there ought to be some statement and publication of the rules and regulations made, of the number of people that have been punished, the way the law has worked out, its hardships, and its uses. And I therefore think this is a very reasonable requirement to place in this act, to ask the President, as we have done in many of these other measures, to make a report to Congress of what action he has taken under its provisions.

Now, we must remember that the provisions of this act will be carried out by the Emergency Shipping Board, or the Emergency Shipping Fleet Committee, a subcommittee of that board. It will be acting all over the country. They will have rates promulgated in San Francisco, New Orleans, Galveston, New York, Boston, Philadelphia, Norfolk, and other places, and it would be beneficial to the shipping interests of the United States to know what the President has done, and to have him, under the provisions of this bill, make a complete report on the first Monday of December of each year when Congress assembles, giving that information.

Therefore I ask the adoption of this amendment for that purpose.

Mr. ALEXANDER. Mr. Chairman, I will not make any point of order against the amendment.

These powers will, no doubt, be exercised through the Shipping Board and the law provides that the Shipping Board shall make annual reports. Why we should create in that board a bureau to compile all these orders, rates, and statistics from time to time and make a report at the end of the year at the cost of possibly $50,000 or $100,000, that nobody will ever read, I can not understand.

Mr. ROBBINS. The gentleman will remember——

Mr. ALEXANDER. Just a moment. The Congress can call on the President at any time for any information in reference to the manner in which he is executing the powers conferred on him under the provisions of this act, and the shipping interests, which will be the interests directly affected, will have notice at any very time of any power that is exercised and that may affect them.

Mr. ROBBINS. Mr. Chairman, will the gentleman permit a question?

Mr. ALEXANDER. Yes.

Mr. ROBBINS My idea about the situation is this: The purpose of this motion, I want to say to the gentleman, is to put this Shipping Board, which is now made a rate-making power by this act, on the same basis exactly as the Interstate Commerce Commission to-day. It makes its report to Congress each year, and only to Congress, and it publishes these various rates that apply to railway transportation and they are posted in the offices of the transportation companies. They are not contained in the reports that the Interstate Commerce Commission makes. It is only a little volume. It reports what it has done. If you want anything investigated about it, you can take it up and call on it for the special information desired. I want the Shipping Board to be put on the same basis as the Interstate Commerce Commission, which has the rate-making power as to railroads, this Shipping Board being the rate-making power as to water transportation lines.

Mr. ALEXANDER. There is nothing in this bill about the rate making of the railroads. The President is operating the railroads, not the Interstate Commerce Commission.

Mr. ROBBINS. What I want to show is what rates are made, what rules and regulations are promulgated, and what the traffic is under the provisions of this act.

Mr. ALEXANDER. They will be promulgated from time to time and made a matter of public record, and it would not serve any useful purpose in the world to embody them in a report to Congress. The Interstate Commerce Commission in their reports do not embody the rates that are in force. They are a part of the records of the Interstate Commerce Commission and open for inspection.

Mr. ROBBINS. The rates to be promulgated here should be set out in general information, not in detail. The rates on the coastwise traffic will be as numerous as the character of that traffic. The rates to foreign ports will be another character of rate making. Now, we will never get that information except in a report made by the President to Congress.

Mr. ALEXANDER. Does the gentleman want all the rates to be embodied in a report to be made to Congress?

Mr. ROBBINS. No. The reports of the Interstate Commerce Commission do not embrace all the rates on railroads, but we want to know the rates and rules and regulations on water transportation between certain points.

Mr. ALEXANDER. I doubt whether they will make any rates at all in the coastwise trade. This bill is intended to meet conditions in this war, and chiefly in the overseas trade. I think it is absolutely unnecessary to require the report called for by the gentleman's amendment.

The CHAIRMAN (Mr. BURNETT). The question is on the amendment offered by the gentleman from Pennsylvania [Mr. ROBBINS]. The Chair understood the point of order was withdrawn.

Mr. ALEXANDER. Yes; it is withdrawn.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. ALEXANDER. Now, Mr. Chairman, we agreed that we might return to section 5 so that my colleague on the committee [Mr. WHITE of Maine] might offer an amendment.

The CHAIRMAN. Without objection, the committee will return to section 5 for the purpose of offering an amendment.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Maine.

The Clerk read as follows:

Amendment offered by Mr. WHITE of Maine: Page 3, line 9, strike out the period and insert a colon and the following words: "*Provided*, That the provisions of this act shall not apply to vessels of less than 500 tons dead-weight."

Mr. WHITE of Maine. Mr. Chairman, I ask leave to perfect that amendment by adding the words "carrying capacity," so that it will conclude "500 tons dead weight carrying capacity."

Now, Mr. Chairman, this is one of the sections of the bill with which I am not in complete accord. This section 5 aims to give the President the power to require that all charters of vessels shall be submitted to him and be approved by him before they can be lawfully entered into.

The section as it is drawn covers not only vessels engaged in the foreign trade, but vessels plying up and down our coast, on our lakes, and in our rivers. It seems to me, Mr. Chairman, that while that is the scope of the section as it reads, yet, as a matter of practice, it will be applied only to vessels engaged in our coastwise trade and operating on our interior waters. It was testified before the committee that so far as the foreign trade is concerned the Shipping Board to-day has requisitioned every vessel of over 2,500 tons capacity in the United States. It has the power under other sections of this bill to requisition any other vessels and the services of any vessels it or the President sees fit, so that there can be no question as to the chartering of vessels engaged in the foreign trade, because under existing law and under other provisions of this bill the Shipping Board has full authority and full control to manage and regulate that trade. So that, as I say, it will apply in practice only to vessels engaged in the coastwise trade and on our rivers and lakes. Now, we have in these trades a great many vessels of very small tonnage.

I do not have the figures for this year, but as of June 30, 1917, we had some 3,584 sailing vessels of less than 100 tons burden; we had some 3,022 steam vessels of less than 100 tons; and we had in addition to that some 13,000 gas vessels of less than that tonnage. In my opinion, these vessels are of no particular consequence in carrying on this war. They meet local needs, they are a local accommodation, and that is all they are.

Now, Mr. Chairman, we are all animated by a common sentiment; we are all aiming at a common object. We want to see the merchant marine of the United States revived. We all remember what we have read of the days of the roaring forties and the days of the fifties, when America was mistress of the seas. Then the Stars and Stripes were seen in every port of the world. The clipper ship then sailed from the Atlantic coast around the Horn to the Golden Gate. She carried our goods to the Indies and brought the tea of that remote section to the merchants of London. But in 1914, when this war broke out, our shipping had fallen to the lowest estate. With a commerce at that time of some four and one-half billion dollars a year, we carried in American ships less than 9 per cent of it. The fruit of our farms, the ore of our mines, the lumber of our forests, and the product of our factories were carried to the markets of the world in foreign bottoms, and America was in a position of commercial slavery.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE of Maine. I ask for one minute more.

The CHAIRMAN (Mr. BURNETT). The gentleman from Maine asks unanimous consent for one minute more. Is there objection?

There was no objection.

Mr. WHITE of Maine. Mr. Chairman, that condition was brought about through many causes, by sins of omission and by sins of commission, and among those sins of commission were restrictive policies and interference with the American merchant marine. Let us not subject these small vessels to the vexations and delays incident to the administration of this section. I would have these small vessels left free to ply their trade. It is a small thing I am asking for these little vessels, and I hope that my amendment exempting them from the provisions of his section may have the approval of this House. [Applause.]

Mr. ALEXANDER. Mr. Chairman, of course this amendment has never been considered by the Committee on the Merchant Marine and Fisheries, and I am sure it would not meet the approval of the committee; and I question whether it will meet the approval of the gentleman himself if he will only reflect that a vessel of 500 tons burthen is a vessel that may be very useful to the Government in the prosecution of the war. If vessels of that class are exempted from the provisions of this bill, it will very seriously interfere with the power of the President so to coordinate our shipping as to provide transportation facilities for our troops and for supplies and munitions.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WHITE of Maine. This amendment does not seek to exempt these vessels from the bill, but only from section 5. There is still left with the President the power to requisition these vessels or to requisition the use of them at any time he sees fit. It simply exempts them from the necessity of submitting a charter to the President every time they want to move any freight from Kittery to Portsmouth, or from Boston to Providence, or some other little short voyage of that character. Every other provision of the bill is still applicable to them.

Mr. ALEXANDER. But the President should have the same power over the charters that he would have over the vessel if commandeered. It should not be the policy of the President to commandeer a vessel if the vessel under a charter can perform the same service. I would regret very much to have the power of the President limited in the manner suggested by the gentleman from Maine. As far as the vessels that traffic along the coast are concerned, I assume that the President, in the exercise of his power, will act with discretion and will not, under the power to designate the class of vessels and the trade or trades in which engaged, interfere with any legitimate local traffic; but I am sure this body does not wish to place any limitation on the power of the President, or any agency he may select, to utilize all our water craft, when and where necessary, for the successful prosecution of this war.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. WHITE].

The question being taken, the amendment was rejected.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BURNETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12099) to confer on the President the power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ALEXANDER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

There was no demand for a separate vote.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. ALEXANDER, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that those Members who have spoken on the bill may have five legislative days in which to revise and extend their remarks on the bill.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all gentlemen who have spoken on this bill may have five legislative days in which to extend remarks on the bill. Is there objection?

There was no objection.

DISPOSITION OF USELESS EXECUTIVE PAPERS.

Mr. TALBOTT, from the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, reported that the files and papers described in the report of the Secretary of the Interior in House Document No. 946, Sixty-fifth Congress, second session, dated February 15, 1918, and in the letter from the Department of Labor, dated March 14, 1918, are not needed in the transaction of the current business of such departments and bureaus and have no permanent value or historical interest.

EXCLUSION AND EXPULSION OF ANARCHISTS FROM THE UNITED STATES.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 12402, to exclude and expel from the United States aliens who are members of the anarchistic and similar classes.

The SPEAKER. The gentleman from Alabama asks unanimous consent for the present consideration of the bill H. R. 12402. Is there objection?

Mr. ANDERSON. Reserving the right to object, it does not seem to me that we ought to take up a bill at this time in the

evening when there are very few Members present. I do not know anything about the bill.

Mr. BURNETT. I can explain the bill in a minute or two.

Mr. GILLETT. This is the bill for which the gentleman from Alabama has a rule, is it not?

Mr. BURNETT. Yes; but I thought if we could get unanimous consent for its consideration it would obviate the necessity for having the rule.

Mr. GILLETT. I understood that the rule had come in and that we should act under the provisions of the rule. I think we had better have the rule.

Mr. GARRETT of Tennessee. Mr. Speaker, I present a privileged report from the Committee on Rules.

The Clerk read as follows:

House resolution 396 (H. Rept. No. 674).

Resolved, That immediately upon the adoption of this resolution the House shall resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12402, entitled "A bill to exclude and expel from the United States aliens who are members of the anarchistic and similar classes"; that there shall be not to exceed one hour of general debate, to be divided between those supporting and those opposing the bill. At the conclusion of such general debate the bill shall be considered for amendments under the five-minute rule. After the bill shall have been perfected in the Committee of the Whole House on the state of the Union the same shall be reported to the House with such recommendation as the committee may make, whereupon the previous question shall be considered as ordered upon the bill and all amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The question is on agreeing to the rule.

Mr. GILLETT. Mr. Speaker, I understood the gentleman was simply going to present the rule and then let us adjourn and take it up to-morrow. There is nobody on the committee here, and I do not know whether they wish for any debate or not. I understand it was agreed that we should go forward without obstruction.

Mr. GARRETT of Tennessee. It is a unanimous report from the Committee on Rules. I have spoken with other members of the committee and there was no desire for time, as far as I know, by members of the Committee on Rules.

The SPEAKER. The question is on agreeing to the rule.

The resolution was agreed to.

The House, under the rule, automatically resolved itself into Committee of the Whole House on the state of the Union, with Mr. HARDY in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That aliens who are anarchists; aliens who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law; aliens who disbelieve in or are opposed to organized government; aliens who advocate or teach the assassination of public officials; aliens who advocate or teach the unlawful destruction of property; aliens who are members of or affiliated with any organization that entertains, teaches, or advocates the overthrow by force or violence, of the Government of the United States or of all forms of law, or that entertains or teaches disbelief in or opposition to organized government, or that advocates the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or that advocates or teaches the unlawful destruction of property, shall be excluded from admission into the United States.

SEC. 2. That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section 1 of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this act irrespective of the time of their entry into the United States.

SEC. 3. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act, thereafter return to or enter the United States or attempt to return to or to enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than five years; and shall, upon the termination of such imprisonment, be taken into custody, upon the warrant of the Secretary of Labor, and deported in the manner provided in the immigration act of February 5, 1917.

Mr. BURNETT (interrupting the reading). Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to dispense with the reading of the bill. Is there objection?

Mr. STEENERSON. Mr. Chairman, I object.

The Clerk concluded the reading of the bill.

Mr. BURNETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12402 and had come to no resolution thereon.

ADJOURNMENT.

Mr. BURNETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Friday, June 21, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting draft of proposed bill, entitled "An act conferring jurisdiction on the district court of the Canal Zone for the naturalization of certain aliens (H. Doc. No. 1180); to the Committee on the Judiciary and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a list of judgments rendered against the Government by the district courts of the United States under the provisions of the act of March 3, 1887, as submitted by the Attorney General, which require an appropriation for their payment (H. Doc. No. 1181); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims, which have been presented to the Treasury Department and require an appropriation for their payment (H. Doc. No. 1182); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 10432) to abolish the office of receiver of public moneys at Wausau, Wis., and for other purposes, reported the same without amendment, accompanied by a report (No. 672), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Interstate and Foreign Commerce was discharged from the consideration of the bill (H. R. 12512) to amend section 3 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred, as follows:

By Mr. JOHNSON of Kentucky: A bill (H. R. 12519) to provide for a more complete accounting of the financial operations of the government of the District of Columbia: to the Committee on the District of Columbia.

By Mr. BRITTEN: A bill (H. R. 12520) to pay retired naval officers in accordance with the duty they are performing during the period of the war; to the Committee on Naval Affairs.

By Mr. RODENBERG: A bill (H. R. 12521) providing for the furnishing of uniforms, accouterments, and equipment, including watches, to officers of the military or naval forces of the United States, etc., at cost price; to the Committee on Military Affairs.

By Mr. RANDALL: A bill (H. R. 12522) to require sworn statements to be filed with the Postmaster General showing the subscription price of publications of the second class; to the Committee on the Post Office and Post Roads.

By Mr. KELLY of Pennsylvania: Joint resolution (H. J. Res. 306) declaring that a state of war exists between the United States and the Governments of Bulgaria and Turkey; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows

By Mr. BORLAND: A bill (H. R. 12523) granting an increase of pension to William McIntyre; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 12524) granting an increase of pension to Angeline McVetie; to the Committee on Pensions.

By Mr. DENT: A bill (H. R. 12525) for the relief of Frank Barber; to the Committee on Military Affairs.

By Mr. FIELDS: A bill (H. R. 12526) granting an increase of pension to Columbus Hull; to the Committee on Invalid Pensions.

By Mr. SCOTT of Iowa: A bill (H. R. 12527) granting a pension to Caroline Tozier; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 12528) granting a pension to Harry Noell; to the Committee on Pensions.

By Mr. SHERWOOD: A bill (H. R. 12529) granting an increase of pension to Henry Rasenbranck; to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 12530) granting a pension to Harold W. Burch; to the Committee on Pensions.

By Mr. SLOAN: A bill (H. R. 12531) granting an increase of pension to Josiah H. Harp; to the Committee on Invalid Pensions.

By Mr. TILLMAN: A bill (H. R. 12532) for the relief of Andrew J. Gouge; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petition of citizens of Auburn, N. J., urging Nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Papers to accompany H. R. 12513, granting an increase of pension to Henry S. Robert; to the Committee on Invalid Pensions.

By Mr. HAYDEN: Petition of Tucson Business Women's Association favoring the repeal of the zone system of second-class postal rates for the advertising sections of magazines; to the Committee on Ways and Means.

By Mr. KINKAID: Petitions of citizens of Burwell and of Kearney, Nebr., asking for the repeal of the postal-zone law; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of P. A. Norton, Homer, N. Y., favoring war prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions of the Philathea and Baraca Classes of the Methodist Episcopal Church of Bartlett, N. Y.; the Men's Club and the Philathea Class of the South Street Methodist Episcopal Church, Utica; and various residents of Verona, N. Y., for war prohibition; to the Committee on the Judiciary.

Also, petition of residents of Oriskany Falls, N. Y., for immediate enactment of a national prohibition measure; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 21, 1918.*

The House met at 12 o'clock noon.

The Rev. George Kent, of New Orleans, La., offered the following prayer:

God and Father of us all, in the sacred and inspiring sense of being not alone Thy children but partners with Thee in the greatest and noblest achievements of our earth, oh, with what courage and devotion would we give ourselves to Thy service, with what sincerity and fidelity would we consecrate ourselves and our country to the highest good. In that sacred sense of being born of Thy spirit, one with Thee, all fidelity of ours shall be a joy, and something of that wisdom, that insight, of Thine shall be in us, giving us courage and hope to serve Thee and our fellows to the uttermost, and in this consecration, our Father, in this devotion to Thee as Thy sons, of loyalty to our fellow men as their brothers, we offer to Thee at this hour our faithful thought, our truest consecration, our devoted service. Amen.

The Journal of the proceedings of yesterday was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. BROWNING. Mr. Speaker, I ask unanimous consent to print in the RECORD an article from the Post of yesterday on the military record of Gen. Barnett, United States Marine Corps.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD by printing an article from the Washington Post of yesterday about Gen. Barnett. Is there objection? [After a pause.] The Chair hears none.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the pending census legislation.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks on census legislation. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States;

S. 4687. An act to amend further an act entitled "An act to authorize condemnation of lands for the generation and transmission of electric power";

S. 947. An act validating certain homestead entries; and

S. 130. An act to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

The message also announced that the Senate had disagreed to the conference report, had further insisted upon its amendments to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had requested a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FLETCHER, Mr. RANSDELL, and Mr. NELSON as the conferees on the part of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and a joint resolution of the following titles, when the Speaker signed the same:

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes;

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911; and

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

S. 947. An act validating certain homestead entries; to the Committee on the Public Lands.

S. 4687. An act to authorize condemnation of lands for the generation and transmission of electric power; to the Committee on the Judiciary.

EXCLUSION AND EXPULSION OF ANARCHISTS FROM THE UNITED STATES.

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12402. The Chair has appointed the gentleman from Texas [Mr. HARDY] to preside; but he does not seem to be here, so the Chair will appoint the gentleman from New York [Mr. LONDON] to preside temporarily until the gentleman from Texas arrives.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12402) with Mr. LONDON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12402, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes.

The CHAIRMAN. Under the resolution general debate is limited to one hour, half to be controlled by either side.

Mr. BURNETT. Mr. Chairman, I know of no one who is opposed to the bill, and I ask unanimous consent that the gentleman from Washington [Mr. JOHNSON] have one half of the time and that I may have the other half. I do that in the ab-

sence of the ranking minority Member [Mr. HAYES], who, I understand, is not here.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time allotted for general debate be equally divided between the gentleman from Washington [Mr. JOHNSON] and himself. Is there objection? [After a pause.] The Chair hears none.

Mr. BURNETT. Mr. Chairman, this bill is a very simple one, and I think is self-explanatory. Under section 19 of the existing immigration law anarchists who have been in the United States more than five years are not subject to expulsion. The main purpose of this bill is to remedy that defect in the present law. There is also a section of the bill which provides that those expelled under this act who return shall be guilty of a felony and are subject to imprisonment as such. This bill is very much desired by several of the departments. It was prepared by the cooperation of the Department of Labor and the Department of Justice. We had full hearings before our committee, which were executive. Representatives of the Intelligence Bureaus of the War and Navy Departments appeared before the committee and the statements that they made and those which were made by representatives of the Departments of Justice and of Labor, who also appeared, showed that there was a very urgent necessity for the immediate passage of this bill.

It was shown that many anarchists who have been here for more than five years could not be expelled and were giving much trouble. They throw themselves back and say, "I am not subject to expulsion because I have been here for a period of more than five years," and the main purpose of the bill is to remedy that and also to impose a very severe penalty upon those who do return after expulsion under the law. Then, while we were at that it was thought by the Department of Justice and the Department of Labor that there ought to be some clarification of the law as it now exists in regard to the designation of anarchists. Section 3 of the present law provides that certain classes of aliens shall be excluded from admission to the United States and goes on to name them. I have the act before me, passed February 5, 1917. It was the act passed over the President's veto, and in that act enumerating the classes of aliens who should be excluded from the United States are "anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law; or who disbelieve in or are opposed to organized Government; or who advocate the assassination of public officials; or who advocate or teach the unlawful destruction of property." It has been contended very earnestly that the words following the word "anarchists" in the connection mentioned above are merely descriptive of that word, and that it takes these other terms to complete the definition. While that contention, we think, is exceedingly technical, and it is not conceded either by the Department of Justice or by the Department of Labor, or by our committee, it was thought that while we were bringing about the main purpose of the bill we had better clarify that by a change of punctuation and a rearrangement of the classes which were to be excluded. By section 19 of the present law it is provided:

> That at any time within five years after entry any alien who at the time of entry was a member of one or more of the classes excluded by law; any alien who shall have entered or who shall be found in the United States in violation of this act, or in violation of any other law of the United States * * * shall be excluded.

The five-year limitation applies to those that are in the categorical designation of anarchists. Then the others, "Any alien who at any time after entry shall be found advocating or teaching the unlawful destruction of property or advocating or teaching anarchy or the overthrow by force or violence of the Government of the United States or of all forms of law or the assassination of public officials," follow under the class that may be deported at any time after entry.

The contention has been made, and it is a rather serious one, that anarchists being named as a separate class, as contended for by the Department of Labor and the Department of Justice, and also, as I understood it when the act was passed, that the five years' limitation will apply to anarchists generally, but as to those who are going about advocating and teaching the destruction of property, and so forth, there is no time limit. Hence, in order to get that clear in the definition of anarchists and those embraced in the class of anarchists, the change in phraseology, punctuation, and arrangement is made in the first section.

Mr. Chairman, it is exceedingly important that the bill should be passed speedily, and in order to expedite the passage of it I went before the Senate Committee on Immigration a few days ago, where a similar bill was pending, and asked them to report that bill as soon as they could. The suggestion was made and agreed to by that committee that as soon as the House passed this bill the chairman of the Senate committee should report the bill out. Two slight amendments were suggested in the Senate committee, which, so far as I am concerned, are satisfactory. One of those amendments is by adding, on line 6 of the bill, after the words "aliens who disbelieve in or are opposed to," the word "all," and in line 1 page 2, the language quoted is found, and the word "all" should be added in the same way.

It was suggested that a man that believed in overthrowing or destroying the Kaiser, a man that was in Hungary and rebelled against the system of government that there prevailed, possibly might be excluded under this bill, but that if we said all "organized governments" it would be cleared up. Therefore it was thought that in order to make it clear as to what was really intended by Congress in the act of February 19, 1917, the amendment suggested by the Senate committee should be made here and thus save the delay of amending it in the Senate and sending it back to the House for concurrence. So at the proper place, in order to expedite it in the Senate, I shall offer those two amendments.

Mr. ROGERS. Will the gentleman yield?

Mr. BURNETT. I will be glad to do so.

Mr. ROGERS. I am heartily in favor of the purpose of this bill, of course. I want to ask a question for information concerning section 3. That provides that an alien who shall have been once deported and shall thereafter attempt to return shall be deemed guilty of a felony and upon conviction shall be punished by imprisonment, and so forth, and shall at the expiration of his term of imprisonment be deported. I wondered if there might not be cases where it would be desirable for the Secretary of Labor to have authority to deport at once without subjecting him to the absolute necessity of having this man tried for a felony? It seems to me the quicker you can get rid of cattle of this kind the better, and as the law now stands there must be first the trial and conviction and imprisonment, and only then at the conclusion of the imprisonment the deportation.

Mr. GORDON. Would you propose to try him at all?

Mr. ROGERS. Let the gentleman from Alabama answer.

Mr. BURNETT. I see the force of the suggestion of the gentleman, which is that the deportation is summary; and that was one of the very reasons we reported the first section of this bill, in order to clarify those questions and not leave them to adjudication by long trials in the court. If the question was raised, and the Department of Labor should overrule the point, the man still has his right to go into the courts with his habeas corpus. The gentleman and everyone else sees the purpose of the bill, which is that the department may have a summary means of getting rid of these people without the long delays of the court. The suggestion of the gentleman is that when he returns the same proceeding as to deportation should be taken without the delay of indictment, trial, and conviction by the courts.

Mr. ROGERS. Not that they should be, but in certain cases, in the discretion of the Secretary of Labor, they might be.

Mr. BURNETT. I do not know that there would be any serious objection to the suggestion of the gentleman. This was the idea, however, that the man that came back after he had been deported had better be put into a prison, because if you deport him again maybe next week he will return, and so on ad infinitum; and if he should return, under this bill he could at once be tried and convicted of felony and imprisoned, and at the end of the term of imprisonment be deported.

Mr. ROGERS. If the gentleman will permit, it seems to me that in ninety-five cases out of a hundred the procedure suggested by the bill will be a sound and correct one, but it seems to me in the other five cases it may be exceedingly important to get rid of these people at once and not insist that they be subjected to trial, as the bill now requires.

Mr. BURNETT. In reaching the bill under the five-minute rule, I will give very careful consideration to the suggestion.

Mr. DOWELL. As I understand it, under the first section of the bill it is not intended that there shall be a trial. The department shall deport him without any form of trial?

Mr. BURNETT. Just as they do now.

Mr. DOWELL. And it is not necessary to have any evidence except the fact that the department determines that he belongs to the class specified in section 1?

Mr. BURNETT. Yes.

Mr. DOWELL. Then the only opportunity for a trial he would have would be upon his return? Upon the question of imprisonment he then comes before the court to be tried as to whether or not he was actually deported and returned to the United States?

Mr. BURNETT. So far as a jury trial is concerned, but it has been the law for years and years to deport without any

trial. An alien has not the right of trial by jury on the question of deportation. Any time he becomes offensive to our country we have the right to get rid of him. And therefore the summary remedy has prevailed for years. A man has a right to his day in court, because he can go by habeas corpus into the court and have his remedy there.

Mr. DOWELL. He will not remain here very long if he comes under this provision, but what I wanted to get at was what the committee intended by the provision of the bill.

Mr. BURNETT. When the evidence is produced to the Department of Labor or under their authority——

Mr. DOWELL. It shall be under such provisions as the department may prescribe as to the furnishing of the testimony——

Mr. BURNETT. Just as the law now is and has been all the time.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. BANKHEAD. The chairman of the committee will note that on line 3 is the language, "aliens who are anarchists." Does the chairman of the committee know whether or not there has been any Federal adjudication or correct definition of what is intended to be conveyed by the word "anarchist"?

Mr. BURNETT. Yes.

Mr. BANKHEAD. I recall in the debate here on a similar question the gentleman from New York [Mr. LONDON] took the position that an anarchist in proper contemplation was not necessarily one who believed in violence, but one who subscribed to certain philosophic doctrines as to government.

Mr. BURNETT. In the case of Turner against Williams, in One hundred and ninety-fourth United States, page 293, one of the deportation cases, as I recollect, they laid down this definition:

Anarchy 1. Properly one who advocates anarchy or the absence of government as a political ideal; a believer in an anarchic theory of society. In popular use one who seeks to overturn by violence all constituted forms and institutions of society and government, all law and order, and all rights of property, with no purpose of establishing any other system of order in the place of that destroyed, especially, such person when actuated by lust or plunder.

Mr. BANKHEAD. That is the legal definition given of anarchists?

Mr. BURNETT. Yes, sir.

Mr. BANKHEAD. Your statute proposes to cover people who subscribe to things of that kind?

Mr. BURNETT. Yes.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. CANNON. Suppose that upon satisfactory evidence, without a hearing, a man is deported, as he alleges, wrongfully, notwithstanding the proposed legislation, could he appeal to the court on a writ of habeas corpus?

Mr. BURNETT. Yes. This does not deprive him of that right. He has that right now. That has been done under the existing law. It makes no change in that respect whatever.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. DENISON. I will say to the gentleman that I am very much in favor of the terms of this bill, but I was going to ask the Chairman if there is any general law now which enables the Government to handle men who entertain the views that are specified in this bill who are not foreigners or aliens?

Mr. BURNETT. Well, merely entertaining a view would not be a violation of that law or this, provided there was not some manifestation of it. My recollection is that under our late espionage law anyone, native or alien, who expresses sentiments of that kind is liable, on conviction, to a maximum sentence of 20 years. But this bill is not intended to reach anyone except aliens, and that by summary deportation. We could not make it apply to citizens.

Mr. DENISON. In other words, under the espionage law a man has to express the views in order to be amenable to the espionage law?

Mr. BURNETT. He might not do it in words, but by other manifestations, acts, or conduct.

Mr. GORDON. By signs?

Mr. BURNETT. By signs or symbols or some other means of expression. He must express it in some way. Merely thinking it would not make him amenable to the espionage law.

Mr. DENISON. Do I understand, then, I will ask the chairman, that a man can be deported under the terms of this bill, an alien, who does not express the views, but simply entertains them?

Mr. BURNETT. How would you get the evidence without some manifestation or expression of his views?

Mr. DENISON. That is what I am asking the chairman.

Mr. BURNETT. You could not prove it if a man keeps it in his breast and heart. You could not get the proof of it. But if there is any kind of manifestation, either by overt declaration or other expression, under this bill you could. The philosophic anarchist, as long as he keeps it in his own bosom, could not be made subject to this law. But they have cases of this kind: A man will say, "Yes; I am an anarchist; I believe in the principles of anarchy, but I would not kill the President; I would not murder an official; I would not destroy property." But when he goes around saying that he is an anarchist and that he believes in such violence he is having as much bad influence perhaps on others as those who advise the commission of overt acts.

Mr. DENISON. Then, as I understand it, if an alien could be deported under this bill, he could also be prosecuted under the provisions of the espionage act?

Mr. BURNETT. I understand so, but I am not familiar with all the details of that act. It did not come from my committee. A citizen would come under it, and an alien, too. There is no limitation to citizens in the act.

Mr. MEEKER. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. MEEKER. So far as the imprisonment of a man on his return is concerned, it is not a question of bringing him into court to prove that he is an anarchist, because that has all been demonstrated in the first case. But it is punishment for returning?

Mr. BURNETT. It is not going de novo into the question of his being an anarchist; no.

Mr. MEEKER. It is merely a punishment, as in a case where we give a man so many days to get out of town?

Mr. BURNETT. Yes.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. LONDON. I understand that the gentleman has given a definition of anarchy, as rendered in the Turner case.

Mr. BURNETT. Yes. It is in the One hundred and ninety-fourth United States.

Mr. LONDON. I am under the impression that in the Turner case it was held that an alien was not entitled to a writ of habeas corpus if the Secretary of Labor determined that he was a nondesirable alien. That case was decided some 10 years ago. That is my impression, that the determination of the Secretary of Labor is final in these matters. Was not that the decision?

Mr. BURNETT. In other words, he is made the judge of the facts upon questions of fact, and they will not review the question of fact only so far as to say whether the facts justified the decision and that the law on which the decision was based is constitutional.

Mr. LONDON. The meaning of the phrase which is found in section 2, on page 2, of this bill is that any alien who is found by the Secretary of Labor to have been at the time of entry or thereafter a member of any one of the classes of aliens enumerated in the first section, or by somebody acting on behalf of the Secretary of Labor——

Mr. BURNETT. At the time of entry under the present law. This law modifies that, so that when he says, "No; I was not an anarchist when I entered, and therefore there can be no deportation under the present law, but now I have become an anarchist and I believe in the doctrines of anarchy," this bill will cover his case.

Mr. LONDON. Does not the gentleman believe that in view of the excited state of mind that exists in time of war that unclean interests may victimize innocent people and accuse them of being anarchists in the sense that this law uses the term "anarchist," and that there should be some protection to the person innocently accused—that he should have an opportunity for a trial? Because, after all, it is a very serious thing to be charged with the offenses covered by this bill. I concede that a man who believes in the overthrow of society by violence puts himself beyond the pale of civilized society. There can be no question about it. He is a revolutionist. He is a rebel against society, and he should be ready to pay the rebel's price, which is annihilation in case of failure.

Mr. GORDON. But you think he ought to be tried and found guilty first?

Mr. LONDON. But I think he should be given a chance, that he should have a fair trial, particularly in view of the fact that under war conditions, under abnormal conditions such as we have now, an employer of labor——

Mr. BURNETT. If I may interrupt the gentleman, I have only half an hour. This is a matter that the gentleman can present under the five-minute rule, and there are some of my colleagues on the committee who want to speak.

Mr. LONDON. I will complete the question in a moment. It is a fundamental question. I take it that the gentleman does not intend to do any wrong to any innocent person.

Mr. BURNETT. Of course not.

Mr. LONDON. Should not some opportunity be given to a person accused of advocating a doctrine subversive of society to prove that he is innocent?

Mr. CANNON. But if the gentleman will allow me, after the order is made for deportation the individual can appeal to the courts and have his hearing on habeas corpus.

Mr. BURNETT. Just as in any other case under the present law.

Mr. LONDON. If the gentleman from Alabama will yield for just a moment, that is the very point I have raised. I contend that the decision in the Turner case holds the very contrary; that in the Turner case, 194 United States, the court decided that the decision of the Secretary of Labor, which means the decision of the person acting on behalf of the Secretary of Labor, is final and conclusive on the court.

Mr. SINNOTT. On the facts.

Mr. LONDON. On the facts. That is the very meat of the decision in the Turner case, so that the person is left without any remedy whatever. An innocent person may be deported without any opportunity for a hearing and without any opportunity for a trial.

Mr. KINCHELOE. Will the gentleman yield for a short question?

Mr. BURNETT. I do not want to keep my colleagues on the committee from having an opportunity to speak, but I will yield for a short question.

Mr. KINCHELOE. In case some one was arrested for some violation of the espionage act, and while in the custody of the court and probably being tried it should appear that he came within the purview of this bill also, in that event would there be any conflict between the court and the Department of Labor in the administration of this law?

Mr. BURNETT. I hardly think an executive officer could take away a defendant who was already in the hands of a court. The general rule, where there is a conflict between State and Federal courts, is that the court first getting jurisdiction holds the man; and I should think the same rule would apply, unless the court itself thought it was a case for deportation and should enter a nolle prosequi and dismiss the case and turn the defendant over to the Secretary of Labor for deportation.

Mr. KINCHELOE. But if the court should insist on its jurisdiction the department would be deprived of the right to deport him under this bill.

Mr. BURNETT. Yes; the court by proper proceeding might take him from the Secretary, but the Secretary could not take him from the court.

The CHAIRMAN. The Chair will call the attention of the gentleman from Alabama to the fact that he has used 25 minutes.

Mr. DOWELL. Will the gentleman yield to me?

Mr. BURNETT. The Chairman calls my attention to the fact that I have already used 25 minutes, and I have but 5 minutes remaining. I do not want to be discourteous, but I must yield to my colleagues on the committee.

Mr. JOHNSON of Washington. I will yield the gentleman five minutes, and he can answer in my time.

Mr. BURNETT. Then I will yield to the gentleman from Iowa.

Mr. DOWELL. Is there any provision in this bill for denaturalizing those aliens who have become citizens?

Mr. BURNETT. Not for deporting them, because they would not be aliens if they were naturalized.

Mr. DOWELL. I understand that the provision of section 2 do not apply to those who have become naturalized; but is there any provision in the law for denaturalizing those who have been naturalized?

Mr. BURNETT. No. A person may under existing law be denaturalized for fraud. A court in New Jersey, in the case of an alien who had been naturalized for many years and who afterwards became pro-German, held that the man should be denaturalized, and the court annulled his citizenship papers, because the court said that the subsequent conduct of the man showed that years before he had gained a fraudulent naturalization, and therefore his papers were annulled. Whether that will stand in the appellate court I do not know, but there is no doubt that where naturalization was procured by fraud the courts have held that to be a sufficient reason for denaturalization. Where the evidence is sufficient, even from the subsequent conduct of the man, to show that he had obtained his naturalization by fraud, the court would certainly have the right to denaturalize him.

Mr. DOWELL. But it would only be by presenting him on the ground of obtaining the naturalization through fraud.

Mr. BURNETT. That is as far as the statute now goes.

A bill is now pending before my committee introduced by my good friend from Texas, Mr. CONNELLY, providing for expulsion of aliens who are found guilty of sedition or disloyalty. I referred this bill to both the Departments of Justice and of Labor. Both departments have reported on the bill. The Department of Labor favors its general provisions.

Mr. JOHNSON of Washington. Mr. Chairman, this bill is one more step on the part of the United States toward the cleaning up of its citizenship. I am hopeful that when the Members of this House go to their districts this fall to meet their constituents all of the Members will undertake to show to their people the great steps taken by this Congress toward the perfecting of the citizenship of all loyal and well-meaning persons within our borders, and to show to their people the absolute fairness of the Government toward aliens in the United States, even to the permitting of the taking of steps toward citizenship of certain persons now classified as alien enemies. In fact, the numerous bills brought out within the past few weeks by the Committee on Immigration and Naturalization, of which I have the honor to be a member, and enacted into law, have been more than fair—they have been generous—and I am glad that this is so.

But while holding out the promises of citizenship and of a square deal to all aliens who have come among us, what are we to do with those aliens who come, stay with us, claim the protection of our laws, violate those laws, preach revolution, destruction of property, and overthrow of the Government? Our laws provide for the deportation of certain offenders, among others anarchists, but there is a provision in the law that they can only be deported prior to five years' residence. If they are not deported within five years from their arrival, they are left with us, not as citizens but as aliens, free to poison the minds not only of citizens but newly arrived aliens. The present bill corrects that. Further, when the Government undertook to deport certain aliens under the new clauses—preaching the overthrow of Government, destruction of property, and so on—it was found that these clauses were so placed in the bill they might be read as definitions of the word "anarchist." In a way this nullified the new clauses. The bill before us corrects that.

The United States needs the full force of all of the deportation clauses in its immigration and naturalization laws. The new clauses were not placed in the statutes easily. Some years ago it was recognized that the United States had reached a size in population which made it necessary for it to take protective steps for itself, and in the immigration bill bearing the name of the distinguished gentleman from Alabama [Mr. BURNETT] the deportation clauses were enlarged so as to permit the deporting of those who preached or advocated the overthrow of organized government, and who preached or advocated the destruction of property. I have always felt proud that I had something to do with placing those words in the immigration bill, having had experience before I came to Congress with the growth and development of the I. W. W. organization, which advocates those very things. And yet the clauses are not aimed especially at that organization, but at all who are conniving and scheming for the destruction of this Government. When the bill had passed this House you will remember it was vetoed by the President in a message dated January 28, 1915, in which the President said concerning the new deportation section:

> It seeks to all but close entirely the gates of asylum which have always been open to those who could find nowhere else the right and opportunity of constitutional agitation for what they conceived to be the natural and inalienable rights of men.
>
> Restrictions like these, adopted earlier in our history as a Nation, would very materially have altered the course and cooled the humane ardors of our politics. The right of political asylum has brought to this country many a man of noble character and elevated purpose who was marked as an outlaw in his own less fortunate land, and who has yet become an ornament to our citizenship and to our public councils.

Now, gentlemen, that was all very true when our population was much smaller than it is now. An amendment was made to care for political refugees. But times change. Revolutionists of a new school have been coming to the United States for some time. They bring their ideas of revolution with them. They do not know just what kind of a revolution they want, but they want one, and they fall in readily with the teachers and anti-Government agitators in the United States. Why should these aliens be permitted to remain here? [Applause.]

And, of course, the war has accentuated the situation. Many persons see the rats gnawing at the very foundations of our Government who could not see before. But there was no war

when these clauses were first written into the bill, which did not become a law until February, 1917.

Mr. Chairman, I have contended for many years past, as I have seen secret organizations forming in this country, containing many members who are not citizens and who do not manifest any desire to become citizens——

Mr. CAMPBELL of Kansas. And not fit to be citizens.

Mr. JOHNSON of Washington. And not fit to be citizens, signing a constitution of resistance, pledging themselves to the overthrow of this Government, and practicing the doctrines of sabotage—I have felt that when they came to our shores and took advantage of the rights and privileges we have offered them, to build up a revolution in this country, it was time for us to protect ourselves, time for us to insist that our population throughout the country should consist of those who either were citizens or in the process of citizenship, and that others should not have a right to agitate or preach or attempt the destruction of a government of which they are not even a part.

Mr. HAMILTON of Michigan. May I ask the gentleman a question?

Mr. JOHNSON of Washington. Yes.

Mr. HAMILTON of Michigan. As a matter of historic interest, I would like to ask the gentleman when and where the I. W. W.'s were organized?

Mr. JOHNSON of Washington. Very briefly, for I do not want to use much time, I will say that the I. W. W. organization is, in my opinion, an outgrowth of the old Western Federation of Miners. The formation was developed by a man named Troutmann. I believe he lived in Pennsylvania. Their preamble starts out that labor and capital have nothing in common. The organization declares its purpose to be to destroy society—to overturn civilization—to stamp out individuality, and to erase the laws of private property of any sort, whether of money, land, rights, mental attainment, or manual skill.

It openly says that the question of right and wrong does not concern its members. It is a treasonable organization. Many incoming aliens have fallen under its sway. And, mind you, the leaders of that particular organization pledge their members not to vote or to take part in the affairs of the Government except as they can connive to tear it down.

Gentlemen, I have never thought it right for the United States to permit people to live in the United States who were not citizens and who showed no signs of becoming citizens, and at the same time permit them to have the right to edit newspapers and magazines telling the people of the United States how to run their Government. [Applause.] I never could see why aliens should be permitted to speak from platforms, pulpits, or soap boxes in words derogatory of our Government, with the destruction of the Government as their aim. I never could see that it was right. [Applause.] I have wondered and have asked over and over again why certain men were not deported after we got the Burnett bill passed, and yet lawyers defended these men on the ground that the meaning of the law was not clear. Why in a time of war, or a time of peace even, should any alien in the United States tell our people how to run their Government? What would happen to me if I went to Canada and undertook to establish a newspaper, preach revolution, and tell the people there what kind of a government they should have, or if I went to Great Britain or any other country? I am glad that we have reached a point where we are to perfect this matter of deportation, and I doubt if there will be a single vote against the bill. [Applause.]

Mr. Chairman, I now yield 10 minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I wish to occupy the time assigned to me on this bill, and, while advocating its passage earnestly, in discussing a situation that has become serious and critical in the United States and demands the attention not only of those in executive positions but also in the Congress and of the public at large. I refer to the activities of German sympathizers and the depredations of the German propagandists throughout the United States. These are aimed at in this bill. The extent and enormity of the crimes committed by German sympathizers against our Government in order to interfere with our war activities and against private citizens engaged in governmental work has been such as to warrant on my part an investigation into a list of crimes committed by German sympathizers in the United States during the past year, since war was declared by our Government against Germany.

These depredations began on the 2d day of April, 1917, the very day that Congress convened, and I have traced them down to April, 1918, during which time 134 definite acts of violence—which I have selected from many acts of violence—resulting in the destruction of property, and in some instances in the destruction of life, have been committed, and these 134 acts occasioned a loss and destruction by fire, explosion, and other means of $43,558,000 to our Government and to our citizens, and I can safely say that in nearly every instance the aim of the criminal was to interfere with our war activities, to destroy property ultimately designed for that use.

Mr. GORDON. Will the gentleman yield?

Mr. ROBBINS. Not now. I mean no discourtesy to the gentleman, but I have not the time.

I shall append to these remarks, for the information of the Members of Congress and of the country, an itemized list giving the dates, the character of the property destroyed, the place of its location, and its value, with the hope that our Department of Justice may be stimulated to greater activity, and that this Congress will enact more stringent laws, for such are required, and with the enforcement of such laws these scoundrels and outlaws may be apprehended and tried as spies and shot as a proper punishment for the outrageous crimes they have committed, for in nearly every case human life was put in jeopardy.

Mr. Chairman, in the enactment of every law three things ought to be considered—the evil to be corrected; the old law, if any exists; and the new law, which proposes to apply proper and adequate punishment. The Department of Justice has suggested that our laws on the Federal statute books are insufficient to bring about the punishment of those committing these outrageous depredations and crimes.

A mere statement of these crimes and acts of lawlessness will lay firmly the ground for the statement that there is an existing evil crying repeatedly for the enactment of proper laws to prevent the continuance of it.

Turning to the calendar of this House we find a large number of bills have been introduced for the purpose of suppressing these acts of lawlessness against our country and our citizens.

First. House bill 9504 purports to be an amendment to section 4067 of the Revised Statutes extending the provisions of the criminal act to women over 14 who are alien enemies and commit acts of hostility during the war, but this act lacks the death penalty which it should have attached to it in order to make it a terror to criminals of this class.

Second. House bill 10068 is pending in the House, not yet acted upon, proposing during the present war to punish those convicted of conspiracy to destroy property of the United States necessary for the prosecution of the war, by fine and imprisonment, which is entirely inadequate as a means of preventing the crimes that are being committed at this time, a list of which I will append to my remarks.

Third. House bill 10204, now pending in the House, also provides for the punishment of those who willfully injure or destroy war materials or war premises during the war. It provides punishment only of fine and imprisonment, which will be invaluable as a deterrent for the criminals with which it proposes to deal.

Fourth. House bill 10629 is a bill providing for the death penalty of those convicted as spies, which bill has not as yet been reported by the committee, but is a very proper bill to be enacted.

Fifth. House bill 10630 is of similar import, but has not been considered or acted on by the House.

Sixth. House bill 11232 is a bill pending in the House to prohibit the activities of spies and prevent the injury to forts, docks, and munition plants, whether owned by the Government or engaged in Government activities, and provides for a death penalty upon conviction. This bill has not been acted upon and is still in committee.

Seventh. House bill 11187 is a bill to provide for the punishment of disloyalty, sabotage, and acts of terrorism, and provides a fine and imprisonment only as a punishment if convicted under its provisions. This bill is pending in committee and has not been acted upon. The punishment is entirely inadequate to make the bill effective if it should follow out its provisions, but it probably will not.

Eighth. House bill 11279 is a bill introduced to protect citizens against lynching in default of protection by the States, and refers to the conditions that exist in Missouri, but the punishment provided does no exceed five years' imprisonment or $5,000 fine. This bill is pending and probably will not be acted upon for the obvious reason that its penalties are totally inadequate and it would be ineffective if passed.

Ninth. House joint resolution 275 is for the purpose of permitting the United States to dismiss from its employ those who are guilty of disloyalty or utters any unpatriotic, disloyal, abusive, or seditious language, or who in an abusive and violent manner criticizes the President, the Army, or Navy, or the flag. This resolution has not been considered by the committee. I have introduced a bill providing the death penalty for those convicted of these crimes where death results, which I hope will pass.

From this review of the pending legislation it is quite evident that Congress has not been up until this time sufficiently active in passing laws to punish the enemies of our country. I hold

no brief in this case against the Members of Congress to criticize those responsible for this record. I am quite well aware as a Member of this body that the infliction of the death penalty has been abolished in probably one-third of the States of the Union, and is regarded with disfavor by a vast and growing proportion of our people. The State of Pennsylvania, which I have the honor in part to represent on the floor of the House, has adhered strictly to the law inflicting the death penalty in this regard and has enforced it in cases of murder of first degree with unrelenting certainty in all cases where conviction of that offense occurred, and I firmly believe in that law and in its rigorous, punctual, and certain enforcement, but I am also aware that there are other States that hold differently.

Mr. Chairman, we are at war with the most savage foe and most completely organized, barbarous, cruel, and resourceful enemy that ever confronted the civilized nations in time of war.

These offenses establish, by the facts that I have taken the care to tabulate and collect as part of these remarks, that Germany has had in our midst since the outbreak of the war a completely organized and liberally paid propaganda, the purpose of which is to prevent the United States from entering the war in the first instance and to breed discontent and dissatisfaction not only in our Army and in the departments of our Government, but among our people in every branch of our industrial and social life.

The exposures of the State Department in disposing of communication between the German foreign minister, Zimmermann, and the German ambassador, Bernstorff, to the United States, the purpose of which was only to stir up sedition and discontent and open revolt not only in our own country, but to embroil us in war with Mexico and Japan, was the first shock the American people received as to the widespread acts of the German propagandists and spies here in our midst.

The public press of this country on the 24th of April, 1918, advises us that there is great unrest and threatened revolution on in Mexico as the result of German activities, also in Costa Rica and in nearly every State in South America. There is no doubt but that the strikes in our shipyards, the unrest in various other branches of our industry, is the result of the activities of these German agents. These facts are so overwhelming in the conclusiveness of their purpose that it is time that this Congress would enact laws that would make it possible for the United States district courts to convict these German spies and German propagandists and impose the death penalty on them by promptly having them shot by a firing squad as guilty of treason.

Our people have become impatient with these conditions, and unless something is done we will have riots and acts of violence and deeds of lawlessness all over the country. In fact, we have had several very conspicuous illustrations which exhibit the temper of our people.

On the 4th of April last Robert P. Praeger, supposed to be of German parentage, was hanged to a tree at Collinsville, Ill., by a mob of 350 people, who broke into the basement of the city hall where he was hiding. Praeger was accused of making disloyal remarks in an address at a public meeting at Marysville, Ill. Collinsville is a city of 4,000 people, situated some 12 miles east of St. Louis.

The following are some of the instances where the people have taken the law in their own hands and by acts of violence punished those guilty of unpatriotic deeds:

Santa Fe, N. Mex., April 18: Four hundred convicts in the State penitentiary yesterday tarred and feathered one John M. Birkner, of Camp Cody, Deming, N. Mex., held in the penitentiary as a Federal prisoner. Birkner was born in Germany and is alleged to have said, "You can't beat the Dutch," and some other similar derogatory remarks against our country.

April 12: Ernest Gellert is alleged to have been murdered at Fort Hancock, N. J., because he was a socialist and pacifist and refused to submit to military discipline.

Vicksburg, Miss., April 17, William A. Hunter was tarred and feathered on the charge of being disloyal to the Union and refusal to buy liberty bond.

Christopher, Ill., March 23, three men were tarred and feathered, compelled to kiss the American flag, and run out of town because of pro-German utterances.

Marshalltown, Iowa, March 19, Raymond W. Hall, of Minerva, who was in the last draft contingent, claimed exemption under the agricultural classification. He was taken by masked men, driven 8 miles in an automobile, painted from head to foot with yellow paint, and left to walk home.

In my own district many men have been tarred and feathered and ducked for suspected disloyalty.

April 20, it was openly charged in the Senate that there are over 20,000 German spies in America. Charles Warren, Assistant Attorney General, resigned because he regarded the law as inadequate, as I am informed, although of this I am not sure. He was in charge of espionage cases.

Therefore I believe that I have shown that the necessity for the enactment of legislation in regard to this situation is imperative, and those charged with the duty of bringing in such law, who control the Judiciary Committee of this House, should no longer delay action in this regard.

Mr. Chairman, I have no patience with milk-and-water policies during this critical period in our national history. I favor a policy that would stop entirely the teaching of the German language in our schools in the United States. Teach English, teach Americanism. Our motto should be that no man should be retained in the public service who is not loyal and who can not be trusted and who is not in entire sympathy with our Government in the prosecution of this war to its successful and victorious conclusion. Nothing short of the complete conquest of Germany and the overthrow of her military power and of her allies will satisfy the American people. "We have put our hand to the plow and we will not turn back."

Mr. Chairman, there are in Washington men who hold high diplomatic positions and who ought to be fair and decent to the United States, and whose protection they enjoy, but who are not; and there is information going constantly from Washington to our enemies, and our Government, through diplomatic courtesy, is submitting to these acts of wrong against our people and our Nation.

The time is when we ought to declare war against Turkey and Bulgaria and send their representatives out of the country, and the time is when several other alleged neutral representatives that are in Washington should be given notice that their activities must cease.

There are at least two representatives of two alleged neutral countries whose activities and conduct are not above suspicion. Let us have more Americanism in this war. Let us stop giving any information to any nation or individual who is not supporting the President, the administration, and our country in fighting this war to the utmost of his ability. The United States as well as Germany was a party to The Hague convention, and that convention defined a spy to be—

> One who, acting clandestinely or on false pretenses, obtains, or seeks to obtain, information in the zone of operations of a belligerent with the intention of communicating it to the hostile party.

In the last year there were many such criminals, and yet not one has been shot or hung, so far as I have been able to ascertain.

This temporizing with lawlessness has reached the limit, and Members of Congress at least should cease longer to tolerate it and place upon the statute books laws that will enforce this article of international law here in our country.

Let us adopt as our motto the words of old Gen. Israel Putnam, the Revolutionary patriot, who during the Revolutionary War caught a British spy within his lines and notified the British general promptly as follows:

> I have the honor to inform you that I have caught one of your command within the American lines. He was arrested as a spy, he will be tried as a spy, and if convicted he will be hanged as a spy.
>
> P. S.—He was hanged at 4 o'clock to-day.

We need more Putnams on the job. [Applause.]

A CHRONOLOGICAL LIST OF PLOTS, CRIMES, ETC., INVOLVING THE DESTRUCTION OF HEALTH, LIFE, OR PROPERTY IN THE UNITED STATES.

[These items are taken from the New York Times Index covering the months from April, 1917, to April, 1918. The dates given refer to the time of publication of the news item.]

1. April 2, 1917: H. G. Stauffer held in Baltimore following fire at Coast Guard station at Arundel Cove.

2. April 3, 1917: K. Schmidt, F. Kerbade, G. Praedel, N. Parades, E. Becker, and Capt. von Kleist found guilty in Federal court of having conspired to destroy allied shipping; guilty men sentenced.

3. April 3, 1917: Plots referred to by President Wilson in his war address to Congress.

4. April 7, 1917: G. H. S. Speckerman arrested in Waltham on charge of conspiracy to obstruct and retard passage of United States mail.

5. April 7, 1917: F. Matthews finds dynamite and fuse on bridge of Maine Central Railroad near Waterville.

6. April 8, 1917: L. Maschet and C. Henckel arrested in Jersey City for having firearms and ammunition in their possession. H. Gruneisen arrested for refusal to give up firearms.

7. April 8, 1917: E. Bethege, E. R. Bloomquist, and E. Hemberg held in bail pending investigation of attempt to cripple trans-Atlantic cable lines off coast of Massachusetts.

8. April 8, 1917: Hundreds of rifles and ammunition belts confiscated in Cleveland.

9. April 8, 1917: More than 500 men and 2 women arrested in Chicago in plot to destroy food in stockyards.

10. April 10, 1917: F. Kolb, H. Schwartz, and J. Humber placed on trial for possession of explosives.

11. April 11, 1917: F. Kolb found guilty of having explosives in his possession, with which it was contended he plotted a second Black Tom explosion. Jury disagrees in case of H. Schwartz.

12. April 11, 1917: Explosion in Eddystone Ammunition Plant at Chester, Pa.; 125 killed, 150 injured; Austrian held on suspicion. S. Cohen and father arrested with J. Sickel, formerly a sailor on German cruiser *Prinz Eitel Fricdrich*. April 12, officials convinced that German was behind explosion; Mrs. A. Keating finds letter and diagram telling of plan; eight arrested. April 27, Mr. Kelner, chief inspector for Russian Government, admits he is a socialist and that some of the in-

spectors under him held radical views and opposed munition industry; C. J. Brodt, detective, shows telegram sent to radical newspaper in New York City by J. Waskoff telling of explosion. April 28, coroner's jury returns an open verdict failing to fix the responsibility for explosion, so I. Schaffer, counsel, says disaster was not accidental.

13. April 12, 1917: Plots for destruction of plants of Hercules Powder Plant at National City, Cal., and Lower California Chemical Co. frustrated by secret-service agents.

14. April 12, 1917: C. Lang arrested for making plans of munition plant at Lowell, Mass.

15. April 13, 1917: W. H. S. Griffith arrested in customhouse; was seeking work on seized German ships; had forged letters of recommendation and is held in bail.

16. April 13, 1917: Kolb sentenced to three years in prison for possession of explosives.

17. April 14, 1917: Mrs. A. Toennges, son and daughter, and H. Beach indicted in El Paso, Tex., for conspiracy to levy war against United States and instigating Mexican military commanders to invade United States.

18. April 16, 1917: Capt. W. Othner arrested in Galveston, suspected of plotting destruction of public property.

19. April 22, 1917: United Mine Workers of America suspect German agents of causing strike in coal mines operated by Peabody Coal Co. in vicinity of Springfield, Ill., and ask for Federal investigation.

20. April 23, 1917: Engine at Springfield Armory disabled by emery put in flywheel; investigation started.

21. April 28, 1917: P. Melnichoff and S. Nickleprück arrested in Trenton, charged with conspiracy to prevent manufacture of anti-submarine nets by J. A. Roebling's Sons Co.

22. May 1, 1917: W. Hirsch and G. Meyringer, employed in Roosevelt Hospital, arrested with 2-pound bomb, confesses intention to blow up Wall Street. Hirsch testifies in West Side court that bomb was intended for J. P. Morgan & Co.; held in $10,000 bail with Meyringer, who denies any knowledge of plot.

23. May 13, 1917: Strike among freight handlers of Adams Express Co. in Jersey is attributed to members of German ships in Hoboken who escaped internment.

24. May 19, 1917: Circulars are being distributed to cause unrest in munition plants in New Britain, Conn.

25. May 23, 1917: Persons, including A. Kaltschmidt, charged with bomb plots in indictment of grand jury for conspiracy to destroy the Windsor (Ontario) armory, Peabody Manufacturing Co., and Detroit Screw Works.

26. May 29, 1917: German plot seen in attempt to destroy American steamship *Lackawanna* in harbor of Habana; three injured.

27. May 30, 1917: P. A. Vaccarelli tells of attempts of German plotters to cause strikes among longshoremen.

28. June 7, 1917: Men under arrest for kidnaping of Lloyd Keet tell of Teuton plot to abduct munitions manufacturer.

29. June 27, 1917: Agitation for shipbuilders' strike blamed on Germans.

30. July 1, 1917: Butte correspondent of C. A. Stonebam & Co. supports reports that copper strikes are due to German influence; Government seeks sources.

31. July 5, 1917: J. Graber, I. W. W. organizer, arrested on charge of being German agent and fomenting strike in Pennsylvania coal mines.

32. July 11, 1917: H. Orthman ordered interned for part in plot to blow up power plant at Niagara Falls in January.

33. July 12, 1917: H. Barecka arrested in East Chicago on charge of being implicated in plot to destroy munition plants, following arrest of K. Kaufman; many others involved.

34. July 12, 1917: Navy-yard officials believe Mare Island explosion was caused by plot; J. Kozlowski arrested on suspicion.

35. July 19, 1917: Three men arrested in Kansas City for selling poisoned courtplaster saturated with tetanus germs.

36. July 19, 1917: San Antonio reports discovery of liquid poison made for Germans in Mexico.

37. July 28, 1917: Department of Justice analyzes sample of courtplaster distributed in Brooklyn by a German paint concern.

38. July 31, 1917: Tetanus germs found in plasters sold in Freeport, Ill.

39. July 31, 1917: Scheme originated in Chicago whereby pro-German physicians are willing to "dope" young men who are drafted; one case under investigation.

40. August 22, 1917: Gov. Cox sees plot in Ohio coal-mine strike; investigation started.

41. August 30, 1917: Rosenwasser blames strike in his shoe factory to German influence.

42. September 2, 1917: German plot suspected in destruction by fire of Southern Knitting Mills, which had contract with United States Government.

43. September 9, 1917: Federal chemists find lockjaw bacilli in specimens of courtplaster.

44. October 11, 1917: E. Reister, J. Zepart, and W. Uhde arrested and held in custody for participating in conspiracy to destroy ships in port of New York and en route to allied countries; prisoners say that Dirk Schimmel said that bombs had been placed on *Lusitania*.

45. October 12, 1917: Germans, including Capt. F. von Papen and C. Schimmel, are indicted by Federal grand jury in plot to blow up steamships sailing between New York City and allied ports; B. Bonfface, United States citizen, is arrested, said to be man who kept track of all ships sailing from New York City.

46. October 12, 1917: German plot suspected in poison plot in which S. O. Livingood, of United States aviation training school at Princeton was arrested for possession of cyanide of potassium.

47. October 14, 1917: Fire in Dow's grain elevators and Charles Williams's storehouse in Brooklyn. October 17, another fire in Dow's elevator in Brooklyn. October 20, arrest of C. Walnun in connection with steamship bomb plot gives clew to Brooklyn fires.

48. October 17, 1917: Kansas City stockyards partly destroyed by fire. October 18, two men arrested. October 28, fire believed to be part of nation-wide plot to destroy grain elevators, stockyards, etc.

49. October 20, 1917: C. W. Walnun, Norwegian, arrested and held on charge that he plotted to place a bomb on seized German liner; November 5 indicted by Federal grand jury.

50. October 22, 1917: German plot suspected in explosions which sank the steamship *Port Kembia*, cargo carrier *Wairuna*, the steamship *Cumberland*, and the steamship *Matugna*.

51. October 28, 1917: Army mules have been disabled in Vancouver by insertion of needles in their joints.

52. November 4, 1917: M. Valliekounos arrested in shipyard in act of putting bomb on troopship; had been working as carpenter on seized German liners; November 5 indicted by Federal grand jury; refuses to name aids; November 6 arraigned in United States district court in Brooklyn; says he is Lithuanian; plea of not guilty is entered in his behalf by attorney for Russian consul general, but no defense will be made by Russian Government.

53. November 4, 1917: Private F. E. Wood, I. W. W. member, is arrested at Plattsburg Camp; is suspected of connection with horses' deaths; Woods admits that his correct name is Wermk, but he denies connection with death of Army horses.

54. November 5, 1917: German plot for purpose of clogging the United States mails by chain letters is revealed.

55. November 7, 1917: Time bomb discovered in express in New Brighton, N. J.

56. November 11, 1917: E. Egeling and C. Schelbel arrested on Point Pleasant (N. Y.) passenger train; said to be consignees of bombs equipped with time clocks which were intercepted at Long Branch.

57. November 12, 1917: Plant of Washburn Wire Co., in New York City, destroyed by fire which police believe to be of incendiary origin; enemy aliens working in plant had no Government permit.

58. November 13, 1917: F. Wasserthal arrested in Duluth, Minn., in connection with strikes of Lakes Lines' Stevedore Association.

59. November 17, 1917: Ignited bomb under orchestra seat in the Auditorium at Chicago Grand Opera; November 23 R. A. Faust, postal clerk, arrested for placing bomb in Auditorium.

60. November 20, 1917: United States Army transport *Pastores* is set on fire at Hoboken pier immediately after arrest of 200 aliens by United States Army soldiers; November 21 investigation ordered by Army officers to determine cause of fire on transport *Pastores;* they assert it was caused by carelessness in fumigation.

61. November 21, 1917: Bomb discovered in parcel-post room of Federal building in Chicago.

62. November 22, 1917: Five men hurt when train carrying workingmen to plant of International Shipbuilding Corporation at Hog Island runs into open switch; accident believed to have been caused by a German spy.

63. November 22, 1917: Reports of famine of salt, matches, and laundry blue are laid to German propagandists.

64. December 8, 1917: New York bank officials testifies in trial of A. C. Kaltschmidt and five others on charge of dynamite conspiracies in Detroit that $25,000 was paid to defendants from joint account of former Ambassador Bernstorff and Dr. H. F. Albert.

65. December 11, 1917: W. M. Jarosch, sergeant in United States Artillery, testifies in Detroit, Mich., that he was hired by A. Kaltschmidt to go to Canada and blow up factories and other properties; says bomb plots were discussed in German consulate in Chicago, and implicates C. A. Jacobson, A. Herrmann, and M. Schultz.

66. December 13, 1917: Plot suspected in explosion at shell plant of Bethlehem Steel Co. at Newcastle, Del.

67. December 18, 1917: Hoboken authorities seize wool given to Mrs. R. Anderson, who was taken ill; chemist finds powder; poisoning is suspected; investigation of pro-German plot to blow up Newark (N. J.) city hall.

68. December 19, 1917: Pro-German plot ssupected in attempt to kill Gov. Stephens, of California, when executive mansion at Sacramento is wrecked by bomb.

69. December 22, 1917: A. C. Kaltschmidt convicted with four others on three counts of indictment charging conspiracy against United States by jury in United States district court at Detroit.

70. December 22, 1917: More than 150 pro-German propagandists arrested in southern Illinois for inciting strikes among coal miners.

71. December 27, 1917: Plot to poison Red Cross bandages is frustrated in Cleveland and consignment is burned.

72. December 30, 1917: P. Henning, German-born United States citizen, foreman of gyroscope department of E. W. Bliss Torpedo Co., indicted by Federal grand jury on charge of treason for tampering with gyroscope mechanism so as to deflect torpedoes; 90 other workers of the E. W. Bliss Co. have been interned.

73. December 30, 1917: J. Tausan, Norwegian, arrested at plant of Merchants' Shipbuilding Corporation at Bristol, Pa., on charge of setting fire in Brooklyn.

74. January 1, 1918: Crowd whips a German who called soldiers "dirty dogs" as they passed him at the Grand Central Station.

75. January 2, 1918: Finds bomb fuse burning; janitor discovers explosive after watching man's suspicious actions.

76. January 3, 1918: Twenty arrested following Norfolk fire; Portsmouth put under strict naval guard.

77. January 3, 1918: The factory of Curtis Machine Co., Jamestown, N. Y., destroyed by fire; stranger visited the neighborhood; thought plant belonged to Curtis Aeroplane Co., of Buffalo.

78. January 4, 1918: "Baron" Fritz von Pilis, interned; prisoner had list of enemy aliens employed in munition plants.

79. January 10, 1918: Bare plot to sell guns; Army officers trap three men in munition deal.

80. January 11, 1918: Teuton conspirators interned and Scandinavian allies expelled from the country; planned wide sabotage.

81. January 15, 1918: Sporrman, about to blow up Army magazine, fired at and arrested.

82. January 15, 1918: Charge spy grounded ship; Federal agents accuse helmsman of Alaska liner *Spokane*.

83. January 15, 1918: Accused of tampering with torpedoes; faces jury.

84. January 16, 1918: Arrest spies who infest Detroit's factories; manufacturers protest to city officials that Germans are delaying munitions work.

85. January 16, 1918: Lumbermen poisoned; German held by Federal authorities.

86. January 21, 1918: Shipyards at Newark guarded by soldiers; rumors of plot to destroy them.

87. January 21, 1918: Warship spy seized in navy yard.

88. January 22, 1918: Scaring munition workers; officials hunt authors of false reports about the Du Pont Co.

89. January 23, 1918: Marx Breitung arrested; held on charge of conspiracy to destroy allied ships.

90. January 25, 1918: Fire bomb plot spy hired by Schimmel; Ebling got $25 a week for discovering sailing dates and cargoes of allied ships.

91. January 25, 1918: Max Breitung interned; under indictment in ship bomb plot.

92. January 25, 1918: Paul C. H. Henning faces court charged with torpedo tampering.

93. January 25, 1918: Navy stops selling candy to sailors; impurities discovered.

94. January 27, 1918: Port Newark fire seen as part of wide German plot; January 28, 1918, authorities have no doubt German incendiaries started Port Newark fire.

95. January 29, 1918: Eleven soldiers at Camp McClellan charged with trying to wreck train.
96. February 1, 1918: Rintelen trial closing; alleged bomb plotter says he was beaten.
97. February 6, 1918: German plotters get law's limit in fire bomb case.
98. February 7, 1918: Official Berlin plans to cause explosions here exposed by Paris papers.
99. February 9, 1918: German spy found on board of ship; admits he came here to furnish other spies with secret code.
100. February 9, 1918: Alien crews imperil our ships; Admiral Palmer shows cases of vessels abandoned to U-boats.
101. February 17, 1918: Agents of Army raid laboratory; find all necessary chemicals for the testing of high explosives.
102. February 24, 1918: A high explosive bomb found at Fort Douglas; made by German prisoners.
103. February 27, 1918: Three union musicians shot by a fellow member who had been ordered expelled because he had refused to stand while the national anthem was played.
104. February 28, 1918: Balk bomb plotter at Newburgh plant; watchman hurls machine away; explosion occurred, but the damage was not great.
105. February 28, 1918: Steamships' officers held for German plots; accused of taking explosives to interned Germans.
106. March 2, 1918: Louis J. Schroeder indicted by grand jury, having taken prints of gun cartridges from War Department.
108. March 2, 1918: De Witt Clinton, high-school graduate, sentenced to a year for obstructing the draft.
109. March 7, 1918: Alexander H. Lucas suspected of plotting with German prisoners.
110. March 7, 1918: Several German subjects, one of whom owned a private arsenal with an abundance of munitions, were arrested yesterday by Government agents.
111. March 8, 1918: Fire destroys armory. Authorities investigating blaze at home of Troop M of First Cavalry.
112. March 9, 1918: German held as prisoner; accused of killing hundreds of head of stock in California.
113. March 9, 1918: Plot fire in Maine; Germans believed to have started flames in Portland Press building.
114. March 9, 1918: Attempt to wreck new Chicago theater; German sympathizers blamed for bomb explosion in Woods Building.
115. March 12, 1918: German under arrest destroyed photographs just before secret service agents caught him.
116. March 13, 1918: Labor agitator sent to jail; advised strike in factory filling war contracts.
117. March 15, 1918: Plot to blow up Hog Island yards; 245 pounds of dynamite found hidden in stores; several arrests made.
118. March 15, 1918: Strike closes war plant; Department of Justice told of money offers to cause walkout.
119. March 15, 1918: Jury disagrees in case of sailor accused of exposing a transport.
120. March 15, 1918: Investigates 75 fire outbreaks since we entered the war; some are of suspicious origin.
121. March 19, 1918: Found glass in candy; Department of Justice tracing box to source in Boston.
122. March 20, 1918: President orders spies deported; some may face firing squad; gathered munition data.
123. March 23, 1918: Two aliens and naturalized Germans accused of plot in munition plant; tampering with endurance test is alleged.
124. March 27, 1918: High explosives rock Jersey City; damage put at $2,000,000; mayor calls it work of German agents.
125. March 29, 1918: Overman produces evidence in Senate showing how spies block air program; steel welded with lead.
126. March 29, 1918: Life-raft plant fire of suspicious origin; Naval Intelligence Bureau in inquiry.
127. March 30, 1918: Instrument maker arrested in Brooklyn on charge of having explosives in his possession.
128. March 30, 1918: Fritz Hoferman held in searchlight plot; had signal code to control illuminating device.
129. March 31, 1918: Charges spies work in airship factory; woman prisoner says planes in Curtiss plant were tampered with; blue prints found in her room.
130. April 1, 1918: Public is warned of glass in bread.
131. April 2, 1918: 112 I. W. W.'s put on trial; plotted to destroy industries and conspired to hamper prosecution of the war.
132. April 3, 1918: Senator THOMAS, of Colorado, says spies spoiled 2,900 gas masks.
133. April 5, 1918: Find more glass in food; several cases reported to Federal authorities in Brooklyn.
134. April 6, 1918: Suspect plot in big fire in Kansas City.

INCENDIARY ENEMY FIRE LOSSES FOR NINE MONTHS.

Fire damages of $100,000 or more caused by incendiaries since Apr. 1, 1917.

APRIL.

1.	Asheville, N. C.—Tannery	$400,000
2.	South Bethlehem, Pa.—Foundry and machine plant	200,000
3.	Vinita, Okla.—Oil refinery	200,000
4.	Brockton, Mass.—Leather factory	100,000
5.	Jacksonville, Fla.—Steamship piers	150,000
6.	Belmont Park, N. Y.—Stables and grandstand	175,000
7.	Clarksville, Tenn.—Tobacco warehouse	300,000
8.	Vernon, Tex.—Cottonseed house and contents	200,000
9.	Minneapolis, Minn.—Grain elevators	500,000
10.	Lexington, Mo.—Flour mill	150,000
11.	Abram Station, Pa.—Cold-storage plant	100,000
12.	Louisburg, N. C.—Cotton-oil plant	150,000
13.	Island Falls, Me.—Tannery	100,000
14.	Caney, Kans.—Machine shop	200,000
15.	Caruthersville, Mo.—Cotton-oil factory	200,000
16.	Meridian, Miss.—Car shops	100,000
17.	Pittsburgh, Pa.—Metal factory	500,000
18.	Kearny, N. J.—Coke factory	200,000
19.	Brooklyn, N. Y.—Coal pockets and others	100,000
20.	Erie, Pa.—Grain elevator	500,000
21.	Healdton, Okla.—Oil rigs and tanks	100,000
22.	Belmont Park, N. Y.—Stables and horses	110,000
23.	Chicago, Ill.—Grain elevators	700,000
24.	Augusta, Kans.—Oil tank	120,000
	Total	5,555,000

MAY.

1.	Sioux Falls, S. Dak.—Grain and storage warehouse	$1,000,000
2.	Brooklyn, N. Y.—Storehouse and shed	100,000
3.	Atlanta, Ga.—Iron mill	100,000
4.	Brooklyn, N. Y.—Navy-yard buildings	100,000
5.	Niagara Falls, N. Y.—Chemical works	200,000
6.	St. Paul, Minn.—Timberland	250,000
7.	Newark, Ohio—Warehouses	112,000
8.	Borvie, La.—Lumberyards and dwellings	1,000,000
9.	Omaha, Nebr.—Wheat elevator	200,000
10.	Norfolk, Va.—Lumberyard	100,000
11.	Louisville, Ky.—Tobacco factory	250,000
12.	Philadelphia, Pa.—Chemical works	100,000
13.	Ardmore, Okla.—Oil tanks	180,000
	Total	3,692,000

JUNE.

1.	Philadelphia, Pa.—Chemical works	100,000
2.	Boston, Mass.—Chemical works	100,000
3.	Reading, Pa.—Automobile factory	250,000
4.	Avondale, La.—Gasoline tanks	350,000
5.	North Butte, Mont.—Mine property	1,000,000
6.	Duluth, Minn.—Lumber mill	100,000
7.	Detroit, Mich.—Grocery warehouses	350,000
8.	Live Oak, Fla.—Lumber mill	150,000
9.	Minneapolis, Minn.—Grain elevator	250,000
10.	Pottsville, Pa.—Colliery	100,000
11.	Pueblo, Colo.—Steel plant	100,000
12.	Laredo, Tex.—Grain warehouse and cars of corn	350,000
13.	Brunswick, Ga.—Lumber plant	250,000
14.	Kirbyville, Tex.—Lumberyard	150,000
15.	Hoquiam, Wash.—Lumberyard	200,000
	Total	3,800,000

JULY.

1.	Paris, Tex.—Cotton-compress plant	400,000
2.	East Boothbay, Me.—Shipbuilding plant	150,000
3.	Dubuque, Iowa—Lumberyards	200,000
4.	Wilmington, Del.—Steel plant	200,000
5.	Harlington, Tex.—Sugar mills	250,000
6.	Jersey City, N. J.—Dye works	150,000
7.	Hoquiam, Wash.—Lumberyard	170,000
8.	Grand Prairie, Tex.—Machinery plant	170,000
9.	Vallejo, Cal.—Tanning mills	250,000
10.	Seneca Falls, N. Y.—Woolen mills	500,000
11.	Rochester, N. Y.—Elevator and warehouse	700,000
12.	St. Paul, Minn.—Stockyard barns	100,000
13.	Brownsville, Tex.—Warehouse and stock of merchandise	200,000
14.	Dunwright, Okla.—Oil tank and residences	500,000
15.	Philadelphia, Pa.—Oil-refining works	200,000
	Total	4,140,000

AUGUST.

1.	Henderson, Ky.—Grain elevator and contents	225,000
2.	Gary, Ind.—Guacotton plant	100,000
3.	Dunwright, Okla.—Tanks of oil	2,000,000
4.	Sour Lake, Tex.—Crude-petroleum tanks	250,000
5.	Brooklyn, N. Y.—Piers and ships	1,000,000
6.	Clifton, Ariz.—Mine property	126,000
7.	Boston, Mass.—Wool and leather storage building	300,000
8.	Pittsburgh, Pa.—Packing plant and contents	400,000
9.	Muskegon, Mich.—Milling plant and grain elevator	100,000
10.	Scranton, Pa.—Lumber yards	150,000
11.	Santa Barbara, Cal.—Oil company's property	300,000
12.	Cottage Grove, Oreg.—Lumber plant	150,000
	Total	5,101,000

SEPTEMBER.

1.	Frankford, Pa.—Buildings and munitions at arsenals	100,000
2.	Hammond, Ind.—Steel plant	100,000
3.	Scranton, Pa.—Roundhouse and locomotives	500,000
4.	Westwood, Cal.—Lumber mill and yard	1,100,000
5.	Bunkie, Pa.—Sugar mill	200,000
6.	Trenton, N. J.—Steel works	125,000
7.	Marcus Hook, Pa.—Oil works	150,000
8.	Beaudette, Pa.—Lumber plant	600,000
	Total	2,875,000

OCTOBER.

1.	Westmore, Pa.—Chemical works	100,000
2.	Helton, Pa.—Flour mill	200,000
3.	Laurel, Miss.—Lumber yard and sawmill	120,000
4.	Nashville, Tenn.—Oil-refining plant	115,000
5.	East St. Louis, Ill.—Grain elevator and warehouses	200,000
6.	Charles City, Iowa—Steel and shipbuilding plants	500,000
7.	St. Paul, Minn.—Lumber yards	290,000
8.	Golconia, Ariz.—Ore mill	100,000
9.	Goldsboro, N. C.—Cotton-oil plant	300,000
10.	Brooklyn, N. Y.—Grain storehouses	2,000,000
11.	Memphis, Tenn.—Lumber yard	300,000
12.	New York, N. Y.—Chemical factory	270,000
13.	Kansas City, Mo.—Stockyards and cattle	750,000
14.	Indianapolis, Ind.—Flour mill	750,000
15.	Corrington, Tenn.—Cotton compress	225,000
16.	St. Louis, Mo.—Lumber yards	100,000
17.	Thomason, Ga.—Cottonseed house	100,000
18.	Cincinnati, Ohio—Grain warehouse	100,000
19.	South Wilmington, Del.—Chemical works	100,000
20.	Baltimore, Md.—Piers and merchandise	3,500,000
21.	Hobart, Okla.—Cotton-oil mill	100,000
	Total	7,820,000

NOVEMBER.

1.	New Kensington, Pa.—Munitions plant	$100,000
2.	Hastings, W. Va.—Gasoline plant	1,000,000
3.	Tenipe, Ariz.—Cotton gin	100,000
4.	Muskogee, Okla.—Cotton-oil plant	350,000
5.	New York, N. Y.—Wire-manufacturing plant	1,100,000
6.	Hume, Cal.—Lumber mills	500,000
7.	Narrows, Va.—Tanning plant	200,000
8.	Beaumont, Tex.—Cotton-oil plant	300,000
9.	McKinney, Tex.—Cotton warehouse	150,000
10.	Erie, Pa.—Flour mill	100,000
11.	Tulsa, Okla.—Oil-refining plant	500,000
12.	Dickson, Tenn.—Lumber-planing mill	150,000
13.	Lemmon, S. Dak.—Grain elevators	200,000
14.	Cleveland, Ohio—Steel foundry	100,000
	Total	4,850,000

DECEMBER.

1.	Brooklyn, N. Y.—Dry docks	1,000,000
2.	Pittsburgh, Pa.—Chemical company	250,000
3.	Convent, La.—Sugar factory	100,000
4.	Long Beach, Cal.—Chemical plant	100,000
5.	Chicago, Ill.—Army warehouse	200,000
6.	Norfolk, Va.—Tobacco factory	500,000
7.	Blackwell, Okla.—Grain elevator	100,000
8.	Bradford, Pa.—Pattern shop	100,000
9.	Albany, N. Y.—Pattern shop	100,000
10.	Chicago, Ill.—Government warehouse	125,000
11.	Argenta, Ark.—Cotton-oil plant	250,000
12.	Duluth, Minn.—Lumber yard and sawmill	500,000
13.	Coleman, Tex.—Oil mill	100,000
14.	Johnston, N. Y.—Tannery	300,000
	Total	8,725,000
	Grand total	43,558,000

SUMMARY.

Year.	Month.	Number of fires.	Total loss.
1917	April	24	$5,555,000
1917	May	13	3,692,000
1917	June	15	3,899,000
1917	July	15	4,140,000
1917	August	12	5,101,000
1917	September	8	2,875,000
1917	October	21	7,820,000
1917	November	12	4,859,000
1917	December	14	8,725,000
Grand total, 9 months		131	43,558,000

Mr. JOHNSON of Washington. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. MEEKER].

Mr. MEEKER. Mr. Chairman, I think one of the most interesting facts that have been brought out during the past year is that the gentlemen in this country who for the last 25 years have claimed protection under the American flag and have at the same time been producing propaganda for the purpose of dissolving our republican form of government have been the latest arrivals when it came to standing up to save the life of this Government. It should cause every man to pause and think. I hear gentlemen get on the floor here and refer to that flag. Mr. Chairman, that flag was put over a constitutional representative form of government by the men who gave their lives to establish that government, and it is rather cheap patriotism for men who are insisting on the dissolution of this system of government to appeal for protection under that flag while they do it. That is what has been going on, however, for the last quarter of a century. It has had all sorts of names. Sometimes it has been called socialism, sometimes populism, and sometimes it has been called pacificism and various other kinds of isms. Always it has had the same ultimate purpose, and that was to enervate the American Government. I want to say for the Immigration Committee when the question was brought up here a while ago whether this law applied to citizens of the United States, that the only reason it does not apply to those gentlemen is that we do not have jurisdiction. If you will fix the law in some way so that we can get a crack at those fellows, they will get it from the Committee on Naturalization and Immigration. We have gone just as far as we can in this bill, but for the future life of this country we have got to go further with such types, whether they be alien or citizen. If this Nation is to continue to exist as a nation, the men who stand for our government and our Constitution have got to bind themselves together as the representative government group, and we have got to put down the Bolsheviki. We have a Bolsheviki in the United States to-day just as certainly as they have had it in Russia, and it works along the same line so far as it is permitted to operate. Sometimes it finds its representative in the parlor socialist, sometimes a kind-hearted anarchist in public life, or of wealth, or in a university or college somewhere, who calls himself a professor; but we must remember that the teachings percolate down from the highbrow to the man who uses a gun.

Whatever there may be in America that finds its ultimate expression in the use of the torch or the gun by the lowbrow, the bolsheviki, the anarchist, the socialist has found his patron saint somewhere in high authority in the United States. The more dangerous man of the two is the teacher, and yet in times past we have permitted these men and women to run loose in the country and to advocate their doctrines, and when they have been called to account for it they have whiningly declared that they were under the protection of the flag of the Union! Mr. Chairman, that is not the flag of a man of that type, and he has no right to its protection in peace or in war. We men are seeing this Nation now passing through a trial by fire. We are going to face in the next few months in a great political campaign the insidious doctrine that is called pacificism or socialism, which will be the hiding place of the pro-German who no longer dares to say he is a friend and an aid to our enemy, who goes just one step further back and says, "I think this time I shall have to support the socialist movement in this country." The socialist movement is just as dangerous to America as it has been fatal to Russia. The socialist movement is just as dangerous to the United States as it has been anywhere else. This bill, so far as our committee is concerned, goes to the last limit in saying to the world what the Committee on Immigration and Naturalization thinks of the teachers of this kind of heresy in America. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Chairman, since my membership on the Committee on Immigration I have assisted at the making of several very good laws, but I have never helped to bring a bill into this House in which I took more pleasure than in this which seeks to prevent anarchists from coming into the country, and seeks also to provide a means of getting rid of those that we have. I think that any sound American with respect for law and order will admit that there is no anarchist of any degree of faith whose room is not vastly better than his company, and if we can get rid of them in a legal way, by all means we should do it. This first paragraph of the bill which we have submitted for the consideration of the House says that aliens who are anarchists shall be excluded from admission into the United States; that aliens who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, shall be treated in the same way; and that aliens who disbelieve in or are opposed to organized government shall go. We can not stand for them, because the Republic of the United States is a government of law, a government of order, committed to the protection of life and property, and neither is safe in the society that harbors anarchists.

Mr. Chairman, I hope there is no Member of this House who will not agree with the language of the first section of the bill, that the stand which the members of our committee took in adopting and reporting this measure was right and that we must get rid of these people if we are to have security. If we are to weld together for one united and harmonious action all the forces of our country, we must get rid of these people as quickly as possible. While it may be impossible to deport them at this time, we certainly can make them harmless by limiting the sphere of their activities to four strong walls, and that I would certainly favor.

If one wants to understand perfectly the effect of anarchy and the sort of thing which it substitutes for orderly government, which our ancestors when they founded this Government believed in and provided for in a very wise document, all he has to do is what my friend from Missouri just now suggested, study the conditions in Russia. There you have a perfect illustration of how anarchy works out. There you have complete governmental chaos. There you have no security for society in any way for life or property. In Russia you have a whole community, vast as it is, numbering approximately 180,000,000 people, given over to discord—to anarchy, in a word. In order that we may use all of the forces of this country and bring into harmonious cooperation all of the elements of our citizenry to prosecute our war for "self-determination, for democracy," we must get rid of these people, who are, as was suggested by the gentleman from Missouri [Mr. MEEKER], undermining the effectiveness of our efforts by an insidious and dangerous propaganda. I do not believe there are many, but there should be none. Our mighty efforts in the greatest war of all history must not be hampered by anarchistic teachings.

Undoubtedly the same class of people are to-day operating in Mexico and adjacent countries to develop among the rather backward people who make up the masses of those countries a

feeling of hostility to the United States, as they have had a feeling of hostility to property, which is truly an anarchistic characteristic, unless the property happens to be that of the anarchist himself, which has been illustrated by the revolutions that have gone on in Mexico for the last eight years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. I will yield the gentleman the remainder of my time—two minutes.

Mr. SLAYDEN. I thank the gentleman. Mr. Chairman, one of the peculiar features of the revolutions in Mexico in the last few years has been from the beginning a manifest hostility to things. Revolutionary bodies have destroyed their own property in paroxysms of rage, under the teachings of American anarchists sometimes, and that is what they would do here if they could. I hope, Mr. Chairman, that this measure, which the committee was unanimous in reporting, earnest and zealous in its advocacy, will pass the House without a discordant vote, without amendments being offered, without any change whatever. It will be notice to this anarchistic element that this is a government of law and order and that we do not propose that they shall interfere in our activities in prosecuting a war for self-determination, for democracy—in other words, that we will not tolerate any tricks that may be resorted to to weaken our morale and cohesion, and that any resident of this Republic who engages in such propaganda does so at the peril of his personal liberty; and I hope that when any are found and convicted the law will be inexorably enforced in its extremest penalties. [Applause.]

Mr. BURNETT. Mr. Chairman, I yield three minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Chairman and gentlemen, this bill carries out to my mind the endeavor of the committee originally, and when the bill, now the law, was passed four years ago I offered to the committee the following provision, which afterwards became a law: "who advocate or teach the unlawful destruction of property." It was included in the bill that no one could teach the unlawful destruction of property. I am sorry to say that when the first veto was had upon the bill that was one of the reasons it was vetoed because we did not include a sufficient saving clause. As a member of the subcommittee I participated in drawing the provision that is now in the bill, and the President saw no objection to it in giving his last veto to the bill, and it finally became the law. The proviso reads:

Provided, That nothing in this act shall exclude, if otherwise admissible, persons convicted, or who admit the commission, or who teach or advocate the commission, of an offense purely political.

This provision of the bill under consideration now was the same involved in the original bill and had the same intent, that of excluding anarchists. The word has been somewhat confused in that some contend an anarchist must mean one who believes in the destruction of government or property by force or taking of life by overt acts. The real interpretation of the word is one who is against all forms of government and destruction whether by force or otherwise, and the man who teaches anarchy or who teaches opposition to all organized government, whether he himself participates in the force, is more dangerous than the man who actually applies the force, because you can procure a low-type man to commit the force and he is driven on to that act by the man with knowledge and with experience and one who is familiar with and has dealings with men. So the purpose of this bill is to reach into the teachings of those people who have been going from the Atlantic to the Pacific, and from the Canadian line to the Gulf, teaching this doctrine of opposition to government, and while not becoming naturalized remain here as aliens and subjects of another country. Now, the law we propose in this bill is to reach them irrespective of the time they may have been in this country and to return them to the country from which they came. It is unfortunate for the country at the present time that this has not been the law in the past and that it has not been rigidly enforced. I am heartily in favor of this bill and all of its provisions. This country has no place for the anarchist.

The CHAIRMAN. The time of the gentleman has expired; all time has expired, and the Clerk will read the bill under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That aliens who are anarchists; aliens who believe in or advocate the overthrow by force or violence of the Government of the United States or of all forms of law; aliens who disbelieve in or are opposed to organized government; aliens who advocate or teach the assassination of public officials; aliens who advocate or teach the unlawful destruction of property; aliens who are members of or affiliated with any organization that entertains, teaches, or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or that entertains or teaches disbelief in or opposition to organized government, or that advocates the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, or that advocates or teaches the unlawful destruction of property, shall be excluded from admission into the United States.

Mr. BURNETT. Mr. Chairman, I desire to offer two amendments, and I shall call attention to them now. In line 6 of the bill as reported, after the words "opposed to," add the word "all," so that it will read "who disbelieve in or are opposed to all organized government." In line 1, page 2, after the words "opposition to," insert the word "all."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BURNETT: Page 1, line 6, after the word "to," insert the word "all," and on page 2, line 1, after the word "to," insert the word "all."

Mr. BURNETT. In speaking to it a moment ago I had the original bill in mind, and perhaps I called attention to the wrong line.

Mr. RAKER. Mr. Chairman, this amendment undoubtedly is one to which there can be no possible objection, for, so far as anarchy is concerned, we have an organized Government. So using the expression "all organized government" will not add to or take from the material meaning of the present language of the bill. The term "anarchy" means the absence of all political government; by extensions, confusion in government; the absence of government; a state of society where there is no law or supreme power; a social theory which regards the union of order with the absence of all direct government of man by man as the political ideal; absolute individual liberty.

Mr. DUPRÉ. Where is that definition from?

Mr. RAKER. This is taken from Bouvier's Law Dictionary, the latest edition.

So we are arriving at the conclusion, to extend a little further my short remarks under general debate, to reach the man who believes in the destruction of organized government by force, who believes in the destruction of property by force, who believes in committing crimes in violation of the law either by himself or by some agency of his. But, in addition to that, the most dangerous man to this country and the most dangerous anarchist—because that is what he is, and there are two classes—is the man who teaches and says that there shall be no form of government and "I am entitled to all the individual rights, and there shall be no restraint upon me." Of course, a man who destroyed property, if necessary; who took life, if necessary; but says, "Individually I would not do it, individually I would not burn a man's house, but for a man to get his liberty it is the only thing for him to do," uses an insidious way of getting the weak and the feeble—those are willing to destroy by their own physical acts, to do the act, to violate the law, to destroy government, to destroy property, and to take life. And it is the very object and purpose of this bill—and there should be no misunderstanding or any covering up of the idea of the committee—to get after the fellow that teaches this, but who at the same time says, so there can be no misunderstanding, "I am opposed to this form of government; I am opposed to the actual taking of life or destruction of property, but I believe in all these conditions if you want to get these results." And, in a nice, suave way, says, "I would not do this, but that is the only way we can have it accomplished."

Originally, when the bill came up for consideration four years ago, and then two years ago, wherein this provision as to excluding those who advocate the unlawful destruction of property was contained, there was some slight criticism made, or some stricture made, that the members of the committee that reported the bill came from suffrage States, and that women would be more liable, and had been, to commit these acts than men. We are in a position to report to-day that that statement is not true, and the public knows it ought to have been branded as false, which it was; but the conduct and the acts of our women of this country have demonstrated to the world, and by their every thought and every deed, that they have been for this Government; that they have been against lawlessness and disorder and in favor of enforcing the law as against sabotage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Mr. Chairman, I ask unanimous consent that I may revise and extend my remarks.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. WALSH. Does the gentleman mean to extend upon this bill the remarks the gentleman has been making?

Mr. RAKER. Upon the bill under consideration, with all the varied and ramifying effects it will have, because it is very extensive.

Mr. WALSH. I trust the extension will be as interesting as the remarks we have heard.

Mr. RAKER. I thank the distinguished gentleman.

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. KELLY of Pennsylvania. Mr. Chairman, I am convinced that the enactment of this measure is one of the necessary acts for the accomplishment of America's one business to-day—the overthrow of Prussianism.

In this morning's newspapers is the statement that the Kaiser has sacrificed uselessly in this latest western-front drive 500,000 men. This Kaiser-made war is the bloodiest exhibition of anarchistic desire to overwhelm free governments and destroy free peoples that the world has ever seen.

Anarchists here in America who sanctify the use of assassination, incendiarism, poison, poinard, rope, and dynamite in their efforts to overthrow American Government are deadly foes, matching the Huns in their malignant assaults.

No action is too drastic, no measure too severe for the protection of the American Government and American institutions against such destructive attacks from within our own breastworks.

The ruin of Russia has been wrought by these destroyers of organized government, incited to their work by German influence. The pitiable plight of that nation, helpless before her foes, should inspire America to take any action necessary to prevent the activities of those who would gladly see America share the same fate.

America proposes here and now to make the American melting pot produce a steel ingot of noble purpose. After a year of war we find in that melting pot sticks and stones and dangerous substances which will not fuse into that purpose of Americanism.

There is only one thing to do. Skim off the dross and throw it on the slag heap where it belongs. That is exactly what this measure provides. These dangerous elements, impossible of fusing, shall from this time on not be put into the American melting pot, or, if found there, shall be cast out.

Mr. Chairman, the only objection to this measure and similar measures that I have seen appears in certain publications which declare that Congress is enacting despotic measures which are in defiance of real American principles. It has been stated by them and by more or less disloyal speakers that the framers of the Declaration of Independence would be arrested and imprisoned if they were here in these days.

I hope no one here will be misled into thinking that the framers of the Declaration of Independence hesitated for a moment when confronted by the critical conditions we confront to-day. These fathers of the American Nation went ten times further than the Government of to-day has gone in dealing with enemies inside the breastworks. They knew well that they were fighting for their lives and homes and country and any man who sought their protection and at the same time opposed them and their cause was landed behind prison bars without trial or waste of time whatever.

When those old fighters for America started on a path they went the whole way. About the first thing they did in the Continental Congress was to provide for the selection of a committee of safety in every township and county. That committee was charged with finding out how every citizen of the community stood on the question of the independence of the colonies. If they found a man opposed to the American cause, they ostracized him from every standpoint—religious, social, business, and political.

When they found that some of these Tories were so lost to all decency that such treatment did not effect them, the Continental Congress passed this resolution:

Resolved, That it be recommended to the several provincial assemblies or conventions or councils or committees of safety to arrest and secure every person in their respective Colonies whose going at large may, in their opinion, endanger the safety of the Colonies or the liberties of America.

Mr. Chairman, there was no conviction necessary nor even trial. If this committee of patriotic citizens felt that a Tory's presence and going at large was a source of danger they were ordered to clap him into jail.

In 1777 the very men who adopted the declaration, assembled in the Continental Congress, went still further. We must admit that they knew as much about liberty and the rights of man as any anarchist or pro-German in America to-day. They knew something, too, about dealing with treacherous ones inside their own ranks. In the Journal of Congress for that year you will read this resolution:

Resolved, That it be recommended to the executive powers of the several States forthwith to apprehend and seize all persons who have in their general conduct and conversation evinced a disposition inimical to the cause of America and that the persons so seized be confined in such manner as shall be consistent with their several characters and the security of their persons.

That same Congress requested the State of Pennsylvania to arrest and imprison all persons who were talking against the independence of America. When one man wrote a letter to a friend in England saying that the Colonies were sick of war these signers of the declaration ordered the letter seized and sent the writer of it to jail to stay there until released by a future order.

Oh, no, these founders of the Nation were not afraid of being charged with arbitrary arrests when the entire fate of their Nation hung in the balance and when Tories were thick as bees. They ordered their committees to arrest these anti-Americans, and if necessary to call on the Continental troops for help. They landed the governor of Maryland behind the bars when he talked treason. They arrested men who undertook to travel from one city to another without a pass. No waiting for indictment by grand jury and trial. They felt that the times demanded immediate action and they took it.

They interfered with free speech and free press and free assemblage to found this Nation. A preacher by the name of Daniels would not pray for the American cause and they put him into jail until he could get real religion. They took printing plants away from Tories and gave them to good Americans to run. They broke up meetings where sedition was the topic of discussion. They declared by a hundred acts that no man has a right to the protection of the American flag while he is trying to destroy the Government for which it stands.

I am giving these historical facts to show how the framers of the Declaration of Independence dealt with sedition at home. We have not gone so far in this period of danger, and I hope we may never need to go so far. But if we did follow these old nation builders, the tender-skinned, personal-liberty worshippers of the writers of the immortal declaration would be playing checkers through prison bars instead of being at liberty.

Mr. Chairman, I wish to take this opportunity to call attention to certain classes of anti-Americans who are opposing this war and its effective prosecution. They are not aliens and they are not anarchists, but, consciously or unconsciously, they are striking blows at the Government of the United States.

America is engaged in a war in which her future existence is at stake. If Prussia wins, this Nation will become a vassal, passing under the yoke of submission to the most ruthless despotism that ever sought to establish world power by the sword.

In this war every ideal of government which we have boasted as American is also in the balance. We have seen the central powers revive barbarism, massacre, slavery, and pillage in defiance of every spark of humanity. Assassins of the sea have gloated over the destruction of neutral ships, with their helpless men and women and children.

Here is the life-and-death fight of dynasty against democracy. It is the crucial struggle of the organized forces of autocracy against liberty, light, and progress. If it is ended right, this tragic world agony will never recur. If it ends in the wrong way, we shall have war for centuries, war unremitted until nations and peoples grope their bloody way back to the point they had reached in August, 1914.

In the face of such momentous issues it is of vital importance that every effort be made to prevent division and dissension in our own ranks. Where the forces opposing America are willful and deliberate, as in the case of anarchists, they may be dealt with by the strong hand of the law.

In the case of individuals and organizations which are crying out against the war and are seeking to sway the judgment of others, it is high time that their arguments be analyzed and refuted.

Since America's declaration of war I have talked to thousands of persons concerning the issues involved and have read the material put out by many opposing organizations. I have tried to weigh the arguments advanced, and I believe I have heard or read every point which is made by the pacifist, pro-Germans, and anti-Americans of every caliber. Let us look them over.

One man told me that he was conscientiously opposed to all war. He said that all war is wrong, and that therefore he is opposed to America engaging in this war. He decried our entrance and our prosecution of it because of his conscience.

This man speaks for a class of objectors to the war. Let me say right here that I have a right to question the conscience of any man who lives and prospers under a free government, established by force of arms, and who yet refuses to defend that government against its enemies.

Our independence, our free institutions, our Nation are built upon the deeds of brave men who were willing to fight and die for freedom. How, then, can this conscientious objector to all war agree to share in them? How will his conscience permit him to ask protection from the armed police power that guards his life and property? How can he appeal for justice to the courts, which are based on the power of arms? Oh, no; if he were really conscientious, he would not ask for protection and

claim rights from the Nation, which exists to-day only because it has been able to defend itself in the past and is able to defend itself now.

If these peace-at-any-price pacifists are right, then the War of the Revolution was a colossal crime. Americans should have kissed the feet of George III instead of fighting him. Paul Revere, instead of performing a heroic act, committed a crime. Gates and Putnam and Lafayette violated the higher laws of humanity, and George Washington was the master villain of them all. If it is wrong to fight to-day, it was wrong to fight in 1776. If the United States has no right to assist France now, then France had no right to assist us in our war for liberation.

What do these peace-at-any-price pacifists think of those gallant warriors at Gettysburg, beating back the full tide of human slavery and disunion? Do they brand as criminals those soldiers who marched 40 miles without food or sleep or rest or shelter from the hot July sun and then went forward on the run to the music of the cannon as men might flock to a feast? There those fighters for freedom stood, nailed to their positions through three long days of mortal hell, while the crashing waves of Pickett's charge broke in storms of shot and shell, and mangled, gasping comrades died in agony all around. They proved with musket ball and bayonet stroke, sword thrust and artillery that freedom is more powerful than slavery; that right is might in the end. Yet if it is wrong to-day to fight for the liberty of the world it was wrong to fight for the liberation of the black race in the sixties.

Mr. Chairman, if these persons who denounce all war are right, then the deeds which have made American heroes immortal were evil. John Paul Jones, amid crashing broadsides on his sinking vessel, shouting "I have not begun to fight" is not to be admired, but to be condemned. Lawrence, with his "Don't give up the ship"; Perry and his virile message, "We have met the enemy and they are ours"; Nathan Hale, in his hour of death saying, "I regret that I have but one life to give to my country"; Dix, with his clarion command, "If any man pulls down the American flag, shoot him on the spot"; all these were workers of evil and guilty of criminal acts if these pacifists are right.

But they are not right, and the great heart of the American people knows it well. God pity those men in this country who hold greedily to the fruits of all these battles and combats and yet are willing to degrade themselves into slaves, profiting from the fight for freedom on the part of others but refusing to lift a hand in that fight themselves.

These nonresistants are selfish and immoral beyond measure. They talk of nonresistance as though it concerned themselves alone. What of the vast numbers of men and women and children who have been slaughtered and those who are in dire danger to-day, while these, being able to help, refuse to lift a finger for their rescue? The conscience of men capable of such selfishness is a minus quality.

For my part, in spite of all their talk of conscience, I will not admit that they have a conscience at all. I would rather say that the generations of American patriots who have battled for freedom were the real possessors of conscience. I would rather have Cromwell's idea, who, in speaking of his invincible Old Ironsides, said, "I raised such men as had the fear of God before them, as made some conscience of what they did, and from that day forward they were never beaten, and whenever they were engaged against the enemy they overcame continuously."

That is the kind of conscientious citizens needed by America to-day. Let us pay no heed to those who would set their supposed consciences against the very integrity and safety of the Nation. They owe their agonies not to conscience, but to conceit. The really conscientious man to-day is not a weeping martyr before the iron facts that confront America and the world. He is the man who has connected his conscience with the welfare of the Republic and whose conscience compels him to defend the common good rather than to shirk his sacred obligations under the cloak of conscientious scruples against war.

For my part, I will wait until they show how to restrain ruthless brutality without using force before I agree with them. I will wait until these peace-at-any-price pacifists leave their doors unlocked and trust to arguments with burglars to prevent robberies; until they refuse to call upon police officers for protection of life and property before I admit they are sincere in their nonresistance. Until that time I maintain that it is better to fight for the right than to see the wrong triumph through the inaction of pacifists. Until then I say with Lowell:

God give us peace, not such as lulls to sleep,
But sword on thigh and brow with purpose knit.
And let our Ship of State to harbor sweep,
Her ports all up, her battle lanterns lit,
And her leashed thunders gathering for their leap.

But, Mr. Chairman, there is another class of enemies of America in this hour of conflict. I talked to one of them some time ago. He said that this war is so horrible that it would be better to have it end now, even in a German victory, than to have it go on with its tremendous cost of life and treasure and its injury to our entire civilization. This is the coward objector with the yellow streak. He does not think war is wrong in itself, but he wants this war ended because it is costing too much to secure liberty. He will not consent to pay the price.

The man with the yellow streak is a danger in this time of peril. He will take events and circumstances and twist them to his own desire to justify himself in the eyes of his neighbors. The time of discouragement may come in this country, as it came to Russia, when there will be temptation to take a backward step. Then these cowardly objectors will seek to influence the actions of Government. They will demand that our high aims be revised, our sacred promises to our allies revoked.

It is scarcely worth while to argue with cowardice. The coward is utterly undependable and does not rely on argument. He relies on fear alone. But fear has never been an American characteristic when fighting for a noble cause. If one thing has been taught by this war, it is that all the horrors of twentieth century conflict, the bombs, and gas, and poisons, and scientific barbarism, can not frighten men fighting for the right. Millions of men have faced and are facing death in horrible forms without a tremor. Above all the inventions of science looms the courage of the human heart, dauntless and unafraid.

What we may do is to show clearly that we know these men of the yellow streak and that they shall not gain influence. They must be thwarted now and in the future before they work the mischief of which they are capable.

As far as a serious argument with these objectors is concerned, I would only say that it seems to me the peoples who have paid a price vastly more than we can possibly pay should be permitted to say something about it. The valiant warriors of Belgium, the noble French, the soldiers of the great British democracy—these have been paying the last full measure of devotion, and they declare with one voice that this war shall not end until its sacrifices shall not be in vain.

Not long ago I listened to Harry Lauder tell of his visits to the fighting front in Europe. He told us that little Scotland had sent 900,000 soldiers out of her 5,000,000 population and that more were being trained. Think of a levy like that, and not a voice raised to object because the price for world liberty is too high.

He said that he had talked with a regiment of Scottish soldiers in heart-to-heart fashion. When he asked what word they wanted sent back to their friends, this is their answer: "Tell the folks that we are here to stay till this thing is over. We will fight for 20 years more, if necessary, so that this monstrous despotism may never again bring such a disaster upon the world."

We should wait until the warriors of Bonnie Scotland, and of valiant France and Belgium and Serbia and Britain, who know all about the price, shall say it is too high for payment. Until that time let every American highly resolve that the price already paid shall not have been paid in vain.

Mr. Chairman, there is another class of enemies of America to-day. I picked up a circular recently and found a laborious argument against our prosecution of the war. These objectors said that they could not sanction it because they are internationals. They do not believe in national patriotism at all. They are citizens of the world.

Now, I can not believe that a man who is a bad citizen of America can possibly be a good citizen of the world. If he can not be loyal to a part, surely he can not be loyal to the whole. If he can see his own land go down in defeat and disaster without lifting a hand to help, what would he do when ruin faced lands far away.

The fact is that these transcendant individuals are not internationals at all. If they were they would answer a call from bleeding France or Belgium or Armenia just as quickly as they would answer a call for help from a neighbor attacked by a wild beast. If they were really internationals they would rise in holy rage against blasphemous Prussia, that drives roughshod over nations and sovereignties and tears up sacred international treaties as scraps of paper. If they could not bring themselves to support America, they still would enlist in the armies of other nations fighting to the death for the maintenance of international obligations.

However, if these superior individuals desire to scorn America and set themselves up as internationals, I am in favor of taking them at their word and treating them as internationals. The

guarantees to life, liberty, and the pursuit of happiness are not international guarantees, but purely American. Free speech and free press and free assemblage are not international rights. They are strictly American rights.

The only place where international rights hold sway is out on the high sea, 3 miles from any national coast. There is where these internationals should be sent at once. There they could flourish under their boasted international rights, which would be to sail any place as long as they kept 3 miles from any civilized countries and out of the range of German torpedoes. They say they are citizens of the world. So let it be, for that means that they are citizens of no country, and America is vastly better off without them.

Mr. Chairman, some time ago I received a letter from a man who said he could not support America in this war because there has been no referendum taken to find out whether the people were for it or not. As one of the advocates of the referendum and direct legislation I have a right to say that such a suggestion at this time is a danger to the safety of America. I have always believed in the referendum wherever an honest expression of the people's will can be ascertained on a problem that remains the same for at least a month at a time. I have never advocated the referendum as a proper method of controlling foreign policies amidst the kaleidoscopic changes brought about by a world war.

Just think of what a nation-wide referendum would have meant at any time in the past year. If it were carried out it would have meant a campaign sure to poison our relationships with many other nations besides Germany. Unscrupulous propaganda would have been directed against England, Mexico, and Japan by those who desired to divert attention from the assaults of Germany upon us. Vast sums of money would be expended in frenzied appeals to both sides; the famed reptile fund of Prussia would be used with force, and at the end neither the President nor Congress would be a whit the wiser.

It would take 30 days to conduct a campaign and vote, at the very least. Can anyone frame a question to-day that will mean anything 30 days from now? Could it have been done before the declaration of war? Suppose we had taken it on the question of accepting the barred-zone ultimatum of Germany. Then suppose that were accepted and Germany made a barred zone of the entire Atlantic Ocean. Suppose, on the other hand, the decision were to protect American vessels in the barred zone and a ship carrying absolute contraband of war were destroyed by Germany.

The fact is that these decisions can not be made by a yes or no on any single question. The decision is upon a course of action composed of a series of problems, all subject to quick change and surprise and intrigue.

No; the real advocates of the referendum as a method of securing the people's will upon legislation were the ones who opposed this subtle effort to split America in two in the hour of crisis. The elements who have always fought the initiative, referendum, and recall, such as the German-American Alliance, which has spent millions in opposing local option, were the forces which called and are calling now for a nation-wide battle, so that the house divided against itself should not stand.

There is no need of a ballot-box decision to show where America stands on this war. By every test and by a patriotic revival such as was never witnessed in the Nation before, America has drawn the sword by the will of the vast majority, and she will not sheathe it until her objects have been attained and militarism destroyed.

Mr. Chairman, another enemy of America and objector to the war wrote a little booklet to air his treasonable views. I received a copy and read it carefully. He denounced the way in which America is fighting. He claims that he is willing to serve the Nation, but he must be permitted to choose just where he shall serve. He states that he believes in America's cause, but that he can not support the war itself because the Nation is choosing the line of service instead of the individual.

Now, that man and all like him are peculiar believers in America's cause. They believe we should make war but should make it inefficiently, so that millions more men than necessary will be killed. They would have us fight without effectiveness abroad and invite invasion at home.

Now, it should be recognized first of all that this attitude is essentially that of the anarchist, who maintains that the individual is not obliged to submit to any authority whatever. Those who hold such an idea now ought to have courage enough to take their stand with the anarchists, where they belong, and oppose all government.

It is scarcely necessary to point out that if this doctrine were accepted there could be no safety to life or property, no law and order anywhere. All these depend upon obedience to some authority. Individual rights must give way to the common welfare. The Government, acting as the agent of the majority, must coordinate the efforts of all citizens, using them where their services will be most valuable to the cause.

The true freedom, and that which America proposes to give to every citizen while this war lasts, is the freedom to do what he ought to do for the country's welfare and security.

Mr. Chairman, there is another class of opponents of America in this war, and they declare that as followers of the Man of Nazareth they can not encourage the conduct of this war.

I can not claim to be a theologian, but I can not find any warrant in the Bible for the assumption that the Master Christian was a peace-at-any-price pacifist. That One who said, "Think not that I am come to send peace on earth; I came to send, not peace, but a sword," was assuredly no peace-at-any-price man. He knew that His message of humanity and equal rights to all would in the end bring world conflict as sure as the sunrise. He knew that the supreme test between the divine rights of kings and the divine rights of man must some time come to life-and-death combat.

Always He was a man, heroic. He dared tell the mighty ones the truth about themselves and the world. He insisted upon going to Jerusalem where His enemies plotted His death. Single handed and with His whip of cords He drove the speculators out of the temple. He fought entrenched privilege and caste from the day He preached His first sermon in Nazareth to the "poor and broken hearted and blind and enslaved" until His enemies had His back against the cross. He never was a slacker, and from Bethlehem to Calvary He was a virile man, of the people and for the people.

I know that He said "Love your enemies." This Nation has not gone to war singing a hymn of hate. It is not hatred that fires the bullet to kill the family watchdog when it has gone mad and threatens the lives of friends and neighbors. The "mad dog of Europe" must be stopped in his career of death and woe, and it is not hate that inspires the marchers under the Stars and Stripes who are destined to stop it.

I know that He said "Bless them that curse you. Do good to them that hate you." And I maintain that those who will secure the greatest blessings from American victory in this war will be the German peoples. No greater evil could come to the subjects of the German Kaiser than to have this war lord triumphant, to carry still further his ideas of subjection and enslavement. No greater good can come to them than the destruction of the shackles of militarism which have bound them and to set them free to stand upright, to work out their own destiny unmenaced by a ruthless despot.

No; America's cause to-day is that of humanity, and it is the cause of Christ. Men are giving their lives for His cause in bloody trenches, even upon bloody crosses, to-day. The world may be saved "somewhere in France" just as well as in Jerusalem.

Harold Bell Wright, the well-known novelist and a minister of the Gospel of Christ, has expressed his views in a splendid way. He has no doubt as to what the Master would do to-day in America. Here is what he says:

> That Jesus, a citizen of this Christian Nation to-day, hearing the call that has come to us in the name of Christian rights and Christian liberty, could put His sword in the hands of His fellow citizens and refuse to offer Himself is unthinkable. If we accept Jesus in His own words as one who has brought us a sword, then we can not refuse Him as one who would, if need be, carry a sword. In the light of His life and death for humanity, in the light of His teaching, which centuries ago kindled the fire of this war and gave to our Nation the strength and vitality of its Government, it is easier to see the Man of Galilee in the trenches, shoulder to shoulder with His comrades who have drawn the sword of human liberty, than it is to imagine Him skulking at home under the pretext that He does not believe in war.

Mr. Chairman, I have met with another class of opponents of America in the prosecution of this war. They insist that our entrance was due to the influence of munition makers, bankers, financiers, and profiteers. The fact is that the advocacy of war by this class of profiteers was the mightiest obstacle to our participation. They did not dominate public sentiment; they rather thwarted it. It was the intelligent citizenship, those who saw facts clearly, those who realized where we were bound and how to get there, that willed American participation. The average American is true to the ideals of America, and the inspiring response the citizenship has made to every appeal shows the depth of their patriotism.

The profiteering class in America has never been deemed to be idiotic. And yet they had much to lose by our entrance into war. The industrial establishments were running night and day making supplies for the belligerent nations. They were getting any prices they asked and were not interfered with by their own Government. Profits and dividends were soaring beyond all their dreams. Do you think they did not realize that America's entrance into war would turn their production into other direc-

tions and under the absolute control of the Government? Do you think they could hope to pile up profits when dealing with the Government direct, as they did when dealing with foreign nations?

I am sure they did not know how far America would go in dealing with them under war conditions, but they did know that some of their golden winnings would be lost. As a matter of fact, the war has made possible methods of dealings with monopoly and big business which would have been impossible in time of peace. Food control, fuel control, Government operation of railroads, excess profits and corporation taxes, all these have come through the war, and their beneficial effects will not be lost when the war is over.

Make no mistake. It is not the profiteer who will profit in the long run from this war. It will be the common manhood, those who, according to Charles M. Schwab, are the "working classes, who are going to control the governments of the world in the future." In this case, at least, he is a true prophet. Out of this war will grow conditions which will make it impossible to produce one multimillionaire and at the same time a multitude of workers striving all their lives in vain attempt to secure an income sufficient to provide the necessaries of life for themselves and children and to lay aside a little for the days of old age. No, this war is not for the profiteer; it is for Americans.

Mr. Chairman, shall I mention those opponents of America who claim to be Americans and yet say that they hope and pray for the success of Germany? If there be one of these who are sincere, God pity him, for he is the most contemptible creature on earth. Here is a mighty conflict for the very existence of America; a conflict for the future of every liberty-loving nation on earth; a war to liberate the subject peoples of the Kaiser; a war in which perhaps millions of American boys will be exposed to death-dealing bullets. God forgive the wretch who stabs us in the back now, for I never can.

Let us admit that some of our citizens came from Germany. Is that not a reason why they should stand by the land which welcomed them rather than the land that turned them away? Suppose an orphan child has been driven out by abusive relations and is taken into the home of a generous, great-hearted man. He makes the child a member of his family, giving it every advantage and opportunity possessed by his own children. He cares for it tenderly, sees that it has every chance for advancement until it comes to manhood, making good and rising to honorable position in life.

Then suppose that one of the relatives who casts that child off in the days of helplessness and need should assault the foster father without cause. Would it not be a cowardly and contemptible thing for that child, now become a man, to stand limply aside and never lift a finger to protect the man who befriended him?

But how should we describe the treachery if that man joined with the assailant and helped him beat down his benefactor? Such action would be more than cowardice; it would be fiendish ingratitude and unpardonable treason.

Mr. Chairman, I maintain that those who have come here to find the freedom and safety which could not be secured in their fatherland owe America the deepest gratitude. This country received them with open arms, welcomed them as comrades, and gave them all the advantages of the native born.

Now, when brutal assailants come dealing deadly blows at the Nation that sheltered them, they must not even stand coward-like aside. They must not join with the foe in his attack. They must fight for their real home and country. Here is their one allegiance, and there can be no other.

And if there be any who are so ungrateful and so treacherous as to stand by the land which cast them off against the land that gave them a sheltered home, the sooner they are put on board ship and sent across submarine-infested seas to the land of their choice, the better it will be for all concerned. No compromise is possible here. The viper has been warmed in the bosom and it has tried to strike. No further opportunity shall be given.

Now, Mr. Chairman, in taking up these different viewpoints of those who must be classed as anti-Americans to-day, I have tried to show the arguments they advance with apparent serious purpose. I have shown how false their sophistry, how shallow their reasoning.

I have not touched the case of those rattlesnakes of menace, those spies, who for money would strike deadly blows on behalf of Prussia at the heart of America.

I admit that I can not speak calmly of them. Their treason is a peril of the darkness. It is a menace of the mask. They mingle freely with patriotic citizens, seeking information, and then slink off to the enemy, pointing out the weak places and advising the action for the undoing of those with whom they have just fraternized. No more despicable creature lives on earth than the Prussian spy. He concocts his evil coldly, deliberately. I might excuse the murderer who in a moment of frenzied passion slays his neighbor. His crime is not so heinous as the calm, scheming villainy of the man who would pretend friendship in war time for the purpose of betrayal.

Our ships, our lives, our factories, our fortifications, our soldiers are in peril from these paid enemies. Realizing their power for evil and the depth of their infamy, I counsel no argument with them. The firing squad or the hangman's noose should settle with them. I maintain that every effort of the Government should be bent to run these spies to earth and that everyone caught should be publicly executed.

Months ago I introduced a bill providing the death penalty for any spy guilty of conveying information to the enemy to be used against the United States. Such a bill should have been enacted into law long ago as a necessary act of American self-defense.

Mr. Chairman, there is a German propaganda in this country, and I have tried to point out some of the insidious arguments which are being used in its spread, sometimes by American born, who are utterly unconscious that they are playing Prussia's game and gravely endangering the cause of their own country.

We need an American propaganda to counteract these hidden and sinister influences. Let the truth be made known to every American that this Nation is engaged in its noblest emprise and that her triumph is absolutely essential to the future liberty and happiness and prosperity of everyone of us in this country. Every effort to impede the steps necessary imperil that future. United efforts in helping America move forward swiftly and mightily make certain a future worthy of this oldest and greatest democracy.

This is the highest duty of every American who loves his country and desires it to retain its place of honor among the free nations of the world.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BURNETT], the chairman of the committee.

The question was taken, and the amendment was agreed to.

Mr. BURNETT. Mr. Chairman, does that include the two amendments?

The CHAIRMAN. The amendments were offered at the same time, and it includes both amendments.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee a question.

In line 10, on page 1, it says:

Affiliated with any organization that entertains, teaches, or advocates the overthrow by force or violence.

Now, reading that, as in this language, "Any organization that entertains the overthrow by force or violence," it seems to me that that does not quite express the idea that is contained in the following language of the section and the following section. You do not entertain the overthrow by force or violence.

Mr. BURNETT. "Or that entertains or teaches disbelief." Where is it the gentleman is reading?

Mr. WALSH. Lines 10 and 11. You entertain or teach a disbelief, or you entertain opposition, but you could hardly be said to entertain the overthrow.

Mr. BURNETT. "Aliens who are members of or affiliated with any organization that entertains, teaches, or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or that entertains or teaches disbelief." That might be more grammatical, but that is the language of the law, I will say to my friend.

Mr. WALSH. Is that the language of the present act?

Mr. BURNETT. I think so.

Mr. STAFFORD. I do not find any such language in the present act.

Mr. JOHNSON of Washington. It was added in the present act.

Mr. BURNETT. The criticism of the gentleman is grammatically correct, but I will see if it is not in the present act. I read:

Persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials, or who advocate or teach the unlawful destruction of property; persons who are members of or affiliated with any organization entertaining or teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers.

Perhaps the criticism of the gentleman is technically correct. What suggestion would the gentleman make in order to obviate any possible confusion?

Mr. WALSH. I think the word "believes" should be substituted for the word "entertain"—any organization that "believes in or teaches or advocates the overthrow."

Mr. BURNETT. The criticism of the gentleman is as to the incorrect use of the word "entertain," as I understand. The gentleman from Kentucky [Mr. SHERLEY] suggests "entertains a belief in, teaches, or advocates."

Mr. WALSH. Yes. That would correct it.

Mr. BURNETT. I think that is a very good suggestion, and I will agree to it.

Mr. WALSH. Will the gentleman offer an amendment?

Mr. BURNETT. I will offer it. I ask unanimous consent, Mr. Chairman, that the amendment suggested be agreed to.

Mr. STAFFORD. No amendment has been reported. The gentleman has the privilege of reporting it by unanimous consent.

Mr. BURNETT. It should be "entertains a belief in, teaches, or advocates."

Mr. JOHNSON of Washington. There should be the word "or" inserted after "belief in."

Mr. BURNETT. It is separated by a comma.

Mr. SHERLEY. It does not need to be in the disjunctive.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BURNETT: Amend, page 1, line 10, after the word "entertains," by inserting a comma and the words "a belief in."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

Mr. JOHNSON of Washington. Mr. Chairman, I understand the amendment adopted applies on line 10. Should it not also apply to page 2?

Mr. BURNETT. Where is that?

Mr. JOHNSON of Washington. It reads now, in line 10 of page 1, "entertains a belief in, teaches, or advocates the overthrow by force," and then, on the next page, "or that advocates or teaches."

Mr. BURNETT. I think not.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act, thereafter return to or enter the United States or attempt to return to or to enter the United States shall be deemed guilty of a felony, and upon conviction thereof shall be punished by imprisonment for a term of not more than five years; and shall, upon the termination of such imprisonment, be taken into custody, upon the warrant of the Secretary of Labor, and deported in the manner provided in the immigration act of February 5, 1917.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I think this is proper punishment to inflict upon an anarchist who comes to this country and remains here and then is deported; but I wondered what position an alien would be in who had possibly unwittingly joined an organization and had been deported, and when he found that by joining that organization he had brought down that punishment on his head he had really and sincerely reformed and had cast aside all affiliation with that organization and had revised his belief and his practices. He possibly may have left property in this country or a family. Now, if he should attempt to reenter the country there would be no opportunity, as I understand it, for him to show that he was no longer anarchistic in sentiment. The mere fact that he was found guilty on attempting to return to the country would make him amenable to this penalty, and, further, after he had served his sentence and was seeking to return, after he gets out the Secretary of Labor can again deport him.

The purpose of my inquiry is to ascertain whether there is in existing law or in the proposed law anything that would permit a man who might have been an anarchist when he was deported, but who had sincerely reformed and possibly had proven it in the country to which he had been deported, and had been during the period of his deportation a loyal supporter of that Government—is there anything that would permit him to come back into the country under the existing law or under this proposed law?

Mr. BURNETT. I think not; and I do not think we should adopt anything that would, because it would open the door to too many cases of pretended reformation. There is a way in which it can be reached, and that is by Executive clemency. If it should be found that that was true, I have no doubt it would be a proper case for Executive clemency, and I believe that is the only way.

Mr. WALSH. Executive clemency can not suspend section 3 of this act, certainly.

Mr. BURNETT. It does not prevent the pardon of one guilty of a felony. The President would have the right to extend clemency, and when he did so the question of deportation would be with the department having authority to deport.

Mr. WALSH. It says he shall be taken into custody and, upon the warrant of the Secretary of Labor, deported in the manner provided. That is mandatory. I apprehend that there may be very few; and probably the doctrine, "Once an anarchist, always an anarchist," prevails with this class of people. But I wondered if there might not be cases where men who had joined organizations innocently in this country and, not appreciating their beliefs or practices, had been deported, and when they realized the punishment imposed upon them have become good, loyal, sincere citizens. You might part them from their families here and send them back from their relatives. If a man is able to show all that, should there not be some way in which he could prove his loyalty and the fact that he has cast aside his former anarchistic beliefs and practices?

Mr. BURNETT. I feel that would be very difficult to do.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WALSH. I just wondered whether the committee had taken the matter into consideration at all.

Mr. BURNETT. Really, the question was not suggested. The view I would take of it would be that such cases would be very rare and would perhaps never occur.

Mr. WALSH. I believe this would be a proper punishment for those whom it seeks to reach. Then, if they reenter the country, they ought to be punished, and after they are punished they should be deported.

Mr. JOHNSON of Washington. Take the case of a Finn who was born in Finland with revolution in his soul, and he comes here and joins a revolutionary society, and goes back to his own country, writhing in the throes of revolution, and he finds out what a revolution really is, and seeing that, he is reformed and wants to come back here again. Does the gentleman think he ought then to have the right to come back to the United States?

Mr. WALSH. No; those are not the people I am speaking of.

Mr. JOHNSON of Washington. He would see a revolution going on, and seeing the disastrous results of it he would say, "I will go back to a free country where there will not be a revolution."

Mr. WALSH. That might be so in such a case.

Mr. JOHNSON of Washington. At the same time how are we going to uproot men of that kind, who think we ought to have revolutions and keep them out of the United States? Ought we not to send them out and keep them out?

Mr. WALSH. They ought to be sent out and kept out, but I was thinking of the case of a man who might have expressed a belief in some of these iniquitous practices, and who had been punished for it by deportation; who, after he had been deported, and had remained in his own country for two or three years with time for reflection, should come to the conclusion that he was wrong, and he assisted in putting down these people and wiping out such practices. In such a case possibly it might not be a wise thing to punish him if he attempted to return to this country.

Mr. MEEKER. Will the gentleman from Massachusetts yield?

Mr. WALSH. I yield to the gentleman from Missouri.

Mr. MEEKER. Could not the executive parole apply to a case of that kind?

Mr. WALSH. Yes; the chairman of the committee suggested that that would reach it, but it would seem rather harsh to impose a sentence of a felony——

Mr. MEEKER. I do not know that we should apply rosewater to fellows who are trying to destroy this Government.

Mr. WALSH. I am not talking about the man who is trying to destroy the Government at all. He has been punished for having those views, and has reformed his ideas and may make a most loyal citizen after having suffered punishment for having been anarchistic in former years.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to return to section 2. I was following the reading, but my attention was temporarily diverted.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to return to section 2. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. I should like to make an inquiry of the gentleman in charge of the bill. Is there not a provision of law now by which an alien who has been naturalized, and thus has ceased to be an alien, who then manifests decided anarchistic views and characteristics, may have his citizenship taken away from him?

Mr. BURNETT. Yes. I adverted to that a moment ago. We have a statute that provides for the revocation of naturalization papers for fraud. In a New Jersey case, where a man was naturalized some 20 or 25 years ago, I think, and was haled before the court on a motion to annul his naturalization papers, the court held that the naturalization papers should be annulled on the ground of fraud. The court in that case decided that the evidence was such as to convince him that the man had a fraudulent intent at the time he acquired those papers, and the court annulled his naturalization. Similar action is being taken in a number of other cases; but there is no law which provides that merely on account of a seditious or disloyal declaration the court is authorized ipso facto to denaturalize the citizen by annulling his papers. It is only authorized on the idea that there was fraud in the acquisition of the papers.

Mr. MILLER of Minnesota. If I may be permitted, I would like to say to the gentleman that, in my opinion, nothing more salutary could be put into the law than a provision that any man who has become a citizen and thereafter entertains, believes in, or preaches such doctrines as are forbidden in paragraph 1 of this bill shall upon proof thereof have his naturalization taken from him. Without mentioning the name of the nationality, I should like to state that in various localities in the United States there are people of a nationality almost 90 per cent disloyal to this Government for reasons that really have nothing whatever to do with this Government. There was a time for many years when these men could file on public land, making homestead entries on their first papers. I have received any number of letters from constituents saying that so-and-so and so-and-so are guilty of disloyal conduct of the worst character. It is hard to prove it, although there is no question about the facts. These people are resident upon the public lands, and have their first papers, or have their full citizenship papers, and are going to prove up. At heart they are not American citizens at all. They have no American spirit in their souls. It seems to me it is a serious menace. Perhaps they never can become true American citizens. Let us go a step further. A great many men over the country have taken out their second papers and have become citizens. Since this war began, because of conditions that have nothing whatever to do with the United States, they have developed an antagonism to this Government and a spirit of hostility that is very serious. Now, I would take away the papers from every one of those fellows quicker than a flash; and I have been advised by courts having to do with naturalization in an area where there are 20 or 30 different nationalities living that the most salutary influence in the world is for some of those fellows to believe, whether it is true or not, that after they get their papers they have got to toe the mark or they are going to lose them.

There are many sections of this country, which we do not need to particularize by name, where whole communities are largely made up of people who have come from countries where popular self-government has never existed, a majority of whom are socialistically inclined, if not anarchistic. I know several places outside of my own State, and one or two inside of my own State, where it took the utmost effort on the part of certain people to prevent the red flag from being carried alone by a majority of the citizens of the community on their Sunday marches, and the fight was to compel them to carry the American flag along with the red flag. Finally one day at one place a good big Irishman got out in the middle of the street with a double-barreled shotgun and settled that particular parade right quick. These are conditions that are serious. I believe you could reach the whole thing if you could write into the law squarely—I believe we have a right to do it—that any person who, after he becomes a citizen, is convicted of any of the things that would disqualify him from coming into this country as an alien shall have his citizenship taken away.

Mr. BURNETT. I have no doubt that Congress has the right to do that.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. BURNETT. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the time of the gentleman from Minnesota be extended five minutes. Is there objection?

There was no objection.

Mr. BURNETT. There is no constitutional trouble in the way of a law of this kind. It would not be ex post facto, because they decided in the Two hundred and twenty-fifth United States, Johannessen's case:

> In affirming the judgment setting aside Johannessen's certificate of naturalization, in answer to the appellant's contention that section 15 of the act of 1916 is retrospective and, consequently, unconstitutional as an ex post facto law within the prohibition of Article I, section 9, of the Constitution, the court said: "The ex post facto provision of the Constitution is confined to laws affecting punishment for crime and has no relation to retrospective legislation of any other description."

Mr. MILLER of Minnesota. Section 2 relates to an alien. It provides:

> That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section 1 of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917. The provisions of this section shall be applicable to the classes of aliens mentioned in this act irrespective of the time of their entry into the United States.

I beg to inquire if a man who has taken out his first papers and yet not taken out second papers can in legal parlance be called an alien?

Mr. BURNETT. Absolutely. I asked that question of a representative of the Department of Justice when this bill was before our committee. I investigated it when the alien slacker bill was up and the decisions of the court all hold that he is not a citizen until he has perfected his citizenship by securing his full naturalization papers.

Mr. SHERLEY. If the gentleman will permit, the case goes further than that and has in one or two instances, perhaps, worked a hardship. A woman, an American citizen, married such an alien who had taken out his first papers, believing that that made him a citizen but which did not make him a citizen, and thereby she becomes herself an alien within the ruling that has been laid down touching the registration of aliens, and she is required along with her husband to register.

Mr. MILLER of Minnesota. How about the constitutional provision which says that any person born in the United States and subject to its jurisdiction, and so forth?

Mr. SHERLEY. The Department of Justice requires registration of an alien enemy, and a woman born in America who marries the alien enemy, a resident of this country, must also register.

Mr. MILLER of Minnesota. I think as a matter of public policy that is a wise precaution, but I should question whether the legal rights of the woman would be determined in that way.

Mr. BURNETT. The case of McKenzie, in the Two hundred and thirty-ninth United States, settled the question of the woman expatriating herself by marrying a foreigner, and they held straight out that there was nothing in the statute which violated the Constitution.

Mr. MILLER of Minnesota. These responses entirely settle the point I had in mind in reference to a person who had taken out his first papers. I wanted to make sure that he could be deported.

Mr. BURNETT. There is no doubt about it.

Mr. MILLER of Minnesota. I want to congratulate the committee for its wisdom in producing this bill. I think it is timely, and I sincerely trust that the committee will take the additional step and provide for denaturalization of men who, subsequent to their admission, by reason of their objections to the Government, are not proper persons to be citizens of this country.

Mr. BURNETT. I assure the gentleman that the committee will very carefully go into it. There is a bill now pending before our committee, introduced by the able gentleman from Texas [Mr. CONNALLY] along the line the gentleman suggests.

Mr. MILLER of Minnesota. Would the gentleman consider an amendment to that effect to this bill?

Mr. BURNETT. I do not think it ought to be put upon this bill, because we have agreed with the Senate committee on the immediate report of the bill as it is, and I am afraid of hurtful delay if we should amend it.

Mr. MILLER of Minnesota. In deference to the gentleman I will not offer an amendment.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BURNETT. Yes.

Mr. GRAHAM of Illinois. I am interested in the case that the gentleman cites in Two hundred and thirty-ninth United States. Does that case go so far as to hold that a woman expatriates herself if she marries an alien, even in such a State where they have a complete right of suffrage?

Mr. BURNETT. Yes; they do not require full citizenship in some States to exercise the right of suffrage. That is a State function. In some States if she marries an alien with first

papers she might be allowed to vote. I believe in the State of Indiana aliens are not required to have even the first papers to vote. That is the right of suffrage which may be entirely disassociated from the question of citizenship obtained under the Federal law.

Mr. GRAHAM of Illinois. Does the gentleman have the citation of this case so that he could put it in the RECORD?

Mr. BURNETT. The McKenzie case is in the Two hundred and thirty-ninth United States, page 299. I have not the case before me.

Mr. LINTHICUM. Mr. Chairman, I am very much in favor of any legislation that will purge the country of anarchy. I want to know something about section 2. I notice that it provides—

That any alien who, at any time after entering the United States, is found to have been at the time of entry, or to have become thereafter, a member of any one of the classes of aliens enumerated in section 1 of this act, shall, upon the warrant of the Secretary of Labor, be taken into custody and deported in the manner provided in the immigration act of February 5, 1917.

I would like to know if there ought not to be some provision for them in the event you can not deport them. Can you find a place to which to deport these people?

Mr. BURNETT. That has been passed upon by the department. They have a right to hold them until they can deport them. I want to state that there were cases brought to the attention of the committee by the department in which the parties were not alien enemies, all of them. There were cases of Belgians, Italians, and other cases, and we could certainly reach the allied countries and we could reach others at some time. They could be held in some way until they could be deported. That is done every day; they are held until they are deported.

Mr. LINTHICUM. What I have in mind is that if the anarchist alien is from one of our allies we do not want to dump him upon those people, to the injury of their Government, and if he is from our enemies we can not deport him. It seems to me there ought to be some way to deal with him, and to deal with him drastically. The great complaint has been that we treat these people too well. We are treating all of these people inimical to our Government much too well. I have a number of letters complaining about the treatment of people not in sympathy with our Government. I think it is high time we were doing something more drastic than we have been doing. I can not see how you are going to deport them if they are from our allies, for, as I say, we do not want to send that kind of a man back there to disrupt that country, and if they are from our enemies we can not send them back.

Mr. BURNETT. Then the logic of the gentleman would be that we had better keep them to tear our country to pieces than to send them back for some one else to take care of.

Mr. LINTHICUM. No; I do not want to do that. I want to do something to prevent their tearing our country up and also tearing the country of our allies up. I want him dealt with drastically, or turned over to the authorities of his native country so they can deal him proper punishment.

Mr. MOORE of Pennsylvania. Would not notice be given to the foreign country to whom these men were deported so that that foreign country might deal with them. Suppose a man came from Italy and we deported him, would we not notify Italy that an anarchist was coming back to her shores?

Mr. LINTHICUM. I think it would be necessary; but Italy might not want to receive him.

Mr. MOORE of Pennsylvania. Would it not be up to Italy to take care of him?

Mr. LINTHICUM. Yes; but supposed she refused to do it.

Mr. MOORE of Pennsylvania. He could not then return to this country; that is sure. And Italy would have the problem on her hands instead of our having it upon our hands.

Mr. LINTHICUM. What I want to do is to get rid of their activities permanently. We have been dealing with this subject for a pretty long time and our people are complaining that we are not drastic enough; that we are not dealing with these fellows as they ought to be dealt with. I get constant complaints respecting the leniency with which we are treating them.

Mr. BURNETT. The law already takes care of that.

Mr. LINTHICUM. Will not the gentleman cite that law?

Mr. BURNETT. It would follow when they arrest a man under a warrant of the Secretary of Labor for the purpose of deportation, even in time of peace, if he can not deport him immediately he will have to keep him somewhere till he can. They would not just simply turn him loose.

Mr. LINTHICUM. How do they keep them? The complaint of our people is that we are keeping them too well.

Mr. BURNETT. Your commissioner of immigration in Baltimore might be able to give the gentleman some information as to how they treat them.

By unanimous consent Mr. LINTHICUM was granted leave to extend his remarks in the RECORD.

Mr. LINTHICUM. It is high time we were realizing that the doctrine that "He who is not with me is against me" is just as true to-day as it was nearly 2,000 years ago, and is just as applicable to nations as it is to individuals.

The patriotic people of this country are straining every nerve and energy, every resource and property, in the prosecution of this great war in Europe for the defense of democracy and the freedom of the people. The American people are slow to anger and slow to enter wars, but when once they enter they are a determined and forceful people. They have entered this war with the determination that autocracy shall be banished from the face of the globe and that it shall not stalk its hideous form through future history. To this end they are ready to make every sacrifice and to endure every hardship, not only for the benefit of the present generation but for those who are to come after us.

We are the trustees, as it were, of this great democracy which was handed down to us by our forefathers, and it is the duty of the present generation to hand it down to those to follow untarnished by any act and with a power equal to or greater than when we received it. Its doctrines and principles are a precious heritage, and they are now in the keeping of the present generation.

The man or organization who teaches anarchy in opposition to the American Government, who endeavors to undermine its operations and to overthrow its form of government, is perhaps the greatest enemy we can have, and should be dealt with as an arch enemy of the country. Our people have complained for some time that the Government was not drastic enough in these cases. I know that the Government is doing everything within its power to put down false doctrines and to eliminate the enemies of our country, but what the Government needs is more stringent laws, such as the one we are passing to-day, so that they may carry into effect the wishes and aims of the American people.

Our forefathers early in the history of this country found that it was necessary to pass and enforce stringent laws that the Government should not be overthrown, and that they might prosecute the war in the interest of our people. To-day after more than 100 years we find ourselves in the same position, and that the melting pot, which we thought was in full operation, had not so amalgamated our people that we were one and inseparable, but had failed to assimilate certain elements, and among these are the anarchists of this country, who are endeavoring by their doctrines and teachings to overthrow democracy.

I realize the enemies of our country are not large in proportion with our population, but the great difficulty is that our enemies devote their time and attention in their teachings and practices among those who are least able to refute them. They attempt to spread their doctrines among the population least educated in democracy and the aim of the American Government. They teach among those who are mostly foreign born and have not had the advantages of being born and reared under the Stars and Stripes and understanding the principles and doctrines laid down by our forefathers in the Constitution of our country. It is this same teaching, limited and small in the beginning, gradually growing and extending, which brought down the great Government of Russia at a time when we most needed it, and it would be criminal negligence on the part of Congress not to pass this measure and eliminate the anarchists and anarchy from America.

The prairie fire often starts from the embers left by a traveler in his march through the country or a live match carelessly thrown aside, but fanned by the gentle breezes and later by the swift winds it gathers force and spreads devastation among miles of country, doing damage to thousands of homes and spreading want throughout an entire section. The teachings of the anarchists may begin in some small, obscure, and unnoticed home, gradually increasing among the people of that class until it spreads and devours their reason, and great governments are overthrown like the mighty monarchy of Russia.

The American Government, the greatest democracy which the world has ever known, has granted great liberty and opportunity to all the people of the globe. They have been invited to come and enjoy the great resources and free Government of a liberty loving people. The great bulk of those who have come have been melted in the melting pot and become true and sympathetic American citizens, but there is left another class which

has not been assimilated, which has not appreciated the great opportunities given them nor endeavored to learn the principles and doctrines laid down by our forefathers for which they shed their blood and gave up their lives. They have not desired to become American citizens, rather they would remain alien enemies in order that they may call upon their own Governments in times of peace for consideration should they violate the laws of America. These are the men who, inspired by false doctrines who do not believe in the rule of the people under a constitution properly promulgated, but prefer to teach a false doctrine among the people, alluring those in sympathy with their teachings and interesting those who are too ignorant to understand the Government under which they are living.

I am glad that Congress has rapidly bestowed upon the administration full power and authority to deal with all cases not in sympathy with our Government and the prosecution of this great war in Europe. The patriotic people of this country are determined that these anarchists and aliens who are against us should be dealt with with a firm hand. They should, Mr. Speaker, be dealt with with the mailed fist. They are more dangerous in undermining our Government than many bullets on the battle fields of Flanders. The propaganda which they spread caused the downfall of Russia in the prosecution of this war. It nearly caused the overrunning of Italy and her elimination from this great conflict. It has spread to the fertile soil of Mexico, where they have promised great things and would like to put them into practice, and now they are endeavoring to extend their tentacles into the fair fields and homes of America, and I am firm in the belief that there is no punishment which can be meted out to them which would be too great for their infamy and doubledealing.

Mr. WATSON of Pennsylvania. Mr. Chairman, I move to strike out the last three words for the purpose of asking a question. Section 3 gives the United States the right to arrest an alien after he has been excluded and deported and then returns. The alien who returns to the United States is here. Where do you get the jurisdiction to arrest an alien who attempts to return? When he attempts to return he is not in the United States; he only is attempting to return. An alien may be near the Canadian border, within 50 feet of the line. United States authorities can not arrest him in Canada. He must be in the United States, be over the border, before he can be arrested. You can not arrest him because he attempts to enter our territory.

Mr. BURNETT. He can be arrested in the port of New York. Of course you can not arrest him until you get your hands on him.

Mr. WATSON of Pennsylvania. You can not arrest him outside of the jurisdiction of the United States.

Mr. BURNETT. Suppose he is on the train coming here, and he gets right to the border, where the sheriff can lay his hands on him——

Mr. WATSON of Pennsylvania. He is in the United States; he is not attempting to return, for then he is in the United States. What power have you to arrest a man not in the United States?

Mr. BURNETT. You can not.

Mr. WATSON of Pennsylvania. The United States has no authority to arrest an alien while attempting to enter.

Mr. BURNETT. Well, of course, it is catching before hanging. I think that is the complete answer.

Mr. ROBBINS. Will the gentleman yield?

Mr. BURNETT. Mr. Chairman, I would like to ask unanimous consent that all debate on this bill—I believe the reading has been concluded—I understood the gentleman from Pennsylvania has yielded the floor?

Mr. WATSON of Pennsylvania. Yes.

Mr. ROBBINS. I want to ask the chairman if this clause——

Mr. BURNETT. I ask unanimous consent that all debate on the bill may be concluded in 10 minutes.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that all debate on this bill and all amendments thereto be concluded in 10 minutes.

Mr. GRIFFIN. Mr. Chairman——

Mr. SMITH of Michigan. Mr. Chairman, reserving the right to object, I would like to inquire whether or not I could have five minutes of that time to speak on the bill and another little matter connected with it?

Mr. BURNETT. The other little matters take up the time——

Mr. SMITH of Michigan. I will speak on the bill.

Mr. RAKER. Mr. Chairman, a point of order. Is not all debate on this section concluded under the rule? There are no amendments pending.

The CHAIRMAN. There is no amendment now pending.

Mr. RAKER. All debate on the pro forma amendments have been exhausted.

Mr. ROGERS. Mr. Chairman, I have a serious amendment to section 3, which I would like to offer.

The CHAIRMAN. Let the Chair state to the gentleman from California that there is no amendment now pending, but all debate has not closed until all amendments are offered.

Mr. RAKER. Nobody offered an amendment, and therefore I propounded that question.

Mr. ROGERS. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The request for unanimous agreement to close debate is pending, to which the gentleman from Michigan reserved the right to object.

Mr. SMITH of Michigan. Mr. Chairman——

Mr. ROGERS. The time is exhausted, and I have offered an amendment.

The CHAIRMAN. The gentleman from Alabama [Mr. BURNETT] asks unanimous consent to conclude all debate on the bill and the pending amendments in 10 minutes. Is there objection?

Mr. SMITH of Michigan. Reserving the right to object, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. SMITH of Michigan. Well, I would like to have five minutes. However, let the Chair put the question first.

Mr. ROGERS. Mr. Chairman, I object if it is necessary to protect my right to discuss briefly my amendment.

The CHAIRMAN. Does the gentleman object or not?

Mr. ROGERS. I object.

Mr. BURNETT. Mr. Chairman, I move that all debate on the bill and amendments close in 10 minutes.

The CHAIRMAN. The gentleman from Alabama moves that all debate on the bill and amendments thereto close in 10 minutes.

Mr. SMITH of Michigan. I would like to inquire if I can have five minutes of that time.

The CHAIRMAN. The gentleman from Alabama moves that all debate and amendments thereto close in 10 minutes.

Mr. GRIFFIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GRIFFIN. As I understand it, unanimous consent was asked to go back to section 2, and that consent was granted, and section 2 is now under consideration. Now, I have an amendment to propose to that section which I think is vital and important, and I do not see the wisdom of shutting off debate in this way before those who are here have an opportunity to express their views. I want to ask the gentleman if he will not at this point extend the time or permit me to submit my amendment to section 2?

The CHAIRMAN. That is not really a parliamentary question.

Mr. GRIFFIN. I ask the gentleman to enlarge the scope of the debate so as to allow a little more time than 10 minutes.

Mr. BURNETT. Does the gentleman mean to offer an amendment?

Mr. GRIFFIN. Yes, sir; to section 2.

Mr. BURNETT. I would be willing to allow an enlargement of the time so that the gentleman would have an opportunity to discuss the amendment. I suggest 20 minutes.

The CHAIRMAN. The gentleman amends his motion by asking that all debate close in 20 minutes.

The question was taken, and the motion was agreed to.

Mr. ROGERS. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 2, line 25, after the word "years" insert:

"*Provided*, That, in the discretion of the Secretary of Labor, he may be taken into custody and deported."

Strike out, in line 25, page 2, and line 1, page 3, the words "and shall upon termination of such imprisonment," and insert, beginning with the sentence, "he shall upon the conclusion of any term of imprisonment."

Mr. ROGERS. Mr. Chairman, I offer this amendment purely in the hope that it may slightly improve an admirable bill. The provision as it stands in the bill is that an alien who has been deported under the act and who hereafter shall return to the United States shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment for not more than five years, at the end of which time he shall be again deported.

I think that in ninety-five cases out of a hundred, perhaps in ninety-nine cases out of a hundred, that provision as it stands

will do justice and is the right way to reach the offender whom we all want to reach in the most vigorous way possible. But I think in the occasional case it may be unfortunate that the Secretary of Labor shall be obliged to put the man on trial, convict him, imprison him, and then deport him. It strikes me that in the occasional case we want to get rid of the man first and not afterwards. We want to purge our shores instantly of that man who has come here and who ought to be sent back forthwith to his own country.

That is the sole purpose of my amendment. I gathered from the suggestion of the chairman of the committee when I questioned him during his own remarks that he was not wholly out of sympathy with it. It merely gives the Secretary of Labor discretion in the occasional case to get rid immediately of one of these creatures that we do not want around.

Mr. RAKER. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. RAKER. Does the gentleman believe in the policy that has been adopted by some of the courts—that where a vagrant is arrested, if you please, they give him food and shelter over night and then turn him loose and let him go on to the next place, and so on? Do you not believe every community, county, and State ought to enforce the law and provide a penalty and convict him and make him serve?

Mr. ROGERS. That does not present the slightest analogy to my amendment. We are dealing with a man who comes unlawfully to the shores of the United States from another country. It ought to be within the discretion of the United States, through the Secretary of Labor, to throw him out right away and not be obliged under the law to convict him of a felony, imprison him, and then throw him out.

Mr. DOWELL. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. DOWELL. The purpose of this law is, however, to prevent his return. If the law remains as it is and he knows he will be imprisoned, he is not so apt to return as he will be if the Secretary adopts another policy of returning him again.

Mr. ROGERS. I said twice during the debate that in 99 per cent of the cases the bill, as it stands, works exact justice. Occasionally we may want to make an exception, and under the bill as it now stands we can not do it.

Mr. DOWELL. But will not your exception now encourage his return?

Mr. ROGERS. Not at all, because that man will know he has not more than one chance in a hundred to get by without a term of imprisonment.

Mr. DOWELL. But he will know the exception, and if the exception is ever made you will only encourage him to return.

Mr. ROGERS. I do not think it is very much of an exception when it is a ninety-nine to one likelihood that he must serve a prison term, especially when the one chance in a hundred lands him back where he started, having had to pay his ocean passage both ways.

Mr. RAKER. The very exception that the gentleman makes would indicate that that man, because of his viciousness, ought to be punished for a while and then sent back, instead of simply being sent back across the water as a lesson.

Mr. ROGERS. Why should we be obliged to punish a man if we do not want to? Why should we be obliged to fill up our penal institutions and support that man for four or five years if we do not want to? Why not let the Secretary of Labor have discretion?

Mr. RAKER. Because he is a criminal at heart, and we should not punish him in one State and send him into another.

Mr. ROGERS. Is the gentleman so tender of the country from which a man of that kind may come that he insists that for that country's welfare we should punish him here instead of sending him back where he belongs?

Mr. RAKER. No; give him his medicine and then send him back. That is what I contend for.

Mr. GRIFFIN. Mr. Chairman, I wish to offer an amendment to section 2.

Mr. BURNETT. Mr. Chairman, I do not agree to return to section 2, but I will yield to the gentleman from New York [Mr. GRIFFIN] five minutes.

The CHAIRMAN. The gentleman from New York is recognized for five minutes.

Mr. GRIFFIN. Mr. Chairman, there seems to be some misunderstanding as to just what our situation is. I understood that we went back to the consideration of section 2 by unanimous consent, and that was obviously done because a number of gentlemen discussed it, and I tried repeatedly to get the attention of the Chair in order to offer an amendment. If the chairman of the committee claims the parliamentary right to exclude my amendment, of course I shall not offer it; but I may at least submit to the judgment of the chairman the wisdom of the amendment and ask the House to consider whether or not it is not best for us to go slow in enacting a bill of the importance of this measure.

I have no sympathy with anarchists or those who hold anarchistic views. I think that the man who is against government should not receive any consideration at the hands of government. But there are cases where a man experiences a change of heart. Now, the gentleman from Massachusetts [Mr. WALSH] made a criticism of section 3, that we are now on, apparently, which shows that the section as drafted is likely to do great injustice in certain situations, where men, after having been tried by a court and found to be anarchists have been excluded from the country and then come back, but come back educated and reformed as to their views on anarchism. It would be an injustice to exclude these men, and yet under this act they may be excluded.

Mr. JOHNSON of Washington. Mr. Chairman, will the gentleman yield there for a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Washington?

Mr. GRIFFIN. The gentleman will pardon me. I have only five minutes and I want to proceed to the meat of the matter.

But in section 3 you have a judicial determination. In section 2, as framed, the law provides that any alien who at any time after entering the United States is found to have been at the time of entry a member of any one of the classes of aliens, and so forth, he may be deported; so that after the lapse of 10 years, if some one frames an information against him for personal or vindictive reasons and claims that he was an anarchist when he entered the country, that man may be brought up on the warrant of the Secretary of Labor and excluded from the country. It leaves no latitude for any change of heart, no change in his opinions, and I do not think that that is the purpose of this body. I do not think that that is our intention.

How many men having that character, ignorant and biased, do we get in this country every year, men filled with foreign notions, inimical to our institutions, but yet under our beneficent educational processes and our social intercourse alter their views? They may have been anarchists when they entered the country, but they have experienced a change of heart, and you are opening the door here to their malicious prosecution. I submit very earnestly to the chairman of this committee, before he railroads this matter through this House, that we should consider deliberately the amendment that I have sent to the desk.

The CHAIRMAN. The Chair will state to the gentleman from New York that by unanimous consent section 2 was returned to, but not for the purpose of offering an amendment. The gentleman from Minnesota [Mr. MILLER] stated, I think, that he had been out of the House and wished to return for the purpose of obtaining information.

Mr. GRIFFIN. Mr. Chairman, my amendment briefly was this, to strike out the words on line 10, "to have been at the time of entry, or," leaving the section read, "That any alien who, at any time after entering the United States, is found to have become a member of any one of the classes of aliens enumerated," and so forth. I think the provision is just as strong in the proposed form with the words in question excluded.

The CHAIRMAN. The gentleman may ask unanimous consent to return to the section for the purpose of offering an amendment.

Mr. GRIFFIN. I do so, Mr. Chairman, taking advantage of your courtesy.

The CHAIRMAN. The gentleman from New York asks unanimous consent to return to section 2 for the purpose of offering an amendment. Is there objection?

Mr. BURNETT. That would not enlarge the time of debate, would it, Mr. Chairman?

The CHAIRMAN. Ten minutes have been consumed. There remain 10 minutes yet. Is there objection to the request of the gentleman from New York?

Mr. DOWELL. Reserving the right to object, Mr. Chairman——

Mr. RAKER. I object.

The CHAIRMAN. Objection is heard.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the House, whether we are at war or at peace, this is correct legislation for good citizenry of the United States, and it ought to be on the statute books. I compliment the chairman of this committee and the whole committee upon this kind of legislation.

I remember the parting words of our esteemed and distinguished colleague from Illinois [Mr. MANN] when he left. He

told us that in the consideration of our legislation during these times we should be cool and deliberate. That has kept ringing in my ears, and I have wondered why it is that there is no Federal legislation or why there has been no congressional action taken or statute put upon our statute books by the Congress of the United States that punishes the mutilation or destruction of our flag. I hear the President say, "Woe to the man or group of men that stand in our way in this day of high resolution." I most fully indorse that utterance and further add it were better for any such a man or groups of men that a millstone be hanged about their necks and they be cast in the depths of the sea. The life of the Nation is at stake. I see the boys wearing the uniform of our country following wherever our flag leads and offering their lives in its defense. The world over the Stars and Stripes is the representative of our Government. The flag is the creature of the Federal statute, yet for punishment for the mutilation of our country's flag we depend upon a little State statute providing a small fine of $5 to $100 or imprisonment in jail not exceeding 90 days. Our colleague says that we must be cool and deliberate. Almost every day we read that somewhere in the Republic the flag has been willfully destroyed or mutilated by some miscreant as an expression of his hatred and contempt for our Government, although the lives of the young manhood of our country are being offered for its protection. I wonder how a person can witness that and keep cool, especially when there is no Federal law to mete out adequate punishment.

I like this bill, and I wish that an amendment could be made to section 1 by adding after the words "destruction of property" the words "or destruction of the flag of the United States." As I read this bill I see that it applies solely to aliens. It is a good law for every man domiciled in the United States and asking the protection of the flag and the protection of the laws of our country. This is the kind of legislation that counts. Before the Russia Government went to pieces it had a law punishing with 10 years' imprisonment the destruction of the Russian flag. Germany, Austria-Hungary, and Turkey have national laws against the destruction of their flag. When we are passing this kind of legislation it seems to me that with the destruction and mutilation of the American flag, so frequent throughout our country, we should have some law for its protection and severely punishing such a heinous crime. It should not be left wholly to mob law. The spirit of this law points in the right direction. It makes me think of Hale's story of A Man Without a Country, who uttered an oath against his country and never until his dying day was again permitted to see his native land or its flag floating in the blue sky. This bill does not contain all that I wish it did contain, but it is a step in the right direction, and these anarchists and other seditious intriguers, saboteurs, and traitors will meet, in part, their fate under this bill. [Applause.]

Mr. BURNETT. Mr. Chairman, I desire to say a word or two in regard to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS]. Apparently he desires to avoid the long delays that will be occasioned by a trial and to give the Secretary of Labor the right to deport immediately if, in his discretion, he deems it wise. When that was first suggested in the general debate I said that I would give it consideration, because it struck me with a good deal of favor; but since that I have conferred with the attorney representing the Department of Labor, and he says that that is already their practice, and that there is nothing in the bill that will prevent that action if they get hold of the man first. If the courts get control of a man first, of course the Secretary of Labor would not desire and ought not to be permitted to take him away from the courts, because if the man is found guilty deportation will follow. But they tell me that it is a frequent practice to deport a man immediately instead of waiting for the action of the courts.

Mr. ROGERS. Mr. Chairman, of course the language of section 3 is that any alien who seeks to return after deportation shall be deemed guilty of a felony.

Mr. BURNETT. Yes.

Mr. ROGERS. It would seem to me that the consequences attendant upon having committed a felony would follow, and that a man would necessarily be taken over by the court and his punishment under the act proceeded with. I will ask the gentleman whether the law officer of the Department of Labor with whom the gentleman talked saw any objection to the proposal in my pending amendment?

Mr. BURNETT. No.

Mr. ROGERS. Does not the gentleman think that in view of the fact that it gives the Secretary of Labor the additional power it may in certain classes of cases work justice, and that it may be desirable to have it included in the law?

Mr. BURNETT. There is this objection, as suggested by a gentleman who discussed it a moment ago: There is danger of that being a sort of a bid or inducement to them to say, "Well, if we can get away with this thing by fooling the Secretary of Labor and staying in, we will take chances on it." But, to my mind, it is not necessary; and we had better not have language in the law that we do not need, because whenever you commence putting in things that are already the law you are in danger of confusing the law itself. For that reason I would much prefer not to consent to the amendment of the gentleman, because it is being worked out in exactly that way by the department at the present time.

Mr. RAKER. Will the gentleman yield?

Mr. BURNETT. I yield to the gentleman from California.

Mr. RAKER. If a man came here in violation of this law and the Secretary of Labor got charge of him and no one filed a complaint under the law charging him with a felony, could not the Secretary of Labor deport him without anyone charging him with a felony?

Mr. BURNETT. The law says absolutely that any alien who shall enter or be found in the United States in violation of this act or any other law of the United States may be deported. That is the language of the present law.

Mr. RAKER. The man having been deported for any of the reasons stated in the bill, if he should try to come back again, ought not the penalty of the law to be inflicted upon him as a warning and an example, so that others would be discouraged from trying to come here who might hope to slip by without detection or punishment? And if you put the man in prison for five years his friends will not try to return. They will stay away.

Mr. BURNETT. Mr. Chairman, I ask for a vote.

Mr. DOWELL. Mr. Chairman——

The CHAIRMAN. All time has expired. The question is on the amendment of the gentleman from Massachusetts [Mr. ROGERS].

The question being taken, the amendment was rejected.

On motion of Mr. BURNETT, the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12402) to exclude and expel from the United States aliens who are members of the anarchistic and similar classes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BURNETT. Mr. Speaker, I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

On motion of Mr. BURNETT, a motion to reconsider the vote by which the bill was passed was laid on the table.

By unanimous consent, Mr. BURNETT, Mr. SMITH of Michigan, and Mr. AUSTIN were given leave to extend their remarks in the RECORD on this bill.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I desire to call up for consideration the bill (H. R. 11984) making provision for the Fourteenth and subsequent decennial censuses.

The SPEAKER. The gentleman from Kentucky calls up the bill H. R. 11984, which the Clerk will report.

Mr. STAFFORD. Mr. Speaker, a question of order.

Mr. GILLETT. If the gentleman asks unanimous consent I object, and if he calls it up as a privileged bill I want to be heard.

The SPEAKER. The gentleman from Massachusetts raises the point of order.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11984.

Mr. GILLETT. Mr. Speaker, I make the point of order that this is not a privileged bill. The Speaker is, I know, perfectly familiar with the precedents and will remember, as I do, the argument and decision of Speaker Henderson on the subject. In making that decision Speaker Henderson indicated that if it was a new question without precedents he would be disposed to rule otherwise, and I think anybody would admit that the mere fact that the Constitution makes it the duty of Congress to provide for a census does not necessarily decide in what way

the committee shall bring up that bill. It does not give the chairman of any one committee—the Committee on the Census or any other—the right to bring up any particular bill at any particular time. It really is a matter for Congress to decide by its rules how and in what way a bill should be brought up. The rules would naturally provide for it. It is simply our duty to pass a bill, but not any particular bill at any particular time.

Mr. HELM. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. HELM. Is there any other committee asking for recognition at this time?

Mr. GILLETT. Not that I know of. However, I will put that aside. I do not raise the question at all that the committee has not jurisdiction. The regular way would be for the House to provide in its rules that the Committee on the Census should have the power to bring up a bill providing for taking the census. It is the duty of Congress under the Constitution to pass appropriation bills for the expenses of the Government; but no one has ever contended that the Appropriation Committees derive their privilege from the Constitution, but it is derived from the rules of the House. So this committee ought to apply for a rule.

But, Mr. Speaker, allowing as I do that precedents determine, that a bill necessary to carry out the provision of the Constitution for an apportionment is privileged, yet that does not govern this case, for this bill is not at all necessary for carrying out the purposes of the Constitution, and stands in an entirely different condition from any bill brought before us in previous years, and for this reason: Until the last census bill was passed Congress has passed a bill each 10 years providing exclusively for that decennial census. But 10 years ago Congress adopted an entirely different practice, as the Speaker is aware. The bill which was passed in 1909 provided for not only taking the Thirteenth Census, but taking of all subsequent censuses. So that to-day on the statute book, and without any additional legislation at all, there is adequate provision for carrying out the constitutional mandate that every 10 years there shall be a census. In my opinion that takes away instantly the reason for the decision of previous Speakers, that it was necessary in order to carry out the edict of the Constitution, because now there is a law on the statute books passed 10 years ago which does carry out the provisions of the Constitution and which has created the permanent Census Bureau with all of the divisions and subdivisions necessary to take the census.

Therefore it seems to me that the reason for the previous decision, which I think the Speaker and everybody else will admit was a very forced construction, and one which ought not to be extended, as Speaker Henderson intimated, has passed away, and when the foundation of that precedent is destroyed, and there is a law in existence already which carries out the provisions of the Constitution, I do not think another bill has privilege under the Constitution. If this is in order, any amendment would be in order at any time, no matter how trivial it might be, for if this is held to be privileged it must be not because it is necessary to carry out the mandate of the Constitution, but simply because it relates to the subject mentioned in the Constitution. I do not see how a bill can be held privileged because of the Constitution unless it is necessary to accomplish the constitutional provision, and inasmuch as such a law is now on the statute books any further legislation should be subject to the ordinary rules of the House and not claim superiority because it is in obedience to the Constitution.

Mr. GARRETT of Tennessee. Mr. Speaker, I respectfully submit the question of necessity, as suggested by the gentleman from Massachusetts, has not yet arisen, nor has the question of privilege yet arisen. The gentleman from Kentucky has moved, as I understand, that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill. It is up to the House to vote that down or up as it may see fit.

Mr. GILLETT. The gentleman from Kentucky claims that it is privileged. Unless it is privileged he has no right to make the motion.

Mr. GARRETT of Tennessee. Why not?

Mr. GILLETT. Because there is a regular order in this House.

Mr. STAFFORD. The regular order, if anyone demands it, and I made the point of order, is the call of committees, and the call rests with the Committee on Naval Affairs. I demand the regular order so as to bring to a focus the decision as to whether this bill has a privileged status or not.

Mr. GILLETT. I raised that question at the beginning. I said that if it was unanimous consent that was being asked, I objected, and if it was a privileged motion, I wish to argue it. The gentleman from Kentucky claims to offer it as a privileged motion.

Mr. HELM. Mr. Speaker, it is perfectly obvious that there are certain gentlemen in the House who want to consume about five or six hours unnecessarily in displaying their capacity to raise and discuss points of order.

If there is any one thing that has been established thoroughly and completely for the last 50 years, it is that the rulings of the Speaker of the House establishing precedent are of equal dignity and rank with the rules of the House themselves. There is an unbroken line of decisions rendered by the different Speakers of this House covering a period of almost a half century consistently holding a bill to provide for a decennial census privileged, with the only exception. In 1910, at a time when the House was virtually in a state of revolt, the former chairman of the Committee on the Census offered an amendment on Calendar Wednesday to a census bill that had been passed by Congress, and the House refused to consider on Calendar Wednesday the amendment to the census bill that had been passed, as offered by Mr. Crumpacker, then chairman of this committee. The House refused to consider it on Calendar Wednesday, and for no other reason. On the following day, by a vote of 201 to 72, the House declared that any matter pertaining to the census bill was a matter of the highest privilege and entitled to consideration. In view of this holding, I have no disposition here to waste time unnecessarily. I know that there are certain Members who like to spin fine-spun arguments about points of order, but what do you get out of it? Just an unnecessary consumption of time; a useless waste of time. There is no one else here who is asking for recognition; there is no other committee having any bill to press for consideration; there is no logical, common-sense reason for not taking up and considering this bill at this time.

The Chair is of course familiar with the rulings of Speakers in the past, but at the same time I desire to direct the attention of the Chair to a former ruling upon this question. In Volume I, sections 305 to 308, Hinds' Precedents, are to be found decisions to the effect that matters arising under the provisions of the Constitution which are mandatory in their nature are privileged and supercede the rules establishing the order of business, as bills providing for the census or the apportionment.

The SPEAKER. From what is the gentleman quoting?

Mr. HELM. I am quoting from the Digest, at page 284. This is a ruling of the Chair, under Rule IX, upon the question of privilege. I do not think it is necessary to read anything except this one decision bearing upon this one question that is immediately up for consideration:

> So also certain matters of business, arising under provisions of the Constitution mandatory in nature, have been held to have a privilege which supersedes the rules establishing the order of business, as bills providing for census or apportionment.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. HELM. Yes.

Mr. WALSH. Would the gentleman contend that if the House should consider this bill and defeat it the Government would then be powerless to take the decennial census?

Mr. HELM. I do not suppose that the Government would be powerless to take it.

Mr. WALSH. They could take it without this bill being enacted.

Mr. HELM. But if you are going to take it, certainly the Congress is interested in having a census taken that is worth while, that is businesslike, the very best obtainable. The Congress does not want a census taken that is deficient and that does not cover the situation properly and virtually worthless.

Mr. WALSH. Of course, the Congress has the right to provide what kind of a census is going to be taken.

Mr. HELM. And I believe, if you pass this bill, as I know you will, that you will have a satisfactory census.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. HELM. Yes.

Mr. GARRETT of Tennessee. It seems to me that the inquiry of the gentleman from Massachusetts would be on all fours with considering a proposition whether, if there was no Congress elected, the Government would go on.

Mr. WALSH. No. My inquiry was prompted by reason of the fact that there is machinery already provided for taking this census, so that if this act should fail the Government could carry out the constitutional mandate and take this decennial census.

Mr. GARRETT of Tennessee. That, of course, would be a question of opinion.

Mr. WALSH. Anyone who reads the act of 1909 can see that that provided the machinery for future censuses.

Mr. TOWNER. Mr. Speaker, I want to make a suggestion to the Chair regarding this point of order. I think it makes no

difference what legislation exists; it makes no difference what the bill is that is to be presented for consideration. We have no right to consider the merits of the proposition at all, because the only question to be considered now is as to whether or not this is a privileged bill that may be brought before the House. I have no doubt in my own mind that it is, and it seems to me that the reason rests upon very good grounds that have already been stated in the decisions presented. The Speaker will remember that the provision of the Constitution regarding the taking of the census every 10 years is mandatory; it says that the enumeration shall be made. If that be true, Congress has an imperative duty laid upon it to enact legislation for the purpose of carrying out this provision of the Constitution. A gentleman suggests, what may happen if we do not do our duty. Of course such a dilemma might arise if we failed to perform any duty imposed upon us by the Constitution.

Mr. GILLETT. Suppose we had just passed a bill a month ago providing for the taking of the census, would we not have fulfilled the constitutional mandate?

Mr. TOWNER. No. I think the gentleman can not say that we have fulfilled the constitutional mandate, because whenever the Committee on the Census comes here with a bill to amend any existing law, whether it was passed a month ago or years ago, it would be privileged, and they would have the right to present it for the consideration of the House. What the House would do with it is for the House to determine; but we have only the question now to consider whether or not it is privileged.

Mr. GILLETT. But if we had passed a bill a month ago, we would have complied with the order of the Constitution which the gentleman says makes this privileged, and if we had complied with it, how can you argue it is privileged because it is necessary to comply with it?

Mr. TOWNER. I think the gentleman must see that the position would be untenable, because if we could pass a law of that kind to bind future Congresses regarding all census legislation, and then say that no future bill should be privileged for the consideration of the House under the provisions of the Constitution, we certainly could put the House in such condition that it could not carry out the mandates of the Constitution.

Mr. GILLETT. Oh, no; if the House had had an amendment it could amend that bill by a rule, but not because the Constitution ordered it, because the constitutional mandate has been complied with.

Mr. TOWNER. No; but the gentleman is considering the merits of the legislation——

Mr. GILLETT. Oh, no.

Mr. TOWNER. And that is not the question to be decided here. The only question to be decided here is whether or not it is privileged. Now, decisions have been uniform that this question being a constitutional mandate on the House is above all the rules of the House, and gives it a constitutionally privileged status. It is not for us to determine, the Speaker can not determine in advance what is the nature of this legislation. He only determines in advance that this legislation affects the census and that fact gives it a privileged status under the Constitution.

Mr. HELM. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. HELM. It is true in 1910, when an amendment was offered to the bill which passed the House, and I think passed the Senate, an amendment to the eighth section of the 1910 census act was submitted by Mr. Crumpacker to amend the section so as to include mother tongues in the specifications under the schedule; the House then held by a vote of 201 to a vote of 72 that it was a privileged proposition. Therefore would it not naturally follow, if the House considered an amendment to a bill providing for the census privileged, that it certainly established a precedent for considering the bill itself as having a privileged status?

Mr. TOWNER. Certainly; and that was my answer to the gentleman from Massachusetts.

Mr. STAFFORD. Will the gentleman from Iowa permit me to ask the gentleman from Kentucky a question?

Mr. TOWNER. Certainly.

Mr. STAFFORD. The gentleman from Kentucky has in prior Congresses—and I would like to have the attention of the gentleman—reported bills providing for the taking of censuses, such as tobacco and the like. The gentleman has never contended that those bills having been reported in the ordinary way through the basket were privileged bills and should be considered at any time upon the gentleman's demand for recognition.

Mr. HELM. If I catch the gentleman's statement, was it a bill relating to a census for enumeration?

Mr. STAFFORD. The gentleman recalls last Congress he reported a bill, a separate bill, providing for the taking of the census of tobacco statistics.

Mr. HELM. That is absolutely irrelevant.

Mr. STAFFORD. It may, in the judgment of the Speaker, be considered irrelevant, but it was a bill providing for the taking of a census of tobacco statistics, and yet the gentleman did not claim that it was a privileged bill. He did not seek to get recognition for the consideration of it as a privileged matter.

Mr. HELM. I was not undertaking such a preposterous proposition.

The SPEAKER. The gentleman from Wisconsin will not contend that the bill he is talking about, the tobacco bill, stands on the same footing as a census bill proper, will he?

Mr. STAFFORD. I contend in line with the argument of the gentleman from Massachusetts that there is to-day on the statute books a law passed by the Congress providing for the next decennial census to meet the requirements of the constitutional mandate. Such law having been passed and on the statute books that meets the requirements of the Constitution.

Any amendment to that law as suggested in the case I instanced would have such privileged status as this bill here which seeks to supersede the bill now on the statute books providing for a decennial census. The situation before the Speaker is different to-day in determining whether it is privileged than the question was when submitted to prior Speakers, because that was a bill where there was no law on the statute books providing for the taking of a decennial census in the future. But here—and I am proceeding entirely through the courtesy of the gentleman from Iowa—as pointed out by the gentleman from Massachusetts, we have in the act of 1909 a law providing for the taking of the thirteenth and subsequent decennial censuses, and if the Speaker will examine the law he will see that the requirement of the Constitution has been met. Now, this is a new question that is presented for the Speaker's decision. If there were no law on the statute books providing for the taking of a census, well might the gentleman from Kentucky argue that a bill providing for the taking of the coming census is privileged, but there being existing law on the statute books for the same object of taking the next decennial census, this bill, instead of being merely an amendment to one section of the bill, as for instance, if it referred only to agricultural statistics, amends the entire law, therefore I respectfully contend it is a parallel case to that which was instanced by me in my query propounded to the gentleman from Kentucky.

Mr. HELM. Will the gentleman yield to allow me to ask a question of the gentleman from Wisconsin?

Mr. TOWNER. I will let the gentleman have the whole time in just a moment. I only want to say a couple of sentences. Mr. Speaker, if any question arose regarding the taking of the enumeration of the census, then, of course, the question, in my judgment, would be constitutional. The gentleman's instance regarding the taking of the census of tobacco would not be an enumeration at all. Of course, we have attached these other propositions to the enumeration proper and made them part of the census. But such a bill standing alone would not be privileged, because it would not be an enumeration and would not be constitutional. I want now, in closing, to call particular attention to what is the gist of these decisions. They hold that certain matters of business are privileged if they arise under mandatory provisions of the Constitution. If a bill is reported from a committee which provides for the performance of a mandate of the Constitution it is a privileged bill, no matter whether our rules make it so or not. This is that kind of a bill; it provides for the taking of the census in accordance with the mandatory provision of the Constitution, requiring that every 10 years an enumeration shall be made for the purpose of basing representation. That is this legislation, and the consideration of such legislation must be, strictly speaking, a constitutional right. The committee has a right at any time to ask the House to consider such a bill. The Constitution gives it a privileged status.

The SPEAKER. The Chair is ready to rule.

Mr. GILLETT. May I make just one suggestion?

The SPEAKER. Yes.

Mr. GILLETT. It is this: The argument in favor of privilege has been changed a little, and they now argue if this did not affect the enumeration it would not be in order, but inasmuch as it does affect enumeration it is in order.

Now, there is a principle which the Speaker knows is well established, that if a question is privileged and it is coupled with matter that is not privileged, it loses its privilege. Now, according to the very argument that is made by my opponents, this bill affects not only enumeration but various other things relating to agriculture and manufacturing, and so forth.

So by their very argument they admit certain matter in this bill is not privileged, and therefore it seems to me by that addition the whole bill is robbed of its privilege. Certainly they can not add to a bill providing for the enumeration which the

Constitution orders all the other matter they please and still claim that it is privileged because the Constitution orders it. That could only be done by a rule of the House.

The SPEAKER. The whole intention of the mandate of the Constitution in regard to the taking of the census was in order to find out how many people there were in the United States; and that was the whole thing. And the reason for wanting to know the number of people in the United States every 10 years is for the sole purpose of making a reapportionment of the Members of the House. Now, to call that tobacco bill about which the gentleman from Wisconsin [Mr. STAFFORD] was talking, a census, is an abuse of the American language. It is not a census.

Mr. GILLETT. If the Chair will permit, this bill provides for a census also of agriculture, manufactures, and mines and quarries of the United States.

The SPEAKER. If that was all there was in this bill it would be an abuse of the American language to call it a census bill. Everybody knows a census has reference to numbers. The mandate of the Constitution is imperative, and it has been decided by four or five Speakers, incidentally or directly, that a census bill is privileged. And the Chair holds, and states his opinion, obiter dictum, that all that was intended to put in the census bill originally was the number of people, but it was spread out until it embraced the commercial history of the United States every 10 years. But that has nothing to do with it. The sole reason for that mandate is to find out the number of people in this country every 10 years.

The point of order is overruled. The motion of the gentleman is to go into the Committee of the Whole.

WITHDRAWAL OF CONFERENCE REPORT—PROTECTION OF MIGRATORY BIRDS.

Mr. FLOOD. Mr. Speaker, I would like, if the gentleman would yield before that motion is put—I would like to ask unanimous consent in reference to a conference report. The conference report on the bill S. 1553, for the protection of migratory birds, was filed under the rules for printing. Since we agreed on this report the conferees on the part of the Senate have made a request that the conferees on the part of the House withdraw this report and take it back to conference.

The SPEAKER. The gentleman asks unanimous consent to withdraw the conference report referred to. Is there objection? [After a pause.] The Chair hears none.

LEAVE OF ABSENCE.

Mr. WILSON of Texas, by unanimous consent, at the request of Mr. MANSFIELD, was granted leave of absence for five days, on account of sickness.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. WALSH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WALSH. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will propound it.

Mr. WALSH. In view of the ruling of the Chair as to the bill providing for the taking of the census, I desire to ask if the question of consideration was raised against this bill?

The SPEAKER. It is raised by the vote to go into Committee of the Whole.

Mr. WALSH. Yes; but I mean after the House resolves itself into the Committee of the Whole.

The SPEAKER. That would be for the Chairman of the Committee of the Whole to decide.

Mr. WALSH. I do not think so.

Mr. SHERLEY. If the Chair will permit, the very motion to go into the Committee of the Whole raises the question.

The SPEAKER. That is exactly what the Chair stated to the House a minute ago.

Mr. SHERLEY. But the Chair should have added that it does not then pertain to the Chairman of the Committee of the Whole to entertain any motion for consideration.

The SPEAKER. The Chair has nothing to do with the Chairman of the Committee of the Whole.

Mr. SHERLEY. The rules of the House determine that he has no power to consider it.

The SPEAKER. I know; but the Chair is not called upon to construe the duties of the Chairman of the Committee of the Whole. The question is on the motion to go into the Committee of the Whole on this bill, H. R. 11984.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GILLETT. Mr. Speaker, I think we had better have a quorum on such an important bill, and I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts makes the point of no quorum, and evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of going into the Committee of the Whole will, as their names are called, answer "yea" and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 151, nays 118, answered "present" 2, not voting 159, as follows:

YEAS—151.

Alexander	Dill	Keating	Rubey
Almon	Dixon	Kelly, Pa.	Rucker
Ashbrook	Dominick	Kettner	Sherley
Aswell	Doolittle	Kincheloe	Sims
Ayres	Doughton	Kitchin	Sisson
Bankhead	Drane	Larsen	Slayden
Barkley	Dupré	Lazaro	Small
Barnhart	Eagan	Lea, Cal.	Smith, C. B.
Beakes	Evans	Lee, Ga.	Snook
Bell	Ferris	Lesher	Steagall
Black	Fisher	Lever	Stedman
Blackmon	Flood	Linthicum	Stephens, Miss.
Blanton	Foster	Lobeck	Stephens, Nebr.
Borland	Gandy	London	Stevenson
Brand	Garner	McClintic	Sumners
Buchanan	Garrett, Tenn.	McKeown	Talbott
Burnett	Garrett, Tex.	Martin	Taylor, Ark.
Byrnes, S. C.	Godwin, N. C.	Mays	Taylor, Colo.
Byrns, Tenn.	Goodwin, Ark.	Miller, Wash.	Thomas
Caldwell	Gordon	Moon	Thompson
Candler, Miss.	Gray, Ala.	Nichols, Mich.	Tillman
Caraway	Griffin	Oliver, Ala.	Van Dyke
Carlin	Hamill	Oliver, N. Y.	Venable
Carter, Okla.	Hamlin	Overstreet	Vinson
Church	Hardy	Padgett	Walton
Classon	Harrison, Miss.	Park	Watkins
Claypool	Hastings	Polk	Weaver
Cleary	Heflin	Pou	Welling
Coady	Helm	Price	Welty
Collier	Helvering	Quin	Whaley
Connally, Tex.	Holland	Ragsdale	White, Ohio
Connelly, Kans.	Huddleston	Rainey, J. W.	Wilson, La.
Cox	Hull, Tenn.	Raker	Wilson, Tex.
Crisp	Humphreys	Randall	Wingo
Crosser	Igoe	Rayburn	Wise
Decker	Jacoway	Riordan	Wright
Denton	Johnson, Ky.	Romjue	Young, Tex.
Dickinson	Jones	Rouse	

NAYS—118.

Anderson	Gillett	Meeker	Sinnott
Austin	Glynn	Miller, Minn.	Sloan
Bland	Good	Mondell	Smith, Idaho
Bowers	Graham, Ill.	Moore, Pa.	Smith, Mich.
Britten	Green, Iowa	Moores, Ind.	Snell
Browne	Greene, Mass.	Morgan	Snyder
Browning	Hadley	Mudd	Stafford
Burroughs	Hamilton, Mich.	Nelson	Steenerson
Campbell, Kans.	Haskell	Nolan	Sterling, Ill.
Cannon	Haugen	Osborne	Stiness
Cary	Hawley	Parker, N. Y.	Strong
Chandler, Okla.	Hersey	Peters	Sweet
Clark, Pa.	Ireland	Platt	Tilson
Cooper, W. Va.	Johnson, Wash.	Pratt	Timberlake
Cooper, Wis.	Kearns	Purnell	Towner
Cramton	Kennedy, Iowa	Ramsey	Voigt
Currie, Mich.	King	Ramseyer	Volstead
Dale, Vt.	Kinkaid	Rankin	Waldow
Dempsey	Knutson	Reavis	Walsh
Denison	Little	Reed	Wason
Dillon	Longworth	Robbins	Watson, Pa.
Dowell	Lufkin	Rodenberg	Wheeler
Elliott	McArthur	Rogers	White, Me.
Ellsworth	McCulloch	Rose	Williams
Elston	McFadden	Rowe	Wood, Ind.
Esch	McKinley	Sanders, Ind.	Woods, Iowa
Fairchild, B. L.	McLaughlin, Mich.	Sanders, N. Y.	Woodyard
Farr	Madden	Sanford	Young, N. Dak.
Frear	Magee	Scott, Iowa	
French	Mapes	Scott, Mich.	

ANSWERED "PRESENT"—2.

Booher	Butler

NOT VOTING—159.

Anthony	Drukker	Gregg	La Follette
Bacharach	Dunn	Griest	LaGuardia
Baer	Dyer	Hamilton, N. Y.	Langley
Beshlin	Eagle	Harrison, Va.	Lehlbach
Brodbeck	Edmonds	Hayden	Littlepage
Brumbaugh	Emerson	Hayes	Lonergan
Campbell, Pa.	Estopinal	Heaton	Lundeen
Cantrill	Fairchild, G. W.	Heintz	Lunn
Carew	Fairfield	Hensley	McAndrews
Carter, Mass.	Fess	Hicks	McCormick
Chandler, N. Y.	Fields	Hilliard	McKenzie
Clark, Fla.	Flynn	Hollingsworth	McLaughlin, Pa.
Cooper, Ohio	Focht	Hood	McLemore
Copley	Fordney	Houston	Maher
Costello	Foss	Howard	Mann
Crago	Francis	Hull, Iowa	Mansfield
Curry, Cal.	Freeman	Husted	Mason
Dale, N. Y.	Fuller, Ill.	Hutchinson	Merritt
Dallinger	Fuller, Mass.	James	Montague
Darrow	Gallagher	Johnson, S. Dak.	Morin
Davidson	Gallivan	Juul	Mott
Davis	Gard	Kahn	Neely
Delaney	Garland	Kehoe	Nicholls, S. C.
Dent	Glass	Kelley, Mich.	Norton
Dewalt	Goodall	Kennedy, R. I.	Oldfield
Dies	Gould	Key, Ohio	Olney
Donovan	Graham, Pa.	Kiess, Pa.	O'Shaunessy
Dooling	Gray, N. J.	Kraus	Overmyer
Doremus	Greene, Vt.	Kreider	Paige

Parker, N. J.	Saunders, Va.	Slemp	Treadway
Phelan	Schall	Smith, T. F.	Vare
Porter	Scott, Pa.	Steele	Vestal
Powers	Scully	Sterling, Pa.	Walker
Rainey, H. T.	Sears	Sullivan	Ward
Roberts	Sells	Swift	Watson, Va.
Robinson	Shackleford	Switzer	Webb
Rowland	Shallenberger	Tague	Wilson, Ill.
Russell	Sherwood	Temple	Winslow
Sabath	Shouse	Templeton	Zihlman
Sanders, La.	Siegel	Tinkham	

So the motion was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. LONERGAN (for) with Mr. WINSLOW (against).

Until further notice:

Mr. SHALLENBERGER with Mr. MCKENZIE.
Mr. DENT with Mr. KAHN.
Mr. BOOHER with Mr. TREADWAY.
Mr. OLNEY with Mr. HICKS.
Mr. SCULLY with Mr. PORTER.
Mr. KEHOE with Mr. DAVIS.
Mr. SHERWOOD with Mr. DUNN.
Mr. ROBINSON with Mr. HEATON.
Mr. DIES with Mr. FAIRFIELD.
Mr. GREGG with Mr. WARD.
Mr. ESTOPINAL with Mr. HUSTED.
Mr. HOOD with Mr. FOSS.
Mr. WATSON of Virginia with Mr. CURRY of California.
Mr. BESHLIN with Mr. CARTER of Massachusetts.
Mr. HOWARD with Mr. GRIEST.
Mr. HOUSTON with Mr. DRUKKER.
Mr. HENSLEY with Mr. BACHARACH.
Mr. CAREW with Mr. COOPER of Ohio.
Mr. BRODBECK with Mr. CHANDLER of New York.
Mr. BRUMBAUGH with Mr. COPLEY.
Mr. STEELE with Mr. BUTLER.
Mr. CAMPBELL of Pennsylvania with Mr. COSTELLO.
Mr. CLARK of Florida with Mr. CRAGO.
Mr. DALE of New York with Mr. DYER.
Mr. DONOVAN with Mr. FREEMAN.
Mr. GARD with Mr. FULLER of Massachusetts.
Mr. DELANEY with Mr. DALLINGER.
Mr. GALLIVAN with Mr. GRAHAM of Pennsylvania.
Mr. GLASS with Mr. EDMONDS.
Mr. DEWALT with Mr. DARROW.
Mr. FIELDS with Mr. FOCHT.
Mr. HAYDEN with Mr. GOODALL.
Mr. FLYNN with Mr. DAVIDSON.
Mr. DOOLING with Mr. GOULD.
Mr. HILLIARD with Mr. EMERSON.
Mr. GALLAGHER with Mr. FULLER of Illinois.
Mr. HARRISON of Virginia with Mr. GEORGE W. FAIRCHILD.
Mr. DOREMUS with Mr. FRANCIS.
Mr. KEY of Ohio with Mr. FESS.
Mr. LITTLEPAGE with Mr. FORDNEY.
Mr. LUNN with Mr. GRAY of New Jersey.
Mr. EAGLE with Mr. GREENE of Vermont.
Mr. MCANDREWS with Mr. HAYES.
Mr. MCLEMORE with Mr. HUTCHINSON.
Mr. MAHER with Mr. JAMES.
Mr. MANSFIELD with Mr. JUUL.
Mr. MONTAGUE with Mr. KENNEDY of Rhode Island.
Mr. NEELY with Mr. KIESS of Pennsylvania.
Mr. NICHOLLS of South Carolina with Mr. KRAUS.
Mr. OLDFIELD with Mr. PAIGE.
Mr. O'SHAUNESSY with Mr. ROBERTS.
Mr. OVERMYER with Mr. LANGLEY.
Mr. PHELAN with Mr. LEHLBACH.
Mr. HENRY T. RAINEY with Mr. SIEGEL.
Mr. RUSSELL with Mr. KREIDER.
Mr. SABATH with Mr. SLEMP.
Mr. SANDERS of Louisiana with Mr. MOTT.
Mr. SAUNDERS of Virginia with Mr. SWIFT.
Mr. SCHALL with Mr. SWITZER.
Mr. SEARS with Mr. TEMPLE.
Mr. SHACKLEFORD with Mr. HAMILTON of New York.
Mr. SHOUSE with Mr. TINKHAM.
Mr. THOMAS F. SMITH with Mr. LUNDEEN.
Mr. STERLING of Pennsylvania with Mr. VESTAL.
Mr. SULLIVAN with Mr. WILSON of Illinois.
Mr. TAGUE with Mr. ZIHLMAN.
Mr. WALKER with Mr. MORIN.
Mr. WEBB with Mr. MASON.

Mr. BUTLER. Mr. Speaker, I wonder if Mr. STEELE voted?

The SPEAKER. He did not.

Mr. BUTLER. I think probably I had better withdraw my vote. I voted "nay." I have a general pair with Mr. STEELE.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BUTLER, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, and the Sergeant at Arms will open the doors. The Chair appoints the gentleman from Illinois [Mr. FOSTER] as Chairman of the Committee of the Whole.

Mr. HELM. Before the House goes into Committee of the Whole, Mr. Speaker, I would like to see if an arrangement can not be made as to the disposition of the time.

The SPEAKER. Too late.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11984, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. HELM. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HELM. Mr. Chairman, I am not disposed to consume any of the time of the committee in presenting this bill. The necessity for its passage arises by reason of the constitutional mandate. It is a bill that has to be passed.

I have heretofore stated some of the reasons why the bill should be passed at this session of the Congress. Any delay in the passage of it would simply create confusion. Those who are familiar with the legislation of this kind in 1910 will perhaps remember that that bill was vetoed by President Roosevelt and that the bill that finally became a law was signed by President Taft, July 2, 1909, after the decennial period had begun.

Now, the bill providing for the Thirteenth decennial census is virtually a reenactment of the bill providing for the Twelfth Decennial Census, both of which provided for a census of population, agriculture, manufactures, mines, and quarries. I have been unable to find a census bill that has been passed by the Congress of the United States where an enumeration of the population and a census of agriculture, manufactures, mines, and quarries has not been included.

Now, what is the common sense of this proposition? The first thing, a supervisor is appointed and an enumerator is appointed for each township, precinct, or voting district. If anyone would stop and reflect, he would realize that the Director of the Census or the Secretary of Commerce, or whoever is to appoint the supervisor, must have sufficient and ample time before the 1st day of January, 1920, to marshal his forces with which to take the census. Now, I am more familiar with the procedure in the country than I am in the cities; in fact, I have no familiarity with the procedure in the cities in the taking of the census. But a supervisor is appointed, say, for each congressional district in the United States—each county district, we will say. The enumerators are appointed. The enumerator goes to the head of the family and ascertains the number in the family, the age, the nationality, the color, the race, the mother tongue, and at the same time he can ask, in the rural districts, how many acres of land he owns, how many head of cattle he has on his land, how many head of horses he has, how many head of mules he has, how many hogs, how many sheep, how much corn he produced, how much wheat he produced—the same man.

Now, where is there any good business reason, if you are going to send men throughout the United States to take an enumeration of the population, why he should not gather this other information? You pay him no more for taking an agricultural census. The same man does all the work for the same cost. According to the old saying, you kill two birds with one stone.

Now, there are those who are disposed to contend that you simply need an enumeration of the population. You may say, "What benefit is it to know that you have so many million hogs in the United States, so many million sheep, so many million cattle?" The knowledge that there are 100,000,000 men, women, and children in the United States does not add or subtract a human being from the sum total, but it is of high

importance and consequence that you should know how many human beings there are in the United States, especially those liable for military service. A separate census of the population would cost you three-fifths of the sum that it would cost to take the census in the usual way; that is to say, a census of the population, of agriculture, of manufactures, and of mines and quarries.

Now there are some matters that I would like to discuss, but I think the best time to discuss them is under the five-minute rule. I hope that we can get to the consideration of the bill as soon as possible. I reserve the remainder of my time.

Mr. STAFFORD. Mr. Chairman, will it embarrass the gentleman to ask him a question?

Mr. HELM. I will be glad to yield to the gentleman.

Mr. STAFFORD. I assume the Director of the Census recommended an increase in the number of supervisors as provided in the bill under consideration from 330 to 400. What was the argument that he advanced for providing more supervisors than were provided in the last census?

Mr. HELM. As the gentleman is well aware, in 1910 the membership of this House was, I believe, 394.

Mr. STAFFORD. Three hundred and ninety-six.

Mr. HELM. Three hundred and ninety-six. Since then the membership of this House has increased and is now 435.

Mr. STAFFORD. As I recall, in the census of 1910 at Chicago there was but one supervisor of the census. In my city there was but one. It has two congressional districts. Chicago has four or five.

Mr. BRITTEN. Ten.

Mr. STAFFORD. The gentleman from Illinois says 10. Now, it has been the policy heretofore to have one supervisor of the census for each large city, and I was wondering what was the policy that was going to be followed by the present director in dividing up the rest of the districts so as to provide a greater number than one for each congressional district——

Mr. ASWELL. Will the gentleman yield?

Mr. STAFFORD. I will be glad to yield, with the permission of the gentleman from Kentucky [Mr. HELM].

Mr. ASWELL. The reason for that is very evident. In a city the territory is relatively small, and it is a simple matter for the supervisor to oversee the work. It is a question of area.

Mr. STAFFORD. Heretofore it has always been the practice to appoint one supervisor for each congressional district, unless that congressional district was within the confines of a city.

Mr. ASWELL. In the case of a city, the population being closer together, less supervision is required.

Mr. STAFFORD. Then there would be less supervision required than under the last census, and the supervisors for the last census were only 330. The population has increased in the cities rather than in the country. I am trying to ascertain the reasons why there has been this recommendation for this increased number, greater than the increased number of congressional districts, and, further, because the congressional districts have not increased outside of the large cities.

Mr. ASWELL. The gentleman is mistaken. The number of supervisors is less than the number of congressional districts by 35.

Mr. STAFFORD. As compared to what it was 10 years ago. The number of supervisors 10 years ago was 330 and the representation 396. Now, the supervisors provided by this bill are 400, and the number of congressional districts is 435. There has been a greater increase in the number of supervisors than in the representation, and this added representation has come from the cities, where there will be but one supervisor to a city.

Mr. ASWELL. There will be two supervisors in those cities where the number has increased as the gentleman states.

Mr. STAFFORD. That was the very point I was trying to get information about, as to what will be the policy of the present director of the Census.

Mr. HELM. There has been no policy announced by the director relative to the appointment of supervisors for the cities that I am aware of. I have no right to speak for the director as to what will be his policy, but I think I see a business reason in all this matter. The city of New York has only one mayor, while its population is larger, of course, than that of the State of Kentucky. Each State has only one governor. I can not see any reason for having one supervisor for each county. If you did have one for each county, you would need as many supervisors as you have county judges. But inasmuch as you have only one mayor, and he performs the duties of an office far more responsible and having far greater ramifications than that of a supervisor, if one man can hold down the mayor's job, it seems to me one man ought to be able to hold down the job of a supervisor for a city. However, I have no authority to speak for the director in that matter. It may be that he will appoint a supervisor for each congressional district in a city like Boston or a city like New York or a city like Chicago. I am fully convinced, however, that the director is a man of good, sound business sense, and I believe he will undertake to do what is for the best interests of the Government in order to obtain an efficient census.

Mr. ELSTON. Will the gentleman yield?

Mr. HELM. I yield to the gentleman from California.

Mr. ELSTON. Do I understand the gentleman to suggest that it would be as cheap to take a census of all these subjects as it would be to take a census of population, inasmuch as the same agent will take down all the data?

Mr. HELM. No; I was unfortunate if I was so understood. I said that the cost of taking a census of population, of manufactures, of agriculture, of mines, and of quarries would cost a certain amount, and that the taking of a census of the population would cost three-fifths as much as it would to take a census of all five subjects.

Mr. ELSTON. I notice in the report of the committee that you mention a total of $17,987,000, and that you have various parts of this total apportioned to the different subjects of population, agriculture, manufactures, and so forth.

Mr. HELM. Those who appeared before the committee represented that it would cost $10,000,000 to make an enumeration of the population.

Mr. ELSTON. You have apportioned, in round figures, $7,000,000 to population, $6,000,000 to agriculture, $2,000,000 to manufactures, $300,000 to mines and quarries, and to overhead expenses $2,500,000.

Mr. HELM. That is where they are all taken at the same time, and the $17,000,000 is apportioned among the different divisions.

Mr. ELSTON. What would be the saving if you should take a census of population alone, with incidental questions that bear on population?

Mr. HELM. You would spend three-fifths of $17,000,000, and to take them all at the same time is a good business proposition.

Mr. ELSTON. In other words, it would cost about $10,000,000 to take a census of the population.

Mr. HELM. Yes.

Mr. ELSTON. And $7,000,000 additional to take the items in regard to manufactures, agriculture, mines, and quarries.

Mr. HELM. If the gentleman will look a little further he will see that to take a census of the population separately it will cost $10,000,000, in round numbers. If you take a census of agriculture separately it will cost you another $10,000,000.

Mr. ELSTON. That is assuming——

Mr. HELM. Just a moment. The gentleman has served in the House with great distinction and has had an opportunity to observe that whenever any matter of this kind is not taken up by the bureau that ought to handle it, that was established for the purpose of doing the work, some other enterprising committee, Member of the House, or departmental official will rush in here with a bill costing far more than the cost of doing the work by the proper officials and through the proper channels.

Mr. ELSTON. That leads to the question that I want to ask. Is it imperatively necessary that a decennial census shall be taken on all of these other subject matters in addition to population? Is the expenditure of an additional $7,000,000 on subsidiary matters warranted?

Mr. HELM. I suppose the gentleman was here when the argument was made by the gentleman from Massachusetts, who stated that the census of 1910, 1900, and, if I am not mistaken, in 1890, provided for the taking of the census of agriculture and manufactures.

Mr. ELSTON. I understand that, but there has been a development in the way of organization of a Labor Department, more complex organization of the Agricultural Department, and evolution in regard to the whole Government in that time. These and other departments and bureaus send out agents and otherwise gather information set forth in various bulletins. My question relates to the policy of keeping these collateral subject matters on the list because you had them 20 years ago.

Mr. HELM. Let the committee get this clear in its mind. The work on this bill begins July 1, 1919. I want to repeat that in order that you may get it. There is nothing to be done under this bill until July 1, 1919. There is not a single instrumentality of the Government that has been authorized by Congress to do any of the work covered by this bill. All of the legislation introduced by the distinguished gentleman from South Carolina, chairman of the Committee on Agriculture, all of the measures looking to the food surveys and the stock-taking mat-

ter expires July 1, 1919, and the work provided for in this census begins July 1, 1919, and not until then. So there is not a particle of overlapping or duplication of activities so far as these features of legislation are concerned.

Mr. ELSTON. May I ask the gentleman this question: Is there going to be a change in the issuance of this information? It is taken by the Government, we will say, in the decennial year. We are getting the results even now, eight and nine years old—matter absolutely dead—obtained at an immense expense. We know the periodical volumes that are sent out from the Census Bureau long after the information was gathered. They have no value in the way of current news. It seems to me that an inquiry into the policy of this thing would be timely.

Mr. HELM. I am very glad the gentleman has brought that feature of the proposition to the attention of the committee. I want to explain it because there seems to be the very widest misconception and misinformation about the matter, especially in that particular. When this data is returned by the enumerator to the supervisor, and sent by him—the supervisor—to the director, who compiles it and gets it into concrete form, he—the director—summarizes it and bulletins are published forthwith by the director available for distribution, and if the people of the United States knew the amount and volume and character of the information that is in this Census Bureau available for the people of the United States the Census Bureau instead of being a kind of legislative football to be kicked around and criticized would be one of the most popular bureaus of the Government, because there is information in it that is as valuable if not more so than in any other bureau in the United States Government.

You would think that if there was a man connected with the Government of the United States who ought to know what he is talking about at this time when we are at war it would be the Secretary of Agriculture. You need a doctor when you are sick; and when your country is at war and you are undertaking to supply 3,000,000 soldiers in the United States with shoes and with food and clothing and then help feed the rest of the world, you would want all the information you could possibly obtain. Now, the testimony before this committee is—and I have no doubt it will astonish you—was furnished partly by the Secretary of Agriculture. He says that the Census Bureau is the best census bureau in the world. That statement was corroborated by a representative of the Food Survey, Mr. Hoover's branch of the Government, who says that this bureau furnishes it the only actual, dependable, valuable information in the country.

Mr. ELSTON. Is not that the current work of the bureau? They do not go back to data that they got 10 years ago for the present information of the different departments. That is a different thing from the 10-year census. It has no relationship to this matter.

Mr. HELM. I think the trouble is that I have not understood the gentleman's position.

Mr. ELSTON. I will give an illustration. Two weeks ago I received a little pamphlet giving statistics on the manufactures of cities on the Pacific coast collected 10 years ago. That is of little interest to me at the present time. We have agencies of the Government that collect facts when they are needed, but that is a different function from that involved in a decennial census, the results of which are not published for a long period.

Mr. ALEXANDER. Will the gentleman yield?

Mr. ELSTON. Yes.

Mr. ALEXANDER. Does the gentleman say that the Government is issuing for the first time facts taken by the Census Bureau 10 years ago?

Mr. ELSTON. Additional manufacturing statistics based on the collection of data taken 10 years ago.

Mr. ALEXANDER. They would have to have a basis to make the statistical compilation. If the gentleman will take the pains to read the hearings before the committee, I think he will be convinced of the importance of taking a census not only of the inhabitants but of agriculture, manufactures, mines, and quarries.

All those who came before the committee emphasized that it is more important now than ever before, and the great commercial bodies of the country, the manufacturers, and the industrial people of the country all regard it as of prime importance. We were very careful to investigate, because we were inquiring like the gentleman to know if there is urgent necessity for it.

Mr. ELSTON. I am not discussing this matter in a captious way. I am obliged to the gentleman from Kentucky [Mr. HELM] for his patience. I realize the committee has held hearings and is well informed. My inquiries are based on surface impressions that I have received from time to time, and this is my expression of them.

Mr. HELM. I think I understand the difficulty with which the gentleman is confronted.

Mr. ASWELL. Mr. Chairman, may I make one statement to the gentleman? I call his attention to the fact that the Census Bureau issues all these statistics immediately, as the gentleman knows, in a large volume, and then from time to time thereafter during the entire 10 years they take certain statistics and reprint them, so to speak, make them talk—draw conclusions, philosophize, and so forth, on those already issued before. That probably is the case to which the gentleman refers with reference to the last few days.

Mr. ELSTON. I have no doubt that I shall get more information as we proceed with the consideration of the bill.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes.

Mr. LONDON. Along the line of the questions propounded by the gentleman from California [Mr. ELSTON] to what extent is the work of the Census Bureau continued during the 10 years? In other words, can they now, when they begin the new census, proceed with data accumulated during the period of 10 years past, or is every census taken at the conclusion of the 10-year period an entirely new census, independent of the work done in the meantime?

Mr. HELM. I do not think that I quite grasp what the gentleman has in mind, but I shall endeavor to answer his question as best I can. There are quite a number of activities performed by the Census Bureau. For instance, take the question of transportation, of electricity, and of vital statistics. In different years, under the act creating the permanent Census Bureau, which I believe was passed March 6, 1902, there are a number of subjects to be dealt with by the Census Bureau. Some of these subjects are taken up one year and other subjects another year. In other words, it is the policy of the bureau to keep busy all of the time, but not working all of the time upon the same subject.

Mr. LONDON. So that there is really no national statistical bureau to which a man seeking information may turn for knowledge on a particular subject. Assume you want to know what was the number of men out of employment in the year 1914, in September. There is no place to which you could turn for that information.

Mr. HELM. No place that I know of.

Mr. LONDON. If you want to know the number of factories which employed more than 500 people in 1914, there is no place where you could get that information.

Mr. HELM. I am not so sure about that.

Mr. LONDON. There is no national bureau outside of the Bureau of Labor Statistics.

Mr. HELM. The Bureau of the Census takes a census of manufactures, but not to ascertain how many men are employed in every factory in the United States every day of the year.

Mr. LONDON. Or every year.

Mr. HELM. The bureau takes the census of manufactures every five years, but there is no instrumentality of the Government to which anyone can go and find out how many factories of a particular kind were running every day in the week and every week in the year.

Mr. DENISON. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes.

Mr. DENISON. I would like to ask the gentleman if he can state from memory the number of positions that this bill provides for outside of those strictly within the classified service?

Mr. HELM. I believe that the regular census force which is carried in the legislative, executive, and judicial appropriation bill numbers about 560, which might be called the office force, and that there are about 700 of what might be termed field men, composed principally of cotton-gin reporters. That is in ordinary times.

Mr. ALEXANDER. The permanent force.

Mr. HELM. What might be called the permanent census force; but in a period of this kind, as the gentleman can well understand, it will be necessary to have enumerators in every township in every congressional district. How many enumerators there will be I do not know. I do not know how many townships or voting precincts or districts there are in the United States, nor how many enumeration districts will be established by the director. All of that work has to be done in advance of the taking of the census. The gentleman can make his own calculations in a general way. The Director of the Census or someone connected with the Bureau of the Census stated that the number of enumerators, supervisors, or the added force, you might call it, will be somewhere around 75,000 people.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. HELM. Yes.

Mr. ASWELL. I would like to state that in the last census, 10 years ago, the number of enumerators was 71,000, and they estimate this time it will take 75,000 or 80,000.

Mr. DENISON. How are they to be appointed?

Mr. HELM. By the Secretary of Commerce, upon the recommendation of the Director of the Census.

Mr. GILLETT. Those are appointed by the supervisor, are they not?

Mr. HELM. Oh, no.

Mr. GILLETT. I thought he appointed the enumerators.

Mr. HELM. He recommends them to the director and the director recommends them to the Secretary of Commerce.

Mr. DENISON. Are we to understand all of these 75,000 men are political appointments; that is, appointments outside of the classified service?

Mr. ASWELL. They could not be classified; they only work for three weeks.

Mr. HELM. The enumerators will not be covered by the civil-service rules and regulations. But all of the clerical force, with some exceptions, that will be added to what might be termed the permanent census force are to undergo a civil-service examination.

Mr. GILLETT. Will the gentleman yield for a question?

Mr. HELM. Certainly.

Mr. GILLETT. Will the gentleman tell us why the supervisors are provided by this bill to be appointed by the Secretary of Commerce instead of by the President as heretofore?

Mr. HELM. Well, there is one very obvious reason. This work is to begin on July 1, 1919. Now, if you will just reflect for a moment, there will be no session of Congress at that time, and if you wait until Congress convenes in December, 1919, when the actual field work is already in progress and going, why the director has to have his supervisors appointed before the work begins, and if you are going to have the Senate confirm the appointment of the supervisors, why you are going to get into the same unfortunate situation that the gentleman from Massachusetts has well in mind that started by reason of the failure to provide legislation at the proper time and give the last director the opportunity of organizing and getting his force marshaled and his bureau in working condition. It followed all the way through the work, and it was a most disastrous affair.

Mr. GILLETT. Why, the Senate will be in session in 1919.

Mr. HELM. Congress will convene the first Monday in December, 1919.

Mr. GILLETT. But the Senate always convenes immediately after March 4. There is always an extra session of the Senate after the 4th day of March, and there will be after the 4th of March, 1919.

Mr. HELM. The decennial period does not begin until July 1, 1919, and I hardly think—I do not think the gentleman from Massachusetts believes that the Senate will remain in session from March 4, 1919, until July 1, 1919.

Mr. GILLETT. No; but why should not they be appointed in March; it is only three months ahead?

Mr. HELM. Well, you might ask why not appoint them now.

Mr. GILLETT. There is a difference between appointing them two months ahead and a year ahead.

Mr. HELM. If we passed the bill before this session adjourns, why, with the House and Senate both here, why not let the Senate confirm them?

Mr. GILLETT. There is a difference between two months and a year, is there not?

Mr. HELM. You see what an impossible situation it would be. You do not want to require that the supervisors shall be appointed by the President and that their appointment shall be confirmed by the Senate when there is no Senate sitting.

Mr. GILLETT. It will be sitting in March.

Mr. HELM. It is sitting now. It will be just as good business to appoint them and let the Senate confirm them now as it would be to follow out the suggestion of the gentleman from Massachusetts.

Mr. GILLETT. What month does the gentleman think they ought to be appointed in to begin the work in July?

Mr. HELM. What month?

Mr. GILLETT. Yes.

Mr. HELM. If the work begins July 1, I would say we ought to have the work going as soon after the 1st of July as possible, and begin certainly not later than July 1, 1919.

Mr. GILLETT. Of course, it would not do any harm if they were appointed two or three months before that and knew they were going to do the work.

Mr. HELM. I do not say it would do any harm, but it will not do any good.

Mr. ALEXANDER. I would like to ask the gentleman from Massachusetts if he has a special reason why they should be confirmed by the Senate?

Mr. GILLETT. Yes; and I propose to debate that.

Mr. ALEXANDER. I will say to the gentleman there was a committee on legislation for the Fourteenth decennial census appointed, composed of W. L. Austin (chairman), W. C. Hunt, Joseph A. Hill, C. S. Sloane, T. J. Fitzgerald, W. M. Steuart, and E. F. Hartley——

Mr. GILLETT. What page is the gentleman reading from?

Mr. ALEXANDER. From page 36. They are chiefs of division in the Census Bureau on whom the task was devolved of the determination and study of the law under which the thirteenth decennial census was taken and to suggest amendments to the law, and this is what they say referring to the manner in which the supervisors shall be selected:

> The section as amended provides that "the supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census." This change has been introduced mainly for the reason that the Senate in all probability will not be in session at the time when the appointment of supervisors must be made. The next census, if the law is amended in accordance with the recommendations of this committee, will be taken in January, 1920.

Mr. GILLETT. I do not find that on page 36.

Mr. ALEXANDER. I am reading from page 21 in reference to amendments to section 9.

> The present Congress will expire March 4, 1919, and the next Congress will normally not meet until December of that year. But the supervisors should be selected and commissioned between July 1, the date on which the bureau is organized on the decennial census basis, and October 1, or 90 days before the date of the census.

I call the attention of the gentleman to the fact that if he will refer to the hearings, beginning on page 9 to page 36, he will find a review of the old census law and the changes recommended by the committee whose names I have given.

Mr. HELM. Mr. Chairman, I reserve the remainder of my time.

Mr. WALSH. Will the gentleman yield for a question before he takes his seat?

Mr. HELM. With pleasure.

Mr. WALSH. If I understood the gentleman correctly, in distinguishing between taking the census of cattle, hogs, mules, live stock, and so forth, and the census of the people, the gentleman stated that it would not do any good to get the number of sheep, hogs, and mules of the country, because enumerating them would not add to the number in the country.

Mr. HELM. The gentleman did not get me right. That is the view of those who are opposed to taking the census of agriculture and who say in support of their contention that it adds nothing to the quantity of live stock to take a census of it; neither does it add anything to the number of people by taking an enumeration of the population. That was illustrative of the proposition.

Mr. WALSH. But that is not the purpose of the taking of the census of the population. The purpose of taking the census of the population is that an apportionment may be made; but you do not make any apportionment of live stock.

Mr. HELM. Of course, the gentleman understands that the Constitution, when he refers to the Constitution, states that that is the purpose of making the enumeration; but there are vast and innumerable uses to be made of the enumeration of the population. For instance, I do not suppose that the gentleman would be satisfied to live without knowing the population of Boston or some of the other portions of his State.

Mr. WALSH. We take a State census every five years in my State and pay for it out of the treasury of the Commonwealth.

Mr. HELM. And we are just as anxious to know the number of people that inhabit the little city in which we live, and we are all very much concerned. In fact, the difficulty has been to restrain and to prevent enterprising and ambitious——

Mr. WALSH. The desire for that knowledge down in the gentleman's section is very commendable, but some of the States take a census on their own account.

Mr. HELM. From their desire to know——

Mr. WALSH. No. In order to know that the elected officials represent a proper proportion in making up the various municipal and State districts. But in taking a census at this particular time of the number of cattle and other live stock in the country, while it might be valuable, I think it might well be deferred until conditions are more settled and that we might rely upon the investigations that have already been made by various other activities of the Government.

Mr. HELM. Well, if I may venture to express an opinion——

Mr. WALSH. The gentleman certainly may.

Mr. HELM. I would think the Quartermaster General of the Army, if he had a demand for so many million pounds of beef or so many million pounds of pork for the use of the Army, if the Army is up to 2,000,000 or 3,000,000 or 4,000,000 men, would certainly think it is of the very highest consequence.

Mr. WALSH. Certainly it is; and he would not wait until July, 1919, to find out about it.

Mr. HELM. The point in that is, that we do not know how long this war is going to last. I wish it was over now. I am somewhat inclined to fear that it may last through 1920, and longer. And if it does and our country is exhausted, as France now is in her resources and we want information in order to know whether we can support an Army of a given size or not and how much of supplies we can let England have and how much we can let France have, I take it that in 1920—this census is to begin on January 1—in 60 days we would know. I know that we are a "right-now" people. We want a thing right now. We want our work done just like we order our breakfast and our lunches and our dinners.

Mr. WALSH. We can find about all that now. We do not even have to wait 60 days. We just call up by telephone or go down and see Mr. Hoover, and he can tell us how much flour and how much wheat we are going to have, and how much meat there is, and how many meatless days; and if the Quartermaster General wants that information he ought to be able to secure it. How have they been able to get along so far without the census? The Quartermaster General has had to buy supplies for the Army.

Mr. HELM. You are better informed than they claim to be themselves.

Mr. WALSH. I am taking what the Official Bulletin says and what Mr. Hoover says in his official interviews with the press, and I know the gentleman has read them, because he follows closely all kinds of official information.

Mr. ALEXANDER. Does the gentleman from Massachusetts think we ought not to take a census of the agricultural resources of the country at all?

Mr. WALSH. I certainly do.

Mr. ALEXANDER. Assuming the war is to continue, could you imagine any time more important to do it than in time of war, when we are trying to conserve and utilize all our resources?

Mr. WALSH. Taking the census for the purpose of utilizing our resources for war purposes is one thing, and that is being done by the Department of Agriculture every year, but taking the decennial census, upon which to form estimates and base conclusions in the midst of a great war, is another proposition altogether.

Mr. ALEXANDER. The Secretary differs very much from the gentleman from Massachusetts.

If the gentleman will take and read the statement that the Secretary made before the committee, and is persuaded thereby as to the policy, he will agree with him that it is of the utmost importance to include a census of agriculture in the census of 1920.

Mr. WALSH. The Secretary of Agriculture made some very persuasive arguments before the committee, I will admit; but the Secretary of Agriculture is taking censuses or making investigation every year, and he has become an expert at that, and, of course, he can make a very persuasive argument to have somebody else do it.

Mr. ASWELL. Mr. Chairman, I want to say that the gentleman from Massachusetts is mistaken. The Department of Agriculture does not ever take a census. It bases its estimates upon the census taken by the Census Bureau.

Mr. WALSH. They do not call it a census. They call it a survey, but it amounts to practically the same thing.

Mr. HELM. They make a crop estimate.

Mr. WALSH. The figures are furnished by the men who raise the crops, just as when they take a census.

Mr. HELM. The gentleman never was worse mistaken in his life. As a general thing the gentleman from Massachusetts is reasonably accurate——

Mr. WALSH. I thank the gentleman——

Mr. HELM. But the suggestions that are made to him and the misinformation that men are passing to him lead him far afield. [Laughter.]

Mr. WALSH. Oh, well; the gentleman does not mean to deny that we make appropriations here every year for numerous field agents of the Department of Agriculture whose duty it is to travel throughout the country and make investigations and get statistics and information from the people who are growing the crops.

Mr. HELM. Let me set the gentleman right. The Department of Agriculture does have men in the field who report to the department as to the condition of the crops, the acreage, and so forth; but the men that I have in mind—and I am a countryman——

Mr. WALSH. One would never dream it. [Laughter.]

Mr. HELM. It shows on my face?

Mr. KEARNS. Or on the clothes. [Laughter.]

Mr. HELM. These men that the department has in the field simply ride through the country along the road; they look at a wheat field and they say, "There is 40 or 50 acres of wheat." They guess it will yield 10 or 15 or 20 bushels per acre. That is the kind of information that the Department of Agriculture gets, and it is my information that they do not pay those men anything for that service, and I am glad of it. It is just so many hundred thousand guesses, if they have a hundred thousand of them. That is the best you can make out of it. Every one of them is guessing, both as to quantity and area, and so on; and I submit it to these men who are present here who live in the rural districts if I am not correct.

Mr. WALSH. The only man from a rural district that I see is the gentleman from Milwaukee. [Laughter.]

Mr. HELM. These men who furnish the crop estimates are not paid a cent. I am not referring to those men who are sent out under Mr. Hoover. I refer to the men who make the crop estimates. I do not refer to the men who represent the ginners and make the ginners' reports.

Mr. WALSH. Well, they waste a good deal of valuable printer's ink and paper on guesses, if that is correct.

Mr. HELM. I knew that if the gentleman were given the right information his opinion would be correct.

Mr. WALSH. I do not think the gentleman is correct in his contention.

Mr. HELM. I think it will stand investigation.

Mr. WALSH. I think it is worthy of investigation.

Mr. HELM. I hope the gentleman will investigate it. He needs information.

Mr. COX. The gentleman may be right in what he says about men traveling over the country estimating that a field will produce so many bushels to the acre. Out in my country every county has a reporter. He gets no pay at all. I know a gentleman in my county who is a fertilizer agent and sells farming implements, who keeps a close eye on the amount of ground sown in wheat and oats and rye each year.

Mr. ROBBINS. One man can do it for a whole county?

Mr. COX. One man in each county can do that.

Mr. HELM. You see how unreliable it is to get information like that.

Mr. COX. That information is reliable. That county agent deals with farmers every day. He knows, and he makes his monthly reports to the Secretary of Agriculture.

Mr. WALSH. If he is on the pay roll, the same information becomes more valuable.

Mr. COX. He is not on the salary roll. He knows approximately how many bushels of wheat are grown in that county.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, and had come to no resolution thereon.

AMERICAN LEAGUE FOR THE PROTECTION OF PRISONERS IN GERMANY.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the American League for the Protection of Prisoners in Germany.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on the subject of the American League for the Protection of Prisoners in Germany. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. HELM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Saturday, June 22, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting supplemental estimate of appropriation for eight additional clerks in the office of the Auditor for the Interior Department for the fiscal year 1919 (H. Doc. No. 1184); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting tentative draft of a bill to amend article 57 of section 1342 of the Revised Statutes of the United States, as amended by the act making

appropriations for the support of the Army for the fiscal year ending June 30, 1917 (H. Doc. No. 1185); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund (H. Doc. No. 1186); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the bill (S. 4444) to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China, reported the same without amendment, accompanied by a report (No. 675), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CROSSER: A bill (H. R. 12533) to prevent extortion and to impose taxes upon excess profits in rents and for other purposes; to the Committee on Ways and Means.

By Mr. MOON: Joint resolution (H. J. Res. 307) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 12534) granting a pension to Huldah E. Hall; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 12535) granting an increase of pension to Gambo C. Villines; to the Committee on Pensions.

By Mr. FLOOD: A bill (H. R. 12536) granting a pension to Harriet E. Brown; to the Committee on Pensions.

By Mr. KELLEY of Michigan: A bill (H. R. 12537) granting an increase of pension to Lewis H. Van Antwerp; to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 12538) to correct the military record of Samuel D. Jarman; to the Committee on Military Affairs.

Also, a bill (H. R. 12539) granting a pension to Maude McDonald; to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 12540) granting a pension to Mary Waters Reeve; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petitions of members of the Methodist Protestant Church, of Westville; of citizens of Sewell, Mullica Hill, and Pitman; of citizens of West Collingswood, Haddon Heights, Thorofare, Wenonah, Audubon, Collingswood, Merchantville, Gloucester City, Haddonfield, and Atco, employees of a shipbuilding plant; of citizens of Swedsboro, Michkleton, Clarksboro, and Mount Royal; and of citizens of Salem, all in the State of New Jersey, urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. BYRNS of Tennessee: Papers accompanying bill granting an increased pension to Gambo C. Williams; to the Committee on Pensions.

By Mr. DILLON: Petition of sundry citizens of South Dakota, urging the passage of the Barkley prohibition bill; to the Committee on the Judiciary.

By Mr. ELSTON: Memorial of the L. H. Liscum Camp, United Spanish War Veterans, of Oakland, Cal., favoring S. 4444, granting pensions for widows of Spanish War veterans; to the Committee on Pensions.

By Mr. HAMILTON of New York: Petitions of the Woman's Christian Temperance Union of the city of Jamestown, and of sundry citizens of Dunkirk, N. Y., favoring the early passage of national war prohibition legislation; to the Committee on the Judiciary.

Also, a resolution adopted at a public meeting held in Portville, N. Y., favoring the adoption of the amendment to the Constitution prohibiting the practice of polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. KELLEY of Michigan: Petition of L. M. O'Dell and 88 other residents of Webberville, Mich., in favor of the Barkley war-time prohibition bill; to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of Lansing, Mich., in favor of prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: Petition of the Pittsburgh Chamber of Commerce, for immediate improvement of highways; to the Committee on Roads.

By Mr. SNELL: Petition of the men's Bible class, Presbyterian Church, Saranac Lake, N. Y., favoring the prohibition of the beverage-liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church, Saranac Lake, N. Y., favoring the prohibition of the beverage-liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

SATURDAY, *June 22, 1918.*

The House met at 12 o'clock noon.

The Rev. William Couden, of Washington, D. C., offered the following prayer:

Infinite and Holy One, at this mid-day hour we ask Thy forgiveness, the sense of Thy abiding presence, and Thy guidance and help. And we beseech Thee, O God of battles, of justice, and of peace, to be with us as a people; that we may accomplish Thy will in this era of strife, and that we may keep ever before us the cross and spirit of our Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the census bill.

Mr. WALSH. The gentleman had permission to extend his remarks yesterday.

Mr. ASWELL. And I extended my remarks.

The SPEAKER. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD on the census bill. Is there objection?

There was no objection.

RESTRICTING COAL SUPPLIES TO BREWERIES.

Mr. CRAMTON. Mr. Speaker, I desire to present a privileged motion. I move to discharge the Committee on Agriculture from the further consideration of House resolution 394.

The SPEAKER. How does it become privileged?

Mr. CRAMTON. It is a resolution of inquiry which has been before the committee for the proper length of time.

Mr. FOSTER. Let us hear the resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 394.

Resolved, That the President be requested to report to the House of Representatives, if not incompatible with the public interest, whether any order has been issued by the United States Fuel Administration restricting the supply of coal to persons, partnerships, associations, or corporations engaged in the manufacture of brewed, malt, fermented, or other intoxicating liquors, and if so, to what extent.

Mr. GARNER. Mr. Speaker, has the gentleman unanimous consent to consider the resolution?

The SPEAKER. He does not have to have unanimous consent; it is made privileged from the fact that the committee did not report it back at the end of seven days.

Mr. GARNER. What committee was it referred to?

The SPEAKER. The Committee on Agriculture.

Mr. CRAMTON. Mr. Speaker, I think this is a resolution that no one has any objection to.

Mr. STAFFORD. Mr. Speaker, as to whether this is a privileged resolution or not it is merely based on conjecture.

The SPEAKER. Does the gentleman from Wisconsin wish to make a point of order?

Mr. STAFFORD. I do.

The SPEAKER. The Chair overrules it. The question is on the resolution.

Mr. CRAMTON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. The question is on the discharge of the committee, is it not?

The SPEAKER. On discharging the committee and agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were 20 ayes and 17 noes.

Mr. GARNER. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the resolution be again reported.

Without objection, the Clerk again reported the resolution.

The question was taken; and there were—yeas 205, nays 47, answered "present" 2, not voting 176, as follows:

YEAS—205.

Alexander	Elston	Lobeck	Sisson
Almon	Esch	London	Slemp
Anderson	Evans	Lonergan	Sloan
Anthony	Fairchild, B. L.	Lufkin	Smith, Idaho
Ashbrook	Fairfield	McArthur	Smith, Mich.
Ayres	Farr	McClintic	Smith, C. B.
Bankhead	Ferris	McCulloch	Snell
Barkley	Fields	McFadden	Snook
Barnhart	Fisher	McKenzie	Steagall
Beakes	Foster	McKeown	Stedman
Bell	Frear	McKinley	Steenerson
Bland	French	McLaughlin, Mich.	Stephens, Miss.
Blanton	Gandy	Magee	Stephens, Nebr.
Borland	Garrett, Tex.	Mapes	Sterling, Ill.
Brand	Gillett	Mays	Stevenson
Browne	Glynn	Miller, Minn.	Stiness
Burnett	Godwin, N. C.	Miller, Wash.	Strong
Burroughs	Good	Mondell	Sweet
Butler	Graham, Ill.	Morgan	Taylor, Ark.
Byrnes, S. C.	Gray, Ala.	Mott	Taylor, Colo.
Byrns, Tenn.	Green, Iowa	Nicholls, S. C.	Thomas
Campbell, Kans.	Hadley	Nichols, Mich.	Thompson
Candler, Miss.	Hamilton, Mich.	Oldfield	Tillman
Caraway	Hamlin	Osborne	Timberlake
Carter, Okla.	Hastings	Overstreet	Towner
Chandler, Okla.	Haugen	Park	Venable
Clark, Fla.	Hawley	Parker, N. Y.	Vestal
Clark, Pa.	Hayden	Peters	Vinson
Classon	Heflin	Platt	Volstead
Collier	Helvering	Polk	Waldow
Connally, Tex.	Hersey	Purnell	Walsh
Connelly, Kans.	Holland	Quin	Wason
Cooper, W. Va.	Ireland	Ragsdale	Watkins
Cooper, Wis.	Jacoway	Raker	Webb
Copley	Johnson, Ky.	Ramseyer	Welling
Cox	Jones	Randall	Welty
Cramton	Kearns	Rankin	Whaley
Crisp	Keating	Reavis	Wheeler
Currie, Mich.	Kelly, Pa.	Reed	White, Me.
Dale, Vt.	Kennedy, Iowa	Robbins	White, Ohio
Dempsey	Kettner	Rogers	Wingo
Denison	Key, Ohio	Romjue	Wise
Dent	Kincheloe	Rose	Wood, Ind.
Denton	King	Rubey	Woods, Iowa
Dickinson	Kinkaid	Rucker	Woodyard
Dill	La Follette	Sanford	Wright
Dominick	Langley	Saunders, Va.	Young, N. Dak.
Doolittle	Larsen	Scott, Mich.	Young, Tex.
Doughton	Lee, Ga.	Sears	Zihlman
Dowell	Lever	Sells	
Elliott	Linthicum	Shallenberger	
Ellsworth	Little	Sinnott	

NAYS—47.

Aswell	Flood	Lea, Cal.	Rodenberg
Blackmon	Gallagher	Lesher	Scott, Iowa
Buchanan	Garner	Mansfield	Sherley
Caldwell	Garrett, Tenn.	Martin	Slayden
Campbell, Pa.	Gordon	Moores, Ind.	Small
Cannon	Hardy	Oliver, N. Y.	Snyder
Cantrill	Helm	Overmyer	Stafford
Cary	Huddleston	Parker, N. J.	Tague
Chandler, N. Y.	Hull, Iowa	Pou	Van Dyke
Claypool	Humphreys	Rainey, J. W.	Wilson, La.
Crosser	Igoe	Ramsey	Wilson, Tex.
Eagle	Lazaro	Rayburn	

ANSWERED "PRESENT"—2.

Booher Moon

NOT VOTING—176.

Austin	Dallinger	Estopinal	Greene, Vt.
Bacharach	Darrow	Fairchild, G. W.	Gregg
Baer	Davidson	Fess	Griest
Beshlin	Davis	Flynn	Griffin
Black	Decker	Focht	Hamill
Bowers	Delaney	Fordney	Hamilton, N. Y.
Britten	Dewalt	Foss	Harrison, Miss.
Brodbeck	Dies	Francis	Harrison, Va.
Browning	Dillon	Freeman	Haskell
Brumbaugh	Dixon	Fuller, Ill.	Hayes
Carew	Donovan	Fuller, Mass.	Heaton
Carlin	Dooling	Gallivan	Heintz
Carter, Mass.	Doremus	Gard	Hensley
Church	Drane	Garland	Hicks
Cleary	Drukker	Glass	Hilliard
Coady	Dunn	Goodall	Hollingsworth
Cooper, Ohio	Dupré	Goodwin, Ark.	Hood
Costello	Dyer	Gould	Houston
Crago	Eagan	Graham, Pa.	Howard
Curry, Cal.	Edmonds	Gray, N. J.	Hull, Tenn.
Dale, N. Y.	Emerson	Greene, Mass.	Husted
Hutchinson	McLemore	Pratt	Steele
James	Madden	Price	Sterling, Pa.
Johnson, S. Dak.	Maher	Rainey, H. T.	Sullivan
Johnson, Wash.	Mann	Riordan	Sumners
Juul	Mason	Roberts	Swift
Kahn	Mecker	Robinson	Switzer
Kehoe	Merritt	Rouse	Talbott
Kelley, Mich.	Montague	Rowe	Temple
Kennedy, R. I.	Moore, Pa.	Rowland	Templeton
Kiess, Pa.	Morin	Russell	Tilson
Kitchin	Mudd	Sabath	Tinkham
Knutson	Neely	Sanders, Ind.	Treadway
Kraus	Nelson	Sanders, La.	Vare
Kreider	Nolan	Sanders, N. Y.	Voigt
LaGuardia	Norton	Schall	Walker
Lehlbach	Oliver, Ala.	Scott, Pa.	Walton
Littlepage	Olney	Scully	Ward
Longworth	O'Shaunessy	Shackleford	Watson, Pa.
Lundeen	Padgett	Sherwood	Watson, Va.
Lunn	Paige	Shouse	Weaver
McAndrews	Phelan	Siegel	Williams
McCormick	Porter	Sims	Wilson, Ill.
McLaughlin, Pa.	Powers	Smith, T. F.	Winslow

So the motion to discharge the committee and pass the resolution was agreed to.

The Clerk announced the following pairs:

On the vote:

Mr. GOODALL (for) with Mr. DUPRÉ (against).

Mr. SHOUSE (for) with Mr. TINKHAM (against).

Until further notice:

Mr. SANDERS of Louisiana with Mr. GEORGE W. FAIRCHILD.

Mr. RUSSELL with Mr. WINSLOW.

Mr. BOOHER with Mr. TREADWAY.

Mr. OLNEY with Mr. HICKS.

Mr. SCULLY with Mr. PORTER.

Mr. KEHOE with Mr. DAVIS.

Mr. SHERWOOD with Mr. DUNN.

Mr. ROBINSON with Mr. HEATON.

Mr. GREGG with Mr. WARD.

Mr. ESTOPINAL with Mr. HUSTED.

Mr. HOOD with Mr. FOSS.

Mr. WATSON of Virginia with Mr. CURRY of California.

Mr. BESHLIN with Mr. CARTER of Massachusetts.

Mr. HOWARD with Mr. GRIEST.

Mr. HUSTON with Mr. DRUKKER.

Mr. SUMNERS with Mr. GRAHAM of Pennsylvania.

Br. BLACK with Mr. AUSTIN.

Mr. CAREW with Mr. BACHARACH.

Mr. CHURCH with Mr. BOWERS.

Mr. BRODBECK with Mr. COSTELLO.

Mr. TALBOTT with Mr. BROWNING.

Mr. CARLIN with Mr. BRITTEN.

Mr. BRUMBAUGH with Mr. COOPER of Ohio.

Mr. COADY with Mr. DALLINGER.

Mr. DECKER with Mr. EDMONDS.

Mr. DEWALT with Mr. CRAGO.

Mr. CLEARY with Mr. SWIFT.

Mr. DIES with Mr. FOCHT.

Mr. FLYNN with Mr. DYER.

Mr. DALE of New York with Mr. FRANCIS.

Mr. GOODWIN of Arkansas with Mr. FULLER of Illinois.

Mr. GLASS with Mr. DARROW.

Mr. GARD with Mr. EMERSON.

Mr. DELANEY with Mr. GRAY of New Jersey.

Mr. GALLIVAN with Mr. TEMPLE.

Mr. DOOLING with Mr. SANDERS of New York.

Mr. GRIFFIN with Mr. SWITZER.

Mr. DIXON with Mr. FORDNEY.

Mr. HARRISON of Mississippi with Mr. HAYES.

Mr. DONOVAN with Mr. GOULD.

Mr. HAMILL with Mr. GREENE of Vermont.

Mr. HULL of Tennessee with Mr. HASKELL.

Mr. DOREMUS with Mr. FESS.

Mr. LITTLEPAGE with Mr. GARLAND.

Mr. HARRISON of Virginia with Mr HUTCHINSON.

Mr. DRANE with Mr. FREEMAN.

Mr. HILLIARD with Mr. SIEGEL.

Mr. EAGAN with Mr. GREENE of Massachusetts.

Mr. HENSLEY with Mr. HOLLINGSWORTH.

Mr. WALKER with Mr. SANDERS of Indiana.

Mr. MCLEMORE with Mr. LONGWORTH.

Mr. KITCHIN with Mr. MANN.

Mr. NEELY with Mr. KELLY of Michigan.

Mr. SHACKLEFORD with Mr. TILSON.

Mr. HENRY T. RAINEY with Mr. JUUL.

Mr. MCANDREWS with Mr. KAHN.

Mr. RIORDAN with Mr. MEEKER.

Mr. PHELAN with Mr. WILLIAMS

Mr. SABATH with Mr. KNUTSON.

Mr. THOMAS F. SMITH with Mr. WATSON of Pennsylvania.

Mr. LUNN with Mr. KENNEDY of Rhode Island.
Mr. PADGETT with Mr. MUDD.
Mr. MONTAGUE with Mr. MADDEN.
Mr. STEELE with Mr. KEISS of Pennsylvania.
Mr. MAHER with Mr. PRATT.
Mr. OLIVER of Alabama with Mr. MOORE of Pennsylvania.
Mr. STERLING of Pennsylvania with Mr. KREIDER.
Mr. ROUSE with Mr. NOLAN.
Mr. SULLIVAN with Mr. MORIN.
Mr. PRICE with Mr. LEHLBACH.
Mr. WALTON with Mr. WILSON of Illinois.
Mr. O'SHAUNESSY with Mr. MASON.
Mr. SCHALL with Mr. ROBERTS.
Mr. RUSSELL with Mr. NORTON.
Mr. SIMS with Mr. ROWE.
Mr. WEAVER with Mr. VARE.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. CRAMTON, a motion to reconsider the vote by which the resolution was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SLAYDEN, indefinitely, on account of business; and

To Mr. MCLEMORE, for the balance of the day, on account of illness.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication from the Attorney General in response to House resolution 377, of June 5, 1917, which was read, ordered printed, and for the present ordered to lie on the Speaker's table.

Under a previous order of the House it is printed in the RECORD:

DEPARTMENT OF JUSTICE,
Washington, D. C., June 19, 1918.

Hon. SOUTH TRIMBLE,
Clerk, House of Representatives,
Washington, D. C.

SIR: In compliance with House resolution 377, there is herewith transmitted a list of 102 men who were between the ages of 21 and 31 on June 5, 1917, for whom requests for exemption from military duty or deferred classification have been asked by this department and allowed. Following the name of each man is his home address, the character of work in which he is engaged, and the date of his appointment.

Respectfully,

SAMUEL J. GRAHAM,
Assistant Attorney General
(For the Attorney General).

Persons in the service of the Department of Justice for whom requests for exemption from military duty or deferred classification have been made by that department and allowed, etc.

Name.	Residence.	Date of appointment.	Character of work performed.
Adelman, L. J	Des Moines, Iowa	Oct. 1,1911	Deputy clerk, United States district court, southern district of Iowa.
Blanchard, F. A	Albany, N. Y	July 16,1917	Local officer, Bureau of Investigation.
Byrn, E. W., jr	Butte, Mont	Jan. 6,1913	Special agent, Bureau of Investigation.
Borchardt, Marcus	New York, N. Y	Feb. 7,1917	Field agent, Bureau of Investigation.
Barkey, A. L	Buffalo, N. Y	Aug. 5,1913	Special agent, Bureau of Investigation.
Busey, G. C	Kansas City, Mo	Feb. 16,1917	Field agent, Bureau of Investigation
Brecher, Carl	New York, N. Y	Jan 14,1913	Clerk, office United States attorney, southern district of New York.
Buchner, C. J	Brooklyn, N. Y	Sept. 24,1917	Special assistant United States attorney, eastern district of New York.
Cotton, F. R	Knoxville, Tenn	Oct. 1,1917	Special agent, Bureau of Investigation.
Crockwell, J. W	Massachusetts	Apr. 4,1916	Field agent, Bureau of Investigation.
Diaz, M. H	Texas	Feb. 19,1917	Special agent, Bureau of Investigation.
De Aguero, Manuel	Washington, D. C	do	Do.
Dolley, H. H	San Francisco, Cal	Sept. 1,1917	Field agent, Bureau of Investigation.
Daniel, Todd	Philadelphia, Pa	Jan. 23,1908	Special agent, Bureau of Investigation.
Drautzburg, W. J	Chicago, Ill	May 26,1917	Field agent, Bureau of Investigation.
Devlin, A. J	Cincinnati, Ohio	Mar. 7,1914	Do.
Dawson, K. R	Norfolk, Va	Dec. 6,1917	Do.
Elliott, J. E	Washington, D. C	Nov. 14,1917	Do.
Ferkin, Louis	Brooklyn, N. Y	Feb. 5,1917	Clerk, office United States attorney, southern district of New York.
Fonville, N. G	Raleigh, N. C	Dec. 1,1915	Deputy United States marshal, eastern district of North Carolina.
Grunewald, H. W	New York, N. Y	Apr. 4,1917	Field agent, Bureau of Investigation.
Gershon, D. L	California	Feb. 8,1916	Special agent, Bureau of Investigation.

Persons in the service of the Department of Justice for whom requests for exemption from military duty or deferred classification have been made by that department and allowed, etc.—Continued.

Name.	Residence.	Date of appointment.	Character of work performed.
Gordon, Henry H	Minnesota	Dec. 18,1917	Field agent, Bureau of Investigation.
Grimes, W. W	New Haven, Conn.	May 29,1917	Special agent, Bureau of Investigation.
Goldstein, B. H	Portland, Oreg	May 1,1916	Assistant United States attorney, district of Oregon.
Henry, L. H	Texas	Aug. 2,1917	Local officer, Bureau of Investigation.
Heyser, S	Wichita Falls, Tex.	Jan. 30,1914	Do.
Huston, R. M	Ohio	July 7,1916	Field agent, Bureau of Investigation.
Howe, T. J	Chicago, Ill	Oct. 9,1917	Do.
Hayes, A. E	Charleston, W. Va	Dec. 6,1917	Special agent, Bureau of Investigation.
Hanni, Werner	Omaha, Nebr	June 23,1916	Field agent, Bureau of Investigation.
Howick, Tom	Seattle, Wash	Aug. 1,1915	Special agent, Bureau of Investigation.
Hanley, W. M., jr	Chicago, Ill	Dec. 23,1914	Deputy United States marshal, northern district of Illinois.
Horn, Henry	New York, N. Y	Dec. 16,1911	Clerk, office United States attorney, southern district of New York.
Horan, P. D	Bluefield, W. Va	Jan. 1,1917	Deputy clerk, United States district court, southern district of West Virginia.
Judge, R. S	Pittsburgh, Pa	Aug. 22,1913	Special agent, Bureau of Investigation.
Janson, N. J. E	Massachusetts	Jan. 21,1918	Field agent, Bureau of Investigation.
Keepers, F. I	New York	Jan. 20,1900	Do.
Kropidlowski, J. F	New York, N. Y	July 2,1914	Do.
Kilbourne, C. H	Detroit, Mich	Jan. 1,1918	Stenographer and librarian to United States district judge.
Kieffner, G. E	Baltimore, Md	July 2,1917	Assistant United States attorney, district of Maryland.
Laraway, W. M	Albany, N. Y	July 25,1917	Local officer, Bureau of Investigation.
Laws, B. J	Washington, D. C	Nov. 25,1911	Special assistant to United States attorney, District of Columbia.
Leahy, W. E	do	Nov. 19,1915	Assistant United States attorney, District of Columbia.
Lekowitz, H	Phoenix, Ariz	Jan. 5,1918	Assistant and clerk to United States attorney, Arizona.
McMillan, C. P	Pensacola, Fla	Dec. 1,1915	Deputy United States marshal, northern district of Florida.
Matthews, B. A	New York, N. Y	May 1,1914	Assistant United States attorney, southern district of New York.
McNealy, E. W	Portland, Me	July 1,1917	Deputy United States marshal, district of Maine.
McCabe, P. A	Brooklyn, N. Y	Nov. 3,1917	Special assistant United States attorney, eastern district of New York.
Moore, G. F	Benson, N. C	Oct. 1,1914	Deputy United States marshal, eastern district of North Carolina.
Morse, Wayne	Des Moines, Iowa	Mar. 24,1911	Deputy United States marshal, southern district of Iowa.
Maguire, J. M	Washington, D. C	Nov. 26,1917	Special agent, Bureau of Alien Enemies.
McFall, C. R	Tucson, Ariz	Sept. 1,1917	Assistant United States attorney, Arizona.
McGovern, J. F	Minnesota	May 8,1917	Field agent, Bureau of Investigation.
Murphy, J. B	New Orleans, La	Apr. 2,1917	Do.
Mulholland, D. S	Michigan	Mar. 26,1917	Special agent, Bureau of Investigation.
Marshall, T. S	Roanoke, Va	Jan. 25,1912	Do.
McLaughlin, J. J	St. Louis, Mo	Oct. 15,1913	Field agent, Bureau of Investigation.
McGee, T. J	Brooklyn, N. Y	Oct. 25,1911	Do.
Menefee, J. S	Ohio	Sept. 5,1913	Do.
Magele, E. J	Philadelphia, Pa	Oct. 9,1917	Do.
Neunhoffer, Wm	Texas	Mar. 1,1918	Do.
Needham, E. T	do	do	Do.
Neunhoffer, Albert	do	do	Do.
Pope, W. L	San Juan, P. R	June 15,1915	Chief deputy United States marshal, district of Porto Rico.
Pannel, S. L	Cleveland, Ohio	Mar. 30,1917	Field agent, Bureau of Investigation.
Pickford, R. H	Kansas City, Mo	Apr. 28,1917	Do.
Pinckney, S. L	Atlanta, Ga	Jan. 24,1915	Do.
Polen, Joe	Richmond, Va	Feb. 4,1915	Special agent, Bureau of Investigation.
Proctor, David	Jerome, Ariz	May 24,1917	Do.
Quinlan, T. W	Springfield, Ill	Feb. 21,1913	Local officer, Bureau of Investigation.
Reese, H. F., jr	Selma, Ala	June 29,1916	United States commissioner.
Rothschild, I. G	Brooklyn, N. Y	May 9,1917	Deputy United States marshal, eastern district of New York.

Persons in the service of the Department of Justice for whom requests for exemption from military duty or deferred classification have been made by that department and allowed, etc.—Continued.

Name.	Residence.	Date of appointment.	Character of work performed.
Reuter, E. P.	New Orleans, La.	Oct. 16, 1914	Deputy United States marshal, eastern district of Louisiana.
Ramos, Diego E.	Texas.	Apr. 17, 1917	Bureau of Investigation.
Ramsey, R. D.	Washington, D. C.	Nov. 5, 1914	Assistant to chief, Bureau of Investigation.
Reed, B. L.	San Antonio, Tex.	Nov. 22, 1917	Field agent, Bureau of Investigation.
Rodau, A. L.	New Mexico	Apr. 1, 1918	Do.
Smith, E. L.	Los Angeles, Cal.	Apr. 5, 1915	Deputy United States marshal, southern district of California.
Smith, J. C.	Birmingham, Ala.	Jan. 15, 1916	Clerk to United States attorney, northern district of Alabama.
Smith, M. C.	Tennessee.	Nov. 14, 1917	Secretary to Assistant Attorney General Graham.
Salee, J. H.	Covington, Ky.	Oct. 1, 1916	Secretary to United States Circuit Judge Warrington.
Storey, C. M.	Washington, D. C.	Oct. 15, 1915	Attorney, Bureau of Alien Enemies, Department of Justice.
Saxon, O. G.	do.	Sept. 8, 1917	Special agent, Bureau of Alien Enemies, Department of Justice.
Sausele, W. C.	St. Louis, Mo.	Jan. 1, 1918	Field agent, Bureau of Investigation.
Schaumburger, Max	New Orleans, La.	May 19, 1917	Do.
Sherwood, A. P.	Des Moines, Iowa.	Apr. 6, 1917	Special agent, Bureau of Investigation.
Solanas, Joe.	San Antonio, Tex.	Sept. 20, 1916	Field agent, Bureau of Investigation.
Stillson, Wheaton.	New Orleans, La.	Oct. 18, 1917	Do.
Swanson, C. N.	Minnesota.	Sept. 17, 1917	Do.
Swift, E. E.	Beaumont, Tex.	Mar. 1, 1918	Special employee, Bureau of Investigation.
Toland, A. W.	Omaha, Nebr.	Mar. 9, 1917	Bureau of Investigation.
Treadwell, W. G.	San Antonio, Tex.	Aug. 13, 1915	Field agent, Bureau of Investigation.
Turnstall, E. S.	Mobile, Ala.	Aug. 1, 1916	Deputy United States marshal, southern district of Alabama.
Traub, M. D.	New York, N. Y.	Jan. 2, 1913	Field agent, Bureau of Investigation.
Tormey, J. C.	Syracuse, N. Y.	June 6, 1917	Special agent, Bureau of Investigation.
Ward, Albert.	Washington, D. C.	Nov. 14, 1914	Law clerk and secretary to Assistant Attorney General Brown.
Wilkes, C. W.	Nashville, Tenn.	Jan. 1, 1915	Clerk to United States attorney, middle Tennessee (now in Bureau of Investigation).
Wortche, Henry.	Baltimore, Md.	July 10, 1909	Deputy clerk, United States District Court, Maryland.
Wiseman, W. A.	San Antonio, Tex.	Mar. 18, 1918	Field agent, Bureau of Investigation.
Weyand, F. J.	Boston, Mass.	Feb. 1, 1918	Do.
Webster, F. P.	Los Angeles, Cal.	Feb. 13, 1914	Do.

RENT PROFITEERING IN THE DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, on what subject?

Mr. JOHNSON of Kentucky. Relative to a newspaper article which appeared the other day concerning myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Kentucky. Mr. Speaker, on the 20th instant there appeared in the Washington Times an article which evidently emanated from the Senate conferees on the antiprofiteering rent bill, which article is as follows:

[Washington Times, June 20, 1918.]

BEN JOHNSON MAY BE BARRED FROM FLOOR OF SENATE.

Because Chairman JOHNSON, of the House District Committee, in a recent speech in the House charged that the Pomerene antiprofiteering bill was written in the interests of the real estate people of the District the Senate District Committee this afternoon is considering whether the committee will refuse to hold a conference on the bill if Mr. JOHNSON remains a member of the conference. Another course which some of the members of the committee have suggested is to bring the matter up on the floor of the Senate and exclude Mr. JOHNSON from the privilege of entering the Senate Chamber.

Members of the committee said this afternoon that the statements of Mr. JOHNSON were so unwarranted that they would be justified in taking drastic action. At the same time they were hampered by the fact that any action against Mr. Johnson would result in the failure of antiprofiteering legislation at this session and that this legislation was imperatively needed.

After the House conferees were appointed I addressed the following letter to each one of the Senate conferees:

JUNE 19, 1918.

DEAR SIR: I write to advise you that on the 14th instant the House agreed to the request made by the Senate for a conference on H. R. 9248, the antiprofiteering rent bill, and that Messrs. CROSSER, of Ohio; CARY, of Wisconsin; and myself were appointed conferees on the part of the House. And, further, to advise you that we will meet the Senate conferees at such time and place that will be most agreeable to the Senate conferees.

In order to facilitate matters I am inviting the attention of each of the Senate conferees to some of the more important questions of difference which will arise in conference by sending in advance a list of questions inquiring as to the attitude of the Senate conferees concerning each. The questions mentioned are herewith inclosed.

Very truly, yours,

BEN JOHNSON.

In order that the House may be fully advised as to the whole matter, I will read the questions submitted to the Senate conferees.

The questions are as follows:

1. Are you unalterable in your purpose to create a rent administrator?

2. If so, are you unalterable in your purpose not to intrust the work with anyone unless he be a resident of the District of Columbia?

3. Are you unalterable in your purpose not to permit the President to select a rent administrator for the District of Columbia just as he selected a Food Administrator and Fuel Administrator, i. e., without your consent and approval?

4. Are you unalterable in your seeming purpose to permit profiteering in house rents by imposing a fine less than the amount of the profiteering; or, will you accept some plan like that recently suggested by the President in his message to Congress whereby all the money taken in a profiteering transaction shall be surrendered?

5. Are you unalterable in your adherence to that part of the Senate bill which would compel the tenant to leave his work as often and as long as it would be necessary for him to leave it in order to prosecute or defend the several appeals allowed?

6. Are you unalterable in your purpose not to fix a gross return to the landlord, but, instead, to give him a "net" return, notwithstanding the fact that thereby the landlord would have no interest whatever in keeping down the operating expenses of the premises?

7. Are you unalterable in your purpose to saddle upon the tenant the cost of permanent street and similar improvements to the real estate alone, notwithstanding the fact that the erstwhile tenant enjoys the building alone?

8. Are you unalterable in your purpose to compel the tenant to account for "vacancies" in the house and "depreciation" of the house; and not allow him to offset that by the growing increase in the value of the land upon which the house stands?

9. Are you unalterable in your purpose to permit a landlord to profiteer with a "business" house because it may once have been used as a residence?

10. Are you unalterable in your purpose to fasten the present annual rates of rental on the tenant by fixing the rates in effect on the 1st day of last October as a basis?

11. Are you unalterable in your purpose that the rental for furniture shall be as much as 30 per cent of its value?

12. Are you unalterable in your seeming purpose not to punish profiteering corporations to the same extent that you would individuals who profiteer?

13. Are you unalterable in your seeming purpose to exempt "the original landlord" from all the provisions of the bill by your definition of "landlord"?

14. If you are unalterable in your seeming purpose to adhere to the remedy of "fine" instead of that of "taxation," as set out in the bill passed by the House, would you be in favor of having a fine levied on all those who violate any provision of the act, or would you insist upon limiting it to those only who "evade or attempt to evade its provisions"?

Then after seeing the newspaper article just referred to I addressed to each of the conferees the following letter:

JUNE 21, 1918.

To the Senate conferees on House bill 9248, the antiprofiteering rent bill, Washington, D. C.

GENTLEMEN: The Washington newspapers of yesterday contained the statement that at least some of the Senate conferees on the antiprofiteering rent bill contemplate having me denied the privileges of the Senate floor because of the criticism made by me of the Senate amendment which has come to be known as the "Pomerene bill."

I do not care a continental about that; run along and get through with it, and then permit the Senate to vote on a measure that will prevent the profiteers from driving nearly a thousand war workers out of Washington every week. I am not interested in the least in your undertaking to deny me the privileges of the Senate Chamber, but I am deeply concerned for the war worker who is being robbed and then sent out of Washington, and because of which our boys in France must suffer.

The newspaper articles referred to state also that at least some of the Senate conferees may decline to go into conference because I am one of the House conferees. May I not suggest that by such a course, either intentionally or unintentionally, you play right into the hands of the profiteers, as delay in the passage of a good bill is what they seek?

May I not also suggest that your skins should be thicker or your bill better?

[Laughter and applause.]

I not only invite the severest criticism of all my official acts, but I am quite anxious, indeed, to have the acid test applied to my endeavors in this particular matter, and you will not only not offend me but you will do me a favor by wading into both me and it without gloves; since I, and not the landlords, am its author.

This is not a time for "senatorial dignity," but one for action. Rearing back on your "pastern joints" don't get the oppressed tenants anything. I do not intend to permit your attitude toward me, because of my criticism of your "rotten" bill, to in the least deter me in my efforts to prevent the profiteer from fattening off of our country's needs.

Your amendment—the Pomerene bill—had to be criticized, "senatorial dignity" to the contrary notwithstanding.

My contempt for such of you as may resort to pretext to evade full responsibility for not giving our war workers protection from the miserable profiteers is just as great as yours may be for me; but, as I said, that shall not stop me from following my plain duty in the premises.

Let us get to work on the bill, and then you can have your revenge on me to your hearts' content. You have my full consent to deny me the privileges of the Senate Chamber, or even to take your spite out of my hide, if you will only go ahead and let the Senate vote on a good bill instead of a subterfuge.

While I am sending this letter to each of the conferees, it is really intended for those only who are responsible for the article in yesterday afternoon's local newspapers.

Very truly, yours, BEN JOHNSON.

I take it for granted that the thought of "ousting" me from the Senate Chamber is the result of a close association with those who have been "ousting" the Government workers from houses in the District of Columbia. [Applause and laughter.]

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) making provision for the Fourteenth and subsequent decennial censuses. Pending that motion, I would like to come to some agreement with the gentleman from Michigan [Mr. NICHOLS] as to a limitation on the time for general debate.

The SPEAKER. Has the gentleman any suggestion to make?

Mr. HELM. Mr. Speaker, I suggest that general debate be limited to two hours on a side, and inasmuch as one hour was consumed by me yesterday, that the gentleman from Michigan be allowed two hours, and that one hour be controlled by myself.

Mr. NICHOLS of Michigan. That is satisfactory, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that further general debate on this bill shall be limited to three hours—one hour to be controlled by himself and two hours by the gentleman from Michigan. Is there objection?

Mr. LONDON. Mr. Speaker, reserving the right to object, I have intended for some time to ask unanimous consent to address the House on a subject not connected with the bill. I did not get a chance to speak to the gentleman in charge of the bill, and I would like to have 20 minutes from either side or both sides.

Mr. HELM. I further make the request that all debate be confined to the bill under consideration.

Mr. WALSH. I shall object to that.

The SPEAKER. The gentleman from New York [Mr. LONDON] wants 20 minutes out of that time. Can the gentleman from Kentucky and the gentleman from Michigan give him 20 minutes?

Mr. GILLETT. Mr. Speaker, I understand the gentleman from New York does not wish to discuss the bill——

Mr. LONDON. No.

Mr. GILLETT. The gentleman from Kentucky desires that debate shall be limited to the bill which we are considering.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the remaining general debate on this bill be limited to three hours, two hours to be controlled by the gentleman from Michigan [Mr. NICHOLS] and one hour by himself, and that debate be confined to the bill itself. Is there objection?

Mr. WALSH. I object to that provision confining debate to the bill itself.

The SPEAKER. The gentleman objects to that clause. Is there objection to the rest of the request?

Mr. HELM. I withdraw the portion of the request limiting debate to the bill.

Mr. HASTINGS. Mr. Speaker, I have no objection to the gentleman from New York having 20 minutes, but I think that debate on the rest of it ought to be confined to the bill, and therefore I object.

The SPEAKER. The gentleman objects. The question is on the motion to go into the Committee of the Whole.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield 45 minutes to the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I greatly regret that in these busy hours, when we are engaged in great matters of state for the proper conduct of a world-wide war, and this House, weary with the many duties of a long session, is seeking for a little respite and recess from the hot summer months, that great war measures demanding our prompt attention should be pushed aside and disregarded, and it should have been thought necessary that this delay should come at this time in legislation and that this House should spend its time for many days in the discussion of an absurd, useless, and political piece of legislation.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. HERSEY. Mr. Chairman, I decline to yield until I get my feet placed. [Laughter.]

It may seem strange in this war Congress, where "politics is adjourned," that a new member of the minority party and a member of the minority on a committee should have the temerity to make a minority report on a partisan bill. I do so that my position may be made so plain that I may not be accused of disloyalty to the administration. This bill is not only absurd and useless, but if enacted into law in its present form it will be the most vicious piece of legislation ever placed upon the statute books of this Nation.

When I received appointment as a member of the Committee on the Census I at once acquainted myself with its duties, and I found out very quickly that there was nothing to do for the reason that we had a permanent census law, enacted July 2, 1909, providing for the thirteenth and all subsequent decennial censuses, and I could not see why any new legislation was necessary; but at the commencement of this Congress the majority named a Census Committee, composed of the chairman, the gentleman from Kentucky [Mr. HELM], the gentleman from Tennessee [Mr. HOUSTON], the gentleman from Louisiana [Mr. ASWELL], the gentleman from Missouri [Mr. ALEXANDER], the gentleman from North Carolina [Mr. HOOD], the gentleman from Texas [Mr. EAGLE], and the gentleman from Georgia [Mr. LARSEN], with one lone Democrat from the North, the gentleman from Minnesota [Mr. VAN DYKE]. It was understood at the commencement of this war Congress that nothing but war measures should engage our attention, and that those committees that would of necessity have no work should not be organized or appoint a clerk, that thereby a saving might be made in Government expenses. Very early in the session the gentleman from New York [Mr. SANFORD] made a very commendable and earnest attempt to induce a spirit of economy in legislation, that we should devote ourselves only to war measures, and that the work of useless committees should be abolished, together with the expense of useless secretaries and clerks to such committees. I was surprised that he did not receive any support from the administration; but I was much more surprised, right after this fight of Mr. SANFORD'S, when the Committee on the Census was called together, organized, and a clerk appointed for that committee who could draw down some $2,000 a year. I did not object to this for the reason that other useless committees had had the same thing, and as it had become a custom, the custom would now soon become the law. I was still further surprised when this committee was again called together to hold extended hearings upon a bill to repeal the existing law providing for the next census. We commenced hearings on this bill February 20 last, which hearings continued up to April 10, all printed in a document of over 260 pages.

The only explanation for this bill, I think, is one that I might make plain by an illustration. Some years ago in the legislature of my State a chairman of one of these useless committees, with nothing to do, organized his committee, and after that he must have some work for his committee to justify its existence, so he presented a bill of no consequence, and after a hearing it was reported favorably from his committee. When it came before the house it was very apparent that it had no chance to pass, because it was so absurd and ridiculous. Finally, when he saw that his bill was not to go through, he arose and said, "Mr. Speaker, I am chairman of this committee. This is the only work we have had, and I am entitled to one bill under the custom of the legislature." And we gave him his one harmless bill out of courtesy, custom, and sympathy. I assume that the chairman of the Committee on the Census, who is the chairman of a useless committee, one that has nothing to do in this session of Congress, who has organized and got himself a clerk, must proceed still further and have one bill reported and passed at this session; and if it was possible and the legislation was harmless I would willingly agree that he should now have his one bill passed through this House.

If the chairman of the Census Committee had presented a bill to the committee and to this House amending the present census law by providing that the Fourteenth Census shall be restricted to inquiries relating to population, which said census shall be taken in accordance with the provisions of an act to provide for the Thirteenth and subsequent decennial censuses, approved

July 2, 1909, it would not have taken this House an hour to pass it unanimously.

Before our Committee on the Census there appeared the director, the Hon. Sam Rogers, of North Carolina, who claimed to have had the present bill prepared in his office, and asked us to favorably report the same. And after long hearings a majority of the committee complied with his request, scarcely changing anything material in the bill as originally presented by the director.

On March 6, 1902, this Congress established a permanent Census Bureau and office, appointed a director, office force, field force, details for their work, and provided for all the salaries and emoluments. On July 2, 1909, the Congress enacted a permanent census law to provide for the Thirteenth and subsequent decennial censuses, which is the existing law to-day. This is a law of 33 sections. It provides:

That a census of the population, agriculture, manufactures, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1910 and every 10 years thereafter. The census herein provided for shall include each State and Territory on the mainland of the United States, the District of Columbia, and Alaska, Hawaii, and Porto Rico.

That law further provides "that the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration of the Thirteenth and each succeeding decennial census, designate the number of supervisors," and so forth; and it goes on and provides that "the supervisors shall be appointed by the President, by and with the advice and consent of the Senate." It further provides that the decennial year for the taking of the census shall be "April 15 of the year in which the enumeration shall be made." It further provides "that the enumeration of the population required by section 1 of this act shall be taken as of the 15th day of April and it shall be the duty of each enumerator to commence the enumeration of his district on that day." And it further provides "that there shall be in the year 1915, and once every 10 years thereafter, a census of agriculture and live stock," and so forth, and making the full provisions for taking the same.

This existing law further provides for all the details of the work of the Census Office for the last and for the present census in 1920.

Now, that law was enacted 10 years ago at a session of Congress when the Republican Party had the majority and when it was necessary for a Republican President to invoke the veto, so that the census law might not be used for political purposes in removing the employees from under the civil-service law and not allowing the Senate of the United States to approve the supervisors.

The only apparent reason for changing the existing law at the present time seems to be to enlarge the office and field force of the Census Bureau and to increase the number of appointees and the salary list, to remove the safeguards in the matter of appointments, so that the President and the Congress shall have nothing to do with the matter of the selection of the supervisors and enumerators, but that these appointments shall be left to two well-known politicians.

It is admitted by the Census Bureau that if no new census bill shall be enacted the next census will be taken the same as the last, with the present office force, the same number of employees, supervisors, and enumerators, and with the same expense as the last census.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. HERSEY. Certainly.

Mr. GARRETT of Tennessee. Would the gentleman be kind enough to repeat that again, namely, that it would be taken with the same expense and with no additional employees?

Mr. HERSEY. Under the existing law it is all provided for. Unless the existing law is changed, there will be no more expense added than there was in the Thirteenth Census.

Mr. ASWELL. Will the gentleman yield?

Mr. HERSEY. For a question.

Mr. ASWELL. I understood the gentleman to say that the census should be taken with the present force. Do you mean that?

Mr. HERSEY. The force provided under existing law.

Mr. ASWELL. The present force?

Mr. HERSEY. I do not mean the present office force. Of course, enumerators will be appointed and supervisors will be appointed under existing law. And if a new census bill is to be enacted, and it should be passed by July 2, 1919, it would be as early as the last one was that was enacted July 2, 1909. The only reason for the hysterical haste of the committee in forcing the present bill in this Congress is very apparent. The chairman of the Committee on the Census, the gentleman from Kentucky [Mr. HELM], on June 18, this week, said in the House that if this bill is not passed at this session it will be impossible to pass it at this Congress. Well, we are only to have a short recess, if we have any. We will be back here in August to pass the revenue bill. Congress will be in regular session next December, and if this bill is passed in a year from now it will be passed as soon as it was passed 10 years ago. The chairman of this committee knew full well that after the November elections no such bill as this could possibly pass the next Congress, as it will then be constituted.

Now, one of the most objectionable features of such legislation as is provided by this bill is the attempt on the part of certain departments, bureaus, and organizations to use the war as an excuse for enlarging their departments, their bureaus, and commissions, forming new commissions, departments, and bureaus, and in that way finding new opportunities for office-holders, increasing the salaries, and building up a great machine, while the members of such bureaus, departments, and organizations engage in an earnest rivalry with all other departments of the Government to see which one shall get the largest benefits from the unfortunate and unhappy conditions growing out of the war. The present census bill, under consideration, is an apt illustration of an attempt of a bureau of this Government to take advantage of the miseries of war. Let me call your attention to a few of the most radical changes made in the existing law by the present bill.

The scope of the census has been greatly enlarged by adding to the bill Guam and Samoa and by adding to the census forestry and forest products. It seems to me that during this period of the war, when every energy and resource of the Nation is taxed to the uttermost, that we ought not to go to the expense of making a census of anything except the population, which could easily be done under existing law by the present office force and by the present field force provided under the present law without any extra expense than that which is provided by the existing law.

In my minority report I have called attention to some recent special censuses of our industries that have been taken by the Census Bureau and other bureaus and agencies of the Government. I wish to again call your attention to a few of the many censuses that have been recently taken by the Government in every possible field except population.

A complete census of manufactures was taken, compiled, and published by the Census Bureau in August, 1916. Since this census was taken all industries have been completely disorganized by war.

In 1916 the Census Bureau made and published a complete census of transportation by water, giving detailed statistics as to number, tonnage, value, ownership, employees, wages, amount of business done, etc., for the various classes of craft; also the operation of fishing vessels.

In 1916 a complete census of shipbuilding was made by the Census Bureau, giving, by coast districts and inland waters, separate statistics for steel and wooden vessels launched during the years 1914 and 1916 according to gross and net tonnage.

In 1917 a complete census of electrical industries was made by the Census Bureau covering central electric light and power stations, street and electric railways, telephones, telegraph, and municipal electric fire-alarm and police-patrol signaling systems.

During the fiscal year 1917 the Census Bureau collected complete vital statistics.

During the year 1917 the Census Bureau completed financial statistics of cities of the Nation.

During March, 1917, the Census Bureau completed financial statistics of States.

During the fiscal year 1917 the Census Bureau completed cotton and tobacco statistics.

In addition to these special censuses the bureau during the year 1917 completed statistics and census of the blind, deaf and dumb, negroes, prisoners and juvenile delinquents, religious bodies, marriage and divorce, monograph of cancer, occupational statistics, statistics on distribution, edible vegetable oils, executive civil service, life tables, statistical directory of State institutions, and many other special censuses too numerous to mention.

The Bureau of Labor has recently taken and compiled complete statistics of the labor of the country.

The Census Bureau has recently been much enlarged and increased in its efficiency by the addition of computing machines, pantograph punches, automatic tabulating machines, automatic punches, card-sorting machines, card-counting machines, and all the other modern devices that can be used in such a bureau. The regular force in the Census Bureau is 1,366, and the expense of the bureau for 1917 was $1,213,036.53.

The present war has of necessity called for emergency censuses of varied industries, to wit:

(1) A food-survey bill, approved August 10, 1917, "To investigate and ascertain the demand for, the supply, consump-

tion, costs, and prices of and the basic facts relating to the ownership, production, transportation, manufacture, storage, and distribution of foods, food materials, feeds, seeds, fertilizer, agricultural implements and machinery, and any article required in connection with the production, distribution, or utilization of food."

(2) Census of food and fuel of the country, coal, and other products, authorized by the act to increase the production, conserve the supply, and control the distribution of food products and fuel, approved August 10, 1917.

(3) The act to authorize exploration for and disposition of potassium, approved October 2, 1917, to prospect for chlorides, sulphates, carbonates, borates, silicates, or nitrates of potassium on public lands of the United States.

(4) Under the powers of the Shipping Board special surveys of the forests of the country have been undertaken and completed.

(5) The Department of Agriculture, a very efficient arm of the Government, has received large appropriations and is furnishing the Nation with monthly reports of agricultural products, crops planted, and amount produced; animal industry, meat production of the country, under the Bureau of Animal Industry; plant industry, investigation of plant diseases, and also a full census of all the national forests of the country, as well as a census in the Bureau of Soils, Bureau of Entomology, Bureau of Biological Survey, Bureau of Crop Estimates, Bureau of Public Roads, Bureau of Markets "for acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products and the purchasing of farm supplies, independently and in cooperation with other branches of the department, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products"; also "to make investigation relating to the production, transportation, storage, preparation, marketing, manufacture, and distribution of agricultural food products, including the extent, manner, and methods of any manipulation of the markets or control of the visible supply of such food products, or any of them, by any individuals, groups, associations, combinations, or corporations"; also "for investigating, demonstrating, and promoting the use of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning, grading, stapling, baling, marking, compressing, and tare of cotton."

The Congress has recently enacted a bill to make a survey of all the mineral resources of the country, mines and mining, in connection with the Geological Survey.

We have just passed a bill to provide in the Department of Agriculture "for gathering authoritative information in connection with the demand for and the production, supply, distribution, and utilization of food, and otherwise carrying out the purposes of section 2 of the act; extending and enlarging the market news service; and enlarging the informational work of the Department of Agriculture; and printing and distributing emergency leaflets, posters, and other publications requiring quick issue or large editions."

We have a multitude of bureaus, boards, and commissions that are monthly collecting statistics and information necessary for the conduct of the war, and it seems to me that a complete census of all the industries of the war during war time would not only be an added expense of millions but would be a duplication of the work that has already been done under emergency legislation as above set forth.

The census of 1920 would not be completed in time to be of any especial value to us until about 1922 or 1923, and while the Nation is putting forth its supreme effort in a mighty sacrifice to raise money to carry on the war we ought not to waste the resources of the people in making a useless census or in duplicating the work of the above bureaus.

This bill would increase the number of supervisors from 330 to 400, and these supervisors will have the appointment of all the enumerators, one from every town and city in the Nation, and many more than one from each city—a mighty force of at least 200,000. Such an increase to take a full census in this time of war would be utterly without excuse and could only be explained as a political necessity.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. Yes.

Mr. GARRETT of Tennessee. Do you think they are not necessary? Do you think that that number of enumerators is not necessary?

Mr. HERSEY. You mean the number we have now?

Mr. GARRETT of Tennessee. No. I mean the number the gentleman has just stated.

Mr. HERSEY. That number might be necessary if we were to take a full census of everything provided in this bill.

Mr. HELM. Mr. Chairman, will the gentleman yield for a moment?

Mr. HERSEY. I will yield just for a question.

Mr. HELM. How can you have a less number of enumerators if you take a census of the population than if you take a census of agriculture and manufactures when, as a matter of fact, the census of manufactures is taken by the field agents and not by the enumerators?

Mr. HERSHEY. In answer to the question of the gentleman I will say that if you take nothing but the population it will be a very small job that can be done by the present office and field force without any additional expense; simply its own annual expense; they now take an annual census of almost everything.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. I yield.

Mr. ASWELL. I merely wanted to be sure that the gentleman said that the census of the population could be taken by the present force.

Mr. HERSEY. With the present force provided by the existing law.

Mr. LANGLEY and Mr. LAZARO rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. HERSEY. I will yield first to the gentleman from Kentucky.

Mr. LANGLEY. I want to understand the gentleman. Is it the gentleman's contention that we ought to have a census of population only?

Mr. HERSEY. We must have a census of the population.

Mr. LANGLEY. And it is the gentleman's opinion that we should go no further than that?

Mr. HERSEY. Yes. If the gentleman will read my report he will see that that is my opinion.

Mr. LAZARO. One of the best spokesmen among our allies said the other day that this is a war of our resources. That being true, how can we know what our resources are unless a census is taken of them?

Mr. HERSEY. I think we should know what our resources are, but if we keep on spending money for useless projects and useless bureaus and useless inquiries we will have no resources from which to pay the expense. [Laughter.]

This bill calls for 15 additional experts at $2,000 each. Everyone knows that the bureau contains now a great many experienced clerks who have been there from 20 to 25 years. There are in the Census Bureau 1,366 employees, with all modern helps and contrivances, everything that science can produce to aid them in their work. A "statistical expert" in the Census Bureau is simply a clerk who knows how to use the adding machine and knows how to compile statistics from the blanks returned from the field force. These statistical tables are largely the work of the ordinary clerk in the office, and "statistical experts" only a name under which it is sought to secure new appointees at high salaries and take care of the political driftwood that seeks at this time office of some kind in Washington. There is no reason why compensation and salaries should be raised at this time. Those employees, as well as the employees of all the departments, have had their compensation increased under the laws that we have recently enacted.

Now, this bill provides for an increase of expense in the office force in Washington of $190,000. There is no estimate of the expenses of the new force of supervisors and enumerators, which will of itself constitute a mighty army.

The change in the date of taking the census is made, no doubt, to furnish some excuse for the hastening of this bill, so that it would be passed at the present session of Congress under the claim that the period has thereby been shortened by some four months. The present law provides that the census shall be taken as of April 15, 1920. If you read the evidence before the committee, you will be satisfied that that is the proper time to take a census, and if we take population only it would comply with the Constitution, as it would be exactly 10 years from the last census, which was taken as of April 15, 1910.

Now, the most radical change in the existing law, one that ought forever to condemn this bill, is found in the attempt to remove the appointment and approval of supervisors from the President and the Congress and place all these appointments in the hands of two well-known politicians here in Washington, who will, no doubt, see to it that only "the faithful" secure the offices and the spoils.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. Yes.

Mr. GARRETT of Tennessee. Is that the language of the law—"two well-known politicians"?

Mr. HERSEY. It is the intent of the bill.

Mr. GARRETT of Tennessee. I want the language. Of course, the gentleman is speaking with entire accuracy, because he is making a great speech. Is that the language of the law—"two well-known politicians"?

Mr. HERSEY. It is not the language of the law, but it is the intent of the bill. The bill has not become a law yet, I hope.

Mr. GARRETT of Tennessee. The gentleman's speech is somewhat confusing to me. I have been trying to follow it. [Laughter.]

Mr. HERSEY. I have no doubt of it. [Laughter.] Ever since the beginning of the history of the Government or the history of the Census Bureau supervisors have been appointed by the President of the United States and have been approved by the Senate of the United States. Why? The President appoints the supervisors, the same as he appoints postmasters, revenue officers, and commissioned officers in the Army and Navy, and they must all be approved by the Senate of the United States.

In the past all the supervisors have been appointed by the President, and these appointments have all gone to the Senate for confirmation and approval. The Senators from each State and the Representatives from each congressional district have always presented to the President names of men from their States or districts whom they recommended as proper supervisors—candidates who would have the respect and confidence of the people of their State. By this method we have in the past secured men of character, men of standing, men in whom the people had faith, men who were reliable in making a faithful census. I can not imagine, gentlemen, anything that could be more vicious in legislation at the present time than to allow the supervisors, who have the appointment of all the enumerators, this mighty army, to be appointed and approved by two men who are, I say, politicians, and from whose decision and approval there is no appeal or veto, and to remove such appointments from even the President of the United States, and to deny the Senate the right to approve these men who have such a responsibility and who have such a power and such an opportunity to use their office to do political work for those who appointed them to these places of profit.

Now, it should be said of the Democratic Party that it is free from the accusation of originality. I think a Democratic politician can safely say, in the language of Watts's hymn—

There is nothing original in me except original sin.

The Democratic Party has always imitated the vices of the Republican Party, but never any of its virtues. When the bill providing for the Thirteenth and the present census was before Congress in 1909 the Republican Party, then in power in the Nation, attempted to secure some political advantage by removing the employees of the Census Bureau from under the civil service and providing that the President should appoint the supervisors without the approval of the Senate. It is very interesting to note that 10 years ago the Democratic Party, then in the minority, made a very strenuous fight against this attempt of the Republican Party to get some political advantage in the Census Bureau and out of the last census. The Democrats then were right in opposing with all their might such an attempt to play politics with the census. They denounced then in strong and unmeasured terms what they called the cheap politics of the Republicans, who sought to deprive the Senate of the right to approve the appointment of the supervisors. What was then a vice and a weakness on the part of the Republicans is now a virtue and statesmanship on the part of the Democrats; only the Democrats, to use the language of the street, have gone the Republicans "one better." They now provide in this bill that not even the President shall appoint the supervisors, but that they shall all be appointed by the Secretary of Commerce on the recommendation of the Director of the Census. Inspired no doubt by the declaration of the President that "politics is adjourned" in this Congress, there is to be nevertheless political work done in the campaign of 1920 by more than 200,000 of these supervisors and enumerators scattered all over the Nation. The President and the Congress are to have no responsibility. That is laid upon the shoulders of two well-known politicians, the Secretary of Commerce and the Director of the Census.

Mr. Redfield, the Secretary of Commerce, has, during his term of office, used every opportunity to favor Democratic free trade and to obtain every partisan advantage for his political party in the Nation. The Director of the Census, Hon. Sam L. Rogers, of North Carolina, was a political power in the Democratic councils of his State before his appointment as Director of the Census. He was recognized at home as one who could see to it that the white vote had all its rights and that the colored vote should obtain no unfair advantage. And while these two shrewd and keen politicians may exercise this great power given them under this bill in a disinterested and nonpartisan manner, it is well for us all to remember that the age of miracles is past and that human nature remains unchanged, especially in the Democratic Party.

Mr. GARRETT of Tennessee. Mr. Chairman, does the gentleman intend to send that speech to his district?

Mr. HERSEY. I do. Josh Billings said, "If a horse jockey don't lie, he loses one of his blessed privileges," and if the honorable Secretary of Commerce and the honorable Director of the Census under this bill do not see to it that there are over 200,000 political appointees sent out in 1920 all over this Nation to take the census and at the same time spread the faith and direct the presidential campaign, then they will miss their blessed privilege.

Now, I will say that I do not oppose this bill on the ground that it is giving a political advantage to the Democratic Party. I would have opposed it just the same if such a bill were to come from the Republican Party. I do not believe these great bureaus and departments of the Government should be used to further party ends, and I do not believe in putting temptation before the Democratic Party, as they might forget that politics had been "adjourned" in this Congress.

I wish to say, in conclusion, that these are the darkest days in the history of the Republic. The burden of the defense of civilization in a great world war has been laid upon the shoulders of this Nation. To win this war we must make a careful husbandry of all our resources. We must exhaust our man power, we must tax our people to the very limit, we must save and sacrifice and suffer as never before, and in these dark days of the Nation's destiny it is no time to spend with a lavish and reckless hand the hard-earned money of a patient people. This is not a suitable occasion for the erection of expensive public buildings and an enlargement on a vast scale of bureaus and departments in Washington. It is not the proper day to greatly increase salaries or multiply opportunities for political jobs. At this hour, when the President has notified the world that "politics has been adjourned in the American Congress," it is a poor time to permit two active politicians to appoint over 200,000 political workers to be paid big salaries out of the Treasury of the United States and to be sent out into the Nation in the presidential campaign of 1920 to make the country safe for the Democratic Party. Let us be honest with each other and "adjourn" politics in deed as well as in word and "save to win" by commencing here at the Capital in Washington. [Applause.]

Mr. ASWELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD. I shall not occupy a great deal of time.

The CHAIRMAN (Mr. IGOE). The gentleman from Louisiana asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman, it is unfortunate for the gentleman from Maine to make the kind of speech he has just made, for the reason that it is known by every member of this committee that during the past three or four months, while we have been working faithfully upon the bill, the gentleman from Maine is the first one to mention politics in connection with it. Politics of a great political machine which he says will be created is very unfortunate, for the reason that the passage of a similar bill 10 years ago by a Republican Congress would not bear very careful investigation.

I would like to call the attention of the committee to a few facts as to the delay 10 years ago that the gentleman seems now so anxious about.

Mr. LANGLEY. Will the gentleman yield?

Mr. ASWELL. I will.

Mr. LANGLEY. The gentleman says the bill of 10 years ago would not bear very close inspection. The gentleman will recall that it provided that the appointments should be made outside the civil service and that a Republican President vetoed the bill.

Mr. ASWELL. I regret exceedingly that my good friend from Kentucky called my attention to that fact, for that forces me to give him some of the reasons why President Roosevelt vetoed it.

Mr. LANGLEY. I know what they were, and I have my own private opinion on that question.

Mr. ALEXANDER. The bill was reenacted and the appointments were made outside of the civil service just the same.

Mr. LANGLEY. I do not recall that this was the case, but my recollection is that the civil-service law was sometimes evaded, and usually to the betterment of the service.

Mr. ALEXANDER. They were all made in that way.

Mr. LANGLEY. Well, I do not know as I was not connected with the bureau at that time.

Mr. KEARNS. Will the gentleman yield?

Mr. ASWELL. Yes.

Mr. KEARNS. What was the date of the passage of the bill 10 years ago, was it 2 years prior to the taking of the census?

Mr. ASWELL. It became a law two days after the census period began. It was July 2, 1909. The census period began July 1.

Mr. GRAHAM of Illinois. What was the date of the passage of the first bill?

Mr. ASWELL. The date of the passage of the last bill was July 2, 1909. The first bill was vetoed by the President in February.

Mr. GILLETT. Oh, no; it was vetoed in March.

Mr. LANGLEY. No; it was February 5.

Mr. HELM. It was vetoed February 5, 1909.

Mr. LANGLEY. That is correct.

Mr. ASWELL. If gentlemen will give attention I shall read the RECORD.

Mr. KEARNS. Will the gentleman yield?

Mr. ASWELL. I will.

Mr. KEARNS. If the bill of 10 years ago was passed in January, 1909, what is the use of passing this bill in June, 1918?

Mr. ASWELL. That is a good question and I shall answer it. The delay in the passage of that bill prevented any preliminary plans, arrangements, and preparations for taking the census. A resolution was passed appropriating $50,000 in a general way to enable the director to undertake the preparation. The estimate made by the director was $12,900,000. After these delays began the estimate was raised to thirteen and one-half million dollars. The work dragged on in a haphazard way, with all sorts of useless and needless expenditures, because of lack of organization, resulting in four additional appropriations to complete the census. They raised the original estimate from about $13,000,000 up to $16,000,000 before the census was completed. Not only that, but it was exactly two years after the three-year period ended before the census figures were collected and the work completed.

Mr. LANGLEY. The gentleman is referring to the Thirteenth Census, I take it.

Mr. ASWELL. I am referring to the last census. In other words, the delay in the passage of the bill cost this Government nearly $3,000,000 and delayed the whole work for exactly two years.

Mr. GILLETT. Will the gentleman yield?

Mr. ASWELL. Yes.

Mr. GILLETT. How does the gentleman know that it was the delay that caused that? This is the first time I ever heard that statement.

Mr. ALEXANDER. That is what the director and the heads of the bureaus in the department state.

Mr. GILLETT. Where is that stated?

Mr. ALEXANDER. It is in the hearings.

Mr. ASWELL. If the gentleman will permit me, Director Durand, who was at that time Director of the Census, makes the statement.

Mr. LANGLEY. And that is based on the unusual fact that the Thirteenth Census act that finally became a law was passed many months later than any previous act, and this was due to the veto by the President of the previous bill.

Mr. ASWELL. Some 15 months later.

Mr. LANGLEY. In that connection I desire to state that I was connected with the organization of the Twelfth Census, which was then a temporary institution, and, of course, had to be organized from the very ground up. The Twelfth Census law was approved March 3, 1899, which was several months later, speaking comparatively, than it is now proposed to pass the Fourteenth Census act. That was one of the best censuses ever taken, I think, and yet the act was passed over nine months nearer to the beginning of the decennial-census period than it is now proposed to pass this act.

Mr. ASWELL. There is no doubt about it being one of the best if the gentleman was connected with it.

Mr. LANGLEY. I thank my friend for that compliment. The argument was made then that if we had a permanent census office so that we would have a skeleton organization which could be expanded and contracted as necessities required, they could do the work very much more expeditiously. That is an unanswerable argument, it seems to me, why there is no necessity for this haste by commencing so far ahead and passing this legislation so much earlier than we passed it when we had only a temporary institution. I do not wish to be understood as opposing the bill, but I would like to have the gentleman's views on that point.

Mr. HELM. Mr. Chairman, will the gentleman yield to me?

Mr. ASWELL. Yes.

Mr. HELM. The Twelfth Census was the census of 1900, and it provided for the establishment of a permanent Census Bureau, and the gentleman's argument is that because a permanent census was arranged for the following census should be taken more rapidly. The Thirteenth Census was taken in 1910, and it was such an abject failure that the director himself was forced to resign. The bureau was organized in 1899.

Mr. LANGLEY. I do not recall why he resigned, but the Twelfth Census act did not provide for a permanent census office. That was done later.

Mr. HELM. And you had the experience from there up to 1910, and with all the benefit of all the experience and the organization, yet by reason of the failure to pass the bill providing for the Thirteenth Census until July 2, 1909, after the decennial period had begun——

Mr. LANGLEY. Yes; that was the difficulty. The passage of the act was delayed too long.

Mr. HELM. There was confusion from start to finish.

Mr. LANGLEY. That is unquestionably true.

Mr. HELM. And it culminated in the resignation of the director.

Mr. LANGLEY. I do not recall why he resigned. The confusion was due to the delay resulting from the President's veto, putting the legislation over until the next Congress.

Mr. HELM. That was the delay in passing the bill authorizing the taking of the census.

Mr. LANGLEY. That is so; but the point that I make is that the Twelfth Census was successful, although it was a temporary organization without the advantage of a permanent force.

Mr. ASWELL. I call the gentleman's attention to the fact that the census with which he was connected, which fact made it a success undoubtedly, was provided for 15 months prior to the census period.

Mr. LANGLEY. Yes; that was March 3, 1899; much later than you are proposing to pass this bill.

Mr. ASWELL. The minority report by the gentleman from Maine [Mr. HERSEY] and his speech this morning may be summarized in this one statement—Why take the census during this administration; why not leave it for the next administration? and that will probably give us a chance. Mr. Chairman, I call attention to this record. It was reported by some and believed by many, during the discussion of this bill 10 or 12 years ago, that it was understood that the taking of that census and the patronage connected therewith would be held up and be used in the nomination and election of another President. It was reported by some and believed by many that President Roosevelt had some interest at least, though very remote possibly, in the selection of Mr. Taft, and that that played a large part in the delay in the passage of that bill.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Not for the present. The record is that when this bill finally passed Mr. Roosevelt vetoed it and delivered the whole question of patronage to Mr. Taft. I am not criticizing Mr. Roosevelt. He is a good soldier, and he delivers the goods all the time, and he did in that case. This is well known by gentlemen on both sides of the House. I call the attention of the committee to the fact that this question involves at this time a business proposition, that if there ever was a time in the history of this Republic when the business of the country should be organized and systematized, when inventories should be made so that the Government can utilize its resources and keep the country moving forward with power, influence, and efficiency, that time is now, and it is, to my mind, the most absurd proposition imaginable to intimate in this time of war that we do not need any census of the agricultural resources of the country, the mines, the quarries, and the lumber industry. All the resources of the country should be brought together, organized, and put in the grasp of this Government so that we may know where we are and what we are doing. Think of it! Germany takes an actual count of her food resources, her live stock, every three months in the year. Germany, that no one denies is efficient, goes to the enormous expense of taking an actual count of all her resources every three months during this war, and her population is counted every year. It is not a guess, it is not an estimate, but is an actual count, piece by piece, individual by individual. That seems to me to be a suggestion upon which I could dwell for an hour, to show the seriousness of taking this entire population, resources and all, at this particular time. The charge is made by the gentleman from Maine [Mr. HERSEY] that this bill is absurd, because it merely proposes

an enlargement of things. It is reasonable to state that our resources have increased at least 30 per cent as a minimum and our manufacturing industries have increased 200 per cent, and it will require more in men and numbers to take an accurate census, greater expenditure of money to get hold of the condition that we are enjoying to-day. We should thank God we are enjoying a condition of such prosperity, enabling us to handle ourselves efficiently and keep our place in the world.

Mr. Chairman, it has been claimed also that the time of the taking of this census is wrong. That is not to my mind worthy of discussion but for a moment. It is understood that the committee that worked upon it—some of them have been in the bureau for 25 years—after investigating every detail, found that the business of the country is more nearly concluded on the 1st day of January than at any other period of the year; that more men, boys, and women can get away from their ordinary duties, can get away from their colleges and schools during the first two or three weeks of January than any other period of the year. People who want to work during the summer vacation do not want to work for only three weeks, as this bill will require, but they will want a whole summer's work if any at all. It finds people at home. The 1st of January finds businesses completed, it finds a time when the multiplication of live stock is not as rapid, it finds a better opportunity for young men in the colleges and schoolboys to do two or three weeks' work. These enumerators have only about three weeks' work, and I presume gentlemen on this floor will undertake to claim that they should do it under civil service for appointment. Who would ask for a civil-service examination to apply for a job that lasts three weeks? That proposition is too absurd.

Now, Mr. Chairman, the proposition is presented here by the gentleman from Maine that these supervisors should be appointed as of old. Ah, gentlemen of this committee, I would have you remember the fact that 10 years ago in this country in ordinary times would mean now 50 years ago. We can not discuss the conditions of this country to-day in the language or terms we discussed them 10 years ago. This is a time of wonderful development. This is a business proposition; it is not a political game, as the gentleman would have you believe. The Senate of the United States will in all likelihood not be in session. The President is burdened already with overwork in war responsibilities and duties. Why should this, then, be carried as a political scheme of the Senate and not handled and settled entirely as a business proposition by those who are responsible for its execution? That is all that is necessary to say at this moment upon that question.

It has been claimed also by the gentleman from Maine, or he intimates, that there is a lot of duplication in the Bureau of the Census and in the other departments of the Government. I call attention to this fact that the Bureau of the Census is the only governmental agency in existence that actually takes a detailed account. These other organizations or governmental agencies, such as the Department of Agriculture, the Food Administration, and those organizations and bureaus, take a census, of course, but base their estimates upon the actual count of the last census, and they gather most of their information by correspondence, and the result is it is almost impossible to get anything that is of very great value as to accuracy.

It is easy to be understood how difficult it is for any of these estimates to be made unless a count is made at least within a period of 10 years, and my personal opinion is the actual census should be taken every two years. The Department of Agriculture takes, for instance, the census of 1910 and then brings in their reports from over the country month by month or week by week, and these estimates when gathered lead the officials of the Department of Agriculture to conclude the crop this year is such and such a per cent of the crop last year when we had a count or census. So the reports go out that the crop this year is of such and such a quantity. Next year the same reports come in and they are based upon the percentage of the preceding year and not upon the original basis, but upon the preceding year, being the nearest period of time to estimate upon. The result is that from year to year these estimates get one, two, three, four, and nine years away from the facts, and if there is an error made in one year that error grows wider and wider with succeeding years. Now, then, gentlemen, to my mind it is seriously important to have in mind that the Bureau of the Census is the only organization that actually takes a literal count in making a census of our products, population, and all of our resources. That seems to me to be worthy of your consideration. I call your attention to the urgency of this bill, so that in this census period, beginning next June, 1919, we give the Director of the Census a business position, so that as you would want your farm handled or a merchandise establishment handled, you permit him to know exactly what his resources are, what the requirements are, and enable him to organize his force so that he can do this work efficiently. This is patent on its face, we need not discuss it. This bill carries only about $17,000,000 for all these censuses of all these activities. The last census of 1910 cost this Government $16,000,000, so that you will see that with all our increased industries that is a very reasonable increase in appropriation. Besides that, if you take only the population it will cost over $10,000,000, and the others will cost over $10,000,000, and if you take all of them separately they will cost $25,000,000 before you are through. If you take a census of population and leave the industries out it will not be six months before this very House will pass a bill calling for a census of some industry, and one by one, piecemeal, we will spend at least $25,000,000. The proposition we have now before us systematically planned and organized will permit the Director of the Census to do the work efficiently, thoroughly, and accurately.

Mr. STAFFORD. Will the gentleman yield?

Mr. ASWELL. I will yield.

Mr. STAFFORD. Is not that the present policy, and has it not been the policy ever since the Bureau of the Census was created a permanent bureau for it to be occupied during that period of the decade when not actually engaged in the taking of the census of population in the taking of a census of various other activities, for instance, taking a census of manufactures in the mid-period?

Mr. ASWELL. Not unless directed so to do by the Congress.

Mr. STAFFORD. At the present time in our legislative, executive, and judicial appropriation bill we provide for activities every year for the Census Bureau in taking the census of various subjects.

Mr. ASWELL. You mean for the regularly organized force?

Mr. STAFFORD. For the regularly organized force.

Mr. ASWELL. Yes; there is a very much larger force.

Mr. STAFFORD. Now, the problem before the bureau and before the Congress has been how to keep this permanent force occupied during the period when it was not engaged in the enumeration of population. We have kept them employed by designating certain fields of investigation during the other years. What objection is there to having these statistics of manufactures taken later on? That is the policy the Appropriations Committee has pursued so far as this Bureau of Census is concerned.

Mr. ASWELL. I will say to the gentleman from Wisconsin that there is no thought in the mind of the Director of Census or the Census Bureau or the committee to dismiss or discharge the regular force. On the other hand, the thought is that all of this census work that is being done by other departments should more and more be brought into the Census Bureau, where it belongs.

Mr. STAFFORD. But the question before the House is whether the statistics, if taken at the present time, in these abnormal conditions, will be of any value.

Mr. ASWELL. There is not any such question in my mind or in the mind of anybody else who is seriously concerned in the welfare of the country.

Mr. STAFFORD. These statistics have very little or no value toward winning the war. Would not they be of more value taken in normal times?

Mr. KEARNS. The gentleman from Louisiana, in response to a question as to the apparent haste of this bill, gave a very plausible answer, the only answer I have heard. If the history given by him of the last census is true, it is a very sufficient reason. There is another question that has been brought up, and the gentleman's answer was not very extended and not very satisfactory, to my mind, as to why the appointing power is taken from the President as to supervisors of the census and put in another arm of the Government.

Mr. ASWELL. I would answer that question by asking the gentleman why the President and Senate should have anything to do with it?

Mr. KEARNS. They always have, and it seems to me to be the present law; and the very fact that we put another burden on the President does not seem to be a sufficient reason, because every law that we pass authorizes the President to do so and so.

Mr. ASWELL. Does the gentleman believe because it has always been done that way it should now be done that way?

Mr. KEARNS. What is the reason for changing it? The gentleman has not given any reason yet.

Mr. ASWELL. The reason has been given from time to time, and was given by the gentleman yesterday. The Senate will not likely be in session, and the taking of the census is a simple but serious business matter, and should not be made a political football.

Mr. KEARNS. The Senate will be in session from next December.

Mr. ASWELL. The period begins in June.

Mr. KEARNS. When?

Mr. ASWELL. Next year.

Mr. KEARNS. But it will be in session from next December on until March, or longer.

Mr. STAFFORD. As long as the war continues Congress will be in session without any recess of more than two months. It will have to be.

Mr. ASWELL. If I may be permitted, I shall proceed without further interruption.

The Bureau of the Census, now the greatest statistical office in the world, represents the outgrowth and development of a century and a quarter of periodical and, in recent years, continuous statistical inquiry on the part of the Federal Government.

Less than a decade after the American Colonies had achieved their independence, and within a year from the date of the inauguration of President Washington and the assembling of the First Congress of the United States, there was begun the first enumeration of the population of this country. The constitutional requirement of a decennial census is found in Article I, section 3, which reads in part:

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States and within every subsequent term of 10 years, in such manner as they shall by law direct.

Thus the United States was the first among the nations to make constitutional or legal provision for a regular periodical enumeration of its inhabitants.

The First Census, taken in 1790, related solely to population, and its scope, although very limited, was somewhat greater than that required by the constitutional provision just quoted. The name of the head of each family was taken, together with the total number of persons in the family, classified as free or slave. The free persons were further classified as white or other, the free whites as male or female, and the free white males as 16 or over, or under 16.

Subsequently, from time to time the field covered by the census has been still further enlarged, until it now embraces detailed inquiries along 17 distinct lines, made at decennial, quinquennial, biennial, annual, quarterly, and monthly intervals, in addition to various special inquiries ordered by the President or by Congress.

What is the value of census statistics?

It is true of every sort of social change, whether of progress or decline, that the steps are imperceptible to the unaided vision of those who, as legislators or administrators in the face of existing conditions of infinite complexity in their origin and interdependence, mold public policy. To determine the direction and extent of these changes requires the survey of a long period of time. It requires accurate measurements which embrace the full detail of social phenomena, and it is the proper function of a great statistical laboratory, by assembling the data of social phenomena, to make this survey, and by so doing to extend the scope and power of vision of those who are at any given time directing the trend of social forces. In the records of such a laboratory the growth of a nation is epitomized, and in its current work the imperceptible changes which are taking place are accurately determined.—Dr. John Cummings.

The development of statistics are causing history to be rewritten. Till recently the historian studied nations in the aggregate and gave us only the story of princes, dynasties, sieges, and battles. Of the people themselves—the great social body, with life, growth, forces, elements, and laws of its own—he told us nothing. Now statistical inquiry leads him into hovels, homes, workshops, mines, fields, prisons, hospitals, and all other places where human nature displays its weakness and its strength. In these explorations he discovers the needs of national growth and decay and thus becomes the prophet of his generation.

The chief instrument of American statistics is the census, which should accomplish a twofold object. It should serve the country by making a full and accurate exhibit of the elements of national life and strength, and it should serve the science of statistics by so exhibiting general results that they may be compared with similar data obtained by other nations. The census is indispensable to modern statesmanship.—Hon. James A. Garfield.

No general census law was ever enacted by any Congress within less than a year of the date of the census previous to the legislation enacted for the last, or Thirteenth Census. The bill for the taking of the Thirteenth Census was introduced in Congress in accordance with the recommendation of Director North, of the Bureau of the Census, early in the session, but was not passed by Congress until January 28, 1909. This bill was vetoed by President Roosevelt for reasons well known by those who observed the political maneuvers of Republican politicians of that time. Two months later, on March 4, 1909, Hon. William H. Taft was inaugurated President of the United States. A special session of the Sixty-first Congress was called and an act providing for the Thirteenth Census was passed on July 2, 1909. The three-year period provided for the Thirteenth Census began July 1, 1909, and ended June 30, 1912. It may be noted that the legislation providing for the Thirteenth Decennial Census did not become a law until after the beginning of the decennial census period. The law as passed was amended on August 5, 1909; by joint resolution on February 15, 1910; by the act of February 25, 1910; and again by joint resolution on March 24, 1910. The delay in providing the necessary legislation for the decennial census resulted in an insufficient allowance of time for the officials of the bureau to prepare for the enumeration and do the necessary preliminary work previous to the tabulation of results if the work was to be completed within the decennial census period. It became necessary to do things hurriedly, which resulted at the very beginning in delay, congestion, and much needless expenditure of money.

Dr. Durand, who was the Director of the Census at that time, stated that the passage of the census act at so late a date allowed little time for the heavy task of organizing the field force and preparing the schedules. At each of the three previous censuses the census act was prepared by Congress at least 15 months before the date of enumeration. Had it not been for the fact that the Census Bureau was a permanent organization, having already in its employ a number of officials and clerks experienced in the work of prior censuses, it would have been practically impossible to make the arrangements for the taking of the census under the provision of the law.

The taking of a decennial census is the largest single piece of work done by the United States Government during peace times. Delay in the passage of the act makes it impossible to even estimate approximately the cost of the undertaking. Director North submitted an estimate of $12,930,000 as the approximate cost of the Thirteenth Census. Later, as the field work was completed and the office work begun, Director Durand raised the previous estimate to a total of $14,500,000. Both estimates proved to be too low. The Thirteenth Census was not completed during the census period which ended June 30, 1912. During that period Congress appropriated $15,150,000 for the Thirteenth Census work. On March 4, 1909, the Congress appropriated $150,000 for preliminary work; on June 29, 1909, an appropriation of $10,000,000 was made. These two appropriations were made previous to the passage of the law. On June 17, 1910, an appropriation of $2,000,000 was made and again on March 4, 1911, $2,500,000, and on December 22, 1911, $500,000 were appropriated. At the end of the census period the work of the bureau was very much delayed and congested. In fact, the work of the Thirteenth Census was not entirely completed until the year 1914. The legislative, executive, and judicial act, approved August 23, 1912, carried $292,000 for completing the Thirteenth Census. Again, the appropriations of 1912 and 1913, in addition to the amounts previously appropriated, carried an item of $426,665 for miscellaneous work of the Thirteenth Census. Therefore the total cost of the Thirteenth Census, from its beginning until its final completion in 1914—two years beyond the end of the decennial-census period—was approximately $16,000,000. Some of this money was expended uselessly and unnecessarily because of the delay in the passage of legislation providing for the census, which caused congestion and a waste of effort and time.

ANALYSIS OF THIS BILL.

The bill now before the House has been drafted to provide the force, resources, machinery, and equipment needed for taking a prompt, efficient, and accurate census. It provides for the appointment of approximately 85,000 enumerators, who are to canvass every dwelling in the United States and record the facts as to age, sex, nativity, illiteracy, occupation, and so forth, for every individual man, woman, and child included in a population of over 100,000,000; also the facts as to acreage, crops, tenure, and values for more than 7,000,000 farms. It not only covers continental United States, but also Alaska, Hawaii, Porto Rico, Guam, Samoa, and the Panama Canal Zone. The census of the Philippine Islands is to be taken by that government during the year 1919.

This bill provides for the appointment of 400 supervisors to oversee and direct the work of the enumerators. It also provides for an increase in the office force of the bureau to a maximum of perhaps 4,500 employees. It further provides for an adequate number of supervisory officials, statisticians, and statistical experts to insure the efficient management and organization of the work and the presentation of the data in a convenient and usable form with such critical analysis as may be necessary to bring out the true significance of the figures. In view of the greatly increased cost of living and the consequently

higher standard of compensation, the bill provides for some increases in the salaries, but not more than is necessary in order to secure and retain properly qualified men for these positions.

In the penalty sections there are some changes made in the previous act for the Thirteenth Census with regard to the refusal to give information and giving false information and to strengthen the authority of the bureau so as to insure complete and accurate returns and to prevent frauds, padding of the population, and the withholding of information. In general, however, the bill is not radical. It follows the lines of the legislation for prior censuses. The changes relate to details and are based upon the experience of previous censuses.

One change of some importance, probably the most notable, is that affecting the date of the census. This bill provides for the Fourteenth Census as of date of January 1, 1920. Prior to 1910 the census was taken in June; the data relating to conditions on June 1. Because of the summer exodus from the cities at that time it did not prove to be a good time for the enumeration of population and accordingly, at the census of 1910 the date was changed to April 15. That date proved satisfactory as regards the census of population but was not found suitable for a census of agriculture because so many of the farms are at that season occupied by tenants or owners who have recently taken possession and who are therefore not well informed regarding the crops of the preceding season. Furthermore, as it is the season of the year when farm animals are born it is not well adapted for the enumeration of live stock. The census of agriculture, however, can not very well be separated in point of time from that of population, because the enumerators in the rural districts fill out the schedules covering both subjects in the same canvas. If the census of agriculture were taken at this time it would necessitate canvassing rural districts twice, a procedure which would obviously involve an unjustifiable increase in the cost of the census. The date of January 1 was decided upon at a general conference held in this city last August by representatives of the Bureau of the Census, the Department of Agriculture, and a number of agricultural students, experts, and editors. This conference prepared a tentative schedule for agriculture for the census of 1920. For further information about change of date see discussion of section 20, page 28, of the hearings before the Committee on the Census, February 20, 1918, entitled "Fourteenth and subsequent decennial censuses."

Probably the second change of greatest importance is increasing the number of supervisors from 330 to 400 and the method to be used for the appointment of the supervisors. Formerly the supervisors of the census were appointed by the President of the United States with the advice and consent of the Senate. This bill provides that the supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census. For the reasons for this change, see section 9, pages 20–21 of the hearings before the Committee on the Census, February 20, 1918, entitled, "Fourteenth and subsequent decennial censuses."

The third main point of interest in the bill is the enumeration of topics or inquiries which are to be included in the census schedules. For further information see section 8, pages 15–20, of the hearings before the Committee on the Census, February 20, 1918, entitled, "Fourteenth and subsequent decennial censusses."

The fourth point of interest in the bill is the provision covering the number of officials to be appointed and the compensation allowed them. For further information on this point see section 3, page 9, and section 5, page 12, of the hearings before the Committee on the Census, entitled, "Fourteenth and subsequent decennial censuses."

The principal points of difference between this bill and the Thirteenth Census act are as follows:

Section 3: Addition of 20 statistical experts and two stenographers to the official staff of the bureau.

Section 5: Increase in salaries of certain officials.

Section 6: Reclassification of clerical force so as to provide a greater number of classes and thus make possible more frequent promotions and a somewhat higher average rate of compensation, raising the limit upon number of higher salaried clerks.

Section 7: Change in method of making certifications by Civil Service Commission so as to relieve Census Bureau of certain detail work properly belonging to Civil Service Commission; insertion of proviso that requirement as to conformity with law of apportionment shall not apply to messenger boys, unskilled laborers, and charwomen; change of limit as to length of temporary employment of certain classes of employees from 60 days to 6 months.

Section 8, first paragraph: Omission of inquiries in regard to unemployment and in regard to survivors of Union or Confederate Army or Navy; omission of specification of inquiries to be made in connection with enumeration of institutions (the intention being to postpone this piece of work until after the termination of the census period).

Section 8, second paragraph: Addition of inquiry as to sex of farm operators; omission of inquiries as to character of timber on farms, as to value of live stock and farm products, and as to acreage of crops planted and to be planted during the year of enumeration—the purpose being to make the enumeration as of January 1—addition of inquiries in regard to irrigation and drainage enterprises.

Section 8, third paragraph: Omission of inquiry as to stockholders in manufacturing enterprises.

Section 8, fifth paragraph: Omission of specific provision for inquiry as to turpentine and rosin (such provision being unnecessary, since the bureau already has sufficient authority to make the inquiry).

Section 9: Change in method of appointing supervisors of census; increase in number of supervisors from 330 to 400.

Section 12: Change of census date from April 15 to January 1 (also provided for by section 20); substitution of "living nearest to such place of abode who may be competent to answer such inquiries" for "living in the neighborhood of such place of abode," in specification as to families or persons from whom enumerator may obtain information in absence of families or persons to be enumerated (purpose of change being to make fraud more difficult).

Section 15: Specification of duties of interpreters (purpose being to discourage fraud).

Section 16: Insertion of provision for compensation of enumerators canvassing irrigation or drainage enterprises.

Section 18: Insertion of specification of duties of special agents (purpose being to discourage fraud); provision for not to exceed 25 special agents, of known and tried experience in statistical work, at compensation not to exceed $10 per diem; removal of limitation as to maximum amount earned per diem by special agents on piece-price basis; increase of allowance in lieu of subsistence from $3 to $4 per diem.

Section 20: Change of census date from April 15 to January 1 (also provided for by section 12); change of minimum size limit for cities in which enumeration shall be completed within two weeks from 5,000 to 2,500 inhabitants.

Sections 21 and 22: Substitution of "felony" for "misdemeanor" in cases of offenses for which penalties provided include possible imprisonment for more than one year in order to bring provisions of sections into harmony with section 355 of Criminal Code.

Section 23: Insertion of provision (entire second paragraph) for purpose of discouraging "boosting" practices which have prevailed in certain cities during decennial enumerations.

Section 24: Revision so as to impose upon all persons or organizations (instead of only those engaged in productive industry) the duty of supplying information which Census Bureau is authorized by law to obtain.

Section 27: Increase of allowance in lieu of subsistence for "officers and employees" (not including special agents) from $4 to $5 per diem and omission of provision for allowance to cover actual subsistence expenses, not exceeding $5 per diem.

Section 29: Insertion of provision for removal of weight limit on census mail matter.

Section 31: Renewal of provision for mid-decennial census of agriculture to be taken as of January 1 instead of October 1. (Similar provision in Thirteenth Census act was repealed by appropriation act for 1916.)

Section 32 (new section): Provision for biennial census of products of manufacturing industries.

Section 33 (formerly 32): Extension of authority given Census Bureau to furnish transcripts of records and to prepare special statistical compilations for State and local officials and for private individuals; revision of provision in regard to disposal of amounts received in payment for work of this character, so as to make such amounts actually serviceable to the Census Bureau instead of only nominally so; insertion of provision that information furnished shall not be used to detriment of person or persons to whom it relates.

CONCISE STATEMENT OF NEEDS.

The principal needs of the Bureau of the Census at this time may be classified as follows:

(a) Permanent recognition by Congress that the Bureau of the Census is the one statistical service of the National Government, created by the Congress for this sole purpose, to which

should be assigned all inquiries for statistical facts required by this national body, as well as statistical work which is now being done in many different ways and more or less inaccurately by boards, commissions, and a few other bureaus of departments of the regular service. We should remember that we created this service to do our statistical work and that we have made our annual appropriations to enable this office to thoroughly equip itself with statistically trained employees and all other resources and machinery for prompt, efficient, and accurate statistical work. It has gotten to be a habit in the Government service for almost every new board, commission, or bureau to establish its own statistical division as soon as organized. Because of this decentralization of the statistical work of our National Government no one of us to-day knows just where to secure the data we need. This evil has been growing for a number of years. The time has come for the National Congress to place itself on record in this matter. We should say to all branches of the national service in this city that the statistical work of our Government must be done by the statistical bureau we created to do this class of work.

(b) The second need is a bureau need at this time. This need is for a reclassification and revision of its salary scale so as to place this bureau on an equal footing in this respect with other Federal establishments. The great difficulty experienced by the bureau at this time is the serious handicap arising from the constant loss of its best-trained experts and officials occasioned by the fact that the bureau has at its disposal only a very small number of higher salaried positions. The present salaries are altogether too low to attract and retain the kind of persons from whom the bureau can recruit and build up its staff of minor officials and subofficials. In fact, it is difficult enough even to obtain satisfactory clerical help and practically impossible to secure efficient stenographers and typewriters at this time in increasing its force. The present well-trained force of the bureau comprise about 600 employees. In the course of the decennial census period this force will have to be increased to a maximum of possibly 4,500. Yet the highest salary which the bureau has at its disposal at this time, next to that of the director, is only $3,000 per annum, and there are but five positions of that grade. The salary scale then drops to $2,000 per annum, and there are only 10 positions carrying that salary. Such salaries, especially in these times, are entirely inadequate to secure and retain the class of assistance such as statisticians, trained experts, and supervisory officials which the Director must have associated with him if he is to be in a position to take a prompt and accurate census and present results adequately analyzed in the most practical and usable form. The bill now before the House provides for some increases in salaries over those paid the permanent force. These increases are reasonable.

(c) The third need of the bureau is provision for the employment of a large number of statistical experts, some of whom should be qualified as text-writers. The salaries to be paid these statistical experts should be sufficient to attract capable men—men who are willing to give their time and best services to the work of the bureau. This provision in the present bill makes possible the employment of a number of these experts for the Fourteenth Decennial Census. Not only should the bureau have a provision for the employment of capable statistical experts and text-writers during a decennial census, but this provision should also apply for the years between the decennial census periods.

On account of war conditions and the difficulty of securing machines and supplies, early provision and appropriations should be made to secure these essential things in time in order to save delay and congestion in the great work of our next census. No one in the administration, much less the director and the officials of this bureau, desires to be hampered and delayed in the greatest single piece of civil work done by the National Government. This bill, if passed by this Congress as reported by the Census Committee, will give the director the authority to proceed with his plans for the organization, both in the office and in the field, to handle promptly, efficiently, and economically the census of 1920.

The evils which have existed in former decennial censuses may be classed under four heads: (a) Delay in publishing results; (b) presentation of results in such manner as to make it difficult for the lay reader to find what he wants; (c) inaccuracy; (d) failure to supply information desired by some users of census statistics.

While the evils just mentioned are primarily those of a decennial census, still there is a greater and more extensive evil existing at this time and under present war conditions, which affects more seriously the bureau's legal functions and every-day actual service than those even of a decennial-census period. This latter evil is the use of the bureau's trained statistical experts and thorough equipment along all lines of statistical work by other services of the Government, notably new commissions, in work of their own, for which no proportionate credit is given to the Bureau of the Census. This present evil leads to duplication in Government work and unnecessary expenditure of time and funds—an evil which might be called "farming out" of the statistically trained force and equipment of the Bureau of the Census.

I have mentioned delay in publishing results as the first evil of former decennial censuses. The Bureau of the Census has been criticized for delay in issuing its statistics. It must be admitted that there was a lamentable failure to get out the reports for the census of 1910 within the three-year period required by law. Criticisms have appeared more recently in the CONGRESSIONAL RECORD as regards the manufactures census of 1914. It is but fair to the bureau to say that such criticisms are not infrequently based on a misunderstanding of the actual situation. It is the custom of the bureau, after completing any investigation, to issue bulletins at the earliest possible moment giving the main results or basic figures to the public. Then, at a later date, carefully prepared reports are published containing text, percentages, and ratios, and perhaps presenting the figures in somewhat greater detail. Persons receiving these reports do not always realize that they are not the first publication of the data or that the figures have already been given to the public. These reports, however, have a permanent value. They are constantly studied and consulted and are quoted by educators, journalists, and legislators. Not a day passes in which the Bureau of the Census does not receive numerous requests from Members of Congress asking for statistical data either for themselves or for their constituents. Other requests come in from all parts of the country and from all classes of people. The census publications are distributed to all the principal libraries of the United States and are constantly consulted by students and writers. If these permanent reports of the bureau were discontinued, the loss to the country would be irreparable. In making this statement, however, I do not wish to be understood as justifying delay on the part of the Census Bureau in publishing its statistics; nor do I claim that there are not good grounds and justification for the criticisms to which the bureau has been subjected in the past because of the excessive delays. I am in a position to say, however, that the present management of the bureau is fully aware of the importance of prompt and up-to-date publication of the data and is fully resolved to correct conditions which have given rise to the criticism in connection with the previous censuses. To place the bureau in a position to accomplish that is the purpose of the bill now before the House.

The bureau is planning to lessen the number of inquiries carried on its schedules and to curtail text discussions of the tables. Much of the text appearing in the final reports of preceding censuses is valueless, or nearly so, consisting merely of a more or less aimless sort of rehash of the figures presented in the tables. The average user of census or other statistics never reads any of the text unless he is seeking an explanation of something in the tables which is not clear to him. It is much easier to obtain any item of information from a statistical table than to extract the same item of information from a more or less heterogeneous mass of statistical material in text form. Not only will a material saving of time be accomplished by cutting out all useless text writing, but an actual improvement in the census reports will be effected thereby. The only two functions properly to be discharged by text in census reports are, first, the making of all needed explanations in regard to the scope of the census, the meaning of the terms employed, and so forth; and, second, the pointing out of any specially important facts contained in a statistical table in cases where the importance of these facts is not reasonably obvious from an examination of the table itself. Of these two functions the first is by far the most essential.

The presentation of the results in such manner as to make it difficult for the lay reader to find what he wants: The bureau also plans to publish its results in such form as will make them readily accessible to all users. Each complete report will carry a detailed alphabetical index, and all bulletins a comprehensive table of contents. In this way persons seeking information will be able to find quickly and accurately just the facts desired.

Inaccuracies: Means have been adopted by which inaccuracies in census figures, which are not now very serious in most cases, will be eliminated to a great extent.

Failure to supply information desired by some users of census statistics can not be helped, because of the detail of the statistics requested. The necessity of curtailing the detail in which statistics are presented for a decennial census in order to complete the work within the three-year period required by law will even under new methods prevent the bureau from occasionally sup-

plying some facts, but the method to be adopted will place such instances at a minimum. It is well to remember in this connection the expansion of the census work as shown between the census of 1790 and that of 1910. In 1790 all of the statistics of the census were presented in a small volume of 56 pages. The statistics of the census of 1910 were presented in 12 large volumes, including the abstract, of 11,456 pages.

The principal evil affecting the Bureau of the Census to-day is the growth of a number of statistical sections and divisions in nearly every board and commission recently created. Congress created the Bureau of the Census to be the statistical service of the National Government. It is not only the largest statistical office of the United States but the largest in the world. It is equipped with a well-trained statistical force of more than 600 employees, a number of whom rank very highly as expert statisticians. Its field of investigation is very broad, covering the entire United States, and even reaching to our outlying possessions. Its reports to-day are accepted officially the world over as being the most thorough, accurate, and complete statistics presented by the United States Government.

With this bureau created by Congress as the statistical service of the National Government, it is not only logical but right that all statistical inquiries ordered by Congress or directed by other services of the Government should be assigned to it. By doing this, duplication of work and additional employees, as well as the expenditure of valuable time and money, could be avoided. The Bureau of the Census, as intended by its creators, should be the clearing house for all the statistical information collected by the Government. This work should be centralized in this bureau, which is so well equipped to do it efficiently, economically, and with the least expenditure of the people's money. The Bureau of the Census does not make estimates but an actual enumeration of definite facts. A number of the bureaus of the Government service now doing statistical work—and this is especially true of a number of our war boards and commissions—secure only sufficient data as a basis on which to make estimates and the resulting figures vary greatly in many cases from the actual facts. I am not making this statement in any sense of severe criticism, for probably the services mentioned have done the very best they possibly could in this time of national stress; but the Census Bureau is so thoroughly equipped for statistical work and its large force so well trained in both field and office inquiries of large moment that merely as a matter of business as well as of securing reliable, accurate, and valuable data, it is desirable for Congress to see that the statistical work of the Government is assigned to this bureau.

As a matter of fact, practically all of the war bureaus, as well as many of the bureaus of the Government services now attempting to do statistical work, have to come to the Bureau of the Census to secure their data as a basis on which to found their work. These other services not only make use of the statistical data already collected and compiled by this office, but practically all of them come to the bureau to learn their methods of collecting and compiling statistics. At a recent hearing on this bill, under date of February 20, 1918, the chairman of the committee asked the Director of the Census if his organization was not equipped and especially qualified to do any piece of war work on its own initiative. The director replied:

> Yes, sir; and more than that. We are volunteers to do war work. We want to do our bit, if it takes night and day. * * * There are so many times now when the Census Bureau is called upon to do what I consider lending itself out. They will want a statistical piece of work done under the supervision of some particular man who has gotten an appointment and in order to cooperate with them, we will send a number of our trained people, trained in gathering statistics, tabulating statistics, and making deductions, to do what we call war work under somebody who has not been engaged in that kind of business.

The director further stated that the Bureau of the Census has already been doing pieces of statistical work for other services; in fact, that during the last year this class of work amounted to the services of one man for 15 years. He said that, so far as he knew, no credit had been given the Bureau for the service rendered. He said:

> I think that it is highly improper to call upon the Bureau of the Census to disintegrate itself and be used to do the work that it is trained to do and organized to do and called upon to do.

When asked by myself—

> What is necessary to be done by the Congress to correct that evil which is manifest and has been admitted for several years?

The director gave his opinion, as follows:

> I think the statistical work ought to be placed upon the Bureau of the Census.

For further discussion see pages 38 to 41 of the hearings before the Committee on the Census, February 20, 1918, entitled "Fourteenth and subsequent decennial censuses."

Scope of the census: This bill provides that a census of population, agriculture, manufactures, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920. Section 8 enumerates the topics or inquiries which are to be included in the census schedules. The first paragraph of section 8, as defining the general scope of the census, specifies the inquiries to be included on the population schedule. The second paragraph of the section specifies the inquiries to be included in the agricultural schedule. The general agricultural inquiries will have to be answered by the more than 7,000,000 farmers in the United States. There will also be a schedule for "Live stock not on farms and ranges." Attention is also called to the schedules or special census of irrigation and drainage enterprises.

It seems to me that one of the great problems after the war will be the locating of the thousands of returning soldiers in homes. At the close of the Civil War a great movement took place in opening up and developing the West. Thousands and thousands of soldiers returning to their homes found no places of employment awaiting them and no means by which to secure a livelihood. This condition started the great movement toward the West. Out of this soldier movement has come a great and prosperous section of our country. Now, more than half a century later, comes the problem of returning soldiers and what to do with them. We must increase the number of homes and food production in this country. Besides feeding our own people, there will be a few years following the end of this titanic struggle in which our people must feed practically the whole of Europe. In fact it is probable that this great and prosperous country must, to a great extent, feed the civilized world. Irrigation is opening up lands in the West that can be made into farms and homes. Draining the great swamps and alluvial sections of the East and South will open up thousands and thousands of fertile acres of land for homes and farms. The data for what we have and what can be done will be supplied by this census. The census, after all, is an inventory of the Nation's resources; it is our national stock taking in decennial periods.

The third paragraph of section 8 discusses the inquiries on the manufactures schedule. This census will be an important one. It is very vital that we secure at this time a complete census of our manufacturing industries. We shall have a world trade, which means a world competition, and we must know what we are able to do to meet the conditions that will then face us. We must supply the world. All of the materials which go into the great industrial life of a civilized world must come to a greater or less extent from our mills. Not alone in our field of manufacturing but also in the field of mines and quarries this census will give us definite facts—an actual stock taking of our national resources in all industrial lines—as the permanent basis upon which to build and carry forward our campaign for the trade of the civilized world. In every harbor of the world will be seen vessels carrying the products of our farms and factories and flying aloft the Stars and Stripes. The times are rapidly changing. The older order has gone. The dawn of the new era is already breaking over the world. After the smoke of battle clears away and autocracy has passed forever, will come the new day of industrial freedom and the rule of permanent peace—the rule of justice and right and the brotherhood of man—throughout a new world in which democracy is triumphant.

> * * * through the ages one increasing purpose runs,
> And the thoughts of men are widen'd with the process of the suns.

It is then that the United States will come into its own as the dominant power—financially, industrially, intellectually, and morally—of the civilized world.

Mr. HELM. Mr. Chairman, will the gentleman from Michigan [Mr. NICHOLS] use some of his time?

Mr. NICHOLS of Michigan. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, we have been advised by the administration many times that we ought to confine our legislation as far as possible to what concerns the war, and that both the money and effort of the American people should be devoted exclusively to war purposes. And I think we all acquiesce——

Mr. ASWELL. Will the gentleman yield there for a moment?

Mr. GILLETT. Certainly.

Mr. ASWELL. Does not the gentleman recognize that, of all questions, the getting of information and organizing our resources is a war question?

Mr. GILLETT. I will come to that. I say that it is recommended to us that we ought to confine the money that we appropriate and the efforts of the people to war purposes, and the gentleman, of course, acquiesces in that. Therefore we do not want to appropriate in this bill anything that is not helpful for the war, except so far as it is incumbent upon us to follow out the mandate of the Constitution. As far as the enumeration of the population goes, if it were not for the Constitution, I should be in favor of not taking any census at present, because I think that to take a census in 1920, which will be right in the heat of

this war, when millions of our population will not be in this country but in Europe, when thousands, and I do not know but millions——

Mr. ASWELL. Will the gentleman yield just there?

Mr. GILLETT. Yes.

Mr. ASWELL. The part of our population that is in Europe will be taken in the census.

Mr. GILLETT. Are you going to take a census of them?

Mr. ASWELL. Why not?

Mr. GILLETT. How will you find out? Does the bill provide for it?

Mr. ASWELL. We have that census already on record in the War Department.

Mr. GILLETT. But they could not be reckoned in this census. The enumerators could not find them. When they come back you do not know where they will be. When the boys who are in Europe come back, probably thousands and hundreds of thousands will not settle down in the places from which they came. They will not be any longer citizens of their former neighborhoods. So the statistics of population will be unreliable and useless. And, moreover, to-day thousands and hundreds of thousands, I expect, of our population have been diverted from their natural residences. They have been diverted to the seashore, where ships are building; to the great munition factories; and to various other communities. So that the whole country over is to-day in an abnormal condition, and the statistics which we gather will not reflect at all the normal condition of the country. And therefore, for the purposes for which a census is really taken, they are largely valueless. But I admit that the Constitution imposes on us the duty of taking the enumeration every 10 years, and that therefore we are obliged to take it. We ought to take it just as late as we can under the law, which would be the end of 1920, because this war may end within a year, and we ought to limit it as much as possible and await developments.

Mr. ASWELL. Will the gentleman yield just there?

Mr. GILLETT. Yes.

Mr. ASWELL. Does not the gentleman recognize the importance of taking the census before the war ends, so that we will have a record of peace times and war times? How else can we get a record of the country's resources during the war?

Mr. GILLETT. I was talking about the population and not about resources. I do not agree with the gentleman as to that. I think a census is valueless, largely, as to our resources in war times, except for war purposes, and we shall get its results too late for that, and it is not at all useful for what a census is taken for, namely, for the development of our country in times of peace.

But, as I was saying when the gentleman interrupted, we are obliged by the Constitution to take an enumeration, and so I recognize we must do that.

But not only is our population disorganized and abnormal at the present time, but the same is true with respect to our industries. They are all abnormal. They are not developing along the ordinary lines and under the ordinary conditions and in the ordinary places, and therefore a census of them and statistics about them will simply gratify curiosity and show what we did in the war; but for peace purposes they will be largely useless.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. So that my contention is that we ought to take just as little as possible to comply with the obligations of the Constitution. Now I yield to the gentleman.

Mr. HELM. The war broke in Europe on August 2, 1914, I believe. Almost immediately following that date there was a stimulation of business activity in the United States. Prior to the time that Congress declared war there was a very noticeable speeding up in activity in munition making and along other lines. The war period from 1914 to 1920 covers six years of the decennial period. Does the gentleman think that a census of a period that had been consumed almost entirely in war activities would not be worth while from a business standpoint, and more especially from a historical viewpoint?

Mr. GILLETT. I certainly do. That is just my argument. I think it would be useless from a business standpoint. We are all fighting this war to make it the last war, so that there shall be no more wars for us. We do not care, for our future development, what the war statistics are. I will agree that there will be a certain historical interest in it; but we are not taking a census for historical interest. For that purpose plenty will be known without this census. Moreover, we took a census of manufactures in 1916. We have been taking statistics enough to gratify most practical purposes in the last few years. We took a census of manufactures in 1916, as I say. We have authorized the Ship Corporation to make an investigation of our forests. The Bureau of Labor has been authorized to make an investigation of our labor statistics, which has been appropriated for. We have had a census of fuel and a census of food and a census of cotton and of mines and mining, so that there has been quite enough, in my opinion, to gratify our historical interest; and I believe there has been enough to meet our business requirements, so that it seems to me the clear duty of Congress now, under its general obligation to limit our expenses and limit the effort of the people to war purposes—the clear obligation on us in this bill is to do just as little as we can and comply with the Constitution, so that if I had my way in this bill I should have made it simply an enumeration of population.

But the main criticism which I make of this bill, and the only point to which I will direct my attention, is this provision of not having the supervisors appointed by the President and confirmed by the Senate, as has always been done in the past, but to have them appointed by the Director of the Census and the Secretary of Commerce.

Mr. LONDON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. LONDON. Before the gentleman proceeds further in the discussion of this proposition, is it the intention of the Census Bureau that the work of the census should overlap the work of the various departments that the gentleman from Massachusetts has mentioned?

Mr. GILLETT. Why, of course it is going to repeat what they have done.

Mr. LONDON. That would be a waste both of time and energy and money.

Mr. GILLETT. That is what I think.

Mr. LONDON. I understood that the Bureau of the Census would necessarily take the data accumulated by others and assemble those data for the purposes of the census.

Mr. GILLETT. Oh, I do not think so. I think they would start in and make an original investigation in every line.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. ALEXANDER. Has the gentleman read the statements of Mr. Smith, the Director of the Geological Survey, and Mr. Manning, the Director of the Bureau of Mines, to determine whether or not there would be a duplication of work?

Mr. GILLETT. No; I have not.

Mr. ALEXANDER. They do not think they will duplicate. They think this census will develop facts that they did not get.

Mr. GILLETT. Of course, it will develop more than they got.

Mr. ALEXANDER. They say it is necessary to take a census of mines and collieries for the very reason that this is the only way in which you can get definite, accurate information as the basis for the intervening decennial period.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. ASWELL. I just want to state that the various bureaus of the Government have all appointed committees and have had session after session, working out the plans for the future by which there will be no duplication.

Mr. LONDON. Mr. Chairman, will the gentleman yield again?

Mr. GILLETT. Yes; I yield to the gentleman.

Mr. LONDON. It seems to me that the work of the Census Bureau will be entirely wasted except for the purpose contemplated in the Constitution unless it continues the work heretofore conducted and makes its new investigation the basis of further and continuous studies. In other words, the work of the census must be of the nature of the statistical bureau of the Nation in order that it should be useful and of permanent value.

Mr. GILLETT. I agree with the gentleman as to that. Of course, the different heads of the bureaus are in favor of it. Did you ever hear of a bureau head that was not in favor of developing just as far as possible the subjects with which his bureau dealt? I do not say that in any criticism of them, because we want them to be enthusiastic and appreciate and exaggerate the importance of their bureaus. Of course, they will say that they will try to arrange to prevent duplication, but it inevitably will involve duplication, and it is simply going a great deal further than in my opinion we are called upon to go in this time of stress.

Now, to return, as I say, to the one thing in this bill which seems to me to deserve the criticism not only of our side, but of that side of the House; it is the taking away from the President the appointment of the supervisors, because I am frank to say—and I am not accusing any particular gentleman or any particular committee—that I believe the purpose of that provision is mainly to give political patronage to this head of the Census Bureau.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. GILLETT. Yes.

Mr. ASWELL. In what way would it be more successful, if your criticism is true, for the director to make the appointments than for the President to make the appointments—the leader of the party?

Mr. GILLETT. For this reason: The President makes it and sends it to the Senate, where it can be discussed, where it is a matter of importance and attracts attention. Members on both sides can criticize the appointees, and, if there are objections to them they can bring them forward. But when it is done by the Director of the Census, he can appoint any petty local politician, and in his district and neighborhood it is known about, but it is not known about generally where it can be discussed and where the impropriety of it can be shown.

Mr. ASWELL. Can the gentleman recall 10 years ago that any petty politicians were appointed under that provision?

Mr. GILLETT. There was no such provision 10 years ago.

Mr. ASWELL. I mean when the President appointed them; were there any petty politicians appointed under the Republican administration?

Mr. GILLETT. There may have been, but I will venture to say that there were not anything like the number that would have been appointed if the Director of the Census had appointed them then or that will be appointed now if the Director of the Census appoints them. I think the gentleman in fairness will admit that the notoriety of having the names sent down by the President, the responsibility of the President in being obliged to send the names to the Senate and having them confirmed will, of itself, secure a higher class of men, and I will trust the President of the United States to be much less disposed to play petty politics than I will the Director of the Census, particularly when he has to do it in the light of day and send them to the Senate for confirmation.

Mr. ASWELL. I trust the President implicitly; but is it not a fact that the President necessarily will have to get his information from the same sources?

Mr. GILLETT. He will not get it necessarily from the Director of the Census. He will get it from the locality.

Mr. ASWELL. He will get his information from the same sources as the Director of the Census will get his.

Mr. GILLETT. Yes; but he will not have the same temptations that the Director of the Census will have. He will be conspicuous and careful. The Director of the Census will be perfectly free to yield to any local politician, and the President will not.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. My time has been so absorbed by interruptions that I have not really got started. I will ask the gentleman for 10 minutes more.

Mr. NICHOLS of Michigan. I yield to the gentleman 10 minutes.

Mr. MONDELL. Will the gentleman yield?

Mr. GILLETT. I yield to the gentleman from Wyoming for a question.

Mr. MONDELL. What argument has been advanced in support of the change of the policy of appointment?

Mr. GILLETT. I am coming to that. I want to say a word, however, as to the argument made by the gentleman from Louisiana [Mr. ASWELL] that 10 years ago politics was attempted. I remember that discussion very well. I have no doubt that politics has been attempted at every census, by Republicans as well as by Democrats; but 10 years ago, when President Roosevelt vetoed the bill, it was not simply because of an attempt to give Republicans an advantage; it was because of an attempt on both sides of the House, that Democratic Congressmen as well as Republican Congressmen should have the patronage; and he vetoed it because he thought the appointments should not be a matter of patronage, either personal or political.

Now I will give the gentleman from Wyoming the reason which is given for this proposed change. The only reason I have heard advanced, the only reason I have seen stated in these hearings and in the report, is that the census begins on January 1 instead of April 1, 1920, and that there may not be a session of the Senate to confirm the appointments before that time. Of course that is a pitiful excuse. We know that the Senate, in all probability, will be in session, and that Congress will be in session all through next summer, off and on, as it will this summer. There will be plenty of opportunity to confirm the appointees. They can be confirmed even at the session which always follows the 4th of March. They always have an extra session of the Senate at that time, and the chances are a hundred to one that the Senate will be in session next summer. But why was January 1 selected? I suspect that it was selected just for the very purpose of giving a basis of an excuse for not having the President appoint the supervisors. Now, the Director of the Census is a politician. This administration has not appointed to that office statisticians but politicians. The Director of the Census who was first appointed by this administration was Mr. Harris, from Georgia, who, if I recollect aright, was the chairman of the Democratic committee of that State, and I know he gave up much of his time, which ought to have been spent here in the Census Bureau, to the pursuit of politics in his own State. I am told that the present Director of the Census was the campaign manager of Senator SIMMONS, of North Carolina.

Mr. ASWELL. Will the gentleman yield?

Mr. GILLETT. Yes; if you will give me a little time.

Mr. ASWELL. I should like to call attention to this fact, if the gentleman will permit me, that the committee that selected January 1 as the most desirable date are a majority of them members of the Republican Party.

Mr. GILLETT. Oh, well, they are under the control of Mr. ROGERS. They are his subordinates.

Mr. LARSEN. Will the gentleman yield for just one question?

Mr. GILLETT. If the gentleman will give me five minutes, I will.

Mr. LARSEN. I have no time myself.

Mr. GILLETT. Then I can not yield. My time is too limited. Now, the reason put forward by the committee is this:

> The change of date to January 1 was made to meet the requirements of the agricultural census, which, because of the house-to-house canvass must be taken in connection with the enumeration of population. The 15th of April, the date of the previous census, is not a good time of year in which to take a census of crops and live stock.

That is in the report of the hearings of the committee, on page 28; but I notice, on page 247 of the same hearings, when the representative of the Agricultural Department comes up he says:

> I should like to suggest to the committee, before it is finally decided that a live-stock census be taken as of January 1, that the opinion be taken of the live-stock experts of the Bureau of Animal Industry and other interested parties, because it seems to me, and to some of the men in the Bureau of Animal Industry with whom I have talked about the matter, that January 1 is pretty nearly the worst possible date on which to take a live-stock census.

So at any rate there are obviously two opinions, and without discussing that subject I can not help entertaining the suspicion that this is a mere pretext to give a reason for having these supervisors appointed by the Director of the Census.

Mr. ASWELL. Does the gentleman recall that in 1910, when his party had control of this matter, the date was changed from June to April?

Mr. GILLETT. April may be better than June. I am willing to concede that.

Mr. ASWELL. By the same process of reasoning it covers the gentleman's point.

Mr. GILLETT. It does not cover the reason. There is an obvious reason for changing it from the middle of the summer, which does not apply to changing it from the 1st of April to the 1st of January. Now, if the present Director of the Census, a Democratic politician, is to have the appointment of supervisors he can and, in my opinion will, appoint supervisors for political purposes. The committee has raised the number of supervisors from 330 to 400. Ten years ago the number was raised from 300 to 330, 10 per cent. Now it is raised from 330 to 400, and that is twice the percentage and more than twice the number of the previous increase. Why is that done? To give more patronage. The country has of course increased in numbers, it has largely been in the great industrial centers where they do not require any more supervisors. The great State of Massachusetts has but one supervisor—one for 4,000,000 people. In parts of the country where the growth has come you do not have any more, but you bring in 70 more so that you can have 70 politicians working before the presidential election for the Democratic Party. That in my opinion is the vice in this bill. I think the number of supervisors should be reduced, and I think the appointment of supervisors should be taken away from the Director of the Census and left where it has been before, and let them be nominated by the President and confirmed by the Senate. We will have a better character of supervisors, and at any rate we who will have no voice in the appointments will have more confidence that they will not be used mainly for machine political purposes but for the purposes for which they are appointed. The supervisor has a pretty good job—$1,500 and some perquisites besides. He has a large horde of enumerators under his control, and it is unfortunate that this census is to come just before a national election, which, of course, adds more to the possibilities that he can accomplish in a political way, and adds more to our unwillingness to have these political purposes carried out.

Mr. ALEXANDER. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. ALEXANDER. The gentleman says the 1st of January was selected as the time so that there would be a reason why the supervisors should be appointed by the Secretary of Commerce rather than the President.

Mr. GILLETT. I could see no other good reason.

Mr. ALEXANDER. If it was for political purposes, why not take it in April so the supervisors and enumerators would all be in one political campaign? Why make it the 1st of January, when the enumerators will all be out of office, because they will be through by the last of February?

Mr. GILLETT. That is in the year before the presidential election. It strikes me that the enumerators will be thinking of politics in February before election.

Mr. ASWELL. Will the gentleman yield?

Mr. GILLETT. I will.

Mr. ASWELL. Would not April be a better time?

Mr. GILLETT. That is the only reason that I can see. In the first part of the report you say that it is better for agricultural purposes to take it the 1st of January, and at the end the agricultural expert says that January is a much worse time than April. Now, I may have done an injustice in suggesting that that was the reason for selecting January 1. It only seemed to me that that was the reason, because it was used as an excuse for taking the appointments away from the President and giving them to the Director of the Census. At any rate, I believe that the increase of supervisors was made in order to have more Democratic patronage and that the appointments are taken away from the President and given to the Director of the Census for the same reason.

Mr. HELM. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. HELM. The gentleman has had a long, useful, and very distinguished service in the Congress of the United States. He has served under a Republican administration and under a Democratic administration. In the course of his service he has doubtless observed that these appointments that are to be approved by the Senate, especially in post-office matters, frequently culminate in interminable wrangles and disputes concerning the appointments. One Senator wants one man for postmaster and another Senator wants another. Members of Congress want one man and another Member another. This census work is a type and character of work that must begin and move as a solid column. If you break the line in Massachusetts by wrangling over the appointment of supervisor, that work fails and falls back by reason of the squabble that arises in the Senate over the appointment of the supervisor. If the line is broken anywhere in any State of the Union or in any district in the Union, that work falls back. Inevitably as night follows day innumerable squabbles arise over the confirmation of supervisors and without limitation as to time of settlement. That was one of the reasons for this change.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT. Will the gentleman yield me two minutes more?

Mr. HELM. I will.

Mr. GILLETT. I recognize that that is a fair argument and that there might be, as there often is, trouble and delay over confirmations, but at the same time that plan has always been followed and it has not prevented supervisors being duly appointed.

Mr. HELM. I want them to get over the habit.

Mr. GILLETT. You are getting into a worse habit because you are going to subordinate it to politicians. Ten years ago in a Republican House I opposed making spoils out of the appointments. I opposed in debate and by vote the provision on account of which the bill was vetoed finally by President Roosevelt. I try to be consistent, and I would oppose it in a Republican House as much as I do in a Democratic House, and therefore I think I have more right to point out the viciousness of this proposition. [Applause.]

Mr. ALEXANDER. Mr. Chairman, I am surprised that the gentleman from Massachusetts [Mr. GILLETT], who is one of the distinguished Members of this House, takes such a narrow partisan view of this legislation. I believe that every member of the committee excepting the gentleman from Maine [Mr. HERSEY], and evidently his liver is out of order, will agree that politics did not influence the committee at all in the preparation of this bill.

Mr. NICHOLS of Michigan. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. NICHOLS of Michigan. Did I understand the gentleman to say that politics had no consideration in the bill?

Mr. ALEXANDER. As far as the committee was concerned—it had no influence on me.

Mr. NICHOLS of Michigan. I can not speak for the whole committee, but I believe the necessities of the proposed legislation were recognized by most members of the committee, but they also understood and recognized the inevitableness of the political situation.

Mr. ALEXANDER. That is inevitable, if you refer to the fact that the census will be taken in 1920 and we will have a political campaign on at that time. That can not possibly be avoided. The fourteenth decennial period covers 1920. In providing for the taking of a census of the population we are obeying a constitutional mandate. But that this legislation is being framed now with the view to promoting the interests of a political party, to my mind is absurd, and we may well question the sincerity or good faith of any gentleman on that side of the House who says so. This bill is to all intents and purposes the reenactment of the census act of 1909. It is a reenactment of that legislation, only modified to make it applicable to meet changed conditions and provide the necessary machinery to take the Fourteenth Decennial Census. I want the committee to understand that fact.

As regards the appointment of supervisors of the census, I do not care a fig whether they are appointed by the Secretary of Commerce on the recommendation of the Director of the Census or by the President and confirmed by the Senate. The committee appointed by the Director of the Census to consider the necessary legislation under which the Fourteenth Decennial Census should be taken recommended that the appointment should be made by the Secretary of Commerce on the recommendation of the Director of the Census, to overcome an administrative difficulty, and for no other reason. The gentleman from Kentucky [Mr. LANGLEY], who was connected with the Census Bureau when the Twelfth Census was taken, I am sure, if he were present, would confirm what I am going to say, that if we provide that the appointments be by the President, to be confirmed by the Senate, unless the Senate is in session when the appointments are made, so that they can be confirmed promptly, the appointments will be postponed until December, 1919, and in that way the organization of the Census Bureau will necessarily be delayed, and the very difficulty will be met that confronted the bureau in taking the census in 1909. If the Senate is in session in July, 1919, or when these appointments are made, and it would not involve delay, so far as I am concerned, it is a matter of indifference whether the appointment of supervisors is made in the manner provided in the bill or by the President and confirmed by the Senate, and that was the viewpoint of the committee. But we considered the report made by the committee on legislation for the Fourteenth Decennial Census and the reasons they assigned why the supervisors should be appointed in the manner provided in the bill and thought they were reasonable and sound, and we conformed our action to their view. That they were influenced in their recommendations by any political considerations is absurd. The majority of that committee, I understand, are Republicans. They have been in the Census Bureau for years, and they have not only participated in taking one census, but some have participated in taking two, and possibly more, censuses. I am not willing to believe that they were prompted by any motive of that sort.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GILLETT. They were all subordinates of the man they suggested should make the appointments.

Mr. ALEXANDER. They are under the civil service; they are independent of the Director of the Census; they are not in any way subservient to him. I am unwilling to believe they were coerced or influenced by the director against their better judgment.

That committee was appointed July 10, 1917, and they reported to the Director of the Census December 22, 1917. As I have said, the members of that committee are long-time employees of the Bureau of the Census, men of large experience in census work, experts in their lines, and worthy of our respect and confidence. Some, if not all, are chiefs of divisions. Dr. John Lee Coulter, formerly chief special agent of the Bureau of the Census in the Division of Agriculture, and now dean of the agricultural department of the University of West Virginia, was invited by the chairman of that committee to take part in the discussions of the committee when he was in the city. He gave the committee the benefit of his advice, based on experience in the bureau.

The changes recommended by this committee are the result of practical experience in the administration of the law of 1910, they say. They further say that the importance of keeping in mind the necessity for completing the work of the Fourteenth Census within the census period, July 1, 1919, to July 1, 1922, was kept in mind at all times.

In this respect the work of the Thirteenth Census was not satisfactory, and criticisms followed, occasioned by the delay. The delay was not the fault of the Census Bureau. It was the fault of Congress. The fact that the law was not passed until July 2, 1909, made it impossible to organize the force and go to work in the proper time, and it is estimated that not less than $3,000,000 additional cost of taking the Thirteenth Census was the result, to say nothing of the delay in taking the census.

The committee further says that the modifications made in the existing law were considered necessary on account of the growth of the population and expansion of industry within the 10 years, to provide, first, for increases in the force beyond that authorized by the Thirteenth Census act. We assume that is entirely reasonable that it should be so, in view of the fact that the population of the country has increased from ten to fifteen millions of people in the decennial period.

Second, for such increase in salaries as, in view of the greatly increased cost of living and the rise in the general level of salaries, are regarded imperative to secure the personnel required for the efficient and expeditious prosecution of the work.

Third, to restrict the scope of the census within reasonable limits and avoid burdening the schedules with questions or inquiries of little value.

Fourth, to correct defects in the law brought to light in the prosecution of frauds committed in the Thirteenth Census enumeration.

These were proper matters to be considered by that committee, and to be presented to the Committee on the Census, and to be considered by the Committee on the Census in determining what change in the census act of 1910 should be made to meet those conditions.

The force required to take the enumeration of population and collect the statistics of agriculture will take between eighty-five and ninety thousand supervisors and enumerators.

The enumerators will be employed less than 60 days.

The bill fixes the minimum number of supervisors at 400. The law of 1910 fixed the number at 330. Then we had about 391 congressional districts in the United States, and now we have 435, and the population of many cities has greatly increased, and it was the opinion of this committee of experts who were active in taking the last census that 60 additional supervisors would be necessary if this work is done expediciously and efficiently.

To collect the statistics of manufactures and mines and quarries under substantially separate supervisions will require a special field force of fully fifteen hundred employees, and the number of other employees in the office will range from a minimum of 1,000 to a maximum of 5,000.

To organize and direct such a force requires a large number of competent administrators and supervisory assistants. To make the mass of data gathered easily accessible, readily understood, and convenient for reference, and their full significance and value shown, it is necessary that a large number of statistical experts shall be employed. In view of the fact that the value of the census depends upon the expedition and accuracy with which the work is done it is necessary to invest the director with large discretionary power in order that he may meet emergencies as they may arise and secure the assistance required to insure the uninterrupted and speedy completion of the work.

One criticism of the last census was the delay in collecting the information, the data, and making it available for the people. Hence the necessity of a complete organization in time to begin this work on the 1st day of January and to complete it before the 30th of June, 1922.

Now, I will not take time to call attention to the estimated cost of this census but will incorporate it in my remarks.

Now, should we take a census of agriculture? I wish to call attention to the fact that we did not go blindly about this matter, but the questions propounded here to-day and on yesterday occurred to the committee. In view of the fact that we are now engaged in a great war, the question occurred to us, Would it not be well to do no more than take a census of the population of the country. I think I suggested to my colleagues on the Census Committee that we had better investigate that question thoroughly, and that we should call in the heads of the Departments of Agriculture and Commerce, the Director of the Bureau of Mines, the Director of the Geological Survey, and go further and address communications to the various commercial bodies of the country, the manufacturers, the Chamber of Commerce of the United States, and the Southern Commercial Congress, that we might get their viewpoints on this matter, and in every instance, as far as I have been able to ascertain, the answers came back that it is not only important that this census should be taken but that even if the war should continue the reason would be the greater why it should be taken.

Now, the Secretary of Agriculture was before the committee and made a very able and comprehensive statement. I quote from the hearings, page 197, a brief extract from Secretary Houston's statement:

The CHAIRMAN. Mr. Secretary, the purpose in asking you to appear before the committee is due to the fact that there has been some expression in the committee in the preparation of the bill for the Fourteenth Decennial Census as to the necessity of an agricultural census, owing to the fact that business of every character, kind, and description is more or less abnormal by reason of war conditions. We will be pleased to have you give us your view on the necessity of taking an agricultural census along with the enumeration of the population, and such other matters as are provided in the bill. If you will kindly state in your own way your views, we will be very glad, indeed, to have them.

Secretary HOUSTON. Mr. Chairman, I shall speak primarily as to the bearing of such work on the activities of the Department of Agriculture.

Now, it is said there will be a duplication of work; that is one of the contentions made by the gentleman from Maine [Mr. HERSEY]. He continues:

The department is charged by law with the duty of issuing crop reports at stated times for the information of the farmers and others interested. It is charged with the duty, for instance, of estimating the number of acres planted to important crops, like wheat, cotton, corn, rye, and barley, as well as the number of each class of live stock. The estimates are based on the census. The actual enumeration forms the base line from which we proceed. Crop reporters, of whom there are 150,000 or more, are instructed to estimate the percentage of increase or decrease of acreage or of the number of each class of live stock, with reference to the preceding year. This is a simple matter for the year after the census returns are available. As time passes, as the census date recedes, the possibility of error increases and may become cumulative. It is absolutely essential to the operation of our work that we have the enumerations at least at 10-year intervals. We have suggested in the past that we have 5-year enumerations of certain things in order to lessen the margin of error.

I think very few people would doubt the necessity of having the estimates which the department is called upon to make, and no one would question the necessity of having them as accurate as possible. If the census were deferred for a year or for a number of years, our difficulties would correspondingly increase. The possibility of error would be greater. I suppose I need not enter into a discussion of the necessity of having actual facts as to production and the food supply.

Then he goes on to discuss the question in detail, and it will be well worth your time to read the whole of the Secretary's statement, but I will not detain the committee by reading further from his statement.

The next question that occurred to us was should a census be taken of manufactures, and the Secretary of Commerce, Hon. W. C. Redfield, was called before the committee. I now read from the hearings, page 177 and following, extracts from his very interesting and illuminating statement:

The CHAIRMAN. Mr. Secretary, as you thoroughly understand, the Constitution requires an enumeration of the population every 10 years, and the bill before us also provides for a census of agriculture and manufactures and mines and quarries. We had Secretary Houston yesterday before the committee, who gave us his views on the necessity of a census full and complete bearing on agriculture. We would like to have your views as to the necessity and use by the business and commercial world of the statistics gathered by the Bureau of the Census, and also the service and use by the general public of the census relating to manufactures. There is some difference of opinion in the committee as to whether during this war period, on account of such an abnormal situation in the business world by reason of war conditions, it is advisable to take a census of manufactures, and the committee is anxious to have your views on that subject, and I think they are all anxious to understand as fully as possible the uses made by the business and commercial world of the statistics gathered by the Bureau of the Census in relation to manufactures.

Secretary REDFIELD. Speaking, then, if I may, first as a manufacturer myself for over 30 years, the census of manufactures taken by the Bureau of the Census is the ultimate, final basis of information. If I wish to know the growth of an industry, in relation to the industries of the country; if I need to know as a manufacturer any of the general facts concerning the industry at large or concerning any other industry or concerning the relations of one industry to another, there is where one must go for the final information. The practical difficulty to the manufacturer is that the censuses, so to speak, of manufactures are too infrequent; and for the reason they are five years apart they do not always afford, toward the close of that period, as up-to-date information as is desirable. They are helpful, but not as helpful as they would be if they were more closely to date. The ideal thing would be a census corrected annually. That, of course, we may assume to be impossible, but it is peculiarly true, Mr. Chairman and gentlemen, that in periods of rapid evolution the census becomes more important, more vitally important not only to commerce but to the Nation in every other respect than it is otherwise.

Perhaps we can best illustrate that by applying it to the present conditions; what is actually going on to-day. The last census of manufactures took place as of December 31, 1914. It is complete and available, but it is already so far away that it is practically out of date and useless for the immediate war purposes of the country.

I will say this bill provides for intermediate censuses of manufactures between the decennial census periods. The Secretary goes on to say:

Outside of our own particular line of industry and commerce let me suggest, for example, what will be obvious to you all—the immediate and instant need of the country's knowledge of spruce; not only of its spruce-growing resources but of its sawmill resources and its ability to handle spruce rapidly.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes, with pleasure.

Mr. WALSH. I notice in what the gentleman is quoting that the words "the immediate war necessities of the country" are used. Does the gentleman think that taking a census which is to begin in January, 1920, the information to be secured, not to be available until some months later, is providing any information that is going to be valuable for the immediate war needs of the country?

Mr. ALEXANDER. No, I do not; not unless the war should continue over the census period; but does the gentleman think it is not important that in the census of 1920 we should take a census of the manufactures of the country so that we know what our new industries are?

Mr. WALSH. Yes; I think it is well to know what the industries are, but we should not do it under the guise or in response to an argument; we are doing it because of the immediate war needs of the country.

Mr. ALEXANDER. Nobody is making that argument and are not seeking to have the census of manufactures taken under any such guise as that.

Mr. WALSH. That is the argument the gentleman is reading.

Mr. ALEXANDER. I think not. The Secretary is just speaking of this development growing out of the war, and among other things he says:

> Take for example the business that had grown up in fiber containers in this country, in the making of containers from fiber of various kinds to replace glass and to replace tin. There is not sufficient pig tin produced in the world now, and therefore we have got to use another kind of container.

What I understand the Secretary to say is that even these new industries have developed in this country since the war began, and I understand that he wishes to call attention to the fact and show the necessity to take the census, not postpone it to some future date, because it is important that the country should know what these new industries are for future use. Now, again, he says:

> While I am on this subject, I might mention the tin-smelting industry. I think it did not exist in this country in 1914. We brought it into operation in this country, I think, during that year. It may have been begun, but up to that time, while we were the greatest tin users in the world, we produced no tin ore and we had smelted no tin. We brought it all from abroad. Bolivian tin went by our doors to London, was smelted there, and came back. I think it was in the year 1914 that we arranged with the Bolivian Government to have tin ore sent here, and a small smelter was put up on Staten Island. That smelter doubled its size the early part of last year. It has now just added one half to the increased size, and we are now making 1,500 tons a month of pig tin on Staten Island.

I presume that will be one of the new industries of which we will take the census in 1920, and I think it would be of the greatest value to our manufacturers and commercial interests to have that information and not have the census postponed indefinitely, because perchance the war may be going on at that time. Then again he says:

> I might speak also for a moment of the dyestuffs industry. In 1914 it existed as an embryo. It was to its present size as an ant to an elephant. There were one or two very faithfully struggling concerns working amid great difficulties. Germany dominated the world on dyestuffs. To-day there are over $240,000,000 invested in the American dyestuffs industry.

I would think it would be important and valuable information for this country to have a census of that among other industries. The Secretary says further:

> I have here a few specimens of an entirely new industry; an industry showing how rapidly these changes can come. I will hand this to you, if I may, Mr. Chairman, pointing out that this is a book of fish leathers, leathers made wholly from skins of fishes, and I think you will agree that none of you ever saw anything of that kind before. There are now three concerns producing these goods regularly and growing with great speed. You will find there a very remarkable leather made from the skin of a whale; we now get 3,000 square feet of leather from each whale, and yet that industry even a year ago was not born. It is new, and a man without a census of that industry as it shall be, say, at the close of 1919 might live in entire ignorance of it. Furthermore, Mr. Chairman, you might in entire good faith debate upon the floor of the House of Representatives a commercial question affecting leather, and without a census of that industry would not be able to know, through no fault of your own, that here was an entirely new source of supply already largely developed.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALSH. Of course the gentleman would not contend that taking a census would make it any more valuable to the Government. The Government knows that plant is there and could get all the lenses it wants.

Mr. ALEXANDER. Does the gentleman think it is of vital importance to the interests of this country to take a census of the manufactures at all?

Mr. WALSH. Certainly, but I do not think the reasons that the gentleman is reading here are pertinent to the purpose of taking this census. The words which the gentleman has been quoting would lead one to assume that the gentleman who spoke them before the committee held to the view that if we take a census of these some department of the Government would hear of this great industry at Rochester that never heard of it before and therefore that industry would be of great value to the Government.

Now, I think it may be well for the people of the country to have knowledge of that, but I do not think this Committee of the Whole should be swayed by reasons which the gentleman is quoting here, and which seem not to rest upon any firm basis. I agree with the gentleman and have agreed with him, but I can not agree with those reasons.

Mr. ALEXANDER. He is citing facts as to the development of industries, and I am simply calling attention to the facts to show that it is important to take a census of manufactures in the country, not alone for the benefit of the Government, but for the information and benefit of all the people. The gentleman says he thinks it may be well to do that, and that is my contention.

Mr. WALSH. But that census that is to be taken is not going to be of any help to the War Department or the Navy Department in getting lenses for its periscopes or the sights upon these guns or field glasses or anything else.

Mr. ALEXANDER. It will be of equal value to the industries of this country if the war is then in progress or if the war is ended. It is taking an inventory of our national assets. This country, speaking of it as a whole, is the greatest business concern in the world. I do not know of any private concern that would neglect taking an inventory of its assets simply because the war is on. It would be absurd and unbusinesslike and lead to financial loss, if not ruin, to fail to do so.

Mr. REED. Will the gentleman yield for a question?

Mr. ALEXANDER. In just a moment. The Secretary says further:

> Another entirely new product of an old industry is the manufacture of aeroplane cloth from cotton. Every other nation in the world uses linen. We have no linen industry, and have been obliged to devise and manufacture on a large scale an entirely new fabric from cotton. Another entirely new industry is the manufacture of heavy, warm blankets of the best quality from cotton; warmer than wool, lighter than wool—all of which has been done within the last year.

Now, the Secretary simply calls attention to the development of these new industries and the importance of taking a census in order that this information may be collected and made available to the people of the country.

Mr. REED. It is certainly true that we need this information. We are now mobilizing the men and money and resources of our country, and are we not in immediate need of a lot of information along this line, and does it mean that this bureau will wait for this information we need now so much?

Mr. ALEXANDER. Certainly not. But we will get it then in an accurate, permanent form, and all this data that is collected will be reviewed and analyzed by experts and be made available for the benefit of the people.

Mr. REED. We hope the war will be over by that time.

Mr. ALEXANDER. I certainly do.

Mr. STAFFORD. Will the gentleman permit me to make an observation?

Mr. ALEXANDER. Yes; if it is not too long.

Mr. STAFFORD. It is not long as compared to the subject that the gentleman is citing as authority. I wish to simply state that the distinguished Secretary of Commerce is working overtime in using as an example a glass manufactured at the Bureau of Standards, and this latest citation of this new weave that was developed there, also, he used before the Subcommittee on Appropriations in the preparation of the legislative, executive, and judicial appropriation bill as a warrant for appropriations for the Bureau of Standards, and he now comes before the Committee on the Census to use it as a warrant for having a census of manufactures, because, he says, it may develop manufactures along that line. He made no such claim when he came before our committee. He was only looking for an appropriation for the Bureau of Standards.

Mr. WALSH. Probably they were all the samples the Secretary had in his case.

Mr. ALEXANDER. He does not say this is for the purpose of developing industries, but he tells us what is being developed, and it is information of the greatest value.

Mr. STAFFORD. That which he illustrated by sample in many instances, to which the gentleman has referred here, was not developed by the Bureau of Standards as a result of a study of the census of manufactures. I do not think that a business man of 30 years' experience would go into a business with a knowledge based on a census of manufactures.

Mr. ALEXANDER. Is it the gentleman's opinion it is unimportant to take a census of manufactures?

Mr. STAFFORD. When determining whether or not it is advisable to go into the manufacturing business, investors do

not consult the statistics in the Bureau of Manufactures or in the census of manufactures to see whether it is advisable or not.

Mr. ALEXANDER. If he is wise, he will do so. I will read what the secretary of the United States Chamber of Commerce says. I would like to have the gentleman know the reason for these things.

Mr. STAFFORD. I would like to have the opinion of somebody with practical knowledge.

Mr. ALEXANDER. I do not think the gentleman himself has practical knowledge, from what he says.

Mr. STAFFORD. I know that in the lines of manufacture in which I am interested I do not go, nor do manufacturers go, to any statistics of manufactures to determine whether it is profitable to invest in those lines.

Mr. ALEXANDER. If the gentleman has ever read the volumes of the census relating to manufactures, he will find all the statistics or information collected in the census of 1910 have been collected and analyzed and classified by experts and statisticians from our universities and colleges and others, and have been reviewed and compared in connection with the development of industries in other countries, and are a mine of information to students of political economy and others interested in getting accurate information and who wish to engage in any industry intelligently; information that a man does not have the time to go and hunt for himself he will find collected for him. To show how this matter is viewed by the business men of the country, I wish to call attention to a letter addressed to the chairman of the committee, Mr. HELM, by the secretary of the Chamber of Commerce of the United States. He says:

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,
Washington, D. C., March 27, 1918.

Hon. HARVEY HELM,
Chairman Committee on the Census,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: According to our point of view, there is very great importance in having taken, at the usual time, the census of manufactures, etc., to which you refer in your letter of March 23. There is a constantly increasing demand for authoritative information regarding domestic industry and domestic commerce. At present the census of manufactures is the only comprehensive and authoritative statement which we have for many industries. Fault is often found with the circumstance that, perhaps inevitably, the results of the census of manufactures are not published until they no longer refer to current conditions. This difficulty was overcome in a measure with respect to the census of 1914 by publication of a preliminary abstract.

Unless the census of manufactures, agriculture, mines and quarries is taken in 1920 we are very likely to be without information of very great importance, whether the country is then at war or has entered upon a period of peace. It seems beyond question that there will be under consideration questions of the highest importance with respect to adjustment of industries, the condition of agriculture, etc. According to our point of view, it would be extremely unfortunate if, when these questions come forward for consideration, we were not in possession of the data which would normally be collected as of 1920.

Even if it is assumed that war will be continuing in 1920, we should hope that, man power permitting, the census would be taken in order that its data might be available to show the changes which have occurred in industries and to indicate the relative rehabilitation which will be required when war closes. As you well know, the rehabilitation of British industries, for operation in the period which will follow the close of war, is at present a subject of very careful examination in England. If we should be at war in 1920, we should find it similarly important to have authentic data, taken upon a uniform plan for all industries in all parts of the country, as the basis for the conclusions which were reached with respect to the steps which should be taken to assure our future.

Hoping sincerely that the census to which you have referred will be taken at the usual time and that it will be found possible not only to make the results more quickly available than usual, but also to extend the comprehensiveness of the inquiry, I am,

Very truly, yours,

ELLIOT H. GOODWIN, *Secretary.*

Mr. STAFFORD. Will the gentleman yield?

Mr. ALEXANDER. Inquiries were sent out, I will say, to the chambers of commerce and other commercial bodies in the country and to manufacturers to get their viewpoint with reference to this question, because we knew the questions which have been propounded here would be pertinent and should be answered. And our information is to the effect that the opinion of the manufacturing and commercial interests of the country is quite unanimous that it is important not only to take the census of the population but the census of agriculture and manufactures and mines and mining.

We called the Director of the Bureau of Mines and the Director of the Geological Survey and asked them if a census of mines and quarries was taken it would not be a duplication of work. They said it would not. They said they get a very large volume of accurate information, but that when this census is taken the Bureau of Mines and the Director of the Geological Survey, in cooperation with the Director of the Bureau of the Census, will frame questionnaires and get the last word in information relating to these industries. This bill is no departure from the censuses of the past as regards information relating to agriculture, manufactures, mines, and quarries. This bill covers the same subjects, and the reasons that justified taking the census of agriculture, manufactures, mines, and quarries heretofore will apply with equal force in 1920.

My duties have been very exacting on the Committee on the Merchant Marine and Fisheries, but I regarded this legislation of very great interest and importance; and notwithstanding the demands on my time from my own committee I attended most of the meetings of the Committee on the Census and took great pains to develop every fact that would be vital and on which we should have information in determining the advisability of taking this census.

I think you will find when we come to consider the bill under the five-minute rule that no changes have been made in existing law except those which are necessary. I think they will commend themselves to the judgment of the membership of the House.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALSH. What does the gentleman mean when he says that no changes have been made in existing law?

Mr. ALEXANDER. I said except those that will commend themselves to the judgment of the House.

Mr. WALSH. With that exception, do I understand that under existing law they could go ahead and compile this information if the appropriations necessary were made?

Mr. ALEXANDER. If the gentleman has read the report of the committee——

Mr. WALSH. Yes; I have glanced through it, but I was referring to the gentleman's statement that no changes had been made in existing law.

Mr. ALEXANDER. I said with the exception of those that had been shown to be necessary. I do not care to go into the details now, but when we come to the discussion under the five-minute rule they will be developed if necessary.

Mr. WALSH. What I want to know is if this bill is a reenactment of existing law along certain lines?

Mr. ALEXANDER. Well, I will say that most of it is the language of the existing law.

Mr. STAFFORD. Will the gentleman inform the committee whether the recommended bill as printed on pages 9 to 36 of the hearings on this bill is the bill as reported to the House?

Mr. ALEXANDER. There have been some changes from that, but not very many, and most of them are indicated in large type.

Mr. STAFFORD. So that you could virtually follow that bill and determine wherein changes have been made as compared with the existing law?

Mr. ALEXANDER. Yes.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. HELM. This bill follows the Thirteenth Census bill about as closely as the Thirteenth Census bill followed the Twelfth Census bill.

Mr. STAFFORD. I was wondering whether I could follow that as a basis of comparison to determine what changes in the prior act have been made in the bill reported by the committee.

Mr. ALEXANDER. I think so.

Mr. Chairman, I said I would incorporate in my remarks the estimated cost of taking the Fourteenth Decennial Census as furnished by the Director of the Census to the committee. It is as follows:

Estimated cost of Fourteenth Decennial Census, by inquiries, if taken at the same time.

Total, July 1, 1919, to June 30, 1921		[1] $17,987,000
Population, total		7,100,000
Field work, total (including outlying possessions)		4,500,000
Supervisors—salaries, expenses, and assistance	$750,000	
Enumerators	3,600,000	
Interpreters	50,000	
Miscellaneous (remunerations, etc.)	100,000	
Office work, total salaries		2,500,000
Mechanical laboratory—salaries, supplies, etc		100,000
Agriculture, total		6,049,000
Field work, total (including outlying possessions)		4,609,000
Supervisors—salaries, expenses, and assistance	$750,000	
Enumerators	3,541,000	
Irrigation	106,000	
Drainage	170,000	
Special field work	42,000	
Office work, total salaries		1,440,000

[1] This total does not include the cost of making the following annual, quarterly, monthly, and semimonthly inquiries, which will be entirely separate and distinct from the decennial census work: Annual—birth statistics, mortality statistics, financial statistics of cities, general statistics of cities, and financial statistics of States; quarterly—tobacco stocks; monthly and semimonthly—cotton and cotton seed.

Manufacturers, total		$1,945,000
Field work, total (including outlying possessions)		959,000
Office work, total salaries		986,000
Mines and quarries, total		303,000
Field work, total (including outlying possessions)		97,000
Office work, total salaries		206,000
Administrative and general, salaries (director's office, administrative division, appointment division, disbursing office, geographer's division, publication division, and editorial division)		[1] 975,000
Printing[2]		775,000
Stationery, supplies, equipment (other than for mechanical laboratory), and rent		840,000

[1] Includes administrative and general costs applying to annual and other inquiries specified in note 1 on following table.
[2] In the following table the costs of these items are shown separately under the several inquiries.

Estimated cost of decennial censuses of population; agriculture, manufactures, and mines and quarries, if taken separately.

Grand total		[1] $22,204,000
Population, total		10,440,000
Field work, total (including outlying possessions)		6,400,000
Supervisors—salaries, expenses and assistance	$1,500,000	
Enumerators	4,750,000	
Interpreters	50,000	
Miscellaneous (recnumerations, etc.)	100,000	
Office work, total salaries		3,250,000
Printing		350,000
Mechanical laboratory—salaries, supplies, etc.		100,000
Stationery, supplies, equipment (other than for mechanical laboratory), and rent		340,000
Agriculture, total		9,171,000
Field work, total (including outlying possessions)		6,971,000
Supervisors—salaries, expenses, and assistance	$1,525,000	
Enumerators	5,127,000	
Irrigation	106,000	
Drainage	170,000	
Special field work	43,000	
Office work, total salaries		1,620,000
Printing		200,000
Stationery, supplies, equipment, and rent		380,000
Manufactures, total		2,252,000
Field work, total (including outlying possessions)		959,000
Office work, total salaries		986,000
Printing		200,000
Stationery, supplies, equipment, and rent		107,000
Mines and quarries, total		341,000
Field work, total		97,000
Office work, total salaries		206,000
Printing		25,000
Stationery, supplies, equipment, and rent		13,000

[1] This total does not include the cost of making the following annual, quarterly, monthly, and semimonthly inquiries, which will be entirely separate and distinct from the decennial census work: Annual—birth statistics, mortality statistics, financial statistics of cities, general statistics of cities, and financial statistics of States; quarterly—tobacco stocks; monthly and semimonthly—cotton and cotton seed.

It will be seen from the foregoing tables that the cost of making separately the several inquiries which normally constitute a decennial census would be greater by more than $4,000,000 than the cost of making the inquiries in the usual way, as a part of one decennial census.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I have surrendered the floor.

Mr. GOOD. Who has the floor?

Mr. HELM. The gentleman from Michigan [Mr. NICHOLS] has the floor.

Mr. GOOD. I would like to know something in regard to the clerks.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. HELM] yield?

Mr. HELM. I yield to the gentleman from Iowa.

Mr. ALEXANDER. I reserved the balance of my time and relinquished the floor.

Mr. GOOD. I would like to make inquiry in regard to the salaries of clerks. The report sets forth the fact that clerks in class 4 receive under the present law $1,800, the clerks of class 3 receive $1,600, the clerks in class 2 receive $1,400, and that clerks of class 1 receive $1,200. Now, I observe that you intend to make a new classification altogether for the clerks in the Census Bureau, which it seems to me increases the salary of those clerks in addition to the regular increase that is granted to other clerks, and the question that I wanted to propound to the gentleman is, Is there any reason why a regular clerk, qualified to do the business of a clerk of class 4 in the Census Bureau, should have any more compensation than a clerk of class 4 in any other department of the Government?

Mr. HELM. I want to say in answer to the gentleman's question—and I state it very frankly—that so far as there is any increase of salaries of clerks or staff officials or office force, I have opposed it. I think this arrangement is a departure from the other bill. I think it amounts to a substantial increase of 2½ per cent in the salaries of the clerical force.

Mr. GOOD. I think no one in the House, perhaps, in recent times has given more study to this matter than the gentleman from Tennessee [Mr. BYRNS], who is chairman of the subcommittee on the legislative, executive, and judicial appropriation bill, the bill which pays the salary of all these clerks. I know this is a very troublesome question, and it seems to me if you can enact this legislation increasing the salaries of these clerks over the salaries of like clerks in the other departments, you are going to do a great injustice to the other clerks in the departments in Washington, and you are going to write in the law something that is going to rise and plague us in the next appropriation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB rose.

The CHAIRMAN. The Chair will recognize the gentleman from North Carolina unless some member of the committee asks recognition.

Mr. MILLER of Washington. Mr. Chairman, I wish to be recognized.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. MILLER of Washington. No.

Mr. HERSEY. Mr. Chairman, we had a gentleman's agreement among ourselves of two hours apiece.

Mr. NICHOLS of Michigan. Mr. Chairman, the committee has an agreement for two hours on each side. The other side has now used two hours.

The CHAIRMAN. The Chair begs to state that the request for unanimous consent to limit the debate to three hours, giving the minority side two hours of that time, was objected to in the House, as the Chair understands it, and no private arrangement entered into now can be made good if objection is made.

Mr. GILLETT. Would not the Chair recognize the gentleman from Maine [Mr. HERSEY], who is opposed to the bill, and a member of the committee?

The CHAIRMAN. The Chair begs to state that the gentleman from Maine was recognized out of the time of the gentleman from Michigan [Mr. NICHOLS].

Mr. GILLETT. He yielded him time.

Mr. WALSH. That does not prohibit him from being recognized in his own right.

The CHAIRMAN. The Chair recognizes that fact, but the Chair begs to state that it is an unusual thing.

Mr. HERSEY. Mr. Chairman, I ask unanimous consent that the time may be extended as we understood it. I renew the request for two hours on each side.

The CHAIRMAN. The request is made——

Mr. ROBBINS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROBBINS. Was not the arrangement made for four hours' general debate—two hours to be controlled by the gentleman from Kentucky [Mr. HELM] and two hours by the gentleman from Michigan?

The CHAIRMAN. That request was made, but it was objected to, so that the committee has not been instructed as to the limit of general debate.

Mr. GILLETT. Does the Chair mean to say that he declines to recognize the gentleman?

The CHAIRMAN. The Chair does not mean to decline to recognize the gentleman. If the gentleman from Maine, under the circumstances, having had time heretofore, desires more time, the Chair will recognize him.

Mr. HERSEY. I do.

The CHAIRMAN. The Chair will recognize the gentleman from Maine in opposition to the bill.

Mr. HELM. Mr. Chairman, will the gentleman from Maine yield to me to make a motion that the committee rise for the purpose of receiving a report from the Committee on Appropriations through the subcommittee on fortifications?

Mr. WALSH. You can not make a motion for that purpose, but you can move that the committee rise.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that

committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses and had come to no resolution thereon.

FORTIFICATIONS BILL.

Mr. BORLAND, by direction of the Committee on Appropriations, reported the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, which, with the accompanying report (No. 678) was ordered printed and referred to the Committee of the Whole House on the state of the Union.

The SPEAKER. The Chair will inquire of the gentleman from the Committee on Appropriations if this is the last appropriation bill except the general deficiency bill?

Mr. BORLAND. Yes; it is the last except the general deficiency bill.

Mr. GILLETT. Mr. Speaker, I reserve all points of order on the bill.

Mr. STAFFORD. May I ask the gentleman from Missouri if he can inform the House when it is his intention to bring up this bill for consideration?

Mr. BORLAND. It is the desire of the committee to bring the bill up on Monday at the beginning of the session, and to consider it continuously during the sessions of the House until it is disposed of.

Mr. STAFFORD. Has the gentleman entered into any arrangement with the gentleman from Kentucky [Mr. HELM], who has charge of the pending census bill, looking to that end?

Mr. BORLAND. No. The bill now under consideration will, I understand, take some little time in the debate, and there is no desire to curtail the debate. So the best way is to pass the fortifications bill, which will not take a great while, and then go ahead with the census bill.

Mr. WALSH. The gentleman does not intend to call up the fortifications bill before the hearings are printed, does he?

Mr. BORLAND. No; it is anticipated that the hearings, eliminating the matter that is confidential, will be ready for distribution to the Members of the House on Monday.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

On motion of Mr. HELM, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

Mr. HERSEY. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MCFADDEN].

Mr. McFADDEN. Mr. Chairman, I think it is particularly unfortunate at this time that a bill of this nature should be presented for consideration, especially when the country is in the condition that it is at this time. The only justification I can see for bringing in such a bill at this time is that the Constitution provides for some such action; and, secondly——

Mr. ASWELL. Is not that a good reason?

Mr. McFADDEN. That is a reason.

Mr. COX. Will the gentleman yield for a question?

Mr. McFADDEN. I yield to the gentleman from Indiana.

Mr. COX. The Constitution does not provide for such a bill as this which the committee has brought in, does it?

Mr. McFADDEN. I would not care to say as to that. I am not a member of the Census Committee.

Mr. COX. The Constitution, as I recall it, provides only for a census of the population.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. Mr. Chairman, I yield to the gentleman from Kentucky.

Mr. HELM. The gentleman is aware that the law providing for the Thirteenth and subsequent decennial censuses required that a census of manufactures, agriculture, mines, and quarries should be taken every 10 years thereafter, is he not?

Mr. McFADDEN. Yes.

Mr. HELM. And that this bill is in compliance with that law?

Mr. McFADDEN. If the gentleman will wait a moment——

Mr. HELM. I want the gentleman from Indiana [Mr. Cox] to understand that this bill is in response to that law.

Mr. STAFFORD. There may be need for the repeal of that provision.

Mr. McFADDEN. The only justification outside of what I have said is that the country is engaged in an industrial war, and that for that reason a census of the industrial situation should be taken. I agree thoroughly with the gentleman in that respect, but I can see no further reason for it. And it may be that some of the various war industries boards created since we declared war are now doing that. I mean by that taking an industrial census of the country, the cost of which is being paid for out of some special appropriation for some of these war boards.

If that is the case, this provision would be a duplication of work, and this right should not be granted.

Mr. HELM. Will the gentleman yield further?

Mr. McFADDEN. I will.

Mr. HELM. Has any Member introduced a bill to repeal the law authorizing and directing the taking of a census of manufactures, agriculture, mines, and quarries? Has any such bill been introduced by any Member who has criticized this bill, which complies with the former act of Congress requiring a decennial census of manufactures, agriculture, mines, and quarries? Does the gentleman know of any such bill?

Mr. McFADDEN. I do not; no.

Mr. Chairman, on January 25, 1918, in a speech which I made here on "The War and American Industries," I said:

> I want to protest against a policy that would close industries, whether it be by embargo, proclamations from the Railroad Administrator, or the Fuel Administrator, or by the manipulation of the Federal reserve banks or other banks refusing loans to industry, or in any other way restricting the full operation of the industries of the country, first, to furnish the materials necessary for the Government to win the war, and, second, to furnish employment affording a livelihood to the great mass of people who depend on their favorable employment for their existence.
>
> We need the full cooperation of all of the industries of this country, and if we do not get that our system is going to break down.
>
> To my mind it is a most serious situation that confronts us. Some people say, "Shut down the manufacture of nonessentials." I do not know what nonessentials are. I wish somebody would explain to me what are nonessentials. We certainly must keep industry going to the extent of supplying the things that are necessary for the Government to win this war; and, secondly, we must keep the network of industries going to supply employment to men who are engaged in other production, who must live and by their work support their families, or else we will have a more serious condition internally than might be brought about by the war.

Mr. Chairman, judging by subsequent developments, the administration has decided this much-discussed problem, and I would say that it is evident to anyone who is watching the situation closely that it is the policy of the administration to close all nonessential industries, or such industries as are not directly engaged in winning the war, so that now the keen observer is convinced that a line is being drawn between what are essential and what nonessential by those in authority.

By the issuance of priority orders both on raw materials and coal and also as regards shipments and travel on the railroads and by the restrictions of credit through the banks, the War Finance Corporation and the Capital Issues Committee restrictions, and by the monopolizing of the money market by the Government in requiring all banks to subscribe 5 per cent semimonthly to the Treasury certificates issued by the Treasury Department in anticipation of the subscription and payment for liberty loans, and, further, by the recent order of the President in regard to the transfer of labor from one vocation to another without first having consent of the Department of Labor the operation of most of these rulings and practices is strangling thousands of industries in the United States to-day, because the industries do not know whether their special industry is going to be made an exceptional case and are hanging by their eyelids.

Most of them think conditions surrounding their special industry, because of some special ability to secure money, labor, or materials, will be permitted to continue. But if I read the times correctly, it is the policy of the administration to close these nonessential plants.

In this connection, I believe that by this time the administration must know, or should know, the capacity of this country to produce war materials, and also what is and will be required to support an army sufficient to defeat the Germans. If it is going to take all our energy and resources to do the job, the quicker the industries and labor know this and are told frankly the better for us all.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. McFADDEN. I will.

Mr. SNYDER. Does the gentleman understand that all industries not included in the A priority class are looked upon as nonessentials?

Mr. McFADDEN. I judge from the rules and regulations that are being promulgated and put into operation that the line is being drawn very closely.

Mr. SNYDER. In case the gentleman's suggestion is correct, and all industries not included in the priority A class should be put out of business, what effect does he think it would have upon the successful conduct and winning of the war?

Mr. McFADDEN. I think it would bring forth a very serious situation, but it may be necessary from the standpoint of the administration that these industries be shut down. But the industries, labor, and the American people should be told now.

Mr. WALDOW. Will the gentleman yield further?

Mr. McFADDEN. I will.

Mr. WALDOW. Does not the gentleman believe a great deal of our present trouble is due to our lack of transportation of coal and other commodities, more than anything else?

Mr. McFADDEN. I do.

Mr. ASWELL. Will the gentleman yield?

Mr. McFADDEN. I prefer not to.

Mr. ASWELL. Just for a short question.

Mr. McFADDEN. I yield to the gentleman from Louisiana.

Mr. ASWELL. Does not the gentleman believe that that fact makes it urgent and necessary to take a census, to see how we stand on that subject?

Mr. McFADDEN. I said virtually that a few moments ago; that that was one of the reasons I could see, if any real reason could be advanced.

Mr. SNYDER. I hope the gentleman from Louisiana [Mr. ASWELL] did not get any idea that I was opposed to the measure, from anything I said in my remarks, for I am not in the slightest degree opposed to it.

Mr. McFADDEN. Why not be frank with the industries and labor now, and do away with the uncertainty that is now so distressing and is bringing ruin to so many, and then adopt a policy of putting all these nonessential plants and labor to work on necessary war work, or, at least, so far as possible, and distribute throughout the country in the many plants now already built and equipped with machinery and power the war business of the Government, which is now congested in a few favored plants, and thus preserve the local towns and communities in a tranquil position, and utilize labor that will not and can not be transferred bodily to war industries located far from the homes of laborers who now own their little homes and gardens? These industries that evidently must be closed have been the backbone of this country, and some thought must be given to the situation thus being created.

If these thousands of heretofore prosperous industries have to remain idle for the period of the war the Government will be deprived of a big source of income received from the taxes paid by these industries, and the income must be made up by increasing the taxes on the remaining industries which are permitted to continue and produce earnings, to say nothing of the hardship that will be caused by the closing down of these many heretofore prosperous industries scattered throughout the country in many cities and towns. The Government must give some consideration to these conditions existing in these towns and cities with a view of preserving good will toward the Government in these trying times. The good morale of our people must be preserved at all costs in times like the present.

There are appearing daily in Washington the heads of concerns who are seeking information from the various boards constituted by the administration to supervise industries.

These men are in doubt as to their status under present war conditions and are seeking information as regards their ability to continue their business; also to ascertain whether or not priority orders will be issued to them for the necessary raw materials and to cover shipping directions.

In addition to this, labor conditions throughout the country are such as to warrant and justify considerable alarm. The competition for labor is such that unheard-of wages are being paid and men are drifting from one plant to another in a careless sort of way that is destroying labor efficiency.

In this connection, my attention has been called to a communication dated New York, N. Y., June 18, 1918, signed by Henry A. Wise Wood, chairman of Conference Committee on National Preparedness (Inc.), calling attention to the labor situation in certain localities in the State of Pennsylvania, and pointing out the competition for labor paid in certain plants which are engaged in the making of shells for the United States Government and the allies and the other plants also engaged in the manufacture of material necessary for the prosecution of the war.

After a thorough investigation by the secretary of this committee it is found that all of these plants are bidding against each other for labor, with the result that the wage scale goes up; but there is no more labor in the community as the result of the high wage scale, and it is pointed out definitely as a result of this that inefficiency does result.

It is a well-known fact that at the present time there is no unemployment, either skilled or unskilled, and that Government projects, such as shipbuilding and munition plants, which are two of the most important branches of the war industry, together with the production of food, are at this time short 200,000 men. This is a serious situation, to my mind, and a condition that we must face and the people generally throughout the country must face and understand thoroughly what this means. We have only recently been reminded of the fact that by January 1, 1919, 3,000,000 men will be under arms, and unless these men are equipped with food, ammunition, arms, and the necessary clothing a serious situation will result.

These soldiers do not have eight-hour days or office hours, but some of them are standing amid the most trying conditions that ever confronted man or humanity for as long as 40 hours, without sleep and with hardly any food to sustain them during the stress.

What will happen to this army of three to five million men, containing our sons and brothers, if we are not able to keep them fully equipped with food and material after they get over there? It is fully time that the people of this country awakened to this condition and that industry and labor be fully informed. Our burden is just commencing, and we must speed up war industries and labor must work as it has never worked before.

If we are short 200,000 men now in the necessary war industry this labor must be secured from some source immediately. The only source from which it can be obtained, in the opinion of the administration, evidently is from the nonessential industries.

Mr. SNYDER. Will the gentleman yield right there?

Mr. McFADDEN. Yes.

Mr. SNYDER. Is not that, in the judgment of the gentleman, the crucial test, the question of sufficient men to operate the shipbuilding and munition plants? Would it not be better for the administration to adopt some rule whereby certain industries less essential should be absolutely prohibited from operating during a certain period than to gradually by a process of indefiniteness starve all of the so-called nonessential businesses by giving them a little of this and a little of that and keeping them along day by day?

Mr. McFADDEN. That is exactly what I am suggesting here—that the administration be frank with the people and labor, so that they may know what industries may go on and what may not. The President recently issued an order which prohibits the transfer of labor from one industry to another without the consent of an elaborate board which is to be created. I am going to insert that order at this point.

RECENT PROCLAMATION OF THE PRESIDENT.

1. All recruiting of industrial labor for public or private work connected with the war shall be conducted through or in accordance with methods authorized by the United States Employment Service. The present working agreement between the Departments of Labor and Agriculture relating to recruiting of farm labor shall not be affected thereby.

2. The full power of the Government shall be exercised through such agency to supply all the labor requirements of war industry and by means of volunteer recruitment to transfer men to such extent as may be necessary from nonwar to war work.

3. This program shall be put into effect gradually, by first applying it, beginning with July 15, 1918, to unskilled labor, and thereafter as rapidly as possible to skilled labor. At the outset general authorization may be given (a) for hiring unskilled labor without solicitation; (b) for recruiting labor for railroads, farms, and nonwar work, and generally by employers whose full working force will not, with the addition of the labor recruited, exceed 100; and (c) for recruiting skilled labor. Such authorization by the United States Employment Service shall be given under regulations, to be approved by the War Labor Policies Board, calculated to prevent the taking of men needed in other war industries or on the farms.

4. All Government departments and private employers engaged in war work should furnish to the United States Employment Service a complete statement of their needs for unskilled labor and make such supplementary reports as may be requested of them. All the Government departments represented in the War Labor Policies Board should assist in every way in securing such information.

5. An immediate campaign to secure the unskilled labor needed in war work shall be made by the United States Employment Service. Recruiting for such purposes in each State shall be limited to quotas of the total demand, calculated on the basis of principles to be recommended by the United States Employment Service and approved by the War Labor Policies Board. All recruiting shall be conducted so that withdrawals from nonwar industries shall be distributed as equitably as is practicable.

6. Distribution of the workers recruited shall aim at transfers for the shortest possible distances and at the utilization of local supply so far as possible to meet local war needs.

7. For the purpose of equalizing the strain of transfers and adjustments of labor within local industrial communities, the United States Employment Service shall encourage the formation, under its guidance, of community boards, upon which there shall be an equal representation of labor and management, and shall cooperate fully with such boards in securing local quotas.

8. The War Labor Policies Board shall appoint a committee on labor priorities, to direct the United States Employment Service as to the questions which may arise when the available supplies of any kind of labor are inadequate to meet the immediate demands; such committee shall, in general, follow the priorities determined by the War Industries Board.

9. The primary effort to enforce the foregoing program shall be through public presentation of the need of compliance with it as a war necessity. The full authority of the departments of the Government represented on the War Labor Policies Board, including the power to cut off supplies, should be exercised as far as necessary. The United States Employment Service shall provide all the requisite machinery for the continuous enforcement of the foregoing program and the prompt report of any interferences therewith. A committee of the War Labor Policies Board shall be appointed, with authority to investigate reports of failure to comply with such program and to recommend appropriate action by the proper department of the Government.

Mr. Chairman, it can be plainly understood from these rules and regulations that conditions are judged abnormal by the administration, and that radical steps must be taken to supply the necessary industries with the labor which they need, and, realizing that some plan must be devised to assist, the proclamation of the President was resorted to.

The effort is to be commended, and I hope that the proclamation will solve the labor troubles, but I am fearful that it will not. If it does not, it seems to me that the next step, and the only remaining step to be taken to remedy the situation, is the conscription of labor for the necessary war vocations. We all understand and know that increased production must begin at once. I therefore insist that the people of the United States should know and understand the imperative needs of this situation, that it may be properly met by the whole American people. The fact that the business interests of the country have not been informed as to what is essential and what is not essential is, I understand, causing wide unrest and criticism, and it seems to me that not only those people who are coming to Washington seeking information be informed, but that the thousands of concerns which do not and can not come to Washington for light be informed at once regarding their status, now that the administration has evidently decided this much-discussed problem. [Applause.]

Mr. COX. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COX. Has the time for general debate been agreed upon?

The CHAIRMAN. It has not.

Mr. HERSEY. Mr. Chairman, I yield to the gentleman from Indiana [Mr. FAIRFIELD] 10 minutes.

Mr. ALEXANDER. Mr. Chairman, I will yield the balance of my time, 20 minutes, to the gentleman from North Carolina [Mr. WEBB], and I ask that he be recognized after the gentleman from Indiana.

Mr. GILLETT. Has that side used its full two hours?

The CHAIRMAN. The majority has used 2 hours and 20 minutes and the minority has used 1 hour and 35 minutes.

Mr. GILLETT. May I suggest that after this hour has been used by the gentleman from Maine the gentleman from North Carolina be recognized in his own right?

The CHAIRMAN. The gentleman from Maine was recognized for one hour, and until he reserves the balance of his time or yields it he is entitled to the floor. Then the Chair will recognize the gentleman from North Carolina.

Mr. FAIRFIELD. Mr. Chairman, the bill under consideration was very carefully discussed in the committee that prepared it. There was only one dissenting vote in reporting it out. Every objection that has been brought to the Committee of the Whole here was made and carefully gone into on the part of the committee while the bill was being prepared. So far as the political phases are concerned the minority were not unconscious that in all probability the Democratic politicians, if you care to characterize them as such, would have a large share in determining who should take the census. I think, however, that the minority was also conscious that in years past the Democrats had not had a very large share in the census operations. So on the whole the committee was disposed to look at the measure on its merits, fully conscious that the Constitution requires that the census of the population be taken.

Under that requirement there must be sent into every household of this country an agent for the purpose of getting a census of the population. Relatively, a small additional amount will give a complete census of manufactures, agriculture, mines, and quarries. Much better, indeed, in my own judgment, would it be that the regularly organized statistical bureau that ought by this time to be capable of doing this work, have it in charge. That bureau would certainly give us a better success in a census of the manufactures, agriculture, mining, and quarries than hasty surveys made from time to time.

There has been some discussion as to the wisdom of introducing a bill at this time and having it acted upon so early. In my own judgment, if there is any kind of legislation worthy of the character that ought to be passed, if time sufficient can be given for due deliberation and effective organization, this House ought not to be insensible to the fact that thereby much better results will be obtained.

So that so far as that objection is concerned, it seems to me that it falls by the way, for certainly when this bill has passed there will not be too much time for the Census Bureau to organize its work in a thorough way and to make preparations for what will be one of the most important censuses that has ever been taken. Men have said here on the floor of the House that when conditions are abnormal we do not need a census. That is a strange argument to make. If a manufacturer found his business had been disorganized, that vast changes had been made in it, and he wanted to bring it back to normal conditions, he certainly ought to know where he is, what course it is necessary to pursue in order that he may get back to the normal status. It seems to me that argument falls of its own weight. There has been criticism to some extent of duplication. I think much of that criticism falls because the so-called duplication is in large part the interdecennial censuses that are taken from time to time. May I not say also that many of the so-called special inquiries and censuses are at best but estimates, based even yet upon the census that was taken in 1910, so that we are changing continuously, and the further we get away from the last census the more liability there is to error in the estimates that are made. It seems to me that at this time of all others thorough, exact information as to how far our industries have been deranged is requisite. There have been not only derangements of old industries, but new industries have come in, notably the industry with regard to optical instruments, and with regard to dyestuffs. In the readjustment that is coming there will be legislation needed. I know of nothing that will be more valuable to the men who may sit in the Congress for that readjustment than to be able to say, "I know with regard to this industry; I know its output; I know the number of men engaged in it; I know the conditions surrounding the industry; and therefore I am able to speak with something of confidence when I make an argument."

I will say to the gentlemen present—and most of the gentlemen present to-day are on the Republican side—that it is wise in the study of this to study basically the merits of the bill, having only that thought in mind, fully conscious that to-day perhaps as never before men need knowledge. I believe that in this House there is adequate intelligence for the directing of legislation, but again and again there have been matters brought before us with which we are not familiar and upon which there is no adequate data. Some men question the accuracy of the census, and while I know there has been a disposition to speak disparagingly of the judgment of the heads of departments, I am inclined to think that they are not altogether stupid, and perhaps not always venal, if ever so; and it may be, after all, when you have studied carefully the hearings of the committee, upon which its judgments are based, and see what was actually revealed, you will agree with the committee that it is wise to report the bill out at this time and that a comprehensive census should be taken. That was the very problem to which the committee addressed itself more than any other problem, with the result that all but one member of the committee were convinced not only of the wisdom, but, in view of what we shall face, of the necessity of an adequate census covering the population, agriculture, manufactures, quarries, and mines. [Applause.]

Mr. HERSEY. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I avail myself of this opportunity to submit to the Congress and the American people the testimony of Gen. Pershing on the enviable record being made by four colored regiments now in France on the firing line. The statement of the commander of our forces on the western front will silence the many false reports put in circulation in this country as to the treatment and the conduct of the colored soldiers who are a part of our brave and invincible Army which is maintaining the glorious traditions of the American Army and Navy.

Many of these soldiers come from the districts I represent, and I am proud of the record they are making in defending our rights and in doing their best to make the world free and America safe and secure for all time.

Here is Gen. Pershing's just tribute to these men:

The stories, probably invented by German agents, that colored soldiers in France are always placed in most dangerous positions and sacrificed to save white soldiers; that when wounded they are left on the ground to die without medical attention, etc., are absolutely false.

FIGURES ON THEIR LOSSES.

The following are the losses as reported up to June 18 in the four colored combatant regiments now in France: The Three hundred and sixty-ninth Infantry—Died of wounds, 3; died of disease, 8; severely wounded, 2. The Three hundred and seventieth Infantry—Died of wounds, none; died of disease, 3; severely wounded, none. The Three hundred and seventy-first Infantry—Died of wounds, none; died of disease, 8; severely wounded, none. The Three hundred and seventy-second Infantry—Died of wounds, none; died of disease, 3; severely wounded, none. These figures show conclusively that negro troops have not thus far occupied positions as dangerous as those occupied by white troops and that their physical condition is excellent.

A tour of inspection just completed among American negro troops by officers of the training section of these headquarters show the comparatively high degree of training and efficiency among these troops. Their training is identical with that of other American troops serving with the French Army, the effort being to lead all American troops gradually to heavy combat duty by a preliminary service in trenches in quiet sectors.

Colored troops in trenches have been particularly fortunate, as one regiment had been there a month before any losses were suffered. This was almost unheard of on the western front.

TELLS OF FINE SPIRITS.

The exploits of two colored infantrymen some weeks ago in repelling a much larger German patrol, killing and wounding several Germans and winning the croix de guerre by their gallantry, has aroused a fine spirit of emulation throughout the colored troops, all of whom are looking forward to more active service.

The only regret expressed by colored troops is that they are not given more dangerous work to do. They are especially amused at the most dangerous positions and all are desirous of having more active service than has been permitted them thus far. I can not commend too highly the spirit shown among the colored combat troops, who exhibit fine capacity for quick training and eagerness for the most dangerous work.

In addition to this high praise by Gen. Pershing, I will add the brief judgment of other commanders of the American Army and Navy in some of our previous wars on the faithful services of our colored soldiers:

Commodore Perry, after the Battle of Lake Erie: "They seemed to be absolutely insensible to danger."

Gen. Jackson, after the Battle of New Orleans: "You surpassed my hopes. * * * The Nation shall applaud your valor."

Gen. Grant, speaking of the negro in the Civil War: "The colored troops fought nobly."

Col. Theodore Roosevelt, speaking of the negro soldiers in the Spanish-American War: "No troops could behave better than the colored soldiers."

Not only in the ranks are the colored citizens of the Republic doing their full duty, but in ammunition plants, in the mines, on the farms, and in every line of endeavor they are willingly, cheerfully, and loyally aiding in the speedy and successful prosecution of the war. In my section they have not only furnished their full quota for the Army but have liberally subscribed to the three liberty loans, the Red Cross work, and the Army Y. M. C. A.

It gives me pleasure to place upon the enduring records of this great Government this brief but true and deserved tribute to the loyalty, fidelity, and patriotism of the colored citizens of America. [Applause.]

Mr. HERSEY. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. COX].

Mr. COX. Mr. Chairman, this will be characterized as a war measure, and everyone will be supposed to vote for it whether it aids in the remotest degree toward bringing the war to a successful and rapid conclusion or not. I have heard none of the debates, being busy in committee. I expect a large part of what I shall say has been said time and again by other gentlemen. I am unable to understand and I never will be able to understand the necessity for taking such a census as this in time of war.

Mr. ALEXANDER. Did the gentleman take the time to read the hearings before the committee?

Mr. COX. Yes; I read the hearings before the committee last Sunday instead of going to church, as I should have done. It has been said here that it is constitutionally necessary to take a census. I know of no provision in the Constitution or in any law now upon the books or of any law that Congress could pass that would hold anyone guilty in the event that the next census should not be taken at all.

Mr. HELM. Did not the gentleman swear to support the Constitution?

Mr. COX. Yes; and I intend to obey it, but conceding that it is necessary to take a constitutional census, what does that mean? Does it mean that we have got to go out and take a complete abstract and survey of every industry in the country? The fathers who framed the Constitution probably knew as much about this as we do, or more, did not take that view of it at all. The first act that Congress passed for the taking of a census was passed on the 1st day of March, 1790, and under consent of the House I hereby insert an abstract of the laws for taking of the census down to and including 1910:

ABSTRACT OF LAWS FOR TAKING THE CENSUS.

First Census: Statistics of population to be taken. (Act of Mar. 1, 1790; 1 Stat., 101.)

Second Census: Statistics of population to be taken. (Act of Feb. 18, 1800; 2 Stat., 11-14.)

Third Census: Statistics of population to be taken. (Act of Mar. 26, 1810; 2 Stat., 564-568.)

Manufacturing establishments to be reported. (Act of May 1, 1810; 2 Stat., 605, sec. 2.)

Fourth Census: Statistics of population, distinguishing the number of persons engaged, respectively, in agriculture, commerce, and manufactures to be taken; manufacturing establishments and their products to be reported. (Act of Mar. 14, 1820; 3 Stat., 548-553.)

Fifth Census: Statistics of population, distinguishing the number who are deaf and dumb and those who are blind, to be taken. (Act of Mar. 23, 1830; 4 Stat., 383-389.)

Sixth Census: Statistics of population, distinguishing the number who are deaf and dumb, those who are blind, and those who are insane or idiots, and indicating how many of the insane and idiots are a public charge, to be taken; also special census of pensioners, and statistical tables of information relating to mines, agriculture, manufactures, and schools. (Act of Mar. 3, 1839; 5 Stat., 331-337.)

Seventh Census: Census Board to prepare such schedules for collecting statistics of population, "mines, agriculture, commerce, manufactures, education, and other topics as will exhibit a full view of the pursuits, industry, education, resources of the country." (Act of Mar. 3, 1849; 9 stat., 402.)

Statistics of population, etc., to be taken according to schedules supplied by the Secretary of the Interior, which schedules must include population, occupation, value of real estate owned, education (literacy and school attendance), number of persons deaf and dumb, blind, insane, idiotic, pauper, or convict, agriculture products of industry, social statistics (schools, churches, libraries, newspapers, value of property, taxes), and deceased persons. (Act of May 23, 1850; 9 Stat., 428-436.)

Eighth Census: The rules for preparing schedules, etc., for the Eighth Census were determined by the act of May 23, 1850, above. Appropriations for the taking of the Eighth Census were included in the acts of March 3, 1859 (11 Stat., 428), June 25, 1860 (12 Stat., 108), February 19, 1861 (12 Stat., 132), and March 2, 1861 (12 Stat., 218).

Ninth Census: The rules for preparing schedules, etc., for the Ninth Census were determined by the act of May 23, 1850, above. Additional provisions (not affecting the forms of the schedules) were made in the act of May 6, 1870 (16 Stat., 118), joint resolution of June 9, 1870 (16 Stat., 380), and act of March 3, 1871 (16 Stat., 514). Appropriations for the taking of the Ninth Census were included in the act of April 20, 1870 (16 Stat., 88), and March 3, 1871 (16 Stat., 503).

Tenth Census: Statistics of population, wealth, and industry to be taken; the schedules being similar to those for the Seventh Census, but including statistics as to marital condition, place of birth of parents, physical and mental condition, unemployment, amount of power employed in industry and number and kind of machines, public indebtedness of cities, etc., and ownership of public debt of the United States, and omitting value of property owned. Special reports were required from railroad companies, express companies, telegraph companies, and insurance companies. (Acts of Mar. 3, 1879; 20 Stat., 473-481; and Apr. 20, 1880; 21 Stat., 75-76.)

Eleventh Census: Census of population, wealth, and industry to be taken; schedules to be similar to those for Tenth Census, but to include special inquiry as to Civil War service and as to corporations reporting other than agricultural products. (Act of Mar. 1, 1889; 25 Stat., 760-767.)

Inquiry to be made as to ownership of farms, mortgages, etc. (Act of Feb. 22, 1890; 26 Stat., 13.)

Twelfth Census: Census of population, deaths, and manufacturing, mechanical and agricultural products to be taken; schedules to relate only to population, mortality, and products of agriculture and of manufacturing and mechanical establishments; population schedules to include mental condition, occupation, education, and ownership of home. Special inquiries authorized as to defective classes, criminals, vital statistics, social statistics of cities, public indebtedness, etc., religious bodies, electric light, power, telephone and telegraph business, transportation by water, express business, street railways, and mining. (Act of Mar. 3, 1899; 30 Stat., 1014-1021.)

Permanent Census Office: Census Office made permanent; special inquiries authorized in act of March 3, 1899, above, authorized decennially, vital statistics to be collected annually; statistics of manufactures to be collected in 1905 and decennially thereafter; statistics of cotton production to be collected annually. (Act of Mar. 6, 1902; Stat. 32, pp. 51-53.)

Other duties have been given to the Census Bureau from time to time, e. g., by joint resolution of February 9, 1905 (33 Stat., 1282); consequently there is not now the same concentration at the decennial period as formerly.

Thirteenth Census: Census of population, agriculture, manufactures, and mines and quarries to be taken; schedules to relate only to population, agriculture, manufactures, and mines and quarries; population schedules to include marital condition, occupation, education, ownership of home and Civil War service. (Acts of July 2, 1909; 36 Stat., 1-11; Feb. 25, 1910; 36 Stat., 227-228; and joint resolution of Mar. 24, 1910; 36 Stat., 877.)

NOTE.—Every provision noted above with regard to population schedules has included a requirement of classification by color, sex, and age, such classification being somewhat more elaborate in the recent than in the earlier acts.

It will be seen that the First Census provided only for the statistics of population.

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. HERSEY. That is all the Constitution provides, is it not?

Mr. COX. That is all the Constitution provides.

Mr. HELM. Were there any manufactures in the United States at that time?

Mr. COX. Oh, yes.

Mr. HELM. What were they?

Mr. COX. There were not as many as there are now nor were there as many people then as there are to-day.

Mr. NICHOLS of Michigan. Does the gentleman think a census should be taken of manufactures in time of peace?

Mr. COX. Yes.

Mr. NICHOLS of Michigan. And not in time of war?

Mr. COX. No.

Mr. NICHOLS of Michigan. Does not the gentleman believe that the statistics that may be gathered now of the extraordinary and abnormal conditions in industrial life should be a matter of record for the future?

Mr. COX. Not at all, because statistics that are going to be gathered by this census will not be available until 1925.

Mr. LARSEN. Will the gentleman yield for a question?

Mr. COX. I can not yield.

Mr. LARSEN. For just one question.

Mr. COX. I can not yield any more. The census of 1800 provided only for the taking of a census of population. Twenty years after the fathers adopted the Constitution no provision was made for the taking of anything except of population. Not until 1810 did Congress provide for the taking of a census of manufacturing establishments, including that of population. Not until 1820 did Congress provide for the taking of a census of agriculture and manufacturing industries likewise. This résumé of the various laws passed by Congress is interesting in

more ways than one. Of all the 13 censuses which have been taken in this country there were never but two of them provided for before the year the census actually was taken. The census of 1850 was provided for in 1849. The census of 1870, if I recall correctly—and if not I will be corrected—was provided for in 1869. You can take this census of agriculture and you will get the agricultural reports about 1925—that is about when they will be ready for distribution—and we certainly all hope and fervently pray with all the fervor of our souls that this war will be over before then.

Mr. HELM. Is the gentleman aware of the fact the Census Bureau issues bulletins and summaries of its work as reported and——

Mr. COX. I am well aware of the fact that a refusal to take a census of agriculture would not retard for a moment the work the gentleman mentions. That kind of work would go right on whether you take an agricultural census or not in the future exactly as it is going on to-day. Now, if nobody else does it, I do not suppose it would get very many votes, but if no one else moves to strike out the words "agriculture, manufactures, mines, and quarries," I propose to do it myself, and I am one of the last men, I think—at least if I know myself—who would do anything that would tend in the remotest degree to cripple any industry of this country that with the furtherest stretch of imagination would help to aid in this war. But I was struck very forcibly by the argument made by the gentleman from Pennsylvania [Mr. MCFADDEN] about the shortage of labor in this country.

I do not quite agree that there is a shortage of labor, as he puts it, but I think if we raise the draft age to 45 we would soon overcome the shortage of labor in this country, and put three, four, or five million people of this country to-day either in the Army or put them at work. But I saw a statement in the papers when this hearing was going on, whether true or not I do not know, that it would require the work of a hundred thousand people in the United States to complete this census. Now, can you just explain to me, any man, how in the world the taking of 100,000 people away from the factories, the mines, the fields, and other industries and putting them to the work of taking an agricultural census or of a mining or manufacturing census, how that is going to help to win the war. I do not think it would.

Mr. HELM. Is the gentleman aware of the fact that it only requires less than 1,500 persons to take a census of manufactures?

Mr. COX. I helped to frame the last census bill, at least I was on the committee but did not do much work on it, being a new member, but I was on the committee. How many people it took to complete that census I do not know, but if my recollection serves me correctly it took between 90,000 and 100,000 to take the last census, in one way and another.

Mr. HELM. The gentleman makes the statement in reference to manufactures.

Mr. COX. I am making a statement in reference to all the censuses provided for in the bill of the gentleman here. I make the statement in regard to the census of population, of agriculture, manufacturing, mining. I am trying to cover the whole field.

Mr. HELM. Will the gentleman yield?

Mr. COX. For a question.

Mr. HELM. Is the gentleman aware of the fact that it will require every single solitary human being to take a census of population that it will to take a census of manufactures?

Mr. COX. Why, no; I am not aware of that, and, in my opinion, if the gentleman will go to the library——

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Can I have about three or four minutes more?

Mr. HERSEY. We can squeeze the gentleman out three minutes, I guess.

Mr. COX. Go to the library, and I think you will find that many of the European nations absolutely take their censuses through their post-office facilities, and I undertake to say that instead of spending $20,000,000, as this bill will finally cost, a constitutional census could be provided for by a census that would comply with the Constitution for less than $1,000,000. But I am well aware of the fact there is not much use talking about saving $18,000,000 or $20,000,000. That does not amount to much, but it is that much, and in view of the fact that the war expenses this coming year are going to be not less than $24,000,000,000, it might be the part of wisdom for some of us to look over and see where we can economize even by saving a little insignificant sum of $18,000,000 or $20,000,000.

Now, I repeat I do not want to cripple a single industry of the United States. Far from me ever to do anything that would retard the progress of this war, but you can take the agricultural census provided for in this bill and you will not raise a single extra bushel of wheat, corn, rye, oats, or barley; you will not raise a single extra pound of pork or a single pound of——

Mr. HELM. And by taking a census of population you will not raise a single human being.

Mr. COX. You will not be able to produce an extra pound of powder or an extra bushel of coal. But you take from the industries of this country laboring people, men and women, who ought to be producing something that should go to winning the war. This is a war measure, I suppose. Is there an increase of salaries here? I see they have provided here for an increase of the salary of the director to $7,500 a year. The four Assistant Postmasters General get $5,000 a year each. The Comptroller of the Treasury of the United States gets $6,000 a year; and yet over his signature every dollar of money that this country expends has got to be certified to by him as being correct. But as a war measure the salary of the Director of the Census must be increased to $7,500 per year, and many of the other salaries increased in here. I have been informed, not directly, however, that the able chairman of this committee is not in favor of that, and I want to compliment him for it. Now, then, if anyone can show me how the increase of salaries can come in here as a war measure and how it is absolutely necessary and essential to win the war, so far as I am concerned I am not going to raise any row about it, but "I am from Missouri" on that point. Some one has got to show me that it is necessary to increase the salary before I agree to it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HERSEY. Mr. Chairman, I yield five minutes to the gentleman from Washington [Mr. MILLER].

Mr. MILLER of Washington. Mr. Chairman, there has been a new and startling philosophy announced on the floor of this House in connection with this bill, and that is the philosophy that we are more in need of a complete census in a time of peace than we are in time of war. That idea is absolutely at variance with the history of every nation of the world in time of war. It seems to me, Mr. Chairman, if there ever was a time in the history of this Nation when the people should know exactly its resources, not only in man power but in every resource, it is now, when we are in war for the preservation of our very institutions, and it therefore startles me to hear this philosophy advocated on the floor of the House. A census in the time of peace is only for historical value or industrial purposes, but in a time of war, when we have now made provision for over 3,000,000 of our people at the front, we should have every particle of knowledge that it is possible to get by the most complete census.

Now, I have heard it advocated on the floor of the House here that because we are at war and amid abnormal times that the data obtained will be of no value, of no service to us in time of peace. I would like to ask some of these gentlemen advocating that thought if they know when the time of peace is coming? The nations of the world have been at war now for nearly four years, and I can see nothing in the immediate future as to the coming of peace. In fact, I believe that the last four years of this war will be worse than the first four years. Now, if that is true, or if there is any philosophy in it, the gathering of statistics when abnormal conditions exist, if the abnormal condition is going to exist, will be of value to us in the prosecution of this war and of especial service as long as the abnormal condition exists.

The committee considered these phases of the question, and, as was said by the gentleman from Indiana [Mr. FAIRFIELD], we all, except one Member, agreed that it is necessary at this time to have complete data taken.

Now, as to this political situation, I recall when the last census was taken that my own section of the country did not overflow with Democratic employees on the pay roll. I do not know what we are to gain politically by delaying the passage of this bill a few months. We are in an administration that is Democratic; the Senate is Democratic; the House is Democratic; every governmental activity is Democratic. I can see little hope for the Republicans to win a victory in time to get on the pay roll of this census. If this census bill is delayed until after a new Congress shall come in, and that Congress be Republican, I can see little opportunity of the political complexion of the Senate or administration being changed within the necessary time; and besides in that interval between March and June there will not be time, with the political complexion being changed, to pass a census bill and let the machinery be organized in time for the commencement of the taking of the census. I

am forced to be content to let the Democratic Party have it. We would welcome, of course, civil service, but I have not yet seen the time when the Democratic Party is very zealous in behalf of civil service. I am willing under the conditions we now face for the provision of the bill to go through, Mr. Chairman. I know we need the census and need it badly when we are in a war which will ultimately strain every resource of the country. We all want to know what those resources are, not only in man power but in everything else.

Mr. WALSH. Will the gentleman yield for a question?

Mr. MILLER of Washington. The gentleman can have time if he desires some.

Mr. WALSH. I wanted to ask the gentleman a question.

Mr. MILLER of Washington. I have used my time.

Mr. HERSEY. Mr. Chairman, I reserve the balance of my time.

Mr. WEBB. Mr. Chairman, I want to call attention to a statement put in the RECORD yesterday by my friend from Pennsylvania [Mr. ROBBINS]. It is, in my opinion, a very unjust and unfair criticism of the Congress. I can not think my friend intended it as a reflection upon the House, but an outsider, in reading his statement, would come to the conclusion that Congress has been derelict in passing measures to break up sabotage and detect and punish spies. My friend says:

With the hope that our Department of Justice may be stimulated to greater activity, and that this Congress will enact more stringent laws, for such are required—

And so forth.

Let me say that the Department of Justice, in the opinion of a great many lawyers and in the opinion of Congress, and, I think, in the opinion of every fair-minded man—and certainly in my opinion—has been most active, zealous, persistent, and faithful in the performance of its duty, and this Congress has not refused to give the Department of Justice such laws, so far as I know, that the department has asked for. I do not care to pay tribute to the work of the Department of Justice, but I do not see any criticism that can be justly lodged against that great department in these times. It has had its hands full. It has had a job that is herculean in its nature, and everybody knows it has performed its duty well. I do not think a criticism to the effect that it ought to be "stimulated to further activities" justly lies, because it has been and now is active in every part of the United States and in our Territories, and has performed some great work during the last two years.

Now, my friend goes on to say:

Turning to the calendar of this House we find a large number of bills that have been introduced for the purpose of suppressing these acts of lawlessness against our country and our citizens.

First. House bill 9504 purports to be an amendment to section 4067 of the Revised Statutes extending the provisions of the criminal act to women over 14 who are alien enemies and commit acts of hostility during the war.

My friend has misinterpreted the act entirely. That bill has been passed. It is not pending here. It is the law now. The old law only included "male." I introduced a bill to strike out "male," so that it includes all alien enemy people of 14 years and over that may be interned and restricted by the President. The death penalty would not, as my friend suggests, have any place in an act of that sort. But he says:

This act lacks the death penalty, which it should have attached to it in order to make it a terror to criminals of this class.

It is no criminal statute at all. It has been on the statute books for 125 years, I believe, and gives the President the power when a war is on to restrict alien enemies. It only restricted alien men 14 years old and upward, and we made it apply to women of that age as well. There is no place for the death penalty, for it is not a criminal statute. The provision passed the House, and my friend at the time offered no amendment providing for a death penalty, and therefore I do not think he ought to criticize it now.

And then he says:

Second. House bill 10068 is pending in the House, not yet acted upon, proposing during the present war to punish those convicted of conspiracy to destroy property of the United States necessary for the prosecution of the war, by fine and imprisonment, which is entirely inadequate as a means of preventing the crimes that are being committed at this time, a list of which I will append to my remarks.

Mr. Chairman, the substance of H. R. 10068 is already the law. If my friend will read the public act approved by the President on April 20, 1918, sections 2 and 3, he will find that that bill substantially is entirely covered by that act, which has already passed the Congress and under which the Department of Justice is now operating. I judge from what my friend says as to the bill on sabotage that is pending in the House that we are so averse to passing laws curbing spies and sabotage that we will not pass it, whereas, as a matter of fact, we have already enacted into law a most stringent sabotage provision.

Mr. WALSH. Will the gentleman yield?

Mr. WEBB. With pleasure.

Mr. WALSH. Has the committee over which the gentleman presides so ably at any time refused to report out any bill providing for penalties that have been asked by the President or the Attorney General?

Mr. WEBB. Not at all. In some cases we have increased the penalties asked for by the Department of Justice.

Mr. WALSH. Are there measures pending before the committee, asked by the President or the Attorney General, on which action has not been taken?

Mr. WEBB. I do not recall a single one, I will say to my friend.

Mr. SMITH of Idaho. May I invite the gentleman's attention to Senate bill 7141, which passed the Senate on the 7th day of May, intended to stop the I. W. W. activities?

Mr. WEBB. Yes. Let me cover this first. I want to cover what my friend from Pennsylvania says. I read:

Third. House bill 10204, now pending in the House, also provides for the punishment of those who willfully injure or destroy war materials or war premises during the war. It provides punishment only of fine and imprisonment, which will be invaluable as a deterrent for the criminals with which it proposes to deal.

Now, Mr. Chairman, if my friend will read the sabotage bill, which was approved April 20, 1918, public law No. 135, he will find that the bill he refers to is absolutely covered, not only in substance but much enlarged, in the sabotage bill, which is as complete and as drastic a law as probably was ever passed by any Congress, in a Republic certainly. Yet the impression is made that that bill is still pending here, and that nobody cares enough about it to enact it into law.

Fourth. House bill 10629 is a bill providing for the death penalty of those convicted as spies, which bill has not as yet been reported by the committee, but is a very proper bill to be enacted.

Mr. Chairman, that bill was introduced long after the espionage law was passed. It was introduced by Mr. KELLY of Pennsylvania in March, 1918, whereas in June, 1917, the Congress had already passed public law No. 24, providing a death penalty for all persons convicted of acting as spies.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. WEBB. Certainly.

Mr. ROBBINS. The act the gentleman refers to does not inflict the death penalty.

Mr. WEBB. Yes; it does. The act the gentleman refers to talks about people being convicted as spies. Now, what is a spy? It is covered by the espionage law, and on page 2 of the espionage law my friend will find that anybody convicted of being a spy or giving information to the enemy shall suffer death. That is the death penalty. Yet the impression is made by my friend that we have no law on the statute books in regard to spies which carries a death penalty.

Fifth. House bill 10630 is of similar import, but has not been considered or acted on by the House.

It is identical with Mr. KELLY's bill, just referred to. Yet we get the impression from the gentleman's remarks that nine of these bills have not been enacted into law, and that the country is suffering from a lack of proper legislation to protect itself from the acts of spies. Further, the gentleman says:

Sixth. House bill 11232 is a bill pending in the House to prohibit the activities of spies and prevent the injury to forts, docks, and munition plants, whether owned by the Government or engaged in Government activities, and provides for a death penalty upon conviction. This bill has not been acted upon and is still in committee.

Why, Mr. Chairman, the espionage law as amended and the sabotage law cover practically every word—and in a more minute and comprehensive way—every word in that House bill that my friend refers to as House bill 10068 and House bill 11232. And yet we get the impression from him that that bill is lying here, very badly needed, and that nobody cares enough about it to attempt to enact it into law, whereas the Department of Justice has been operating under such a law for quite a while.

Seventh. House bill 11187 is a bill to provide for the punishment of disloyalty, sabotage, and acts of terrorism, and provides a fine and imprisonment only as a punishment if convicted under its provisions. This bill is pending in committee and has not been acted upon. The punishment is entirely inadequate to make the bill effective if it should follow out its provisions, but it probably will not.

I do not know of a man in this House who does not know that we passed a sabotage bill, a very drastic, comprehensive, severe sabotage law, which seemed to please even the death-penalty advocates. I did not hear my friend from Pennsylvania, when the bill was passed, urging the infliction of the death penalty. I think the penalty therein prescribed may be a fine of $10,000 or 10 years' imprisonment.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield?

Mr. WEBB. Yes.

Mr. ROBBINS. That law does not have the death penalty in it.

Mr. WEBB. No; but why did not the gentleman offer an amendment to that bill when it was considered by the House?

Mr. ROBBINS. I did; but it was not accepted.

Mr. WEBB. I do not remember the gentleman's doing such a thing. I do not think anybody in the House even suggested an amendment. But it is a law, although the death penalty is not in it.

Eighth. House bill 11279 is a bill introduced to protect citizens against lynching in default of protection by the States, and refers to the conditions that exist in Missouri, but the punishment provided does not exceed five years' imprisonment or $5,000 fine. This bill is pending and probably will not be acted upon for the obvious reason that its penalties are totally inadequate and it would be ineffective if passed.

I call upon my friend to say whether he would vote for that bill now, to turn over to the Federal Government the power to punish men for killing one another in cases of lynching. I know the gentleman would not vote for that bill that the Judiciary Committee have not acted upon yet, and probably will not act upon it soon. But if we should bring up such a bill as that I do not believe it would get many votes in the House.

Ninth. House joint resolution 275 is for the purpose of permitting the United States to dismiss from its employ those who are guilty of disloyalty or utter any unpatriotic, disloyal, abusive, or seditious language, or who in an abusive and violent manner criticize the President, the Army or Navy, or the flag. This resolution has not been considered by the committee. I have introduced a bill providing for the death penalty for those convicted of these crimes where death results, which I hope will pass.

It is unfair to the Judiciary Committee to say that. The committee has considered that measure and it has been a law for some time, and I suppose by this time hundreds of employees of the Government have lost their heads under that law.

I want to read to my friend what is already the law on that subject. If he will just go to the document room and get these pamphlets containing the statutes which have been passed, he will find that we have passed a very severe statute penalizing any Government employee who commits any disloyal act or utters any unpatriotic or disloyal language. This has been the law since April 16, 1918. Yet the gentleman criticizes not only the Judiciary Committee but the whole Congress of the United States on the ground that we have not passed some law covering the ground contained in resolution No. 275. This has been the law since April 16, 1918:

Provided, That any employee or official of the United States Government who commits any disloyal act or utters any unpatriotic or disloyal language, or who in an abusive and violent manner criticizes the Army or Navy, or the flag of the United States, shall be at once dismissed from the service.

Now, that is the law, and yet it goes out over the country in 30,000 or 40,000 copies of the CONGRESSIONAL RECORD that there is no law of this character, and that the Congress of the United States will not pass one, when, as a matter of fact, we passed it about two months ago. My friend says in concluding his remarks:

From this review of the pending legislation it is quite evident that Congress has not been up until this time sufficiently active in passing laws to punish the enemies of our country. I hold no brief in this case against the Members of Congress to criticize those responsible for this record. I am quite well aware as a Member of this body that the infliction of the death penalty has been abolished in probably one-third of the States of the Union, and is regarded with disfavor by a vast and growing proportion of our people.

* * * * * * *

Therefore I believe that I have shown that the necessity for the enactment of legislation in regard to this situation is imperative, and those charged with the duty of bringing in such law, who control the Judiciary Committee of this House, should no longer delay action in this regard.

I submit that eight of the bills which my friend refers to, and criticizes the Congress of the United States for not passing, are in practical substance already the law, and the ninth one, concerning lynching, he would not vote for himself.

I make this statement solely in justice to the House of Representatives and for the purpose of correcting the very erroneous impression which the public would get from a reading of the gentleman's remarks.

I am sorry he made them, for I fear my statement will never overtake and obliterate the erroneous impressions.

Mr. ROBBINS. Mr. Chairman, I ask recognition at this time——

The CHAIRMAN. The gentleman from Pennsylvania.

Mr. STAFFORD. Mr. Chairman, may I inquire how much longer this proceeding is going to continue to-night?

Mr. HELM. I understood the gentleman from Maine [Mr. HERSEY] had an hour, and was yielding portions of that time to gentlemen on that side. May I inquire how much of his hour is yet remaining?

The CHAIRMAN. The gentleman from Maine [Mr. HERSEY] has 14 minutes remaining.

Mr. HELM. After the expiration of the 14 minutes I understand that the gentleman from Georgia [Mr. LARSEN], a member of the committee, desires time in the general debate.

The CHAIRMAN. If the gentleman from Georgia, who is a member of the committee, desires recognition, he is entitled to it.

Mr. LARSEN. I understood the gentleman from Pennsylvania [Mr. ROBBINS] was recognized.

The CHAIRMAN. The gentleman was recognized.

Mr. ROBBINS. I was waiting until the conclusion of this colloquy.

Mr. LARSEN. I am a member of the committee, and after the remarks of the gentleman from Pennsylvania I desire recognition.

The CHAIRMAN. The Chair will recognize the gentleman.

Mr. LARSEN. How long a time will I be recognized for?

The CHAIRMAN. The gentleman will be recognized for one hour.

Mr. STAFFORD. Will not the gentleman from Pennsylvania [Mr. ROBBINS] be satisfied to proceed on Monday, or when we next consider this bill? We have not a corporal's guard here now?

Mr. NICHOLS of Michigan. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Michigan makes the point of order that there is no quorum present. The Chair will count.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, and had come to no resolution thereon.

ADJOURNMENT.

Mr. HELM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 29 minutes p. m.) the House adjourned until Monday, June 24, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Acting Secretary of the Treasury, transmitting communication from the Postmaster General submitting deficiency estimates of appropriation required by the Postal Service for the fiscal year 1918 (H. Doc. No. 1187); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of Commerce, transmitting letter relating to the purchase of land by the Bureau of Standards in the District of Columbia (H. Doc. No. 1188); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (S. J. Res. 158) further extending the time within which the joint resolution authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River shall remain in effect, reported the same with amendment, accompanied by a report (No. 679), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHERWOOD, from the Committee on Invalid Pensions, to which was referred the bill (S. 4194) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 676), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (S. 4543) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and to widows and dependent relatives of such soldiers and sailors, reported the same with amendment, accompanied by a report (No. 677), which said bill and report were referred to the Private Calendar.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (S. J. Res. 86) admitting Aurelio Collazo to the United States Military Academy, reported the same without amendment, accompanied by a report (No. 680), which said joint resolution and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BORLAND: A bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. DAVILA: A bill (H. R. 12542) to increase the number of midshipmen at the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 12543) to authorize the addition of certain lands to the Caribou National Forest; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLAYPOOL: A bill (H. R. 12544) granting an increase of pension to Leva Raymond; to the Committee on Pensions.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 12545) granting an increase of pension to Helen R. Cantwell; to the Committee on Pensions.

By Mr. STERLING of Illinois: A bill (H. R. 12546) granting an increase of pension to Anna M. Fuller; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 12547) granting a pension to Celestine Schaeffer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12548) granting a pension to Sarah Isabell Lowe; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolutions of the Iowa State Manufacturers' Association, relative to the production and transportation of essentials, and asking that Government purchases be so distributed as to help solve problems mentioned; to the Committee on Interstate and Foreign Commerce.

Also (by request), resolutions of the St. Joseph (Mo.) Federation of Women's Clubs and of the Livingston (Mont.) Rotary Club, favoring House bill 5407; to the Committee on Military Affairs.

Also, petition of D. C. Imboden, New York City, urging that a proclamation to get enemy soldiers to desert be scattered by airplane; to the Committee on Military Affairs.

Also (by request), petition of the representatives of the Farmers' Union, asking for the suspension of immigration laws during the war for the purpose of bringing in laborers; to the Committee on Immigration and Naturalization.

Also (by request), petition of Lee Wilson & Co., St. Louis, Mo., against House bill 11599; to the Committee on Interstate and Foreign Commerce.

Also (by request), memorial of the Pittsburgh Clearing House Association, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

Also (by request), resolution adopted by a public meeting held under the auspices of the Boston Socialist Party, protesting against the possible invasion of Russian territory by Japan; to the Committee on Foreign Affairs.

Also (by request), petitions of the Missouri Federation of Women's Clubs; Woman's Home Missionary Society of Trinity Methodist Episcopal Church, Lincoln, Nebr.; Ministers' Union of the Lutheran Ministers of Chicago; the Mexico (Mo.) Federation of Women's Clubs; and the Woman's Club of Williams, Ariz., asking for war prohibition; to the Committee on the Judiciary.

Also, a memorial of the Colored Citizens' Equal Rights League of Massachusetts, asking that lynching be made a Federal offense; to the Committee on the Judiciary.

By Mr. GOULD: Petition of sundry citizens of the State of New York, urging the passage of a war prohibition law; to the Committee on the Judiciary.

By Mr. GRAHAM of Pennsylvania: Petition of the Philadelphia Bourse, in re Senate bill 4426; to the Committee on Banking and Currency.

By Mr. HADLEY: Resolution of the Bellingham Ad Club, of Bellingham, Wash., relative to repeal of zone postal law; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of the Edward Stinson Manufacturing Co., of Baltimore, Md., favoring the Jones amendment to the food-emergency bill; to the Committee on Agriculture.

Also, resolution of the Rotary Club of Baltimore, favoring House bill 5531, to establish a pharmaceutical corps in the Army; to the Committee on Military Affairs.

Also, petition of J. W. McLane, of Baltimore, Md., urging increase of salary to civil-service watchmen; to the Committee on Appropriations.

By Mr. MAGEE: Petition of Edwin Hyatt and other residents of Cortland, N. Y., for the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of Kate A. Palmer and other citizens of Fayetteville, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of Benjamin A. Tracy and other residents of the village of Manlius, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of the Federal Employees' Union No. 14, of Minneapolis, Minn., urging the suspension or repeal of the increased second-class postage rates provision of the war-revenue act of 1917; to the Committee on the Post Office and Post Roads.

Also, petition of members of the Presbyterian Church of Maine, Underwood, Minn., against any increase in second-class postage rates; to the Committee on the Post Office and Post Roads.

Also, petition of Red Cross officials in favor of extending the franking privilege to certain officials of the Red Cross; to the Committee on the Post Office and Post Roads.

SENATE.

MONDAY, *June 24, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we call upon Thy name at the beginning of this session, asking for all those high and holy qualities of character that will fit us for the duties of this day. Thou hast taught us that righteousness exalteth a nation. Righteousness in the Army and in the citizenship and in places of influence and power exalteth a nation. We pray that the righteousness of the Lord our God may be ours, and that we may follow Thy will to accomplish Thy purpose among men. For Christ's sake. Amen.

The VICE PRESIDENT resumed the chair.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. CHAMBERLAIN and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Myers	Simmons
Baird	Harding	Nelson	Smith, Ariz.
Bankhead	Henderson	New	Smith, Ga.
Beckham	Hitchcock	Norris	Smith, Md.
Borah	Hollis	Nugent	Smith, S. C.
Brandegee	Johnson, Cal.	Overman	Smoot
Calder	Johnson, S. Dak.	Page	Sterling
Chamberlain	Jones, Wash.	Penrose	Sutherland
Colt	Kendrick	Phelan	Swanson
Culberson	Kenyon	Pittman	Thomas
Cummins	King	Poindexter	Thompson
Curtis	Kirby	Pomerene	Tillman
Dillingham	Knox	Ransdell	Trammell
Fall	Lenroot	Reed	Underwood
France	Lodge	Robinson	Vardaman
Frelinghuysen	McCumber	Shafroth	Walsh
Gallinger	McKellar	Sheppard	Warren
Gronna	McNary	Sherman	Watson
Gulon	Martin	Shields	Wolcott

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. JONES of Washington. The junior Senator from Washington [Mr. POINDEXTER] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. TRAMMELL. I wish to announce the absence of my colleague [Mr. FLETCHER] on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Seventy-six Senators have answered to the roll call. There is a quorum present.

NONCOMBATANT OFFICERS (S. DOC. NO. 244).

The VICE PRESIDENT laid before the Senate the following communication from the Secretary of War, which was read:

WAR DEPARTMENT,
Washington, June 18, 1918.

SIR: On the 17th of June the Senate adopted a resolution directing the Secretary of War to furnish to the Senate, at the earliest possible day, the information called for in Senate resolution No. 220, agreed to on April 18, 1918, and transmitted to him on the following day.

The resolution referred to directs the Secretary of War to furnish to the Senate as soon possible a list of men to whom commissions in the Army have been issued and who are not now and who have heretofore been placed in command or had charge of troops of the United States, either here or abroad, and the branch of the service in which such men have been commissioned.

On the 21st day of May I wrote to the Hon. GEORGE A. CHAMBERLAIN, chairman of the Senate Military Affairs Committee, in response to an inquiry as to when the report called for by Senate resolution No. 220 might be expected. I told him that steps had been immediately taken to obtain the information desired, but that it would not be possible to submit the report within less than three months of the date of the resolution, in view of the fact that every organization in the Army in France, the Philippine Islands, Hawaii, the Panama Canal Zone, and elsewhere had to be reached before the information desired could be furnished in approximately accurate form. Some of the information desired by the Senate is at hand, but it is by no means complete, and even when full returns have been received to the inquiries initiated it will require some time to tabulate and compile the information so that it will be useful to the Senate. It will give me great pleasure to transmit the information at the earliest possible day.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

Mr. NELSON. I move that the communication be referred to the Committee on Military Affairs and printed.

The motion was agreed to.

ESTIMATES OF APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, submitting a supplemental estimate of appropriation in the sum of $90,000, required by the Lighthouse Service for the lighthouse depot and equipment for the sixteenth lighthouse district, Alaska (S. Doc. No. 243), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting an alternative estimate of appropriation in the sum of $7,590,239, required by the employment service of the Department of Labor for salaries and expenses for the fiscal year 1919 (S. Doc. No. 246), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Acting Secretary of the Treasury, submitting a supplemental estimate of appropriation in the sum of $40,000, required by the National Park Service for construction of a new administration and Government free bathhouse building on the Hot Springs Reservation, Ark. (S. Doc. No. 245), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7634) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8496) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9160) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9612) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10027) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10477) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10850) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of said war.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11364) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11663) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes; and

H. R. 12402. An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 4482. An act to amend an act entitled, "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended;

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes;

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and cer-

tain widows and dependent children of soldiers and sailors of said war;

H. R. 11185. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. J. Res. 70. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States; and

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces.

PETITIONS AND MEMORIALS.

Mr. OVERMAN. I have a letter from the corresponding secretary of the North Carolina Federation of Women's Clubs asking me to have printed in the RECORD the resolutions of that club in favor of woman suffrage. Under the rule I can not do so, and I simply make this statement in order that the ladies may know that I have stated to the Senate that they favor the woman suffrage amendment.

Mr. GALLINGER. I present a number of letters and telegrams from constituents in my State in favor of the constitutional amendment relating to woman suffrage. I do not ask that they shall even be noted in the RECORD, but that they may lie on the table.

The VICE PRESIDENT. That action will be taken.

Mr. BECKHAM. I have resolutions adopted by the Woman's Suffrage Association of Owensboro, Ky., on the subject of national prohibition. I ask to have printed in the RECORD so much as under the rule can be printed.

Mr. SMITH of Arizona. It is impossible to hear on account of the conversation going on in the Chamber. I could not gather the request of the Senator from Kentucky.

The VICE PRESIDENT. The Senator's request was to comply with the rule.

Mr. BECKHAM presented resolutions adopted by the Interdenominational Ministerial Association of Owensboro, Ky., favoring national prohibition as a war measure, which were ordered to lie on the table.

Mr. CUMMINS. I present a resolution adopted by the Iowa Federation of Labor in convention at Mason City June 12, praying the Senate to speedily and favorably dispose of the pending Federal suffrage amendment.

The VICE PRESIDENT. It will lie on the table.

Mr. SIMMONS. I have received a letter from the North Carolina Federation of Women's Clubs, signed by Mrs. W. Thomas Bost, corresponding secretary, with the request that I read the letter into the RECORD. Therefore, in compliance with the request, I shall read it. It is as follows:

THE NORTH CAROLINA FEDERATION OF WOMEN'S CLUBS,
Raleigh, N. C., June 18, 1918.

Senator F. M. SIMMONS,
Washington, D. C.

MY DEAR SENATOR SIMMONS: At the recent annual convention of the North Carolina Federation of Women's Clubs the following resolution was adopted:

"*Resolved*, That we, the North Carolina Federation of Women's Clubs, put ourselves on record in favor of the enfranchisement of women."

I am requested to ask you to kindly read the resolution into the CONGRESSIONAL RECORD. Our State federation is composed of 160 clubs, which number about 7,500 of the most representative women of North Carolina.

Thanking you in advance for your kindness, I am,
Most sincerely, yours,

MRS. W. THOMAS BOST,
Corresponding Secretary.

Mr. WARREN presented a petition of Capitol Vista Grange, No. 39, Patrons of Husbandry, of Cheyenne, Wyo., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of Niobrara, Bighorn, and Natrona Counties, all in the State of Wyoming; of the State Woman's Christian Temperance Union of Wyoming; and of sundry citizens of Wyoming, praying for the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. LODGE presented a resolution adopted by the City Council of Malden, Mass., favoring the proposed new revenue legislation, which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of the State of Massachusetts, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a memorial of the Clearing House Association of Springfield, Mass., remonstrating against the enactment of legislation guaranteeing certain bank deposits, which was referred to the Committee on Finance.

He also presented a telegram in the nature of a petition from sundry members of the Sunday school of the First Methodist Church of Attleboro, Mass., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. PHELAN presented resolutions adopted by the Humboldt Chamber of Commerce, of Eureka, Cal., favoring the surveying of military highways on the Pacific coast, which were referred to the Committee on Military Affairs.

He also presented resolutions adopted by the Liberty League, of Galt, Cal., favoring the elimination of strikes by compulsory arbitration, which were referred to the Committee on Education and Labor.

Mr. COLT presented a petition of the Rhode Island Equal Suffrage Association, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. MARTIN. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, and I submit a report (No. 521) thereon.

As soon as the routine morning business is over I shall ask the Senate to proceed to the consideration of this bill.

Mr. CHAMBERLAIN. I report back favorably with amendments from the Committee on Military Affairs the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919, and I submit a report (No. 520) thereon.

Immediately after the completion of the consideration of the sundry civil appropriation bill I shall ask the permission of the Senate to take up this bill.

Mr. ROBINSON, from the Committee on Claims, to which was referred the bill (S. 4225) for the relief of the Atlas Lumber Co., Babcock & Willcox, Johnson, Jackson & Corning Co., and the C. H. Klein Brick Co., each of which companies furnished to Silas N. Opdahl, a failing Government contractor, certain building materials which were used in the construction of Burke Hall, at the Pierre Indian School, in the State of South Dakota, reported it without amendment and submitted a report (No. 522) thereon.

Mr. OVERMAN. With the consent of the Senator from Pennsylvania [Mr. KNOX], who introduced the bill (S. 4724) to incorporate the Mothers of Democracy of the United States of America, I move that the Committee on Military Affairs be discharged from the further consideration of the bill and that it be referred to the Committee on the Judiciary.

The motion was agreed to.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. OVERMAN:

A bill (S. 4739) to fix the annual salary of the collector of customs for the district of North Carolina (with accompanying papers); to the Committee on Finance.

A bill (S. 4740) to authorize the Supreme Court to prescribe forms and rules and generally to regulate pleading, procedure, and practice on the common-law side of the Federal courts; to the Committee on the Judiciary.

By Mr. McCUMBER:

A bill (S. 4741) granting an increase of pension to Jacob B. Eakman (with accompanying papers); to the Committee on Pensions.

By Mr. MYERS:

A bill (S. 4742) for the relief of the Yosemite Stone Co.; to the Committee on Public Lands.

By Mr. FALL:

A bill (S. 4743) for the relief of Francis Stewart (with accompanying papers); to the Committee on Public Lands.

By Mr. WARREN:

A bill (S. 4744) granting an increase of pension to Dennis Driscoll (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HOLLIS submitted an amendment proposing to appropriate $1,200 to pay Dennis M. Kerr for extra and expert services rendered to the Committee on Pensions during the first and

second sessions of the Sixty-fifth Congress, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Pensions and ordered to be printed.

Mr. OWEN submitted an amendment relative to the payment of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation with interest, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. ASHURST submitted an amendment providing that the pay of all printers, printer-linotype operators, printer-monotype keyboard operators, etc., employed in the Government Printing Office shall be at the rate of 70 cents per hour for the time actually employed, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

Mr. KENDRICK submitted an amendment proposing to appropriate $10,000 for the continuation of investigation and survey of the High Line Canal, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment proposing to appropriate $50,000 for the investigation and survey of an irrigation system in the Green River watershed, Wyoming, and also proposing to appropriate $10,000 for the investigation and survey of the Wiley project, Wyoming, intended to be proposed by him to the sundry civil appropriation bill, which was ordered to lie on the table and be printed.

NATIONAL PROHIBITION.

Mr. NORRIS submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

DISTRICT OF COLUMBIA RENT ADMINISTRATOR.

Mr. POMERENE. Mr. President, I am instructed by the Committee on the District of Columbia of the Senate to present the following resolution and to ask for its immediate consideration. I ask that it may be read for the information of the Senate.

The resolution (S. Res. 266) was read, as follows:

Whereas H. R. 9248, a bill "to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes," duly passed by the House of Representatives March 12, 1918, was considered in the Senate and passed with a reported amendment in the nature of a substitute May 11, 1918; and

Whereas on said May 11, 1918, a conference was asked and managers on the part of the Senate were appointed thereon; and

Whereas on June 14, 1918, the chairman of the Committee on the District of Columbia of the House of Representatives called said bill from the Speaker's table, and made thereon certain remarks seriously reflecting upon the honor and integrity of the Senate, as appears on pages 7808 to 7812 of the CONGRESSIONAL RECORD; and

Whereas subsequently, on said June 14, 1918, managers were appointed on the part of the House of Representatives, of whom said chairman of said committee was one; and

Whereas said chairman of said House committee subsequently sent to each manager on the part of the Senate, under date of June 19, 1918, the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"UNITED STATES HOUSE OF REPRESENTATIVES,
"*Washington, D. C., June 19, 1918.*

"DEAR SIR: I write to advise you that on the 14th instant the House agreed to the request made by the Senate for a conference on H. R. 9248—the antiprofiteering rent bill—and that Messrs. CROSSER, of Ohio, CARY, of Wisconsin, and myself were appointed conferees on the part of the House; and, further, to advise you that we will meet the Senate conferees at such time and place that will be most agreeable to the Senate conferees.

"In order to facilitate matters I am inviting the attention of each of the Senate conferees to some of the more important questions of difference which will arise in conference by sending in advance a list of questions inquiring as to the attitude of the Senate conferees concerning each. The questions mentioned are herewith inclosed.

"Very truly, yours,

"BEN JOHNSON.

"1. Are you unalterable in your purpose to create a rent administrator?

"2. If so, are you unalterable in your purpose not to intrust the work with anyone unless he be a resident of the District of Columbia?

"3. Are you unalterable in your purpose not to permit the President to select a rent administrator for the District of Columbia, just as he selected a food administrator and fuel administrator, i. e., without your consent and approval?

"4. Are you unalterable in your seeming purpose to permit profiteering in house rents by imposing a fine less than the amount of the profiteering, or will you accept some plan like that recently suggested by the President in his message to Congress, whereby all the money taken in a profiteering transaction shall be surrendered?

"5. Are you unalterable in your adherence to that part of the Senate bill which would compel the tenant to leave his work as often and as long as it would be necessary for him to leave it in order to prosecute or defend the several appeals allowed?

"6. Are you unalterable in your purpose not to fix a gross return to the landlord; but, instead, to give him a 'net' return, notwithstanding the fact that thereby the landlord would have no interest whatever in keeping down the operating expenses of the premises?

"7. Are you unalterable in your purpose to saddle upon the tenant the cost of permanent street and similar improvements to the real estate alone, notwithstanding the fact that the erstwhile tenant enjoys the building alone?

"8. Are you unalterable in your purpose to compel the tenant to account for 'vacancies' in house and 'depreciation' of the house, and not allow him to offset that by the growing increase in the value of the land upon which the house stands?

"9. Are you unalterable in your purpose to permit a landlord to profiteer with a business house because it may once have been used as a residence?

"10. Are you unalterable in your purpose to fasten the present annual rates of rental on the tenant by fixing the rates in effect on the 1st day of last October as a basis?

"11. Are you unalterable in your purpose that the rental for furniture shall be as much as 30 per cent of its value?

"12. Are you unalterable in your seeming purpose not to punish profiteering corporations to the same extent that you would individuals who profiteer?

"13. Are you unalterable in your seeming purpose to exempt 'the original landlord' from all the provisions of the bill by your definition of 'landlord'?

"14. If you are unalterable in your seeming purpose to adhere to the remedy of 'fine' instead of that of 'taxation,' as set out in the bill passed by the House, would you be in favor of having a fine levied on all those who violate any provision of the act, or would you insist upon limiting it to those only who 'evade or attempt to evade its provisions'?"

And

Whereas on June 21, 1918, said chairman of said House committee sent to each of the managers on the part of the Senate the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"UNITED STATES HOUSE OF REPRESENTATIVES,
"*Washington, D. C., June 21, 1918.*

"To the SENATE CONFEREES ON H. R. 9248,
THE ANTIPROFITEERING RENT BILL,
"*Washington, D. C.*

"GENTLEMEN: The Washington newspapers of yesterday contained the statement that at least some of the Senate conferees on the antiprofiteering rent bill contemplated having me denied the privileges of the Senate floor because of the criticism made by me of the Senate amendment, which has come to be known as the 'Pomerene bill.'

"I do not care a continental about that; run along and get through with it, and then permit the Senate to vote on a measure that will prevent the profiteers from driving nearly a thousand war workers out of Washington every week. I am not interested in the least in your undertaking to deny me the privileges of the Senate Chamber, but I am deeply concerned for the war worker, who is being robbed and then sent out of Washington, and because of which our boys in France must suffer.

"The newspaper articles referred to state also that at least some of the Senate conferees may decline to go into conference because I am one of the House conferees. May I not suggest that by such a course, either intentionally or unintentionally, you play right into the hands of the profiteers, as delay in the passage of a good bill is what they seek?

"May I not also suggest that your skins should be thicker or your bill better? I not only invite the severest criticism of all my official acts, but I am quite anxious, indeed, to have the acid test applied to my endeavors in this particular matter; and you will not only not offend me, but you will do me a favor by wading into both me and it without gloves, since I, and not the landlords, am its author.

"This is not a time for 'senatorial dignity,' but one for action. Rearing back on your 'pastern joints' don't get the oppressed tenants anything. I do not intend to permit your attitude toward me, because of my criticism of your 'rotten' bill, to in the least deter me in my efforts to prevent the profiteer from fattening off of your country's needs.

"Your amendment—the Pomerene bill—had to be criticized, 'senatorial dignity' to the contrary notwithstanding.

"My contempt for such of you as may resort to pretext to evade full responsibility for not giving our war workers protection from the miserable profiteers is just as great as yours may be for me; but, as I said, that shall not stop me from following my plain duty in the premises.

"Let us get to work on the bill, and then you can have your revenge on me to your hearts' content. You have my full consent to deny me the privileges of the Senate Chamber or even to take your spite out of my hide if you will only go ahead and let the Senate vote on a good bill instead of a subterfuge.

"While I am sending this letter to each of the conferees, it is really intended for those only who are responsible for the article in yesterday afternoon's local newspapers.

"Very truly, yours,

"BEN JOHNSON."

And

Whereas on June 22, 1918, the said chairman of said House committee presented the foregoing letters to the House of Representatives and in presenting them used the following language:

"I take it for granted that the thought of 'ousting' me from the Senate Chamber is the result of a close association with those who have been 'ousting' the Government workers from houses in the District of Columbia":

Therefore be it

Resolved, That the conferees on the part of the Senate on said bill be, and they are hereby, excused from further service as such conferees until otherwise ordered by the Senate, and that the Secretary of the Senate be directed to transmit a copy of this resolution to the House of Representatives.

Mr. POMERENE. Mr. President, I ask unanimous consent for the present consideration of this resolution.

The VICE PRESIDENT. Is there objection? The Chair hears none. The question is on agreeing to the resolution.

Mr. POMERENE. Mr. President, the District Committee by unanimous vote directed me to present the preamble and resolution just read. I ask for its present consideration. Senators are familiar with the fact that a so-called rent profiteering bill

was passed by the House, came to the Senate, was referred to the District Committee, and by the District Committee referred to a subcommittee consisting of the Senator from New Hampshire [Mr. HOLLIS], the Senator from Delaware [Mr. SAULSBURY], the Senator from Vermont [Mr. DILLINGHAM], the Senator from Illinois [Mr. SHERMAN], and myself. The Senate passed the bill on May 11, and on that day asked for a conference. The House did not agree to that conference until June 14, more than a month after we had asked for the conference.

I think I ought to give very briefly a history of this bill so far as the Senate is connected with it. The subcommittee to which I have referred held quite extensive hearings upon the bill. After those hearings we went into executive session. The committee considered the subject very fully during several sittings and having agreed upon the fundamental principles of the bill asked me to prepare a bill and to present it to them for further consideration. This I did, trying to follow out their suggestions, and perhaps incorporating in the bill such further principles as a further and fuller study brought to my attention.

I am not in the habit of taking offense because Senators or Representatives differ from me. I assume for myself honesty of purpose, and I am always willing to accord that same state of mind to my fellow Senators or Members of the other House. The Senate conferees ever since their appointment have been quite anxious and willing that a conference should be had with the hope that the difference between the two Houses might be fully and fairly discussed and that we might be able to agree upon a report to be presented to the two Houses for their final action.

On June 14 a Member of the other House called this bill from the Speaker's table, and in the course of his remarks referred to a circular which is said to have been sent out by a member of a local real estate association to the members of that association, asking that they should attend a national meeting of real estate men to be held, I believe, in St. Louis. One paragraph of that letter—and it was quoted by the Member of the other House—read as follows:

> Are you going to the St. Louis convention? Well, you should go. Why? Because the national association has gone out of its way and spent considerable money to help us in our local fight in Congress.

Then the Member of the House, quoting this circular, spoke as follows:

> The landlords asked for a rent administrator. They got it in the Pomerene bill. The landlords then asked that the rent administrator be a resident of the District of Columbia, and they got it in the Pomerene bill. Mr. Worthington says that the national association "spent considerable money to help us in the local fight in Congress." Then the Pomerene bill goes further and provides that the rent administrator shall be confirmed by the Senate. Mr. Worthington says that the national association has "spent considerable money to help us win our local fight in Congress."

I shall not take the time of Senators to read the remainder of this speech, but if Senators will take the time to read it they will discover that there is one innuendo after another throughout the entire speech, suggesting, if not charging, corruption on the part of Senators who favored this form of legislation.

Senators have just heard read the two communications which were sent by this Member of the House to members of the conference committee on the part of the Senate. I shall not take time to refer to them further, except to say that they are not such communications as one gentleman would send to other gentlemen.

If I may suggest further with regard to the rent administrator—and I am not going to take the time to discuss the merits of these two bills—it is true that the Senate saw fit to adopt the suggestions of the District Committee recommending the appointment of an administrator. We thought then, and I feel now, that it is necessary to have somebody to administer this bill if it shall finally become a law. The bill which passed the House also provides for a rent administrator, though he is not so called. The tax assessor is therein clothed with certain duties to perform, which are the duties which will be incumbent upon the rent administrator if the Senate amendment is adopted and one is appointed.

Now, I want to allude very briefly to another suggestion. It is said in the course of this speech that this bill was dictated by the real estate agents of this city. Allow me to suggest that it is true that the real estate agents presented a bill, which is incorporated in the hearings of the committee, providing for a rent administrator, but their bill gave to the rent administrator the full power to fix the amount of rents without limit. After some hearings they presented a second bill, which I have on my desk, and which placed limitations upon rents. The limitations, as I now recall, were that they should not be less than 7 per cent net or more than 12 per cent net. In the preparation of the bill which we presented we adopted 7 per cent, the minimum suggested by the real estate agents, as the maximum rent which could be collected by real estate owners.

Mr. President, the House adopted one plan. After it had been carefully canvassed by the subcommittee we came to the conclusion that it was unworkable. The bill as we finally prepared it provides for a rent administrator, and it is framed more or less after the style of similar legislation adopted in Great Britain, South Wales, and New Zealand.

I shall not take further the time of the Senate to discuss the merits of that bill; but the immediate question which presents itself to the Senate is this, Shall we pass by unheeded statements which are made reflecting upon the honor and the integrity of Senators? Can we meet for a full and free conference with Members of the other House when one of the conferees named by the other House has seen fit to write the letters which have been read here in your hearing this morning and has made the speech in the House to which the resolution refers?

Mr. GALLINGER. Mr. President.——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from New Hampshire?

Mr. POMERENE. I yield to the Senator.

Mr. GALLINGER. Waiving the character of the letters, I will ask the Senator if he ever knew in his experience an instance where a member of the conferees of one House, before holding a conference, addressed a letter to the conferees of the other House interrogating them as to what action they proposed to take?

Mr. POMERENE. Mr. President, I have been a Member of this body for seven years. The Senator who has just addressed me has been here for many, many years. I never heard of such a course of procedure; and my belief is, from the question which has been asked me, that the Senator from New Hampshire, who is perhaps longer in service than any other Member in the Senate, has never heard of that method of procedure.

Mr. GALLINGER. Mr. President, I will say that I never have heard of a similar procedure, and I hope I never may hear of it again.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Idaho?

Mr. POMERENE. I yield to the Senator.

Mr. BORAH. I understand that the Senator's resolution is to relieve the Senate conferees from acting further with the conferees of the House. What I want to ask is: In this unfortunate situation what is to become of this legislation?

Mr. POMERENE. Mr. President, the Senator from Idaho perhaps has overlooked the phraseology of the resolution?

Mr. BORAH. I may have done so. I only heard it read from the desk.

Mr. POMERENE. It reads thus:

> That the conferees on the part of the Senate on said bill be, and they are hereby, excused from further service as such conferees until otherwise ordered by the Senate.

Then follows this language:

> And that the Secretary of the Senate be directed to transmit a copy of this resolution to the House of Representatives.

Mr. BORAH. What will be the effect of this proceeding upon the legislation? It will have a tendency, perhaps, to kill it entirely, will it not?

Mr. POMERENE. Mr. President, I do not believe so. I hope not. I think the situation is such here in the District that the legislation ought to be passed. I do not believe that we shall fail to get an agreement when we meet with gentlemen.

Mr. BORAH. It seems to me, Mr. President, that this matter is up to the House; that is to say, that the House ought to deal with the matter itself. In other words, unless the House takes action, it seems to me the proposed legislation will simply lie here and the matter will not ripen into any statute at all.

Mr. POMERENE. Mr. President, I do not take—if I may use the word—as pessimistic a view of this situation as the Senator from Idaho seems to take, if I may judge properly from his language.

Mr. BORAH. I judge of the situation by the past and by the present condition of affairs. This legislation has been in the process of passing now for about two months. I am not at all defending the course of procedure of anyone outside of this Chamber, and I have entire confidence in those who represent the Senate in the matter; but I simply wanted to know, as a matter of practical legislation, where we might expect to land with reference to this legislation, and when in all probability under this condition of affairs we might expect any legislation to be consummated.

Mr. POMERENE. The Senator's question is quite pertinent and worthy of consideration, and has, I may say, been considered. It will be observed that the conferees are retained. We are calling these matters to the attention of the House, and I have such a very high regard for the House, taken as a whole, and for its membership that I do not believe they will allow this matter to pass unnoticed. I think I am not overstating the question when I say that if any gentleman who is a Member of either House has any knowledge of any corruption on the part of any Member of either House he has the right to present a resolution and ask for an investigation, and no gentleman will make any insinuation of corruption against any Member of the Congress unless he has the evidence to support that charge.

Mr. President, I do not think I care to say anything further at this time. The matter is before the Senate for the Senate's action. I do not feel, and the managers on the part of the Senate do not feel, that they can have a full and free conference with some one sitting on the other side of the table who pretends to believe that the conferees on the part of the Senate have been guilty of certain misconduct; and I do not believe that Senators expect those conferees to meet with a conferee who so far forgets all the amenities which should exist between gentlemen as to make the charges and insinuations which are contained in his speech and in the communications which were sent to the managers on the part of the Senate.

Mr. LENROOT. Mr. President, if I may ask the Senator from Ohio a question, having in mind only the parliamentary situation that will exist and the very great danger of nonaction, I want to ask the Senator whether action would not be more certain if the resolution discharged these conferees and asked for a new conference? The parliamentary situation in the House then would have been to concur in that action and to appoint new conferees.

Mr. POMERENE. Mr. President, I have very great respect for the opinion of the Senator from Wisconsin. That is a matter which Senators must determine for themselves. We felt, in our discussion of this matter in the full committee, that perhaps this was the wiser course to pursue. It may be that the Senator from Wisconsin is right. As to that matter, I defer to the wisdom of the Senate.

Mr. LENROOT. I take it, Mr. President, that that is a motion that would come up later.

Mr. POMERENE. I think it could come up later.

Mr. SHERMAN. Mr. President, the Senator from Ohio [Mr. POMERENE] has covered the matter; but I wish to say, largely in response to the proper parliamentary inquiry made by the Senator from Wisconsin, that it would be the duty of the Chair in that event to name conferees who voted against the bill. There were some who voted against the bill, who were not convinced of the constitutionality or the propriety of such legislation; but the reflection, if it be a reflection, in the matter referred to by the Senator from Ohio is one that goes directly against every Senator who supported this bill, either on a roll call in this Chamber or who had a part in the committee or subcommittee in framing and reporting the bill and supporting it in the committee. So that it would present the anomalous parliamentary situation of requiring the Chair to appoint conferees on behalf of this body who are opposed to the bill, if you put on the conference committee persons who could meet the conferees already named by the House and who would be free from the insinuations or charges which seem to be made in the address contained in the CONGRESSIONAL RECORD of June 14. So that it would leave the matter in a most peculiar condition in naming conferees on the part of the Senate.

Mr. SHAFROTH. Mr. President, I was not in the Chamber at the time the resolution was read, and I should like to have it read from the desk.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read as follows:

Resolved, That the conferees on the part of the Senate on said bill be, and they are hereby, excused from further service as such conferees until otherwise ordered by the Senate, and that the Secretary of the Senate be directed to transmit a copy of this resolution to the House of Representatives.

Mr. BORAH. Mr. President, a parliamentary inquiry. After this resolution is adopted, if it is adopted, will the procedure which was suggested by the Senator from Wisconsin be in order at any time, if anyone desires to make that motion?

The VICE PRESIDENT. The Chair is of that opinion—that at any time the Senate chose to do so it could discharge the present conferees and appoint others.

Mr. BORAH. I ask the question for the reason that it seems to me that unless some procedure of that kind is open, in all probability this matter will stand without action interminably.

The VICE PRESIDENT. The question is on agreeing to the resolution offered by the Senator from Ohio. [Putting the question.] The ayes have it, and the resolution is unanimously adopted.

ALLIANCE WITH THE GOVERNMENT OF COSTA RICA.

Mr. GALLINGER. Mr. President, I submit a resolution, which I ask to have read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 267) was read and referred to the Committee on Foreign Relations, as follows:

Whereas the Government of Costa Rica did, on a timely date, succeeding the declaration of war by the Congress of the United States against the Imperial Government of Germany, extend to our Government words of sympathy and offers of substantial aid in the common defense of American rights in the manner following, to wit:

"THE ARLINGTON,
"*Washington, D. C., April 9, 1917.*

"MR. SECRETARY: The United States having declared that a state of war exists with the Imperial German Government, my Government has instructed me to reiterate to your excellency the assurances of Costa Rica's most loyal and sincere friendship for the United States.

"The Costa Rican Government considers that it is the duty of all American Republics to support, at least morally, the noble attitude assumed by the United States in defense of the highest ideals of law, of right and justice, and of democracy.

"The Republic of Costa Rica regrets that, because of its lack of material strength, it can not in this crisis tender to the United States more substantial cooperation; but if it might be permitted to demonstrate its solidarity with the Government and people of its great sister Republic of the North in such manner, for instance, as by permitting the use of its waters and ports for war needs by the American Navy that form of cooperation would be undertaken with the greatest satisfaction.

"With great pleasure, I reiterate to your excellency the assurances of my highest esteem, and beg to remain,

"Your excellency's most obedient servant,

"R. FERNANDEZ GUARDIA.

"HIS EXCELLENCY, ROBERT LANSING,
"*Secretary of State of the United States, Washington.*"

And

Whereas this expression of good will on the part of the Government of Costa Rica provoked the enmity of the German Government, which culminated in the severance of diplomatic relations with that Government by the Government of Costa Rica on the 21st day of September, 1917; and

Whereas the Government of Costa Rica, for reasons of her own did, on the 23d day of May, 1918, by an act of Congress, declare the Government of Costa Rica to be in a state of war with the Government of Germany, thus taking her place in the battle line for the defense of American interests as well as her own: Now, therefore, be it

Resolved, That it is the imperative duty of the Government of the United States to recognize the advantage of this alliance with the Government of Costa Rica in the war with Germany, and as a measure of national prudence to take favorable consideration of the immediate acceptance of the pending offer of the Government of Costa Rica to the Government of the United States of the use of their ports and waters in common with themselves in the existing war, as a safeguard and means of protection to the imperiled American interests in the Panama Canal Zone and Central America, and to cooperate with the Government of Costa Rica, as with our European allies, in the common defense and in the prosecution of the war against the common enemy of mankind.

ADDRESS BY SENATOR HENDERSON (S. DOC. NO. 242).

Mr. HOLLIS. Mr. President, I ask unanimous consent that a patriotic address delivered by the junior Senator from Nevada [Mr. HENDERSON] at the prize-day exercises at Pomfret (Conn.) public school, on June 21, be printed as a public document.

The VICE PRESIDENT. Without objection, it is so ordered.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. TILLMAN. I present the conference report on House bill 10854, the naval appropriation bill.

Mr. GALLINGER. I assume that it will lie over and be printed.

Mr. TILLMAN. If the Senator wishes it to lie over, all right.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 26, 40, 90, 103, 104, 153, and 172.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 7, 8, 9, 10, 12, 16, 17, 19, 21, 22, 24, 25, 28, 29, 32, 36, 43, 44, 45, 46, 48, 49, 55, 56, 57, 58, 59, 60, 61, 62, 64, 67, 70, 71, 73, 76, 78, 79, 80, 81, 82, 83, 84, 85, 89, 91, 92, 94, 95, 96, 97, 98, 99, 105, 106, 107, 108, 109, 110, 113, 114, 116, 118, 119, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, 155, 157, 158, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, and 171; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: Strike out all of said amendment, and in lieu thereof insert the following:

"The Secretary of the Navy is authorized in leasing waterfront property from any State or municipality where the State law or charter of the municipality requires that the improvements placed upon leased lands shall at the termination of the lease become the property of the State or municipality, to provide, as a part or all of the consideration therefor, that improvements placed thereon by the United States shall become the property of the lessor upon the expiration of the lease or any renewal thereof."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "Secretary," insert the following: "of the Navy"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Strike out the words "to aid" in said amendment; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Insert after the word "employees" in said amendment the following: "who render conspicuous service by putting their life in jeopardy to save life or property"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Insert before the words "the President" the word "and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: Insert after the word "accepted" in said amendment the word "temporary"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: Insert before the words "Marine Corps Reserve" the word "or," and strike out "or United States Army"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with amendments as follows: Strike out the word "purchase" in said amendment, and in lieu thereof insert the word "acquisition"; and after the word "land" in said amendment insert the following: "upon which such armories may be located"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Strike out all of said amendment and insert in lieu thereof the following:

"That hereafter, during the existence of war or of a national emergency declared by the President to exist, any commissioned or warrant officer of the Navy, Marine Corps, or Coast Guard of the United States on the retired list may, in the discretion of the Secretary of the Navy, be ordered to active duty at sea or on shore; and any retired officer performing such active duty in time of war or national emergency, declared as aforesaid, shall be entitled to promotion on the retired list to the grade or rank, not above that of lieutenant commander in the Navy or major in the Marine Corps or captain in the Coast Guard, and shall thereafter receive the pay and allowances thereof, which his total active service as an officer both prior and subsequent to retirement, in the manner rendered by him, would have enabled him to attain in due course of promotion had such service been rendered continuously on the active list during the period of time last past.

"That during the existence of war or of a national emergency, declared as aforesaid, any commissioned or warrant officer of the Navy, Marine Corps, or Coast Guard of the United States on the retired list, while on active duty, may be temporarily advanced to and commissioned in such higher grade or rank on the retired list, not above that of lieutenant commander in the Navy or major in the Marine Corps or captain in the Coast Guard, as the President may determine, and any officer so advanced shall, while on active duty, be entitled to the same pay and allowances as officers of like grade or rank on the active list: *Provided*, That any such commissioned or warrant officer who have been so temporarily advanced in grade or rank shall, upon his relief from active duty, or in any case not later than six months after the termination of the war or of the national emergency, declared as aforesaid, revert to the grade or rank on the retired list and to the pay and allowance status which he would have held had he not been so temporarily advanced: *Provided further*, That nothing in this act shall operate to reduce the pay and allowances now allowed by law to retired officers."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In line 12 of said amendment, after the words "specifically designated," insert the following: "during war or national emergency declared by the President"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: At the end of said amendment, after the word "concerned," add the following: "and promotions shall be made on the basis of fitness alone by selection from among the officers of the rank next below: *Provided further*, That the requirements for sea service in grade, length of service in grade, and maximum age in grade for promotion shall not apply"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63 and agree to the same with an amendment as follows: Strike out, in said amendment, "$105,014,110.50," and in lieu thereof insert "$85,014,110.50," and add the following proviso:

"*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $20,000,000 in addition to the appropriations herein and heretofore made."

In line 14, page 39, of the act (H. R. 10854) as it passed the House April 20, 1918, after the word "*Provided*," insert the word "*further*."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Before the words "March twenty-eighth" insert the words "the act of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: Strike out "$84,289,530" and insert "$73,289,530," and add the following proviso:

"*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $11,000,000 in addition to the appropriations herein and heretofore made."

In line 19, page 39, of the act (H. R. 10854) as it passed the House April 20, 1918, after the word "*Provided*," insert the word "*further*."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Before the words "March 28" insert the words "the act of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Strike out "$11,000,000," and insert in lieu thereof "$10,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: Before the words "March 28," insert the words "the act of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In line 3 of said amendment, after the word "selected," insert the words "and acquired"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the language stricken out by the Senate insert the following:

"*Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of more than 115 passenger-carrying automobiles for official use within the United States and its insular possessions: *And provided further*, That no part of any appropriation contained in this act shall be used for the purchase of more than 100 such passenger-carrying automobiles at a greater cost than $500 each and 15 at a greater cost than $2,000 each. *And provided further*, That the Secretary of the Navy is authorized to distribute the high-powered automobiles now owned and in use in the United States and its insular possessions to such places and service as they may be required."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: Strike out "$2,500,000" and in lieu thereof insert: "$1,000,000: *Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for this purpose not to exceed $1,500,000 in addition to the appropriation herein made"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: Strike out "$4,805,000" and insert in lieu thereof "$3,305,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: Before the word "officers" insert the word "medical"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: Strike out "$4,500,000" and insert in lieu thereof "$4,000,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the following: "to Seward, Alaska"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment as follows: Strike out "$93,753,682" and insert in lieu thereof "$93,203,682"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: Strike out "$160,566,756.14" and insert in lieu thereof "$160,016,756.14"; and the Senate agree to the same.

On amendments of the Senate numbered 4, 5, 23, 33, 34, 35, 37, 38, 39, 41, 42, 47, 52, 53, 75, 93, 100, 101, 102, 112, 115, 120, and 170 the committee of conference have been unable to agree.

B. R. TILLMAN,
CLAUDE A. SWANSON,
H. C. LODGE,
BOIES PENROSE,
By H. C. L.,
JOHN WALTER SMITH,
Managers on the part of the Senate.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

Mr. TILLMAN. It is not a full report. Unless the Senator from New Hampshire insists upon it I want the Senate to agree to the conference report and to order a further conference.

Mr. GALLINGER. That is quite agreeable to me. I did not quite understand the status of the report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. TILLMAN. I move that the Senate further insist upon its amendments still in disagreement between the two Houses, and ask for a further conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. TILLMAN, Mr. SWANSON, Mr. SMITH of Maryland, Mr. PENROSE, and Mr. LODGE managers at the further conference on the part of the Senate.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. BANKHEAD. I submit a conference report on the bill (H. R. 7237) known as the Post Office appropriation bill, which I ask may lie on the table and be printed in the RECORD.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment numbered 23 of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out the amendment proposed by the Senate and insert in lieu thereof the following:

"For the transmission of mail by pneumatic tubes or other similar devices $665,000: *Provided*, That the Postmaster General is hereby authorized and directed to extend existing contracts for pneumatic-tube service until March 4, 1919, and the Postmaster General is directed to expend this appropriation for the sole purpose of continuing the existing pneumatic mail tube service, and no part thereof shall be expended for the transportation of mails in any other manner than herein authorized: *Provided further*, That the Interstate Commerce Commission is hereby authorized and directed to investigate and report to Congress not later than the 1st day of December, 1918, (1) whether or not the present pneumatic mail tube service in the cities of New York, N. Y., Brooklyn, N. Y., Boston, Mass., Philadelphia, Pa., Chicago, Ill., and St. Louis, Mo., is a valuable and efficient postal facility, whether or not it expedites the delivery of first-class mail and should be retained or discontinued; (2) to investigate and report whether or not the present pneumatic-tube mail system is suited for the purpose of expediting the delivery of first-class mail, or whether tubes of a different kind or size should be employed; (3) if the said commission should recommend the retention of the present system, should the properties be purchased or leased by the Government, and at what price and upon what terms; (4) if said commission should recommend a rental, as at present operated, what compensation should be paid therefor: *Provided further*, That the Interstate Commerce Commission shall permit hearings to all parties at interest and the expenses for such investigation shall be paid out of any available funds appropriated for the use of the Interstate Commerce Commission."

And the House agree to the same.

J. H. BANKHEAD,
THOMAS W. HARDWICK,
CHARLES E. TOWNSEND,
Managers on the part of the Senate.

WILLIAM M. BELL,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

We do not concur in the above report.

JOHN A. MOON,
A. B. ROUSE,
Of the Managers on the part of the House.

INCREASE OF PENSIONS—CONFERENCE REPORTS.

Mr. HOLLIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 11, 12, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19, 20, and 21, and agree to the same.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

Mr. HOLLIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 10, 11, 14, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 7, 9, 12, 13, and 16, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Clarence L. Wimer, late of Company A, Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month."

And the Senate agree to the same.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

Mr. HOLLIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 5, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the Senate agree to the same.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

Mr. HOLLIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

Mr. HOLLIS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 14, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 21, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Fred O. Hamilton, late of Company M, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month."

And the Senate agree to the same.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.
JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

The report was agreed to.

HOUSE BILLS REFERRED.

H. R. 12099. An act to confer on the President power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

H. R. 12402. An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes was read twice by its title and referred to the Committee on Immigration.

SUNDRY CIVIL APPROPRIATIONS.

The VICE PRESIDENT. The morning business is closed.

Mr. MARTIN. I ask unanimous consent that the Senate proceed to the consideration of House bill 12441, the sundry civil appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. The Senator from Virginia asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 8, to insert:

Post allowances to consular and diplomatic officers: The appropriations for post allowances to consular and diplomatic officers for the fiscal year 1919 are made available for payment to consular and diplomatic officers regardless of where stationed and to the officers of the United States Court for China.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 4, after line 6, to insert:

Honolulu, Hawaii, post office, courthouse, and customhouse: For continuation, $150,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 21, to insert:

New York, N. Y., assay office building: For completion, $272,000.

The amendment was agreed to.

The next amendment was, at the top of page 5, to insert:

Paris, Tex., post office and courthouse: For completion, $70,000.

The amendment was agreed to.

The next amendment was, on page 5, after line 22, to insert:

Washington, D. C., Bureau of Engraving and Printing: For additional boilers to operate the laundry at the Bureau of Engraving and Printing, and for an incinerator for use in disposing of sweepings, oil rags, etc., from said bureau, and for a special incinerator for the destruction of nondistinctive paper used for stamps, etc., and for a building to house the foregoing, and also for installing a ventilating apparatus in the present laundry building, $68,200.

The amendment was agreed to.

The next amendment was, under the subhead "Marine hospitals," on page 6, after line 19, to insert:

Cincinnati, Ohio: Additional for repairs to old marine hospital and grounds, $15,000.

The amendment was agreed to.

The next amendment was, on page 6, after line 23, to strike out:

Mobile, Ala.: For a passenger elevator, $6,000.

The amendment was agreed to.

The next amendment was, at the top of page 7, to insert:

Mobile, Ala.: For passenger elevator and refrigerating plant, $10,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quarantine stations," on page 7, after line 5, to insert:

Cape Charles, Va.: For seven barracks buildings, three mess halls, officers' quarters, remodeling building for attendants' quarters, heating plant and plumbing, lighting plant and equipment, disinfection building and equipment, laundry building and equipment, sewage, drainage and approach work, hospital building and equipment, disinfecting and boarding vessel, miscellaneous furnishing and equipment, and for remodeling existing buildings, $151,500, and the appropriations made in the urgent deficiency act approved October 6, 1917, for the Cape Charles Quarantine Station are made available for the purposes herein named.

The amendment was agreed to.

The next amendment was, on page 7, line 24, after the word "fencing," to strike out "$600" and insert "$1,000," so as to make the clause read:

Port Townsend, Wash.: For wire fencing, $1,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 1, to insert:

For two barracks buildings and laboratory space; crematory; attendants' quarters; officers' quarters; and laundry equipment; and miscellaneous furnishing and equipment, Reedy Island Quarantine Station, $61,500, and the appropriations made in the sundry civil appropriation act approved June 23, 1913, and the urgent deficiency appropriation act approved October 6, 1917, for the Reedy Island Quarantine Station are made available for the purposes herein named.

The amendment was agreed to.

The next amendment was, on page 8, after line 11, to insert:

Savannah, Ga.: For four barracks buildings, two mess halls, hospital building, attendants' quarters, heating and plumbing, lighting, sewage and water, laundry and equipment, and for miscellaneous furnishing and equipment, $26,000, and the appropriations made in the urgent deficiency appropriation act approved October 6, 1917, for the Savannah, Ga., Quarantine Station are made available for the purposes herein named.

The amendment was agreed to.

The next amendment was, under the subhead "Coast Guard," on page 19, line 7, after the word "cadets," to insert "and warrant officers"; and, in line 10, after the word "midshipmen," to insert "and warrant officers"; so as to make the clause read:

For pay and allowances prescribed by law for commissioned officers, warrant officers, petty officers, and other enlisted men, active and retired, temporary and substitute surfmen, cadets and cadet engineers, and one civilian instructor, $5,124,835: *Provided*, That a civilian instructor in the Coast Guard, after five years' service as such, shall have the pay and allowances of a second lieutenant, and after 10 years of such service shall have the pay and allowances of a first lieutenant in the Coast Guard: *Provided further*, That cadets and warrant officers in the Coast Guard shall receive the same pay and allowances as are now or may hereafter be provided by law for midshipmen and warrant officers in the Navy.

The amendment was agreed to.

The next amendment was, under the subhead "Engraving and Printing," on page 21, line 16, after the word "assistants," to strike out "$1,731,600" and insert "$2,039,118"; so as to read:

For salaries of all necessary employees, other than employees required for the administrative work of the bureau of the class provided for and specified in the legislative, executive, and judicial appropriation act for the fiscal year 1919, and plate printers and plate printers' assistants, $2,039,118, to be expended under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, on page 22, line 6, after the word "employed," to strike out "$1,930,000" and insert "$2,100,600"; so as to make the clause read:

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants, when employed, $2,100,600, to be expended under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Customs Service," on page 28, line 11, after the word "revenue," to strike out "$10,200,000" and insert "$10,900,000"; so as to make the clause read:

For collecting the revenue from customs, including not exceeding $200,000 for the detection and prevention of frauds upon the customs revenue, $10,900,000.

The amendment was agreed to.

The reading of the bill was continued to page 41, line 16.

Mr. WATSON. I notice in the reading of the bill page 34 was passed over, the items for the Committee on Public Information.

The VICE PRESIDENT. The total was read.

Mr. WATSON. I was engaged in conversation and did not notice. I wish to make a motion with reference to that appropriation.

The VICE PRESIDENT. We are merely considering committee amendments in accordance with the unanimous-consent agreement. After the amendments of the committee have been considered, the Senator from Indiana can, of course, move any amendment he pleases.

Mr. WATSON. That is, after the reading of the bill?

The VICE PRESIDENT. After the committee amendments have been reached and agreed to or disagreed to, then the bill is open to amendment by individual Senators.

Mr. WATSON. Very well.

The next amendment was, under the head of "Interstate Commerce Commission," on page 41, line 16, after the date "1914," to strike out "$250,000" and insert "$313,000," so as to make the clause read:

To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with acts to promote the safety of employees and travelers upon railroads; the act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test block-signal and train-control systems and appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906, and the provision of the sundry civil act approved May 27, 1908, including the employment of inspectors, and per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, $313,000.

The amendment was agreed to.

The next amendment was, under the head of "National Advisory Committee for Aeronautics," on page 43, line 15, after "$200,000," to insert "of which sum $10,300 shall be available for printing and binding the bibliography of aeronautics from July 1, 1909, to December 31, 1916"; and in line 21, after the word "buildings," to strike out "occupied by the Signal Corps," so as to make the clause read:

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; traveling expenses of members and employees; office supplies, printing, and other miscellaneous expenses; equipment, maintenance, and operation of research laboratory, and construction of additional buildings necessary in connection therewith; personal services in the field and in the District of Columbia: *Provided*, That the sum to be paid out of this appropriation for clerical, drafting, watchmen, and messenger service for the fiscal year ending June 30, 1919, shall not exceed $43,000; in all, $200,000, of which sum $10,300 shall be available for printing and binding the bibliography of aeronautics from July 1, 1909, to December 31, 1916: *Provided*, That the Secretary of War is authorized and directed to furnish office space to the National Advisory Committee for Aeronautics in governmental buildings.

The amendment was agreed to.

The next amendment was, under the subhead "Emergency Shipping Fund," on page 46, line 4, after the word "shipbuilding," to insert "or ship maintenance or repair," so as to make the clause read:

For the acquisition or establishment of plants suitable for shipbuilding or ship maintenance or repair, or of materials essential thereto, and for the enlargement or extension of such plants as are now or may be hereafter acquired or established, $87,000,000.

The amendment was agreed to.

The next amendment was, on page 46, line 18, after the date "1918," to strike out "$50,000,000" and insert "$75,000,000," so as to make the clause read:

For carrying out the act entitled "An act to authorize and empower the United States Shipping Board Emergency Fleet Corporation to purchase, lease, requisition, or otherwise acquire, and to sell or otherwise dispose of improved or unimproved land, houses, buildings, and for other purposes," approved March 1, 1918, $75,000,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 18, to insert:

For carrying out the act entitled "An act to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 15, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes," approved April 22, 1918, $20,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," in the item of appropriation for the disposition of remains of officers, soldiers, civilian employees, etc., on page 61, line 12, after "$250,000," to insert:

Provided, That during the continuance of the present war the above provisions shall be applicable in the cases of officers and enlisted men on the retired list of the Army who have died or may hereafter die while on active duty by proper assignment.

So as to read:

Interment of military prisoners who die at military posts; removal of remains from abandoned posts to permanent military posts or national cemeteries, including the remains of Federal soldiers, sailors, or marines, interred in fields or abandoned private and city cemeteries; and in any case where the expenses of burial or shipment of the remains of officers or enlisted men of the Army who die on the active list are borne by individuals, where such expenses would have been lawful claims against the Government, reimbursement to such individuals may be made of the amount allowed by the Government for such services out of this sum, but no reimbursement shall be made of such expenses incurred prior to July 1, 1910, $250,000: *Provided*, That during the continuance of the present war the above provisions shall be applicable in the cases of officers and enlisted men on the retired list of the Army who have died or may hereafter die while on active duty by proper assignment.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 68, after line 12, to insert:

For installing and operating a ferry line from the vicinity of Seventh and Water Streets to East Potomac Park, $10,000.

The amendment was agreed to.

The next amendment was, on page 72, after line 14, to insert:

For purchasing and installing a 10-inch water main across the Aqueduct Bridge, including a 12-inch connection to the 36-inch gravity main in M Street, and a water meter near this connection, for the purpose of supplying water to Federal reservations and buildings on the Virginia side of the Potomac River, $8,100.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," subhead "Public Buildings," on page 87, after line 13, to strike out:

For labor and material for the protection of the Capitol Building and Grounds, including the Senate and House Office Buildings and the Capitol power plant, and for emergencies, and for each and every item incident thereto, $30,000.

The amendment was agreed to.

The next amendment was, under the subhead "Surveying the Public Lands," in the item of appropriation for surveys and resurveys of public lands, on page 94, line 9, after the words "per month," to strike out: "and not to exceed 10 surveyors who may be employed in a supervisory capacity, whose compensation shall not exceed $250 per month each," so as to read:

The surveys and resurveys provided for in this appropriation to be made by such competent surveyors as the Secretary of the Interior may select, at such compensation, not exceeding $200 per month each, as he may prescribe, except in Alaska, where a compensation not exceeding $300 per month each may be allowed such surveyors, except that the Secretary of the Interior may appoint not to exceed one supervisor of surveys, whose compensation shall not exceed $300 per month, and such per diem in lieu of subsistence, not exceeding $3.50, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914.

The amendment was agreed to.

Mr. WADSWORTH subsequently said: Mr. President, may I ask if the amendment on page 94, striking out lines 10 and 11 and part of line 12, was adopted?

The VICE PRESIDENT. It has been adopted.

Mr. WADSWORTH. The machinery proceeds so rapidly that it is exceedingly difficult to keep pace with it. While I was reading the bill the amendment must have been adopted, and by the time I woke up to its meaning we were four or five pages further on. If it is not too late, I should like to ask the chairman of the committee the purpose of striking that language from the House bill?

Mr. MARTIN. The language was stricken out because it was thought not to be necessary there.

Mr. SMOOT. Shall I answer the inquiry of the Senator from New York, I will ask the Senator from Virginia?

Mr. MARTIN. Yes.

Mr. SMOOT. Mr. President, a year ago this same provision was inserted in the sundry civil appropriation bill. Its object is to provide for 10 surveyors, who may be employed in a supervisory capacity and whose compensation shall not exceed $250 per month each. Should this provision be agreed to, there has been a fear expressed by all the western Senators and all of the western Representatives, as I understand, that these surveyors will be sent out into the public-land States, and that they may interfere with the duties of the present surveyors, who are thoroughly familiar with local conditions. It would be simply adding 10 men to oversee the work of all the surveyors in the public-land States. There is no telling what authority will be given them nor what complications may arise if they undertake to direct the work of present incumbents in office.

If the surveyors in the different States are not doing their duty, the Secretary of the Interior must know it, and they can be removed at any time for cause. I have heard of no complaint that the work is not done well under present conditions, and as outlined by the Department of the Interior; and it seemed that this proposed appropriation of money is not necessary. Not only is it not necessary, but if made it would undoubtedly bring about complications.

Mr. WADSWORTH. Mr. President, I see the striking out of the language is in the interest of economy, and I shall be glad to see the amendment adopted.

The next amendment was, under the subhead "United States Geological Survey," on page 96, at the beginning of line 2, to insert "disbursing clerk, $2,500"; and in line 7, after the words "In all," to strike out "$28,520" and insert "$31,020," so as to make the clause read:

Office of Director: Director, $6,000; chief clerk, $2,500; disbursing clerk, $2,500; librarian, $2,000; photographer, $2,000; assistant photographers—one $900, one $720; clerks—one of class 2, three of class 1, one $1,000, four at $900 each; four copyists, at $720 each; four messenger boys, at $480 each; in all, $31,020.

The amendment was agreed to.

The next amendment was, on page 98, line 9, after the words "United States Geological Survey," to strike out "$1,260,245.50" and insert "$1,262,745.50," so as to make the clause read:

In all, United States Geological Survey, $1,262,745.50.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Mines," on page 99, after "$287,210," to insert:

Provided, That any license issued under the act of October 6, 1917, may be cancelled by the Director of the Bureau of Mines if the person to whom such license was issued shall, after notice and an opportunity to be heard, be found to have violated any of the provisions of the act: *Provided further*, That platinum and compounds of platinum are hereby made subject to the terms, conditions, and limitations of said act of October 6, 1917, and the Director of the Bureau of Mines is hereby authorized, under rules and regulations approved by the Secretary of the Interior, to limit the sale, possession, and use of said material."

The amendment was agreed to.

The next amendment was, on page 100, line 6, after the word "party," to strike out "$100,000" and insert "$200,000," so as to make the clause read:

For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and other mineral substances, with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence: *Provided*, That no part thereof may be used for investigation in behalf of any private party, $200,000.

The amendment was agreed to.

The next amendment was, on page 101, line 24, after the date "nineteen hundred and fifteen," to strike out "$150,000" and insert "$200,000," so as to make the clause read:

For the employment of personal services and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, authorized by the act approved March 3, 1915, $200,000.

The amendment was agreed to.

The next amendment was, on page 106, line 18, after the word "paragraph," to insert:

Provided further, That no part of any moneys herein or hereafter appropriated shall be used for the purpose of taking over or in any way interfering with the yards or coal dumps or other facilities for storage and distribution of coal that have been used and occupied in the past year by coal dealers for supplying the general public.

So as to make the clause read:

For the purchase and transportation of fuel; storing and handling fuel in yards; maintenance and operation of yards and equipment, including motor-propelled passenger-carrying vehicles for inspectors, rentals, and all other expenses requisite for and incident thereto, including personal services in the District of Columbia, $1,154,088, to be available immediately: *Provided*, That all moneys received from the purchase of fuel during the fiscal year 1919 shall be credited to this appropriation and be available for the purposes of this paragraph: *Provided further*, That no part of any moneys herein or hereafter appropriated shall be used for the purpose of taking over or in any way interfering with the yards or coal dumps or other facilities for storage and distribution of coal that have been used and occupied in the past year by coal dealers for supplying the general public.

The amendment was agreed to.

The next amendment was, on page 106, after line 23, to strike out:

One half of the two preceding sums shall be paid out of the Treasury of the United States and the other half out of the revenues of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 106, line 27, after the words "Bureau of Mines," to strike out "$2,978,075" and insert "$3,145,285," so as to make the clause read:

In all, Bureau of Mines, $3,145,285.

The amendment was agreed to.

The next amendment was, under the subhead "Reclamation Service," on page 112, line 14, after the word "investigations," to strike out "$100,000" and insert "$120,000," so as to make the clause read:

Secondary projects: For cooperative and other miscellaneous investigations, $120,000.

The amendment was agreed to.

The next amendment was, on page 113, line 13, after the words "Reclamation Service," to strike out "$9,345,000" and insert "$9,365,000," so as to make the clause read:

In all, Reclamation Service, $9,365,000.

The amendment was agreed to.

The next amendment was, on page 113, after line 21, to strike out:

For an investigation to be made by the Reclamation Service of the reclamation by drainage of lands situated in States other than those enumerated in the "reclamation law," including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000.

Mr. BORAH. Mr. President, I will ask the Senator in charge of the bill why this provision was stricken from the bill?

Mr. SMOOT. Mr. President, if the Senator from Virginia desires me to answer as he indicates, I will say to the Senator from Idaho that there is a bill now on the calendar the purpose of which is the drainage of swamp lands. That bill, more than likely, will pass Congress. It provides a full plan for carrying on such work. The item in this bill merely makes an appropriation for an investigation. There is no need of investigating the subject because it is well known where these swamp lands are; the estimated cost of reclaiming them is also known. All the department wants is an authorization to reclaim those lands.

Mr. BORAH. What is the status of the bill to which the Senator refers?

Mr. SMOOT. The bill I refer to is calendar No. 247.

Mr. FALL. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Utah yield to the Senator from New Mexico?

Mr. SMOOT. I yield.

Mr. FALL. May I ask the Senator if the provisions of the bill to which he refers are confined to the drainage of purely swamp lands in States other than those in which there are reclamation projects?

Mr. SMOOT. I will say to the Senator that the bill I have in mind provides that swamp lands shall be drained wherever located in the United States.

Mr. FALL. That was my understanding of the matter.

Mr. SMOOT. This is simply an appropriation for an investigation. If the Senator will notice in the bill there was an item for investigating cut-over lands in the same way, and both items have been stricken out.

Mr. BORAH. Mr. President, I am inclined to think, in view of the suggestion made by the Senator from Utah as to the reason why this provision was left out, that perhaps it is the proper thing to do. I am only interested in it because of the fact that there are a great many swamp lands which we ought to reclaim.

Mr. SMOOT. That is right.

Mr. BORAH. However, in view of the statement of the Senator, I am not going to interpose any objections.

Mr. SMOOT. The Senator knows that I am in favor of that kind of legislation, and I think all the western Senators and Senators generally are likewise in favor of it, because the question affects not only the Western States but particularly the Southern States and some of the Middle Western States.

Mr. FALL. Mr. President, I shall not object to the adoption of the amendment striking out the provision because I should, unless that action were taken, offer an amendment which would make this appropriation apply to such investigations not only as to lands aside from those in the reclamation States but as to lands within the reclamation States, where drainage is very much needed.

Mr. SMOOT. I think the Senator will bear me out in the statement that that question has been before the Public Lands Committee of the Senate, and I have no doubt that legislation affecting those lands will be enacted at a very early date.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "National parks," on page 118, line 24, after the word "boundary," to insert "for repairing roads in the park and in adjoining forest reserves from Lake Hotel to the Cody entrance"; and on page 119, line 4, after the word "keepers," to strike out "$244,520" and insert "$269,520," so as to make the clause read:

Yellowstone National Park, Wyo.: For administration, protection, maintenance, and improvement, including not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the east boundary, not to exceed $7,500 for maintenance of the road in the forest reserve leading out of the park from the south boundary, for repairing roads in the park and in adjoining forest reserves from Lake Hotel to the Cody entrance, $25,000; not to exceed $7,600 for the purchase, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles, and including feed for buffalo and other animals and salaries of buffalo keepers, $269,520, to be expended by and under the direction of the Secretary of the Interior: *Provided*, That not exceeding $2,000 may be expended for the removal of snow from any of the roads for the purpose of opening them in advance of the tourist season.

The amendment was agreed to.

The next amendment was, on page 121, after line 15, to insert:

The unexpended balance of the appropriation of $75,000 made in the sundry civil appropriation act for the fiscal year 1918 for Mount Rainier National Park is made available for the fiscal year 1919.

The amendment was agreed to.

The next amendment was, on page 123, line 5, after the word "exceed," to strike out "$150,000" and insert "$190,000"; and in the same line, after the word "appropriated," to strike out "$100,000" and insert "$140,000," so as to make the clause read:

Hot Springs Reservation, Ark.: For labor, material, supervision, clearing site, and all other necessary expenses incident to the construction of a new administration and Government free bathhouse building, to cost not to exceed $190,000, there is appropriated $140,000, and in addition thereto $50,000 is authorized to be expended therefor from the revenues received from the said reservation.

The amendment was agreed to.

The next amendment was, under the subhead "Howard University," on page 125, line 12, after the words "manual arts," to strike out "$15,000" and insert "$20,000," so as to make the clause read:

For tools, materials, fuel, wages of instructors, and other necessary expenses of the department of manual arts, $20,000.

The amendment was agreed to.

The next amendment was, on page 125, line 26, after the words "in all," to strike out "$112,937.75" and insert "$117,937.75," so as to make the clause read:

In all, $117,937.75.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," subhead "Miscellaneous objects, Department of Justice," on page 130, line 12, after "$23,000," to strike out:

Provided, That the Department of Justice is directed to expedite the final determination of all said suits.

So as to make the clause read:

Suits to set aside conveyances of allotted lands for removal of restrictions, allotted lands, Five Civilized Tribes: For necessary expenses incident to any suits brought at the request of the Secretary of the Interior in the eastern judicial district of Oklahoma, to be expended under the direction of the Attorney General, $23,000.

The amendment was agreed to.

The next amendment was, on page 131, line 3, after the word "at," to strike out "$6 per volume, $90," and insert "$7.50 per volume, $112.50," so as to make the clause read:

For 15 copies of volume 62 of the Lawyers' Cooperative Edition of the United States Reports, to continue sets now in the hands of certain officers, at $7.50 per volume, $112.50.

The amendment was agreed to.

The next amendment was, under the head of "Judicial," subhead "United States courts," on page 132, line 25, after the word "attorney," to strike out "$620,000" and insert "$660,000," so as to make the clause read:

For salaries of United States district attorneys and expenses of United States district attorneys and their regular assistants, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, $660,000.

The amendment was agreed to.

The next amendment was, on page 133, line 22, before the words "per annum," to strike out "$3,500" and insert "$3,500," so as to make the clause read:

For regular assistants to United States district attorneys who are appointed by the Attorney General at a fixed annual compensation, $385,000: *Provided*, That except as otherwise prescribed by law, the compensation of such of the assistant district attorneys authorized by section 8 of the act approved May 28, 1896, as the Attorney General may deem necessary, may be fixed at not exceeding $3,500 per annum.

The amendment was agreed to.

The next amendment was, on page 134, line 4, after the words "United States," to strike out "$175,000" and insert "$200,000," so as to make the clause read:

For assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases (such counsel shall not be required to take oath of office in accordance with section 366, Revised Statutes of the United States), $200,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," subhead "Lighthouses, beacons, fog signals, light vessels, and other works under the Lighthouse Service," on page 143, after line 18, to insert:

Depot for sixteenth lighthouse district: For a lighthouse depot and the necessary equipment for the sixteenth lighthouse district, $90,000.

The amendment was agreed to.

The next amendment was, on page 143, after line 21, to strike out:

The appropriation of $15,000 "for the installation of an electrically operated fog-signal whistle on the east breakwater, Nantucket Harbor, Mass., contained in the deficiency appropriation act approved March 28, 1918, is made available for the establishment of an electrically operated fog-signal bell at that point.

Mr. LODGE. In regard to the amendment which has just been read I desire to say to the chairman of the committee——

Mr. MARTIN. I ask that that amendment be disagreed to. It was put in under an impression that the same matter was covered by another bill, but we find that the provision in the other bill is not identical with the provision inserted in this bill.

Mr. LODGE. The item carried in the other bill provided the appropriation, while this item is to authorize the establishment of the fog signal.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was rejected.

The next amendment was, on page 162, line 3, after the word "therewith," to strike out "$375,000" and insert "$400,000," so as to make the clause read:

Propagation of food fishes: For maintenance, equipment, and operations of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars, purchase of equipment and apparatus, contingent expenses, temporary labor, and not to exceed $10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith, $400,000.

The amendment was agreed to.

The next amendment was, at the top of page 165, to insert:

St. Johnsbury, Vt., station: For the establishment of an auxiliary station on Lake Champlain, including the purchase of land, construction of buildings, and for equipment, $5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Standards," on page 165, after line 23, to insert:

For additional for the acquisition of land described in the sundry civil appropriation act for the fiscal year 1918, and for the acquisition of certain adjacent land required for the Bureau of Standards, $32,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," subhead "Immigration Service," in the item of appropriation for enforcement of the laws regulating immigration of aliens in the United States, on page 167, line 11, after the words "Secretary of Labor," to strike out "$2,450,000" and insert "$2,000,000," so as to read:

For enforcement of the laws regulating immigration of aliens into the United States, including the contract-labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof; necessary supplies, including exchange of typewriting machines, alterations, and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax and maintenance bills upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, $2,000,000:

The amendment was agreed to.

The next amendment was, under the subhead "War emergency services," on page 169, line 8, after the word "war," to insert "and to aid in the standardization of all wages paid by the Government of the United States and its agencies"; and in line 15, after the word "binding," to strike out "$1,500,000" and insert: "$7,590,000: *Provided*, That no money now or hereafter appropriated for the payment of wages not fixed by statute shall be available to pay wages in excess of the standard determined upon by the War Labor Policies Board," so as to make the clause read:

To enable the Secretary of Labor, during the present emergency, to furnish such information and to render such assistance in the employment of wage earners throughout the United States as may be deemed necessary in the prosecution of the war and to aid in the standardization of all wages paid by the Government of the United States and its agencies, including personal services in the District of Columbia and elsewhere, per diem in lieu of subsistence at not exceeding $4, traveling expenses, rental of quarters in the District of Columbia and elsewhere, heat and light, telegraph and telephone service, supplies and equipment, and printing and binding, $7,590,000: *Provided*, That no money now or hereafter appropriated for the payment of wages not fixed by statute shall be available to pay wages in excess of the standard determined upon by the War Labor Policies Board.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 172, after line 1, to insert:

Protection of the Capitol during the period of the war: For an additional uniformed police force during the period of the war for the protection of the Capitol Building and Grounds, the Senate and House Office Buildings, and the Capitol Power Plant, and for emergencies, and each and every item incident thereto, $30,000, one-half to be disbursed by the Sergeant-at-Arms of the Senate upon the approval of the Committee on Rules, and one-half by the Sergeant-at-Arms of the House of Representatives upon the approval of the Committee on Accounts: *Provided*, That the appointment to the positions herein provided for shall be made solely on account of efficiency and special qualifications, and shall not be in patronage.

The amendment was agreed to.

The next amendment was, on page 173, line 5, after the word "superintendent," to insert "purchase, exchange, care, and maintenance of motor-propelled passenger and delivery vehicles," so as to make the clause read:

Botanic Garden: For general repairs to buildings, heating apparatus, painting, glazing, repairs to footwalks and roadways, general repairs to packing sheds, storerooms, and stables, including skilled laborers and laborers at rates to be fixed by the superintendent; purchase, exchange, care, and maintenance of motor-propelled passenger and delivery vehicles; purchase and installation of sanitary drinking fountains; repairing and putting comfort station in sanitary condition; under the direction of the Joint Committee on the Library, $14,000.

The amendment was agreed to.

The next amendment was, on page 173, after line 10, to insert:

Senate Office Building: For maintenance, miscellaneous items and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, $65,000.

The amendment was agreed to.

The next amendment was, on page 173, after line 15, to insert:

For furniture for the Senate Office Building and for labor and material incident thereto and repairs thereof, window shades, awnings, carpets, glass for windows and bookcases, desk lamps, window ventilators, name plates for doors and committee tables, electric fans, etc., $7,500.

The amendment was agreed to.

The next amendment was, on page 173, after line 20, to insert:

For the Capitol: For repairs, improvements, and equipment for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended by the Superintendent of the Capitol Building and Grounds, under the supervision of the Committee on Rules, United States Senate, $41,000.

The amendment was agreed to.

The next amendment was, under the head of "Government Printing Office," subhead "Office of superintendent of documents," on page 183, line 11, before the words "at $900 each," to strike out "ten" and in lieu thereof to insert "thirty-six"; in line 12, before the word "each," to strike out "twenty-four at $840 each," and in line 24, after the word "all," to strike out "$196,018.40" and insert "$199,258.40," so as to make the clause read:

Superintendent, $3,500; assistant superintendent, $2,500; clerks—2 of class 4, 3 of class 3, 5 of class 2, 8 of class 1, 11 at $1,000 each, 36 at $900 each; cataloguers—1 in charge $1,800, 2 at $1,500 each, 4 at $1,200 each, 1 $1,100, 8 at $1,000 each, 4 at $900 each; cashier, $1,600; librarian, $1,500; foreman, $1,600; assistant foreman, $1,200; stock keepers—1 $1,100, 3 at $1,000 each, 5 at $900 each, three at $720 each; helpers—1 $870, 3 at $750 each; 5 assistant messengers; 3 mailers, at $840 each; 52 skilled laborers, at $688.60 each; 14 unskilled laborers at $688.60 each; janitress, $688.60; 2 folders, at $688.60 each; messenger boys—11 at $500 each, 6 at $420 each, 11 at $375 each; labor necessary to handle current periodicals, $17,000; in all, $199,258.40.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. FALL. Mr. President, on pages 110 and 111 I notice an appropriation of $1,296,000 for maintenance, operation, continuation of construction, and incidental operations on the Rio Grande project, New Mexico-Texas. On page 111 there is a proviso with reference to the expenditure of this amount which does not occur elsewhere, and except with reference to an appropriation for the same purposes in the last bill, has never appeared, in so far as I am aware, in connection with the expenditure of any money whatsoever under this or any other similar project.

I should like to ask the chairman of the committee why the discrimination should be made in this instance. It never has been made before. There never has been any language of a similar character except in the former bill, where something like $600,000 was appropriated.

Mr. MARTIN. Mr. President, I think this same provision has been in previous bills. It came here from the House.

Mr. FALL. No; only in the last bill, where $627,000, I think, was appropriated for drainage.

Mr. MARTIN. It was in the last sundry civil bill.

Mr. FALL. It was; and I will say frankly to the Senator that it is not necessary for me to go into an explanation of how the last item went through, with no attention at all to it as I am now calling attention to this language, except to say that I was not in charge of the matter at that time, not on the committee, had nothing to do with it, and had a prior understanding that such language would not be in the bill—not to that direct effect.

Mr. MARTIN. I will say to the Senator that I did not investigate the matter, as the proviso was in the previous bill,

and came from the House in this bill. I am very willing, if the Senator desires it, that it may go out, and I will investigate it.

Mr. FALL. Will the Senator allow me, for his information now, to explain my objection to it just in a few words? I will not detain the Senate.

This Rio Grande project was a congressional project, not purely a reclamation project. The Congress of the United States appropriated directly for it $1,000,000 to carry out in part the treaty obligations of the United States with the Republic of Mexico. By virtue of the terms of the treaty between the United States and Mexico, Mexico surrendered in round numbers $35,000,000 of claims against the United States. The United States Congress then appropriated a million dollars to commence this project, directed that it should be completed under the Reclamation Service, with funds furnished from the Reclamation Service, other expenses to be charged up to the water users, as in ordinary reclamation projects.

Now, Mr. President, there has been some dispute, as there has been in the majority of these projects, with reference to the costs which should be charged up against the water users. In this instance the board of survey appointed by the water users and the Reclamation Service found that there should be credits to the water users on this project of something over $800,000. I may be in error as to the exact figures, but at any rate they found that there should be a very substantial credit. The Reclamation Service, as I recall, acting as a board of appeal, did not allow this credit. There has always been, however, a question between the water users and the Reclamation Service as to whether this credit should finally be allowed when the exact amount to be paid back by them to the Government was ascertained, which it never has been.

The conditions under this project are such that fields which have been in cultivation for a hundred years or more are being absolutely ruined to-day, and this money, or the greater portion of it, and the entire amount which was appropriated last year, is sought to be used for the drainage of these lands. Without the drainage the lands can not be used at all; and all the lands under the project between the New Mexico-Texas boundary and the Elephant Butte Dam itself, 100 miles or more, are becoming so waterlogged that they are entirely useless.

The people will do almost anything to secure additional funds with which to have these lands drained. The original estimates of the cost, I may say, were supposed at least by the people there to include drainage. They did not so include drainage. The drainage is proceeding very slowly. Last year an amendment was asked by the Reclamation Service, but under the wording of that amendment and under the wording of this amendment these people must surrender any claim for any just credit whatsoever, whether it is $100,000, $500,000, or, as heretofore ascertained, more than $800,000, before they can get one dollar of this appropriation. Further than that, in my judgment, I will say frankly to the Senator it is a very serious question as to whether they would not be compelled, under the wording of this bill, if they availed themselves of one dollar of the appropriation, to repay the $1,000,000 which was voted by Congress with which to start this project.

I will say very frankly that I am going to come before the Senate in a very short time and ask a very material congressional appropriation for the entire construction. This is a project that was inaugurated by Congress for the purpose of carrying out a treaty agreement. As it stands to-day, these people are charged up with these moneys for the irrigation of 20,000 acres of land free to the Republic of Mexico. The people of New Mexico and Texas are paying for it, and the Government of the United States is not paying a dollar. Before we can avail ourselves of these funds we probably will be compelled at any rate to repay all the amount that the Reclamation Service charges against us, although the board of survey credited us with $800,000, and we probably will be compelled to repay the $1,000,000 heretofore appropriated by Congress. I move to strike out the proviso on page 111.

The PRESIDING OFFICER. The Senator from New Mexico moves to strike out the proviso on page 111, which will be stated by the Secretary.

The Secretary read as follows:

Provided, That no part of this appropriation shall be expended for drainage except in irrigation districts formed under State laws and upon the execution of agreements for the repayment to the United States of all project investments.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Mexico.

The amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I offer the amendment which I send to the desk. I think, after a hurried examination of the bill, that the best place for it would be at the end of line 6, on page 97; but in re-forming the bill it can be put at a more appropriate place, in case the amendment is adopted.

The PRESIDING OFFICER. The Senator from Arizona offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 97, at the end of line 6, it is proposed to insert:

For discovering, developing, protecting, and rendering more accessible springs, streams, and water holes on arid public lands of the United States; for erecting and maintaining suitable and durable monuments and signboards; and for providing convenient and ready means, apparatus, and appliances by which water may be brought to the earth's surface, $10,000.

Mr. MARTIN. Mr. President, there is no estimate for that. I know nothing in the world about it.

Mr. SMITH of Arizona. There has been.

Mr. MARTIN. There is none coming to the Committee on Appropriations. That is all I can say.

Mr. SMITH of Arizona. That may be. This is an item that has been carried in the bill. It was left out last year. It is a yearly item that was conceived to be a continuing appropriation. It was left out of the bill last year. The purpose of the amendment has been fully set forth in the hearings before the House committee as well, and much better, I think——

Mr. MARTIN. I suggest to the Senator that if it is a meritorious amendment he had better wait for a deficiency bill. It is not estimated for here, and it was not even called to the attention of the committee, so that all we know about it is that the Senator gets up on the floor and says he wants the appropriation. There is no estimate at all before the committee in regard to it.

Mr. SMITH of Arizona. That is all the Senator knows about it if he will not let the Senator from Arizona state why he wants it.

Mr. MARTIN. I am perfectly willing that the Senator shall do so. As it was not estimated for, I thought perhaps there was not any use in taking up time in discussing it. I will make the point of order against it later, but I do not object to the Senator going on with his speech.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. SMITH of Arizona. Mr. President, being a man of some little deliberation, I do not see the necessity for this mighty hurry and so little consumption of time. In case I wanted this amendment put on any other bill, I did not think the Senator would be in such enormous haste that I could not at least put in the RECORD an argument that might be used in case I should be absent when the other bill was up.

Mr. MARTIN. Notwithstanding it is entirely out of order, I told the Senator I was perfectly willing that he should go on. I will withhold the point of order until he gets through. I told the Senator that. I have no objection to his speaking just as long as he desires.

Mr. SMITH of Arizona. I should like to ask the clerk of the committee whether or not an estimate has been made for this, or whether an estimate ever was made for it at any time?

Mr. MARTIN. It is not the clerk's business to answer questions on the floor of the Senate. I asked him about it, and he confirmed my recollection that no estimate whatever was brought to the Committee on Appropriations.

Mr. SMITH of Arizona. I did not expect the clerk to answer me. I expected that the clerk would look and see.

Mr. MARTIN. He has looked, at my request, and reports that no estimate whatever has reached the committee.

Mr. SMITH of Arizona. All right.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona.

Mr. MARTIN. I make the point of order that it has not been estimated for.

The PRESIDING OFFICER. The point of order is sustained.

Mr. SMITH of South Carolina. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from South Carolina offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 172, after line 14, it is proposed to insert:

The unexpended balance of the appropriation of $20,000 for the Joint Committee on Interstate and Foreign Commerce in the act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1917, and prior fiscal years, and for other purposes," approved April 17, 1917, is hereby continued available until expended.

Mr. MARTIN. Mr. President, I think that is a very proper amendment, and it ought to be adopted. It is for the expenses of a Senate committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina.

The amendment was agreed to.

Mr. KENDRICK. Mr. President, I wish to call up an amendment which I have heretofore offered. It is on line 14, page 112.

The PRESIDING OFFICER. The Senator from Wyoming offers an amendment, which will be stated by the Secretary.

The SECRETARY. On page 112, after line 14, it is proposed to insert the following:

Green River watershed projects, Wyoming: For the investigation and survey of an irrigation system in the Green River watershed, Wyoming, including the Bonneville, Seedskadee, Big Piney-Labarge, Opal, Church Butte projects, and to enable the Secretary of the Interior to prepare a report, to be submitted before the first regular session of the Sixty-sixth Congress, on the feasibility of establishing a plan of land settlement and home loans to encourage the colonization of the territory included within the Green River watershed projects by honorably discharged soldiers and sailors of the military and naval forces of the United States, $50,000.

Mr. MARTIN. I make the point of order that that is not estimated for.

The PRESIDING OFFICER. The point is sustained.

The SECRETARY. The Senator from Wyoming also offers the following amendment:

Wiley project, Wyoming: For the investigation and survey of the Wiley project, Wyoming, $10,000.

Mr. MARTIN. I make the same point of order.

The PRESIDING OFFICER. The point of order is sustained.

Mr. OWEN. On page 128 the act provides that the courts hereafter shall be open to seamen. In line 13, I move after "United States" that the words be inserted "including appellate courts." I think it probably means that, but it ought to be left without any doubt about it. There might questions arise as to whether it did include appellate courts.

The PRESIDING OFFICER. The Senator must mean line 12.

Mr. OWEN. Under the head "fees of clerks."

Mr. SMOOT. The Senator has the wrong print. The Senator will find it on page 131.

Mr. OWEN. Yes; under the head "Judicial."

The PRESIDING OFFICER. The Chair thinks the Senator will find the item on page 134, after the words "United States," in line 6.

Mr. OWEN. On page 134, after the words "United States," in line 6, so as to read: "That courts of the United States, including appellate courts, hereafter shall be open to seamen." A question arose, I understand, as to whether it really included appellate courts, and I think it ought to be made clear.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Oklahoma.

The amendment was agreed to.

Mr. ROBINSON. I offer the following amendment.

The SECRETARY. On page 88, at the bottom of the page, insert:

Reclamation of swamp lands and cut-over timberlands. For an investigation to be made by the Secretary of the Interior of the reclamation by drainage of lands outside existing reclamation projects and of the reclamation and preparation for cultivation of cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. SMOOT. Mr. President, that is an amendment which was offered in the committee, and the committee disagreed to it. What I said in relation to the amendment on page 113 applies to this amendment in the same way. As the Senator will notice, Calendar No. 247, Senate bill 758, is a bill introduced by the Senator from Oregon [Mr. CHAMBERLAIN] to increase the productive agricultural area of the United States by the reclamation of arid and swamp lands therein. That question has been before the House and Senate for a good many years. The Committee on Public Lands of the Senate has acted upon it and reported this bill which covers every phase of the work. There is no necessity of an investigation. The reports have been made from the Interior Department, and I expect to see Senate bill 758 passed at this session of Congress.

I am informed that a similar bill has been reported by the House, and there is no question but that this legislation will pass at a very early day. There is no necessity for spending $100,000 for an investigation.

I hope, therefore, that the amendment will not be agreed to for that reason, not that the object of the appropriation should not be obtained, but I think that it has already been investigated, and legislation has been reported to the Senate carrying out the provision of the pending amendment. As I have already stated, it has been approved by the Secretary of the Interior, and I have no doubt but what it will become a law at a very early day. It seems to me that the appropriation is useless at this time.

Mr. ROBINSON. Mr. President, the House of Representatives passed a bill containing a provision similar to the one which I have offered in this amendment, but different from it in two particulars. The first particular in which the House provision differs from this amendment is found in the fact that the investigation was to be made by the Reclamation Service. The second provision is that the investigation shall also apply under my amendment to cut-over lands.

The Senator from Utah has opposed the insertion of this amendment on the ground that a bill introduced by the Senator from Oregon [Mr. CHAMBERLAIN] has been favorably reported from the appropriate committee and contemplates dealing with one of these subjects in a comprehensive way. He also asserts that the appropriation is unnecessary. He takes a very different view of the matter from that asserted by those who are charged with direct responsibility in connection with these lands.

The Secretary of the Interior has sent to the Senate a communication, which I take the liberty of having inserted in the RECORD in connection with my remarks, asking for a very much larger sum to be used in the survey, investigation, and reclamation of these two classes of lands. The sum that is now suggested by the department is very much in excess of the amount carried in my amendment.

I shall be content, and those of us who are interested directly in this amendment will be content, with the appropriation of the amount which the amendment carries. The work is a very important one. At the close of other wars the United States had available for the use of its returning soldiers vast areas of fertile public land. At the close of the war in which we are now engaged we shall have only arid and cut-over lands which may be used by them with the exception of very small areas of other classes of lands.

The primary purpose of this investigation and survey is to ascertain what areas of land are available and what use can best be made of them, how they may be appropriated to the use of these soldiers, and put in a condition where they may enjoy them and occupy them.

Mr. MARTIN. If the Senator will excuse me, I should like to ask him a question.

Mr. ROBINSON. Certainly.

Mr. MARTIN. As I understood it, every acre of these lands is in private ownership, not public land and not subject to allotment to soldiers or anybody else. They are privately owned.

Mr. ROBINSON. No; not all of them are in private ownership. The greater portion of them are in private ownership. They are privately owned or State owned. Nevertheless, they are a resource of which the Government can avail itself for the benefit of these soldiers. The mere fact that these lands happen to be in private ownership does not relieve the Government from all responsibility in connection with the utilization of them. We want to make the best possible use of them, even though they may have passed into private ownership.

In my opinion the appropriation of this sum is both necessary and desirable. There are vast areas of lands in the United States known as cut-over lands of which no use is now being made, but of which very beneficial use may be made if proper investigations and surveys can be had to determine their status and their uses. It is the purpose of this amendment to obtain the necessary information to accomplish that end.

Mr. OWEN. Mr. President, I think the purpose referred to by the Senator from Arkansas is one of very great consequence. When this war is over we shall have from two to four million people coming back from Europe out of employment. We shall have probably not less than 4,000,000 people thrown out of employment by closing up the factories now engaged in the manufacture of munitions of war and materials of war. I think we should go much further than this amendment proposes and take steps now to organize in the way of preparedness for giving occupation to the men after the war is over. Otherwise we shall have on our hands from six to eight million unemployed people, with consequences of great possible disturbance in the United States.

I hope at some convenient moment the Senate will consider it even on a very much broader basis of preparing for after-the-war conditions.

Mr. SMOOT. Mr. President, I agree with what the Senator from Oklahoma says in relation to taking into consideration the reconstruction period after the war. I have already called the attention of the Senate to it on one or two occasions. But I want to say we are already preparing on a larger scale than this amendment provides. It is for an investigation. We have on the calendar a bill that provides a special fund of $10,000,000 for the reclamation of swamp land. It provides that the Gov-

ernment may issue $25,000,000 worth of bonds for the purpose of carrying out the reclamation of these swamp lands. It goes into details, as the Senator will see if he will take the time to look at Calendar No. 247, Senate bill 758. It authorizes the Secretary of the Interior to reclaim swamp lands in the United States.

Mr. ROBINSON. Will the Senator yield to me?

Mr. SMOOT. In just a moment. As soon as I finish.

Mr. ROBINSON. For a question.

Mr. SMOOT. Yes; just as soon as I finish I shall yield to the Senator. If he will look at the calendar, he will find a report from the Secretary of the Interior in relation to this very problem. I have no doubt in my mind but that that bill is going to become a law at an early date, and that provides a working plan; it provides the money for it. The amendment that we are considering now is an appropriation of only $100,000 for an investigation. There is no one who does not know as to cut-over lands in the Northwest and in the South. The Interior Department knows. They may not know exactly the number of acres, but they have recommended legislation along the line of reclaiming those lands, and the subject is before the Public Lands Committee now. They reported out the reclamation bill, and I have no doubt but that they are going to report out the cut-over land bill.

I want to get at this thing at the earliest date possible. I do not want to spend any more time on investigations. We know that it ought to be done. Let us pass legislation now to carry it out. That is why I am opposed to appropriating $100,000 for further investigation. That seems to me to be useless. I now yield to the Senator from Arkansas.

Mr. ROBINSON. I did intend to ask the Senator a question, but I shall make some observations first, in view of his last statement.

Mr. President, the bill the Senator from Utah has referred to is pending on the calendar. Like a great many other bills that are reported by Senate committees, it may or may not receive consideration by the Senate, and if it passes the Senate it may or may not receive consideration at the other end of the Capitol. In other words, we have no assurance whatever that Calendar No. 247, about which the Senator from Utah has spoken, will ever be passed.

But I maintain that the item carried in the amendment which I have offered is in no wise inconsistent with the bill to which the Senator from Utah has referred. The amendment provides for an investigation and a survey of these lands, which would have to be made even if Calendar No. 247 were subsequently passed, because it will be impossible to deal with this subject comprehensively and effectively without the survey and the investigation that the amendment contemplates. The survey and investigation will have to be made at some time, and to defeat this amendment would only delay it.

Mr. SMOOT. I ask the Senator having the bill in charge if there has been an estimate made for this appropriation of $100,000?

Mr. MARTIN. An estimate for a much larger sum was shown to me to-day. It has not reached the committee. It has to go to the Vice President and be referred to the committee. It has not gone through those channels. Unofficially a copy has been shown me making an estimate for a much larger sum for this purpose.

Mr. SMOOT. It came in to-day?

Mr. MARTIN. In the last few hours.

Mr. SMOOT. We refused in the committee to put this appropriation of $100,000 in the bill. There was no estimate before the committee when we voted on it.

Mr. MARTIN. It was not in committee. It reached the Senate since the bill has been reported.

Mr. SMOOT. It has not been received by the committee.

Mr. MARTIN. It has not been. It was sent to the desk, and goes into the RECORD now on the request of the Senator from Arkansas.

The PRESIDING OFFICER. The letter will be inserted in the RECORD.

The matter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 24, 1918.

DEAR MR. SECRETARY: I transmit herewith an estimate in the sum of $1,000,000 for survey, investigation, and study looking to the reclamation of arid lands, cut-over timberlands, and swamp lands, with a view to the furnishing of occupation and homes for returning soldiers and sailors.

I have to request that it be at once forwarded to Congress for consideration in connection with sundry civil appropriation bill (H. R. 12441), which is now pending before the Senate, and to be submitted in lieu of lines 24 to 26, page 108, and lines 1 to 6, page 106.

Cordially, yours,

ALEXANDER T. VOGELSANG,
Acting Secretary.

Hon. W. G. MCADOO,
Secretary of the Treasury.

Reclamation of arid, swamp, and cut-over lands: For survey, investigation, and study by the Secretary of the Interior, through such agencies as he may select, including consideration of the policy or plans to be pursued by the United States, for effecting the reclamation of arid lands, cut-over timberlands, and swamp lands, with a view to the furnishing of occupation and homes for soldiers and sailors of the United States upon their return from the existing war and discharge from the military service, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger-carrying vehicles, and for all other expenses, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated $1,000,000, or so much thereof as may be necessary (submitted), $1,000,000.

Mr. SMOOT. Of course, I do not want to take any advantage of the fact that the estimate was not before the committee.

Mr. ROBINSON. There is no doubt about the amendment being in order, because the House passed a provision which makes this amendment in order. Perhaps I should ask that it be inserted at a different place in the bill. If the Senator from Utah insists on that, I will change my amendment so as to ask that it be inserted at page 113, after line 21. A point of order does not lie, because the bill as it came to the Senate carried a provision substantially similar to the one which I have offered. All I have to do is to move to concur in the House provision with an amendment, but I hope the Senator from Utah will not insist upon my pursuing that course. It is more convenient to pursue the course I have taken. I understand the Senator does not raise a point of order.

Mr. SMOOT. As an estimate has come in I will not make a point of order against the amendment on that ground, but I will say that the item to which the Senator from Arkansas refers on page 113, the Senate has already stricken out.

Mr. ROBINSON. We could restore it, of course.

Mr. SMOOT. Yes; we could restore it.

Mr. ROBINSON. That is, if we had the votes to do it. A point of order would not lie against it.

Mr. SMOOT. But that refers only to the reclamation of swamp lands.

Mr. ROBINSON. I know. It is subject to amendment, however.

Mr. SMOOT. Provided the Senate reverses its action and allows it to remain in the bill.

Mr. ROBINSON. Certainly. Of course, if the Senator insists on my pursuing that course, I shall ask the Senate to reconsider its action by which it agreed to the amendment of the committee striking out the item from line 22, on page 113, to line 5, on page 114.

Mr. MARTIN. A point of order has not been made against it.

Mr. ROBINSON. A point of order, I understand, is not made.

Mr. SMOOT. If the chairman does not want to make a point of order, I am not going to do it.

Mr. MARTIN. In view of the estimate that has reached us, though somewhat informally, I do not feel like making a point of order. So far as I am concerned, I am very willing to have it go to conference; but it may be very difficult to retain it. I hope the Senator realizes that if the Senate sees fit to adopt it, of course I will do the best I can in conference; but he will realize that it may be very difficult to retain it.

Mr. RANSDELL. Mr. President, I intended to say something on this amendment, but I have learned that when a case is practically won it is best to be silent. If the Senator from Virginia does not object to putting the amendment on the bill, I do not wish to say anything. But I should like to call the attention of the Senator from Utah to the fact that the bill, Calendar No. 247, refers to the reclamation of arid and semi-arid lands, or the drainage of water-logged land within the States covered by the reclamation law.

Mr. SMOOT. That is what I said.

Mr. RANSDELL. This amendment of the Senator from Arkansas refers to all lands of the United States—arid, swamp, and cut-over lands—anywhere and everywhere in the United States. It is a much more comprehensive provision. I do not wish to read the letter from the Secretary of the Interior, Mr. Lane, addressed to the President of the United States on the 31st of May, a copy of which, I think, was sent to all Senators. It is a very comprehensive and wise letter. If I am permitted to have it printed in the RECORD, I shall not read it. Otherwise, I feel that I must read it.

Mr. SMITH of Arizona. What letter is it?

Mr. RANSDELL. It is a letter from the Secretary of the Interior, Mr. Lane, addressed to the President of the United States on this very subject.

Mr. SMITH of Arizona. I object to its being printed in the RECORD without being read.

Mr. RANSDELL. Then I shall have to read it.

Mr. ROBINSON. I hope the Senator from Arizona will not make that objection. It would simply delay the Senate for half an hour to read it.

Mr. RANSDELL. I can read it as a part of my remarks.

Mr. SMITH of Arizona. There is not a Member of the Senate who has not had a copy of the letter sent to him.

Mr. RANSDELL. But it has not gone into the RECORD, and it is a very important letter.

Mr. SMITH of Arizona. Very well; I have a very high regard for the Secretary of the Interior, and I withdraw the objection.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, May 31, 1918.

MY DEAR SENATOR: I believe the time has come when we should give thought to the preparation of plans for providing opportunity for our soldiers returning from the war. Because this department has handled similar problems, I consider it my duty to bring this matter to the attention of yourself and Congress.

Every country has found itself face to face with this situation at the close of a great war. From Rome, under Caesar, to France, under Napoleon, down even to our own Civil War, the problem arose as to what could be done with the soldiers to be mustered out of military service.

At the close of the Civil War America faced a somewhat similar situation. But, fortunately, at that time the public domain offered opportunity to the home-returning soldiers. The great part the veterans of that war played in developing the West is one of our epics. The homestead law had been signed by Lincoln in the second year of the war, so that out of our wealth in lands we had farms to offer the million of veterans. It was also the era of transcontinental railway construction. It was likewise the period of rapid, yet broad and full, development of towns and communities and States.

To the great number of returning soldiers land will offer the great and fundamental opportunity. The experience of wars points out the lesson that our service men, because of Army life with its openness and activity, will largely seek out-of-doors vocations and occupations. This fact is accepted by the allied European nations. That is why their programs and policies of relocating and readjustment emphasize the opportunities on the land for the returning soldier. The question then is, "What land can be made available for farm homes for our soldiers?"

We do not have the bountiful public domain of the sixties and seventies. In a literal sense, for the use of it on a generous scale for soldier farm homes as in the sixties, "the public domain is gone." The official figures at the end of the fiscal year June 30, 1917, show this: We have unappropriated land in the continental United States to the amount of 230,657,755 acres. It is safe to say that not one-half of this land will ever prove to be cultivable in any sense. So we have no land in any way comparable to that in the public domain when Appomattox came and men turned westward with Army rifle and "roll blanket" to begin life anew.

While we do not have that matchless public domain of '65, we do have millions of acres of undeveloped lands that can be made available for our home-coming soldiers. We have arid lands in the West; cut-over lands in the Northwest, Lake States, and South; and also swamp lands in the Middle West and South, which can be made available through the proper development. Much of this land can be made suitable for farm homes if properly handled. But it will require that each type of land be dealt with in its own particular fashion. The arid land will require water, the cut-over land will require clearing, and the swamp land must be drained. Without any of these aids they remain largely "no man's land." The solution of these problems is no new thing. In the admirable achievement of the Reclamation Service in reclamation and drainage we have abundant proof of what can be done.

Looking toward the construction of additional projects, I am glad to say that plans and investigations have been under way for some time. A survey and study has been in the course of consummation by the Reclamation Service in the Great Colorado Basin. That great project, I believe, will appeal to the new spirit of America. It would mean the conquest of an empire in the Southwest. It is believed that more than 3,000,000 acres of arid land could be reclaimed by the completion of the Upper and Lower Colorado Basin projects.

It has been officially estimated that more than 15,000,000 acres of irrigable land now remain in the Government's hands. This is the great remaining storehouse of Government land for reclamation. Under what policy and program millions of these acres could be reclaimed for future farms and homes remains for legislation to determine. The amount of swamp and cut-over lands in the United States that can be made available for farming is extensive. Just how much there is has never been determined with any degree of accuracy. Practically all of it has passed into private ownership. For that reason, in considering its use, it would be necessary to work out a policy between the private owners and the Government unless the land was purchased. It has been estimated that the total area of swamp and overflowed lands in the United States is between seventy and eighty million acres. Of this amount, it is stated that about "60,000,000 acres can be reclaimed and made profitable for agriculture." The undeveloped swamp lands lie chiefly in Florida, in the States along the Atlantic and Gulf coasts, in the Mississippi Delta, and in Missouri, Indiana, Michigan, Minnesota, Wisconsin, and California.

What amount of land in its natural state unfit for farm homes can be made suitable for cultivation by drainage only thorough surveys and studies can develop. We know that authentic figures show that more than 15,000,000 acres have been reclaimed for profitable farming, most of which lies in the Mississippi River Valley.

The amount of cut-over lands in the United States, of course, it is impossible even in approximation to estimate. These lands, however, lie largely in the South Atlantic and Gulf States, the Lake States, and the Northwestern States. A rough estimate of their number is about 200,000,000 acres—that is, of land suitable for agricultural development. Substantially all this cut-over or logged-off land is in private ownership. The failure of this land to be developed is largely due to inadequate method of approach. Unless a new policy of development is worked out in cooperation between the Federal Government, the States, and the individual owners, a greater part of it will remain unsettled and uncultivated. The undeveloped cut-over lands lie chiefly in the Pacific Northwest (particularly in Washington and Oregon), in the Lake States (Minnesota, Michigan, and Wisconsin), and in the South Atlantic and Gulf Coastal States (Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas).

Any plan for the development of land for the returning soldier will come face to face with the fact that a new policy will have to meet the new conditions. The era of free or cheap land in the United States has passed. We must meet the new conditions of developing lands in advance; security must to a degree displace speculation. Some of the defects in our old system have been described by Dr. Elwood Mead in these words:

"Science (should) have gone hand in hand with the settlement of the arid and semiarid country, and all that science could give would have been utilized, first, in the creation of the conditions of settlement and then in aiding the settler in difficult tasks. Because nothing was done, these heroic but uninformed souls were bedeviled by the winds, cold, drought, and insect pests. They wasted their efforts, lost their hopes and ambitions, and a tragic percentage left, impoverished and embittered. The tragic part of this history is that nearly all this suffering and loss could have been avoided under a carefully thought-out plan of development."

There are certain tendencies which we ought to face frankly in our consideration of a policy for land to the home-coming soldier. First, the drift to farm tenancy. The experience of the world shows without question that the happiest people, the best farms, and the soundest political conditions are found where the farmer owns the home and the farm lands. The growth of tenancy in America shows an increase of 32 per cent for the 20 years between 1890 and 1910. Second, the drift to urban life. In 1880 of the total population of the United States 29.5 per cent of our people resided in cities and 70.5 per cent in the country. At the census of 1910, 46.3 per cent resided in cities and 53.7 per cent remained in the country. It is evident that since the war in Europe there has been a decided increase in the trend toward the city because of industrial conditions. The adoption by the United States of new policies in its land-development plans for returning veterans will also contribute to the amelioration of these two dangers to American life. A plan of land development whereby land is developed in large areas, subdivided into individual farms, then sold to actual bona fide farmers on a long-time payment basis has been in force not only in the United States under the reclamation act but also in many other countries for several years. It has proved a distinct success. In Denmark, Ireland, New Zealand, and the Australian Commonwealth it has completely changed the land situation. One of the new features of this plan is that holders are aided in improving and cultivating the farm. In a word, there is organized community development. Its beneficial results have been well described by the Canadian commission which was appointed to investigate its results in New Zealand in these words:

"* * * The farmers have built better houses or remodeled their old ones, brought a larger acreage of land under cultivation that would otherwise be lying idle; have bought and kept better live stock; have bought and urged more labor-saving machinery on the farms and in the houses. * * * They keep more sheep and pigs and have so largely increased the revenue from their farms that they are able to meet the payments on the mortgages and to adopt a higher standard of living and a better one. Throughout the country a higher and better civilization is gradually being evolved; the young men and women who are growing up are happy and contented to remain at home on the farm and find ample time and opportunity for recreation and entertainment of a kind more wholesome and elevating than can be obtained in the cities."

It may be said that this country, outside of Alaska, has no frontier to-day. Of course, Alaska will still offer opportunity for a pioneer life. And of course Alaska likewise has yet unknown remarkable agricultural possibilities, but unless we make possible the development of this land by the men who desire their life in that field we will lose a great national opportunity.

This is an immediate duty. It will be too late to plan for these things when the war is over. Our thought now should be given to the problem. And I therefore desire to bring to your mind the wisdom of immediately supplying the Interior Department with a sufficient fund with which to make the necessary surveys and studies. We should know by the time the war ends, not merely how much arid land can be irrigated, nor how much swamp land reclaimed, nor where the grazing land is and how many cattle it will support, nor how much cut-over land can be cleared, but we should know with definiteness where it is practicable to begin new irrigation projects, what the character of the land is, what the nature of the improvements needed will be, and what the cost will be. We should know also, not in a general way, but with particularity, what definite areas of swamp land may be reclaimed, how they can be drained, what the cost of the drainage will be, what crops they will raise. We should have in mind specific areas of grazing lands, with a knowledge of the cattle which are best adapted to them, and the practicability of supporting a family upon them. So, too, with our cut-over lands. We should know what it would cost to pull or "blow out" stumps and to put the lands into condition for a farm home.

And all this should be done upon a definite planning basis. We should think as carefully of each one of these projects as George Washington thought of the planning of the city of Washington. We should know what it will cost to buy these lands if they are in private hands. In short, at the conclusion of the war the United States should be able to say to its returned soldiers: "If you wish to go upon a farm, here are a variety of farms, of which you may take your pick, which the Government has prepared against the time of your returning." I do not mean by this to carry the implication that we should do any other work now than the work of planning. A very small sum of money put into the hands of men of thought, experience, and vision will give us a program which will make us feel entirely confident that we are not to be submerged industrially or otherwise by labor which we will not be able to absorb, or that we would be in a condition where we would show a lack of respect for those who return as heroes, but who will be without means of immediate self-support.

A million or two dollars, if appropriated now, will put this work well under way.

This plan does not contemplate anything like charity to the soldier. He is not to be given a bounty. He is not to be made to feel that he is a dependent. On the contrary, he is to continue, in a sense, in the service of the Government. Instead of destroying our enemies, he is to develop our resources.

The work that is to be done, other than the planning, should be done by the soldier himself. The dam or the irrigation project should be built by him; the canals, the ditches, the breaking of the land, and the building of the houses should, under proper direction, be his occupation. He should be allowed to make his own home, cared for while he is doing

it, and given an interest in the land, for which he can pay through a long period of years, perhaps 30 or 40 years. This same policy can be carried out as to the other classes of land. So that the soldier, on his return, would have an opportunity to make a home for himself, to build a home with money which we would advance and which he would repay, and for the repayment we would have an abundant security. The farms should not be turned over as the prairies were—unbroken, unfenced, without accommodations for men or animals. There should be prepared homes, all of which can be constructed by the men themselves and paid for by them under a system of simple devising by which modern methods of finance will be applied to their needs.

As I have indicated this is not a mere Utopian vision. It is, with slight variations, a policy which other countries are pursuing successfully. The plan is simple. I will undertake to present to the Congress definite projects for the development of this country through the use of the returned soldier by which the United States, lending its credit, may increase its resources and its population and the happiness of its people with a cost to itself of no more than the few hundred thousand dollars that it will take to study this problem through competent men. This work should not be postponed.

Cordially, yours, FRANKLIN K. LANE.

Hon. JOSEPH E. RANSDELL,
United States Senate.

Mr. GALLINGER. I will ask that the amendment be again read.

The PRESIDING OFFICER. The amendment will be again read. The Chair would like to know from the Senator from Arkansas if he desires to have the amendment go in? Is it on page 88?

Mr. ROBINSON. Yes; at the bottom of page 88.

The SECRETARY. On page 88, at the bottom of the page, insert:

Reclamation of swamp lands and cut-over timberlands: For an investigation, to be made by the Secretary of the Interior, of the reclamation by drainage of lands outside existing reclamation projects, and of the reclamation and preparation for cultivation of cut-over timberlands in any of the States of the United States, including personal services in the District of Columbia and elsewhere, purchase, maintenance, repair, hire, and operation of motor-propelled or horse-drawn passenger vehicles, and for all other expenses, there is appropriated, out of any money in the Treasury not otherwise appropriated, $100,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. KENDRICK. I offer the following amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 112, line 14, after the word "investigations," strike out the comma and insert the following:

And to enable the Secretary of the Interior to prepare a report to be submitted before the first session of the Sixty-sixth Congress, on the feasibility of constructing an irrigation system in the Green River watershed, Wyoming, including the Bonneville, Seedskadee, Opal, Big Piney-La Barge, and Church Butte projects.

Mr. MARTIN. Mr. President, that is plainly subject to a point of order. I hope the Senator will not insist on bringing in these amendments that have not been presented to the committee.

Mr. KENDRICK. In a sense I do not agree that it is subject to a point of order, for the reason that it simply provides that these lands shall be investigated in the way of surveys along with other lands.

Mr. MARTIN. To save time, I will let it go to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wyoming.

On a division the amendment was agreed to.

Mr. CALDER. Mr. President, I offer the following amendment.

The SECRETARY. At the end of page 173, insert:

To enable the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the Rotunda of the Capitol, and to select an appropriate design for the completion of the frieze, and to employ such artists in the work of completion and restoration as may demonstrate to the satisfaction of said joint committee their ability to perform the work in a proper manner, $20,000.

Mr. CALDER. Mr. President, the exact language of this amendment was passed in the Senate in the form of a joint resolution during the present session, January 28, 1918, by unanimous consent of the Senate. I ask for the adoption of the amendment.

The amendment was agreed to.

Mr. OWEN. On March 23 there was an item passed by the Senate in favor of the Cherokee Indians, providing for the payment of certain interest due them. The bill has been favorably reported in the House, and I hope the Senate will be willing to have this item placed in the bill. It reads as follows:

That the general deficiency appropriation act of June 30, 1906 (34 Stat. L., p. 664), so far as the said act provides for the payment of the judgment of the Court of Claims of May 18, 1905, in favor of the Cherokee Nation, with interest (40 Ct. Cls. Repts., p. 252), be, and the same hereby is, so amended as to allow additional interest to be paid upon items 1 and 4 of said judgment, and upon the funds arising from said items 1 and 4, respectively, as follows, to wit: On the amount of the fund which arose from item 1 of said judgment as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee school fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the amount of the fund which arose from item 4 of said judgment, as such amount was determined and paid to the Secretary of the Interior on July 2, 1906, to be by him credited to the principal of the Cherokee national fund, interest at 5 per cent per annum from July 2, 1906, to and including May 26, 1910; on the original principal sum of item 4 of said judgment, interest at 5 per cent per annum from July 1, 1893, to July 1, 1903, and on the amount of the interest thus accruing interest at 4 per cent per annum from December 29, 1905, to May 14, 1906; and on the aggregate of the sums of the interest for the last two periods herein above mentioned, interest at 5 per cent per annum from July 2, 1906, to the date of the passage of this act; and the sum of $27,500, or so much thereof as may be necessary to pay the interest above allowed, is hereby appropriated and authorized to be paid to the Cherokee Nation: *Provided*, That the Secretary of the Treasury is hereby authorized and directed to pay the amount arising from item 4 of said judgment, with interest thereon as herein above provided for, to the agent appointed by the Cherokee Nation acting through its principal chief to receive the same. Said payment to be made immediately upon the approval of this act.

Mr. MARTIN. That item, I will say to the Senator, I think ought to be presented on the deficiency bill. There is no estimate at all, and we know nothing in the world about it. It has not been presented to the committee.

Mr. OWEN. Pardon me, Senator, it passed the Senate upon a favorable report of the committee and upon the recommendation of the Secretary of the Interior that the money was due to the Cherokees, the balance of interest due them being $27,500.

Mr. MARTIN. It belongs distinctly, then, upon the deficiency appropriation bill.

Mr. OWEN. I think that is possibly true, but the Senate already having disposed of it and it having been reported in the House favorably I thought there would be no objection to letting it go on the bill here and getting it out of the road.

Mr. MARTIN. I make a point of order against the amendment.

The PRESIDING OFFICER. The point of order is sustained.

Mr. OWEN. On page 134, I move to insert the following words, in line 11, after the word "safety."

The SECRETARY. On page 134, line 11, after the word "safety," insert "and whenever a prima facie showing is made that any regulation or ruling made by any department to enforce such laws is contrary to any law to promote the health and safety of seamen, and tends to hinder the proper enforcement of such law, on complaint of any seaman affected by such regulation or ruling, it shall be the duty of such courts to review such regulation or ruling and to determine whether it be in accord with the law, and if determined not to be in accord with the law, the court shall enter an order setting aside such regulation or ruling; either party to such suit shall have the right to appeal from a decision of an inferior court."

Mr. MARTIN. I make a point of order against the amendment. It is plain legislation upon an appropriation bill.

Mr. OWEN. I should like to say in justification of the matter that the regulations for seamen practically nullify the law, and there is no adequate way in which they can have the law properly sustained except through the order of the court.

Mr. MARTIN. That emphasizes my point of order, that it is legislation.

The PRESIDING OFFICER. The point of order is sustained. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended and the amendments were concurred in.

Mr. KENYON. I should like to ask the chairman of the committee a question. I have been absent from the room. On page 35 there is a provision with reference to the Committee on Public Information, a proviso that a report of the receipts and expenditures under that appropriation shall be made to Congress on the first day of each regular session. I take it that report does not cover a statement of the employees. Would there be any objection to having that inserted?

Mr. MARTIN. No objection in the world.

Mr. KENYON. After the word "appropriation," in line 3, page 35, I move to insert the words: "which shall also contain a list of employees and salaries paid.

Mr. MARTIN. I accept the amendment as far as I can do so. I think it is a proper one.

The amendment was agreed to.

Mr. CALDER. I should like to make an inquiry of the Senator in charge of the bill with reference to the item on page 105, beginning in line 6, "Government fuel yards." I ask the Senator from Virginia if those yards are to be utilized only for the purpose of supplying the Government with fuel.

Mr. MARTIN. Only for the Government agencies.

Mr. CALDER. And not for the purpose of having the Government go into the business of supplying fuel?

Mr. MARTIN. Not at all; the Government is only to furnish its own service.

Mr. GALLINGER. The Government and the District of Columbia?

Mr. MARTIN. Yes; that is a part of the Government.

Mr. CALDER. Will it operate in any other place except in the District of Columbia?

Mr. MARTIN. Nowhere, except in the District of Columbia.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. GALLINGER. Mr. President, before the bill is voted upon I desire to say that it had been my purpose to make some observations on the item relating to the Shipping Board and the appropriations for the Shipping Board and the Fleet Corporation, but for reasons I will not state I do not feel like doing it to-day. I may possibly before the session ends take occasion to address myself to the question of the American merchant marine, which will be involved in what I thought of saying to-day.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill was passed?

ARMY APPROPRIATIONS.

Mr. CHAMBERLAIN. Mr. President, I move that the Senate proceed to the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments.

Mr. CHAMBERLAIN. I ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill may be read for amendment, committee amendments first to be considered.

The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, committee amendments to be first considered. Is there objection? The Chair hears none.

Mr. CHAMBERLAIN. Mr. President, I desire to make a brief statement for the information of the Senate. The items of money appropriated in this bill are practically the same as are the items in the bill as it came from the other House; there are very few changes in the amounts appropriated. There is, however, quite a little affirmative legislation at the end of the bill. That was brought about by this condition of things: A good many bills which were being urged by the department upon Congress as necessary successfully to prosecute the war passed the Senate and went to the other House, but did not get out of committee there, with the result that it is very improbable that any of that important legislation will pass. The chairman of the House Committee on Military Affairs and a member of that committee came over here; we had a consultation, and practically agreed, so far as we were able to agree, that this affirmative legislation must go on the bill if it were going to be passed at this session at all. So I call the attention of the Senate to that condition of affairs as a reason for the new legislation at the end of the bill.

The Secretary proceeded to read the bill. The first amendment of the Committee on Military Affairs was, on page 2, line 1, after the word "Army" to strike out "All" and to insert "For all"; so as to read:

Contingencies of the Army: For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff.

The amendment was agreed to.

The next amendment was, on page 3, line 14, after the words "Secretary of War," to strike out "$1,500,000" and to insert "$2,000,000," so as to make the clause read:

Contingencies, military information section, General Staff Corps: For contingent expenses of the military information section, General Staff Corps, including the purchase of law books, professional books of reference, periodicals and newspapers, drafting and messenger service, and of the military attachés at the United States embassies and legations abroad; and of the branch office of the military information section at Manila, and the cost of special instruction at home and abroad and in maintenance of students and attachés; and for such other purposes as the Secretary of War may deem proper; to be expended under the direction of the Secretary of War, $2,000,000.

The amendment was agreed to.

The next amendment was, under the heading "The Adjutant General's Department," on page 5, line 7, after the word "commands" to insert "and such commanding officers are hereby authorized when making purchases, under this appropriation, of the class of articles herein provided for, to exchange as a part of the purchase price for the new articles similar articles formerly purchased under like authority which have become useless or antiquated," so as to make the clause read:

Contingencies, headquarters of military departments, districts, and tactical commands: For contingent expenses at the headquarters of the several territorial departments, territorial districts, tactical divisions and brigades, including the Staff Corps serving thereat, being for the purchase of the necessary articles of office, toilet, and desk furniture, stationery, ice, and potable water for office use when necessary, binding, maps, technical books of reference, professional and technical newspapers and periodicals, payment for which may be made in advance, and police utensils, to be allotted by the Secretary of War, and to be expended in the discretion of the commanding officers of the several military departments, districts, and tactical commands, and such commanding officers are hereby authorized when making purchases, under this appropriation, of the class of articles herein provided for, to exchange as a part of the purchase price for the new articles similar articles formerly purchased under like authority which have become useless or antiquated, $20,000.

The amendment was agreed to.

The next amendment was, on page 6, line 17, at the beginning of the line, to strike out the words "*Provided further*," and to insert the subhead "Purchase of typewriting machines."

The amendment was agreed to.

The next amendment was, on page 6, line 25, before the word "Purchase," to insert the subhead "Telegraph and telephone systems."

The amendment was agreed to.

The next amendment was, on page 8, beginning in line 16, to insert the subhead "Aerial appliances, aviation stations, and vocational training in aviation, etc."

The amendment was agreed to.

The next amendment was, on page 9, line 6, after the word "establishment," to insert the word "enlargement"; in line 8, after the word "stations," to insert the words "balloon schools"; in line 13, after the word "any," to insert "Government property or"; and on page 10, line 14, after the word "stations," to insert the words "and balloon schools," so as to make the paragraph read:

And also for the establishment, enlargement, equipment, maintenance, and operation of aviation stations, balloon schools, fields for testing and experimental work, including: (a) the acquisition of land, or any interest in land, with any buildings and improvements thereon, by purchase, lease, donation, condemnation, or otherwise: *Provided*, That by order of the President any Government property or unappropriated or reserved public lands may be reserved from entry, designated, and used for such aviation stations or fields for testing and experimental work; (b) the improvement of such land by clearing, draining, seeding, and otherwise making the same suitable for the purpose intended; (c) procuring and introducing water, electric light and power, telephones, telegraph, and sewerage to aviation stations, testing or experimental fields, and buildings and structures thereon by the extension of existing systems or the creation of new systems and their maintenance, operation, and repair, installation of plumbing, electric fixtures, and telephones, fire apparatus and fire-alarm systems and the maintenance, operation, and repair of all such systems fixtures, and apparatus; (d) purchase of stoves and other cooking and heating apparatus, kitchen and tableware, and furniture and equipment for kitchens, mess halls, offices, quarters, barracks, hospitals, and other buildings, screens, lockers, refrigerators, and all other necessary equipment; (e) purchase of special lubricating oil, fuel, and all supplies of every kind and character necessary or advisable for maintenance and operation of aviation stations, and airplanes and motor vehicles, including electric light and power, telephones, water supply, and sewerage service; (f) purchase and manufacture and installation of all kinds of machinery, tools, material, supplies, and equipment for construction, maintenance, and repair of aircraft, buildings, and improvements at aviation stations and balloon schools and testing and experimental stations, or property or appliances used in connection with aviation.

The amendment was agreed to.

The next amendment was, on page 11, line 22, before the word "That," to strike out the word "*Provided*," so as to make the clause read:

That hereafter mileage to officers of the Army traveling on duty in connection with aviation shall be paid from the appropriation for the work in connection with which the travel is performed.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the word "thereon," to strike out "in the District of Columbia or elsewhere" and to insert "and for the," and in line 15, after the word "accommodations," to insert "in the District of Columbia or elsewhere," so as to make the clause read:

And also, for the payment of all expenses in connection with the creation, expansion, acquisition, and development of plants, factories, and establishments for the manufacture of airplanes, aircraft, balloons, engines, and appurtenances, including provision for the purchase or lease of lands with the buildings thereon, and for the construction of permanent or temporary buildings for all purposes, including suitable office accommodations, in the District of Columbia or elsewhere, purchase of machinery, tools, and employment of operatives, together with all administrative expenses necessary, the purchase and supply of raw and semifinished materials, and of fuel and other things necessary for creating and extending the production of airplanes, balloons, aircraft, engines, and all appurtenances.

The amendment was agreed to.

The next amendment was, on page 13, after line 1, to insert the following proviso:

Provided, That the President may hereafter apportion and allot the moneys herein or heretofore appropriated for aviation purposes in such manner as he may deem most advisable for the accomplishment of said purposes with the same force and effect as though such apportionment had been made by this act.

The amendment was agreed to.

The next amendment was, on page 13, line 8, before the word "That," to strike out the word "*Provided*" and to insert the subhead "Exchange of aerial material."

The amendment was agreed to.

The next amendment was, on page 13, line 14, before the word "That," to strike out "*Provided further*," and to insert the subhead "Mileage for foreign instructors."

The amendment was agreed to.

The next amendment was, on page 13, line 22, before the word "That" to strike out the words "*Provided further*," and to insert the subhead "Continuing the appropriations for the Signal Service."

The amendment was agreed to.

The next amendment was, on page 14, line 15, before the word "That," to strike out the word "*Provided*," and to insert the subhead "Appropriation immediately available"; in line 16, after the word "moneys" to strike out "herein"; and in the same line, after the word "appropriated," to insert the words "in this act for Signal Corps and for aviation purposes," so as to make the clause read:

Appropriation immediately available: That the moneys appropriated in this act for Signal Corps and for aviation purposes shall be and become immediately available upon the passage of this act, and shall also be available for the payment of obligations incurred prior to the passage of this act in the event such obligations are of a character otherwise within the scope of the appropriation.

The amendment was agreed to.

The next amendment was, on page 14, line 23, before the word "That," to strike out "*Provided*," and to insert the subhead "Aircraft employees in the District of Columbia."

The amendment was agreed to.

The next amendment was, on page 15, line 6, before the word "That," to strike out "*Provided*," and to insert the subhead "Sale of war supplies"; in line 15, after the word "thereof," to insert "and any building, plant, or factory, including the lands upon which the plant or factory may be situated"; after the name "United States," in line 21, to insert "*Provided*, That any buildings, plants, or factories, including the lands upon which the same may be situated, shall only be sold upon the personal approval of the head of the department"; on page 16, after the word "war," in line 3, to insert "and to members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice"; and in line 9, after the word "supplies," to strike out the word "material" and to insert "matériel, lands, factories, or buildings," so as to read:

Sale of war supplies: That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material and equipment, and any by-products thereof, and any building, plant, or factory, including the lands upon which the plant or factory may be situated, for the production of such war supplies, materials, and equipment which, during the present emergency may have or may hereafter be purchased, acquired, or manufactured by the United States: *Provided*, That any buildings, plants, or factories, including the lands upon which the same may be situated, shall only be sold upon the personal approval of the head of the department: *Provided further*, That sales of guns and ammunition made under the authority contained in this or any other act shall be limited to sales to other departments of the Government and to foreign States or Governments engaged in war against any Government with which the United States is at war, and to members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice: *Provided further*, That a detailed report shall be made to Congress on the first day of each regular session of the sales of any war supplies, matériel, lands, factories or buildings, and equipment made under the authority contained in this or any other act, except sales made to any foreign State or Government engaged in war against any Government with which the United States is at war showing the character of the articles sold, to whom sold, the price received therefor, and the purpose for which sold.

The amendment was agreed to.

The next amendment was, on page 16, line 15, after the word "sold," to insert the following proviso:

Provided, That there shall be allotted to the Aircraft Board, by the head of the bureau or department charged with the production of aircraft, from the appropriations herein made for aircraft production for the fiscal year 1918 and 1919, the sum of $100,000, or so much thereof as may be necessary, which money shall be available during the fiscal year for the payment of such clerks or other employees, either in the District of Columbia or elsewhere, as may be necessary for the conduct of its business, including such technical experts and advisers as may be found necessary; and for the payment of rental of offices in the District of Columbia or elsewhere, purchase of necessary office equipment and supplies, including scientific publications, printing, necessary administration, and contingent expenses of said board.

The amendment was agreed to.

The next amendment was, under the heading of "Office of the Provost Marshal General," on page 17, line 25, after the word "to," to strike out "board," and in the same line, after the word "members," to insert "of the boards," so as to make the clause read:

For all expenses necessary in the registration of persons available for military service and in the selection of certain such persons and their draft into the military service: *Provided*, That per diem allowances in lieu of subsistence not exceeding $4 may be paid to those employees authorized to travel, and to members of the boards when in attendance upon board meetings at too great a distance from their homes to enable them to live there, $15,762,000.

The amendment was agreed to.

The next amendment was, on page 18, line 10, before the word "That," to strike out the words "*Provided further*" and to insert the subhead "Rent of quarters, draft boards," and in line 16, after the word "quarters," to strike out the words "*And provided further*" and to insert the word "*Provided*," so as to make the clause read:

Rent of quarters, draft boards: That, during the present emergency, the requirements of section 3744 of the Revised Statutes shall not apply to the rent of quarters for the use of local, district, or medical advisory boards where the amount to be paid is less than is customarily charged the public for the same quarters: *Provided*, That all payments made by disbursing officers appointed in connection with the execution of the selective-service law for rents unsupported by a lease may be passed to their credit by the accounting officers of the Treasury if otherwise correct.

The amendment was agreed to.

The next amendment was, on page 19, line 3, before the word "That," to strike out the word "*Provided*" and to insert the subhead "Retirement of officers physically incapacitated"; in line 4, after the word "act," to insert the words "entitled 'An act'"; and in line 6, after the word "other," to strike out the word "purpeses" and to insert "purposes," so as to read:

Retirement of officers physically incapacitated: That section 23 of an act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, be, and the same hereby is, amended by adding thereto the following:

The amendment was agreed to.

The next amendment was, on page 20, line 1, before the word "That," to strike out the word "*Provided*" and to insert the subhead "Bands."

The amendment was agreed to.

The next amendment was, on page 23, after line 18, to strike out:

Superintendent of Nurse Corps, $1,800.

The amendment was agreed to.

The next amendment was, on page 24, after line 5, to insert:

Appointments from staff corps to line of Army: That hereafter the President be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint any chief of a staff corps, department, or bureau of the Army who has had 40 or more years of service in the Army, a major general of the line of the Army. The officers so appointed shall not exceed two, and shall be extra numbers in the list of major generals of the line.

The amendment was agreed to.

The next amendment was, on page 24, after line 13, to insert:

Retired officers, soldiers' homes: That the retired officers detailed by the Secretary of War for duty at the United States soldiers' home, under the provisions of sections 1259 and 4816, Revised Statutes, shall be considered as performing active military duty during the present war, provided that they receive from the Government only the pay and emoluments allowed by law to retired officers.

The amendment was agreed to.

The next amendment was, on page 26, line 6, after the word "duty," to insert "and for every commissioned officer of the Army of the United States on duty in the field, or on active duty without the territorial jurisdiction of the United States, who maintains a place of abode for a wife, child, or dependent parent, for whom no public quarters are available," so as to make the clause read:

For commutation of quarters and of heat and light to commissioned officers, members of the Nurse Corps, and enlisted men on duty at places where no public quarters are available, including enlisted men of the Regular Army Reserves and retired enlisted men when ordered to active duty, and for every commissioned officer of the Army of the United States on duty in the field, or on active duty without the territorial jurisdiction of the United States, who maintains a place of abode for a wife, child, or dependent parent, for whom no public quarters are available, $33,350,000.

The amendment was agreed to.

The next amendment was, on page 29, after line 2, to insert the subhead "Housing of officers serving in the Canal Zone."

The amendment was agreed to.

The next amendment was, under the head of "Supplies, services, and transportation, Quartermaster Corps," on page 31, line 11, to increase the appropriation for "Subsistence of the Army" from $830,557,398 to $830,565,839.50.

The amendment was agreed to.

The next amendment was, on page 32, line 7, after the word "two," to insert "and buildings for similar purposes on military reservations authorized by War Department regulations," so as to read:

Regular supplies, Quartermaster Corps: Regular supplies of the Quartermaster Corps, including their care and protection; construction and repair of military reservation fences; stoves and heating apparatus required for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; and the necessary power for the operation of moving-picture machines; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, including members of the Officers' Reserve Corps when ordered to active duty, and enlisted men, including enlisted men of the Regular Army Reserve and retired enlisted men when ordered to active duty; contract surgeons when stationed at and occupying public quarters at military posts; for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902, and buildings for similar purposes on military reservations authorized by War Department regulations.

The amendment was agreed to.

The next amendment was, on page 37, line 2, to increase the appropriation for "Incidental expenses, Quartermaster Corps," from $20,000,000 to $37,456,787.

The amendment was agreed to.

The next amendment was, under the subhead "Water and sewers at military posts," on page 41, line 20, to insert:

Provided, That the Secretary of War may, in his discretion, connect the water mains of Fort Crook, Nebr., with the mains of the metropolitan water district of the city of Omaha at a cost not to exceed $59,000 to be paid out of the above amount.

The amendment was agreed to.

The next amendment was, on page 43, line 12, after the word "expenses," to strike out "$143,603,037" and to insert "$147,999,457," so as to read:

Storage and shipping facilities: For inland and port storage, including all necessary buildings, docks, tracks, handling, and other facilities for Government supplies, including rentals and purchase of land, the hire of employees, and for all other necessary expenses, $147,999,457.

The amendment was agreed to.

The next amendment was, on page 45, line 23, to increase the appropriation for "Barracks and quarters" from "$175,000,000" to "$175,022,790."

The amendment was agreed to.

The next amendment was, on page 46, line 11 before the word "That," to strike out "*Provided further*" and to insert the subhead "Naval reservation, Bishops Point, Oahu, Hawaii," and in line 25, after the word "less," to strike out "*And provided further*" and to insert "*Provided*," so as to make the clause read:

Naval reservation, Bishops Point, Oahu, Hawaii: That the following-described part of the naval reservation at Bishops Point, island of Oahu, Territory of Hawaii, is hereby transferred to and placed under the control and jurisdiction of the War Department for use for military purposes: Beginning at an iron bolt driven in the coral at the northwest corner of the Bishop Point Naval Reservation and running thence with the north line of the reservation by true azimuths and distances as follows: First, azimuth 293° 49′ 430 feet to a concrete monument; second, azimuth 23° 49′ 375 feet to the high-water line, and thence along the high-water line to the point of beginning; containing 3 acres, more or less: *Provided*, That there is hereby reserved to the use of the Navy Department a right of way over the said military reservation from the remaining portion of the naval reservation on Bishops Point to and upon any landing which may be built from the shore of the military reservation to water of sufficient depth to permit naval launches to moor alongside the said landing.

The amendment was agreed to.

The next amendment was, on page 47, after line 6, to insert:

Point Fermin Light Station, San Pedro, Cal.: That the buildings and grounds and improvements in connection with and appurtenant to the Point Fermin Light Station, San Pedro, Cal., are hereby transferred from the control and jurisdiction of the Department of Commerce to the control and jurisdiction of the War Department for military purposes.

The amendment was agreed to.

The next amendment was, on page 48, line 4, after the words "per annum," to strike out "$2,994,950" and to insert "$2,996,325," so as to make the clause read:

Military post exchanges: For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost, in the operation of the act approved May 31, 1902, for the rental of films, purchase of slides, supplies for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, and for such purposes not enumerated above as the Secretary of War may deem advisable, to be expended in the discretion and under the direction of the Secretary of War: *Provided*, That not more than $629,200 of this appropriation may be expended for personal services and no person shall be employed hereunder at a rate of compensation exceeding $1,800 per annum, $2,996,325.

The amendment was agreed to.

The next amendment was, on page 48, line 10, after the word "stations," to strike out "$35,117,175" and to insert "$35,125,861," so as to make the clause read:

Roads, walks, wharves, and drainage: For the construction and repair by the Quartermaster Corps of roads, walks, and wharves; for the pay of employees; for the disposal of drainage; for dredging channels; and for care and improvement of grounds at military posts and stations, $35,125,861.

The amendment was agreed to.

The next amendment was, on page 48, after line 11, to insert:

Palace of Fine Arts, Presidio, San Francisco, Cal.: That the Secretary of War be, and he is hereby, authorized in his discretion to convey to the regents of the University of California, their successors and assigns, for art, education, and park purposes and for the benefit of the people of the city and county of San Francisco and the public generally, that portion of the military reservation of the Presidio of San Francisco, in the city and county of San Francisco, Cal., on which the Palace of Fine Arts is located, included within metes and bounds, described as follows, namely:

Commencing at the point on the westerly line of Lyon Street, distant therefrom 5.17 feet southerly from the northerly line of Bay Street, if extended and produced westerly, and running thence northerly along the westerly line of Lyon Street 1,196.80 feet; thence southwesterly on a curve to the left of 612 feet radius, central angle 155° 47′ 50″, tangent to a line deflected 102° 6′ 5″ to the left from the preceding course a distance of 1,664.13 feet to the westerly line of Lyon Street and the point of commencement, containing 9.93 acres, more or less.

That if at any time in the future the property so conveyed to said regents shall cease to be used for the purposes for which conveyed, then all right and title thereto herein authorized to be granted to said regents shall revert to the United States.

That in consideration of the said grant, the said regents shall procure from the city and county of San Francisco the consent of said city and county to a judgment being rendered and entered against the said city and county in eminent domain proceedings to be instituted by the United States Government against said city and county for the purpose of acquiring from said city and county all right, title, and interest that said city and county may have in and to any lands situated within the city and county of San Francisco, Cal., located as the Secretary of War may approve and which he may deem satisfactory and useful in connection with said reservation.

That the said regents or the Secretary of War shall procure to be executed by the said city and county of San Francisco a warranty to the United States Government of perpetual quiet possession to said lands.

That in any such judgment in eminent domain as may be so rendered and entered, there may be reserved to the city and county of San Francisco in such lands to be so acquired, such rights and interests as in the discretion of the Secretary of War should properly be reserved to said city and county of San Francisco, and also a condition that the said lands shall revert to the city and county of San Francisco in the event of the United States Government ceasing to use the lands for the purposes for which they may be so acquired in said eminent domain proceedings.

That the provision in the act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," approved May 12, 1917 (ch. 12, p. 57, 40th Rev. Stat.), authorizing the Secretary of War to convey to the regents of the University of California, for art, educational, and park purposes, that portion of the military reservation of the Presidio, San Francisco, on which the Palace of Fine Arts is located, in consideration of the transfer to the United States of other lands situated within the said city and county, be and is hereby repealed.

The amendment was agreed to.

The next amendment was, on page 53, to increase the total appropriation for "Construction and repair of hospitals" from $60,000,000 to $83,653,612.

The amendment was agreed to.

The next amendment was, on page 56, line 1, before the word "That," to strike out the word "*Provided*."

The amendment was agreed to.

The next amendment was, on page 57, line 17, after the word "contract," to strike out the word "*Provided*" and to insert the words "*Provided further*."

The amendment was agreed to.

The next amendment was, on page 58, after line 17, to insert:

Increase in Medical Department: That the Medical Department of the Regular Army be, and is hereby, increased by one assistant surgeon general, who shall have the rank of major general, and three assistant surgeons general, who shall have the rank of brigadier general, all of whom shall be appointed from the Medical Corps of the Regular Army.

That the President may nominate and appoint in the Medical Department of the National Army, by and with the advice and consent of the Senate, from the Medical Reserve Corps of the Regular Army not to exceed 4 major generals and 8 brigadier generals for each 1,000,000 officers and enlisted men of the entire National Army.

That the commissioned officers of the Medical Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law.

That the commissioned officers of the Medical Reserve Corps of the Regular Army, none of whom shall have rank above that of colonel, shall be proportionately distributed in the several grades as now provided by law for the Medical Corps of the Navy.

That the President may designate as "consultants" officers of either the Medical Corps or the Medical Reserve Corps and may relieve them as the interests of the service may require: *Provided*, That nothing in this act shall be held or construed so as to discharge any officer of the Regular Army or deprive him of a commission which he now holds therein.

Mr. PENROSE. Mr. President, while the bill was in the committee I had frequent occasion to confer with the Senator from Wyoming [Mr. WARREN], the ranking minority member

of the Military Affairs Committee, regarding legislation concerning the Medical Corps. I have not had an opportunity to examine the bill, and I should like to inquire from him what has been done in that respect.

Mr. WARREN. Mr. President, the proposal to adopt for the Medical Corps of the Army the system governing the Medical Corps of the Navy was made to the Senate committee along with other suggestions, the one patterned after the naval system being the one most strongly urged. After long-continued hearings and investigation the subcommittee became satisfied, as the full committee later became satisfied, that the Medical Corps of the different branches of the Army should be divided. So far as the Regular Army is concerned, the legislation proposed simply adds one major general and three brigadier generals to the commissioned personnel of the Regular Army, and the remaining officers from colonels down may be increased from time to time according to the provisions of the present law and as the necessities of the case may require.

As to the National Army, the legislation provides that there may be, if the President so directs, four major generals and eight brigadier generals for every 1,000,000 officers and enlisted men in the service in the National Army. It provides also that the junior officers, from lieutenants up to and including colonels, may be in the same ratio as the law at present provides for the Navy.

Mr. PENROSE. Mr. President, I only want to take this opportunity in passing to express my gratification that provision has been made for the several Medical Corps of the Army. It is an act of justice to a body of men whose services in modern warfare are invaluable, as is conceded everywhere. I believe that the medical profession throughout the United States will appreciate the efforts of the Senator from Tennessee [Mr. McKELLAR], who was chairman of the subcommittee, the Senator from Wyoming [Mr. WARREN], and the other members of the Military Affairs Committee who have recommended the insertion of this provision in the bill. I sincerely hope that when the bill goes to conference the Senate conferees will insist on retaining this provision in the appropriation bill.

Mr. WARREN. Mr. President, I think I ought to say, further, that we have been very liberal indeed with the Medical Corps of the National Army. We have in that corps the most distinguished surgeons and physicians of this country or perhaps of the world; and it has seemed as if we might be liberal, since during the war they are giving to the Government their time and their experience, and, of course, at the end of the war these officers will be discharged, as are the enlisted men, except those who may be discharged in the meantime.

Now, as to the Regular Army, we ought not to interfere, and we have not in this legislation interfered, with what ought to be the rational flow of promotion in the service not only during the war but afterwards. This legislation, it is believed, will leave us at the end of the war with not too large a Medical Corps in the Regular Army, and the flow of promotions, while perhaps somewhat slower than heretofore, and of course very much slower than during the immediate past, will be normal, nevertheless.

Mr. McKELLAR. Mr. President, I wish to say in reference to this amendment rearranging the Medical Corps, and especially providing for the Medical Reserve Corps of the Army, that a good deal of labor has been devoted to this matter by the subcommittee and by the full committee. There are more than 20,000 doctors throughout this country who have volunteered to come into the service of the United States at this time. Doctors with large and remunerative practices have freely volunteered at, of course, very small pay in comparison with what they have heretofore made. No class of our citizens, I believe, have made greater sacrifices for the country than these gentlemen have voluntarily made. They have come forward with singular celerity, and have been most active in the performance of their duties and in preparing themselves for the duties that are before them. The best interests of our soldiers demand this legislation. It will give our Medical Corps such a position that it can enforce its reasonable rules to maintain the health of the Army and to restore the maimed and wounded. There was practically no legislation or very little legislation in regard to their service, and their commissions were limited for the most part to the rank of major and lesser grades.

There is no question that they are entitled to this legislation. So far as the general officers are concerned, they have even under this bill less representation than any other branch of the Army. I believe that, on the whole, this bill is satisfactory to them. I hope so, at any rate, because I believe, as I have said, that no class of our Army is more deserving of fair treatment than the officers of the Medical Reserve Corps who have come into the service of the United States. Some of the most noted physicians and surgeons of our land have not only come in recently, but have been in from the very beginning and are doing splendid work. It is a work that ought to be recognized by our country. This is the best that the committee could do; we believe that it is a proper provision and that it ought to be enacted into law.

We have taken much testimony and given much time and consideration to this measure. Senator WARREN, Senator NEW, and myself feel that we have taken every precaution to subserve the best interests of our soldiers in framing the measure. Substantially we have followed the provisions of Senator OWEN'S bill, and we are informed that the provisions of this bill as amended and reported on this subject are entirely satisfactory to the entire medical profession. It is the first time in the history of our Government when the medical fraternity has been recognized in a manner in keeping with the high purposes and the splendid efficiency of this noble profession.

Mr. OWEN. Mr. President, I am gratified that the committee was able finally to agree upon such a provision as to give a substantial recognition both to the Medical Corps of the National Army and to the Medical Corps of the Regular Army. I have heretofore pointed out to the Senate the very great difference which prevailed between the American organization and the European organization. In Great Britain they have given very much more important recognition to the officers in the Medical Department, and the same thing is true with regard to France, Italy, Japan, and Austria. The reason why they have given a greater dignity to these officers is because of the fact that the saving of human life is involved; that is the purpose of it and not merely to give dignity to worthy men.

While the amendment reported by the committee does not provide anything like as large a number relatively of higher ranking officers as the British, the French, the Italians, the Austrians, and the Germans have, still I believe it will be a very useful improvement, and I am glad to welcome it.

Mr. PENROSE. Mr. President, I only want to say in conclusion and in passing that the provisions of this bill will at least lay the foundation for future legislation which may be required in the times to come. I agree with what the Senator from Tennessee [Mr. McKELLAR] has said. I do not think there is any element of our citizens who have made greater sacrifices than the members of the medical profession. A business man can come to Washington and devote all his time to the duties of some volunteer board and his business goes on, perhaps, under the management of those whom he leaves at home and his income is not curtailed, but the surgeon or physician who comes to Washington to serve on a volunteer board or to take a commission in very many cases sacrifices a very large professional income made by his own personal efforts, and when those efforts cease his income ceases. Therefore the sacrifice is all the greater.

I do not think, however, it is the money consideration which prompts this legislation; it is distinctly in the interest of greater efficiency in the several Medical Corps of the different branches of the Army. I know that in Pennsylvania—and the observation would apply, I take it, to any other State in the Union, but, of course, I am more familiar with my own State—the leading surgeons of Philadelphia and of Pittsburgh and throughout the State have contributed their services from a pure spirit of patriotism, and at almost a complete sacrifice of personal income and emolument. I know that this legislation will be commended throughout the country, and if it needs amplifying in the next appropriation bill I sincerely hope the Military Affairs Committee will see their way clear to build upon the foundation laid here to-day.

Mr. McKELLAR. Mr. President, if anything that I said suggested to my distinguished friend that our first purpose was not to secure greater efficiency in the Medical Corps of the Army, then I did not express myself as carefully as I should, because, of course, that was the primary purpose of the committee in dealing with this matter.

I want also to add, Mr. President, that the Medical Corps of the Regular Army has done splendid work, as our committee has found out, and they are entitled to very great credit for the manner in which they have organized the entire medical forces of our Army. I do not think any branch of our service has shown greater efficiency in preparing for its part in this great conflict, and I want to congratulate this department on its splendid work up to date, and to express the belief that the Medical Corps of both Regular and Reserve Establishments will make historic records in this conflict.

Mr. PENROSE. Mr. President, I hope the Senator from Tennessee will not misunderstand me. I did not in the remotest way mean to suggest that he had intimated any consideration except that of the loftiest patriotism, and I want to say here that if it had not been for him and his colleagues on the subcommittee, supported by the Senator from Oklahoma, who intro-

duced one of the original bills, this legislation might have failed for lack of attention in the multitude of other matters pressing upon the consideration of Congress and the committees of Congress at the present time.

The VICE PRESIDENT. The question is upon agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, under the subhead "Engineer Department," on page 64, to insert as a side heading: "Per diem allowance for traveling expenses."

The amendment was agreed to.

The next amendment was, on page 64, after line 17, to insert:

Bands for Engineer Corps: That the second paragraph of section 11 of chapter 134, Thirty-ninth Statutes, page 173, be, and the same hereby is, amended to read as follows:

Each regiment of Engineers shall consist of 1 colonel; 1 lieutenant colonel; 2 majors; 11 captains; 12 first lieutenants; 6 second lieutenants; 2 master engineers, senior grade; 1 regimental sergeant major; 2 regimental supply sergeants; 2 color sergeants; 1 sergeant bugler; 1 cook; 1 wagoner for each authorized wagon of the field and combat train; 1 band organized as are Infantry bands; and 2 battalions: *Provided*, That the present Engineer band shall be considered as one of the bands provided for above.

The amendment was agreed to.

Mr. CHAMBERLAIN. Mr. President, the next two subheads, "Equipment, maintenance, and training of foreign troops" and "Slavic legion," I ask to have temporarily passed over, because the Senator from Nebraska [Mr. HITCHCOCK], who is the author of the second provision, wants to submit an amendment to it.

The VICE PRESIDENT. In the absence of objection, that will be done.

The reading of the bill was resumed.

The next amendment of the Committee on Military Affairs was, on page 68, after line 21, to insert:

Pay of civilian employees in gun factories on leave of absence: That the Secretary of War is hereby authorized and empowered, during the period of the war, to make payment, under such regulations as may be prescribed by him, in addition to and at the rate of pay now provided by law to each and all civilians employed by the War Department in gun factories and arsenals for work performed on all days of leave of absence granted by law to such employees.

The amendment was agreed to.

The next amendment was, on page 70, after line 4, to insert:

Medals of honor, distinguished-service crosses, and distinguished-service medals: That the provisions of existing law relating to the award of medals of honor to officers, noncommissioned officers, and privates of the Army be, and they hereby are, amended so that the President is authorized to present, in the name of the Congress, a medal of honor only to each person who, while an officer or enlisted man of the Army, shall hereafter, in action involving actual conflict with an enemy, distinguish himself conspicuously by gallantry and intrepidity at the risk of his life above and beyond the call of duty.

That the President be, and he is hereby, further authorized to present, but not in the name of Congress, a distinguished-service cross of appropriate design and a ribbon, together with a rosette or other device, to be worn in lieu thereof, to any person who, while serving in any capacity with the Army of the United States since the 6th day of April, 1917, has distinguished, or who shall hereafter distinguish, himself or herself by extraordinary heroism in connection with military operations against an armed enemy.

That the President be, and he is hereby, further authorized to present, but not in the name of Congress, a distinguished-service medal of appropriate design and a ribbon, together with a rosette or other device, to be worn in lieu thereof, to any person who, while serving in any capacity with the Army of the United States since the 6th day of April, 1917, has distinguished, or who hereafter shall distinguish, himself or herself by exceptionally meritorious service to the Government in a duty of great responsibility; and said distinguished-service medal shall also be issued to all enlisted men of the Army to whom the certificate of merit has been granted up to and including the date of the passage of this act under the provisions of previously existing law, in lieu of such certificate of merit, and after the passage of this act the award of the certificate of merit for distinguished service shall cease; and additional pay heretofore authorized by law for holders of the certificate of merit shall not be paid to them beyond the date of the award of the distinguished-service medal in lieu thereof as aforesaid.

That each enlisted man of the Army to whom there has been or shall be awarded a medal of honor, a distinguished-service cross, or a distinguished-service medal shall, for each such award, be entitled to additional pay at the rate of $2 per month from the date of the distinguished act or service on which the award is based, and each bar, or other suitable device, in lieu of a medal of honor, a distinguished-service cross, or a distinguished-service medal, as hereinafter provided for, shall entitle him to further additional pay at the rate of $2 per month from the date of the distinguished act or service for which the bar is awarded, and said additional pay shall continue throughout his active service, whether such service shall or shall not be continuous; but when the award is in lieu of the certificate of merit, as provided for in section 3 hereof, the additional pay shall begin with the date of the award.

That no more than one medal of honor or one distinguished-service cross or one distinguished-service medal shall be issued to any one person; but for each succeeding deed or act sufficient to justify the award of a medal of honor or a distinguished-service cross or a distinguished-service medal, respectively, the President may award a suitable bar, or other suitable device, to be worn as he shall direct; and for each other citation of an officer or enlisted man for gallantry in action published in orders issued from the headquarters of a force commanded by a general officer he shall be entitled to wear, as the President shall direct, a silver star three-sixteenths of an inch in diameter.

That the Secretary of War be, and he is hereby, authorized to expend from the appropriations for contingent expenses of his department from time to time so much as may be necessary to defray the cost of the medals of honor, distinguished-service crosses, distinguished-service medals, bars, rosettes, and other devices hereinbefore provided for.

That whenever a medal, cross, bar, ribbon, rosette, or other device presented under the provisions of this act shall have been lost, destroyed, or rendered unfit for use, without fault or neglect on the part of the person to whom it was awarded, such medal, cross, bar, ribbon, rosette, or device shall be replaced without charge therefor.

That, except as otherwise prescribed herein, no medals of honor, distinguished-service cross, distinguished-service medal, or bar or other suitable device in lieu of either of said medals or of said cross, shall be issued to any person after more than three years from the date of the act justifying the award thereof, nor unless a specific statement or report distinctly setting forth the distinguished service and suggesting or recommending official recognition thereof shall have been made at the time of the distinguished service or within two years thereafter, nor unless it shall appear from the official records in the War Department that such person has so distinguished himself as to entitle him thereto; but in case an individual who shall distinguish himself dies before the making of the award to which he may be entitled, the award may nevertheless be made and the medal or cross or the bar or other emblem or device presented, within three years from the date of the act justifying the award thereof, to such representative of the deceased as the President may designate; but no medal, cross, bar, or other device, hereinbefore authorized, shall be awarded or presented to any individual whose entire service subsequently to the time he distinguished himself shall not have been honorable; but in cases of officers and enlisted men now in the Army for whom the award of the medal of honor has been recommended in full compliance with then-existing regulations but on account of services which, though insufficient fully to justify the award of the medal of honor, appear to have been such as to justify the award of the distinguished-service cross or distinguished-service medal hereinbefore provided for, such cases may be considered and acted upon under the provisions of this act authorizing the award of the distinguished-service cross and distinguished-service medal, notwithstanding that said services may have been rendered more than three years before said cases shall have been considered as authorized by this act, but all consideration of and action upon any of said cases shall be based exclusively upon official records now on file in the War Department; and in the cases of officers and enlisted men now in the Army who have been mentioned in orders, now a part of official records, for extraordinary heroism or especially meritorious services, such as to justify the award of the distinguished-service cross or the distinguished-service medal hereinbefore provided for, such cases may be considered and acted on under the provisions of this act, notwithstanding that said act or services may have been rendered more than three years before said cases shall have been considered as authorized by this act, but all consideration of and action upon any said cases shall be based exclusively upon official records of the War Department.

That the President be, and he is hereby, authorized to delegate, under such conditions, regulations, and limitations as he shall prescribe, to the commanding general of a separate army or higher unit in the field, the power conferred upon him by this act to award the medal of honor, the distinguished-service cross, and the distinguished-service medal; and he is further authorized to make from time to time any and all rules, regulations, and orders which he shall deem necessary to carry into effect the provisions of this act and to execute the full purpose and intention thereof.

That American citizens who have received, since August 1, 1914, decorations or medals for distinguished service in the armies or in connection with the field service of those nations engaged in war against the Imperial German Government, shall, on entering the military service of the United States, be permitted to wear such medals or decorations.

That any and all members of the military forces of the United States serving in the present war be, and they are hereby, permitted and authorized to accept during the present war or within one year thereafter, from the Government of any of the countries engaged in war with any country with which the United States is or shall be concurrently likewise engaged in war, such decorations, when tendered, as are conferred by such Government upon the members of its own military forces; and the consent of Congress required therefor by clause 8 of section 9 of Article I of the Constitution is hereby expressly granted: *Provided*, That any officer or enlisted man of the military forces of the United States is hereby authorized to accept and wear any medal or decoration heretofore bestowed by the Government of any of the nations concurrently engaged with the United States in the present war.

That the President is authorized, under regulations to be prescribed by him, to confer such medals and decorations as may be authorized in the military service of the United States upon officers and enlisted men of the military forces of the countries concurrently engaged with the United States in the present war.

That the Secretary of War be, and he is hereby, authorized and directed to procure a bronze medal, with suitable device and ribbon, to be presented to each of the several officers and enlisted men, and families of such as may be dead, of the National Guard who, under the orders of the President of the United States, served on the Mexican border in the years 1916 and 1917, and who are not eligible to receive the Mexican service badge heretofore authorized by the President: *Provided*, That such medals shall not be issued to men who have, subsequent to such service, been dishonorably discharged from the service or deserted: *And provided further*, That the sum of $7,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying this last paragraph into effect.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 78, to insert as a side heading: "Contract Obligations for Ordnance."

The amendment was agreed to.

The next amendment was, on page 78, after line 18, to strike out:

Provided further, That all material purchased under the appropriations for the Ordnance Department in this act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases abroad, which material shall be admitted free of duty.

The amendment was agreed to.

The next amendment was, at the top of page 79, to insert:

Importation of certain war materials free of duty: That during the present emergency upon request made by the Secretary of War to the Secretary of the Treasury, and under such regulations as the Secretary of the Treasury may prescribe, there may be imported into the United States without payment of duty thereon raw materials, parts or partly fabricated parts of equipment, and finished equipment required to hasten or facilitate the production of munitions or machinery of war whenever such duty would otherwise be payable directly or indirectly from appropriations for the support of the Army.

Mr. SMOOT. Mr. President, I want to ask the Senator a question in regard to that amendment. It seems to be a very sweeping one. Did the committee give that consideration?

Mr. CHAMBERLAIN. The committee discussed it quite at length; but the provision was prepared in the War Department, and I think possibly originated in the Airplane Section. The Senator will notice that it only covers raw materials which could be used or would be used, part or partly fabricated parts of equipment, and finished equipment required to hasten or facilitate the production of munitions, machinery of war, and so forth. It was not the intention of the committee to extend it beyond that.

Mr. SMOOT. Mr. President, it will let in free nearly everything that comes into this country at the present time which to any great extent, directly or indirectly, enters into the manufacture of munitions and the production of machinery of war. This question came up before, and a similar amendment was offered to another bill, and finally it was decided that it would be better not to pass it, and it went out.

I ask the Senator if he will not allow this amendment to go over for the present? I want to read it carefully, and see just how far it goes.

Mr. CHAMBERLAIN. I have no objection to that, Mr. President.

The VICE PRESIDENT. The amendment will be temporarily passed over.

The next amendment was, on page 79, line 12, before the words "Chief of Ordnance," to strike out "The" and insert: "Civilian ordnance employees, District of Columbia: That the," so as to make the clause read:

Civilian ordnance employees, District of Columbia: That the Chief of Ordnance of the United States Army is authorized to employ in the District of Columbia, out of the appropriations made in this act for designing, procuring, caring for, and supplying ordnance and ordnance stores to the Army, such services, other than clerical, as are necessary for carrying out these purposes.

The amendment was agreed to.

The next amendment was, on page 79, line 23, before the word "That," to strike out "*Provided*," so as to make the clause read:

That the appropriations hereinbefore made under the heading "Ordnance Department" shall be available for the payment of an allowance not to exceed $4 per day in lieu of subsistence to civilian employees of the Ordnance Department traveling on official business outside of the District of Columbia and away from their designated posts of duty.

The amendment was agreed to.

The next amendment was, under the subhead "National Guard," on page 84, after line 15, to insert:

Longevity pay for men other than the Regular Army: That officers and enlisted men of the forces of the Army of the United States other than the Regular Army who have had service in the National Guard and Organized Militia of any State, Territory, or District, but who have entered the service in the forces of the Army of the United States, otherwise than through draft under the provisions of section 111 of the act of June 3, 1916, known as the national defense act, shall be upon the same footing as to pay and allowance as the members of said forces who were drafted under the provisions of said section.

The amendment was agreed to.

The next amendment was, under the head of "Civilian military training," on page 86, line 16, to insert as a side heading, "Arms and ordnance equipment," so as to make the clause read:

Arms and ordnance equipment: For arms and ordnance equipment, including overhauling and repairing of personal equipments, machine-gun outfits, horse equipment; ammunition, targets, and other accessories for target practice, and for overhauling and repairing arms for issue and use in connection with training camps for civilians in pursuance of the provisions of section 54 of the act approved June 3, 1916, $250,000.

The amendment was agreed to.

The next amendment was, on page 87, line 5, after the word "act," to strike out "of Congress" and insert "entitled 'An act to authorize the issue to States and Territories and the District of Columbia of rifles and other property for the equipment of organizations of Home Guards,'" so as to make the clause read:

Ordnance equipment for Home Guard organizations: For procuring arms, including pistols, ammunition, equipment, etc., for issue and use in connection with Home Guard organizations in pursuance of the provisions of the act entitled "An act to authorize the issue to States and Territories and the District of Columbia of rifles and other property for the equipment of organizations of Home Guards," approved June 14, 1917, authorizing issues to Home Guard organizations, $2,500,000.

The amendment was agreed to.

The next amendment was, on page 89, line 5, before the word "That," to strike out "*Provided*" and insert as a side heading "Printing and binding"; in line 9, before the word "*Provided*," to strike out "*And provided further*," so as to read:

Printing and binding: That the appropriations herein made for the support of the Army and the National Guard are available for such printing, binding, and blank books as may be necessary in putting in effect the objects of the appropriations: *Provided*, That printing, binding, and blank books required for use outside of the District of Columbia in connection with the support of the Army and the National Guard may be done or procured elsewhere than at the Government Printing Office when in the opinion of the Secretary of War such work can be more advantageously done or procured locally, the cost thereof to be paid from the proper appropriations.

The amendment was agreed to.

The next amendment was, at the top of page 90, to insert:

Purchase of real estate for military purposes: That in all cases where appropriations have heretofore been, or shall hereafter be, made for the expenditures of any department, corps, or bureau incurred in connection with the national security and defense, and in the administration thereof for the purpose specified therein it becomes necessary in the opinion of the head of such department, corps, or bureau to acquire real estate, or some right, title, or interest therein, and any buildings and improvements thereon, it shall be lawful, by and with the approval of the President, to acquire the same by purchase, lease, donation, or condemnation, or by any other means provided by law for such acquisition, and out of the appropriations aforesaid to meet the expenses of such acquisition, including the purchase price, or rent of the land, and the buildings and improvements thereon, or the damages allowed to the owner or owners as compensation therefor.

The amendment was agreed to.

The next amendment was, on page 90, after line 17, to insert:

Leon Springs Military Reservation, Tex.: That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $316,941 for the acquisition of land as an addition to the Leon Springs Military Reservation, Tex.

Mr. WARREN. Mr. President, I will ask the chairman of the committee if he does not want to insert there a provision for the recovery of the rent paid as per contract?

Mr. CHAMBERLAIN. I understood that the Senator from Texas [Mr. SHEPPARD] was to prepare that amendment, and that it would be offered here.

Mr. WARREN. I think it had better be passed over, then.

Mr. CHAMBERLAIN. Yes; I think so, too.

The VICE PRESIDENT. In the absence of objection, the amendment in lines 18 to 22, page 90, will be passed over.

The next amendment was, on page 90, after line 22, to insert:

Bertram T. Clayton, jr.: That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Bertram T. Clayton, jr., late a cadet of the United States Military Academy at West Point, to the position of second lieutenant of Infantry of the Army, and to place him upon the retired list with the pay of a retired second lieutenant of Infantry.

Mr. CALDER. Mr. President, may I inquire from the chairman of the committee the reason for this specific amendment?

Mr. CHAMBERLAIN. Mr. President, the Senator from Tennessee [Mr. MCKELLAR] is personally acquainted with the conditions surrounding this young man. The placing of his name in an amendment on the appropriation bill for the support of the Military Academy was suggested once before and it was defeated. Since that time the father of this young man, who is still ill, has been killed in the trenches on the French front.

Mr. McKELLAR. Mr. President, if the Senator will yield to me, I shall be glad to explain this particular case.

This young man was appointed to the Military Academy. He was examined by the United States authorities, and when he went into the academy he was in perfect health, or he would not have been admitted there. After he had been in training at the academy he contracted tuberculosis and was sent by the Government out West for treatment, where he has remained since that time. The time for his graduation has passed. He is in a condition of real extremity. He never will get well; and the committee thought, after careful consideration and much argument, that this legislation should be adopted. There are at least two precedents for it. I know of two cases that have been treated in a similar way in the past. I have not the names of the two young men who were so treated by Congress in the past.

Mr. CHAMBERLAIN. Keough was one.

Mr. McKELLAR. Keough was one, and I forget the name of the other. I may have it in my pocket. At all events it is a case which, when you know the facts, appeals to you very much, and in my judgment the amendment should be adopted. It is as little as we can do for the young man to do our duty toward him in this way. It is the only way in which it can be done. His trouble was contracted while he was in the service of the United States. There are precedents for this action. The case is in every sense a deserving one. He is a young man of high character and has never done anything to

forfeit fair treatment at the hands of his Government, to which he had dedicated his life.

Mr. CALDER. Mr. President, I am in accord with the amendment. I was anxious to have the explanation in the RECORD. I know this boy, and have known him since he was a child. He was born near my home in New York City. His father was commanding officer of a New York regiment during the Spanish War. After the war he retired from the Army and served in the House of Representatives. Subsequently he went back in the Army, and, as the Senator from Tennessee has said, he met his death with the rank of colonel the other day with our Army on the western front in France. The father was a splendid gentleman and a gallant soldier, and the boy is a fine lad, and I think it is to be regretted that the country has lost his services in the Army.

Mr. McKELLAR. Mr. President, I do not know the young man, but I have known the father well and intimately for many years. He was born in the same State in which I was born—the State of Alabama. His father, Bertram T. Clayton, sr., was one of the best officers in the Army. I have known of his service for quite a while. A part of the time he was stationed at the West Point Academy, where he made a most efficient officer in the commissary department. He could have remained in that line of service if he had wanted to. If he had been of the kind that would have liked an easy time, he could have remained in that branch of the service and remained in a place of safety. Instead of that the father chose to go to France in the service of his country, in that part of the Army engaged in active and dangerous service, and unfortunately he was killed in France only a few days ago. Of course, this case rests on its merits, but it can be said, in passing, that there never was a finer man or braver soldier than the father of this young man—the father who has just offered up his life on the bloody battle fields of France as a sacrifice for America and her ideals. The life of Col. Bertram T. Clayton was in deed and in truth a noble sacrifice.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 91, after line 4, to insert:

Appropriations available for obligations heretofore incurred: The appropriations contained herein shall be available for the payment of obligations on account of the existing emergency incurred prior to the passage of this act or prior to June 30, 1918, and which are properly chargeable to such appropriations, and same are hereby made immediately available.

The amendment was agreed to.

The next amendment was, on page 91, to insert as a subhead "Chapter II."

The amendment was agreed to.

The next amendment was, on page 91, line 13, to insert as a side heading "Aberdeen Proving Ground."

The amendment was agreed to.

The next amendment was, on page 91, to insert as a subhead "Chapter III."

The amendment was agreed to.

The next amendment was, on page 91, line 24, to insert as a side heading "Accountability for trust funds."

The amendment was agreed to.

The next amendment was, on page 92, after line 7, to insert:

CHAPTER IV.

Payments from total available balances: That during the present emergency when pressing obligations are required to be paid by a disbursing officer of the Army and there is an insufficient balance to his official credit, under the proper appropriation or appropriations for the purpose, he is authorized to make payments from the total available balance to his official credit, provided sufficient funds under proper appropriation or appropriations have been apportioned by the chief officer of the bureau or department for the expenditure. When such disbursements are made, the accounts of the disbursing officer shall show the charging of the proper appropriations, the balances under which will be adjusted by the disbursing officer on receipt of funds, or by the accounting officers of the Treasury.

The amendment was agreed to.

The next amendment was, on page 92, after line 22, to insert:

CHAPTER V.

Army Nurse Corps: That the Nurse Corps (female) of the Medical Department of the Army shall hereafter be known as the Army Nurse Corps and shall consist of one superintendent, who shall be a graduate of a hospital-training school having a course of instruction of not less than two years; of as many chief nurses, nurses, and reserve nurses as may from time to time be needed and prescribed or ordered by the Secretary of War, and, in the discretion of the Secretary of War, of not exceeding six assistant superintendents, and, for each Army or separate military force beyond the continental limits of the United States, one director and not exceeding two assistant directors of nursing service, all of whom shall be graduates of hospital-training schools and shall have passed such professional, moral, mental, and physical examinations as shall be prescribed by the Secretary of War.

SEC. 2. That the superintendent shall be appointed by and, at his discretion, be removed by the Secretary of War; that all other members of said corps shall be appointed by and, at his discretion, be removed by the Surgeon General, by and with the approval of the Secretary of War; but the assistant superintendents, the directors, the assistant directors, and the chief nurses shall be appointed by promotion from other members of the corps, and shall, upon being relieved from duty as such, unless removed for incompetency or misconduct, revert to the grades in the corps from which they were promoted.

SEC. 3. That the annual rate of pay of the members of said corps shall be as follows: Superintendent, $2,400; assistant superintendents and directors, $2,000; assistant directors, $1,800; chief nurses, $360 in addition to the pay of a nurse; nurses, $780 for the first period of three years' service, $840 for the second period of three years' service, $900 for the third period of three years' service, $960 for the fourth period of three years' service, and $1,020 after 12 years' service in said corps (including in all cases time of service as contract nurse); reserve nurses, when upon active duty, will receive the same pay as nurses who have served in the corps for periods corresponding to the full period of their active service; and all members of said corps, in addition to the foregoing, the sum of $10 per month when serving beyond the continental limits of the United States (excepting Porto Rico and Hawaii).

SEC. 4. That members of said Nurse Corps who shall have had active service therein of 20 years (including for the purpose of computation time of service as contract nurse) shall, upon application therefor to the Secretary of War, be placed upon a retired list and shall thereafter receive 75 per cent of the pay, exclusive of foreign-service pay, they were drawing at the time they became entitled to retirement as aforesaid.

SEC. 5. That members of said Nurse Corps shall be entitled to cumulative leave of absence with pay at the rate of 30 days for each calendar year of service in said corps, not exceeding, however, 120 days at one time, and in addition thereto sick leave not exceeding 30 days in any one calendar year in case of illness or injury incurred in the line of duty.

SEC. 6. That members of said Nurse Corps shall receive transportation and necessary expenses when traveling under orders, and such allowances of quarters and subsistence and, during illness, such medical care as may be prescribed in regulations by the Secretary of War; and when at places where no public quarters are available, commutation in lieu thereof, and of heat and light therefor at such rates and upon such conditions as are now or shall hereafter be provided by law.

SEC. 7. That section 19 of chapter 192 of Thirty-first Statutes, page 753; chapter 50 of Thirty-seventh Statutes, page 72; that part of the act approved August 24, 1912 (37 Stats., p. 575), providing for allowances, subsistence, and medical care during illness for the superintendent of the Nurse Corps; and that part of the act approved March 23, 1910 (36 Stats., p. 249), prescribing the pay of the superintendent and members of the Nurse Corps, be, and the same are hereby, repealed.

The amendment was agreed to.

The next amendment was, on page 96, after line 3, to insert:

CHAPTER VI.

Claims of enlisted men for loss of private property: That the act entitled "An act to provide for the settlement of the claims of officers and enlisted men of the Army, for loss of private property destroyed in the military service of the United States," approved March 3, 1885 (ch. 335, 23 Stats., p. 350), be, and the same is hereby, amended to read as follows:

"SEC. 1. That private property belonging to officers, enlisted men, and members of the Nurse Corps (female) of the Army, including all prescribed articles of equipment and clothing which they are required by law or regulations to own and use in the performance of their duties, and horses and equipment required by law or regulations to be provided by mounted officers, which since the 5th day of April, 1917, has been or shall hereafter be lost, damaged, or destroyed in the military service shall be replaced, or the damage thereto or its value recouped to the owner as hereinafter provided, when such loss, damage, or destruction has occurred or shall hereafter occur in any of the following circumstances:

"First. When such loss or destruction was without fault or negligence on the part of the owner.

"Second. When such private property so lost or destroyed was shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment.

"Third. When it appears that such private property was so lost or destroyed in consequence of its owner having given his attention to the saving of property belonging to the United States which was in danger at the same time and in similar circumstances.

"Fourth. When during travel under orders the regulation allowance of baggage transferred by a common carrier is lost or damaged; but replacement or recoupment in these circumstances shall be limited to the extent of such loss or damage over and above the amount recoverable from said carrier.

"Fifth. When such private property is destroyed or captured by the enemy, or is destroyed to prevent its falling into the hands of the enemy, or is abandoned on account of lack of transportation or by reason of military emergency requiring its abandonment, or is otherwise lost in the field during campaign.

"SEC. 2. That, except as to such property as by law or regulations is required to be possessed and used by officers, enlisted men, and members of the Nurse Corps (female), respectively, the liability of the Government under this chapter shall be limited to damage to or loss of such articles of personal property as the Secretary of War shall decide or declare to be reasonable, useful, necessary, and proper for officers, enlisted men, or members of the Nurse Corps (female), respectively, as the case may be, while in quarters, engaged in the public service, in the line of duty.

"SEC. 3. That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to examine into, ascertain, and determine the value of the property lost, destroyed, captured, or abandoned as specified in the foregoing sections, or the amount of the damage thereto, as the case may be; and the amount of such value or damage so ascertained and determined shall be paid out of any money in the Treasury not otherwise appropriated: *Provided*, That in time of war or of operations during public disaster such property lost, destroyed, captured, or abandoned, or so damaged as to be unfit for service, shall be replaced in kind from Government property on hand, or adequate commutation given therefor when replacement in kind can not be made, or can not be made within a reasonable time, by the supply officer or quartermaster of the organization to which the person entitled thereto belongs or with which he is serving upon the order of the commanding officer thereof.

"SEC. 4. That the tender of replacement or of commutation or the determination made by the proper accounting officers of the Treasury upon a claim presented as provided for in the foregoing section shall constitute a final determination of any claim cognizable under this chapter, and such claim shall not thereafter be reopened or considered.

"SEC. 5. That no claim arising under this chapter shall be considered unless made within two years from the time that it accrued, except that when a claim accrues in time of war, or when war intervenes within two years after its accrual, such claim may be presented within two years after peace is established."

The amendment was agreed to.

The next amendment was, on page 99, after line 12, to insert:

CHAPTER VII.

Suspending restrictions in purchase of military supplies: That so much of section 1133 of the Revised Statutes, and of section 9 of the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, as restricts the purchase and distribution of military stores and supplies to officers of the Quartermaster Corps be, and the same is hereby, suspended for the period of the present war.

The amendment was agreed to.

The next amendment was, on page 99, after line 23, to insert:

CHAPTER VIII.

Care of persons discharged from the military service: That the President of the United States is hereby authorized and empowered to make provision for such care and treatment as he may deem advisable of persons discharged from the military or naval forces of the United States on account of physical disability who are citizens of any nation at war with a nation with which the United States is at war; but such provision shall be made only for the citizens of a nation that makes suitable provision for the care and treatment of persons discharged from the military or naval forces on account of physical disability who are citizens of the United States: *Provided*, That such care and treatment shall in no case exceed the care and treatment authorized by law and regulations for members of the Army and Navy of the United States discharged from the military or naval service for like cause.

The amendment was agreed to.

The next amendment was, on page 100, after line 15, to insert:

CHAPTER IX.

Army mine planter service: That hereafter there shall be in the Coast Artillery Corps of the Regular Army a service to be known as the Army mine planter service, which shall consist, for each mine planter in the service of the United States, of one master, one first mate, one second mate, one chief engineer, and one assistant engineer, who shall be warrant officers appointed by and holding their offices at the discretion of the Secretary of War, and two oilers, four firemen, four deck hands, one cook, one steward, and one assistant steward, who shall be appointed from enlisted men of the Coast Artillery Corps under such regulations as the Secretary of War may prescribe: *Provided*, That the Coast Artillery Corps is hereby increased by such numbers of warrant officers and enlisted men as may be necessary to constitute the force provided by this chapter: *Provided further*, That the annual pay of the warrant officers and enlisted men in the various grades established by this chapter shall be as follows: Masters, $1,800; first mates, $1,320; second mates, $972; chief engineers, $1,700; assistant engineers, $1,200; oilers, $432; firemen, $396; deck hands, $216; cooks, $360; steward, $540; assistant stewards, $288: *And provided further*, That warrant officers shall have such allowances as the Secretary of War may prescribe, and shall be retired, and shall receive longevity pay, as now provided by law for officers of the Army, and that the enlisted force herein provided for shall receive the allowances and continuous-service pay now provided by law for enlisted men of the Army: *And provided further*, That in computing length of service for retirement, and in computing longevity pay for warrant officers and continuous-service pay for the enlisted men authorized by this chapter, service on boats in the service of the Quartermaster Department or the Quartermaster Corps prior to the passage of this act shall be counted: *And provided further*, That during the continuation of the present emergency all enlisted men of the mine planter service of the Army of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $15 per month; those whose base pay is $24, an increase of $12 per month; those whose base pay is $30, $33, $36, or $40, an increase of $8 per month; and those whose base pay is $45 or more, an increase of $6 per month: *And provided further*, That the increases of pay herein authorized shall not enter into the computation of continuous-service pay.

The amendment was agreed to.

The next amendment was, on page 102, after line 10, to insert:

Chapter X.

Amending the Articles of War: That articles 52, 53, 57, and 112 of section 1342 of the Revised Statutes of the United States, as amended by the act entitled, "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, be, and the same are hereby, amended to read as follows:

"Art. 52. Suspension of sentences: The authority competent to order the execution of the sentence of a court-martial may, at the time of the approval of such sentence, suspend the execution, in whole or in part, of any such sentence as does not extend to death, and may restore the person under sentence to duty during such suspension. A sentence, or any part thereof, which has been so suspended may be remitted, in whole or in part, except in cases of persons confined in the United States Disciplinary Barracks or its branches, by the officer who suspended the same, by his successor in office, or by any officer exercising appropriate court-martial jurisdiction over the command in which the person under sentence may be serving at the time, and, subject to the foregoing exception, the same authority may vacate the order of suspension at any time and order the execution of the sentence or the suspended part thereof in so far as the same shall not have been previously remitted. The death or honarble discharge of a person under suspended sentence shall operate as a complete remission of any unexecuted or unremitted part of such sentence.

"Art. 53 Execution or remission—Confinement in disciplinary barracks: When a sentence of dishonorable discharge has been suspended until the soldier's release from confinement, the execution or remission of any part of his sentence shall, if the soldier be confined in the United States Disciplinary Barracks, or any branch thereof, be directed by the Secretary of War."

"Art. 57. False returns—Omission to render returns: Every officer commanding a regiment, an independent troop, battery, or company, or a garrison shall, in the beginning of every month, transmit through the proper channels, to the Department of War, an exact return of the same. Every officer whose duty it is to render to the War Department or other superior authority a return of the state of the troops under his command, or of the arms, ammunitions, clothing, funds, or other property thereunto belonging, who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct. And any officer who, through neglect or design, omits to render such return shall be punished as a court-martial may direct.

"Art. 112. Effects of deceased persons—Disposition of: In case of the death of any person subject to military law, the commanding officer of the place of command will permit the legal representative or widow of the deceased, if present, to take possession of all his effects then in camp or quarters, and if no legal representative or widow be present, the commanding officer shall direct a summary court to secure all such effects; and said summary court shall have authority to collect and receive any debts due decedent's estate by local debtors; and as soon as practicable after the collection of such effects said summary court shall transmit such effects; and any money collected, through the Quartermaster Department, at Government expense, to the widow or legal representative of the deceased, if such be found by said court, or to his son, daughter, father, mother, brother, or sister, in the order named, if such be found by said court, or to the beneficiary named by the deceased, if such be found by said court, and such court shall thereupon make to the War Department a full report of its transactions; but if there be none of the persons hereinabove named, or such persons or their addresses are not known to or readily ascertainable by said court, and the court shall so find, said summary court shall have authority to convert into cash, by public or private sale, not earlier than 30 days after the death of the deceased, all effects of the deceased, except sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes; and as soon as practicable after converting such effects into cash said summary court shall deposit with the proper officer, to be designated in regulations, any cash belonging to decedent's estate, and shall transmit a receipt for such deposits, any will or other papers of value belonging to the deceased, any sabers, insignia, decorations, medals, watches, trinkets, manuscripts, and other articles valuable chiefly as keepsakes, together with an inventory of the effects secured by said summary court, and a full account of its transactions to the War Department for transmission to the Auditor for the War Department for action as authorized by law in the settlement of the accounts of deceased officers and enlisted men of the Army.

"The provisions of this article shall be applicable to inmates of the United States Soldiers' Home who die in any United States military hospital outside of the District of Columbia where sent from the home for treatment."

Mr. POMERENE. Mr. President, if I may ask the chairman of the committee a question, this bill was only reported to-day, and I have not had an opportunity to read it. Does this bill provide for raising and lowering the age limit for soldiers who may be drafted into the service?

Mr. CHAMBERLAIN. No, Mr. President. The only change in the age is in the Staff Corps. The bill raises the age limit from 30 to 55 years for service in the Staff Corps, in order that men who are perfectly capable of discharging duties as clerks in the Staff Corps can serve, although they are not fit for military duty. That is the only change made.

Mr. POMERENE. Will that other legislation be presented in the form of another bill?

Mr. CHAMBERLAIN. I understand that there is an amendment of that kind to be proposed to this bill, and it will probably come up in the course of the discussion this afternoon.

Mr. POMERENE. During this afternoon?

Mr. CHAMBERLAIN. I think so.

Mr. REED. I wish to refer to chapter X, page 102. It reads:

The authority competent to order the execution of the sentence of a court-martial may at the time of the approval of such sentence suspend the execution in whole or in part of any such sentence as does not extend to death.

I have had no opportunity to examine this bill. Does not the bill, if it is adopted in this form, leave it so that a death sentence could not be suspended?

Mr. CHAMBERLAIN. It could be suspended by the Commander in Chief of the Army, but not by the authority that imposed the death sentence. That part of the law is exactly as it has always been.

Mr. REED. Is it proposed that when a court-martial shall impose a sentence upon a man the court-martial may suspend its own sentence?

Mr. CHAMBERLAIN. No; it is the authority competent to order the court-martial.

Mr. REED. Who is that authority?

Mr. CHAMBERLAIN. The commanding officer of the district or the Secretary of War.

Mr. REED. Should not the Secretary of War have authority to direct a suspension of the death sentence?

Mr. CHAMBERLAIN. The President has recently suspended two or three sentences in cases where young men were ordered to be shot.

Mr. REED. Certainly, the President has that authority.

Mr. CHAMBERLAIN. He is the only authority that has it now.

Mr. REED. This is the point I have in mind. I do not want to be captious. If I had had any opportunity to examine the bill, I would have presented this question elsewhere. By implication might this not leave it so that the right to suspend

a death sentence would be taken away? It is a notice, if we undertake to deal now legislatively with the subject of suspending sentences, and we confer a very broad power of suspension, that we expressly except from that power the death penalty. Without having an opportunity to examine the old law as it stands it seems to me that there may be danger in this phraseology and that it ought to be modified. I am not willing that this section shall be passed in this form until I have had some opportunity to examine it. I ask that section 52 be allowed to lie over.

Mr. CHAMBERLAIN. I have no objection.

The VICE PRESIDENT. The whole chapter X then goes over. It is all one amendment.

Mr. REED. I do not understand that.

The VICE PRESIDENT. It reads:

That articles 52, 53, 57, and 112 of section 1342 of the Revised Statutes of the United States—

And so forth—

be * * * amended to read as follows.

If any part of it goes over, it all goes over.

Mr. REED. Very well.

The VICE PRESIDENT. Chapter X goes over.

The next amendment was, on page 106, after line 4, to insert:

CHAPTER XI.

Method of determining quotas for military service: That in the determination of quotas for the several States, Territories, and the District of Columbia, or subdivisions thereof, to be raised for military service under the terms of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, the provisions of the joint resolution approved May 16, 1918, providing for the calling into military service of certain classes of persons registered and liable for military service under the said act, shall apply to any or all forces heretofore or hereafter raised under the provisions of said act for any State, Territory, District, or subdivision thereof, from and after the time when such State, Territory, District, or subdivision thereof has completed or completes its quota of forces called and furnished under the President's proclamation dated July 12, 1917.

Mr. JOHNSON of California. I offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. After line 23, page 106, insert:

But credit shall be given on its quotas to any State, Territory, District, or subdivision thereof for the number of men who have entered the military or naval service of the United States from any such State, Territory, District, or subdivision thereof since May 1, 1917, including members of the National Guard who were in the Federal service on that date.

Mr. JOHNSON of California. May I suggest to the chairman of the committee that this matter be passed over with the others?

Mr. CHAMBERLAIN. It may be passed over for the present.

The VICE PRESIDENT. It will be passed over. Chapter XI will go over.

The next amendment was, on page 106, after line 23, to insert:

CHAPTER XII.

Raising the age limit for volunteer duty in the Staff Corps: That the first sentence of section 7 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and the same is hereby, amended to read as follows:

"That the qualifications and conditions for voluntary enlistment as herein provided shall be the same as those prescribed by existing law for enlistments in the Regular Army, except that recruits for service in the Staff Corps and departments may be accepted who are between the ages of 41 and 55 years, both inclusive, at the time of their enlistment, and that all other recruits must be between the ages of 18 and 40 years, both inclusive, at the time of their enlistment; and such enlistment shall be for the period of the existing emergency unless sooner discharged."

Mr. REED. I wish to ask the chairman of the committee why the age limit of physicians could not as well be raised? The suggestion has been made to me by physicians that physicians above the age of 55 might well be employed in hospitals in this country. There is going to be, perhaps, a shortage of medical talent, and even if physicians are not physically able to enter the foreign service, they might be employed in this country up to the age of 60. I ask the chairman of the committee what he thinks of that proposition?

Mr. CHAMBERLAIN. I am rather in accord with the views of the Senator. I think 55 is the age limit for physicians and surgeons.

Mr. WARREN. No; 62 in the Navy and 64 in the Army.

Mr. CHAMBERLAIN. I was thinking that it was 55.

Mr. REED. I inquired of the chairman if this clause did not cover physicians.

Mr. CHAMBERLAIN. It was not intended to cover physicians. I do not think it does.

Mr. REED. Then my inquiry was not understood by the chairman of the committee. I simply withdraw the suggestion at this time.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 107, after line 15, to insert:

CHAPTER XIII.

Prohibiting prostitution near cantonments: That section 13 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and the same is hereby, amended to read as follows, subject to the same modifications as prescribed in the act approved October 6, 1917:

SEC. 13. That during the present emergency it shall be unlawful, within such reasonable distance of any military camp, station, fort, post, cantonment, training or mobilization place as the Secretary of War shall determine to be needful to the efficiency and welfare of the Army, and shall designate and publish in general orders or bulletins, to engage in prostitution or to aid or abet prostitution or to procure or solicit for purposes of prostitution, or to keep or set up a house of ill fame, brothel, or bawdy house, or to receive any person for purposes of lewdness, assignation, or prostitution into any vehicle, conveyance, place, structure, or building, or to permit any person to remain for purposes of lewdness, assignation, or prostitution in any vehicle, conveyance, place, structure, or building; and any person, corporation, partnership, or association violating the provisions of this chapter shall, unless otherwise punishable under the Articles of War, be deemed guilty of a misdemeanor and be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or by both such fine and imprisonment, and any person subject to military law violating this chapter shall be punished as provided by the Articles of War; and the Secretary of War is hereby authorized, empowered, and directed to do everything by him deemed necessary to suppress and prevent violation thereof.

The amendment was agreed to.

The next amendment was, at the top of page 109, to insert:

CHAPTER XIV.

Interdepartmental social hygiene board: That there is hereby created a board to be known as the interdepartmental social hygiene board, to consist of the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury as ex officio members, and of the Surgeon General of the Army, the Surgeon General of the Navy, and the Surgeon General of the Public Health Service, or of representatives designated by the Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury, respectively. The duties of the board shall be: (1) To recommend rules and regulations for the expenditure of moneys allotted to the States under section 5 of this chapter; (2) to select the institutions and organizations and fix the allotments to each institution under said section 5; (3) to recommend to the Secretary of the Treasury, the Secretary of War, and the Secretary of the Navy such general measures as will promote correlation and efficiency in carrying out the purposes of this chapter by their respective departments; and (4) to direct the expenditure of the sum of $100,000 referred to in the last paragraph of section 7 of this chapter. The board shall meet at least quarterly, and shall elect annually one of its members as chairman, and shall adopt rules and regulations for the conduct of its business.

SEC. 2. That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to adopt measures for the purpose of assisting the various States in caring for civilian persons whose detention, isolation, quarantine, or commitment to institutions may be found necessary for the protection of the military and naval forces of the United States against venereal diseases.

SEC. 3. That there is hereby established in the Bureau of the Public Health Service a division of venereal diseases, to be under the charge of a commissioned medical officer of the United States Public Health Service detailed by the Surgeon General of the Public Health Service, which officer while thus serving shall be an assistant surgeon general of the Public Health Service, subject to the provisions of law applicable to assistant surgeons general in charge of administrative divisions in the District of Columbia of the Bureau of the Public Health Service. There shall be in such division such assistants, clerks, investigators, and other employees as may be necessary for the performance of its duties and as may be provided for by law.

SEC. 4. That the duties of the division of venereal diseases shall be in accordance with rules and regulations prescribed by the Secretary of the Treasury (1) to study and investigate the cause, treatment, and prevention of venereal diseases; (2) to cooperate with State boards or departments of health for the prevention and control of such diseases within the States; and (3) to control and prevent the spread of these diseases in interstate traffic: *Provided*, That nothing in this chapter shall be construed as limiting the functions and activities of other departments or bureaus in the prevention, control, and treatment of venereal diseases and in the expenditure of moneys therefor.

SEC. 5. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000, to be expended under the joint direction of the Secretary of War and the Secretary of the Navy to carry out the provisions of section 2 of this chapter. *Provided*, That the appropriation herein made shall not be deemed exclusive, but shall be in addition to other appropriations of a more general character which are applicable to the same or similar purposes.

SEC. 6. That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,400,000 annually for two fiscal years, beginning with the fiscal year commencing July 1, 1918, to be apportioned as follows: The sum of $1,000,000, which shall be paid to the States for the use of their respective boards or departments of health in the prevention, control, and treatment of venereal diseases; this sum to be allotted to each State, in accordance with the rules and regulations prescribed by the Secretary of the Treasury, in the proportion which its population bears to the population of the continental United States, exclusive of Alaska and the Canal Zone, according to the last preceding United States census, and such allotment to be so conditioned that for each dollar paid to any State the State shall specifically appropriate or otherwise set aside an equal amount for the prevention, control, and treatment of venereal diseases, except for the fiscal year ending June 30, 1919, for which the allotment of money is not conditioned upon the appropriation or setting aside of money by the State, provided that any State may obtain any part of its allotment for any fiscal year subsequent to June 30, 1919, by specifically appropriating or otherwise setting aside an amount equal to such part of its allotment for the prevention, control, and treatment of venereal diseases; the sum of $100,000, which shall be paid to such universities, colleges, or other suitable institutions, as in the judgement of the Interdepartmental Social Hygiene Board are qualified for scientific research,

for the purpose of discovering, in accordance with rules and regulations prescribed by the Interdepartmental Social Hygiene Board, more effective medical measures in the prevention and treatment of venereal diseases; the sum of $300,000, which shall be paid to such universities, colleges, or other suitable institutions or organizations, as in the judgment of the Interdepartmental Social Hygiene Board are qualified for scientific research, for the purpose of discovering and developing more effective educational measures in the prevention of venereal diseases, and for the purpose of sociological and psychological research related thereto.

SEC. 7. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $300,000 for the fiscal year ending June 30, 1919, to be apportioned as follows: The sum of $200,000 to defray the expenses of the establishment and maintenance of the Division of Venereal Diseases in the Bureau of the Public Health Service; and the sum of $100,000 to be used under the direction of the Interdepartmental Social Hygiene Board for any purpose for which any of the appropriations made by this chapter are available.

SEC. 8. That the terms "State" and "States," as used in this chapter, shall be held to include the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 113, after line 19, to insert:

CHAPTER XV.

Authorizing the President to commandeer timber: That during the period of the present war the President is hereby authorized and empowered within the limits of amounts heretofore or hereafter appropriated therefor—

First. To take possession of any standing or fallen timber required for use by the Army, Navy, or the United States Shipping Board Emergency Fleet Corporation, or required in the production of any article necessary for use by the Army, Navy, or the United States Shipping Board Emergency Fleet Corporation.

Second. To enter upon any lands, including Indian and military reservations and forest reserves, on which is situated any such standing or fallen timber so required, and to cut, remove, and appropriate such timber therefrom, also to enter upon and occupy any other lands or premises required in cutting or removing such standing or fallen timber; to erect and maintain such machinery, appliances, and temporary structures upon any portion of said lands as may be necessary for the accomplishment of any of said purposes, and to remove the same; to construct and maintain such roads and logging railroads across and over said lands as may be required for rapid cutting, removal, or appropriation of such timber, and to operate such logging railroads and remove all rails and equipment thereof.

Third. To take possession of and use any logs or manufactured lumber or other timber products, and all machinery, cables, rails, equipment, and appliances of every character and description necessary for the production of logs, as may be required for use by the Army, Navy, or the United States Shipping Board Emergency Fleet Corporation: *Provided*, That a reasonable supply of logs shall always be left with any mill conducting its own logging operations to insure its continued operation as a sawmill.

SEC. 2. That it shall be lawful for the President to commit to any existing department or agency of the Government designated by him for that purpose the exercise of the powers granted by section 1 of this chapter: *Provided*, That when it shall become necessary for the military needs of this Government to enter upon any Indian or military reservation, or any other Government or private property, for the purposes provided in this chapter, all operations shall be conducted and controlled under rules and regulations having due regard for conservation, forestation, fire protection, and any and all other rules as shall be prescribed by the Forestry Division of the United States Department of Agriculture.

SEC. 3. That whenever any standing or fallen timber or any logs or manufactured lumber or other timber products shall be taken possession of by the President, or under his authority by virtue of the provisions of this chapter, and whenever any lands or premises shall be entered upon or occupied by virtue hereof, just compensation shall be made to the owner, which compensation shall be determined by or under the direction of the President, and if the amount thereof is unsatisfactory to the person entitled to receive the same, such person shall be paid 75 per cent of the amount so determined by or under the direction of the President, and shall be entitled to sue the United States and recover such further sum as added to said 75 per cent shall make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code.

SEC. 4. That the President is hereby authorized, during the period of the present war, in so far as may be necessary to insure an adequate supply of lumber and timber products required by the Army, Navy, and the United States Shipping Board Emergency Fleet Corporation, to issue and enforce orders to persons engaged in logging operations prescribing the length of logs which shall be cut in the course of such operations; and to issue orders to persons engaged in lumbering and in operating sawmills prescribing the dimensions of lumber and timber products which shall be manufactured in the course of such operations: *Provided*, That no such persons engaged in operating sawmills shall be required to saw lumber or timber products except of such dimensions as said sawmills may, at the time of such order, be equipped to produce.

SEC. 5. That any person who shall willfully violate any of the provisions of this chapter or any order of the President issued under the authority of section 4 hereof shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall for each violation be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or by both such fine and imprisonment.

Mr. KING. May I ask the Senator from Oregon, having charge of the bill, whether the provisions of the bill respecting the commandeering of timber are the same as those found in the bill which recently passed this body?

Mr. CHAMBERLAIN. This is exactly the bill as it passed the Senate and went to the House, and was referred to the Judiciary Committee, and has not been reported out.

Mr. KING. There is no extension of the powers of the Government?

Mr. CHAMBERLAIN. No; it is exactly as it passed the Senate. I do not know whether the conferees of the House will agree to it. We had quite a little discussion about it when we had a conference with Mr. DENT and Mr. KAHN, but I hope if this is put in by the Senate we may reach some sort of an agreement about it.

The amendment was agreed to.

The next amendment was, on page 117, after line 5, to insert:

CHAPTER XVI.

Aircraft Production Corporation: That the Director of Aircraft Production may, whenever in his judgment to do so will facilitate and expedite the production of aircraft, aircraft equipment, or materials therefor, for the United States and Governments allied with it in the prosecution of the present war, form under the laws of the District of Columbia or under the laws of any State one or more corporations for the purchase, production, manufacture, and sale of aircraft, aircraft equipment, or materials therefor, and to build, own, and operate railroads in connection therewith. The total capital stock of the corporation or corporations so formed, together with any bonds, notes, debentures, or other securities issued by them, shall not at any one time exceed $100,000,000.

SEC. 2. That the Director of Aircraft Production may, for and on behalf of the United States, subscribe, purchase, and vote not less than a majority of the voting capital stock of any such corporation, and may purchase for and on behalf of the United States all or any part of the preferred nonvoting stock, bonds, notes, debentures, or other securities issued by such corporations, and do all things necessary to protect the interest of the United States and to carry out the purpose of this chapter; and, with the approval of the Secretary of War, may sell any or all of the stock, bonds, notes, debentures, or other securities of the United States in such corporation: *Provided*, That at no time shall the United States be a minority holder of voting stock therein. Any sums heretofore or hereafter appropriated for the purchase or procurement of aircraft, aircraft equipment, or materials therefor, for the Army shall be available for the purchase of the capital stock of such corporation or corporations or their bonds, notes, debentures, or other securities.

SEC. 3. That within one year from the signing of a treaty of peace with the Imperial German Government the Director of Aircraft Production shall, on behalf of the United States as a stockholder, institute such proceedings as are necessary to dissolve such corporation or corporations under the laws of the District of Columbia or the State or States under which such corporation or corporations are organized. Upon the dissolution of the corporation or corporations the same shall be liquidated and the assets distributed in accordance with the laws of the District of Columbia or the State or States under which such corporation or corporations are organized.

SEC. 4. That the Secretary of War is hereby authorized to assign for duty, under the direction of the Director of Aircraft Production, any enlisted men or commissioned officers, from time to time, in the military organization as he shall deem necessary or desirable to carry on the work of such corporation or corporations: *Provided*, That nothing in this chapter shall prevent such corporation or corporations from employing civilians in the manner customary in the conduct of ordinary business under corporate organization.

SEC. 5. That the Secretary of War, acting through the Director of Aircraft Production, is authorized to transfer, by appropriate instruments, to any such corporation as may be found under this chapter, any interest of the United States in any existing contracts for aircraft, aircraft equipment, or materials therefor, and the title to any lands, plants, railroads, or equipment used in or in connection with the production of aircraft, aircraft equipment, or materials therefor, on such terms as the Secretary of War, acting through the Director of Aircraft Production, shall deem fit.

Mr. CHAMBERLAIN. I think that had better go over. In all human probability we can not finish the bill to-night. A number of Senators have amendments which they desire to propose and probably will discuss. Some Senators have suggested that Chapter XVI should go over for the present.

The VICE PRESIDENT. It will go over.

The next amendment was, on page 119, line 20, to insert as a subhead "Chapter XVII," and line 21, to insert as a side heading "Power of the President to increase the drafted Army," so as to make the clause read:

CHAPTER XVII.

Power of the President to increase the drafted Army: That the authority conferred upon the President by the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is hereby extended so as to authorize him during each fiscal year to raise by draft as provided in said act and acts amendatory thereof the maximum number of men which may be organized, equipped, trained, and used during such year for the prosecution of the present war until the same shall have been brought to a successful conclusion.

The amendment was agreed to.

The next amendment was, on page 120, line 7, to insert as a subhead "Chapter XVIII"; line 8, before the word "That," to strike out "*Provided*" and insert as a side heading "Time-measuring devices"; in line 9, after the word "this," to strike out "act" and insert "chapter"; and in line 17, after the word "work," to strike out "; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant," so as to make the clause read:

CHAPTER XVIII.

Time-measuring devices: That no part of the appropriations in this chapter shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any such employee between the starting and completing thereof, or of the movements of any such employee while engaged upon such work.

The amendment was agreed to.

The next amendment was, on page 120, after line 21, to insert:

That any act inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The VICE PRESIDENT. That completes the amendments of the committee, except those that have been carried over.

Mr. CHAMBERLAIN. As I stated a while ago, some Senators desire to offer amendments to the bill, and they are engaged in committee work. In view of that fact, I suggest that the bill go over until to-morrow when the Senate convenes.

Mr. KING. I desire to offer an amendment that it may be printed and lie on the table. It will consist of another chapter, Chapter XIX. I will say to the Senator from Oregon that it is the same bill which passed this body on Thursday last, giving the Secretary of War and certain corporations that are employed in furnishing power to the Government authority to exercise the right of eminent domain in certain States where that power is denied. The bill passed the Senate without objection and is now in the House. It may not be reported there for some time, and I am sure that it is very important. I am told by Mr. Buckley, who represented the War Industries Board, that so far as he is advised there will be no objection on the part of the House Military Committee to this measure.

Mr. CHAMBERLAIN. Does the Senator propose it as an amendment to Chapter XVI?

Mr. KING. No; perhaps it ought to be an independent chapter.

Mr. CHAMBERLAIN. I have no objection to it, Mr. President. We can in conference, if need be, take up each one of the bills and undertake to reconcile them if there are any differences between them. So I am perfectly willing, as far as I am concerned, to accept the amendment and let it go on the bill.

Mr. KING. Then, I move that as an amendment.

Mr. FALL. Without objection, I should like to offer an amendment which I shall propose and let it be printed. I ask that it be read.

The VICE PRESIDENT. The amendment proposed by the Senator from Utah [Mr. KING] will be read.

The SECRETARY. The Senator from Utah proposes to add, as an additional section, the following:

SEC. —. That during the pendency of the present war any person, association, or corporation, for the purpose of furnishing electric power to the United States or to persons, associations, or corporations engaged in the manufacture of ships, explosives, or munitions of war, or other articles and things for the use of the United States or its allies, upon compliance with the conditions hereinafter set forth, may institute proceedings in any district court of the United States or in any court of any State having jurisdiction of the property to be condemned, for the acquirement by condemnation of any land, the temporary use thereof, or other interest therein, or right pertaining thereto, required for the location or construction of any power plant, or for the transmission of electric power for the operation of any plants which are or may be employed in the production of the articles and things hereinbefore mentioned: *Provided*, That the right acquired by the condemnation herein authorized shall terminate when the power furnished ceases to be used in production for the United States or for the allies of this country in the present war. That proceedings for the condemnation of property required for the generation and transmission of such electric power shall be prosecuted in accordance with the procedure prescribed for the condemnation of property in the State wherein the proceedings may be instituted.

That before any person, association, or corporation, furnishing or to furnish electric power for the purposes mentioned in section 1 of this act, shall have the right to institute proceedings for condemnation, they shall submit to the Secretary of War a full and complete statement of the plan for furnishing power and the nature and extent of the easements or property which they desire to acquire under condemnation proceedings, for the purposes stated in the preceding section. If the Secretary of War approve such plan and finds that the construction or extension of such facilities for the generation or transmission of power and that the condemnation herein authorized is necessary to increase the supply of power for the objects and purposes stated in section 1 of this act, then such person, association, or corporation shall, upon the approval of such plan by the Secretary of War, have the right to construct, maintain, and operate the facilities described in such plan, and may cause proceedings to be instituted in any court having jurisdiction thereof for the acquirement by condemnation of any lands, the temporary use thereof, or other interest therein, or right pertaining thereto, as may be needed for the construction, maintenance, and operation of such facilities: *Provided*, That nothing in this section shall be construed as authorizing any rights in any public lands of the United States, or in any waters of the United States except such as may be necessary to build such transmission lines along or across said waters as may be approved by the Secretary of War: *Provided further*, That the Secretary of War may, prior to granting his approval as above set forth, require such person, association, or corporation to file with him a bond, in an amount and with a surety or sureties satisfactory to him, conditioned upon the prompt construction of the proposed facilities and the diligent maintenance and operation of the same to the satisfaction of the Secretary of War during the present war.

That any person, association, or corporation having secured the approval of the Secretary of War and filed a petition for condemnation as herein provided may, upon filing with the court in which such petition is filed a bond to secure payment of just compensation to the owners of property taken, in a form and an amount and with a surety or sureties approved by said court after such notice and such hearing as the court may prescribe, have the right of immediate possession and use of such property or rights.

That no plan for the construction or extension of any facilities shall be submitted to or approved by the Secretary of War hereunder after the existing state of war between the United States and its enemies shall have terminated and the fact of such termination shall be ascertained and proclaimed by the President, but such termination of the existing state of war so ascertained and proclaimed shall not interfere with the condemnation of any land or other property or rights needed for the construction, maintenance, and operation of any facilities approved hereunder by the Secretary of War before such proclamation: *Provided, however*, That the Secretary of War may upon such termination of the existing state of war and prior to the entry of judgment in any condemnation proceeding hereunder and the commencement of construction or extension of the proposed facilities revoke any approval given hereunder to the plan for such proposed facilities: *Provided further*, That nothing in this act shall be construed as granting the right to operate such facilities after the termination of the existing state of war.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Utah.

Mr. LENROOT. Mr. President, I am compelled to make a point of order against the amendment. I think it is properly a matter for the Judiciary Committee of the two Houses to pass upon rather than the Military Committee. That is the only reason why I make the point of order.

Mr. KING. If the point of order is made I will submit it to the consideration of the President of the Senate. I sincerely hope the Senator from Wisconsin will not make the point of order. I am advised by the War Industries Board that this bill is very important, and the lack of the legislation is hampering certain activities now that are very essential in the prosecution of the war.

Mr. LENROOT. I appreciate the importance of the bill, but on the other hand, if it were not for the amendments that were adopted by the Senate, it would be a bill of far-reaching importance extending beyond the period of the war. Because of the possibility that those amendments might not be agreed to by the House, I do not think it ought to go as a rider on an appropriation bill. It involves solely the right of eminent domain for private persons.

Mr. KING. The Senator will perceive that in the pending bill as reported by the committee there is a provision for the requisitioning of certain timber and timberlands and mill properties that are deemed necessary, notwithstanding the fact that that bill has already passed the House and is now before the Judiciary Committee.

Mr. LENROOT. That is a requisition on the part of the Government for Government use, while the amendment now pending is one that relates to private persons and private corporations.

Mr. KING. I will say to the Senator if the Judiciary Committee of the House shall feel that it ought to be considered by them I am perfectly willing that the conferees shall strike the provision from the bill. I can assure the Senator that the Judiciary Committee will be conferred with. Indeed, I understand that some of the members have already been seen. If objection is made to this measure being incorporated in the pending bill I am perfectly willing that the conferees shall strike out the amendment.

Mr. LENROOT. I do not know, of course, what the action of the committee of the House may be. It is a matter that is proper for the Judiciary Committee of the Senate. I will say to the Senator if he could give like assurance that the provision limiting it to the period of the war shall remain in the bill I would not object.

Mr. KING. As far as I can give any assurance the bill shall be in its present form.

The VICE PRESIDENT. Does the Senator from Wisconsin withdraw his point of order?

Mr. LENROOT. I appreciate the fact that the Senator from Utah, of course, will not be a member of the conference and he is unable to give any assurance of that kind. I shall therefore insist on the point of order.

The VICE PRESIDENT. The point of order is sustained. The Senator from New Mexico [Mr. FALL] has offered an amendment.

Mr. FALL. I ask that it be read.

The SECRETARY. On page 120, after line 6, insert:

Provided, That the age limit fixed under said act is hereby changed and shall be, and is hereby, fixed at 18 and 45 years in lieu of 21 and 31: *Provided further*, That those registered under the age of 21 shall not be drafted nor used for service upon the firing line until they have reached the age of 21.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

Mr. McKELLAR. I ask unanimous consent to return to page 90 with reference to the purchase of real estate for military purposes. That was passed over, and I wish to offer an amendment to the amendment of the committee. After the figures "$316,941," in line 20, I move to insert "or so much thereof as may be necessary."

Mr. CHAMBERLAIN. I have no objection to that amendment.

The amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. I do not understand that the Senate has acted on the amendment of the Senator from New Mexico.

The VICE PRESIDENT. The Chair understood the Senator from New Mexico to present an amendment and ask that it be read.

Mr. CHAMBERLAIN. That was all.

The VICE PRESIDENT. The Chair does not understand that the Senator from New Mexico is now pressing his amendment?

Mr. FALL. Under the statement of the chairman that he would ask that the bill go over, I simply desire to have the amendment printed, and I shall offer it at the proper time.

Mr. CHAMBERLAIN. There will be other amendments along the same line, I think, and all can be discussed together.

Mr. FALL. I have a few other amendments to the bill which have been printed heretofore, and I shall offer them at the proper time.

Mr. JONES of Washington. I wish to ask if chapter IX, with reference to Army mine-planter service, has been adopted?

Mr. CHAMBERLAIN. It was.

Mr. JONES of Washington. I ask that that may go over. I shall probably want to submit an amendment to it, and I have not the data here. If it is agreeable to the Senator, I should like to have it reconsidered and go over until to-morrow.

Mr. CHAMBERLAIN. I have no objection to that. It will have to be reconsidered.

Mr. JONES of Washington. Let that be done.

The VICE PRESIDENT. Without objection, the amendment is reconsidered, and it goes over.

Mr. HITCHCOCK. I ask the Senator from Oregon if he would object to a brief executive session?

Mr. CHAMBERLAIN. Certainly not. I was going to ask that the bill might go over and have the consideration of it resumed at 12 o'clock to-morrow as the unfinished business.

Mr. FRANCE. Will the Senator from Nebraska yield that I may offer an amendment to the bill to be printed?

Mr. HITCHCOCK. I will say that we have an important matter to come up in executive session; but I am willing to yield to any momentary matter.

Mr. FRANCE. I desire to offer an amendment that it may be printed and lie on the table.

The VICE PRESIDENT. It will be so ordered.

MINIMUM WAGE BOARD.

Mr. HOLLIS. Mr. President, I desire to give notice that at the conclusion of the Army appropriation bill I shall call up for consideration the bill (S. 4548) to protect the lives and health and morals of women and minor workmen in the District of Columbia, and to establish a minimum wage board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes. I know this does not give me any right, but I do it so that the friends and opponents of the bill may be on notice.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 18 minutes spent in executive session the doors were reopened.

RATIFICATION OF TREATIES.

The following treaties were ratified this day in executive session and the injunction of secrecy was removed therefrom:

EXTENSION OF ARBITRATION WITH GREAT BRITAIN.

To the Senate:

I transmit herewith, to receive the advice and consent of the Senate to its ratification, an agreement between the United States and Great Britain, concluded June 3, 1918, extending and continuing for a further period of five years from June 4, 1918, the arbitration convention of April 4, 1908, between the two Governments.

WOODROW WILSON.

THE WHITE HOUSE,
June —, 1918.

—

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate if his judgment approve thereof, to receive the advice and consent of that body to its ratification, an agreement between the United States and Great Britain, extending and continuing for a further period of five years from June 4, 1918, the arbitration convention concluded between the two Governments on April 4, 1908.

Respectfully submitted.

ROBERT LANSING.

Inclosure: Agreement extending the arbitration convention of April 4, 1908, between the United States and Great Britain.

DEPARTMENT OF STATE,
Washington, June 4, 1918.

—

AGREEMENT EXTENDING FOR ANOTHER PERIOD OF FIVE YEARS THE ARBITRATION CONVENTION OF APRIL 4, 1908, BETWEEN THE UNITED STATES AND GREAT BRITAIN.

The President of the United States of America and his Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being desirous of extending for another five years the period during which the Arbitration Convention concluded between them on April 4, 1908, extended by the agreement concluded between the two Governments on May 31, 1913, shall remain in force, have authorized the undersigned, to wit: Robert Lansing, Secretary of State of the United States, and the Earl of Reading, His Britannic Majesty's Ambassador Extraordinary and Plenipotentiary on Special Mission to the United States, to conclude the following article:

ARTICLE I.

The Convention of Arbitration of April 4, 1908, between the Government of the United States of America and the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the duration of which by Article IV thereof was fixed at a period of five years from the date of the exchange of ratifications of the said convention on June 4, 1908, which period by the agreement of May 31, 1913, between the two Governments was extended for five years from June 4, 1913, is hereby extended and continued in force for the further period of five years from June 4, 1918.

ARTICLE II.

The present agreement shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Britannic Majesty, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as soon as possible.

Done in duplicate this 3d day of June, 1918.

ROBERT LANSING. [SEAL.]
READING. [SEAL.]

—

MILITARY SERVICE OF BRITISH SUBJECTS IN THE UNITED STATES AND OF CITIZENS OF THE UNITED STATES IN GREAT BRITAIN AND CANADA.

THE WHITE HOUSE,
Washington, June 4, 1918.

To the Senate:

I transmit herewith to receive the advice and consent of the Senate to their ratification two conventions between the United States and Great Britain, signed on the 3d day of June, 1918, in respect to military service of British subjects in the United States and citizens of the United States in Great Britain and Canada.

The attention of the Senate is invited to the accompanying report of the Secretary of State, in which I fully concur.

WOODROW WILSON.

—

DEPARTMENT OF STATE,
Washington, June 4, 1918.

THE PRESIDENT:

On March 20 you requested the Senate to return to you for reconsideration the two conventions between the United States and Great Britain, signed on the 19th day of February, 1918, in respect to military service of British subjects in the United States and citizens of the United States in Great Britain and Canada, which conventions had been transmitted by you to the Senate on February 20 to receive the advice and consent of the Senate to their ratification. On March 21 the Senate returned to you these conventions, and since that date negotiations with the British Government have been pressed with a view to making certain changes in their phraseology. These negotiations having been concluded, the undersigned, the Secretary of State, has the honor to resubmit to you the amended conventions with a view to their transmission to the Senate, unless you perceive objection thereto, for the advice and consent of that body to their ratification. I also inclose an exchange of notes relative to article 1 of the convention relating to citizens of the United States in Great Britain, which notes are self-explanatory.

In the renewed negotiations it was sought to modify the earlier conventions, if possible, by having inserted the American age limits for compulsory military service in Great Britain; by making the conventions inapplicable to subjects of Great Britain who were not liable to compulsory military service at home; by amending or omitting the article in respect to the determination of questions of "dual nationality"; and by modifying the clause providing for the termination of the convention. On all these points the negotiations have proceeded satisfactorily, except as to the first, in respect to which it has again been necessary to make an exchange of notes setting forth the reasons for the omission in the British convention of the age limits within which American citizens in Great Britain would be subject to compulsory military service. The conventions have also been modified in order to make them applicable to subjects of Great Britain in the United States from parts of the British dominions which have adopted or may hereafter adopt compulsory military service, and also to citizens of the United States in Great Britain or Canada within the age limits which might hereafter be adopted for compulsory military service in the United States.

A few minor verbal changes which it is not necessary to mention specifically have also been made in the interest of precision and clearness of expression.

Respectfully submitted.

ROBERT LANSING.

NOTES RELATING TO ARTICLE I.

BRITISH EMBASSY,
Washington, June 3, 1918.

HON. ROBERT LANSING,
Secretary of State of the United States.

SIR: With reference to the military-service convention between the United States and Great Britain signed to-day, I am instructed by His Majesty's Government to explain why the proviso to Article I does not limit the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service, as requested by the United States Government. The reason for the omission of this clause in the proviso is a desire to avoid the delay that would be involved in modifying the military service acts, 1916 to 1918, which control the operation of any convention of this character. I beg you, therefore, to be good enough not to press this proposal.

The effect of these acts is to make United States citizens in Great Britain under this convention liable to military service between the ages of 18 and 49, both inclusive. The limitation of the ages of United States citizens in Great Britain for the purpose of military service to those prescribed in the laws of the United States relating to compulsory military service may, however, be attained without amendment of these acts by exercise of the United States of its right of exemption under Article III.

His Majesty's Government understand, therefore, that the United States Government will exercise their right under Article III to exempt from compulsory military service in Great Britain all citizens of the United States in Great Britain outside the ages specified in the laws of the United States prescribing compulsory military service.

I have the honor to be, with the highest consideration, sir,
Your most obedient, humble servant,

READING.

JUNE 3, 1918.

His Excellency the EARL OF READING,
Ambassador of Great Britain on Special Mission:

I have the honor to acknowledge the receipt of Your Excellency's note of this date in regard to the military service convention between the United States and Great Britain, signed to-day, in which you state that you are instructed to explain why the proviso to Article I does not limit the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service as requested by the United States Government. In explanation Your Excellency states as follows:

The reason for the omission of this clause in the proviso is a desire to avoid the delay which would be involved in modifying the military service acts, 1916 to 1918, which control the operation of any convention of this character. I beg you, therefore, to be good enough not to press this proposal.

The effect of these acts is to make United States citizens in Great Britain under this convention liable to military service between the ages of 18 and 49 years, both inclusive. The limitation of the ages of United States citizens in Great Britain for the purposes of military service to those prescribed in the laws of the United States relating to compulsory military service may, however, be attained without amendment of these acts by the exercise by the United States of its right of exemption under Article III.

Your excellency adds that—

His Majesty's Government understand, therefore, that the United States Government will exercise its right under Article III to exempt from compulsory military service in Great Britain all citizens of the United States in Great Britain outside the ages specified in the laws of the United States prescribing compulsory military service.

In reply I have the honor to inform your excellency that the Government of the United States is pleased to accept this explanation of said Article I, and, in lieu of a clause in this article limiting the military service of citizens of the United States in Great Britain to those of the ages specified in the laws of the United States prescribing compulsory military service, to exercise its right under Article III to exempt from compulsory military service in Great Britain all citizens of the United States in Great Britain outside of the ages specified in the laws of the United States prescribing compulsory military service.

I have the honor to be, with the highest consideration,
Your excellency's most obedient servant,

ROBERT LANSING.

PART I.

CONVENTION RELATING TO THE SERVICE OF CITIZENS OF THE UNITED STATES IN GREAT BRITAIN AND OF BRITISH SUBJECTS IN THE UNITED STATES.

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being convinced that for the better prosecution of the present war it is desirable that citizens of the United States in Great Britain and British subjects in the United States shall either return to their own country to perform military service in its Army or shall serve in the Army of the country in which they remain, have resolved to enter into a convention to that end, and have accordingly appointed as their plenipotentiaries, the President of the United States of America, Robert Lansing, Secretary of State of the United States, and His Brittannic Majesty, the Earl of Reading, Lord Chief Justice of England, High Commissioner and Ambassador Extraordinary and Plenipotentiary on Special Mission to the United States, who, after having communicated to each other their respective full powers, found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I.

All male citizens of the United States in Great Britain and all male British subjects in the United States shall, unless before the time limited by this convention they enlist or enroll in the forces of their own country or return to the United States or Great Britain, respectively, for the purpose of military service, be subject to military service and entitled to exemption or discharge therefrom under the laws and regulations from time to time in force of the country in which they are: *Provided*, That in respect to British subjects in the United States the ages for military service shall be for the time being 20 to 44 years, both inclusive: *Provided, however*, That no citizen of the United States in Great Britain and no British subject in the United States who, before proceeding to Great Britain or the United States, respectively, was ordinarily resident in a place in the possessions of the United States or in His Majesty's dominions, respectively, where the law does not impose a compulsory military service shall, by virtue of this convention, be liable to military service under the laws and regulations of Great Britain or the United States, respectively: *Provided, further*, That in the event of compulsory military service being applied to any part of His Majesty's dominions in which military service at present is not compulsory, British subjects who before proceeding to the United States were ordinarily resident in such part of His Majesty's dominions shall thereupon be included within the terms of this convention.

ARTICLE II.

Citizens of the United States and British subjects within the age limits aforesaid who desire to enter the military service of their own country must, after making such application therefor as may be prescribed by the laws or regulations of the country in which they are, enlist or enroll or must leave Great Britain or the United States, as the case may be, for the purpose of military service in their own country before the expiration of 60 days after the date of the exchange of ratifications of this convention, if liable to military service in the country in which they are at the said date; or if not so liable, then before the expiration of 30 days after the time when liability shall accrue; or as to those holding certificates of exemption under Article III of this convention, before the expiration of 30 days after

the date on which any such certificate becomes inoperative unless sooner renewed; or as to those who apply for certificates of exemption under Article III and whose applications are refused, then before the expiration of 30 days after the date of such refusal, unless the application be sooner granted.

ARTICLE III.

The Government of the United States and His Britannic Majesty's Government may through their respective diplomatic representatives issue certificates of exemption from military service to citizens of the United States in Great Britain and British subjects in the United States, respectively, upon application or otherwise, within 60 days from the date of the exchange of ratifications of this convention, or within 30 days from the date when such citizens or subjects become liable to military service in accordance with Article I, provided that the applications be made or the certificates be granted prior to their entry into the military service of either country.

Such certificates may be special or general, temporary or conditional, and may be modified, renewed, or revoked in the discretion of the Government granting them. Persons holding such certificates shall, so long as the certificates are in force, not be liable to military service in the country in which they are.

ARTICLE IV.

This convention shall not apply to British subjects in the United States (a) who were born or naturalized in Canada, and who, before proceeding to the United States, were ordinarily resident in Great Britain or Canada or in any other part of His Majesty's Dominions to which compulsory military service has been or may be hereafter by law applied, or outside the British Dominions; or (b) who were not born or naturalized in Canada, but who before proceeding to the United States were ordinarily resident in Canada.

ARTICLE V.

The Government of the United States and His Britannic Majesty's Government will, respectively, so far as possible facilitate the return of British subjects and citizens of the United States who may desire to return to their own country for military service, but shall not be responsible for providing transport or the cost of transport for such persons.

ARTICLE VI.

No citizen or subject of either country who, under the provisions of this convention, enters the military service of the other shall, by reason of such service, be considered after this convention shall have expired or after his discharge to have lost his nationality or to be under any allegiance to His Britannic Majesty or to the United States, as the case may be.

ARTICLE VII.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate of the United States, and by His Britannic Majesty, and the ratifications shall be exchanged at Washington or at London as soon as possible. It shall come into operation on the date on which the ratifications are exchanged and shall remain in force until the expiration of 60 days after either of the contracting parties shall have given notice of termination to the other; whereupon any subject or citizen of either country incorporated into the military service of the other under this convention shall be as soon as possible discharged therefrom.

In witness whereof the respective plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done in duplicate at Washington the 3d day of June, in the year of our Lord one thousand nine hundred and eighteen.

ROBERT LANSING. [SEAL.]
READING. [SEAL.]

PART II.

CONVENTION RELATING TO THE SERVICE OF CITIZENS OF THE UNITED STATES IN CANADA AND OF CANADIANS IN THE UNITED STATES.

The President of the United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions Beyond the Seas, Emperor of India being convinced that for the better prosecution of the present war it is desirable that citizens of the United States in Canada and Canadian British subjects in the United States shall either return to their own country to perform military service in its army or shall serve in the army of the country in which they remain, have resolved to enter into a convention to that end and have accordingly appointed as their plenipotentiaries the President of the United States of America, Robert Lansing, Secretary of State of the United States, and His Britannic Majesty, the Earl of Reading, Lord Chief Justice of England, high commissioner and ambassador extraordinary and plenipotentiary on special mission to the United States, who, after having communicated to each other their respective full powers found to be in proper form, have agreed upon and concluded the following articles:

ARTICLE I.

All male citizens of the United States in Canada (hereinafter called Americans) and all male British subjects in the United States (a) who were born or naturalized in Canada, and who, before proceeding to the United States were ordinarily resident in Great Britain or Canada or in any other part of His Majesty's Dominions to which compulsory military service has been or may be hereafter by law applied, or outside the British Dominions; or (b) who were not born or naturalized in Canada, but who, before proceeding to the United States, were ordinarily resident in Canada (hereinafter called Canadians) shall, unless before the time limited by this convention they enlist or enroll in the forces of their own country or return to the United States or Canada, respectively, for the purpose of military service, be subject to military service and entitled to exemption or discharge therefrom under the laws and regulations, from time to time in force, of the country in which they are: *Provided*, That in respect to Americans in Canada, the ages for military service shall be the ages specified in the laws of the United States prescribing compulsory military service, and in respect to Canadians in the United States the ages for military service shall be for the time being 20 to 44 years, both inclusive.

ARTICLE II.

Americans and Canadians within the age limits aforesaid who desire to enter the military service of their own country must enlist or enroll or must leave Canada or the United States, as the case may be, for the purpose of military service in their own country before the expiration of 60 days after the date of the exchange of ratifications of this convention, if liable to military service in the country in which they are at the said date; or, if not liable, then before the expiration of 30 days after the time when liability shall accrue; or, as to those holding certificates of exemption under Article III of this convention, before the expiration of 30 days after the date on which any such certificate becomes inoperative unless sooner renewed; or as to those who apply for certificates of exemption under Article III, and whose applications are refused, then before the expiration of 30 days after the date of such refusal unless the application be sooner granted.

ARTICLE III.

The Government of the United States, through the consul general at Ottawa, and His Britannic Majesty's Government through the British ambassador at Washington, may issue certificates of exemption from military service to Americans and Canadians, respectively, upon application or otherwise, within 60 days from the date of the exchange of ratifications of this convention or within 30 days from the date when such citizens or subjects become liable to military service in accordance with Article I, provided that the applications be made or the certificates be granted prior to their entry into the military service of either country. Such certificates may be special or general, temporary or conditional, and may be modified, renewed, or revoked in the discretion of the Government granting them. Persons holding such certificates shall, so long as the certificates are in force, not be liable to military service in the country in which they are.

ARTICLE IV.

The Government of the United States and the Government of Canada will, respectively, so far as possible facilitate the return of Canadians and Americans who may desire to return to their own country for military service, but shall not be responsible for providing transport or the cost of transport for such persons.

ARTICLE V.

No citizen or subject of either country who, under the provisions of this convention, enters the military service of the other shall, by reason of such service, be considered, after this convention shall have expired or after his discharge, to have lost his nationality or to be under any allegiance to the United States or to His Britannic Majesty, as the case may be.

ARTICLE VI.

The present convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate of the United States, and by His Britannic Majesty, and the ratifications shall be exchanged at Washington or at London as soon as possible. It shall come into operation

on the date on which the ratifications are exchanged and shall remain in force until the expiration of 60 days after either of the contracting parties shall have given notice of termination to the other; whereupon any citizen or subject of either country incorporated into the military service of the other under this convention shall be as soon as possible discharged therefrom.

In witness whereof the respective plenipotentiaries have signed the present convention and have affixed thereto their seals.

Done in duplicate at Washington the 3d day of June, in the year of our Lord 1918.

ROBERT LANSING. [SEAL.]
READING. [SEAL.]

RECESS.

Mr. HITCHCOCK. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 4 o'clock and 15 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, June 25, 1918, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 24, 1918.

REGISTER OF THE LAND OFFICE.

Frank S. Heer to be register of the land office at Boise, Idaho.

POSTMASTER.

Jesse C. Worthington, Coal Creek, Tenn.

HOUSE OF REPRESENTATIVES.

MONDAY, *June 24, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God Almighty, our life, our light, our strength, our courage, our faith, our hope, our inspiration to every pure thought and worthy endeavor, we thank Thee for the prosperity and phenomenal growth of our Republic, which presents to the world an object lesson in a government of the people; for the conspicuous and important position it has been forced to assume in the affairs of the world.

Be with those who are called upon to administer the affairs of State and guide them in this hour of peril; especially be with our soldiers, sailors, and aviators who are battling for the right, that they with our allies may beat back the foes of liberty and justice; that Thy kingdom may come and Thy will be done. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday last was read and approved.

ORDER OF BUSINESS.

Mr. HELM. Mr. Speaker, the bill H. R. 11984, providing for the Fourteenth and subsequent decennial censuses, is the unfinished business. It is a privileged bill. I believe if I was disposed to press it that I could insist on proceeding with it, but I recognize the fact that the gentleman from Missouri [Mr. BORLAND], chairman of the Subcommittee on Appropriations, has a bill looking to the purchase of the necessary equipment for the armament of our forces, and I think it is in good taste and good business that the appropriation bills should be cleared, if possible, before the beginning of the next fiscal year. I will therefore not insist at this time upon proceeding with the bill providing for the Fourteenth Census, but I hope at the conclusion of the appropriation bill there will be no further obstruction to the consideration of the census bill.

Mr. BORLAND. Mr. Speaker, I am very much obliged to the gentleman from Kentucky, and I join with him in the hope that when this necessary appropriation bill is passed and goes to the Senate the House will immediately resume the consideration of the census bill, which is a privileged bill under the Constitution, and I think is entitled to the right of way.

Mr. ASWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ASWELL. Will the census bill have the right of way as soon as the fortifications bill is out of the way?

The SPEAKER. That will be owing to circumstances; there is another appropriation bill yet to be passed. The Chair has no sort of doubt, however, that the gentleman from Kentucky will get his day as soon as this bill is through.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Commitee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. H. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PENSIONS.

Mr. KEY of Ohio. Mr. Speaker, I present the conference reports on the bills H. R. 9506, 9641, 10843, 10924, and 11658 to be printed under the rule.

The SPEAKER. The Clerk will report the titles.

The Clerk read the titles of the reports.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolutions:

H. R. 11185. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911;

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes;

H. R. 11663. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 7634. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 8496. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10477. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 11364. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. J. Res. 70. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States; and

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or who have volunteered for service with the military forces of the United States or cobelligerent forces.

FORTIFICATIONS APPROPRIATION BILL.

Mr. BORLAND. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12341) making appropriations for fortifications, with other works of defense, and pending that motion I will ask the gentleman from Iowa what agreement we can arrive at as to the time for general debate.

Mr. GOOD. I have some requests on this side for time, and I suppose we can get along with two hours on this side.

Mr. BORLAND. Mr. Speaker, I was about to propose that we have an hour and a half on a side, if that will suit the gentleman from Iowa.

Mr. GOOD. I am not inclined to object to that.

The SPEAKER. The gentleman from Missouri moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the fortification appropriation bill, and pending that motion, he asks unanimous consent that the time for general debate be confined to three hours, to be controlled one half by the gentleman from Missouri and the other half by the gentleman from Iowa [Mr. GOOD] and that debate be confined to the bill.

Mr. STAFFORD. Mr. Speaker, I did not understand the gentleman from Iowa to make that request.

The SPEAKER. The gentleman from Iowa did not make a request; the gentleman from Missouri made the request.

Mr. STAFFORD. But I am calling attention to the fact that the gentleman from Iowa does not agree to have general debate confined to the bill.

Mr. BORLAND. Mr. Speaker, I did not intend to insert that in my request.

The SPEAKER. Then we will leave that out. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

The motion of Mr. BORLAND was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. ALEXANDER in the chair.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. BORLAND. Mr. Chairman, I desire to present to the House the bill making appropriations for fortifications and other works of defense for the fiscal year 1919. This bill carries a total of $5,435,000,000, of which $2,800,000,000 is in cash and $2,600,000,000 is in contract authorizations. The report discloses that this bill is based upon estimates totaling $9,018,000,000, but it is proper to say to the House that at no time was there $9,018,000,000 requested of the committee by the department. The committee examined estimates which totaled that amount, but many of the estimates were withdrawn in the course of the hearings. Others were duplicate and overlapping estimates. Others were alternative estimates which were drawn first in one form and then upon further consideration and fuller advice were drawn in a different form, but both estimates being technically before the committee.

This bill represents a substantial agreement between the committee and the War Department as to all of its major items. The House will observe that it is like no other fortification bill that has ever been presented to the American Congress. In fact, it should not be called a fortification bill; it should more properly be designated a bill to provide scientific armament for a modern army. It is necessary for the House to understand the theory upon which the committee drew this bill. We drew it upon the theory that we have in France to-day and will have during the life of this bill an army devoted to the protection of the cause of liberty and democracy in the world; and that the chief, the paramount, question before the people is not the matter of coast defense but is the problem of supplying and equipping a vast army upon the plains of France. We are just arousing the giant energies of the American Nation to arm and equip that Army, to meet and to conquer the most scientific foe that the world has ever seen. We drew the bill upon the theory that the resources of this country are ample to accomplish that great task. We drew it upon the theory that we must, in order to win this struggle, strip for the race, and we must lay aside all unnecessary work, all work that can be deferred, all avoidable burdens and demands upon our industrial systems, all unnecessary demands upon labor, upon material, upon transportation, upon production, in order that we may centralize this year upon the great duty of equipping and arming that force in the field. It was upon that theory that the bill is drawn. Gentlemen will observe that it lays its greatest emphasis upon the question of mountain, field, and siege artillery for that Army, and for the ammunition for the supply of those guns. The appropriation for guns and artillery for the Army is $500,000,000 cash and $729,000,000 in contract authorizations. The appropriation for ammunition is $2,000,000,000 in cash and $1,300,000,000 in contract authorizations.

These items constitute the major items of the bill. We have subordinated to that program all matters of purely domestic concern. A few estimates were submitted for the construction or completion of the coast fortifications, which generally constitute the major items of the bill. During the course of the hearings all estimates for projected construction on seacoast fortifications were withdrawn by the department. Those that are under construction, those that can be completed during the present fiscal year, are preserved and provided for, but no new construction is authorized at any point which would cause an additional demand upon the material, the labor, and the transportation of the country, which would interfere with the program of gun construction. In addition, the department voluntarily surrendered back a total of more than $15,000,000 that has heretofore been appropriated for purely construction work, work which can not be done under the existing circumstances, and which ought not to be done. Such appropriations are continuous by these terms. They were good until used, and if they were not used they remained in the Treasury. Yet it appeared to the committee and the department that fairness to the House and the country demanded that at this crisis the people should know exactly, to the dollar, how much the tax burden is that they must meet this year, and if any money were already technically appropriated in the Treasury of the United States which the administration had no intention or desire to use it should be voluntarily relinquished back to the Congress in order that Congress may be in a position to know the exact demands upon the Federal Treasury in consideration of the necessary revenue bill. The great item, therefore, in the bill is the program of Field Artillery.

That Field Artillery program, I may say to the House, contemplates the arming and equipping of three armies, each army consisting of 1,375,000 men, an aggregate of 4,125,000 men, of which at least 3,000,000 should be combatant. Not to exceed 375,000 out of each army are the necessary noncombatant forces to keep up the lines of communication. Each army is divided into 5 corps, and each corps into 6 divisions, making 30 divisions to the army. Of the six divisions of the corps four are combatant divisions, one replacement, and one training division. The committee had before it a careful estimate, framed by Gen. Pershing after the most accurate observation on the needs of the Army in France and the experience of the allies, approved by the Allied Council in Paris, approved by the General Staff and the War Department in this country, embracing a program of Field Artillery for the equipment of each division, each corps, and each army. That information, on account of its military character, is not printed in the hearings, though I might say at this point that it is open to any Member of the House upon his official responsibility. That the program of Field Artillery, so far as I am able to learn, is more complete, more varied, stronger in every line, than any program of Field Artillery with which any existing army has ever been equipped, not excepting the German Army itself. It exceeds largely the initial equipment of any of the armies of our allies.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. For a question, if it is pertinent at this point.

Mr. HICKS. It is in regard to artillery, and if it is not proper for the gentleman to answer it I hope he will feel free

to say so. I notice in the appropriation for mountain, field, and siege cannon the appropriation and contract is $1,324,000,000. What percentage of this is allowed for wastage? I understand there must be some basis for figuring a thing of that kind.

Mr. BORLAND. There is.

Mr. HICKS. Is it proper to state it?

Mr. BORLAND. Unfortunately not. This program embraces an initial equipment of each division, corps, and army. It then embraces a percentage on top of that for training purposes, and then a percentage on top of the combined amount for wastage, replacement, repairs in the field, including even capture, losses, and destruction. Those percentages are higher than the percentage of the British, which is higher than the percentage of the French. I am not able at this time to give the gentleman the exact figure, but will give it to him at a future time.

Mr. HICKS. Now, another question on the same line. This estimate of ammunition would also include the same percentage as to the wastage of guns?

Mr. BORLAND. The same principle applies to ammunition that applies to guns, but not to the same extent, because the ammunition is wasted. The principle of ammunition is consumption, and while we overestimate the necessary supply of ammunition in order to have a sufficient supply going forward, it is not upon exactly the same theory as we overestimate the supply of guns. On ammunition I can give a very clear conception. We have estimated that we will open a channel embracing 90 days from the factory to the firing line, and we are going to fill that channel with ammunition hereafter; we are going to feed ammunition into this end and let it come out at the other end, and have a 90 days' supply in transit. That will be clear to the gentleman, I know.

Mr. HICKS. The other question is in regard to the $3,000,000 for aviation purposes. That, of course, is entirely separate and distinct from the appropriation already made——

Mr. BORLAND. Where is the gentleman referring to the $3,000,000 for aviation?

Mr. HICKS. Page 8 of the report.

Mr. BORLAND. That is the appropriation of 1918.

Mr. HICKS. I meant to say $18,500,000. That is entirely separate and distinct, of course, from other appropriations we have passed for the Aircraft Board.

Mr. BORLAND. Yes. I will answer that more fully hereafter.

Mr. MILLER of Minnesota. Will the gentleman permit an inquiry, under the limitations, of course, already observed? I was very much interested in the gentleman's statement about the completeness of the size of the program. Of course with the $3,000,000,000, and a program of $6,000,000,000 for the next year, making a total of $9,000,000,000, as far as the amount appropriated may be concerned, it is unprecedented in the history even of this great war, and fills all with great satisfaction, provided the money will be spent to get results. My inquiry of the gentleman therefore is if he can state how much has been produced in artillery out of the appropriation of $3,000,000,000 made for the year now closing. Can the gentleman give the committee any information as to how much artillery has been actually produced out of the appropriation made last year?

Mr. BORLAND. I could give the gentleman exact figures up until the 15th of June if it were deemed proper. I may say this only: An appropriation was made under the act of June 15, 1917, and another under the act of October 6, 1917, and some contract authorizations and some cash under the act of March 28, 1918. Under those appropriations it was attempted to provide for not exceeding one and a half million men. The pending appropriations are based upon a three-army program, which I have heretofore explained. It enlarged the former program with certain additional features that were not included therein. This program not only includes an additional army of a million and a half men but includes some additional features of the prior program. Under the prior program a large number of batteries were estimated for as horse drawn. It now appears it is not desirable nor safe to attempt to maintain horses in France and to provide forage for them. We are abolishing horse-drawn batteries, and this bill provides for the motorization of batteries previously authorized as horse drawn, which increases to some extent the estimates. I should like to give the gentleman deliveries, but I will assure him those——

Mr. MILLER of Minnesota. If the gentleman can give information on that subject I am sure it will be interesting.

Mr. BORLAND. I would not be justified in giving deliveries, but I want to say this at this particular point. I have explained to the House we are providing for three armies, and that we must stimulate production and increase our facilities in this country in order to meet that great program. It is not unknown to most of the Members of this House that we are providing ourselves from French sources with artillery and ammunition for the 30 divisions of the American Army.

Mr. MILLER of Minnesota. May I make this inquiry at this point? My understanding is that we have actually produced in this country nothing for delivery yet, and all we have has been purchased?

Mr. BORLAND. I can assure the gentleman that is a mistaken impression.

Mr. MILLER of Minnesota. That is what I wanted corrected when I made the inquiry.

Mr. BORLAND. I am glad the gentleman made that inquiry. We have produced and are now producing. Deliveries have begun in quantity, not sample guns but stock deliveries have begun.

Mr. MILLER of Minnesota. Is the quantity sufficient to be material?

Mr. BORLAND. I think so, and I was just about to explain that point.

Mr. MILLER of Minnesota. One further inquiry. The gentleman has stated that most of the Artillery equipment has been purchased up until now. Can the gentleman tell me what we have been paying the French for their "seventy-fives"?

Mr. BORLAND. Yes; I could tell.

Mr. MILLER of Minnesota. Well, that certainly is not a military secret. If the gentleman has it, I wish he would give it to the House.

Mr. BORLAND. No; I would not feel justified in doing that for several reasons. Gen. Pershing is making contracts in France for a supply of 30 divisions, which contracts involve the delivery to the French of 75 per cent payment of them in certain raw materials. The price we are paying in France on the face of it is, I believe, actually less than the price we are paying in this country.

Mr. MILLER of Minnesota. May I make this inquiry? Will the gentleman state whether the price we are paying is greater or less than the cost of manufacture in the United States of the same articles?

Mr. BORLAND. The price in France is less than the cost of manufacturing in the United States.

Mr. MILLER of Minnesota. Is the gentleman advised of that? Is he very positive about that?

Mr. BORLAND. That is my clear-cut impression, and it is quite clear; and we gain a further advantage I think in the supply of raw materials, so far as the purchase price is concerned.

Mr. MILLER of Minnesota. I have one other question, and I may as well ask it now, as the gentleman is so good as to answer. How many plants has the War Department constructed or how many is it constructing for the exclusive manufacture of artillery?

Mr. BORLAND. The gentleman will find in the back of the hearings a tabulated list of the plants to which I was going to refer a little later on.

Now, I want to say a word about this supplying of the 30 divisions in France, because this is a matter I think the House will be glad to hear and ought to understand. So much has been said about our buying material in France that I think we ought to have a clear idea of what is actually being done. Gen. Pershing has entered into contracts for the supply of 30 divisions of the American Army with artillery and ammunition in France. That is what we call the initial equipment. It does not embrace the percentage for wastage, repairs, and replacement. All those deliveries are contemplated to be made between now and the 1st of January, 1919. As I say, a part of the purchase price is paid in raw material from this country, which the French need, and which is a valuable arrangement both to us and to France. The French have been able to comply with their part of the contract. They have had no difficulty in complying with it, in the first place, and, in the second place, our troops have been brigaded with the British and the French for the past few weeks, so that they have been using the French artillery and ammunition and not using ours. As a result the deliveries that have been due us have been accumulating in France and our credit has been growing. There is a gain of material for our troops in France which we have not had occasion to need.

I want to say one very serious thing, that I know will not be misunderstood at this point: It is possible, and the last few weeks have shown it, that some catastrophe might happen that would greatly embarrass France in the completion of those contracts. While the committee was in the course of its hearings that danger was more imminent then, I am thankful to say, than it is at the present moment. If the blow had fallen, as we feared sometimes it might fall, and leave one of our allies struggling for its bare existence, we know that a very different

situation would have been presented. Fortunately, we do not believe any such thing will happen, but while it has not happened and will not happen it is the part of wisdom, of course, to prepare against any such catastrophe. Therefore, the department has stimulated and speeded up production in this country. Although we felt reasonably safe that productions would not need to begin on quantity basis until the 1st of January, 1919, according to all human calculation, we have speeded up production in this country so that deliveries are actually beginning now. During this fall we shall accumulate in the training camps of the Nation material which we will not need to send abroad. This material which is now being accumulated will be used primarily for training purposes in this country.

Mr. MILLER of Minnesota. Can the gentleman explain why it was not thought necessary to have quantity production until January, 1919? We will then have been nearly two years at war. I understand the gentleman to say it is not necessary to have a quantity production of artillery earlier than January, 1919. Why not?

Mr. BORLAND. I think I have made that clear.

Mr. MILLER of Minnesota. It is not clear to me. We have already——

Mr. BORLAND. Does not an army need artillery? The fact that 30 divisions were expected to be in France and have their equipment provided for under the French contract relieved us from what, of course, would have been a very difficult problem to solve under the best circumstances. But the danger that that arrangement could not be carried out or that some totally unforeseen emergency might occur dictated that a part of the time we should be ready to take the burden on our own shoulders, if necessary.

Mr. MILLER of Minnesota. The gentleman and I do not stand on the same plank. I am not speaking of the French contract. It is a splendid thing, surely, that the French were in position to give us the helping hand at the early period of the war, and we ought to be profoundly grateful to them for it. To me it is a matter of humiliation that we were in position where we had to look to the French for this aid.

Mr. BORLAND. I regret the gentleman is humiliated, but so far up to date he is the only gentleman who is humiliated. Neither the French nor we felt any humiliation.

Mr. MILLER of Minnesota. I am sorry for the gentleman. He is usually very keen. He is certainly out of touch with the American people. Ninety-nine per cent of them have the same sentiment and feeling that I have just expressed.

Mr. BORLAND. The gentleman is mistaken.

Mr. MILLER of Minnesota. I am not mistaken. I know I am not.

Mr. BORLAND. I can not yield to the gentleman for an expression of opinion.

Mr. MILLER of Minnesota. I understand the gentleman should not. If the gentleman will be so kind, I would like to get my question before him, and I know he will be pleased to answer it. Can the gentleman inform the committee when contracts were let by our Government?

Mr. BORLAND. I can not only inform the gentleman, but if he will read the hearings he can see the information given in detail.

Mr. MILLER of Minnesota. I have read the report of the committee through, but the gentleman has just stated that the hearings are available.

Mr. BORLAND. They are available. The gentleman will find in the appendix to those hearings a list of every artillery manufacturing contract made by the department, every shell contract, every explosive contract, the date when the work was authorized, and when the contract was signed. Now, that answers the question as to when orders were given. As to when deliveries were given, I have already told him that I would not answer that.

Mr. MILLER of Minnesota. The purpose of inquiry was not to embarrass the gentleman.

Mr. BORLAND. The gentleman's inquiry does not embarrass the gentleman. I foresaw that kind of a question and answered it fully in the printed hearings.

Mr. MILLER of Minnesota. What I want to know is how much of the $3,000,000,000, appropriated last year, has been spent and what the results are?

Mr. BORLAND. I will confine my answer to that. I will say that not a great percentage of the $3,000,000,000 appropriated last year has been expended, for the good reason that the amount that has been expended was paid out for facilities of manufacture and not in paying for the completed goods. The contracts for completed goods are now maturing. A large percentage of the $3,000,000,000 is on hand, a fact which the committee took into consideration in making these estimates.

Now, as to the question of the American people being humiliated by our buying guns in France, I went last April, in a bond campaign, to the business men of Kansas City and told them frankly what the situation was, and to a man the business men approved that arrangement. They said that the department and Congress would have been subject to criticism if we had taken any other course, which I am satisfied is the case.

Now, gentlemen, in order to develop quantity production it has been necessary to turn a peaceful nation into a warlike nation, a matter not easy. It has been necessary to develop gun forgings in this country upon a footing never attempted before. It has been necessary to develop the forging and machining of shells and the making of cartridge cases on a basis never attempted before. In order to do that it has been necessary to commandeer, practically, and to enlist the efforts of a large number of factories engaged in metal-working business, such as automobile factories, road-scraper factories, sewing-machine factories, and a great many other factories of different kinds, and put them upon munition work. I want the House to understand frankly that situation, too, and therefore I have put into the hearings a list of every factory in the United States that has received any advance or aid from the Federal Government, and the exact amount of aid received, and the kind of work they are doing. The gentleman from Minnesota will find that information fully stated in the hearings.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. McKENZIE. I am interested very much to know whether a large proportion of the present appropriation is to be used in the manufacture of very large caliber, long-range guns.

Mr. BORLAND. It is.

Mr. McKENZIE. Or is the great bulk to be used in field guns, which I understand we need above all?

Mr. BORLAND. There is in here, I will say to the gentleman, a program for large-caliber, long-range guns; but in point of expense it does not bear a very important relation to the total amount expended for artillery. The big amount expended for artillery, as the gentleman knows, is for the ordinary field equipment used by the battery and division. The 75-millimeter gun, the 3-inch gun, is the "boy" that does the work. That is where our money goes and where our work and effort are going. That is the gun that is used against personnel. Then we Americans have the 4.7, which is not comparable with what is used in other armies, but which our officers think very well of, and then we have the 155-milimeter guns and the 155-millimeter howitzer. Those are the guns used against the personnel.

Then, in addition to that, we have guns ranging from 8 to 9½ and 10 inches, which are occasionally used against personnel or heavy intrenchments, but are not primarily guns to kill men with. Their cost is very high, and the amount of damage done by them to troops is not very large. Then, from 10 to 14 inch guns and 16-inch mortars, we have a program of big guns. I might as well cover that point fully, now that we are started on it. Our great reliance for trench work and open-country fighting is these guns ranging from 75 to 155 millimeters, with the supplemental work of those running up to 9½ inches. All of those that are not used primarily against personnel are used against intrenched positions. Then we have the big guns, of which we have three sources of supply.

In the first place, we have all the guns the Navy can spare, and we have inserted a provision in this bill permitting the Secretary of the Navy to transfer to the Secretary of War certain guns in Navy stock. Some of these guns are short-range, obsolete guns, not suitable for the equipment of an American battleship, but they can be mounted on caterpillar or railroad mounts and made mobile, and are very useful in the field. Then we have a number of Navy guns which formed the spare or reserve stock of the American fleet and which will not form the needed equipment of any American vessel. The Navy spared the Army as many of those as are needed, and the amount, not given in the bill, is about a total of $5,000,000 worth of those guns.

Then we have a supply of larger guns taken from the Coast Artillery. There is always a reserve stock of guns carried for the coast defenses. Some are the guns that have not been placed in position. Some are reserve guns of Coast Artillery, guns that are intended to be used to replace others while undergoing repair or relining.

We have taken 5 and 6 inch guns, coast-defense guns, somewhat outgrown in coast-defense work, and they are being mounted on caterpillar or railroad mounts, and are thus being made available for the big-gun program.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield again?

Mr. BORLAND. Yes.

Mr. McKENZIE. I presume that the purpose of sending over these very heavy guns and the manufacture of others at this time is to use them when the allies take the offensive. As defensive guns they would, of course, be of little avail. Is that true?

Mr. BORLAND. My private opinion agrees with that of the gentleman.

Mr. McKENZIE. But when we get the Germans back to the Rhine and we want to blow up some of their munition plants and gun factories from long-range positions, then we can utilize those heavy guns?

Mr. BORLAND. The gentleman's private surmise entirely agrees with mine. I, of course, am not authorized to make any official statement on the subject. I am authorized simply to indicate what the big guns can be used for, and what the small guns can be used for, and we can all draw our own inference from the fact that we are providing for the big guns.

In addition to the big-gun program that I have spoken of for the Navy and the Artillery, we contemplate in this program the manufacture of large guns. That is quite an extensive big-gun program—12 and 14 inch guns and 16-inch howitzers. To do that we must build what the newspapers call an "American Krupps"; that is, we must build a Government arsenal for the manufacture of guns from the steel ingot up to the finished weapon, or, possibly, even from the iron ore up to the finished weapon. That plant will be built on an island in the Ohio River below Pittsburgh. It will absorb as much as possible of the skilled workers in steel in that vicinity, and the perfection of organization and the assembling of personnel will be possible there under conditions more favorable than those presented by any other situation.

Mr. MILLER of Minnesota. Will the gentleman yield for a question?

Mr. BORLAND. I yield to the gentleman from Minnesota.

Mr. MILLER of Minnesota. How long will it take before this plant will be ready to go to work?

Mr. BORLAND. I can only state what the evidence shows. I myself could hazard no judgment about that, but they contemplate that they will be able to turn out the pilot guns by July, 1919. Whether that is the case or not, I do not know. That opinion does not seem to be agreed upon by all of them, and I think that is a rather rosy estimate.

Mr. MILLER of Minnesota. Is not the gentleman of the opinion that it will be not earlier than January, 1920?

Mr. BORLAND. There are a good many opinions on that. If it is as early as January, 1920, possibly it will be early enough.

Mr. MILLER of Minnesota. Certainly the gentleman does not intend to convey the idea that we are depending upon the construction of that plant for a source of big-gun supply?

Mr. BORLAND. I do not know whether the gentleman is trying just to heckle me or whether I have not made myself clear to him. I have already stated that we were not depending upon it; that we had two sources from which to obtain big guns which are quite ample compared with the resources of other nations of the world. We have a good many big guns that other people have not got.

Mr. MILLER of Minnesota. The price that was mentioned in the papers was fabulous, and justified only because essential to the winning of this war. If this plant can not be constructed on this tremendous scale in time to help win the war, the enormous expenditure is not justified.

Mr. BORLAND. Of course, we are not depending upon any sudden collapse of the enemy. We are not underestimating the difficulties. It would not be the part of wisdom to underestimate either the delay or the difficulties in winning this war. We are not going to delay the construction of a big-gun arsenal because, forsooth, we might not begin to get the guns for 18 months, because in 18 months we may be more sorely in need of the guns than we are at present. We are going right ahead with the program of the work of winning this war if it should take 10 years to do it, and the sooner the world finds out that Uncle Sam is in this war in earnest, that he is going to win it, that there is no other outcome but the complete victory of the American forces, then the sooner the war may, happily, be over.

Mr. MILLER of Minnesota. I think so.

Mr. BORLAND. And if that time comes any sooner than we expect, the gentleman from Minnesota and myself will rejoice together that our guns will have become useless. But we are not depending upon that hope.

Mr. MILLER of Minnesota. We are agreed as to that, but one gun now may be worth ten guns in 1920.

Mr. BORLAND. We are getting every gun that is available.

Mr. FESS. Will the gentleman from Missouri yield?

Mr. BORLAND. I yield to the gentleman from Ohio.

Mr. FESS. I think the chairman has anticipated my question, and partially answered it, but what I want to know is concerning this establishment that is to rival the Krupps establishment in Germany. I saw that statement in the paper and it interested me.

Mr. BORLAND. The newspapers have called it an American Krupps. It is even better than that, for, instead of being a private monopoly under Government patronage, it is a Government arsenal, and we expect to make these guns only for the United States.

Mr. FESS. There is really no limitaton?

Mr. BORLAND. It is not in any sense an American Krupps. It is a Government arsenal.

Mr. FESS. And there is no limitation on the time as to when it is to be completed?

Mr. BORLAND. No; we are putting ourselves on such an absolutely independent basis that we shall be able to cope with any situation that comes up.

Mr. FESS. I think it is wise to start out with that idea.

Mr. BORLAND. The gentleman from Ohio realizes that when we entered this war there were only two establishments in the United States able to forge big guns, Midvale and Bethlehem. They were forging guns also for the Navy, and I think they were doing some work for outside countries. We were absolutely dependent upon those two establishments. It is rather an amazing fact that the department has been able to handle the situation under those circumstances as well as it has been able to handle it. It required a good deal of patience and cooperation. We want to be independent, if we can, of private manufacturers for the things necessary for the defense of the life of the Nation.

Mr. HICKS. Will the gentleman from Missouri yield?

Mr. BORLAND. I yield to the gentleman from New York.

Mr. HICKS. Does any amount carried in this bill contemplate the loan of any money by the Government to either the Bethlehem or the Midvale plant to enlarge their output?

Mr. BORLAND. A very little was advanced to the Bethlehem and Midvale. The gentleman will see by a comparison of that list in the back of the hearings that it is a very trifling amount compared with the enormous contracts which they hold. It was only for some incidental machine tools or something of that kind that we let them have. We are not loaning them money in advance. We are loaning money to some of the smaller manufacturers, but not to the Bethlehem or Midvale.

Mr. HICKS. Does the gentleman think those two plants, Bethlehem and Midvale, will be able to finance themselves and produce guns in sufficient capacity?

Mr. BORLAND. Oh, yes; they are doing it. They are handling all their contracts, and doing it very creditably.

Mr. KNUTSON. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. KNUTSON. Is it the hope of the Military Committee to ultimately have the Government manufacture all of the war material in times of peace?

Mr. BORLAND. I am speaking for the Appropriation Committee. I will say that the Appropriation Committee has universally encouraged the upbuilding of Government arsenals. We do not want to put private manufacturers out of business, because we want an expansive force. We do not want to have the Government arsenals enlarged to such an extent as will drive private manufacturers out of business, and then when we need to expand be confined to what we have in times of peace. And yet we have control of the situation by the manufacture of sufficient supplies at Government arsenals. It gives us an opportunity to know what the cost of the manufacture of each constituent article is and so to regulate the price paid to private makers.

Mr. KNUTSON. I think that is desirable.

Mr. EMERSON. Will the gentleman yield?

Mr. BORLAND. I will yield to the gentleman.

Mr. EMERSON. Is the Government to own the plant to be erected near Pittsburgh to the extent of transacting the entire business?

Mr. BORLAND. Yes; all of it.

Mr. EMERSON. The gentleman mentioned that we were to do away with horse-drawn artillery and substitute motor artillery. Is that being carried out to a general extent?

Mr. BORLAND. Yes; and will be carried out completely. The reason of that is that it is not possible to maintain horses in large numbers abroad. The shipment of forage introduces a problem that we ought not to assume at this time.

Mr. EMERSON. Is the motor-driven artillery just as good as the horse-drawn artillery?

Mr. BORLAND. The motor vehicles are better. They are more expensive to begin with, but better in the long run.

We have not only the wheel trucks, but we have the caterpillars and also the larger guns on railways, and they are the better in every respect. I might say in reference to the subject that, of course, the motorized vehicles require a certain upkeep and repair kits and movable forges. I found, in going through the bill, that they had estimated for the same wastage in these motor upkeeps and repair kits for guns behind the lines as they had for guns on the firing line. I called the attention of the War Department officials to the fact that the percentage of the destruction of guns—the capture, and so forth—at the front did not necessarily apply to all of the equipment they had back of the line. They took back their estimates, refigured them, and reduced them to one-quarter of the percentage they had before.

There are two advantages in such a careful revision of estimates. It reduces the demands on the American manufacturer and the number of kits and reduces the number of noncombatants to man them. Experience has demonstrated that we get more out of the motorized equipment, and that is the easiest thing that we can provide.

Now, gentlemen, what I have said applies to the gun program, and a similar line of thought would apply to the shell and ammunition program.

The committee has felt that the House was entitled to absolute knowledge of all these contracts, and a list is printed in the back part of the hearings. We may all say that we can look back over the contracts and improve on them. Goodness knows that there is not a man in this room who would not admit that he could improve on them. Of course there has been a large change in the organization and personnel of the War Department. Some of these contracts were made by men who are no longer in control, and yet the proof of the pudding is in the eating of it. There is only one way to find out whether we can actually lick the enemy, and that is to get the arms and munitions. The contracts have resulted in getting the goods. I have no doubt that in some of the contracts our officers are more liberal than they will be in the future. There is one thing to be said about these contracts—they are all of comparatively short duration and all provide for a renewal at the option of the Federal Government on much more favorable terms for the Government. So I doubt whether in the chaos existing last year contracts could have been made which would do the amount of work, produce the goods, stimulate production eagerly and earnestly on more favorable terms or such as would be made ordinarily in cold-blooded business dealings in times of peace.

If gentlemen undertake to attack the contracts, I do not propose to defend them. I have my own opinion about some of them. The result is that the contracts were entered into, and we are enjoying the proceeds, and we are now preparing to rebuild on the foundation we have already laid, and to the advantage of Uncle Sam.

In addition I want to call attention to the explosive program. We have control of the entire explosives in this country. No allies can get powder except through us. That is necessary for our own safety and for their convenience. There was a time when the allies were paying a dollar a pound for ordinary smokeless powder. Before the war we were paying only 53 cents a pound, and when I first came here we paid 61 cents a pound.

But I doubt whether we could have gone out into the market and contracted for a supply of powder to the enormous extent we needed on any terms that we would have been willing to ratify. We did not go into the market to contract for it. The department did the wise thing in developing its own plants. It has developed its plants not only for powder but for nitrates and other explosives—T. N. T., T. N. A., nitrostarch, C. O., L. 3, E. L. 104, and all explosives which you gentlemen have heard of and probably know as much about as I do, and possibly a little bit more. This is the important fact, however, that you will want to know: We are laying here the foundation to make ourselves absolutely independent, not only in the production of powder but in the production of the ingredients of powder, including the great basic product of nitrate. We can not afford to lose a single nitrate factory in the United States; and if there is any place on earth that nitrate can be produced, we all realize that we must utilize that facility. We want to get on an independent basis at the earliest possible moment. Whether we agree or not to the location of certain plants or the contracts under which they are made, the ultimate result is that we must be on an independent basis first, then we will be able to figure on advantageous terms to a much better advantage.

As to powder, I think we are on a fair way to be quite well equipped. We have a plant at Charleston, W. Va., producing powder. We have one at Nashville, Tenn., of which the first unit came in two or three weeks ago, and a second unit now is about to operate—actually producing powder. It was very quick construction. Something less than 90 days were employed in producing that plant. The department is contemplating a third powder plant. The estimates originally called for $30,000,000 to increase the Du Pont plant at Carneys Point. After consultation upon that subject, we decided not to increase that private plant, but to save the $30,000,000 and then take $15,000,000 estimated for a powder plant at Muscle Shoals, and combine those two and make a $45,000,000 plant, which is the only kind of a plant which can be advantageously worked on high production. That plant has not been located, and the situation is such now that it is not absolutely certain that we will locate that plant. In other words, we may have the situation in hand. But if Gen. Pershing sends in a recommendation indicating that the plant is needed, then the two appropriations are combined to make a $45,000,000 plant. If that is done, we will be thoroughly independent upon the subject of powder.

Mr. KNUTSON. What percentage is the Government manufacturing now?

Mr. BORLAND. Of powder?

Mr. KNUTSON. Yes.

Mr. BORLAND. The Government has only begun the manufacture of powder in these new plants. We had a little plant at Picatinny Arsenal, where they turned out about 11,000 pounds a day, but that does not amount to anything in war. That Government plant was in order to fix a basic price which we would pay when we bought powder from private makers.

Mr. KNUTSON. What percentage is it contemplated to manufacture?

Mr. BORLAND. I will say that these two plants will manufacture about two-fifths of our powder needs, and that practically three-fifths come from private manufacturers. Of these three-fifths more than 90 per cent come from the Du Pont people. The Hercules and the Aetna divide the other 10 per cent. Those are the only three concerns that know how to make powder. When these plants are constructed, we shall have a force of expert powder makers in the Government arsenals.

I want to refer only to one other item that I know will be important in the consideration of this House. We have a proving ground at Sandy Hook, but it is no longer available under modern conditions of commerce, and we must withdraw from it at the earliest practicable moment. We authorized a proving ground at Savannah, Ill. That is available for small field artillery, such as is manufactured at the Rock Island Arsenal, at the Illinois Steel Works, and at Minneapolis and many other places in that vicinity. It is not available for big guns and some of the work that is done in the East—is not available for the big shells. This House defeated an attempt to build a proving ground at Kent Island. Thereupon the department built a proving ground at Aberdeen, Md. There we have a total length of 18 miles, a total width of 7 miles, and a total acreage of 35,000. Some of it is good land, but a large part of it is swamp and overflowed land and water land. On that land they have constructed a modern proving ground, one of the best and most amply equipped, where our men are working days, nights, and Sundays.

Yesterday our committee went down there. It is the second visit that I have made, and I want to say that it is marvelous what they have done. We did not get title and possession of that ground until the 15th of January, 1918. Two months ago I was down there and they had the proving ground in operation. To-day they have an enormous amount of work going on, and if my friend from Minnesota [Mr. MILLER] and others will go down there, they will see guns coming there in quantity production, 6-inch guns and 75-millimeter guns being actually delivered. Every gun tube is tested and every gun carriage is tested, not necessarily together. One-tenth of one per cent of all of the shells are tested.

Mr. GREENE of Vermont. Is it expected that this proving ground will take the place of the one at Sandy Hook permanently?

Mr. BORLAND. It will. We are using Sandy Hook to capacity, but we must get away from there at the earliest possible moment. We will withdraw from Sandy Hook and concentrate our efforts at Aberdeen.

This proving ground tests one-tenth of one per cent of all the delivery of shells. That is extremely important, because a large number of people are making these shells, attempting to comply with the specifications. Shell making is a dangerous thing. If a shell explodes prematurely in the gun it is very dangerous, and these shells must be thoroughly tested.

This proving ground is in the very center of the great shell and ammunition making district of this country. It is possible

now to start a truck loaded with shells from some of the munition factories after lunch time and drive all the afternoon and night and reach Aberdeen by early morning. That is practically the only way in which these shells can be taken through, because to ship them by express or the railroad involves delay and danger. By taking them by truck they can be gotten through at once. Nobody wants that truck to stop at any town or inn, so it must keep on going. In the morning when the truck reaches Aberdeen the shells are tested and by long-distance telephone the manager of the factory is notified of the result. He does not lose a day's work of his factory or material put in the shells, because if there is anything wrong it is immediately corrected. The advantage is that the contractor is able to keep up with the contracts and the Government is able to get prompt deliveries. Every Member of this House, I think, would be very much interested to go down there and see the machinery of preparation for war in operation. It would clear up a great many of these questions which I know are natural to your minds. You would see what it is that occurs and just where the stress and importance lies, and then you would be able to determine the character and extent of the theory upon which this bill is drawn.

Mr. ROBBINS. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. ROBBINS. I was very much interested in the gentleman's statement in reference to the Aberdeen Proving Ground, but is not that a great distance, say, from Neville Island, below Pittsburgh, where they are going to make ordnance? Would it not be better to have a plant nearer to the manufacture of ordnance?

Mr. BORLAND. I do not think that would be important, because the guns have to be shipped and the department might just as well turn them into the proving ground on the way to the seaboard, as the case may be. The Aberdeen plant is very well located, extremely well located under present circumstances, and I do not think there could be a better place in the country.

Mr. ROBBINS. But in the mountain regions of western Pennsylvania there could be easily obtained a long range for the testing of heavy ordnance built at Neville Island. That is the thought I had in mind.

Mr. BORLAND. It seems to be extremely difficult to get a proper location for a proving ground. Nobody welcomes a proving ground. It is one piece of pork nobody wants to take, but is willing to leave to the other fellow.

Mr. BROWNING. Is Aberdeen and Magnolia one and the same place?

Mr. BORLAND. I think not.

Mr. BROWNING. There is an explosive plant going down from Magnolia, I understand——

Mr. BORLAND. Aberdeen is the first station this side of Havre de Grace.

Mr. BROWNING. Magnolia is this side——

Mr. BORLAND. There is the gas filling that is going in at the Edgewood Arsenal. I have not mentioned that, but I will not discuss that at any length.

Mr. WALDOW. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. WALDOW. The gentleman has made a very interesting and frank statement, and I was wondering whether he had any information relative to the reason we are able to obtain cannon from France cheaper than we can manufacture them in this country?

Mr. BORLAND. Well, France had a certain amount of surplus labor we did not have. Her peasants came in from the fields at the beginning of this war. Her women and children had to go to work to keep them from starvation. She had a certain amount of surplus labor. Under the threat of the Germans at her very throat, bombarding her very capital, she increased her production of guns and munitions to a very high intensity. In order to produce enough guns to meet the German Army she had to make her productions up to a point which her wastage would not justify. So she got to the point where she produced more guns than could be employed by her army, and it was a question either of shutting down the factories, disbanding her workmen, or filling our orders. She could produce more than she could consume in the field, and she was glad to make terms to supply us. The terms were low. They were terms that perhaps would not have been forced upon her, but she was glad to make them.

Mr. WALDOW. The gentleman, I hope, will understand I am not criticizing the action of the purchase, but I was wondering what conditions entered into the facts in this case.

Mr. BORLAND. France was facing the foe under conditions where she had to produce munitions in enormous quantities, and in order to do that she had to call women from the kitchens and peasants from the field and put them in munition factories. Then when she met that condition she found the wastage in the field did not consume the production of those factories. In this case France herself offered to supply us, and we would have been subject to the most justifiable criticism if we failed to cooperate with her. [Applause.]

Mr. FESS. Will the gentleman yield before leaving the floor? Does the gentleman care to state how many forms of gases we are using?

Mr. BORLAND. No; I would not care to state that, but I will be glad to give the gentleman that information, which I can give him at any time.

Mr. FESS. I have understood that the Germans are using 20 different kinds of gases.

Mr. BORLAND. I may say we are using the Bureau of Mines and the Bureau of Standards and the experts of our Ordnance Department in following up that development, and I think we are doing it fairly successfully.

Mr. MILLER of Minnesota. Before the gentleman concludes, could I make another inquiry?

Mr. BORLAND. Yes, sir.

Mr. MILLER of Minnesota. I think there is plenty of time, no doubt. I think maybe the gentleman could get what I have in mind better if I made this one statement. I personally am of the opinion that our production of artillery has been the most gigantic failure of our entire military operations, and I have abundant reason for that statement. I may be wrong, but that is my firm belief. Are we recouping, are we taking steps, if that should be the case, such as to retrieve the situation?

Mr. BORLAND. Bless my soul, I can reassure the gentleman heartily. In the first place, the gentleman is largely mistaken in his belief.

Mr. MILLER of Minnesota. The gentleman is not mistaken. I will state that flatly.

Mr. BORLAND. The gentleman and I differ very materially about that, and I am sorry he did not have the advantage of the hearings before the committee.

Mr. MILLER of Minnesota. I had some advantages that maybe the gentleman has not had. Admiting that is true, will the gentleman answer the question?

Mr. BORLAND. The gentleman will anwswer the question in this way: We are providing and have the facilities in sight to comply with this program, and this program is larger than any program that has ever been attempted for any army in the field.

Mr. MILLER of Minnesota. The gentleman is correct.

Mr. BORLAND. Yes; I am correct. If this program is carried out, we shall have for the initial equipment of the American Army all that was ever provided for the initial equipment of the German Army and more than ever was provided for the initial equipment of any other army. We shall have for replacement and renewal a higher percentage than for any other army; and if we fail at all, we have such a margin for replacement and percentage that we could fail a good deal and still produce enough for the initial equipment. I am not sure but that we have overestimated the percentage on renewals and replacements, and I am glad if we have, because I will say frankly to the gentleman that in my mind there was a subconscious feeling that we might not be providing only for three armies. It was that subconscious feeling that led me to be liberal in all these percentages, because I am confident the percentages are large for the present force. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HELM having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, had further insisted on its amendments numbered 5, 23, 34, 35, 37, 38, 39, 41, 42, 47, 52, 53, 93, 100, 102, 112, 115, 120, and 170, still in disagreement, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. TILLMAN, Mr. SWANSON, Mr. SMITH of Maryland, Mr. PENROSE, and Mr. LODGE as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution:

Senate Resolution 266.

IN THE SENATE OF THE UNITED STATES,
June 24, 1918.

Whereas H. R. 9248, a bill "To prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes," duly passed by the House of Representatives March 12, 1918, was considered in the Senate and passed with a reported amendment in the nature of a substitute May 11, 1918; and

Whereas on said May 11, 1918, a conference was asked and managers on the part of the Senate were appointed thereon; and

Whereas on June 14, 1918, the chairman of the Committee on the District of Columbia of the House of Representatives called said bill from the Speaker's table, and made thereon certain remarks seriously reflecting upon the honor and integrity of the Senate, as appears on pages 8452 to 8457 of the CONGRESSIONAL RECORD; and

Whereas subsequently on said June 14, 1918, managers were appointed on the part of the House of Representatives, of whom said chairman of said committee was one; and

Whereas said chairman of said House committee subsequently sent to each manager on the part of the Senate under date of June 19, 1918, the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"HOUSE OF REPRESENTATIVES, UNITED STATES,
"*Washington, D. C., June 19, 1918.*

"DEAR SIR: I write to advise you that on the 14th instant the House agreed to the request made by the Senate for a conference on H. R. 9248, the antiprofiteering rent bill, and that Messrs. CROSSER, of Ohio; CARY, of Wisconsin; and myself were appointed conferees on the part of the House. And, further, to advise you that we will meet the Senate conferees at such time and place that will be most agreeable to the Senate conferees.

"In order to facilitate matters I am inviting the attention of each of the Senate conferees to some of the more important questions of difference which will arise in conference by sending in advance a list of questions inquiring as to the attitude of the Senate conferees concerning each. The questions mentioned are herewith inclosed.

"Very truly, yours,

(Signed) "BEN JOHNSON.

"1. Are you unalterable in your purpose to create a rent administrator?

"2. If so, are you unalterable in your purpose not to intrust the work with anyone unless he be a resident of the District of Columbia?

"3. Are you unalterable in your purpose not to permit the President to select a rent administrator for the District of Columbia just as he selected a Food Administrator and Fuel Administrator, i. e., without your consent and approval?

"4. Are you unalterable in your seeming purpose to permit profiteering in house rents by imposing a fine less than the amount of the profiteering? Or will you accept some plan like that recently suggested by the President in his message to Congress whereby all the money taken in a profiteering transaction shall be surrendered?

"5. Are you unalterable in your adherence to that part of the Senate bill which would compel the tenant to leave his work as often and as long as it would be necessary for him to leave it in order to prosecute or defend the several appeals allowed?

"6. Are you unalterable in your purpose not to fix a gross return to the landlord, but, instead, to give him a 'net' return, notwithstanding the fact that thereby the landlord would have no interest whatever in keeping down the operating expenses of the premises?

"7. Are you unalterable in your purpose to saddle upon the tenant the cost of permanent street and similar improvements to the real estate alone, notwithstanding the fact that the erstwhile tenant enjoys the building alone?

"8. Are you unalterable in your purpose to compel the tenant to account for 'vacancies' in the house and 'depreciation' of the house; and not allow himself to offset that by the growing increase in the value of the land upon which the house stands?

"9. Are you unalterable in your purpose to permit a landlord to profiteer with a business house because it may once have been used as a residence?

"10. Are you unalterable in your purpose to fasten the present annual rates of rental on the tenant by fixing the rates in effect on the 1st day of last October as a basis?

"11. Are you unalterable in your purpose that the rental for furniture shall be as much as 30 per cent of its value?

"12. Are you unalterable in your seeming purpose not to punish profiteering corporations to the same extent that you would individuals who profiteer?

"13. Are you unalterable in your seeming purpose to exempt 'the original landlord' from all the provisions of the bill by your definition of 'landlord'?

"14. If you are unalterable in your seeming purpose to adhere to the remedy of 'fine' instead of that of 'taxation,' as set out in the bill passed by the House, would you be in favor of having a fine levied on all those who violate any provision of the act, or would you insist upon limiting it to those only who 'evade or attempt to evade its provisions'?"

And

Whereas on June 21, 1918, said chairman of said House committee sent to each of the managers on the part of the Senate the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"HOUSE OF REPRESENTATIVES, UNITED STATES,
"*Washington, D. C., June 21, 1918.*

"To the SENATE CONFEREES ON H. R. 9248
(the antiprofiteering rent bill),
"*Washington, D. C.*

"GENTLEMEN: The Washington newspapers of yesterday contained the statement that at least some of the Senate conferees on the antiprofiteering rent bill contemplated having me denied the privileges of the Senate floor because of the criticism made by me of the Senate amendment which has come to be known as the 'Pomerene bill.'

"I do not care a continental about that—run along and get through with it, and then permit the Senate to vote on a measure that will prevent the profiteers from driving nearly a thousand war workers out of Washington every week. I am not interested in the least in your undertaking to deny me the privileges of the Senate Chamber, but I am deeply concerned for the war worker, who is being robbed and then sent out of Washington, and because of which our boys in France must suffer.

"The newspaper articles referred to state also that at least some of the Senate conferees may decline to go into conference because I am one of the House conferees. May I not suggest that by such a course, either intentionally or unintentionally, you play right into the hands of the profiteers, as delay in the passage of a good bill is what they seek?

"May I not also suggest that your skins should be thicker, or your bill better? I not only invite the severest criticism of all my official acts, but I am quite anxious, indeed, to have the acid test applied to my endeavors in this particular matter, and you will not only not offend me but you will do me a favor by wading into both me and it without gloves, since I, and not the landlords, am its author.

"This is not a time for 'senatorial dignity' but one for action. Rearing back on your 'pastern joints' don't get the oppressed tenants anything. I do not intend to permit your attitude toward me, because of my criticism of your 'rotten' bill, to in the least deter me in my efforts to prevent the profiteer from fattening off of your country's needs.

"Your amendment—the Pomerene bill—had to be criticized, 'senatorial dignity' to the contrary notwithstanding.

"My contempt for such of you as may resort to pretext to evade full responsibility for not giving our war workers protection from the miserable profiteers is just as great as yours may be for me; but as I said, that shall not stop me from following my plain duty in the premises.

"Let us get to work on the bill, and then you can have your revenge on me to your hearts' content. You have my full consent to deny me the privileges of the Senate Chamber, or even to take your spite out of my hide, if you will only go ahead and let the Senate vote on a good bill instead of a subterfuge.

"While I am sending this letter to each of the conferees, it is really intended for those only who are responsible for the article in yesterday afternoon's local newspapers.

"Very truly, yours,

(Signed) "BEN JOHNSON."

And

Whereas on June 22, 1918, the said chairman of said House committee presented the foregoing letters to the House of Representatives, and in presenting them used the following language:

"I take it for granted that the thought of 'ousting' me from the Senate Chamber is the result of a close association with those who have been 'ousting' the Government workers from houses in the District of Columbia."

Therefore be it

Resolved, That the conferees on the part of the Senate on said bill be, and they are hereby, excused from further service as such conferees until otherwise ordered by the Senate; and that the Secretary of the Senate be directed to transmit a copy of this resolution to the House of Representatives.

Attest:

JAMES M. BAKER, *Secretary.*

FORTIFICATIONS APPROPRIATION BILL.

The committee resumed its session.

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER of New Jersey. Mr. Chairman, the country is certainly to be congratulated upon the introduction of this bill.

It is only two years ago that a like bill appropriated a one-hundredth as much as this bill, and the proportion allowed for the vital items of field artillery and siege guns was a great deal less than one-hundredth. The bill now is rightly framed, so as to provide immediately for the forces that are likely to be called upon; as I understand it, three armies, over 4,000,000 men. The bill then was framed to provide by installment, going through a period of years—I think seven—for 700,000 men, who might be our first line of defense; and that was the principle maintained by the Chief of Ordnance, although the war in Europe had been going on for over two years. At that time the few of us who thought that we ought to prepare for war in order to keep peace, those of us who urged that it was the strong man armed who kept his household in peace, could obtain but a baker's dozen for any effort to amend the estimates and increase our reserve of arms so that we should be sure that when our armies were called into the field they should not be like those of Great Britain and of Russia, young men thronging to the defense of their country without arms in their hands. And I congratulate the country that we now report results in a bill that at least appropriates enough to engage all the facilities for manufacture that this country can expect to have for the next year.

Mr. Chairman, my time runs fast when I speak on this. As to field guns, there is some history. I remember when for 10 years—it is over 10 years ago—we had not a single mount for a field gun that provided for recoil. We knew the French had such carriages. We were trying to get them, and our Ordnance Department reported that they were still an experiment. Some of us remember a dozen years ago when one of our officers went to France, and dared not return there because he was said to have brought away some of the secrets of the French gun. We all remember that more recently we were given the right to make that French gun—the best in the world. That was since the war broke out, and we waited seven months before we adopted a pattern, because we thought we could make a better gun. At last we found out that we could not make a better one, and are now going to work to manufacture some of these guns to take care of our soldiers in the field. Congratulations to the administration and congratulations to the committee that that course has been adopted and that we are at work! [Applause.]

As to siege guns, at the time of the Spanish War, or shortly afterwards, that great soldier, Gen. Miles, found that we had not a single siege gun, and I remember the mount of a large howitzer upon a wagon standing some 10 feet high, so that it would have turned over at any sort of ditch. That was the only siege gun possessed by the American Army. Nevertheless,

America was in the van in the production of modern siege guns. The howitzer, so called now, is a gun of high elevation, which, like a mortar, throws a large shell into the air, and it was adopted by America before any other nations for the armament of our fortifications, in order that its plunging shot upon the unprotected decks of ironclads would destroy those vessels. It is our own system which has been adopted from us by the Germans for the destruction of iron-arched fortifications in the towns of Belgium. America was first. America had no carriages for these guns, and the carriages are almost of more importance than the gun. But America was the first to adopt the caterpillar traction which now draws these guns. Now we are told that at last we are getting results. Many guns that we have are not suitable for battleships, because not intended to pierce modern armor, but they are long enough and strong and good enough for the field purposes for which they will be employed, and guns from our forts and our ships and others that are being made are now being properly mounted, so that they can be used either from railway tracks or by caterpillar traction in the field for the destruction of the enemy.

I know something about those guns. I have not been in actual battle, but our party, when abroad, was under the great shells that were thrown over our heads, while our aeroplanes circling about over the enemy's lines were finding out where the shots fell and whether they hit the places aimed at. Those airplanes were surrounded by black-smoke explosions showing where the German shrapnel had been aimed at them and had not hit them. Every now and then a shell from the enemy would also pass over our heads, but fortunately they did not know where our own heavy piece was hidden and camouflaged in its emplacement. Siege guns are used on these lines. It may be doubtful if they are of great value except in besieging a fortification, but our modern army will be a modern army by virtue of possessing all types of artillery, if it is to be an army at all.

Now, one word more. I think my time is up, but I can not refrain from saying one word as to labor. This country must abandon all work that is unnecessary if it is going to do the work of this war. We shall not have as much man power left after we send our millions into the field. We have a great deal more to do in war than we had to do in peace. All American invention, all American organization, all the aid that can be got from men and from women will not suffice to do the work in time (and work that is not in time is worse than none at all, because it is useless and you spend the money for naught)—these, I say, will not suffice unless we learn that all the energy of this country must be put to work in this war, just as I have seen it put forth in the great works on the Clyde, where thousands of women were managing their lathes and turning out shells that weigh 300 pounds apiece and that were lifted by a crane moved by a lever in the hands of a woman. Some of them weighed up to 2,000 pounds. That work was done by the dear women of the country who had just been taught how, done by leave of the loyal workmen of their country who had given up all their trade-union rules as to the work of women and apprentices, and as to work done in ways other than union ways; done by the aid and consent of the whole population, in order that they might win this war, as we must win it, on our line of defense, which lies in the battle lines of Europe. [Applause.]

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. BORLAND. Mr. Chairman, I yield so much of my time as may be desired to the gentleman from Mississippi [Mr. SISSON].

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. SISSON. Mr. Chairman, I do not know that I shall consume all of the time that the gentleman from Missouri has given me. At the outset I want to congratulate this subcommittee on the work it has accomplished in preparing and presenting this bill to the House. In fact, the subcommittee has been extremely active and painstaking in the preparation of this bill. It is a highly technical bill and one where the members of the committee must rely largely upon the experts in the War Department as to the kind of artillery and guns needed; but they have succeeded in presenting a splendid bill to the House.

The chairman of the full committee [Mr. SHERLEY] was for many years the chairman of this Subcommittee on Fortifications, and, in my judgment, outside of the experts in the War Department, the chairman of the Committee on Appropriations at this time is the best-posted man on fortifications and mobile artillery in the country, and the committee had his assistance in making up the bill.

May I be permitted to say, in reference to the whole Committee on Appropriations, that during the time that the country has been at war it would be most difficult to determine to which party any member of that committee belongs? In fact, the Appropriations Committee is, as a rule, a nonpartisan committee even in time of peace.

The chairman of the committee at the outbreak of the war was Mr. Fitzgerald. His services were testified to by the House in a marked way when he resigned. He was succeeded by the gentleman from Kentucky. His ability, his great devotion to duty, has made the departure of his very able predecessor not so much missed by the House. It is the most important committee in the House, in times of peace doing more work than any other committee, but since the declaration of war even the membership of the House are not familiar with the enormous amount of detail and the enormous amount of work which this committee has to perform. In the preparation of all the bills reported by this committee, from the chairman of the committee down, each and every member of that committee has been patriotic. There has been absolutely no partisanship in the committee in making up any of these bills. In going through these great demands upon the Treasury it requires a great deal of patience and a great deal of unremitting toil to be able to understand just exactly where you may cut an appropriation without in any way impairing the efficiency of the Government.

The policy which I have always pursued in times of peace has been to require the Government to show clearly the need of the money asked before I would vote to grant it. But in time of war I have given the Government the benefit of all doubt and voted the money. In the preparation of these war supply bills I did not deny the Army or Navy a single dollar that they needed.

Yet I can safely say we have saved many millions of dollars without in any sense of the word impairing the efficiency of the Government.

I have not made a speech except directly upon the bills under consideration for some time, but I at this time want to talk about a few matters not bearing directly upon the bill now under consideration.

Since the declaration of war, the marked unanimity in this Congress in backing up the administration has been almost a miracle. Occasionally a little politics will creep in, but there has been less politics in this House since the declaration of war than perhaps in any deliberative body among all the nations that are now at war.

You Republicans ought to be congratulated on your loyalty and on your support of all the administration measures, with but few exceptions, for it is so hard for Republicans not to play politics all the time. [Applause.]

Mr. Chairman, the work done by this administration and the Congress sets the record for the Republic. No Congress in the history of any nation has done more than the last two Congresses. I will mention very briefly some accomplishments of this Democratic Congress prior to the declaration of war.

TARIFF.

The first great piece of legislation after Wilson's election was the revision of the tariff. This was a splendid piece of legislation and was meeting the expectations of its friends when the European war broke out. This, of course, disturbed our trade relations with all the world. But its aim was to take the burden off of the backs of the toiling masses. It put all the farming implements and bagging and ties on the free list. It placed the high duties upon luxuries and the comforts of life and low duties upon the necessities of life.

FEDERAL RESERVE CURRENCY.

The second great piece of constructive legislation by the Congress after Wilson's election was the Federal reserve or asset currency act. This act has enabled America to weather the storm and stress of the frequent pressure of the money power, and placed the small banks, the small merchant, and the farmer beyond the control of Wall Street. The Government can now prevent a panic being brought about by stock gamblers and speculators for their own private gain. If this law is wisely, justly, and fairly administered it is destined to be a great boon to all legitimate business and to prevent the farmer from being the victim of the speculator.

RURAL-CREDIT SYSTEM.

The farm-loan or rural-credit system is a great companion piece of legislation to the asset currency bill. The first is a boon to all the people. The second is a boon to the small farmer who is in debt and desires to pay for a small farm. In working for the passage of this bill I felt that I was performing a sacred duty to my own people as well as to all the people of America. When the farm prospers, we all prosper. The farmer is the first

line of defense, not only in peace but also in war. This war is going to be won primarily by the American farmer. [Applause.]

FEDERAL AID TO GOOD ROADS.

The companion to the farm-loan bill is the good-roads bill. This bill commits the Federal Government to the proposition and is destined in the near future to cause farm life to be happier and more prosperous than ever before. Uncle Sam has put his hand to the good-roads plow and he will not turn back. [Applause.]

INCOME TAX.

Another great piece of Democratic legislation is the income-tax law. It is just and fair. It places the burden upon those best able to bear the burden of Government, upon those who get the most protection from the Government, upon those who but for Government could not own and possess such income-producing property. I believe that in this war we should tax the big incomes more heavily than we now do. [Applause.] I have always voted for heavy income taxes and will continue to do so.

PANAMA TOLLS.

The repeal of the Panama free tolls to the wicked coastwise monopoly—monopoly owned by the transcontinental railroads, the Standard Oil Co., United Fruit Co., and Lumber Trust. This law was passed during President Taft's administration. I voted against the law then, and when President Wilson came before Congress in person and asked Congress to repeal the law and to tax the monopoly-owned ships, just as all other ships were taxed, to use the Canal, I voted for the repeal of the law and to tax these monopoly-owned ships.

MARINE-INSURANCE BILL.

This bill was passed to prevent the insurance companies of the United States and England from robbing us on insurance after the breaking out of the European war. Instantly upon the passage of this act insurance on a bale of cotton dropped from $7.50 a bale to about 85 cents a bale, and saved millions of dollars on wheat and other American cargoes.

Mr. Chairman, there were other important measures which I could enumerate if my time permitted, but I want before I conclude to call your attention to the accomplishments of the present Congress, which will be known in history as the war Congress.

DECLARATION OF WAR.

The declaration of war resolution was a momentous step, not only in our own history but in the history of the world. This was not an offensive but a defensive resolution. Our right to sail the sea had been invaded, our citizens murdered. To be driven from the sea meant that our independence and right as a nation were destroyed. Our farmers would be unable to sell their products at an advantage, our manufacturers would suffer, and the prosperity of all the people would be destroyed. But, Mr. Chairman, it is too late to discuss the question of whether we should or should not have gotten into this war. We are in it and we must win. We will win. [Applause.]

SELECTIVE DRAFT.

After the declaration of war the next step was to get an army. We could not fight without an army. I did not vote for the selective draft. I did not think that conscription was the best way to raise an army. When at home I went upon the stump in every county in my district and discussed this whole question with my own people frankly. They had a right to know and I told them my reasons for so voting. But, Mr. Chairman, I urged upon the people of my district on every stump to stand by the selective draft, as it was our only means of raising an army. When the majority of Congress decided this issue against the report of our Democratic committee and passed the selective-draft law, I got behind it and helped to make it a success. I was a member of the Subcommittee on Deficiencies which made up the appropriations bill which gave to the Army the funds necessary to put into operation the selective-draft law and to make it a success; and all the Members of the House, without an exception, according to my recollection, voted for the bill which we presented to put that law into operation. Up to that time this was the greatest appropriation of money ever voted at one time by a legislative body in the history of the entire world.

APPROPRIATIONS LAST CONGRESS.

Mr. Chairman, the money which organized our Army and Navy, which built the cantonments and aviation fields, and, in fact, every dollar that was appropriated for our national defense at the last session of Congress came from the Appropriations Committee and was made up by the subcommittee on deficiencies, of which I was a member. Again Congress, without a dissenting vote, so far as I recollect, sustained the Appropriations Committee, giving evidence of the fact that our committee had done its duty and that Congress stood squarely behind this war with every dollar needed. [Applause.]

Our boys are going to the front now, and we are all so thankful in our hearts that we did do our full duty to them by supplying them with all they needed. [Applause.] I want our boys to have the best guns, ammunition, food, clothing, and all other equipment necessary to make them superior to the Germans, and if my vote and influence can get it for them they shall have it. [Applause.]

Now, Mr. Chairman, I ask the committee to indulge me for a moment while I enumerate a few of the measures passed by this Congress at this session. I will not try to mention these in their order, either as to time or their importance.

THE WAR FINANCE CORPORATION ACT.

The War Finance Corporation act is one under which the Government, through certain officials working with the Treasury Department, with Mr. McAdoo as chairman, takes control of the issues of securities in this country and limits their output. So that with the Federal reserve act, the national-bank law, and this new law control and direction of capital by the Government is assured.

RAILROADS.

The act taking over the railroads for the period of the war, as a war measure, assures the Government of every ounce of railroad transportation when needed for war purposes. This will enable the Government to prevent strikes and to keep the lines open for war activities.

EXPORT TRADE.

The act to promote export trade, which in effect vests the President with control of imports and exports of goods and merchandise. This power enables all ports and ships to be used to their maximum in handling war materials.

FARM LOAN.

Amendments to the farm-loan law which enables the Government to buy farm-loan bonds and thus stabilize these bonds. This was necessary to prevent the banks from strangling the farm loan to death.

MORATORIUM.

A law to prevent soldiers being proceeded against in court while in the service, so as to protect their civil rights until they can get back home.

SILVER.

An act to melt down silver money in the Treasury, so as to conserve the stock of gold, settle adverse foreign trade balances, establish better trade relations with silver-using countries, and stabilize our American dollar abroad.

SEDITION.

Several acts, all looking to punish seditious utterances against the United States, to tighten the espionage law, and to aid in putting down all pro-German propaganda in this country.

ALIEN PROPERTY.

An act to authorize the Alien Property Custodian to take charge of all property in this country owned by alien enemies, to operate all factories, and so forth, so that our enemies can not get any profit out of these plants. Also to protect the property of all foreigners, which will prevent differences between our Government and the allied Governments.

OVERMAN BILL.

The Overman bill gives the President the right to abolish any useless office, to consolidate departments, to discharge employees, and to abolish any department entirely if he thinks wise and best.

PORT CONTROL.

An act to exercise control over the departure and entrance of persons to and from the United States, thus with the port-control act giving the President control of persons and property coming into and going out of our ports. In this way the ports are opened and closed as the best interests of America may demand.

HOUSING BILL.

The bill giving over $100,000,000 to help house the war workers at and near the war-working plants where they could not get shelter. This was, as the President urged, essential to efficiency in getting out war material.

WAR AGAINST AUSTRIA-HUNGARY.

The resolution declaring war on Austria-Hungary, which was making war on us along with Germany, so that in a lawful way we could extend our military activities and aggressions against that nation because it was waging war against us for its ally, Germany.

BOND BILL.

A bond law, giving authority to the Secretary of the Treasury, when needed, to issue twelve billions of bonds.

EMERGENCY SHIPPING CORPORATION.

A law authorizing the Emergency Shipping Corporation to take over and operate all transportation lines and facilities in the vicinity of all shipyards, such as street railroads, belt lines, all tugs, and other means at hand.

AMENDING THE DRAFT ACT.

An amendment to have all young men register for the selective draft when they reach 21 years of age and giving the President authority to draw upon the man power of the land for military duty.

WAR INSURANCE.

An act to insure soldiers and sailors for the benefit of themselves or those dependent upon them, and also an amendment of the original act broadening the plan of taking care of the wounded soldiers and the families of those who give up their lives for their country.

THE REHABILITATION OF WOUNDED SOLDIERS.

This is an act to establish schools to teach and train our crippled and blind soldiers to become self-supporting. Great work is being done in Canada along this line. Their boys come back crippled and hopeless, but after being trained and educated along proper lines they become useful and prosperous citizens.

INCREASED PAY OF SOLDIERS.

This act increased the pay of soldiers from $15 per month to $30 a month, with 20 per cent increase when abroad. In addition to this, we provided for allotments to be made from the soldier's pay to those dependent upon him; and the Government supplements that with a like amount. This is a godsend to many widows, wives, and mothers of soldier boys who had to leave them and go to war.

Mr. Chairman, these are some of the accomplishments of this war Congress. Many other acts just as important as the ones I have mentioned have been passed. As to what we did in the last session, I can not express it half as well as did the President of the United States:

OCTOBER 6, 1917.

The Sixty-fifth Congress, now adjourning, deserves the gratitude and appreciation of a people whose will and purpose, I believe, it has faithfully expressed. One can not examine the record of its action without being impressed by its completeness, its courage, and its full comprehension of a great task. The needs of the Army and Navy have been met in a way that assures the effectiveness of American arms, and the war-making branch of the Government has been abundantly equipped with the powers that were necessary to make the action of the Nation effective.

I believe that it has also in equal degree, and as far as possible in the face of war, safeguarded the rights of the people and kept in mind the considerations of social justice so often obscured in the hasty readjustments of such a crisis.

It seems to me that the work of this remarkable session has not only been done thoroughly, but that it has also been done with the utmost dispatch possible in the circumstances or consistent with a full consideration of the exceedingly critical matters dealt with. Best of all, it has left no doubt as to the spirit and determination of the country, but has affirmed them as loyally and as emphatically as our fine soldiers will affirm them on the firing line.

WOODROW WILSON.

This indorsement of what Congress did in the last session is complete. I was a member of the subcommittee that supplied the "needs of the Army and Navy * * *" in a way that assures the effectiveness of American arms."

So, gentlemen, when we look over the accomplishments of this Congress since the declaration of war, there have been, as I count them, over 100 distinct war measures which have passed up to about a week or 10 days ago, every one of which received my vote and support except one—conscription. If you will go through the RECORD and find just exactly how many pieces of distinct legislation have passed Congress, you will be amazed. And whatever criticism the country may make of the conduct of the war, in my judgment no just criticism can be fairly launched against the legislative branch of the Government, because we have given money in amounts that stagger the imagination. We have given to the President of the United States powers never dreamed of, and only justified by the war, for we would never dream of giving so much power in a Republic like this to any one man unless we believed it a war necessity.

Therefore all of this vast power that we have given to the President and to the administration means that great responsibilities rest upon the administration. Mistakes have been made—yes, many mistakes—but they are mistakes which are natural when we take into consideration the enormous amount of work that had to be done. The other day I was down in one of the great plants where they are testing the powder and the mobile artillery, and the amount of work done there within a few months is remarkable. It shows the ability of the American people to organize and to systematize their business along any lines that they desire, and is a great testimonial to American efficiency.

We have not been a warlike people. The people of America, as a rule, love peace. There were many people who were anxious to drive us early into the war. There were militarists who desired to put us into the war at an earlier time, and many people were impatient and did not believe that America would be able to cut much of a figure in the war. But since America got into the war the people have never stopped to ask the reason why. [Applause.]

In fact, when I have gone before my people at home I have always stated to them that while I voted for the war resolution I was unwilling to get into a controversy with any man as to whether we ought or ought not to have entered the war. I have declined to discuss that with anyone. I can justify in my own mind and heart my own vote, but to my mind it is not a material issue now as to why we got into the war. It is not a material issue as to whether we ought to have got into the war. That can be discussed after it is over. [Applause.] What is material to every patriot now is that we are in the war, and that America shall win it. That is the feeling of every American heart to-day. [Applause.] A friend of mine might caution me not to go too near the brink of the rapids at Niagara. He might properly tell me not to go too near the edge; but if I should fall in and am being carried rapidly toward the whirlpool the man is no friend of mine who stands on the bank and begins an argument with me and says: "Sisson, you ought not to have fallen into the rapids. I urged you not to go near the rapids." If he is a friend of mine, he will grab a rope or a pole and help me to get back to shore. Then he can argue with me as much as he pleases. So it is too late now for any man in America to begin to complain about our having gotten into the war. The fact is that we are in it; and being in it, it is the duty of every American citizen to do all in his power to win the war. So far as the people as a whole are concerned, in my judgment there has never been a people who have given more loyal support to any war than the people of America. [Applause.] I do not believe that the population of Germany were as nearly a unit at any time as the American people are to-day a unit. I believe that we are to be congratulated that, in spite of all adverse propaganda, the American spirit, the American love of country, the American devotion to principles of liberty, have been such that no propaganda has caused any delay in our war preparations or any sort of difficulty in raising and organizing an army.

Within the last few weeks we have demonstrated to the world that we are not only doing what we said we would do but we are doing infinitely more than we said we would do, because nobody contemplated that we would be able to get a million men into Europe before the 1st of January next. But, according to the statements of the press, according to the information given out by Gen. March, by the 1st of July, or certainly not later than the 15th of July, we will have more than a million fighting men in France, something that no man dreamed could be accomplished in so short a time.

The committee of which I am a member has stood squarely by every demand of our Army and Navy, and some time ago the press was restless and critics were harsh, but now, when we see the proud line of march of a million men, fully armed and equipped, on the battle fields of France, fighting victoriously for liberty and freedom and for home and fireside, our American hearts are filled with pride. Liberty-loving people of all lands hail our struggle with the wicked Hun with joy and hope for the future.

If the shipping facilities had been what we could have wished, capable of carrying the men as fast as we prepared them, and could have carried all the munitions as they are being now manufactured, we would be infinitely ahead of the program outlined eight or nine months ago.

I believe it has been due to the fact that the Congress of the United States has for the time being put aside politics, laid aside all questions of criticism, and, as a united people, we have been a united Congress in our devotion to duty and to the performance of that duty.

If we can within the next few months carry out the policy that has been adopted by the War and Navy Departments, we will have so far outstripped what we expected to do that in my judgment the tide of battle will have turned. [Applause.]

It is with pleasure that I read in the newspapers that there seems to be a change in the tide of affairs. When the time shall come and we gain the victory, as we must, my hope, my desire, my prayer is that when peace does come it will be a lasting peace. I do not believe that we can afford now since the war is on to have other than a complete victory. [Applause.] This victory ought to be one which will be lasting, and if it is true that we are to have a lasting victory with peace this great conflict on the European soil, the screeching shells, the groans of the dying, the terrible maelstrom, and that hellish groan that

we hear from the European battle fields, may be the last dying agony of the war god; the war god that has caused the human family to shed in the past so many tears and has drenched the whole earth with blood; the war god that has levied such a toll on the human family, that has sent abroad so much hatred, so much agony, so much heartache—if it is his dying groan, if this is his last mighty dying struggle, as costly as war is in men and treasure, it will not be too costly if it means the death of the war god. If we can have a court of nations where men can settle disputes without going to unholy war, then we will have fulfilled the prophecy of the Prince of Peace that the day will come when men shall beat their swords into plowshares and their spears into pruning hooks and men shall go to war no more. If that hour shall come, it will be a consummation devoutly to be wished by all good hearts and will be the answer to the prayers of good men in every age of the world's history. If we can have that peace, we may devote in the future all the treasures that have heretofore been devoted to war to building up our internal affairs on all the continents by all governments of the world. We can have a universally educated and a universally prosperous people, because if you calculate to-day the vast sums of money that have been sacrificed and to be sacrificed, if we could devote that during the next century to upbuilding peaceable pursuits, we could revolutionize the whole world.

Now, since our hand is at the plow let us not turn back. We will not turn back until we have gained a complete and a lasting victory. [Applause.] If we can do that, then this Congress, looked upon now as a war Congress, will, as the days roll on, be looked on as that Congress which gave its support to these great measures and will be known as the great peace Congress of America and the great peace Congress of the world. [Applause.] Because these things will be historic, it is going to be a historical Congress in spite of what anyone may say, or whether you desire it or not. You are a part of the history of the world and a great part of it. Therefore forty centuries from now they will look back on this hour, they will look back on this day, they will look back on this as being the great American war Congress which came to the rescue of suffering, dying liberty in the world and saved the right of men to be free, saved the right of men to work out their own destinies in accordance with their own wish and will, so they do not interfere with the rights of others, and will secure that principle of international law that every people, whether great or small, have the right to exist, have the right to be free, the right to work out their own destinies in accordance with the privileges and abilities God has given them. [Applause.]

This is the mission that America has on earth. We will perform it, and perform it well. If we do, we will be instrumental in erecting not only on the American continent but on all of the continents and isles of the sea magnificent temples in which will dwell forever peace, love, unity, happiness, liberty, prosperity, and from the domes of these edifices will float flags; and whether it be the flag of our own Nation—the beautiful Stars and Stripes—or the flag of any other nation, each of these flags will stand for liberty, for equality, for justice. That is the aim, the object, and the purpose of all good men now engaged in this great struggle, and may the God of our fathers grant to our armies victory, because it is an unselfish victory; it is not a victory of conquest; it is not a victory for gold; it is not a victory for aggrandizement of an individual or aggrandizement of a nation, but is for the happiness, for the peace and for the good of the entire world. And if that is the spirit which inhabits the hearts of America, it will receive the blessing of an all-wise and a just and a peace-loving God. [Applause.]

Mr. GOOD. Mr. Chairman, I yield 20 minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Chairman, I was interested in various phases of the remarks of the gentleman from Mississippi, a member of the Appropriations Committee. Loyalty to his committee prompted him to refer to it as "the leading committee of the House." It was written of the shoemaker, saying, "There is nothing like leather." In other words, that which is ours is the best. That to which we belong is supreme. If he, as a member of the Appropriations Committee, had made one exception, I should have entirely approved of his encomium. We members of the Ways and Means Committee, of course, challenge his claim to primacy.

As the husbandman must gather that which keeps the household going, so the Committee on Ways and Means has the burden of collecting the coin of the Nation, and all the Appropriations Committee has to do is to spend it. Of their spending I am not and have not been a drastic critic, especially during this period of the great war when money representing our hitherto converted energies as well as our appropriated credit means so much in mobilizing, arming, transporting, and maintaining our land and naval forces in the great world conflict, of which they promise well to become the determining factor in the achievement of triumphant victory.

FORTIFICATIONS BILL.

The fortifications bill now under consideration is remarkable in that it carries the colossal sum of $5,500,000,000 for defense and potential offense. Viewed as a defensive measure, it is not only the largest ever made by the Republic prior to the present war, but it is a larger appropriation for this purpose than was ever made by any Nation for any year in all recorded time. This is in harmony with the large affairs of the times, when we talk of billions instead of millions, sometimes even using trillions to express values. The world is speaking now of races instead of peoples and continents instead of countries.

If the large appropriation we now contemplate making to resist invasion in this or any future period is significant in magnitude, it is also magnificent in significance. It is the concrete expression of that thought which was in the minds of many millions 16 months ago concerning America's defense. For in this war as in all others consideration of defense is the first prompting of patriotism. The relation of the appropriation, which I heartily approve, as to our manner of entry into the great war, is of historical and momentous interest.

FUTURE REVIEW OF WAR DEVELOPMENT.

Some day when this war shall have been closed in victory a philosophic discussion can be had of the evolution and development of the war movement in America. Such discussion, while accepting April 6, 1917, as the focal date, will adopt a considerable range of years preceding that date in which will be considered many subjects bearing upon the ultimate entry into the war. Much will be said and with propriety of the well-organized drift in European affairs toward a world conflict or a world peace. Attention will be called to the efforts of the world leaders to secure a system of settlement of international controversies, the most concrete and hopeful for success being that conducted by ex-President Taft, which so nearly reached consummation in the final months of his administration.

Much will be said of the beginning and progress of the European war prior to our entry. The unavoidable friction which, in the judgment of a large number of statesmen, could culminate in nothing but a clash will be freely commented upon. The course of those in power in preparing or failing to prepare for that which nearly all now admit to have been unavoidable will be a subject of considerable criticism, and I might venture to say few there are who will, with one Creel, render thanks on account of our being unprepared.

When the ruthless submarine policy was announced by Germany to take effect the 1st of February and sinkings had occurred, the President of the United States came before Congress asking authority to arm American ships that they might resist submarine attacks. This was what a great many Americans desired and only in default of which consideration the McLemore resolution, or any part of it, was tolerated.

The first section of the armed-neutrality resolution was as follows:

Be it enacted, etc., That the President of the United States be, and is hereby, authorized and empowered to supply merchant ships, the property of citizens of the United States and bearing American registry, with defensive arms and also with the necessary ammunition and means of making use of them in defense against unlawful attack; and that he be, and is hereby, authorized and empowered to protect such ships and the citizens of the United States against unlawful attack while in their lawful and peaceful pursuits on the high seas.

It will be noted that the foregoing was a distinctively defensive measure. In the President's message to Congress in support of the above resolution, delivered on February 26, 1917, I find the two following important passages:

No one doubts what it is our duty to do. We must defend our commerce and the lives of our people in the midst of the present trying circumstances with discretion, but with clear and steadfast purpose. Only the method and the extent remain to be chosen upon the occasion, if occasion should, indeed, arise.

* * * * * * *

I am not now proposing or contemplating war or any steps that need lead to it.

For this measure I voted, as did the membership of the House, with 14 exceptions. So that when this House by almost unanimous vote on the 1st day of March, 1917, in response to the Executive's request, granted it war was not contemplated, although Germany, by the announcement of her submarine policy beginning February 1, had created a state of war.

PREWAR CHRONOLOGY.

The following chronology is interesting:

The above speech was delivered by the President on February 26, 1917. March 1, neutrality resolution was passed by the House of Representatives. March 4, resolution defeated in Sen-

ate by extended discussion and expiration of the Sixty-fourth Congress. March 9, first call of President for extra session to convene on April 16. March 21, second call for extra session on April 2.

The Sixty-fifth Congress will be known in history as a war Congress. It was called as an extraordinary session to meet on April 2, 1917, for the purpose of declaring the existence of a state of war with Germany. The first task of the new Congress was to determine what form of declaration should be made as to the existence of a state of war and its subsequent prosecution.

WAR DECLARATION.

The form of declaration would be of extraordinary interest in any event, but as related to this important measure is of transcendant interest. A form of war declaration was prepared in the executive department of the Government and simultaneously introduced in the Senate and House, being referred to the Foreign Affairs Committee in the House and the Foreign Relations Committee in the Senate. That declaration was in the following form:

EXECUTIVE FORM.

Resolved, etc., That the state of war between the United States and the Imperial German Government, which has thus been thrust upon the United States, is hereby formally declared, and that the President be, and he is hereby, authorized and directed to take immediate steps not only to put the country in a thorough state of defense but also to exert all of its power and employ all of its resources to carry on the war against the Imperial German Government and to bring the conflict to a successful termination.

The Senate committee cut out the proposition for placing the country in a state of defense and broadened the means of carrying on the war by a pledge of the resources of the country.

AMENDED FORM OF DECLARATION.

In this form the resolution passed, being as follows:

Resolved, etc., That the state of war between the United States and the Imperial German Government, which has thus been thrust upon the United States, is hereby formally declared, and the President be, and he is hereby, authorized and directed to employ the entire naval and military forces of the United States and the resources of the Government to carry on war against the Imperial German Government, and to bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States.

On the 5th of April, near the closing hours of the debate, I presented to the Committee of the Whole House and had a vote taken there on the following declaration in the nature of a substitute:

SLOAN SUBSTITUTE.

Resolved, etc., That the said state of war between the United States and certain citizens on one hand and the Imperial German Government, brought about by the Imperial German Government, is hereby formally declared, and that the President be, and he is hereby, authorized and directed to take immediate steps to place the country in a thorough state of defense and enforce American rights both as to citizens and ships on land and on the high seas and especially within the zones where said rights have been interfered with and to that end the President is authorized to use the military and naval forces of the United States, together with all the immediate available resources of the Government.

There was a considerable vote in favor of this resolution, but being taken in the Committee of the Whole the individual vote record could not be preserved. It may be stated that this was the only war declaration prepared, presented, and a vote caused to be taken thereon by any Member of House or Senate.

The first important difference, it will be observed, between my resolution and the one that passed was that mine provided for placing the country in a state of thorough defense. Other differences I do not comment upon, nor shall I hereafter unless they should be changed or be in a process of modification as is going on now with reference to the defense proposition. Because I am one of those who believe that what our constitutional authorities do with reference to foreign nations in or concerning war is right, I do not admit the contingencies and alternatives of Decatur. I would paraphrase his famous statement by saying, "My country, in her relations with other countries, is always right; therefore my country." [Applause.] But for all this I can not overlook the fact that as to the great element of defensive preparation, after the lapse of 15 months, the right as my country now sees it is the right as I saw it then.

LACK OF PREPAREDNESS.

This large defensive measure, which, of course, includes large potential offensive means, brings forcibly to our minds America's strange course in lack of preparation, both in discipline of man power and the culpable neglect of those in authority to prepare munitions of war and construct both mobile and stationary elements of defense commensurate with what has been at stake and the growing menace, which to say "could not have been foreseen" would be to deny ordinary intelligence to those responsible, and to admit their recognition without following with adequate action would constitute a more serious charge.

Coming from that part of the country supposed to have been less concerned as to possible international difficulties, I recall with some comfort my entire course in and out of Congress standing for large means of preparedness, although in three campaigns I met emphatic criticism for my views so expressed or votes delivered. Yet from no part of the great interior have I heard of anyone thanking the Lord for our lack of preparation at the beginning of this world war. That was reserved for a man in our National Capital in and continuing in a position of responsibility, and so far as the public knows wholly unrebuked.

NAVAL PROGRAM SPEECH.

On the night of March 3, 1913, in the closing hours of the Sixty-second Congress, and within a few hours of an incoming administration which has controlled national affairs since that time, the deadlock in conference between a Democratic House and a Republican Senate on a navy policy represented in the question of "one or two battleships" was broken in favor of the House contention for one battleship. Congressman Foss, Republican ranking member of the Naval Affairs Committee, granted me some time to address the House opposing the conference agreement. On that occasion I spoke as follows:

The SPEAKER. The gentleman from Nebraska [Mr. SLOAN] is recognized for five minutes.

Mr. SLOAN. Mr. Speaker, at this late hour I should not have trespassed upon the time of this House to favor two battleships if, in the various debates concerning this question, the reason for my vote had been given. The controlling consideration of whether we should have two battleships or one is not dollars and cents. It is a question of whether or not the ruling power of this country or that which will be the ruling power of this Government to-morrow shall live up to the responsibility it has assumed. I, in common with perhaps every man on the floor of this House, would be pleased to see the necessity for battleships absolutely removed. The hammers and forges of the world, busy in the construction of battleships, know no sunrise, sunset, or midnight. It is a sound of preparation in every quarter of the globe. It was thought that America would and could take the lead in disarmament. The President of the United States, whose term expires to-morrow, negotiated treaties with the great powers of the earth looking toward this precise end; that is, the removal of the necessity for the construction of battleships. The treaty-ratifying power is at the other end of this Capitol Building, and as that body was constituted during the last year neither party was in control, because it took two-thirds to adopt or ratify a treaty.

Those treaties, which if put into effect by the Senate of the United States would have given the other side of this House an excuse for opposing the construction of battleships, were emasculated and their effectiveness absolutely averted and destroyed, and the other high contracting powers would not agree to the emasculated agreement. These amendments were not made by the votes of those who supported the President of the United States, but by the votes of the side of the House which upon to-morrow will assume control of the affairs of this Government.

Two important amendments were used for the purpose of defeating those treaties. One was known as the Bacon amendment. The amendment is as follows:

"*Provided*, That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens into the United States, or the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or moneyed obligations of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe doctrine, or other purely governmental policy."

For the Bacon amendment 7 Republicans voted and 39 Democrats, while 36 Republicans and no Democrats voted against the Bacon amendment. The committee amendment, which proposed to strike out the third paragraph of article 3, is as follows:

"It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under article 1 of this treaty, that question shall be submitted to the joint high commission of inquiry; and if all or all but one of the members of the commission agree and report that such difference is within the scope of article 1, it shall be referred to arbitration in accordance with the provision of this treaty"—

For this amendment, 36 Democrats and 6 Republicans; against the amendment, 3 Democrats and 37 Republicans. So that from the members of the party which to-morrow will assume the control of the affairs of this Government, when the President of the United States said, "We desire to remove the necessity for the construction of battleships by entering into treaties of peace with the great battleship-making powers of the earth," came the vote that emasculated those treaties and prevented their effective adoption. It came as a challenge to the world—"We are ready to fight." You gave the "defi" to the battleship countries of the world, and you would better not bluff. You would better prepare to make good.

This is the reason why I vote for two battleships and because we, through your action, gave the "defi." If we have not a substantial Navy when that "defi" is accepted, by whatever power on earth sees fit to accept it, then our Navy will be passed, our shores will be reached, and our battles must be fought by our young men, the volunteer soldiery of the United States; and when foreign enemies approach us, however superior we may be, our loss in land battles will be great. If our battles be fought on the sea it will be largely by the professional warriors; the result will be swift and decisive; while if we fight on land fighting will be done by our sons drawn from our homes. I want to say, Mr. Speaker, you will find that battleships are cheaper than boys. [Applause.]

The SPEAKER. The time of the gentleman from Nebraska has expired.

A very satisfactory answer to that discussion is found in the naval bill, which recently passed this House, carrying appropriations and authorizations in the sum of $1,300,000,000. We will not at this time speculate as to whether the submarine policy of Germany would have ever been inaugurated if the American Navy had been, 18 months ago, of the proper proportions.

NEBRASKA SENTIMENT.

A recent extended visit to Nebraska, where I traveled over twenty-five hundred miles and delivered some 28 speeches on Red Cross, Grand Army of the Republic Encampment, commencement, Memorial, and flag-raising occasions, enabled me to meet many thousands of people, of various frame and angle, up to April 6, 1917. Like all other true Americans, Nebraskans accepted the judgment of the American Congress when it declared the existence of a state of war, and have since that time adjusted their former sentiments and prejudices, if they had any differing ones, to the demands of the Nation, and are giving their sons and their substance, time, and talents to reinforce the national will and might in the colossal struggle which for us is a fight to a finish and a war to be won. [Applause.]

These people neither fold their hands nor close their minds. They are ready for any task and they will meet every mental test. While they are cheerfullly paying and ungrudgingly giving, they want to know and they would better be told. They are interested in the men who are being called to battle, their care, equipment, and burdens. It would be well to fully advise them of the disposition of the taxes they pay, the money they invest, and coin they give. They desire to know that every dollar expended brings a dollar of value. They would be better satisfied if critical eyes should scan and critical judgments approve our large expenditures. They would be much better satisfied if those in authority had carried out their agreement of a year ago to have a bipartisan committee on war expenditures. They are convinced that had such a committee been organized early last fall our aeroplane program would not have had its lamentable shortcoming. To the folks who paid or invested their money which Congress set aside to the extent of about a billion dollars for aviation in several bills there was but one satisfactory answer—aeroplanes. There is but one answer—aeroplanes. There will be but one answer tolerated—aeroplanes, and aeroplanes in time. Investigations are interesting, but the aeroplanes are vital.

In this war the day of the academician is over. The palavering theorist is expected to be still. The pandering pacifist who prevented preparedness should hold his tongue and work and fight until the war is over as a penance for his misdeeds.

Nebraskans do not desire to be coddled or lulled. Neither are they hypercritical. They will overlook much. But they insist on knowing the precise conditions. Perhaps one of the best services performed for our people and soldiers was by Congressmen MILLER of Minnesota and MCCORMICK of Illinois, who visited the battle fronts, observed real conditions, and, returning, placed the information where it was heeded. Following this, rifle production, ordnance manufacture, and aeroplane construction were speeded up.

PATRIOTISM AND PARTISANSHIP.

To win the war as it should be won, with terms of peace dictated by America's righteous judgment, accepted by the allies, and approved by the conscience of mankind, is the prime purpose of our people. But to do this they see no occasion for neglecting their duties, their religion, or their patriotic partisanship. In fact, they treat all these as units of patriotism which should be developed to the highest efficiency. The party in power in Nebraska was never more politically active. The minority party is not idle, nor will its members be imposed upon by that fine piece of grim humor which was flashed across the country a few weeks ago saying "politics is adjourned."

Nebraska Republicans will not consent to their party being either assimilated or taken over as a war measure and placed in the common depository with the railroads, the reserve and land banks, and the war-risk insurance.

REPUBLICAN PARTY.

The Republican Party came into being to meet the great problems of the Republic nearly three-quarters of a century ago. Its principles were tested and crystallized in battle for the Republic's existence in a war which waited more than 60 years for an equal. Through its principles of equality before the law, equal opportunity for life's comforts, development of national resources, sound finance, national integrity, and international standing, with a policy of protection for both industry and citizens, it accomplished reconstruction and brought the Republic to supremacy in wealth and primacy in diplomacy among the nations.

The Republican Party represents a majority of the voting population of the United States. Its followers pay two-thirds of the taxes of the country. Its Representatives and Senators stood for preparedness against Democratic opposition from all sources and departments of Government before the war. When it surrendered power it left an overflowing Treasury, which abundance in the years preceding our declaration of war, while national defense and military preparation were neglected, was turned into a deficit, and we found ourselves issuing bonds in time of peace for the running expenses of the Government.

With this record and reputation safe in its history and secure in its present patriotic position, the Republican Party has and should have full confidence in its own future. It should especially resent any attempt of benevolent assimilation by those who have been its traditional enemies. It should by no means listen to the soft, sibilant suggestions of those within its own ranks who would aspire to carry its banners over to its old-time adversaries.

COUNTRY NEEDS THE REPUBLICAN PARTY.

The country needs the Republican party in control of legislation. The fact that the end of the fiscal year of 1918 has come and practically all of the great supply bills which should have been enacted into law before that date lie strewn in ditch and bog somewhere along the ill-kept highway of national legislation is a trumpet call for Republican return to power.

The Republican Party should be placed in control of legislation, because we are importing nearly $3,000,000,000 worth of goods from foreign lands made by foreign labor. That is the greatest amount of imports in the history of the country. At the same time we are collecting less duties at the ports than we have in our history since 1898, the last fiscal year affected by the Wilson tariff law. That amount is little more than half what so-called free-trade England is now collecting at her ports.

We are collecting our taxes in the North and spending them largely in the South, which the party in power favors and for which the Republican Party should not stand.

We are spending more money than ever in our history or in the history of any country in all recorded time, and yet that part of the people who pay the largest portion of them are denied any part in the oversight of their expenditures.

BIPARTISAN COMMITTEE.

Formation of a bipartisan committee, which was last year agreed to by the leaders of Congress, was defeated in a manner well known to the public. It is well recognized that if there had been more bipartisan oversight, there would have been less necessity for departmental or legislative investigation.

GRANTS OF POWER.

This Congress, in its patriotic endeavor to render efficient all war functions and activities, made tremendous grants of power to the executive branch of the Government. These grants are being exercised by the appointees of the party in power. It would be but human that that party under which such grants were made would find itself unable to restore those rights and prerogatives to the people and the Congress to whom they originally belonged. The Republican Party will be in position, and it should have that stability of purpose and strength of fiber when the war shall have been closed to make that constitutional restoration.

PARTY AND LEADERSHIP UNITED.

The Republican Party, reunited in its leadership, united in its following, will, in my opinion, exert all its efficiency and all its power in bringing the war to a triumphant conclusion. It will also present a sound organization, ready and capable to take over the control of this Government and successfully solve the economic, legislative, and diplomatic problems which will crowd for consideration when the end comes.

VINDICATION.

It is often somewhat trying to espouse some sound principle or oppose an unsound one and find a majority against you with convictions and prejudices as fixed as the laws of the Medes and Persians. It is, however, certainly gratifying to find time working change so fast that you become an unimportant factor of the majority, instead of being the whole minority. For instance, I have just read in the Washington papers that immediate work is to be begun on 48 great warships, for which provision is made in our recent naval program. It is of some comfort and satisfaction to recall the fight made over five years ago for an increase in our naval building in which I was supported by my colleague, Hon. M. P. KINKAID. Congressman REAVIS was not then a Member.

WAR AGAINST AUSTRIA.

When war was declared I called attention to the Austro-Hungarian monarchy as made up of many oppressed people, who would be more liable to rise in revolt against their rulers than would the Germans who, with blind fatuity and a devotion worthy a vastly better cause, support their oppressive government and its wicked conscienceless ruler. With the lapse of eight months after war was declared there was a declaration made against Austria-Hungary, and distinct progress is being made toward the defeat and downfall of the Hapsburg dynasty.

CONVERTIBLE BOND POLICY.

At the beginning of financial operations for the war it was urged by those in authority that the only way to float our bonds was to begin and carry out an elaborate system of convertible issues. So that every bond issue of an earlier date would, at the option of the holder, be convertible into a later issue at the higher rate of interest which the later issue was expected to bear. It was said that Britain had adopted this elaborate system for financing the war. I called attention to the fact that Britain had tried it once and then abandoned it. It did not seem to impress those who should have considered it that if our policy of keeping our securities at par the state of the United States bond market at or about the time for a new issue would dictate the rate of interest the proposed issue would bear. This left it open for a few bond speculators in advance of the new issue to depress the market price, force the increase of interest, and then compel the Treasury to reissue in exchange for the new issue at a higher rate all the former low-rate issues.

It is a matter for congratulation that in the recent issue the right of convertibility was cut out, and the bonds were oversold. And now comes the announcement for the next which is to be the largest issue of all, to wit, six billion, there is to be no increased interest rate. This reversal of policy will save during the life of the nonconverting bonds billions of dollars in interest.

It is interesting now to see the tables that are being issued by the Treasury Department showing the expense of converting the convertible bonds. It depends somewhat, of course, on what may be presented for conversion, yet if the right of convertibility were to be exercised to the extent of opportunity already allowed, it would mean an additional interest stretching over the life of the various bond issues, amounting to more than a billion dollars in interest payment by the Treasury.

TAX AND BOND POLICY.

One of the policies that should be adhered to in financing the war, and which I at an early date advocated on the floor of the House, is the payment of as large a portion as possible of our war expenses and, of course, borrowing as little as necessary. There are four important reasons for this policy:

First. Large bond issues tend to create great inflation, which is disastrous to wholesome business.

Second. Bonds sell better if the authority issuing them show a habit and practice of payment rather than constant deferring of payment.

Third. A dollar paid now instead of a dollar obligated to be paid at a future date will take the place of a dollar and a half at that time measured in average values as a measure of contraction must exist when liquidation is going on.

Fourth. If our gallant men go to a foreign field or elsewhere to fight our battles, our toll and income should sustain them in so far as is reasonably possible, rather than making the cost of their maintenance a mortgage on their future to be paid in considerable part by them after their return. Many of these bonds will mature at about the time the returning soldiers will reach their highest earning power.

HOG CHOLERA AND TUBERCULOSIS.

Throughout the Northwest the two great economic sources of loss to the farmers and live-stock men have been hog cholera and tuberculosis. My first important work in Congress was to enlist the Federal Government in cooperation with the several States in the eradication of hog cholera.

Data computed by the Department of Agriculture show losses of $75,000,000 in 1914 from hog cholera and about $32,000,000 for the year ending March 31, 1918, whereas the proportion of hogs lost from disease decreased from 118 per thousand in 1913 to 42 per thousand in the year ending March 31, 1918. These figures show a reduction of over 56 per cent in money losses and nearly 66 per cent in the proportion of hogs lost.

Judging from the field reports of bureau inspectors, there has been a further reduction in the losses since the last estimate. The extension of hog-cholera work as a war measure, together with the increased activities of the Dairy Division and the Animal Husbandry Division, and the rigid enforcement of the regulations promulgated under the serum-virus act of 1913, are bringing results that no doubt will reflect favorably in producing the required 15 per cent increase in hog production in 1918. (Mohler.)

My second was to obtain similar action as to live-stock tuberculosis. An appropriation for this has just been made. I feel that the latter enterprise will succeed equally with the former from an economic standpoint, and in its indirect relation to serving human life and health will accomplish a great good toward reduction, and in the end practically eradication, of this civilization-old scourge of man and plague of beast.

NEBRASKA AGRICULTURAL POLICY.

These are phases of agriculture, and Nebraska is essentially an agricultural State. We used to call it the State without a mine. While we must amend this statement with the exception of potash production, agriculture still stands out as our great industry entitled to intelligent consideration at the hands of Congress. Nebraska will probably lead in surplus products which our troops and those of our allies most greatly need.

We hear much about standing by the President of the United States. In matters of legislation, in so far as he has the constitutional right to recommend it and thereafter veto or sign the deliverance of Congress, Members will support him when he is right and wise and refuse to do so when he is not. Who does more surrenders the prerogatives which his people intrusted to him. On the other hand, the President should not conform his recommendation nor give or withhold his approval except as he sees wisdom and right or the lack of them in completed legislation. That is the only way we can preserve our Government, and only as so preserved at home would it be worth while for our boys to be defending it abroad.

INDEPENDENCE OF CONGRESS.

The President under the Constitution is the Commander in Chief of our land and naval forces. As such, together with the officers under him and the soldiers in the trench or on the deck, he is entitled to the wise and wholesome support of Congress and the American people. He and they have the right to ask that the best clothing, food, medicine, equipment, and munitions be furnished. Congress has responded in full and heaping measure and will continue so to do. But Congress will probably remember that it is no part of the Army, is under no orders, and that it represents the civilian population and should take no commands from anyone. As a Congress, it has no commander in chief.

MY SUPPORT OF WAR MEASURES.

While strongly imbued with these constitutional principles, I have supported every complete war measure that has been presented to the House and endeavored, as a member of its leading committee, to demonstrate to the people of the United States and the world that after the war's declaration and after the constituted committees have written out and perfected as nearly as possible important measures, that we support them.

SOLDIER GRANDSONS OF GRAND ARMY OF THE REPUBLIC AND SONS OF SPANISH-AMERICAN VETERANS.

Americans in civil life, whether public or private, will support our armed forces by delivering, under proper enactment, all they have and all they may ever hope to have, all they are and all they ever hope to be, to strengthen our Army and Navy, from the Commander in Chief "over here" down to the gallant soldiery "over there." In so doing they will make no distinction as to rank except that which the law entails. We have a grand soldiery. Nearly a million "over here," more than a million "over there." Many of them are the superb grandsons of the members of the Grand Army of the Republic, that greatest fighting force ever organized during the nineteenth century. The fathers of some of these were in that noble humanitarian strife, the Spanish-American War, many of whose veterans are of the fighting force of the Republic. Sons of patriotic parents are they all, doing the soldier's duty under military law.

SOLDIERS—VOLUNTEER AND SELECTIVE.

The American soldier came into the service either as the volunteer act of the young patriot, who asked permission to battle for the Nation and its flag, or entered through the systematic selection of his Government, which saw in him the preparation and fighting qualities which could endure the march and gallantly battle for victory. They are both of that American mold for which civilization seemed to wait and call upon for defense in this the hour of her greatest peril.

MY OWN BOYS.

Pardon the personal reference. I have two sons in the service. I belong to many noble civic orders whose principles and ideals have done much for mankind. I have worn their emblems, but during this war I shall wear only that sacred service symbol on my breast. Perhaps a sympathetic people will not disapprove of the pride a parent may indulge in wearing such an emblem, for no insignia of rank, no other badge of honor granted by any power on earth can with it compare.

Distance and public service prevented my seeing either of these sons as they left the home of happiness and the place where they were born. Like millions of other young Americans they saw their country's need and responded to its call. With patriotic zeal and buoyant ambition they entrained for their cantonment and field. One is in the Field Artillery Service, which strives to overcome the inertia of earth and withstand the onrush of battling men. The other sought service in that new field which from creation's dawn was deemed the domain of the eagle, but which, through the genius of man, has become the battling ground of supermen.

VISIT TO CAMP AND FIELD.

I have visited and met their officers, types of chivalry, and their comrades, manly men from every part of the Republic.

I passed through their cities, built, as it were, in the night, where multiplied thousands work and drill, sleep and eat, read and pray, as men in civil life are wont to do. I saw them move in mighty marches on the campus—drill, steady, vibrant, virile movement—characterizing American manly motion. I saw in many cantonments their daily round of duty and recreation. I visited their hospitals where disease and suffering were, and found the skilled men of medicine and surgery there who had left their homes and practice to battle against disease, that our soldiers might better battle with men. Then, too, I saw the ministering angels of mercy there, who, upon occasion, would with deft hand apply the bandage, administer the soothing lotion, or cool the fevered brow. No longer will it be written as was of old of the "soldier of the legion lay dying in Algiers, there was a lack of woman's nursing and a lack of woman's tears." I broke bread with the officers at their mess and beheld the transformation of the student athlete into a fighting military leader. I dined with the privates and enjoyed their wholesome fare. I visited the Knights of Columbus establishment and attended divine service at the Young Men's Christian Association hut. It seemed to me that we were making not mere fighting demons of our sons, but clean, strong, manly fighting men. As I left I said, "This is America militant, and young American manhood at its best."

LET NO GUILTY MAN REMAIN.

Theft is criminal and should be punished; graft is worse and should be more severely dealt with, because the grafter betrays a trust as well as takes that which is not his. "Let no guilty man escape" is an old watchword. But the gravest crime now is neither of these. In this crisis of the great war, while the "battle of the ages" is on, the greatest American criminal is one who occupies an important position and who does not or can not discharge with high efficiency his duties. Disposition of such characters should be swift and summary. Here the watchword should be reversed. It should be, "Let no guilty man remain." [Applause.]

PEACE TERMS.

Much is said of peace terms. American terms of peace will not be acceptable to undefeated Germany. There must be a conclusive allied victory. The terms proposed by America, agreed to by the allies, approved by the conscience of mankind, and submitted to by Germany, will be the peace text of the world.

Our men, more than a million strong, will be thrown into the balance not only to turn a grim deadlock into a decisive victory but to determine the successful close of a world war and give character to the course of civilization. This being true, there should be no failure by delay, neglect, incompetency, or worse, to give them all the preparation and support which the loyal and generous Americans have lavishly provided and our soldiers and sailors so richly deserve.

BATTLE OF THE AGES.

It would be trite to say the battle now going on on this western front is the greatest of all time. That would give no suggestion of its magnitude. I have just reread an old book entitled "Creasy's Fifteen Decisive Battles of the World." Beginning with Marathon, Syracuse, Arbela, Metaurus, Victory of Arminius, Varnus Legions, Chalons, Tours, Hastings, Joan of Arc's at Orleans, Defeat of Spanish Armada, Blenheim, Pultowa, Saratoga, Valmy, Waterloo. To them were added by other authors Gettysburg and Sedan. To these might be added Sha-Ho, sometimes called Mukden. I could say, by way of review, beginning with Marathon, where Greece demonstrated for the first time the supremacy of Europe over Asia by the defeat of Persia, the number of men engaged on either side of these 18 battles was less than those grappling in the battle of the ages since March 21.

The men killed in actual battle in these 18 colossal struggles were less than those slain in the great western battle. The time involved in these 18 battles would not exceed one-half the time already consumed in the fight now going on. The expense of treasure was likewise less and the expenditure of energy due to the terrific enginery of modern warfare probably was less than a hundredth part of that discharged along the bending Hindenburg line since March 21. And while each of those mighty battles was decisive of great questions involved between the contending forces and settled important questions, yet none of them involved so much the fate of the earth's civilization as the one which now rocks the Continent of Europe.

AMERICAN SOLDIERS.

Into this struggle will come the American soldier as the intelligent and vigorous composite of all that is best of the races with or against which he battles, because for 300 years the best have been coming from Europe to America to develop free institutions and representative government. Their manner of life has been of that free and independent character which has developed along brook and in forest with rod and gun; on grounds of manly sport, where individual effort and teamwork combine to develop initiative and teach discipline; and in field and shop their work has been of that varied character which combines activity of hand with freedom of brain. These, combined with that high general mental discipline possessed by the soldiers of no other country, make our soldier, in the final analysis, the warrior of emergency, whether in the final grapple of men or the ultimate clash of armies. [Applause.]

They will be farther from home than were the battling legions who followed Alexander, Cæsar, or Napoleon. They will mingle with and against more different peoples than did the followers of the Macedonian, the Roman, or the Corsican. They may not have the steadiness born of long discipline, which, fixed in the famous phalanx of Macedonia, withstood the shock or broke the lines of the oriental myriads. They will not have the lust of conquest nor the appetite for adventure which carried the great Julius through the barbarous north and west. They may not have that mingling of fatalism with human idolatry which recovered at Marengo, charged Lodi, crossed the Alps, ventured Moscow, and rallied at Waterloo. But in fine physique, clean limb, and bright eye they will be the cynosure of the world's soldiery; in mental grasp they will surpass those of any other battling host. In those fine qualities of chivalry, courtesy, and manliness they will have no equals. Among and against those armies where rank and title stand forever at premium they will be, in the eyes of all, the war's true nobility. And when the call for sacrifice and struggle shall come, none will go more buoyantly to the task, none acquit themselves more bravely, none will account for more of mankind's enemies; and when the victory is won, in the book of merit and achievement they will be accredited first honors of the war. [Applause.]

Mr. GOOD. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, the bill under consideration is a very important and worthy measure. Its purpose is to make large appropriations for our coast defenses and to protect and defend our country from invading armies.

It has been my pleasure to support all war measures which have come before Congress during the time I have been a Member of the House, and I shall continue to support while I am a Member of this House all measures which will aid and support our armies in the conduct of the war and all those designed to protect our country from invasion.

But, Mr. Chairman, as this bill seems to have the cordial support which it should have from all Members of Congress, you will pardon me if I shall digress for a moment to call to the attention of the House another important measure now pending in the House for its consideration. One of the most important questions for us to consider as a war measure is the production and conservation of food. For the production of food we must depend very largely upon the farmers of this country. While no more patriotic nor energetic class of people exist than the American farmers, in this war we must not depend entirely upon patriotism to win our battles.

This is a war which will be won by the side which can maintain the largest food supplies and can keep its credit unimpaired.

It has been my idea during life that if you wanted our farmers to produce large crops of grains or vegetables, that all they needed was the natural incentive furnished by the idea that the crop they were sowing or planting would bring a good price. I did not believe that the guaranteed price as fixed by the food-control act and the President's order would be as productive of as large crops of wheat as the natural incentive of a fine market which would follow upon the wake of war conditions, but the administration has seen fit to fix a price on wheat at the rate of $2.20 per bushel on No. 1 northern wheat at the principal primary markets, which would mean about $2 per bushel to the farmer at the local elevators for the average wheat raised in the Mississippi Valley, the farmer, of course, having to pay the freight rates on wheat from the local elevator to the nearest principal primary market. Since the fixing of the price by the President at $2.20 per bushel, Mr. McAdoo, the Director General of Railroads, has increased all freight rates 25 per cent, which makes an additional burden upon the farmer and further reduces the price of his wheat. The United States Senate has amended the Agricultural bill passed by the House, so that the minimum price of wheat was fixed at $2.50 per bushel. When the bill was returned to the House, the House refused by a record vote to adopt the amendment and

the same is now pending in conference, the Senate refusing to recede from its amendment. It was my pleasure to support this amendment with my vote, but the Members of the House from the cities, the South, and other sections of the country where wheat is not produced outnumbered the Members from the wheat districts and voted to reject the amendment.

I am fully aware of the fact that under present conditions wheat is the least profitable crop raised in this country. The yield in bushels per acre is not large, and when we take into consideration the cost of seed, fertilizer, labor, machinery, interest on money invested in real estate, and so forth, which have all, except interest, doubled in price since the beginning of the war, you can easily see that $2.50 per bushel is not an excessive price for wheat under present war conditions. Another thing we must take into consideration is the scarcity of labor. The present large crop of wheat was made possible by the labor of a large number of young men who since the crop of winter wheat was sown have been taken into the Army and are now either fighting for our country at the front in France or are in our cantonments being prepared and drilled for over-seas duty. When the crop of wheat for 1919 is sown there will be a greater shortage of labor on our farms than there was last fall, and the price of labor will necessarily be very high by reason of such shortage. It necessarily follows that unless the farmer knows that he will be well paid for his wheat he will not be able to sow a large crop next fall.

There is another matter to which my attention has been called by leading farmers and agricultural men of my district in the last few weeks, and that is that owing to the extremely congested condition of the freight traffic of our railroads they will not be able to move this year's crop of wheat at the time of thrashing, and by reason thereof some farmers who thrash early would be able to dispose of their wheat from the thrashing machine, while others would be compelled to store their wheat on the farms until it could be moved by the railroads, thus entailing on these farmers who must store the additional burden of twice handling their wheat and the loss by shrinkage, interest on money invested, and insurance premiums which would necessarily follow.

At the request of these farmers I have introduced a bill to amend section 14 of the food-control act, which reads as follows:

The guaranteed price so fixed shall be the price of said wheat at the time the owner thereof shall offer the same for sale at his local market; and if the said owner of said wheat is unable to dispose of the same in the local market when so offered for sale by him, by reason of the inability of the railroads to move the same and the owner thereof is thereby compelled to store said wheat until the railroads are ready to move said wheat, the said owner shall be allowed an additional sum at the rate of 2 cents per bushel per month to reimburse him for costs of storage, interest charges, insurance premiums, shrinkage, and any other loss or damage which may be occasioned to said owner by reason of the failure of the railroads to move said wheat when so offered for sale by said owner at the local market.

A few days ago I received from the Hon. James P. Goodrich, governor of Indiana, a letter indorsing this bill, which I will read and which is as follows:

STATE OF INDIANA,
EXECUTIVE DEPARTMENT,
Indianapolis, June 15, 1918.

Hon. RICHARD ELLIOTT, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: I note that you have introduced a bill allowing the farmers 2 cents per bushel per month for storing wheat. I heartily approve your action in this regard, but you do not go far enough. The Food Department is allowing the elevators of the country 2½ to 2¾ cents per bushel per month to cover interest, insurance, and shrinkage in grain, and this charge is not, in my opinion, an unreasonable one, as the interest alone is more than 1 cent a bushel per month, and I feel certain the shrinkage for the first three months after thrashing will be fully as much more, and to this you must add insurance and extra cost of handling. I can see no reason why the farmer should not be allowed the same carrying charge for his wheat as is allowed to the elevators and millers of the country, provided that the farmer will advise his local food administrator that he has a certain number of bushels of wheat ready for delivery and agrees to deliver it at any time upon notice of the Government's desire to have it delivered. This will remove the financial strain from the banks of the country; will also prevent the congestion of traffic that is certain to follow the thrashing of our enormous wheat crop; and will allow the grain to come out as it is needed by the country and our allies.

Unless some action of this kind is taken the farmer will be unjustly discriminated against. Those that thrash early and deliver their wheat promptly will be paid the Government price, but, with the congestion that inevitably must follow, those who can not thrash and deliver their grain promptly will be compelled to sell their grain at a later date at the same price, thereby losing the use of the money and being compelled to stand the shrinkage, cost of insurance, and additional handling.

Very truly, yours, J. P. GOODRICH, *Governor.*

I was not aware at the time I introduced this amendment to the food-control act that the Food Administrator had been allowing to the millers and elevator men the amounts stated in the governor's letter, but I can readily see that the amount fixed in my bill is too small to cover all of the losses which will be entailed upon the farmers by reason of the storage of their wheat, and when the proper time comes I will ask the Committee on Agriculture, before whom the bill is now pending, to make the amount of compensation for storage 3 cents per bushel per month instead of 2 cents. I have been unable, so far, to get a hearing before the committee on my bill. The chairman of the committee has informed me that he wanted to confer with Mr. Houston, the Secretary of Agriculture, and Mr. Hoover, the Food Administrator, in regard to the bill before he granted a hearing. I noticed in the papers to-day that the President is about to increase the price of wheat, which I hope is true, and if I never get Congress to adopt this amendment it may be that the agitation of the subject will result in the farmers getting what is justly their due.

Mr. GOOD. Mr. Chairman, I yield to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Chairman, I desire to ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. KAHN. Mr. Chairman, I yield back the balance of my time.

Mr. GOOD. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. I have something I wanted to say to the committee that is not entirely pertinent to the discussion of the bill now before it, and yet it is not very far afield. Some time ago I called the attention of the Members to a possible revolution in Austria. I had discussed last September what I regarded the impossibility of revolution in Germany. I do not believe that there are conditions present in Germany, and have not been at any time, that would promise a revolution there. And any plan of ours built upon the possibility of a revolution in Germany, I think, would be very unwise. But not so in Austria. That is the real polyglot of Europe, a country peculiarly constituted, of very varied and adverse elements. There are a little less than 30,000,000 people in Austria, all told. I do not include Hungary. In that 30,000,000 less than 10,000,000 are the ruling element. They belong to the German population and speak the German language. In religion the Germans in Austria are Catholics, perhaps 85 per cent of them, while over in Germany a great per cent are Protestants. So that the German in Austria and the German in Germany are not a unit on all matters, although in matters of war I think they stand together, without a doubt.

But take the other elements of the 30,000,000, of which the prominent classification is the northern Slav and the southern Slav. Up in the north section of Austria are the famous Czechs, that live in Bohemia. There has been a constant infusion of immigration to America from that section, and we have here in the country a large number of those people, and we find that almost to a man they are very adverse to the Austrian Government. Many of them left here at the outbreak of the war to join the allies against their enemy, Austria. They are subject to the Austrian Government, and yet the Bohemians are holding such a position in Europe that I think it was Napoleon, as I recall it, that said, "The nation that controls Bohemia will control Europe."

I understand that there is to-day an army of 120,000 Bohemians maintained as a separate unit on the western front, fighting against the oppressor of Bohemia—Austria. Whether that fact is well known to all the Bohemians in Austria or not is a question. Next to Bohemia is Moravia, which is populated by the Slovak. We have a great infusion of that element in this country also. They are to a man opposed to the Austrian régime, and are a subject people. Many of these left the United States to join Italy against Austria. Just east of these people is the Province of Silesia, which is also in Austria. This Province is peopled by the Poles, and while they are only a small portion of the Polish peoples of Europe, the larger portion belonging to Russia, now overrun by Germany, yet the Poles in Silesia are very much adverse not only to the Austria but to the German régime, because of the persecution of the Poles over in Germany and their oppression in Austria.

I mentioned once before to the Members here the appearance of Paderewski before a subcommittee of the Committee on Foreign Affairs in a wonderfully beseeching appeal that the Government here permit the Poles in America to organize a separate unit, not to be brigaded even with the Americans, but remain as a separate unit, to be used on the western front, so that their kinsmen, both in Russian Poland and in Austrian Poland, Silesia, could know that their own people were fighting as an army on the western front for their liberty. These are the dominant elements that belong to the northern Slavs which make up a very respectable portion of the population of Austria.

Then, in the south section of Austria we have the Bohemians, the Serbo-Croats, totally subject, again, to the Austrian Government, and north of them you have the Slovenes, in Slovenia, and then south of Austria, which is now a portion of Austria through the invasion of 1912 and the years immediately preceding, Herzegovinia and Bosnia, peopled also by what we call the Jugo-Slavs. They are the same people that are in Serbia. And the dream of the people in Bosnia, Herzegovinia, and Serbia is that there may some day be a government of the Jugo-Slavs as a separate, independent entity, free entirely from Austria. These elements make up the northern and southern Slav, which is far in excess in numbers to the ruling German element in Austria. Then there are the Italians in Dalmatia, also subject to the Hapsburgs.

Mr. COX. Will the gentleman yield?

Mr. FESS. I yield to my friend from Indiana.

Mr. COX. I would like to ask the gentleman two or three questions right in that connection. Now, what is the population of that part of Austria in Hungary which now and for the last number of months has been predicting an uprising?

Mr. FESS. The uprising is found among the Czechs in Bohemia and the Slovaks in Moravia, and also the Poles in Silesia. Those are the northern Slavs.

Mr. COX. What is the population?

Mr. FESS. The population is not far from 10,000,000.

Mr. COX. That is what I have been informed.

Mr. FESS. And the population of the southern element would probably be about the same or somewhat greater. To be more definite, there are between 19,000,00 and 20,000,000 of these subject peoples out of the 30,000,000 in Austria.

Mr. COX. Now, one more question. I am sure the gentleman and I would agree upon this proposition, that ordinarily our Government would be opposed to conducting a propaganda on the western front or on the Italian front. As a rule we would oppose it. But when we are fighting an enemy, as we are fighting on the Italian front and on the western front, that is fighting us with everything the ingenuity of man can possibly conjure in his brain, what would the gentleman think of the wisdom or the unwisdom of our Nation starting a propaganda, especially along the Italian front, in order to inform that same class of people who are in the Austrian Army exactly why we are fighting and why we are in this war?

Mr. FESS. I am glad my friend from Indiana has put that question, because it is the one thing I want to attract the Members of the House to to-day. That is the one item of supreme interest to this country and the allied cause. I agree with my friend that the niceties of international law might cause us to hesitate to operate in any country outside of our own, but as he says, this is a time of war, and Austria is our enemy, and there are two ways we can operate as a belligerent, and in my judgment we are bound to do both.

There are two ways in which we can make our contest. One is to strengthen our own forces, and the other is to weaken our enemy's forces. When we realize that out of this army called the Austrian Army two-thirds come from subject people who hate the ruling element, and that those men are armed and fighting against their will under a form of duress, it is apparent at once what we can do, if we would in some way conduct a propaganda to affect those soldiers armed under the authority of the German officers and get the real facts in the case before them, first, as to what the allies are fighting for, and, secondly, as to the number of people in the allied armies that belong to the Slovak people and the Jugo-Slavs and the Bohemians, fighting for the same thing that they themselves have been yearning for for years—if we could do that we would weaken the enemy's forces in Austria to the extent, it seems to me, that we could pretty nearly annihilate the Austrian Army and put it out of existence, as has been done by Germany in Russia.

Mr. COX. I hate to take up the gentleman's time, but will the gentleman yield one moment further? I have discussed this matter with the gentleman to some extent.

Mr. FESS. Yes.

Mr. COX. Permit me to make this statement: A gentleman is here, and has been here for two months, from New York, a Slovak by birth. He came to this country when four years of age. He is a man who speaks fluently six different languages. He knows all about the Slovak people in this country and the Slovak people of his own country, and he comes here not with generalities at all but with concrete, tangible propositions along the line of meritorious propaganda work. I have endeavored to secure for him an audience with some of the people who are in control of this propaganda work, and so far I have not been able to do it.

I am not casting aspersions on anybody, and I am not criticizing anybody, but I think a professor, now a lieutenant in the Army Intelligence Bureau, who has charge of the foreign propaganda work, would do well to look into the matter a little further. I gave this gentleman a letter of introduction, and some other Members of the House did, in the effort to bring him in contact with those people, not for a job, not for money, but simply with the hope that he could give those people his ideas, and he was met sternly with the reply from the lieutenant who was in charge of this work, "What do Members of Congress know about it? That is none of their business," or words to that effect.

My idea is—it may not be correct—after going over that matter with this man in detail time and time again, that if his suggestions were heeded and our Army Intelligence Bureau would take hold of the situation along the line he has outlined, it would be worth a million of soldiers in Europe. I believe if his ideas were carried out millions of people in Austria-Hungary would rise against their masters, and that would quickly disrupt the Austrian Empire.

Mr. FESS. I am glad the gentleman has made that statement, because I know something about the effort of the gentleman to whom he refers, and I think, as the gentleman from Indiana has just expressed himself, that that gentleman is exceptionally capable, especially in sensing the situation in that country of whose blood he is. However, my concern is expedition to do what is a most strategic possibility. I care not who does it.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. FESS. I yield to my friend from Louisiana.

Mr. LAZARO. I know the gentleman is a deep student, and his speeches are always interesting.

Mr. FESS. Thank you, sir, for your compliment.

Mr. LAZARO. Will he please tell the House how these people have been held down so successfully during the war?

Mr. FESS. I think I can answer my friend from Louisiana, partially at least. In Germany, for example, a high-grade people, a wonderfully intelligent people, judged from certain standards, have been kept under such a régime that they have lost their individuality and, consequently, their initiative. They are dominated by the ruling element, made up, first, of the members of the royal houses, which will number probably, all told, nearly half a million people. Then come the famous junkers, fairly well understood by the world since this war opened, and, lastly, a large additional population of the class that has gained the recognition which gives them the right to prefix "von" before their names. That makes up a very respectable proportion of the population of Germany, which composes the upper or ruling classes, and, through marriage and intermarriage and affiliation with the army and the navy, they have a relatively small number of people absolutely ruling a very large mass of the German people. Then, as a matter of policy, these who are in government legislate in humanitarian ways by enacting legislation in various forms of old-age pensions, and so on, for the large mass, and thus keep them subject to them, almost as a slave is to a master. You find that the great mass of the German people act in masses, under orders, without any individuality, and quite naturally when they are out where they must act individually, without orders, they are lost, because they have not the initiative. That is why one American with bayonet fixed brought in seven German prisoners the other day. I would like to know how many Germans would ever bring in half a dozen American prisoners at one time? Americans have been brought up in a different school. They take the initiative, while the Germans do not have the initiative.

I say to my friend from Louisiana that you have the same thing, only in a worse degree, in Austria-Hungary. The under class, dreaming of an independent day when they can have their own autonomy, are held down abjectly by legislative propaganda in which the worst discriminations are made by race against race, in various ways—for example, against their own language. Through various methods they are held down abjectly by the ruling class. Germany to-day furnishes mainly the officers of the Austrian Army, and, as is well known, the ruling portion of the Austrian Army is largely made up of Germans.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Could the gentleman from Iowa give me five minutes more? I wanted to say just one more thing.

Mr. GOOD. I yield to the gentleman five minutes.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. LAZARO. Mr. Chairman, will the gentleman yield again?

Mr. FESS. Certainly.

Mr. LAZARO. Then it is your judgment that they are held down by the Germans?

Mr. FESS. Absolutely. They are held down by the ruling element, which is the German element in Austria, just as they are held down in Germany, only in a more abject form. The subject people in Germany are German, while in Austria they are anti-German.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. FESS. I would hesitate to yield to anyone just now, but I will yield to my friend if he will be real quick.

Mr. PLATT. Without the Magyars there would be trouble?

Mr. FESS. The Magyars are not in unison with Austria at all. There is a possibility of a break there very quickly if it could be simply directed. It is an open secret that had it not been for the welding power of war the dual monarchy would have gone with the death of Joseph.

Mr. PLATT. But the combination is between the Germans and the Magyars. That is what has held them together.

Mr. FESS. Yes. That is what under the stress of war has held the dual monarchy together. But what I am suggesting is that not so much in Hungary, but especially in Austria, are all the elements of revolution, and we ought to get in there in some way.

Now, gentlemen of the committee, in time of war I think it is the duty of all Congressmen to refrain from interfering in matters which are diplomatic. Congress has not that field. If there is diplomacy to be worked out, that is not in the field of legislation. It might be that there ought to be some consultation here, but that field specifically belongs to the State Department, to the executive department. As to this proposed propaganda, I can see how certain gentlemen may say that Congress has nothing to do with it—that it is not the business of Congress. I appreciate the sensitive character of diplomacy and am inclined to withhold criticism where is left undone in that field what I think should be done. But at the same time, with Congress willing to back up any organized system of propaganda to put out of being the army in our enemy's country, it seems to me we ought not to be thought interfering when we wish to do it. I hesitate to point it out in time of war, if it should appear to be a criticism, on the ground that Congress is not given some rights in diplomacy. I do not mean that at all. I say this, as a very rigid adherent of the prosecution of the war, that I think we have made some mistakes—mistakes of omission. This is one. We may be doing more in that propaganda than we know, but we certainly have not reached the results that are possible. I think without a doubt we have procrastinated in some things in which it would have been very wise for us to have taken action quickly. One thing I think we ought to do at once: We ought to close up the Bulgarian embassy in this city. For months we handicapped the country by neglecting to declare war on Austria. We suffer likewise with the Bulgar. If it is necessary to declare war against that country in order to make use of the American assistance at Saloniki, the most vulnerable point in the enemies' lines, we ought to do it. Diplomacy here, as in case of Austria, prevents our striking at the weak point. It must be apparent to all what success we can have with national secrets with that embassy open at this time. Yet we hesitate to speak openly in this way on the floor of the House, because that is more or less a matter of diplomacy. At the same time, I repeat, that country is our enemy, and Turkey is our enemy, and I am convinced it is a mistake to proceed on the basis that they are our friends when, as enemies of our allies in this character of warfare, they can not be our friends.

Then there is another thing on which I think we are hesitating dangerously. If you will notice what is going on in Russia you may agree with me that it is the most sensitive place in all this war to-day. I am not going to criticize what the administration has not done, but I believe it my duty to say that it would be a wise thing for us to know now that Germany is working there. Germany had before the war a propaganda in operation in Russia with 500,000 Germans. It is difficult to estimate what she now has in that field. Results are ominous, and have been for months. Already the bolsheviki, by simply utilizing the spirit of revolution, have played into Germany's hands and now have been put out of existence by serving as an agency by which Germany has got control of Russia. This morning's press informs us that the bolsheviki have entered into an agreement to allow Germany to exploit Russia. All of this has taken place with no surprise to us, for it has been expected. Yet it seems that we are afraid to take a step for fear of driving Russia into Germany's lap. I am afraid Russia is going into Germany's lap while we are waiting. It is no new thought. From the beginning this has been a field for our operations, if we would but act. Russia is a potential problem. It may be allowed to grow into German power if we procrastinate. It seems to me it would be a wise thing to allow Japan with her forces to enter Russia with the United States by her side to assure Russia that we are not doing anything harmful to her or hurtful to her future development, but to save to her the fruits of a democratic existence. We must watch the movement of Germany in Russia to-day and act soon, lest procrastination at this time, as in the past, becomes a fatal blunder. I just speak of that as one of the things we ought to think about. [Applause.]

We can do nothing better than to assure our allies that we are in the war to win it. We will strike where our forces will count. The arrival of our troops in Europe has already placed a new face on the situation. The part played at the several points by the American soldiers has stimulated the entire fighting force on all fronts. The recent achievements of Italy and her allied assistance are but a part of one great plan now being worked out. I predict a rapid disintegration in Austria, which ought to show itself quite soon in its effect upon Germany and should arouse Russia to her own possibilities if in unison with her allies.

Mr. GOOD. Mr. Chairman, I yield 10 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, we are all united in support of this fortifications bill, which is in fact, as has been well said, rather a general artillery armament bill, for there are few fortifications provided for in the bill, while enormous sums are provided for arms and munitions for field forces.

I believe the committee have provided abundantly for all possible needs in these lines, no matter how large a force we may be able to gather on the western front, and we hope that that force will constantly increase until it so augments the armies of the allies as to put those forces in a position to take the initiative and drive the enemy across the Rhine.

There are some things that have developed in the hearings on this bill that are not pleasing, that are somewhat embarrassing to the pride of the American citizen. The Nation that developed the first efficient and effective machine gun, the Nation that was among the first of the nations of the world to develop a really high-grade, effective field gun, is still, after more than a year of hostilities, depending and will for some time yet depend practically wholly on the burdened allies for our supply of these classes of arms for our men in France. And, looking beyond these items to equipment not provided for in the fortifications bill, we are reminded of the fact that the Nation that gave the world the flying machine, that made possible the wonderful evolutions of the bird man, is, after all of these months of warfare, practically without fighting planes for our armed forces except as provided by our allies. It is a saddening situation, and it has been accentuated by the fact that when we were making least progress with our program some high in authority took it upon themselves to send broadcast rosy and entirely misleading and untruthful statements of the things we were said to have done and hoped and expected to do. However, after all these delays, unpardonable and indefensible as they are, we are at last, thank heaven, approaching, we hope, the point of quantity production of the necessary arms and munitions of war. This bill will abundantly provide the funds necessary for the carrying on and the extension and the enlargement of our program to the winning of the great contest in which we are engaged. [Applause.] So much for that.

Mr. Chairman, I shall take advantage of the little remaining time granted me to discuss another matter not related to war and armaments, but nevertheless of vital importance, even in these days of war and war preparation.

On July 1 the zone rates as applied to second-class mail matter, unless Congress acts in the meantime, go into effect, and I am constrained to again call attention to the wholly indefensible character of that legislation.

At a time when the necessity of blending the entire body of American citizenship in harmonious unity of view and purpose is the one clear, incontrovertible, and outstanding fact of the situation it is proposed to strike a mortal blow at the agencies which more than all else tend to strengthen and crystallize the national patriotic view and purpose of our people, the newspapers and magazines of the country.

It is urged that these publications should, at least in these war times, pay larger sums for the privileges they enjoy. Assuming for the sake of argument the force of this contention the zone plan can not be defended in support of it, for it will provide the minimum of increased revenue and produce the maximum of confusion, annoyance, injury, and injustice.

The only answer made to the conclusive argument that a system of zone subscription rates for newspapers and magazines would be unworkable, grossly unfair to those far from the centers of publication and menacing to the welfare of the

Republic, is the lame and apologetic statement that the additional cost to the publishers of the zone system would be met by a general flat increase in subscription and advertising rates.

If it is to be assumed that the increased costs of the zone system are to be met and covered by flat increases of subscription or advertising rates, or both, that assumption now advanced by the defenders of the zone system constitutes the severest indictment of and the most conclusive argument against the system that has been advanced. Why burden publishers with the annoyance, vexation, hazard, and certain loss of a zone system if zone subscription rates are not contemplated or anticipated? A comparatively small flat increase in postal rates would produce more revenue than the proposed zone rates. What justification is there, therefore, for the archaic, exasperating zone rates if zone charges are not intended to follow?

The fact is there is absolutely no sound or logical argument in favor of a zone system for the transmission of news, current opinion, information, or even current advertising. The system is un-American, unpatriotic, and its tendency will be to increase the provincialism which is a constant menace to free institutions and seriously hamper the development of a true national spirit. [Applause.]

Mr. GOOD. Mr. Chairman, When Gen. Garfield reported the legislative, executive, and judicial appropriation bill in 1874 he made a speech in which he used this language:

> A very wise man said many years ago concerning the finances of a European kingdom that if one of their annual budgets alone should survive the next deluge, if it were the only fragment left after dry land appeared, from that annual budget alone could be read and reconstructed the entire history of the nation.

How true this is. If this country should be visited with a deluge and nothing should be left but the annual appropriations of Congress during the past 15 months, from these appropriations alone the future historian could write the history of the magnitude of our tremendous task and of the great work of the American Congress, putting in motion every machine and every man in the Republic, in order to win in the most terrible war of all history.

This bill carries more than $5,000,000,000, a stupendous sum, a sum equal to the wealth of the 13 Southern States at the outbreak of the Civil War. And yet the amount appropriated in this bill is confined largely to two items—field artillery and ammunition for field artillery. This bill carries $1,229,031,295 in cash and contract authorizations for field artillery alone. It carries $3,793,134,550 for ammunition for field artillery, a total of $5,013,000,000 for that purpose out of the total of $5,435,000,000 that were appropriated by this bill.

The bill also carries $300,000,000 for the maintenance of mobile artillery. It is out of this fund that all worn-out, destroyed, and captured guns will be replaced. The sums carried for testing armament, subcaliber and accessories, are correspondingly larger, as are practically all the items that go to make up the bill.

It is true the bill does not go into great detail. This is necessarily so. To have appropriated for the thousands of separate things to be purchased would have informed our enemy of our military plans. The items are carried in the customary language of the bill.

I am very sorry, Mr. Chairman, that when it came to making up estimates for this bill there had not been at that time, a time when we had been at war nine months, a more careful and well-devised plan laid for these appropriations. No one, it seems, had foresight, vision, and judgment of the magnitude of our task and what was necessary to do to win in this war. It ought to have been obvious that it would require much more money than was estimated last December for the purpose of this bill. Why, at that time, in accordance with the law, the Secretary of War only estimated for $3,332,000,000 for all the purposes of the bill. And then, with a recklessness that beggars description, additional estimates commenced to flood the Appropriations Committee until, when the committee had finally finished its work and during the deliberations, we were compelled to hold hearings on estimates not yet received by the committee, and so to-day there is a grand total of $9,018,387,981.42 estimated by the War Department for the purposes of the bill.

Mr. Chairman, in making this report of $5,431,000,000 it is the unanimous opinion of the committee that we have given the Secretary of War more money than he can possibly spend during the fiscal year for which the appropriation is made. After the matter was thoroughly gone over it was decided that the bill now carries practically all those who administer the funds estimate will be needed and all they can possibly expend. Speaking for myself, I am sure we have exceeded the productive capacity of the country. And yet it does seem strange that in such times these additional estimates which have not been worked out or matured should come to the committee to disturb its deliberations. They have greatly added to the work of the committee and only tend to confuse. I want to say that in the deliberations of the committee and in marking up this bill there was no division along party or any other lines. There was but one sentiment, and that was to give to the War Department every dollar that could be expended and that was needed for carrying on this war. We are a unit in the report that the bill amply does that. We covered back into the Treasury over $12,000,000 or more that had been appropriated before, which the department says it could not use during the next fiscal year.

There are one or two things I want to call to the attention of the House. I am very sorry that the Congress has not been taken into the confidence of the Secretary of War so far as some of the items of expenditures are concerned. We are reporting out of here $5,000,000,000, but without authority much of that has already been contracted for. Hundreds of millions of dollars have been contracted for plants and plant construction, and Congress now for the first time authorizes such purchases and contracts. Since this Congress convened, without saying one word to Congress and without authority, hundreds of millions of dollars have been so contracted. But the committee feel that in the main it was warranted, that it ought to be done, and we have appropriated the money to pay for it. And in this connection I want to make this observation: The policy is a bad one. Some of these days when peace shall come, if there are millions of dollars of unauthorized contracts, a Congress may not willingly vote the money to pay for the contracts that were made without authority of law. We have been here all of the time ready to act on a moment's notice, and we insist that the Constitution and laws be observed by those clothed with their enforcement.

There is one other thing that I want to call to the attention of the House and to the country and especially to the War Department, and that is a practice that ought to be stopped. It is a practice in the War and in the Navy Departments of selling obsolete cannon and matériel. From March 8, 1913, to May 14, 1914, the Navy Department sold thirty 6-inch guns, 18 of them to Mr. Bannerman, of New York, and 12 to Luria Bros., of Reading, Pa. I will read from a note of Admiral Earle in the hearings with regard to these guns:

> NOTE.—On March 28, 1913, Francis Bannerman, of New York, purchased eighteen 6-inch 30-caliber guns. The price paid for these guns was based on weight of steel and ranged from 53 cents to 71 cents a hundred pounds and, in the case of 11 of the guns, from $12.66 a gross ton to $13.02 a gross ton. The total weight of the guns sold to Mr. Bannerman, including the foregoing, as well as two 8-inch guns was 246,914 pounds. In other words, the price paid by Mr. Bannerman for 6-inch 30-caliber guns was in the neighborhood of $78.67. This was bought by him as scrap value only.
>
> The Luria Bros., of Reading, Pa., on May 14, 1914, purchased 12 other obsolete 6-inch guns at a total price of $2,386.88. It is quite probable that Mr. Bannerman did purchase these guns from the Luria Bros., although the department has no record as to such a transaction. The guns in the latter case were purchased for less than $200 apiece.

The cost of these guns was about $6,000 each. Eighteen of them were sold to Bannermann for $78.50 and 12 for less than $200 each to Luria Bros., and the Secretary of War in the estimates before this committee asked us to appropriate $15,000 apiece for those guns. In other words, the Navy sold these 30 guns for about $4,000—less than $4,000—and we are asked out of the Treasury of the United States to appropriate $450,000 to buy them back.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. BYRNS of Tennessee. If the gentleman will recall, however, Col. McRoberts in his testimony stated——

Mr. GOOD. I am coming to that. There is an estimate in this pending bill for 47 more obsolete guns of the same type and character that the present Secretary of the Navy sold for from $87 to less than $200 apiece to junk dealers, and yet it is here estimated that we should pay the Navy $15,000 apiece for the same kind of guns.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Not now. Admiral Earle says that he thought the price ought to be reduced to $5,000 each. Similar guns were worth nothing but scrap in 1913 and 1914, and were sold as scrap. In this bill the committee is unanimous in reporting a provision that guns of this kind not needed by the Navy should be turned over to the Army if they could be used by the Army.

Mr. PLATT. Does not the gentleman mean to buy these guns back from the people who they were sold to?

Mr. GOOD. Yes; we propose to buy them back, and the bill carries money to purchase them back; but if these guns are pur-

chased back for anything like the amount which the Secretary of War has estimated he will pay for them, I undertake to say that there will be some investigation into the matter.

Mr. PLATT. Mr. Bannermann submitted to me at the time of the armed-ship controversy an offer to furnish 6-inch guns for the arming of merchant ships, free of charge, if the Government would take them, and the answer of the Navy Department was that they had no ammunition for those guns.

Mr. GOOD. Mr. Chairman, these last guns were sold about 90 days before the outbreak of the European war. It is obvious, whether we are at war or not, that the Government of the United States ought never to sell guns of this character. If they are worth nothing but junk they ought to be junked at the navy yard or the arsenals of the United States. When we had our trouble with Mexico the officers who reported that our soldiers were met right across the line with Springfield rifles that were obsolete, that had been sold by the War Department of the United States. They, of course, were sold as junk. If we do not need these guns in one of the branches and they are needed in the other, they ought to be turned over to the other branch. There never has been that speaking relationship between the Army and the Navy with regard to these things that business demands.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. GOOD. Yes.

Mr. COX. I quite agree with the gentleman, but does not the gentleman think we ought to carry that just a little further? Every time there is an omnibus bill up here to give cannon back to our respective constituencies to beautify some park we fall over one another in order to get a cannon.

Mr. GOOD. I would rather, ten times over, send all of these cannon to the gentleman's district than to give them to junk dealers.

Mr. COX. But I do not want them. I would turn them over to the arsenals and remold them again into cannon.

Mr. GOOD. Mr. Chairman, I did not intend to use any of the time myself, and as I see now that some of the gentlemen to whom I have promised time have returned to the Chamber I will yield the balance of my time. I now yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

Mr. CRAMTON. Mr. Chairman, in the time allotted to me I desire to have read by the Clerk a statement signed by a number of the most prominent business men of Michigan and some of the largest industrial leaders of Detroit.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATEMENT IN RE JONES AMENDMENT TO AGRICULTURAL APPROPRIATION BILL.

JUNE 22, 1918.

We have been informed that Hon. E. N. Hurley, chairman of the Shipping Board, thinks that war prohibition will disorganize labor activities in shipbuilding plants. And the newspapers report that Hon. Bainbridge Colby, of the Shipping Board, has appeared before the Senate Agricultural Committee to protest against the enactment of war prohibition on the same ground.

Detroit is the largest city in America under prohibition. The prohibition law went into effect here on May 1 of this year. A great number of our leading industrial concerns are working on immense contracts for war material. It will therefore be seen that the experience of our large industries as touching the point raised in the objection of the Shipping Board to prohibition is not only valuable but conclusive on this point.

There is no division of opinion among our leaders. They are unanimous in giving emphatic testimony to the wonderful benefits prohibition is producing. Our big concerns are reporting fewer absentees of men, fewer accidents, greater unity, and higher efficiency on the part of their employees. Their men come to work now with clear heads and steady hands on Monday mornings and after holidays.

Detroit's experience has proven beyond a possibility of doubt that the wage earners do not insist on their beer as the price for their loyalty, and that instead of prohibition causing any industrial revolution or disorganization, it, on the other hand, is a most valuable contribution to industrial efficiency, higher productivity, and conservation of man power—all of which are of very vital consideration to our country in these war times.

If the Shipping Board and others who object to war emergency prohibition on the ground that it will cause disorganization of labor or revolution among industrial workers will but study the experience of Detroit they will find that their anxiety on this matter is totally unfounded. After an unexcelled opportunity of studying the value of prohibition in its relation to industrial efficiency, our conviction is that no measure of conservation would be more valuable to our country and its interests at this time than war emergency prohibition.

We, therefore, respectfully submit these considerations and appeal to our National Congress for early favorable action in behalf of this legislation.

Yours, very truly,

Henry M. Leland, president Lincoln Motor Car Co.; Joseph Boyer, president Burroughs Adding Machine Co.; F. S. Bigler, treasurer and general manager Michigan Bolt & Nut Co.; A. R. Demory, vice president the Timken Detroit Axle Co.; John Trix, president American Injector Co.; S. S. Kresge, president S. S. Kresge Co.; Frank P. Johnson, president Detroit Screw Works; F. F. Beall, vice president Packard Motor Car Co.; Richard H. Webber, president J. L. Hudson Co.; Charles M. Carson, manager Cadillac Motor Car Co.; Richard H. Scott, vice president and general manager Reo Motor Car Co.; Chester M. Culver, secretary Employers' Association of Detroit.

Mr. GOOD. Mr. Chairman, I yield one minute to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, the matter that I wish briefly to call to the attention of the House at this time is not directly related to the matter we have under consideration. It is, however, of very large public interest at this time. It consists of a letter and accompanying resolutions from the Committee on Public Safety of the State of New Hampshire. This committee has been organized for upwards of a year and consists of a large number of our most patriotic and public-spirited citizens, who have been giving of their time and means and energy to organize our State, its men and industries, in order that we may render effective and efficient cooperation and service in this great war. I shall not take any more time of the committee now, but will ask unanimous consent to extend my remarks in the RECORD by printing the letter and resolutions referred to.

The CHAIRMAN. Is there objection?

There was no objection.

The letter referred to is as follows:

STATE OF NEW HAMPSHIRE,
COMMITTEE ON PUBLIC SAFETY,
Concord, N. H., June 20, 1918.

Hon. SHERMAN E. BURROUGHS,
House of Representatives, Washington, D. C.

MY DEAR SIR: I inclose herewith a copy of resolutions unanimously adopted by the New Hampshire Committee on Public Safety at its meeting on June 17, 1918.

Very truly, yours,

JOSEPH W. WORTHEN,
Assistant Secretary.

Whereas in the present crisis the public interest demands constant and productive labor from all persons resident in the United States; and

Whereas by selective service regulations and by statute of many States this public necessity has been to great extent translated into legal obligation; and

Whereas there are interned in this country large and increasing numbers of alien enemies and disloyal American citizens of Teutonic origin, whose obligation to this country of their chosen residence does not cease with their internment: Therefore be it

Resolved, That it is the sense of this committee that in accordance with the dictates not only of national productiveness, but also of justice to loyal Americans, no discrimination permitting idleness of persons so interned should be tolerated, but that any necessary Federal legislation compelling them to work should forthwith be enacted and vigorously enforced; and

Resolved, That a copy of these resolutions be transmitted to the New Hampshire Senators and Representatives in Congress.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GOOD. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. EMERSON. Mr. Chairman, I make the same request.

Mr. WALSH. On the bill?

Mr. EMERSON. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

The Secretary of War is authorized to transfer to the owners of the adjacent land, to complete consideration for the transfer to the United States of an easement in other land of said owners, the title of the United States to a right of way now owned by the United States and located between the tract of land known as the Laguna Merced Reservation and an abandoned public highway formerly known as Ocean House Road (also called Ocean Avenue) in the city and county of San Francisco, Cal.

Mr. WALSH. Mr. Chairman, I move to strike out the last word just to make an inquiry in reference to the paragraph just read. I know that this vast assemblage is very much interested in this measure, but I would like to know what it is intended to do. It says, "To complete consideration for the transfer to the United States of an easement." Has some sort of an agreement been entered into by the department touching this particular project and it has been suspended or interrupted owing to the failure of consideration or the insufficiency of it?

Mr. BORLAND. No; the Government is acquiring an additional tract of land or has acquired it. In connecting this land to enlarge its reservation the road which formerly led out to the ocean-house road becomes no longer available. The road is to be moved from there to another outlet, and as part of the consideration which is to pass to the owner of the land which the Government is acquiring the Government agreed to relinquish its right of way over this abandoned highway. The relinquishment of its right of way constituted part of the consideration of the acquisition of the new land. The Government is acquiring the new land, and the owner has been paid the cash agreed upon, and the only thing remaining to be done is relinquishing

the title to the portion of the abandoned highway. The abandoned highway would lead not to any outlet under its present condition. The ocean-house road has been abandoned, therefore the other road connecting with that road would not lead to any highway. Now, when the estimate was received it said "in partial consideration" of the transfer to the United States of an easement. We changed that and made it "complete consideration" in order to show that this was the final act and all that the Government was required to do to acquire the land and easement.

Mr. WALSH. It says to acquire "adjacent land."

Mr. BORLAND. They have acquired it; yes.

Mr. WALSH. That means adjacent to this highway.

Mr. BORLAND. They acquired land in addition to our reservation, and in acquiring that they made part of the terms of the contract that we should relinquish to the former owner this abandoned highway leading out to the ocean-house road.

Mr. WALSH. From the way this paragraph is worded it would appear that this adjacent land is adjacent to the highway, the right of way from which is to be abandoned?

Mr. BORLAND. Well, the wording is that the relinquishment is to the owners of this adjacent land, to wit, adjacent to the abandoned highway. That is exactly the case, and we are relinquishing our right of way over this abandoned highway to the owners of the land which is adjacent to the abandoned highway.

Mr. WALSH. What is the easement of the other land the Government is getting, a similar highway?

Mr. BORLAND. The easement consists of an outlet to a different highway.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

For purchase, manufacture, and test of mountain, field, and siege cannon, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture, $500,000,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $729,731,295 in addition to the appropriations herein and heretofore made.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee if he will permit me to revert to the aviation section where there is an appropriation of $8,000,000. I might say this is of very great interest to me, because one of the aviation fields is in my district.

Mr. BORLAND. I do not know that I should refuse permission to the gentleman to revert, but this does not refer to aviation fields which the gentleman has in mind. This refers to coast defense.

Mr. FESS. Then this does not go to any portion of the aviation fields like the Wilbur Wright Field?

Mr. BORLAND. Not a cent. This is to provide some permanent coast-defense aviation stations. It does not provide machines, but provides the land, the hangars, quarters for the men, auxiliary buildings, and so forth.

Mr. FESS. May I ask, Are there eight of such places for coast-defense preparations?

Mr. BORLAND. There are eight authorized to be located at the discretion of the Secretary of War.

Mr. FESS. Does that mean there is a million dollars to each?

Mr. BORLAND. One million dollars for each.

Mr. FESS. That being the case, the equipment is going to be rather superior?

Mr. BORLAND. The equipment is pretty well standardized now. The steel frames for hangars and the sizes of the hangars and the repair of machinery, buildings with accommodations for the men, and so forth, are pretty well standardized. They come within $800,000, and then $200,000 is allowed for walks, sewers, water connection, and so forth.

Mr. FESS. I am very much obliged to the gentleman.

Mr. BORLAND. It does not refer to the machines.

Mr. FESS. It might be of interest to Members, however, if I might say that I was over home, coming back yesterday, and in talking with the president of the Wright Aeroplane Co. he gave me these figures: Up to June 22 they have shipped 421 battle planes and on last Saturday they shipped 36 battle planes. These are not training planes; they are battle planes, and all those came from the plant at Dayton.

Mr. COX. How many have they got all together under contract?

Mr. FESS. I did not ask, but it is tremendous.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. This appropriation of half a billion dollars and authorization to enter into contracts for $279,000,000 additional provides for the carriages for the cannon. This war has developed that cavalry on the European front is virtually an arm that is no longer of value in making attacks, and, further, that in the transportation of supplies the motor car and motor trucks have come and have supplanted the horse for conveyance purposes. Should the war last another two years, I predict that great advances will be made in the development of motor trucks that are particularly suited for the carriages of our mobile artillery.

Up to the present time I question whether the Bureau of Ordnance has advanced very far in the development of a modern carriage which is part and parcel of motor trucks. We have done much in providing for railway carriages for heavy field artillery, but what is especially needed is for our American motor-truck manufacturers, in connection with the Bureau of Ordnance, to devise some motor carriage that will not be too heavy and yet stable enough to carry our light mobile artillery. The Bureau of Ordnance has, in a minor way, made some experiments along that line, but it is far from a stage which can be stated to be in any way practicable. Not only will motor trucks be utilized for the carriage attachment of field artillery, say of the 3-inch and lesser bore guns, but it is bound to be utilized in the transportation of rapid-fire guns of all characters; and, in that connection, I would not be surprised if the motorcycle will also be put to good use for men connected with our rapid-fire arms. I rise on this occasion merely to suggest the advisability of having the field-artillery carriages connected with motor trucks, so that on the spur of the moment they can be transferred to places of safety and not fall into the hands of an enemy in the case of a sudden attack.

Mr. GILLETT. Mr. Chairman, I would like to ask the chairman of the committee what he thinks the department should do about the guns referred to by the gentleman from Iowa [Mr. GOOD], if he has any definite views on the subject.

Mr. BORLAND. Does the gentleman mean the Bannerman guns?

Mr. GILLETT. The guns that were sold and then repurchased. I think it would be well for Congress to show its attitude on the subject.

Mr. BORLAND. I will say to the gentleman from Massachusetts that the committee came to an agreement on the subject. I have some very positive and clear-cut notions on the subject of those guns, and I have an equally positive and clear-cut notion that a Member of this great legislative body, the greatest in the world, I think, should reserve to himself individually entire freedom of criticism, and I have always reserved that to myself. This is one of the points in which the committee felt justified in calling the attention of the department quite sharply to what at the very best was an ill-considered and hasty estimate, one which it was necessary for the committee to itself thrash out for the benefit of the department. An estimate was sent in for these guns in conjunction with some guns that it was purposed to acquire from the Navy. A list of the guns was given, and the prices were attached to the guns, and the committee was asked to make an appropriation covering this estimate.

In the hearings it developed that all of the guns were not to be acquired from the Navy. The question was at once raised that if we did acquire guns from the Navy why we should pay for them, except by a transfer of a bookkeeping account. It developed, however, that 30 of these guns were to be acquired from a man by the name of Francis Bannerman, and the committee then instituted an inquiry as to where he got the guns and whether they were saleable guns; whether they, of course, being secondhand guns, were still available. It was manifest to the committee, and will be manifest to this House, that it was desirable for the department to acquire guns that were serviceable from any source that they could, confronted, as we were, with the necessity of manufacturing a large number of guns with consequent delay. If we could acquire guns that were already in existence and that were serviceable in the field, manifestly it was wisdom to acquire them. And Congress had provided ample means to acquire material in case of war. This man Bannerman was guilty of the boldest piece of profiteering, the boldest piece of effrontery, that has ever come to my attention since I have been a Member of Congress. He was demanding $15,000 apiece for obsolete, secondhand naval guns.

I called the matter to the attention of the department and asked them if they knew where Bannerman had acquired the guns, when and how, and how much he had paid the Navy Department for them. They said they had no knowledge on the subject. Then I took the matter up with the chairman of the Naval Committee, and asked him if he had any knowledge of the right of the Navy to dispose of guns, and what they did with them. He suggested that I call Admiral Earle, Chief of Ordnance of the Navy. I called him. He was extremely helpful and cooperated in every way. The guns had been sold before he came into power, but he investigated and laid the facts

before us. I incorporated his statement in the record, and I think the gentleman from Iowa [Mr. GOOD] read it to the House in full.

In 1913 Bannerman bought 18 of these guns from the department for the price of scrap steel, aggregating about $78 a gun. It appeared also that Luria Bros., of Pittsburgh, had bought 12 guns of the same class, aggregating less than $200 a gun, and Bannerman probably had acquired the Luria gun, making 30 in all. These were guns taken off the cruisers of the type of the *Newark*. They were short-range guns of a type that is now obsolete in the American Navy, and can not be used on war vessels on account of their shortness of range, but they were exceedingly useful for land forces. That was agreed by all the witnesses. As soon as that was ascertained, we called the Chief of the Production Division of the War Department, Col. McRoberts, and he assured us that no contract had been entered into with Mr. Bannerman for these guns and none would be entered into until information had been received as to the price at which the guns had been bought. As soon as the matter reached that stage, we ascertained that Mr. Bannerman was on the point of selling his guns, or claimed to be, to a Latin-American country. It was very easy to take prompt action and see that the Export Board issued no export license for those guns. It was absolutely vital to the rights of the Federal Government that we should have the guns and that not a gun be exported from this country without the authority of the Federal Government; and none was exported.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BORLAND. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Will the gentleman yield?

Mr. BORLAND. I will.

Mr. COX. If this man Bannerman is guilty of profiteering, he had to have somebody that had the power to sell the guns to him, and who was it that sold them to him? It looks as if somebody behind him should come in for criticism.

Mr. BORLAND. I do not know who sold him the guns or under what system our Navy has been disposing of that class of materials. But I have no doubt that there has been some general policy extending back a number of years. The fact of the matter is, a great deal of the so-called condemned Army and Navy stores have been sold to these brokers, of whom Mr. Bannerman is probably chief, and has been disposed of advantageously to other countries.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MONDELL. Do I understand the gentleman to say that he and his committee have been unable to learn who is responsible for the sale of these guns and who sold them?

Mr. BORLAND. I have not said we were unable to learn, but I will say they were not sold under the jurisdiction of the present Chief of Ordnance of the Navy. I tried to ascertain who was responsible, but it did not seem practicable at that time. The committee has no jurisdiction over any of the departments of the Navy. Our committee is not purely an investigating committee. I could not pursue the matter any further than to be able to say that Uncle Sam can get the guns. That is the first proposition, and the second is, we will settle with Mr. Bannerman on fair terms.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. SNYDER. How does the price which Mr. Bannerman asked for the guns compare with the present cost of producing the same type of gun?

Mr. BORLAND. The guns were produced at a cost of a few dollars less than $6,000 per gun. Mr. Bannerman asked $15,000 for them per gun.

Mr. SNYDER. How does it happen that this vast amount of money, based on this $15,000 per gun, appears in the appropriation bill?

Mr. BORLAND. It does not appear; and that is exactly what I want to make clear to the House. Not a dollar appears in this bill for the $450,000 estimated by Mr. Bannerman.

Mr. SNYDER. I understood that the appropriation did appear for the purchase of these guns.

Mr. BORLAND. It was stricken out. We purpose—and we have so indicated our intention to the officials of the War Department—we purpose that if Mr. Bannerman will not submit an offer satisfactory to the Ordnance officers of the Government, the Government can exercise the power to commandeer the guns and settle the matter with him in court.

Mr. MONDELL. Do I understand the gentleman to say that there was an estimate submitted covering the purchase of these guns on the basis of $15,000 apiece?

Mr. BORLAND. An estimate was submitted covering the purchase of these guns on the basis of $15,000 apiece, and some from the Navy. We did not allow either.

Mr. MONDELL. What possible justification—what basis could there be for an estimate of that sort?

Mr. BORLAND. If the gentleman wants to go a little further into the facts about it, I will say that the officer who submitted that estimate is no longer an officer of the War Department. I pursued this inquiry to the bottom.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. COX. Has he been discharged or has he resigned?

Mr. BORLAND. No. He has been sent to the field.

Mr. COX. I doubt if he is competent to be sent to the field. He ought to be recalled.

Mr. BORLAND. I am generous enough to believe that it was due to an absolute lack of information or experience by some one under that department.

Mr. BYRNS of Tennessee. It might be said in justice to the present officer in charge of the matter, Col. McRoberts, that he stated that when it came to the purchase of these guns he wanted to know the price that had been paid for them, and that price would have a great bearing on the price he would name on the part of the Government.

Mr. MONDELL. It is a curious commentary on governmental methods that that kind of an estimate could get through without regard to who originated it.

Mr. BORLAND. When I referred to that matter I did not mention the fact that Col. McRoberts was the present Chief of the Production Division. I wanted to make that clear, in justice to Col. McRoberts, who was in charge of the Production Division, who testified at the beginning that the estimate was not the basis of any contract entered into or any tentative arrangement; that he did not propose to deal with Mr. Bannerman on those terms, or anything like them, but proposed at the very initiation of the negotiations to ascertain what the guns had cost Mr. Bannerman at the Navy Department, and would only deal on the basis that would thereby be established.

Mr. SNYDER. Did it develop in your investigation that Mr. Bannerman had made any proposition at all on these guns to the department? Did he make any offer at all to sell the guns?

Mr. BORLAND. It is my understanding that the price asked was $15,000, or $450,000 for the 30.

Mr. PLATT. I understand that the Navy Department charges the Army $25,000.

Mr. BORLAND. No; $5,000.

Mr. PLATT. It says here in the hearings $25,000.

Mr. BORLAND. That is for the guns and mounts.

Mr. PLATT. On page 215 of the hearings the cost of the 6-inch gun is set down at $25,000 apiece.

Mr. BORLAND. Whose testimony is that?

Mr. PLATT. Gen. Dixon's.

Mr. BORLAND. If the gentleman will turn to the testimony of Admiral Earle, he will find that he lists them at $5,000 and the mounts cost a certain sum.

Mr. SNYDER. This is just for the barrel, but not the mount?

Mr. BORLAND. It is the gun tube, just as it is taken off the ship.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. BORLAND. Yes.

Mr. WALSH. Does the gentleman from New York think, because the Navy charges the Army $25,000, that this gentleman who bought them for $200 is justified in charging $15,000 for them?

Mr. PLATT. Perhaps not; but I do not think it makes any great difference what he paid for them. The question is what they are worth. They ought to have had sense enough to know what they were worth when they were selling them. The fact is the Government acts like a child in this business, especially under this administration. It does not appear to know what it is doing at all.

Mr. BORLAND. My information is that the sale of these guns, and other sales, has been part of the policy of the Navy, extending back many years, and that is the reason why I feel perfectly free to discuss it on the theory that there can not be anything partisan in any criticism that the Members of the House may make touching these transactions. I know that this has been the policy of the department, because this man Bannerman has built up a business of considerable extent, and had

built it up long before the existence of the present administration. I assume that Mr. Bannerman, when he buys condemned Army stores in time of peace and finds that instead of scrap steel he has a gun that is serviceable and that can be used in the field, has the right that any other owner possessing the full title and dominion of property would have to use the property for the most available purpose. I assume that if he bought it as scrap steel and found it to be a good gun, he could sell it to any friendly country that desired to buy it for any price upon which they could agree. I assume that if we were before a court of justice and Mr. Bannerman's property had been taken forcibly out of his possession he could demand pay for it not as scrap steel, not on the basis on which he bought it, but on the basis of its actual availability for use. And I imagine that in spite of all we can do that great principle of the Constitution which protects the private ownership of property will protect even a man in Mr. Bannerman's condition. I do not doubt that if Mr. Bannerman goes into court he will be paid some fair price for his property; but I am perfectly confident that a mistake has been made in submitting to Congress an estimate of $15,000 for these guns that cost $6,000 when they were new.

Mr. MONDELL. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman from Wyoming.

Mr. MONDELL. Right on that point, the extraordinary thing about this entire matter, it seems to me, is that estimate of three times the manufacturing cost, submitted in the ordinary way through the Secretary of War and the Secretary of the Treasury, and coming to the committee, an estimate of which, I presume, Mr. Bannerman might have been informed, and an estimate which, if allowed, so far as this committee goes, would have been used to pay for these guns at three times the cost of manufacture.

Mr. BORLAND. The gentleman is no more amazed than I was when I discovered it.

Mr. MONDELL. Is that as closely as estimates are scrutinized, does the gentleman think?

Mr. SNYDER. It strikes me this estimate was fairly well scrutinized by the committee.

Mr. MONDELL. Oh, estimates are always well scrutinized by the committee.

Mr. BORLAND. I agree with the gentleman from Wyoming that the committee ought not to have the burden of that scrutiny; and yet, it is the duty of every official who detects a matter of that kind to safeguard the interests of the Government absolutely; and I am satisfied that Col. McRoberts, who detected it about the same time that the committee detected it, took exactly the same view of the situation that the committee took.

Mr. GOOD. Will the gentleman yield for a question?

Mr. BORLAND. I yield to the gentleman from Iowa.

Mr. GOOD. The gentleman has stated what I think is perhaps a correct proposition of law; but I want to call the gentleman's attention to this fact, that we have recently enacted a law which enables the Government to take material of this kind and use it and pay for the use of it. Now, Mr. Bannerman bought junk. He paid the junk price for it. He can not complain, can he, if the Government of the United States, exercising the provisions of the recent act, takes these guns and uses them and returns the junk to him at the end of the war, paying him a reasonable price for it?

Mr. SNYDER. Oh, the gentleman is wrong about that.

Mr. BORLAND. I think that sounds better than it would really work out.

Mr. PLATT. But Mr. Bannerman did not pay junk prices.

Mr. BORLAND. He paid scrap-steel prices.

Mr. PLATT. He bought these things as obsolete Ordnance stores, and he offered some of these guns to the Government free of charge, offered them for the purpose of arming ships, and the Government said they could not use them. That being so, why are they trying to buy these guns now?

Mr. BORLAND. The gentleman is introducing evidence that is not in the record, as far as I know. The gentleman seems to know more about this——

Mr. PLATT. The trouble is that the Government does not know what it is about.

Mr. HICKS. While the thing is being talked about, it is only fair to the people that we should know who that man is who submitted that estimate.

Mr. BORLAND. I have the great pleasure of not even knowing his name.

Mr. MONDELL. Does not the gentleman know the name of the Secretary of War?

Mr. HICKS. I mean, the man in the Ordnance Department.

Mr. MONDELL. But the Secretary of War can not shift the responsibility onto some poor little subordinate.

Mr. BORLAND. It is perfectly manifest that the Secretary of War is not familiar with all the details of every estimate submitted, and that is one of the unfortunate features of our system.

I am a strong believer, and am becoming a stronger believer every day, in the theory of Cabinet officers occupying places on this floor. The more these things occur the more I am confirmed in that opinion. I do not know that I share the opinion of a distinguished colleague of mine who says that it would tend to puncture a good many reputations. Possibly that is true and possibly not; but, at least, I think it would aid the Members of this House in a great many of these matters in which they ought to have the advantage of direct information from an executive officer. Under our system of government, executive officers speak here only through committees. As I say, I have never assumed that it was the right or function of the committee to justify whatever an executive officer happened to do. An executive officer is responsible, technically and legally, for the acts of his subordinates; but in this case the subordinates of subordinates probably committed the error, which was detected by a man of greater authority, like Col. McRoberts, and which undoubtedly would never have escaped final scrutiny. Now, I want to say, as to the action of the committee, that we have stricken out the $450,000 estimate, and the department knows now that the view of the committee is that unless it can agree upon another and a different price with Mr. Bannerman the department should commandeer the guns and submit the matter in the ordinary way. If it is agreed upon at a different price, then it must still submit an estimate and come to the committee for the money with which to carry out any proposed bargains. So I assume that the matter is completely in the hands of Congress, and that the interest of the Government will be protected.

Mr. ROBBINS. I have before me page 322 of the hearings, where Col. McRoberts states that these negotiations were made through some person in the Navy Department. Now, it is a well-known principle of law that fraud vitiates every contract. The contract purchasing these guns from the Navy Department was tainted with fraud. Why is not that an important element in determining the value that the Government puts upon these guns and the amount the Government would be compelled to pay for the guns if taken and commandeered and paid for later? The whole contract is a fraud on the Government.

Mr. BORLAND. If the Government could prove fraud, the legal principle mentioned by the gentleman might apply.

Mr. ROBBINS. We would get all the guns back for less than $2,000, the price paid, instead of $30,000, the price asked.

Mr. BORLAND. The Government might not be able to prove fraud on the part of Mr. Bannerman. What fraud would Mr. Bannerman be guilty of?

Mr. ROBBINS. They were procured from the Government as junk, whereas they were good ordnance. Some one concerned in this sale in the Navy Department condemned these cannon as useless, whereas they were useful, and this was a fraud on the Government.

Mr. BORLAND. They were sold by the Navy, as I understand it, because they had been classed as obsolete guns for the Navy. The Navy was not in the business of furnishing the land forces with guns, but Mr. Bannerman evidently contemplated that he would have a market for the guns, which he afterwards found.

Mr. ROBBINS. I was not criticizing Mr. Bannerman; it is the miserable system under which the ordnance is handled and disposed of by the Navy Department that I am condemning most strongly.

Mr. BORLAND. I feel like being perfectly frank with the House, and there is no danger of our voting any money until the new estimate is submitted.

Mr. GOOD. Mr. Chairman, I move to strike out the last word. I do not know whether Mr. Bannerman is subject to all the criticism we have leveled against him. I hardly think so. I do not think he is to be criticized. The evidence seems to be that some of the guns were not only obsolete, but perhaps were not valuable for the purposes for which they were constructed. I agree with the gentleman from Missouri that the system is wrong and ought to be corrected. I believe that in calling the attention of the War and the Navy Departments, as we have in this case, to what was about to be perpetrated here on the National Treasury will perhaps result in some improvement. At the same time I want to make a suggestion that the War Department might take judicial notice of the fact that the gentleman from New York [Mr. PLATT] said that these guns had been

offered to the Navy free of charge. Mr. Bannerman certainly ought to be commended for that patriotic and generous act. I doubt not if he would give them to the Navy free of charge he would loan them to the Army free of charge, and therefore the Army will get them without any more than the original cost, with probably a fair sum for storage, interest charges, and so forth. I think that ought to be the result, and I have no doubt it will be the result if it is looked after in the same way the committee has tried to investigate the whole subject.

The Clerk read as follows:

For purchase, manufacture, and test of ammunition for mountain, field, and siege cannon, including the necessary experiments in connection therewith, the machinery necessary for its manufacture, and necessary storage facilities, $2,000,000,000: *Provided*, That the Chief of Ordnance, United States Army, is authorized to enter into contracts or otherwise to incur obligations for the purposes above mentioned not to exceed $1,793,734,550 in addition to the appropriations herein and heretofore made.

Mr. SNELL. Mr. Chairman, I move to strike out the last word. I would like some information from the chairman of the committee. I understand this is the section out of which the nitrate plant is to be built.

Mr. BORLAND. That is correct.

Mr. SNELL. In the original appropriation of $20,000,000, as I understand from the hearings, they only used $5,000,000 for a nitrate plant. By what authority was the money transferred to some other use?

Mr. BORLAND. By authority of the President.

Mr. SNELL. Was that the intention when the original act was passed, that it should be used in water-power development?

Mr. BORLAND. The language of the appropriation, which is rather singular, carries with it, on a careful reading, this impression, that it was designed to use the $20,000,000 under the act of 1916 for experimental development in the production of nitrate in this country for two purposes—ammunition and agriculture. As a part of the experimental development in producing our own supply of nitrate, it was contemplated that the experiment should involve the possibility of using water power. That language is all embraced in the same wording of the appropriation. The munition idea, the agricultural idea, the water-power idea, are all present, if the gentleman will read carefully. Now, as I understand it, they have used a little more than $5,000,000——

Mr. SNELL. Five million and three hundred thousand dollars.

Mr. BORLAND. No; $6,700,000, including the purchase of land for experimental purposes. The balance, $13,300,000, has been devoted to lock and dam No. 2, at Muscle Shoals.

Mr. SNELL. In all these discussions as to the construction and development of a nitrate plant it has been said that we should have a hydroelectric plant. As I understand, there are four plants building at the present time. In plant No. 1 they do not intend to use any hydroelectric power, but entirely steam.

Mr. BORLAND. Partly steam and partly hydroelectric power brought from the Black Warrior River.

Mr. SNELL. As I understood, they would use steam.

Mr. BORLAND. They have a steam plant.

Mr. SNELL. No. 2 is at Muscle Shoals, and they will have water power part of the year.

Mr. BYRNS of Tennessee. It is the purpose to use hydroelectric power as well as steam in both plants.

Mr. SNELL. In No. 2 they will use hydroelectric power when they have it, about nine months of the year. In plant No. 1 at Sheffield they would probably use almost entirely steam power.

Mr. BORLAND. No; plant No. 1 is located at Sheffield—that is 3 miles from Muscle Shoals—and my understanding is that while they have a steam plant installed they have a transmission line from the Black Warrior.

Mr. SNELL. Nearly 85 miles away.

Mr. BORLAND. Eventually, when the power is developed at Muscle Shoals, they will transmit the power from Muscle Shoals. The amount of power used in the nitrate plant No. 1, Sheffield, is comparatively small, about 6,000 horsepower.

Mr. SNELL. From six to ten thousand horsepower.

Mr. BORLAND. The amount that can be used at the nitrate plant No. 2 at Muscle Shoals approaches 100,000 horsepower.

Mr. SNELL. Practically 100,000.

Mr. BORLAND. So between them they will use all the available horsepower with considerable steam accessory.

Mr. SNELL. I notice that plant No. 3 is to be divided, a part located at Toledo and a part in Cincinnati, or Elizabethtown, near Cincinnati. Can the gentleman tell why those locations were chosen?

Mr. BORLAND. The question was asked, and the answer was that at those points there was available a large surplus of steam-generated electric power.

Mr. SNELL. Each one of those plants will take practically 50,000 horsepower?

Mr. BORLAND. Yes.

Mr. SNELL. The gentleman means there is that much excess power at the present time in one of those places.

Mr. BORLAND. There was either that much excess or facilities for enlarging the commercial plants to produce that excess.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Neither one of those points will be favorably located for manufacturing power from coal?

Mr. BORLAND. I am not familiar enough to know. They are both manufacturing points, I presume, and are favorably located.

Mr. SNELL. I understood from Col. Joyce that neither was located for the manufacture of power by coal.

Mr. BORLAND. I have no knowledge.

Mr. SNELL. Then, really, out of our four plants for nitrates that we have been talking about all these years we have only one, or perhaps two, that have hydroelectric power for a part of the year?

Mr. BORLAND. Two. Let me say this: Those plants are being constructed by the Air Nitrate Co.—Nos. 1, 2, 3, and 4—or will be, and that is a subsidiary of the General Chemical Co.

Mr. SNELL. They are being constructed on a commission basis?

Mr. BORLAND. Yes.

Mr. SNELL. A cost-plus basis?

Mr. BORLAND. And they are to be operated upon a commission basis. The General Chemical Co. owns the basic patents for the making of nitrate by——

Mr. SNELL. I think their process is synthetic.

Mr. BORLAND. They own some patents relating to the cyanamid process. They are the practical and successful makers of nitrate by that cyanamid process. My understanding is, of course, that after this war is over we are going to reduce our number of plants. We will not need them on a peace basis. Somebody will have to take them off our hands, and I have no doubt that as shrewd business men the General Chemical Co. are figuring on taking Nos. 3 and 4 off our hands. Inasmuch as they have the right to locate them, and will have a favorable opportunity to bid upon them, I presume that they would exercise the best business judgment they have and locate them where they could be economically conducted.

Mr. SNELL. They operate them on a cost-plus basis?

Mr. BORLAND. Yes. I presume that as business men, as they have the right to select a location, they will select a favorable one. As to Nos. 1 and 2, there is a chance that the Government may retain those because of this agricultural feature of producing nitrates for fertilizing purposes and owning the power, which is the important factor at Muscle Shoals. We may find it advantageous to either retain all of those plants or lease them out on favorable terms in connection with our power, and so those plants were said to be quite favorably located from a governmental standpoint.

Mr. SNELL. The Government actually owns the power at Muscle Shoals?

Mr. BORLAND. Yes.

Mr. SNELL. What proportion of the $2,000,000,000 is supposed to be used for nitrate production?

Mr. BORLAND. The plant at Muscle Shoals cost $40,000,000, and the other two plants will cost approximately $55,000,000 between them.

Mr. SNELL. And that is all that is to be used?

Mr. BORLAND. Yes; that is all that is authorized.

Mr. KAHN. Mr. Chairman, I rise to oppose the pro forma amendment offered by the gentleman for the purpose of asking the chairman of the committee a question. I noticed an announcement in the newspapers a few days ago that a picric-acid plant was to be located at Brunswick, Ga., and one at Little Rock, Ark.; that approximately $11,000,000 were to be expended at these places for these plants. Out of what appropriation is that money to be expended.

Mr. BORLAND. It is this appropriation, the appropriation for ammunition for field artillery.

Mr. KAHN. It is an item carried in this present bill?

Mr. BORLAND. It is not an item. It is one of the items which make up this aggregate sum.

Mr. KAHN. It is to come out of the lump sum?

Mr. BORLAND. Yes.

Mr. KAHN. I knew that the Military Committee had not appropriated anything for such a purpose.

Mr. BORLAND. Yes; it is in this item. It was estimated for.

The Clerk read as follows:

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for seacoast artillery practice, including the machinery necessary for their manufacture, $1,700,000.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. It is with some difficulty that those of us who are not on the committee understand the very large appropriations that are in this bill in the shape of large lump-sum items, like the $2,000,000,000 appropriation under the head of "armament" for the manufacture of cannon, ammunition, and procuring facilities for such purpose. I have looked through the hearings to find where the plant known as the Neville Island ordnance plant of the United States Government is to be established under the provisions of this bill, and I find on page 543 of the hearings a mere mention of what is the last of the great armament plants that will round out the facilities of the United States Government to create ordnance, armor plate, and munitions sufficient for supplying its own needs. This plant is to be built by the United States Steel Corporation at Neville Island, Pa., for the purpose of constructing large guns, and be in every way complete. We have heard from the opening statement of the chairman of the committee made in explanation of this bill that the Government has already established an armor-plate plant at Charleston, W. Va.; that it has also established and is building a number of powder plants throughout the various parts of the country; and that it now proposes to erect a large Army gun plant at Neville Island, in the Ohio River, below Pittsburgh. I wish at this opportunity to commend highly the selection of this site for a plant for such purpose.

There could be no more advantageous site selected for a large Government gun plant than at Neville Island. The Navy has its gun plant here in Washington. Just why Washington City was selected for it I never could understand, but there is a different reason, and a very good reason also, pertaining to the selection of Neville Island, near Pittsburgh, for a large Army gun plant. It is the coal and iron center of the United States. Pig iron can be obtained cheaper at Pittsburgh, within a few miles of the location of this gun factory—indeed, within 10 miles of it—than any other point in the United States. This island is located 6 miles below Pittsburgh, in the Ohio River. The island itself is about 4 miles long and over 1 mile wide and entirely level, above the high-water mark, and within the first pool of Ohio River slack water below Pittsburgh, which is formed by the Davis Island Dam, which is a movable dam. This ability to raise or lower the wickets of this dam affords a quick and easy means of keeping an ample stage of navigable water around this island at all times. The raw material that is necessary to manufacture large guns is here in greater abundance and cheaper than at any other point in the country. Here is the pig iron, the coal, the Connellsville coke, the only coke in the United States that burns perfectly at the melting zone of iron in a blast furnace. All seem to meet here in a common originating market. When these guns are made they can be cast from the pig iron which will be melted in the furnaces located near by, and the molten metal can be transported to Neville Island before it cools and molded into guns. The necessary fuel can be obtained there in great abundance by water at all times in the year, and there are on the Ohio River steamboats and barges furnishing abundance of water transportation. The Government has already undertaken to complete slack-water navigation clear down to the Mississippi River by the installation of locks and dams under the $5,000,000 appropriation carried in the present river and harbor bill. The guns when finished can be taken down the river on boats to New Orleans and transported by ships to Panama and to all our forts and coast defenses along the seacoast, and even by the canal to the Pacific coast, also by water, which is the cheapest means available and the best method of transportation. The only thing that seems to be lacking to complete this unit is the testing ground, and that can be found somewhere in the vicinity. Now, there is one other fact in regard to this location that is worthy of mention. This is an old historic island.

It was settled prior to 1755 by the French. It was in 1755 that Braddock attempted to wrest the headwaters of the Ohio from the French and failed when defeated at Braddock field, 10 miles east of Pittsburgh, then called Fort Duquesne. It was commanded by the French fort. It was captured in 1768 by Gen. John Forbes and remained a British possession until the Revolution. The oldest Presbyterian church in western Pennsylvania stands upon that island. With all its historic associations, it is a spot held in affectionate regard by its inhabitants. It is a garden spot. Early garden vegetables from its fertile fields supply the markets of the great city of Pittsburgh, near by. The citizens of that island, notwithstanding all this, met the real estate agents of Pittsburgh and they jointly fixed the price of the ground of that island that was commensurate with and equal to the sales which took place before the war, and all agreed to turn over their homes to the Government at the price thus fixed. So that here is one place in the country—and I point to it with some pride, because it is near my district—where there will not be a cent of profiteering against the Government of the United States for obtaining a site. [Applause.] More than that, this plant will be built by the United States Steel Corporation and turned over to the United States Government for $1 in excess of the actual cost, and the United States Government will have its engineers and experts on every part of this work from the day the first furrow is turned over for the foundation until the smoke curls out of the chimney of the completed factory. Now, I think an incident of that sort should have been noticed in the report made by the committee on this bill. Testimony was taken, no doubt. There is no reason why it should be concealed and not printed, and I have thought as we pass these great appropriations here in Congress and provide for these vast improvements, where so frequently criticisms and charges of extortion and profiteering are made, and which come to us from some of the cities of the country where the United States has located war activities, that we ought not to let this one place pass by unnoticed where we know there will be no profiteering, and where the United States Government will be getting value received promptly and quickly from every dollar it expends. This is only another evidence of the patriotism of western Pennsylvania and the great city of Pittsburgh. Pennsylvania has answered our country's call by sending over a hundred thousand of her best young men into the various branches of the military service. But this is not all she has done in this world war for liberty. She has sent many more thousands into the coal mines and to the burning furnaces to produce coal and manufacture iron, without which this Nation could not overcome and conquer the brutal Hun. Day and night these patriots toil. Day and night there arises from the furnaces and forges of western Pennsylvania a pillar of cloud by day and a pillar of flame by night which will lead the United States to complete victory over Germany and her allies. I vote for this bill with a feeling of satisfaction and pride, because I am not only sustaining our President and our Government in waging this war but I am in my humble way aiding the great American Republic in building the greatest ordnance plant in the world, which will deal the death blow to German militarism. [Applause.]

The Clerk read as follows:

The following portions of the unexpended balances of appropriations heretofore made for fortifications in the continental United States, respectively, shall be carried to the surplus fund and covered into the Treasury, namely, $2,000,000 for construction of gun and mortar batteries; $20,540.19 for procurement or reclamation of land, or rights pertaining thereto, etc.; $1,995,000 for the construction of land defenses in the United States, etc.; $400,000 for contingent expenses incident to the construction of seacoast fortifications and their accessories; $3,744,000 for purchase, manufacture, and test of seacoast cannon for coast defense, etc.; and $2,000,000 for the alteration and maintenance of seacoast artillery, etc.; in all, $10,159,540.19.

Mr. HOLLAND. Mr. Chairman, I move to strike out the last word. I merely want to ask the chairman of the committee a question. I understand it is not intended by covering these amounts into the Treasury, part of which I believe was appropriated for work at Fort Story, to abandon the work at that point, but simply to defer that improvement. Am I right?

Mr. BORLAND. Mr. Chairman, the gentleman from Virginia is entirely right about it. Part of this appropriation was for the construction of gun and mortar batteries at Fort Story, Cape Henry, and in pursuance of the general policy applied to all constructions the construction of emplacements has been deferred until we can be sure of having the guns ready. The holding back on the program of big guns has made it unnecessary to proceed with the plans for the construction of gun emplacements. So that this money which is turned back is part of the money which was expected to be used for gun emplacements—16-inch guns. The turning back of this money, therefore, in common with several other points, embracing not only Cape Henry but several other points, is in pusuance of the general policy of improvements. When the ordnance factories of the United States are reasonably able to provide the guns the emplacement program will be resumed, probably upon the same plan as that on which we have been heretofore working.

The Clerk read as follows:

For current expenses of the ordnance proving grounds, comprising the maintenance of rail and water transportation, repairs, alterations, accessories, and service of employees incidental to testing and proving

ordnance and ordnance matériel, hire of assistants for the Ordnance Board, purchase of instruments and articles required for testing and experimental work, building and repairing butts and targets, clearing and grading ranges, $1,573,722.

Mr. ROSE. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I was very much interested in the remarks of the gentleman from Missouri [Mr. BORLAND] in his presentation of the various provisions of this bill. He brought to our attention the fact that the Midvale Steel Co. is engaged to some extent upon Government contracts and that the Government would not be called upon to supply the company with much money to carry out the contracts now existing or to be made for certain work. The gentleman from Pennsylvania [Mr. ROBBINS] told us in eloquent terms of the new plant to be erected at Neville Island and of the advantages which would accrue by reason of such location in the way of materials of all kinds and because of the presence of much skilled labor in that locality.

The mention of the Midvale Steel Co. reminded me of the fact that on May 11 last the officials of that company instituted a new departure, which came to be known as "pledge day"—a day which will go down into history as one of the most eventful in the history of Johnstown and of the great industrial plant. On the day mentioned there were gathered together the president, vice president, treasurer, general manager, and superintendent of the steel company, an admiral of the United States Navy, two soldiers who saw duty in the front-line trenches, a judge of the District Court of the United States, a judge of an appellate court, a judge of a common pleas court, a Polish priest, two Catholic priests, three ministers, and a visiting Congressman, all of whom were taken from one end of that great plant to the other in a specially provided train, and from early morning until late in the evening urged upon that loyal army of workmen the necessity of being constantly employed, in order that our Government may be fully prepared to win the great war, and I take pleasure in reporting that the appeals brought forth a hearty and generous response from the thousands of workmen who heard them. During the discussion upon the bill the question was asked whether or not a plant could be constructed which could turn out large guns before the end of the year 1920. Assurance was given that such a plant could be built, and with such dimensions and detail as would provide for the use of steel from the billet to the finished product, and even from the ore. While this statement may appear startling to many persons, I am prepared to give it credence because of the fact that in Johnstown, where the Midvale Steel Co. operates its largest plant, a blast furnace was constructed and actually fired in less than 90 days—a record, as I am informed.

Much depends upon the character, ability, and loyalty of the men employed in our great works to fit our Government for the present emergency, and I desire to commend the plan adopted by the officials of the Midvale Steel Co. to bring about harmony between employer and employee and as well relations mutually helpful.

I have supported every measure introduced to prosecute this war to a successful finish, and shall support this bill for the same reason, and in the belief that the league of nations to be formed at the close of the present conflict will be able to save the people from the horrors of another war.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The following portions of the unexpended balances of appropriations heretofore made for fortification of the Panama Canal, respectively, shall be carried to the surplus fund and covered into the Treasury, namely: $1,500,000 for the purchase, manufacture, and test of seacoast cannon for coast defense, etc.; and $600,000 for the alteration, maintenance, and installation of the seacoast artillery, etc.; in all, $2,100,000.

Mr. FESS. Mr. Chairman, I move to strike out the last word to ask some one as to the status of the fortification of the canal, and whether that fortification has been entirely completed from the original plan, and if these are simply auxiliary assessments added to it, or whether the fortification is yet in a state of incompleteness?

Mr. BORLAND. I might say to the gentleman that the whole plan of the Board of Review has not been completed. This appropriation completes the emplacements for the 12-inch batteries, if he is familiar with that particular set of fortifications. Part of that money was appropriated in previous bills, and this completes them. And therefore during the present fiscal year we can probably add at least that much to the defense of the canal, because the 12-inch guns are ready and can be emplaced as soon as the emplacements are completed.

There are some other items which are projected for the defense of the canal which can not reasonably be expected to be completed under existing conditions, and those have not been entered upon, but we shall strengthen the defenses of the canal with the 12-inch batteries before the close of the year.

Mr. FESS. I will say to my friend that that is what I wanted to get at. I was fortunate enough once to be at the canal, but that was some years ago when the plans were perfected, and they were started then, and my question was whether they had been completed and whether this is just some additional equipment or whether this is a portion of the original plan.

Mr. BORLAND. This is in pursuance to the plan with which my friend is familiar, and we are strengthening it in this particular.

The Clerk read as follows:

For cantonment camp construction, including necessary buildings, water and sewer systems, roads, walks, etc., and for repairing and remodeling existing buildings to render them suitable for sheltering troops, $500,000: *Provided*, That the construction of buildings hereunder shall be performed under the direction of the Governor of the Panama Canal; in all, specifically for fortifications and armament thereof for the Panama Canal, $1,527,900.

Mr. McKENZIE. Mr. Chairman, in order that there may be something in the RECORD to explain this item, I would like to ask the gentleman from Missouri, having it in charge, to just state the purpose of this appropriation of $500,000 for a cantonment at Panama, and by whom it is to be used.

Mr. BORLAND. Mr. Chairman, there are certain troops at Panama, and I think the gentleman from Illinois [Mr. McKENZIE] is fairly familiar with the number there. Those troops have been housed in temporary and makeshift quarters. All of them are fairly comfortably taken care of, except one regiment, the Porto Rican regiment, at Camp Otis, at Las Cascades. The testimony showed that that particular regiment, consisting of 1,955 men, was housed under very uncomfortable and perhaps insanitary conditions. A program was submitted for the barracks and quarters for the entire number of troops now on the Zone. That particular estimate was an alternative one. One estimate was submitted for cantonment construction and one for permanent construction, or a concrete building. The committee, after carefully considering the matter, concluded that now, when our policy was not to use any supplies or material or labor or transportation in these distant works of construction which would embarrass in any way the productive operations of the country in following its program for the supply of the Army in the field, was a very doubtful time to enter upon a general program of barracks-and-quarters construction in the Canal Zone, especially in view of the fact that labor is scarce and material is at the very peak in the point of price. The only pressing problem was this Porto Rican regiment, and after considering the matter we concluded that if we could provide for the Porto Rican regiment, the immediate emergency would be fully met. We therefore provided sufficient cantonment construction for this Porto Rican regiment. Whether it is actually used by that regiment or, with a proper rotation of the troops, by other regiments, it is entirely immaterial; but it relieves the situation of abolishing the untenable quarters at Camp Otis, at Las Cascades, and gives them additional quarters for at least one regiment. That is the explanation of it.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

BOARD OF ORDNANCE AND FORTIFICATION.

For all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the act approved September 22, 1888; salary of the civilian member of the board and for his necessary traveling expenses when traveling on duty as provided by the act of February 24, 1891; necessary expenses of the board, including rent of offices in the District of Columbia, at not exceeding $900 per annum, and a per diem allowance of $2.50 to each officer detailed to serve thereon, when employed on duty away from his permanent station; test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the board, $50,000, the expenditure of which shall be made by the several bureaus of the War Department heretofore having jurisdiction of the same, or by the board itself, as the Secretary of War may direct: *Provided*, That before any money shall be expended in the construction or test of any gun, gun carriage, ammunition, or implements under the supervision of the said board, the board shall be satisfied, after due inquiry, that the Government of the United States has a lawful right to use the inventions involved in the construction of such gun, gun carriage, ammunition, or implements, or that the construction or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.

Mr. PLATT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. PLATT. Mr. Chairman, I wanted simply to say a few words in regard to Mr. Bannerman, who is said to be offering to sell some 6-inch guns for $15,000 each. I am not called upon

in any sense to defend Mr. Bannerman. He does not live in my district, so far as I know, though he has property there. If you have ever been up the Hudson River by rail or by steamboat in the daytime, you will have noticed a castellated structure on an island about 6 miles above West Point, at the northern entrance to the Highlands, just where the river begins to broaden out into Newburgh Bay. That is Bannerman's "arsenal." He handles all sort of discarded ordnance, guns, and largely rifles, and things that he makes over to sell to military schools. He has written me several times about various things.

I find my memory was a little at fault as to his offer of guns to the Government, but he did offer a 6-inch gun for the armament of the American Line steamship *St. Louis* free of charge in February and March, 1917, together with some 50 shells to be used with it. The shells lacked some of the parts—fuses, and so forth—which he wanted me to obtain from the Government. He also offered a number of smaller guns. I wrote to the Navy Department in regard to the guns and ammunition, and the Navy Department replied. I unfortunately have not retained their letter. I forwarded that to him. But I recall that they replied that the guns were perfectly serviceable, but that they were not making ammunition that was applicable to them, and therefore they could not use them for arming ships and could not supply these parts. Apparently, according to the footnote in these hearings, he had all of those guns bought in 1913, perfectly serviceable. The gun he offered for the *St. Louis* was a 6-inch gun with a range of 6 miles, according to his statement. They were not exactly offered to the Government, but to the steamship company, but the Navy Department was communicated with about them and was considering the arming of merchant vessels.

It seems rather ridiculous to me that something that was offered practically free at that time should now come up in this way to be sold at such a price. I have no call to defend Mr. Bannerman at all. I have no doubt he is not seeking an extraordinary profit if the hearings on this bill state the facts, but it is a queer kind of business for one branch of the Government to sell something that is really useful and not to know that it could be serviceable to another branch of the military service. These guns, it appears, are not useful to the Navy, but they are useful to the Army. Why the Army could not have been communicated with in the first place, before the guns were sold, I do not know. It looks like lack of coordination, another instance of bad governmental management.

Mr. BORLAND. These guns were sold to Mr. Bannerman in 1913.

Mr. PLATT. I was at first under the impression that they were sold much later than that. I was under that impression when I questioned the gentleman some time ago.

Mr. BORLAND. The evidence shows that they were sold March 28, 1913. There was nothing, I suppose, at that time that would indicate to the officers of the Navy that they could be useful to the Army. That was a contingency that came up suddenly. I do not want to accuse Mr. Bannerman of any motive of profiteering. If he has an absence of that motive the way is now perfectly clear for him to deal with the Government on what we could all regard as fair terms. The deck has been cleared. There is no appropriation in this bill, and no estimate pending, and Mr. Bannerman can not sell the guns to any foreign country, and, of course, we are entirely willing to deal with him.

Mr. PLATT. I should think it came pretty nearly to profiteering at the price mentioned in the estimates, but the whole thing strikes me as ridiculous, the Government selling something almost at junk prices and then seeking to buy back at prices higher than the original cost.

Mr. GOOD. The gentleman does not mean to say that we have deprived the War Department of the opportunity to procure the guns?

Mr. BORLAND. No. On the contrary, we have left the decks clear for the acquirement of the guns by the Government.

Mr. PLATT. Does the gentleman mean to say that some of these guns were sold by the Government in 1914 after the war in Europe began?

Mr. BORLAND. No. The war began on August 1, 1914, and we entered it on April 6, 1917. These guns were sold a year and a half before the war began.

Mr. GOOD. Not all of them. Twelve of them were sold to Luria Bros., of Reading, Pa., in May, 1914.

Mr. BORLAND. That was before the war began.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk resumed and completed the reading of the bill.

Mr. SHERLEY. Mr. Chairman, I desire to detain the committee just a moment in connection with the fortification bill. As the old Members of the House know, until this year I have had charge of this bill for a good many years past; and one of the things that I perhaps regretted most in connection with the coming to me of the chairmanship of the Committee on Appropriations was the necessity of turning over to other hands a bill that had been for many, many years to me a labor of great delight, as well as one, I hope, of some value to the country. But on the conclusion of this, perhaps the most important of all fortification bills, I am glad to say that the House has lost nothing by virtue of my ceasing to have charge of the bill, and I should be derelict in my sense of obligation if I did not express on the floor my appreciation of the work that the subcommittee have done in connection with this bill, under the very able leadership of the gentleman from Missouri [Mr. BORLAND]. [Applause.]

I have not entirely deserted this bill. Indeed, I have tried, along with my many other duties, to keep somewhat in touch with what has happened in the committee, and in connection with the marking of the bill in the subcommittee there were times when I undertook to have some part with the other gentlemen. I am glad to say that our views were always so nearly together that they were easily adjustable.

In the consideration of a bill involving the tremendous sums that this bill involves it is impossible to guarantee to the House or to the country that the moneys thus appropriated will always be expended just as we might wish. There are between 3,000 and 5,000 contracts or more which have been made by the War Department since this war broke. If a Member of Congress did nothing except to read the contracts, it would be impossible for him to keep up with them. I speak of that in order to emphasize again to the membership of the House and to the country the tremendous magnitude of the governmental activities at this time, and the unreasonableness of viewpoint of those who insist that Members of Congress shall be personally acquainted with and guarantee the expenditure that is made by all the departments in the prosecution of this war. To make the inquiries that would enable us always to check against any sort of unwise action would be to delay matters so much as to make our action the most unwise of all. Of necessity we must depend upon administrative officers. But the Committee on Appropriations have followed one policy, I think, consistently since this war broke. They have denied to the Government no moneys at any stage that were necessary in order to prosecute the war with the utmost vigor, and wherever there has been a question we have resolved that question in favor of the estimate in order that there should be no possible slowing up. On the other hand, the Committee on Appropriations have endeavored to vote no moneys to any department of the Government that were not needed within the time for which the appropriation was to be made.

We have tried to give to them ample moneys, and we have done so in each instance in order that they may go forward with the war; but where the estimates have covered a period of time away beyond the needs of the period appropriated for, we have so curtailed them as to give to the Congress and to the men asking for the moneys the added value of subsequent development in determining just what was needed and just what should be done with the moneys so asked. I believe I can say that policy will result in saving ultimately to this Government millions and millions of dollars, without in any way slowing up or delaying the activities of the Government in the procurement of those things that are necessary to press forward this war. There has been a looseness of estimate which, if it had occurred in normal times, could have had no possible excuse or justification. Much of it, I am compelled to believe, has not sufficient excuse now, and I am hoping that in the short session of Congress, when we shall be presented with estimates again, and when we shall be even more limited in time for the consideration of those estimates, they will come to us as the result of a more digested knowledge of the actual facts and the needs for which the money is asked than has always been true in the past.

I think it is due to the House and due to the country that they should understand what has been the attitude of the Committee on Appropriations touching these tremendous sums. That attitude has met with the approval of the House, practically without exception. The committee have given the best that they had in labor and in effort to serve the House and to serve the country, and I, as chairman of the committee, desire again to express my appreciation of the loyal service rendered by this and other subcommittees of the Committee on Appropriations. [Applause.]

Mr. BORLAND. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. ALEXANDER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and had directed him to report the same back without amendment, with the recommendation that it do pass.

Mr. BORLAND. Mr. Speaker, I move the previous question on the bill to its final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BORLAND, a motion to reconsider the vote whereby the bill was passed was laid on the table.

By unanimous consent, the following Members were given leave to extend their remarks in the RECORD on the bill: Mr. ROBBINS, Mr. RANDALL, Mr. SHERLEY, and Mr. GOOD.

Mr. FESS. Mr. Speaker, I ask unanimous consent to address the House for one minute.

The SPEAKER. The gentleman from Ohio asks unanimous consent to address the House for one minute. Is there objection?

There was no objection.

Mr. FESS. Mr. Speaker, I think the country ought to know that we passed the fortification bill at the rate of one and one-quarter billion dollars an hour—something like $18,000,000 per minute, which would be about $300,000 a second—an announcement that ought to reach Germany.

The SPEAKER. And the newspapers of the country.

DEPARTMENT EMPLOYEES SUBJECT TO MILITARY SERVICE.

The SPEAKER laid before the House the following communication from the Federal Trade Commission in response to House resolution 374, of June 3, 1918, which was read, ordered printed, and for the present ordered to lie on the Speaker's table.

The statement is as follows:

FEDERAL TRADE COMMISSION,
Washington, June 21, 1918.

SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: By direction of the commission I am transmitting herewith, pursuant to a resolution of the House of Representatives of June 3, 1918 (H. Res. 374, 65th Cong., 1st sess., Representative MADDEN), a statement regarding the number of men in the service of the commission for whom requests for exemption from military duty or deferred classification were requested and allowed.

Respectfully,

FEDERAL TRADE COMMISSION,
L. L. BRACKEN, *Secretary.*

FEDERAL TRADE COMMISSION,
Washington, June 21, 1918.

SPEAKER OF HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: The following are the men, 14 in number, in the service of the Federal Trade Commission on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked by this commission and allowed. The name, the home address, the character of work performed, and the length of time he has been in the service of the Federal Trade Commission are given in each instance:

Clarence H. Cardos, of Bronx, N. Y.; entered the Federal Trade Commission July 10, 1916; engaged on lumber investigation.

Wilson Compton, of Wooster, Wayne County, Ohio; entered the Federal Trade Commission July 1, 1916. Dr. Compton was allowed to resign from the commission in order to take up important work with the United States Shipping Board, Emergency Fleet Corporation. It is understood he will return to the commission when they can release him in order to again take charge of the commission's investigation on petroleum.

Wilfred Eldred, of Stanford University, Santa Clara County, Cal.; entered the Federal Trade Commission August 4, 1917; engaged on the grain-products investigation; to be given indefinite leave without pay to enter the military service.

Teasdale Fisher, of Cincinnati, Hamilton County, Ohio; entered the Federal Trade Commission service July 9, 1917; in charge of the commission's lumber-cost investigation.

R. A. Fouts, of Osborne, Osborne County, Kans.; entered the Federal Trade Commission December 8, 1917; engaged on the work of grain and produce exchanges; was allowed to resign on May 31, 1918.

James Marvin Haynes, of Cleburne, Johnson County, Tex.; entered the Federal Trade Commission service October 13, 1915; engaged on the coal investigation.

Carlos C. Houghton, of Washington, D. C.; entered the Bureau of Corporations (predecessor of Federal Trade Commission) January 16, 1914; engaged in economic supervision.

Arthur L. Lyddane, of Washington, D. C.; entered the Federal Trade Commission service October 11, 1909; engaged on the oil investigation.

Frank J. Scott, of Brooklyn, N. Y.; entered the Federal Trade Commission service October 27, 1917; in charge of the various investigations on the cost of food supplies for the military departments.

Donald D. Sells, of Chicago, Cook County, Ill.; entered the Federal Trade Commission service July 2, 1917; engaged on meat investigation.

Kemper Simpson, of Baltimore, Md.; entered the Federal Trade Commission service September 22, 1917; in charge of canned-goods investigation.

D. Paul Smelser, of New Windsor, Carroll County, Md.; entered Federal Trade Commission service July 1, 1916; was engaged on coal investigation; given indefinite leave without pay to enter the military service of the United States.

Harry A. Steinmetz, of Bronx, N. Y.; entered the Federal Trade Commission service July 16, 1917; engaged on the leather investigation.

Floyd L. Vaughan, of Madison, Dane County, Wis.; entered the Federal Trade Commission service July 2, 1917; engaged on grain and produce exchanges.

Very respectfully,

FEDERAL TRADE COMMISSION,
L. L. BRACKEN, *Secretary.*

LEAVE OF ABSENCE.

Mr. BELL, by unanimous consent, was given leave of absence indefinitely, on account of death in the family.

POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I present a conference report on the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, for printing under the rule.

Mr. GILLETT. May I ask the gentleman from Tennessee when he expects to bring up the conference report?

Mr. MOON. The papers are in the possession of the Senate. They have to act first. I do not know when they will act, and therefore I can not say when I will call it up.

The conference report is as follows:

CONFERENCE REPORT (NO. 689).

The committee of conference on the disagreeing votes of the two Houses on the amendment numbered 23 of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 23: That the Senate recede from its disagreement to the amendment of the House numbered 23, and agree to the same with an amendment as follows: Strike out the amendment proposed by the Senate and insert in lieu thereof the following:

"For the transmission of mail by pneumatic tubes or other similar devices, $665,000: *Provided*, That the Postmaster General is hereby authorized and directed to extend existing contracts for pneumatic-tube service until March 4, 1919, and the Postmaster General is directed to expend this appropriation for the sole purpose of continuing the existing pneumatic mail-tube service, and no part thereof shall be expended for the transportation of mails in any other manner than herein authorized:

"*Provided further*, That the Interstate Commerce Commission is hereby authorized and directed to investigate and report to Congress not later than the 1st day of December, 1918, (1) whether or not the present pneumatic mail-tube service in the cities of New York, N. Y.; Brooklyn, N. Y.; Boston, Mass.; Philadelphia, Pa.; Chicago, Ill.; and St. Louis, Mo., is a valuable and efficient postal facility, whether or not it expedites the delivery of first-class mail and should be retained or discontinued; (2) to investigate and report whether or not the present pneumatic-tube mail system is suited for the purpose of expediting the delivery of first-class mail, or whether tubes of a different kind or size should be employed; (3) if the said commission should recommend the retention of the present system, should the properties be purchased or leased by the Government and at what price and upon what terms; (4) if said commission should recommend a rental, as at present operated, what compensation should be paid therefor:

"*Provided further*, That the Interstate Commerce Commission shall permit hearings to all parties at interest and the expense for such investigation shall be paid out of any available funds appropriated for the use of the Interstate Commerce Commission."

And the House agree to the same.

THOS. M. BELL,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

J. H. BANKHEAD,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

We do not concur in the above report.

JOHN A. MOON,
A. B. ROUSE,
Of the Managers on the part of the House.

ADJOURNMENT.

Mr. BORLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned until to-morrow, Tuesday, June 25, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 686), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 8625) to accept from the Southern Oregon Co., a corporation organized under the laws of the State of Oregon, a reconveyance of the lands granted to the State of Oregon by the act approved March 3, 1869, entitled "An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State," commonly known as the Coos Bay Wagon Road grant, to provide for the disposition of said lands, and for other purposes, reported the same with amendment, accompanied by a report (No. 687), which said bill and report were referred to the House Calendar.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the resolution (H. Res. 398) requesting the Secretary of State to furnish the House information regarding the diversion of water from Niagara River by the Province of Ontario, reported the same with amendment, accompanied by a report (No. 688), which said resolution and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ZIHLMAN: A bill (H. R. 12549) authorizing and directing the Secretary of War to appoint a commission to investigate and report upon the available sources of water supply for the District of Columbia; to the Committee on the District of Columbia.

By Mr. HULL of Iowa: A bill (H. R. 12550) for the appointment on the retired list, United States Army, of Brig. Gen. James Rush Lincoln; to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 12551) to amend an act entitled "An act providing for publicity of contributions made for the purpose of influencing elections at which Representatives in Congress are elected," approved June 25, 1910, amended by act approved August 19, 1911; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SINNOTT: A bill (H. R. 12552) to authorize an appropriation not exceeding the sum of $1,000,000,000, or so much thereof as may be needed from time to time for the reclamation of arid lands, to provide farms for soldiers, Red Cross nurses, sailors, and marines; to the Committee on Irrigation of Arid Lands.

My Mr. DALE of Vermont: Resolution (H. Res. 400) to print extra copies of the soldiers and sailors' civil relief act for the use of the House; to the Committee on Printing.

By Mr. PETERS: Resolution (H. Res. 401) requesting the Board of Managers of the National Homes for Disabled Volunteer Soldiers to report to the House of Representatives conditions at the soldiers' home in Virginia and the reasons for separation of Joseph S. Smith from the governorship; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DRANE: A bill (H. R. 12553) granting an increase of pension to Daniel Darlington; to the Committee on Invalid Pensions.

By Mr. MOORES of Indiana: A bill (H. R. 12554) granting an increase of pension to Mary Belle Chitwood; to the Committee on Invalid Pensions.

By Mr. RAKER: A bill (H. R. 12555) for the relief of the Yosemite Stone Co.; to the Committee on the Public Lands.

By Miss RANKIN: A bill (H. R. 12556) granting a pension to Phineas Arthur White; to the Committee on Pensions.

By Mr. SCOTT of Iowa: A bill (H. R. 12557) for the relief of Sylvester Hannan, alias Henry Edwards; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petitions of citizens of Almonesson and of Woodbury, N. J., urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. ESCH: Resolutions of the Iowa State Manufacturers' Association, concerning the production and transportation of essential products, also concerning the distribution of Government purchases with reference to the transportation problem; to the Committee on Interstate and Foreign Commerce.

By Mr. LEHLBACH: Petition of members of the Essex County (N. J.) Medical Society, urging the passage of House bill 9563; to the Committee on Military Affairs.

By Mr. STEENERSON: Petition of citizens of Marshall County, Minn., in favor of the repeal of the second-class postage provisions of the war-revenue act; to the Committee on Ways and Means.

By Mr. SCULLY: Resolutions of the Iowa State Manufacturers' Association, relative to the production and transportation of industrial necessities, also with reference to the distribution of Government purchases as it affects the transportation problem; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: Memorial of the Pennsylvania Housing and Town Planning Association, asking Congress to increase appropriation for house building to the extent necessary to provide proper and sanitary dwellings for workers on Government war contracts; to the Committee on Appropriations.

SENATE.

TUESDAY, *June 25, 1918.*

(Legislative day of Monday, June 24, 1918.)

The Senate met at 12 o'clock noon.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	Nelson	Smoot
Baird	Harding	New	Sterling
Bankhead	Hardwick	Norris	Sutherland
Chamberlain	Henderson	Nugent	Thomas
Colt	Hitchcock	Overman	Tillman
Culberson	Hollis	Page	Trammell
Cummins	Johnson, Cal.	Poindexter	Underwood
Curtis	Jones, N. Mex.	Robinson	Vardaman
Dillingham	Jones, Wash.	Shafroth	Warren
Fall	Kirby	Sheppard	Watson
Frelinghuysen	McCumber	Shields	Weeks
Gallinger	McKellar	Simmons	Williams
Gerry	McNary	Smith, Ariz.	
Gore	Martin	Smith, Ga.	
Guion	Myers	Smith, Md.	

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will allow this announcement to stand for the day.

Mr. VARDAMAN. I wish to announce the absence of the junior Senator from Delaware [Mr. WOLCOTT] on official business.

Mr. TRAMMELL. I desire to announce the absence of my colleague [Mr. FLETCHER] on account of illness. This announcement may stand for the day.

Mr. KIRBY. I wish to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness. I wish also to announce the absence of the junior Senator from Kentucky [Mr. BECKHAM] on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is detained by illness.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

ESTIMATE OF APPROPRIATION (S. DOC. NO. 247).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, submitting a supplemental estimate of appropriation in the sum of $1,000,000 required by the Interior Department for survey, investigation,

and study looking to the reclamation of arid lands, cut-over timberlands, and swamp lands, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 12541) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, requests a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. BYRNES of South Carolina, and Mr. MONDELL managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

PETITIONS.

Mr. ASHURST presented petitions signed by Rev. William H. Fowle, pastor First Baptist Church, Mesa, Ariz.; Rev. F. W. Perkins, moderator Flagstaff Baptist Church, Flagstaff, Ariz.; Rev. E. L. Barkley, pastor Baptist Church, Winslow, Ariz.; Dean Hamilton, pastor First Baptist Church, Prescott, Ariz.; Rev. Richard S. Beal, pastor First Baptist Church, Tucson, Ariz.; Rev. T. M. Smith, pastor Baptist Church, Palo Verde, Ariz.; Rev. C. M. Northrup, pastor Glendale Baptist Church, Glendale, Ariz.; Rev. S. E. Newell, pastor Mount Calvary Baptist Church, Tucson, Ariz.; Rev. Samuel G. Bridges, pastor Baptist Church, Buckeye, Ariz.; Dr. John T. Taylor, moderator Baptist Church Middle Verde, Ariz.; Rev. P. S. Virgin, pastor First Baptist Church, Chloride, Ariz.; Rev. J. W. Johnson, pastor Baptist and Methodist Church, Somerton, Ariz.; Rev. William J. Gordon, pastor First Baptist Church, Nogales, Ariz.; Rev. J. Humphrey, Saint Paul Baptist Church, Bisbee, Ariz.; Rev. Cecil V. Overman, pastor Baptist Church, Clifton, Ariz.; Rev. C. M. Rock, pastor Calvary Baptist Church, Phoenix, Ariz.; Rev. R. P. Pope, pastor First Baptist Church, Scottsdale, Ariz.; Rev. George M. Lehigh, pastor First Baptist Church, Phoenix, Ariz.; urging and petitioning that no food nor fuel be permitted to be used in converting grains into alcoholic beverages, which were ordered to lie on the table.

REPORTS OF COMMITTEE ON MINES AND MINING.

Mr. HENDERSON, from the Committee on Mines and Mining, to which was referred the joint resolution (S. J. Res. 156) to suspend the requirements of annual assessment work on mining claims during the years 1919 and 1920, reported it with amendments and submitted a report (No. 523) thereon.

Mr. STERLING, from the Committee on Mines and Mining, to which was referred the bill (S. 3220) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines of lignite coals, to determine the practicability of their utilization as a fuel and in producing commercial products, reported it without amendment and submitted a report (No. 524) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 4745) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; and

A bill (S. 4746) to authorize the drainage of certain lands in the State of Arkansas, counties of Mississippi and Poinsett; to the Committee on Public Lands.

A bill (S. 4747) to amend section 11 of the Federal reserve act approved December 23, 1913, as amended by the act of September 7, 1916; to the Committee on Banking and Currency.

By Mr. HARDWICK:

A bill (S. 4748) conferring jurisdiction on the District Court of the Canal Zone for the naturalization of certain aliens; to the Committee on Immigration.

A bill (S. 4749) to authorize the Secretary of the Treasury to pay Mrs. Elizabeth Braddy, of Gibson, Glascock County, Ga., the sum of $601.75, the value of 145 war saving stamps which were destroyed by fire on the 26th day of May, 1918; to the Committee on Claims.

By Mr. THOMAS:

A bill (S. 4750) to promote the safety of employees and travelers upon railroads by requiring the use of an automatic electric cab-signal and train-stopping device by common carriers engaged in interstate commerce, and for other purposes; to the Committee on Interstate Commerce.

By Mr. SHERMAN:

A bill (S. 4751) granting an increase of pension to Albert F. Nelson; to the Committee on Pensions.

By Mr. MARTIN:

A bill (S. 4752) permitting suits against the United States for damages caused by vessels owned or operated by the United States or by corporations controlled by it; to the Committee on the Judiciary.

By Mr. SUTHERLAND:

A bill (S. 4753) amendatory of the act of May 11, 1912, granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico; to the Committee on Pensions.

SUNDRY CIVIL APPROPRIATIONS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate of the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MARTIN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. MARTIN, Mr. OVERMAN, Mr. UNDERWOOD, Mr. WARREN, and Mr. GALLINGER conferees on the part of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 19th instant approved and signed the act (S. 4445) granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River.

HOUSE BILL REFERRED.

H. R. 12541. An act making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. CHAMBERLAIN. Mr. President, the Senate was proceeding with the committee amendments to the bill at the time the recess was taken yesterday evening, and I ask that we proceed at the point where the Senate left off.

Mr. HITCHCOCK. Would the Senator accommodate me by recurring to the first amendment that was passed over during my absence yesterday relating to the equipment, maintenance, and training of foreign troops?

The VICE PRESIDENT. That is the one we are coming to now in regular order.

The SECRETARY. On page 65 the first amendment passed over is under the side head "Equipment, maintenance, and training of foreign troops," after line 6, to insert the following:

Equipment, maintenance, and training of foreign troops: Under such regulations as the President shall prescribe, contingents of troops from any country joined with the United States which during the existing emergency is or shall be at war with any country with which the United States is at war may, with the approval of the country from which they come, be equipped, maintained, and trained with our own troops, and at the end of such training may be transported with our troops to the European front and there equipped and maintained

during service with our own troops against the common enemy; and the several items of expense involved in the equipment, maintenance, training, and transportation of such contingents may be paid from the respective appropriations herein made, or from any subsequent appropriations, for the equipment, maintenance, training, and transportation of the military forces.

Mr. JONES of New Mexico. Mr. President, the Committee on Woman Suffrage has prepared a unanimous-consent agreement fixing a time for a vote upon the suffrage constitutional amendment, and if the chairman of the committee in charge of the bill now under consideration and others will give their consent, I should like at this time to have the agreement read to the Senate.

The VICE PRESIDENT. Is there objection?

Mr. CHAMBERLAIN. I did not hear the request of the Senator from New Mexico.

The VICE PRESIDENT. He is trying to get a unanimous-consent agreement for a vote.

Mr. CHAMBERLAIN. On this bill?

The VICE PRESIDENT. No; on the woman-suffrage constitutional amendment.

Mr. CHAMBERLAIN. If the Senator is going to ask unanimous consent without any discussion, I have no objection; but if it leads to any discussion——

The VICE PRESIDENT. It will lead to a call of the Senate, the Chair will state.

Mr. CHAMBERLAIN. I would rather proceed with this bill for a while.

Mr. JONES of New Mexico. Of course if the Senator from Oregon prefers that the matter shall go over for a while, I shall not object myself; but the purpose of the agreement is to fix a time for a vote, and it was not the intention at this time to enter into any discussion of the matter.

Mr. CHAMBERLAIN. It is very essential that this Army appropriation bill should be passed. The appropriations were exhausted on the 15th of June in many instances, and the War Department must have the money that is provided for in the bill. I hope the Senator from New Mexico will not insist on that until later in the day some time. We can probably reach a time in the afternoon when it can be taken up. I therefore insist that we shall proceed with this measure.

Mr. JONES of New Mexico. I should like to have the agreement read at this time, so that Senators may be considering its purport, if there is no objection.

Mr. UNDERWOOD. Mr. President, I should like to say to the Senator in charge of the proposed joint resolution that, so far as I am concerned, I am disposed to reach an agreement by unanimous consent—that is, I am perfectly willing that a vote shall be taken on the joint resolution at the proper time—but I would be unwilling to enter into an agreement by unanimous consent for the consideration of the joint resolution so long as this war bill is pending, because if we reach an agreement of that kind and the war bill is pending it might have the effect to cut off all debate and all consideration of the proposed joint resolution. If the Senator expects to get a unanimous-consent agreement, I think it can be done at the proper time, but I hope that he will not attempt to ask for unanimous consent until he brings the joint resolution before the Senate. If he does, I give notice that he will force me to enter an objection.

Mr. JONES of New Mexico. Whatever is done will be satisfactory to all Senators. If the proposal which we now present is not satisfactory, we will try to make it satisfactory.

Mr. UNDERWOOD. I am not saying that the proposal is not entirely satisfactory at the proper time, but I do not think it should be made until the Senator brings the joint resolution before the Senate.

Mr. JONES of New Mexico. Very well.

Mr. CHAMBERLAIN. I request now that we recur to the amendment on page 65, line 23, of the bill, which was passed over.

The VICE PRESIDENT. The first amendment is to insert from line 7 to line 22 what has been read by the Secretary. Is there any objection to that amendment? The Chair hears none, and the amendment is agreed to.

The amendment passed over, beginning on line 23, page 65, will be read.

The SECRETARY. On page 65, after line 22, the Committee on Military Affairs reports to insert:

Slavic Legion: That, under such regulations as the President may prescribe, a force of volunteer troops in such unit or units as he may direct may be raised to be composed of Slavs, Jugo-Slavs, Czecho-Slovenes, and Poles belonging to the oppressed races of the Austro-Hungarian or German Empire resident in the United States but not citizens thereof nor subject to the draft. Such force shall be known as the Slavic Legion or by such other description as the President may prescribe. No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States and that he desires to fight the Empire of which he and his race have been unwilling subjects. The force so raised and duly sworn into the service may be equipped, maintained, and trained with our own troops or separately as the President may direct and thereafter may be transported to such field of action as the President may direct to be used against the common enemy in connection with our own troops or with those of any nation associated with the United States in the present war; and the several items of expense involved in the equipment, maintenance, training, and transportation of such force may be paid from the respective appropriations herein made or from any subsequent appropriations for the same.

Mr. HITCHCOCK. Mr. President, in the drafting of this amendment several mistakes were made, and I am offering some formal amendments to the amendment.

In line 26 I move that the first word, the word "Slavs," be omitted. That is desirable because the enumeration of the Slavic races will be sufficient without the use of the general term.

The SECRETARY. Strike out the first word in line 26, the word "Slavs," and the comma.

The VICE PRESIDENT. The amendment to the amendment will be agreed to, without objection.

Mr. HITCHCOCK. Then, in line 26, I move to strike out the word "Slovenes" and insert the word "Slovaks." I find I was in error in using the term "Czecho-Slovenes." It should be "Czecho-Slovaks."

The SECRETARY. In line 26 strike out "Slovenes," after the word "Czecho," and insert the word "Slovaks."

The amendment to the amendment was agreed to.

Mr. HITCHCOCK. Then I come to another amendment which I think should be inserted. I have not discussed the matter with the chairman of the committee, but I have been waited upon by an eminent Czecho-Slovak, Prof. Mazaryk, who suggests that the Ruthenians should be included, the Ruthenians being an oppressed race of Austria, akin to the Ukrainians of Russia—in fact, neighbors of theirs—and belonging to the same branch of the Slavic races. I therefore move that the word "Ruthenians," with "Ukrainians" in parentheses, be inserted after the word "Slovaks."

The SECRETARY. In line 26, after the word "and" and before the word "Poles," insert the words "Ruthenians (Ukrainians)."

Mr. POINDEXTER. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. POINDEXTER. I should like to ask the Senator why he has not included in his amendment Russians?

Mr. HITCHCOCK. For the reason that we are now dealing only with those who are technically alien enemies, who can not be enlisted in our Army under the present law because they are technically alien enemies, and the Russians do not fall within that class.

Mr. POINDEXTER. The Russians are out of the war, so far as their de facto government is concerned. I scarcely know whether to class them as alien enemies or as friends or neutrals, but I am only suggesting the matter in order that it may get serious consideration. A great many of the Russians are of the same blood and race as the people who are mentioned in this amendment, with the same racial ambitions, traditions, and desires and the same interest in this war, and it seems to me that it would be a very congenial element to go into the make-up of such a legion as this. I assume that a great many of them are in the United States, and it would open up a great resource of men who might be added to the force of this organization.

Mr. HITCHCOCK. The Senator has no objection to the amendment including Ruthenians?

Mr. POINDEXTER. No; I have no objection to that amendment.

Mr. HITCHCOCK. I ask that the amendment be again stated.

The VICE PRESIDENT. The Secretary will again state the amendment to the amendment.

The SECRETARY. As proposed to be amended, the amendment would read:

That, under such regulations as the President may prescribe, a force of volunteer troops, in such unit or units as he may direct, may be raised, to be composed of Jugo-Slavs, Czecho-Slovaks, and Ruthenians (Ukrainians), and Poles belonging to the oppressed races—

And so forth.

Mr. HITCHCOCK. Mr. President, after that amendment shall have been agreed to I have another amendment which I wish to offer.

The VICE PRESIDENT. Without objection, the amendment to the amendment is agreed to.

Mr. HITCHCOCK. Mr. President, I move to amend the amendment still further, on page 65, line 26, by striking out the word "Poles." I offer this amendment not with any desire to exclude the Poles from this Slovak legion, but because

it has been represented to me by those in charge of French interests in this country that it will probably result in some interference with the efforts they are making to raise a Polish legion, or, in fact, a Polish army, for active use in France. This movement has already gone so far that France, with the approval and cooperation of the United States Government, has taken over from our shores thousands of Poles; probably two-thirds of those secured for the Polish legion in France have come from the United States. Only a few days ago the Polish legion, which had heretofore passed under that name, received a new baptism, and under the name of "Polish Army" was decorated by the President of France in the field. Thus Poland was born again upon the battle fields of France.

I would not do anything in this measure to detract from the effort which France is making to enlist a great Polish Army to cooperate with the French Army, as has been proposed by France. I believe, therefore, it will conduce to harmony of effort and to unity of enterprise to omit from this Slovak legion the name "Poles." They can now fight in France under their own banner—under the silver eagle of Poland—and I am sure it would be unwise to attempt to divide their allegiance or to divide their interests by incorporating them in this Slovak legion. I therefore move, Mr. President, that the word "Poles" be omitted from the amendment as presented.

Mr. McCUMBER. Mr. President——

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. HITCHCOCK. I yield.

Mr. McCUMBER. Possibly not directly upon the question of removing the Poles from this amendment, but upon the broader question, I should like some information from the Senator from Nebraska—that is, what is to be the status of these divisions after the war is over? They are at present to be made up of alien enemies. Of course, if they remain aliens and return to their own country, every one of them would be subject to be indicted and to be executed for treason against their own country. If they remain here, they ought to remain, of course, as American citizens. If we hold them during the war, we must necessarily protect them after the war. That seems to me to be one of the principal questions in this case; that is, the relation of this Government and its duty to protect these people against any law of their own country after the war is over. I assume that the Senator from Nebraska, of course, has considered that phase of the question, and I should like to have his views upon it.

Mr. HITCHCOCK. Mr. President, the question raised by the Senator from North Dakota is of some importance, but I have not given it much consideration. I assume, however, that if it were necessary the Government of the United States would protect those men in the treaties of peace that are finally entered into. Certainly we would owe them a heavy obligation if, without any legal obligation, they volunteered and risked their lives. I feel certain, however, that even without any protection from the Government of the United States the feeling of these Jugo-Slavs is so intense, they are so against the countries which have oppressed them and their relatives in the past, they will enter the war even though they know that upon capture they are to be shot. I have never found in my experience such intensity of patriotic feeling, such intensity of zeal, as is manifested in the conversation of these oppressed Slovak races concerning their aspirations for liberty. I believe they will esteem it a favor to be permitted to volunteer and to get the opportunity of service against the common enemy.

Mr. McCUMBER. Naturally, Mr. President, under the laws of nations and the laws of war, if any of them were taken prisoners they would be subject to be shot and undoubtedly would be immediately court-martialed and executed for the offense of treason against their own country. Therefore I was a little at a loss to know the sentiment that was back of this provision; whether it is a sentiment to free their own country, to fight as aliens to this country; whether it is a sentiment to assist this country; and whether the people of this blood intend at present to become American citizens or after this war is over. Of course, we could not take them in at present, but it would have a great bearing upon what our attitude should be and what provision we should make. If they were intending to become Americans, if they were intending to fight for America, then we ought to have some provision that would allow them to become American citizens or to declare their intention to become such, at least, and we ought to throw over them the protection of this Government, so that if any of them were taken prisoners we could apply the law of reprisal if they were executed.

Mr. HITCHCOCK. Mr. President, I think there is much merit in what the Senator from North Dakota says; but I doubt whether what he suggests would really give to these men any actual protection if the authorities of Austria and Germany chose to disregard such an act of Congress. I should be very glad to cooperate with the Senator from North Dakota hereafter in giving to these men who had enlisted some privilege of naturalization if it could be made effective; but for the present the chief thing, it seems to me, is to avail ourselves of this man power which is in this country, and which is inspired with a tremendous zeal against our common enemy.

Then, Mr. President, there is another thing that I have omitted to say. It is not so much the man power which will be acquired by enlisting this Slovak legion that will prove effective; it is the tremendous moral effect of having the news spread throughout those countries which are inhabited by the Jugo-Slavs, the Croatians, the Slovenians, the Istrians, the Dalmatians, the Bosnians, the Herzogovinians, the Roumanians, and the Moravians that there is a Slovak army under the Stars and Stripes fighting upon the western front or upon any other front. The effect of that knowledge in those countries will do much, not only to keep alive the spirit of revolt, which is already burning fiercely there, but it will undoubtedly do a great deal to disintegrate the Austro-Hungarian Empire and to weaken it in the present struggle.

Mr. THOMAS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Colorado.

Mr. THOMAS. Mr. President, I would suggest to the Senator from Nebraska that after the word "subjects," in line 9, page 66, we add the words "and the allies thereof," so that the oath required by the law will be that the subject "desires to fight the empire of which he and his race have been unwilling subjects and the allies thereof."

Mr. HITCHCOCK. Yes; that would be entirely acceptable to me; but the present amendment relates to the Poles.

Mr. THOMAS. May I move the amendment which I have suggested?

Mr. HITCHCOCK. There is an amendment pending now to strike out the word "Poles." That might be submitted first, and then the Senator's amendment could be offered.

Mr. HARDWICK. Mr. President, I wish to ask the Senator from Nebraska a question. I have not the text of the amendment before me. Can the Senator give the page?

Mr. HITCHCOCK. Pages 65 and 66.

Mr. HARDWICK. Is it proposed to organize this legion as a part of the military forces of the United States, or is it to be an independent force?

Mr. HITCHCOCK. That is left in the control of the President.

Mr. HARDWICK. We do not know, then, whether this legion will be a part of the military forces of the United States or not?

Mr. HITCHCOCK. They are to be treated as a part of the military forces. The language used in the latter part of the amendment is as follows:

> The force so raised and duly sworn into the service may be equipped, maintained, and trained with our own troops or separated, as the President may direct, and thereafter may be transported to such field of action as the President may direct, to be used against the common enemy in connection with our own troops or with those of any nation associated with the United States in the present war.

Mr. HARDWICK. That would be true about all the American forces, and that, I think, is a necessary discretion to give the Commander in Chief in relation to all military forces; but, after all, these people will be a part of the military forces of the United States, will they not?

Mr. HITCHCOCK. I think so.

Mr. HARDWICK. If that is so—the Senator spoke of their naturalization just now—there is already provision made for their naturalization.

Mr. HITCHCOCK. That occurred to me while I was on my feet after the Senator from North Dakota had asked the question. The pending amendment is to strike out the word "Poles."

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. On page 65, line 26, in the amendment reported by the committee, before the word "belonging," it is proposed to strike out the word "Poles."

Mr. NELSON. Mr. President, will the Senator yield to me for a question?

Mr. HITCHCOCK. I yield to the Senator from Minnesota.

Mr. NELSON. It occurs to me that if these Poles are not enlisted under the authority of the United States they will not have the immunity of ordinary prisoners of war if they are captured. Is it not a dangerous thing to leave them "outside the breastworks," and not treat them as soldiers of the United States Army? I submit that question to the Senator.

Mr. HITCHCOCK. I think the Senator will realize that the answer to his question is that those Poles who have enlisted already in the foreign legion of France have the protection of

France to as great an extent as they could have the protection of the United States.

Mr. NELSON. Certainly, I agree with the Senator that the Poles who have enlisted under the colors of France are certainly protected.

Mr. HITCHCOCK. Yes.

Mr. NELSON. But the Poles embraced in this amendment, unless they are brought under our protection, or under that of France, are left up in the air and will not have the immunity of prisoners of war.

Mr. HITCHCOCK. I am moving to strike out the word "Poles" from this amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Nebraska to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. STERLING. Mr. President, I desire to call attention to the word "unwilling" found in the amendment on line 9, page 66. The sentence reads:

No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States and that he desires to fight the Empire of which he and his race have been unwilling subjects.

It seems to me that the word "unwilling" there is a little out of place. It may have reference to time. When were they "unwilling subjects"? Were they "unwilling subjects" at the time they left their native country or were they up to that time willing subjects of that country?

Mr. HITCHCOCK. That is merely descriptive matter and would not control the military authorities in drafting the affidavit which a man would make. It is merely a description in the law to guide the military authorities.

Mr. STERLING. Well, it seems to me that it is either a question of proof that he is an unwilling subject or else we are assuming that he was an unwilling subject at the time he left his native country and came to the United States. It seems to me that the word "unwilling" there is wholly unnecessary; that if he is a subject and if he has complied with other requisites here and makes affidavit accordingly, that he will "faithfully and loyally serve the cause of the United States and that he desires to fight the empire of which he and his race have been subjects," that that is all that should be required, and we need not refer to the matter as to whether or not in the past he has been an unwilling subject.

Mr. HITCHCOCK. It was not intended, Mr. President, that the man should assert that he had been an "unwilling subject." It is merely a description to guide the military authorities. It is a matter, however, of historical notoriety that all of these races have been unwilling subjects of these empires. The Senator will hardly question that the Poles, the Bohemians, the Moravians, the Croatians, the Slovenians, the Istrians, the Dalmatians, the Bosnians, and the Herzegovinians have all been unwilling subjects of the German and Austro-Hungarian Empires. I have used the word merely as a description. It is not of great importance, and I think it could be left out.

Mr. STERLING. We have understood, as a general proposition, that they have been unwilling subjects; but I do not think that warrants us in writing it here in the statute that they are unwilling subjects or that they have been unwilling subjects. It is enough to say that they have been subjects of these countries.

Mr. HITCHCOCK. I rather think there is some advantage in the word, because the very theory of this legislation is for us to violate the ordinary custom, which does not contemplate the use of an alien enemy, and enlist a man who is technically an alien enemy, the only theory and the only excuse for using him being that he and his race have been unwilling subjects; that they are a subject race to the Austro-Hungarian Empire. I think the Senator will gain nothing by striking out that word.

Mr. STERLING. It occurs to me that the word "unwilling" is of no use, and I move to strike it out.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 66, line 9, before the word "subjects," it is proposed to strike out the word "unwilling."

Mr. HARDWICK. Mr. President, I merely wish to say a word in answer to a suggestion made by the Senator from Minnesota [Mr. NELSON].

It did not seem to me that the Senator from Nebraska [Mr. HITCHCOCK] made the matter as plain as it ought to be made, that under the language of this amendment these people, no matter what they were, will become soldiers of the United States if this legislation passes and they enlist in accordance with its provisions. The language of the provision is:

That under such regulations as the President may prescribe, a force of volunteer troops in such unit or units as he may direct may be raised to be composed of Slavs. * * * Such force shall be known as the Slavic Legion or by such other description as the President may prescribe. No man shall be enlisted in it until he has furnished satisfactory evidence that he will faithfully and loyally serve the cause of the United States—

And so forth.

I have no doubt myself that the suggestion of the Senator from Minnesota is eminently proper; that the legal status of these people ought not to be left up in the air; and that the United States Government ought not to be in any position where there could be any doubt about its rights to claim and assert for these people the fullest protection that we can assert or secure or enforce—and "enforce" is a better word, probably—for any of these soldiers. But my own judgment is that it can. I understand the language means that these men are to be soldiers of the United States, however they are employed.

Mr. HITCHCOCK. Undoubtedly.

Mr. HARDWICK. And if that is true, by reprisal, if necessary, or by any other military methods that can accomplish that purpose, we can give to them exactly the same protection, no more and no less, that we can to any other soldier who wears our uniform and serves under our flag.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from South Dakota to the amendment of the committee.

The amendment to the amendment was rejected.

Mr. HITCHCOCK. Now, Mr. President, at the request of the Senator from Colorado, I move to amend the amendment by inserting on line 9, page 66, after the word "subjects," the words "and the allies thereof."

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the word "subjects" it is proposed to insert a colon and the words "and the allies thereof."

The amendment to the amendment was agreed to.

Mr. CALDER. Mr. President, I offer the amendment which I send to the desk to the amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add, at the end of the proposed amendment, the following proviso:

Provided, That American citizens of Austrian or German birth who have passed the necessary examination and whose loyalty is unquestioned may, in the discretion of the Commander in Chief of the Army and Navy, be commissioned in the United States Army or Navy.

Mr. CALDER. Mr. President, I offer this amendment so as to have the Senate go on record on the question of commissioning in the Army and Navy of the United States men who are of alien-enemy birth, but whose loyalty is unquestioned. There has been a suggestion of late that men of this type should not be commissioned. I know of some men who have been told that they could not have commissions because they were born in Austria or Germany. The committee amendment to which this amendment is offered proposes to permit the creation of a division in the American Army of men who are under our laws alien enemies. My amendment simply seeks to provide that men born in alien-enemy countries but of American citizenship and qualified in every other respect, in the discretion of the President may be commissioned in the Army. To deny these men the right to be officers because of alien birth and then insist that they shall be subject to the draft and serve as private soldiers is, to say the least, very un-American.

Mr. HITCHCOCK. Mr. President, I have no objection to that amendment, and I believe that no man on the Military Affairs Committee has any objection to the commissioning of officers who are of the same birth as those men included in the paragraph who have demonstrated that they are thoroughgoing Americans, have been naturalized, and have passed through the officers' camp.

Mr. McCUMBER. Mr. President, is there any question but that they may be appointed now?

Mr. HITCHCOCK. Well, Mr. President, that brings up a rather remarkable ruling of the War Department. A few days ago, when the Senate Military Affairs Committee was in session, a woman fairly burst into the room to tell the chairman of the committee the case of her son. He had gone through one of the officers' camps, stood third from the top in excellence, was highly recommended by his local officers, but because he had been born in Hungary, under the Austrian flag, he was denied a commission; and others are in the same class. We have denied commissions to Armenians because they were born under the Turkish flag, although they hate Turkey. We have denied commissions to men who are technically Austrians although they hate Austria. The plea that the woman made before our committee impressed every member of it that the War Department was making a great mistake in excluding from officers' commissions those well-educated young Slavs in this country who have gone through college, who have gone through the officers' camps, and who are eminently qualified to become officers, simply be-

cause they were technically born under the flag of one of our enemies.

I therefore approve the amendment to the amendment.

Mr. McCUMBER. Mr. President, this is a mere ruling by the department, is it not?

Mr. HITCHCOCK. It is a mere ruling.

Mr. McCUMBER. There is no law that justifies it?

Mr. HITCHCOCK. None whatever.

Mr. McCUMBER. And if we add this to the law, it has no more than a merely suggestive application?

Mr. HITCHCOCK. That is about all.

Mr. McCUMBER. It does not change the law in any way?

Mr. HITCHCOCK. That is true.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. WARREN. I ask that it may be again stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The Secretary again stated the amendment to the amendment.

Mr. WADSWORTH. Mr. President, I am in sympathy with the amendment offered by my colleague, at least in its spirit; but, as I understand, his purpose in offering it at this time is to secure an expression of opinion from the Senate upon this question. I notice, however, that his amendment is confined in its operations to men who were born in Austria or Germany. I ask if he would not be willing to broaden that provision, and make the amendment operative over men who were born in what is now alien enemy territory?

I have in mind the case of a young man who was born in Syria. Every one knows that Syrians despise the Turks; that they have been brutalized and oppressed by them for centuries. He came to this country at a very early age, when he was a mere infant, went through our school system, and graduated at a university. He then went to an officers' training camp, graduated from our own officers' training camp, and was about to receive his commission, when he was told: "No; you can not have it, because you were born in Syria." I was wondering if my colleague would not enlarge the jurisdiction, as it were?

Mr. CALDER. Mr. President, I am certainly willing to accept that suggestion.

The SECRETARY. After the words "of Austrian or German birth" it is proposed to insert the words "or who were born in alien enemy territory."

Mr. CALDER. I accept the amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from New York, as modified, to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

The SECRETARY. On page 78, beginning with line 19, it is proposed to strike out that line and all down to and including line 24, on that page, and insert:

Importation of certain war materials free of duty: That during the present emergency upon request made by the Secretary of War to the Secretary of the Treasury, and under such regulations as the Secretary of the Treasury may prescribe, there may be imported into the United States without payment of duty thereon raw materials, parts or partly fabricated parts of equipment, and finished equipment required to hasten or facilitate the production of munitions or machinery of war whenever such duty would otherwise be payable directly or indirectly from appropriations for the support of the Army.

Mr. SMOOT. Mr. President, I can not believe that the Senate will approve this amendment. It means that manufacturers who already have contracts with the Government based upon paying duty upon the goods imported which enter into the goods made to fill those contracts shall be relieved of the amount of duty paid upon such importations. As far as the Treasury of the United States is concerned, it would be like taking the money from one pocket and putting it into the other; but, as far as the manufacturer is concerned, he having bid upon goods imported with the duty added, it would be a gain of whatever the duty would amount to.

I want to call attention, Mr. President, to the fact that at the close of business on June 22 this year, the amount of customs collected is $174,777,345.73, as against an amount on the same date for last year of $220,241,560.54, or a loss to the Treasury of the United States in round numbers of $46,500,000. It is not possible that the Senate is going to adopt at this time an amendment that will relieve manufacturers and importers of paying duty on material that enters into the construction of machinery or munitions of war or war materials of any sort, when it would not in any way benefit the Treasury, but would simply mean that there would be just so many dollars given to all the manufacturers who have at the present time contracts with the Government for furnishing goods at a fixed price.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I am inclined to agree with the Senator. It seems to me it is absolutely certain that the one immediate and direct effect of the adoption of this amendment would be to permit those who have already contracted with the Government to buy their materials at a very much less price. It would be virtually legislating into the pockets of these gentlemen who have contracts with the Government already the difference brought about by the import duty; and, so far as I am concerned, I am going to vote against this amendment. It was not called to my attention in this way before the committee, and I believe it ought to be defeated. I think the Senator's motion to strike it out is proper.

Mr. KNOX. Mr. President, may I inquire of the Senator from Utah, who is so much more familiar than myself with the rules concerning revenue legislation if he has given consideration to the question as to whether or not we could originate this legislation? This is a repeal of a tariff law and it is not on a revenue bill. This bill does not pretend to deal with the revenues. There is nothing about the tariff in the bill; and I will ask whether the Senator has considered that question?

Mr. SMOOT. I will state to the Senator that the committee of the Senate no doubt took jurisdiction and included this amendment in the bill, because there was a House provision on the same subject applying only to the Ordnance Department, and the Senate committee has enlarged that so as to cover all departments; so I think, under that provision, perhaps they had jurisdiction. I will say, however, that it seems to me that simply to state the case is enough to defeat the provision. Two years ago, I think, the same provision was asked for by one or two of the departments, and at that time it was put in one of the appropriation bills, and it was stricken from the bill. Last year the same provision was put in one of the bills—I forget which one—but when the attention of the Senate was called to it, it went out of the bill immediately; and I have no doubt that this ought to go out.

Mr. McKELLAR. Mr. President, I will ask the Senator if he does not think also that the House provision ought to be struck out?

Mr. SMOOT. Yes; the Senate ought to disagree to the committee amendment, and then strike out the House provision.

Mr. McKELLAR. Of course, I take it, in answer to the Senator from Pennsylvania, that the House, having legislated on this very subject, it was perfectly pertinent for the Senate committee to offer the amendment. I hope the amendment will be defeated, and I hope the chairman will accept the suggestion of the Senator from Utah.

Mr. CHAMBERLAIN. Mr. President, in view of the action of the committee, I do not feel that I can accept the suggestion. The matter was discussed at considerable length in the committee, and this is the result of the committee's action. I can see objections to the provision and there is force in the suggestions made by the Senator from Utah. On the other hand, members of the committee took the view that it was simply taking money out of one of the Government's pockets and putting it into the other; in other words, that it was just about as broad as it was long to admit free of duty these raw materials that go into the manufacture of munitions.

Mr. McKELLAR. Mr. President, may I interrupt the Senator to say that that would be true in so far as future contracts are concerned, but as to contracts already existing it would have an entirely different effect. Instead of taking money from one pocket and putting it into the other, it would be legislating a lot of money into the contractors' hands.

Mr. CHAMBERLAIN. I am inclined to believe that the serious objection to the provision is the one raised by the Senator from Pennsylvania. It is revenue legislation in a sense, and ought to originate in the House; but if it is stricken from the bill, in view of the fact that the House bill had a provision on the subject, we could take up the whole matter in conference and consider it there. I am not going to oppose the motion very seriously.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. CHAMBERLAIN. Mr. President, that disposes of the affirmative amendment on page 79.

Mr. SMOOT. Now, Mr. President, the House provision would remain in the bill. I therefore move to strike from the bill lines 19 to 24, on page 78.

The VICE PRESIDENT. The Senator from Utah offers an amendment, which will be stated.

The SECRETARY. On page 78 it is proposed to strike out lines 19 to 24, inclusive, in the following words:

Provided further, That all material purchased under the appropriations for the Ordnance Department in this act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases abroad, which material shall be admitted free of duty.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah.

The amendment was agreed to.

Mr. SMOOT. Mr. President, I want to ask the Senator a question before we take up the next one of the committee amendments that were passed over.

I ask the Senator having the bill in charge to turn to page 89. Under the provision for printing and binding there is the following proviso:

That printing, binding, and blank books required for use outside of the District of Columbia in connection with the support of the Army and the National Guard may be done or procured elsewhere than at the Government Printing Office when in the opinion of the Secretary of War such work can be more advantageously done or procured locally—

And so forth. I should like to ask the Senator if any real good reason was given why that provision should be put in the bill?

Mr. CHAMBERLAIN. The Senator will remember that two years ago, I think it was, possibly when the last appropriation bill was up, it was physically impossible for the officers at the cantonments to get printing done in time to distribute it among the soldiers and give them the information which it was necessary for them to have. The red tape that had to be gone through and the difficulty of getting printing done here in Washington led some officers in the National Guard to have the printing done at their own expense, in order that they might get the material prepared.

Mr. WARREN. I think they made a perfect case, and the provision was necessary.

Mr. SMOOT. I think so, too, and that is why two years ago it was allowed to be put in the bill. I simply want at this time to say that as soon as the war is over I think a provision of this kind ought never to appear in the bill.

Mr. CHAMBERLAIN. I am in thorough accord with the Senator. I think it is a bad plan as a general rule; but in view of the rapidity with which these men have to be raised and gotten into the cantonments and the amount of literature it was necessary to place in their hands the committee was led to act favorably at this time, and also when the last appropriation bill was up.

Mr. McKELLAR. Mr. President, I wish to call attention to an amendment in line 20, page 90. Yesterday afternoon I had an amendment made inserting the words "or so much thereof as may be necessary" after "$316,941." I have looked at the RECORD, on page 8192, and I find that the amendment was not agreed to finally. I now offer it again, as the RECORD does not show that it was agreed to.

The VICE PRESIDENT. It was agreed to. The Journal so shows. We do not go by the CONGRESSIONAL RECORD.

Mr. McKELLAR. The Journal shows that it was agreed to?

The VICE PRESIDENT. Yes.

Mr. McKELLAR. It is entirely satisfactory, if the Journal shows it.

The VICE PRESIDENT. The next amendment of the committee passed over will be stated.

The SECRETARY. On page 100, after line 15, the Committee on Military Affairs reported to insert the following:

CHAPTER IX.

Army Mine Planter Service: That hereafter there shall be in the Coast Artillery Corps of the Regular Army a service to be known as the Army Mine Planter Service, which shall consist, for each mine planter in the service of the United States, of 1 master, 1 first mate, 1 second mate, 1 chief engineer, and 1 assistant engineer, who shall be warrant officers appointed by and holding their offices at the discretion of the Secretary of War, and 2 oilers, 4 firemen, 4 deck hands, 1 cook, 1 steward, and 1 assistant steward, who shall be appointed from enlisted men of the Coast Artillery Corps under such regulations as the Secretary of War may prescribe: *Provided*, That the Coast Artillery Corps is hereby increased by such numbers of warrant officers and enlisted men as may be necessary to constitute the force provided by this chapter: *Provided further*, That the annual pay of the warrant officers and enlisted men in the various grades established by this chapter shall be as follows: Masters, $1,800; first mates, $1,320; second mates, $972; chief engineers, $1,700; assistant engineers, $1,200; oilers, $432; firemen, $396; deck hands, $216; cooks, $360; steward, $540; assistant stewards, $288: *And provided further*, That warrant officers shall have such allowances as the Secretary of War may prescribe, and shall be retired, and shall receive longevity pay, as now provided by law for officers of the Army, and that the enlisted force herein provided for shall receive the allowances and continuous-service pay now provided by law for enlisted men of the Army: *And provided further*, That in computing length of service for retirement, and in computing longevity pay for warrant officers and continuous-service pay for the enlisted men authorized by this chapter, service on boats in the service of the Quartermaster Department or the Quartermaster Corps prior to the passage of this act shall be counted: *And provided further*, That during the continuation of the present emergency all enlisted men of the Mine Planter Service of the Army of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $15 per month; those whose base pay is $24, an increase of $12 per month; those whose base pay is $30, $33, $36, or $40, an increase of $8 per month; and those whose base pay is $45 or more, an increase of $6 per month: *And provided further*, That the increases of pay herein authorized shall not enter into the computation of continuous-service pay.

Mr. JONES of Washington. I wish to ask the chairman of the committee something about that amendment, and to call his attention to some facts that have been brought to my attention in connection with it. I wish to ask the chairman of the committee if the objections of the mine planters to this provision were considered by the committee?

Mr. KIRBY. Mr. President, if the Senator will allow me, I will state that I was appointed on a subcommittee with the Senator from Florida [Mr. FLETCHER], and we heard all the objections filed by all the men who are now in operation of the mine-planter outfit. We had a proper hearing of both sides of the matter, and we were led to the conclusion, and recommended, that the amendment should be adopted as it is set out here, and the committee also recommended it. We heard all the objections of the mine planters which were presented.

Mr. JONES of Washington. Let me ask the Senator this question: Under the terms of this bill the master, for instance, of one of these mine planters gets $1,800?

Mr. KIRBY. Yes.

Mr. JONES of Washington. These masters are now getting $2,800.

Mr. KIRBY. That is true.

Mr. JONES of Washington. How does the committee justify a reduction of that kind under the present condition of things?

Mr. KIRBY. These mine planters are not now in the military service of the Government. They are civilians. They strike, or insist upon this sort of a wage or that sort of a wage, and they say it is only reasonable under present conditions; but we are told by the department here that it is necessary to put them within the service of the military department, so that we can rely upon these people who will be officers and men in the service. Then we can keep them in the service under any emergency and at all times, and this is enough money, under existing conditions, to secure all the talent that is needed to operate the mine-planter service. That is the condition as it was developed before the committee.

Mr. JONES of Washington. Of course I can understand why the Army wants these mine planters in the service; but this compensation was fixed by the Secretary of War, and if it was reasonable at the time when he fixed it it seems to me that some arrangement ought to be made under which the compensation of these men would not be subjected to such an extreme reduction, at any rate. These people, many of them, have their families; they have to take care of them, and they are just able to do it upon the compensation they are now receiving. To make such an enormous reduction as this would be very unjust and very unfair. The general plan is to increase compensation now rather than to decrease it, and yet here you are decreasing the salary, for instance, of a master $900.

Mr. KIRBY. We are not expecting these men, if the salary is not satisfactory, to stay in the service. The department desires men who will be in the military service who can be designated to perform this particular duty, and who will be there when required to be there.

Mr. JONES of Washington. Does not the Senator think that we need these experienced men? I wish to say, in justice to these men, that they say they will not leave the service. I will just read a statement from one of them.

Mr. KIRBY. I have no objection to the Senator reading it, but we had all those statements before us.

Mr. JONES of Washington. I want to read it for the RECORD. Here is what one of them says:

Mr. Senator, should we be penalized for working for Uncle Sam, which we will be should this bill go into effect as we can not resign, and will not during this emergency, no matter what happens? Commercial companies do not ask such a sacrifice, and why should the United States Government?

These men do not propose to leave the service if we cut their wages much lower; but it does seem to me to be a very great injustice. We provide here that the mates shall get $1,320. These mates are getting now $2,280. Their pay is to be cut to that extent. Second mates are to get $972. They are getting $1,680 now. That was the compensation fixed by the Secretary of War for this service.

I want to say that these are men of experience. Many of them have been in the service for a great many years. We do not want in this emergency to take new men and displace these old ones, even if the department contemplated getting their services. We do not want to do that.

As I have read from the letter they do not propose to leave, but we ought not to take advantage of that circumstance to cut their wage as we seem to be doing here. They are going to

have to do just the same class of service, work in the same danger, and with the same energy they have been doing heretofore. Their work during this war has been much more arduous than it ever has been before, much more dangerous than it was when this compensation was fixed. Here we give the chief engineer $1,700. He is getting now $2,500. We cut his pay $800. Here are the assistant engineers, whom we put at $1,200. They are now getting $2,100. In other words, we cut their compensation $900 by this measure. Then we give oilers $432, and they are now getting $1,320. In other words, we reduce the salary of these men $900.

Mr. REED. What section of the bill is that?

Mr. JONES of Washington. Chapter IX, page 101.

Mr. WARREN. I can explain it to the Senator.

Mr. JONES of Washington. That is what I am trying to find out. I want to find out why we are treating these men in this sort of way.

Then firemen, according to this bill, get $396. They are now getting $1,260. That is their compensation. Then deckhands under this bill get $216, and they are now getting $1,140. Why make such an enormous reduction as that? What is the reason for it? Is it possible that when a man enters the service of Uncle Sam and does the same kind of work that he has been doing all the time he has got to give up so much of his salary and compensation, and under this bill get $360 where he now gets $1,080; in other words, a reduction of over $700? Cooks, under this bill, get $360. They are now getting $1,080; in other words, a reduction of over $700. Then stewards, under the bill, get $540, where they are now getting $1,200.

Mr. STERLING. In what service?

Mr. JONES of Washington. In the mine planters' service. Assistant stewards are to get $288, and they are now getting $900.

Now, I want to show how we treat them in the Navy:

> These warrants are not even commission warrants, as provided in the Navy, and in no sense of the word do they equal the Navy rate except in the higher grade; the lowest commissioned warrant officers in the Navy receive as a salary a pay of $1,500 per year.

Then why should not these men, at any rate, if they are going to be taken into the Army, have the same sort of treatment we accord men in the Navy?

The Senator from Wyoming [Mr. WARREN] suggests to me that no enlisted men in the Army get what they do in the Navy. I am not familiar enough with the technical terms to know just the difference, but I take it from this letter that in the Navy they have men in similar positions, and they are getting $1,500 per annum, or much greater than that proposed here.

Mr. KIRBY. If the Senator addresses his inquiry to me, I think——

Mr. JONES of Washington. I am addressing it to anyone who will answer it.

Mr. KIRBY. The whole matter was presented to the committee. These men are in civil employment. They can leave when they get ready. They are not subject to the order of the Government at all, any further than that they are employed. It was deemed necessary and desirable to have them in the Government service, so that they can be relied upon. Men are being trained for this service and the salaries are regarded as sufficient by the War Department. They will have no trouble, they think, in getting the kind of talent they need for the discharge of this sort of duty at this figure.

It seems to me that there should come a time when the Government ought to get something at its reasonable worth. It is time, when we are asking everybody in the world to subscribe to liberty bonds and saving stamps, that we should not expend more money than ought to be expended for this particular service. The Judge Advocate General, who was getting $15,000 or $20,000 before he went into the service, gets $2,500. Take a man in the Medical Department. He was making $25,000 a year, probably, before he entered the service, and he gets $2,000 under the commission he has taken here. If we can get the service—and the War Department says we can get the service—I do not see why we should allow anybody else to control the establishment and organization of this service except the War Department, which must be responsible for it. We reached a conclusion after hearing both sides and all the objections that have been presented here, and we reported it to the committee and the committee recommended it.

Mr. JONES of Washington. Mr. President, I agree with many of the suggestions of the Senator from Arkansas, but if we are going to reduce pay we should reduce it, and let us not stop with a certain class. This, I think, is the only class whose pay we have been reducing. We have been increasing salaries generally, and we should have some other reason given for this reduction than that given by the Senator.

Mr. WARREN. Will the Senator allow me?

Mr. JONES of Washington. Certainly.

Mr. WARREN. On page 101, starting with line 13, it reads:

> That warrant officers shall have such allowances as the Secretary of War may prescribe, and shall be retired, and shall receive longevity pay, as now provided by law for officers of the Army, and that the enlisted force herein provided for shall receive the allowances and continuous-service pay now provided by law for enlisted men of the Army: *And provided further*, That in computing length of service for retirement, and in computing longevity pay for warrant officers and continuous-service pay for the enlisted men authorized by this chapter, service on boats in the service of the Quartermaster Department or the Quartermaster Corps prior to the passage of this act shall be counted: *And provided further*, That during the continuation of the present emergency all enlisted men of the Mine Planter Service of the Army of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $15 per month; those whose base pay is $24, an increase of $12 per month; those whose base pay is $30, $33, $36, or $40, an increase of $8 per month; and those whose base pay is $45 or more, an increase of $6 per month: *And provided further*, That the increases of pay herein authorized shall not enter into the computation of continuous-service pay.

These men need not enter the service, but if they enter the service they know that they will have all the allowances of clothing, shelter, food, and retired pay after they have been in the service long enough for retirement. They will have also increased pay from time to time for long service. So, while they commence at low pay, finally they arrive at a high pay, considering all their allowances.

These enlisted men are very different from the men who are hired from day to day or month to month as civilian employees.

Mr. JONES of Washington. The Senator would have us understand, then, that the committee considered those things as full compensation for this reduction, or, rather, as I understand, that the committee think it is best to take these mine planters into the Army and make their crews and officers enlisted soldiers and place them upon a par with all other soldiers?

Mr. WARREN. Exactly.

Mr. JONES of Washington. And if these people do not want to stay in at the compensation provided, of course they can go out. Of course, if the committee thinks that is wise, I really have nothing to say. These men, I take it, are speaking of this proposition on the basis that they are expected to continue in the service. They have been in this service for a great many years. While it is true they are civil employees, I suppose they are under the control of the War Department. As a matter of fact, the Government, as I understand it, has three mine layers, and these men are employed by the War Department and their compensation was fixed by the War Department.

Mr. POMERENE. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. POMERENE. I have been detained in committee work, and I have not heard all this discussion, but may I ask the Senator how the present salary or wage was fixed? Was it by salary or by the War Department?

Mr. JONES of Washington. I understand it was fixed by the War Department several years ago. I think the statement that I read is to that effect.

Mr. POMERENE. In any event, Congress has not fixed it?

Mr. JONES of Washington. No; I do not think Congress has fixed the pay. This man who writes to me says:

> Myself being a second mate at present, with a yearly wage of $1,764, it is proposed under this bill to cut it to $972 per year, or to $81 per month. As I am now getting $147, it will mean a cut of $59 a month, which is a very unfair cut.
>
> Out of this pay I must purchase food and uniform and maintain my family.

Apparently they are required to have a certain kind of uniform.

Mr. KIRBY. They do not buy that after they go into the service.

Mr. JONES of Washington. This man ought to know whether he has to have a uniform. He has been doing this service for a good while, and he said he had to purchase a uniform.

Mr. KIRBY. I will suggest that there are different conditions about the food and uniforms after they get into the Government service.

Mr. JONES of Washington. I know that men in the Army are furnished with uniforms if they are privates, but if they are officers they are not furnished them.

Mr. WADSWORTH. The committee was very much impressed by the argument the Senator has made, but we received a communication from the War Department and found that under the provisions of this bill the salaries or wages to be paid to these men, taken together with their clothing allowances and their mess allowances or their food, are just about the same as what they have been getting in cash, as described by that writer. Since we have received that information, and I think some members of the committee stated what was the intention of the War Department, we received no further complaint.

Mr. JONES of Washington. This letter is dated March 10, but I received another one about two weeks ago.

Mr. WADSWORTH. I think it is due to a misunderstanding.

Mr. JONES of Washington. That is what I wanted to bring out—if these people do not understand the situation, that they might be advised of it.

Mr. WADSWORTH. The War Department furnished us a table showing a list of those employees, what they are receiving in civil life as mine planters, and what they would receive in money value under the terms of this bill, and they were practically alike.

Mr. JONES of Washington. Why should not that statement be put in the RECORD?

Mr. CHAMBERLAIN. I will obtain it and have it put in the RECORD.

Mr. JONES of Washington. When the chairman of the committee obtains his statement, I ask permission that it be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JONES of Washington. I think that will explain the situation so that these people will understand it, and that was my only purpose. I thought the committee must have some good reason for putting this matter in the shape that they have done. I can appreciate that, if this service is to be brought into the military department, it must be brought in, of course, upon the general basis of military action. I have no doubt but that these men will patriotically remain in the service and perform these duties, at least until this war is over; but the committee seems to think it would be wise, if they should not be disposed to do that, to replace them with others. So I am satisfied that this statement, together with the facts which are in the RECORD, will explain the matter so that those people will understand it. I shall not further detain the Senate, nor shall I propose any amendment to the committee amendment.

The statement referred to is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF COAST ARTILLERY,
Washington, May 6, 1918.

MEMORANDUM FOR MAJ. GEN. E. M. WEAVER.

In compliance with your request, I am inclosing a table showing past, present, and proposed pay for members of mine-planter crews. The table also shows the rates of pay for warrant officers and petty officers performing the same work.

(a) Column 10 shows the Army grade getting the same pay as that proposed (column 8).

(b) Column 11 shows the Navy grade corresponding to master, chief engineer, etc.

(c) Under columns 1, 2, 3, 4, and 6 you will notice headings "Old" and "New." The old pay was in effect until quite recently and was that upon which the proposed pay was based.

(d) Note that pay on *Ringgold* and *Armistead* is higher and always has been higher than on the other planters. This is due, I understand, to the fact that the wages for civilian crews on the Pacific coast are higher than on the Atlantic.

(e) Note the comparative low pay of ship's officers on the *Hunt* and *Knox*.

These vessels are in Manila.

(f) Note that the proposed pay, with allowances of a second lieutenant (column 12), is a substantial increase over the old pay and over pay for corresponding work in the Navy (column 9).

(g) In comparing with the Navy pay, I have included only two warrant officer grades, namely, that of boatswain and machinist, corresponding to master and chief engineer. For first mate, second mate, and assistant engineer I have made a comparison with the Navy petty officer grades of chief boatswain's mate and chief machinist's mate, since the Navy Department informed me that on vessels the size of mine planters, doing their class of work and normally working around the harbors, those would be the Navy grades assigned. If comparison is desired throughout for Navy warrant officers, the pay is the same for all grades.

Officers in the Naval Reserve Force on listed ships that are naval auxiliaries are enrolled as follows for vessels of 500 tons (gross) (planter class): Ensign (second lieutenant), corresponding to master; machinist, corresponding to chief engineer; boatswain, corresponding to first officer. This differs somewhat from the statement made above, but is due to the fact that the Naval Reserve vessels are not confined to harbors as much as mine planters.

In the above I have endeavored to give the latest pay received, although it is possible by this time that the crew of the *Frank* has had another increase, as while I was in the office of the Quartermaster General getting this data a telegram was received from the commanding officer of the *Frank* making such a request.

With reference to the inclosures with Mr. CHAMBERLAIN'S letter, I submit the following comment:

Mr. Trahey's letter: 1. He refers to the *Knox* and *Hunt* sailing for the Philippine Islands and the *Ringgold* and *Armistead* sailing for San Francisco.

These trips were unusual and some of the crew were specially detailed to make the voyages.

2. He refers to the planter making annual trips to Honolulu.

Whenever the planters make a voyage to the Hawaiian Islands they are convoyed by one of our transports, and in the case of the *Armistead's* voyage this spring, she was towed part way and convoyed the remainder.

3. In connection with the question of the second mate having to stand a watch and comparing his pay with the pay of an officer in the Navy doing the same duty, the Navy informed me that on similar vessels in their service only the master and chief engineer, as I stated above, would be warrant officers, but that on vessels which went to sea and had to stand watches, they would have the other two deck officers warranted.

Watch duty on a mine planter is very light.

Joint letter from the *Ringgold's* officers: 1. It is stated that warrant officers' base pay ranges from $1,500 to $2,250 per year.

In this connection I am inclosing a table (Table B) showing warrant officers' pay. You will note that the pay referred to above is that of a warrant officer on sea duty ranging from his first duty to that after 12 or more years. Moreover, the warrant officer in the Navy gets no allowances for quarters except when getting shore pay, when the monthly allowance is two rooms at $12 each. Shore base pay is $1,125 (see Table B). This would make his pay, with allowances, $1,413, or $87 less than I have shown in the tables for comparison.

You will note I have considered chiefly the pay of the warrant officers. In connection with pay of the other members of the crew it is noted there will be quite a reduction. This was fully considered at the time and the proposed rates were made, because it appeared to be unjust to pay a steward more than a first sergeant, or a cook more than a quartermaster sergeant. For further comparison, it should be noted that the pay of a master electrician, the highest-paid enlisted specialist in the Coast Artillery Corps, is $1,188 per year.

In the above I have not included the additional war pay for grades below second mate and assistant engineer, since this increase is the same for both Army and Navy.

To be just to the members of the mine-planter crews, I believe that all men who do not desire to work under the provisions of the bill should be allowed to resign when the bill is passed, and this without prejudice, the men being allowed to accept positions in the Naval Reserve, under the Shipping Board, or where they may desire.

A course in navigation is now being started at the Coast Artillery School, Fort Monroe, and we expect to fill all positions very shortly with qualified men.

C. W. BAIRD,
Major, Coast Artillery Corps.

	1		2		3		4		5	6		7	8	9	10	11	12	13	14
	Frank.		Mills.		Ord.		Armistead and Ringgold.		Graham.	Schofield.		Hunt and Knox.	Bill.	Navy.	Corresponding Army grade, based on pay.	Corresponding Navy grade, based on duties.	Proposed pay, plus allowances.	After 10 years, Army.	After 10 years, Navy.
	Old.	New.	Old.	New.	Old.	New.	Old.	New.		Old.	New.								
Master	$1,980	$2,580	$1,980	$2,580	$1,980	$2,580	$2,280	$2,880	$2,760	$2,178	$2,580	$2,100	$1,800	$1,500	None	Boatswain	$2,182	$2,542	$2,000
First mate	1,560	1,920	1,560	1,920	1,560	1,920	1,680	2,280	2,040	1,760	1,920	1,500	1,320	660	do	Chief boatswain's mate.	1,702	1,966	911
Second mate	1,200	1,680	1,200	1,680	1,200	1,680	1,380	1,680	1,860	1,320	1,680	1,200	972	660	Engineer, Fifth Engineers.	do	1,354	1,548	911
Chief engineer	1,860	2,280	1,860	2,280	1,860	2,280	2,100	2,700	2,640	2,046	2,280	1,980	1,700	1,500	Second lieutenant.	Machinist	2,062	2,422	2,000
Assistant engineer	1,440	1,920	1,476	1,920	1,440	1,920	1,500	2,100	2,160	1,584	1,920	1,380	1,200	924	None[1]	Chief machinist's mate	1,582	1,822	1,175
Oilers	840	1,080	768	1,080	768	1,080	996	1,320	1,140	768	1,080	180	432		El. sergeant, second class.		628		
Firemen	840	1,020	768	1,020	768	1,020	936	1,260	1,080	768	1,020	240	396		Fireman, C. A. S., Second Engineers.		592		
Deckhand	840	960	648	960	648	960	816	1,140	960	648	960	360	216		Private, first class.		412		
Steward	876	1,176	876	1,176	876	1,176	876	1,200	1,188	876	1,176	600	540		First sergeant		736		
Assistant steward.	516	696	516	696	516	696	456	900	960		696	180	288		Corporal, Second Engineers.		484		
Cook	756	984	756	984	756	1,056	756	1,080	984	756	984	420	360		Quartermaster sergeant.		556		

[1] Engineer, Coast Artillery Corps, gets $780.

Allowances of second lieutenant:

Rooms	$288.00
Heat (depending on locality; this is for Fort Monroe)	80.20
Light	14.04
Total	382.24

First 3 years' service.			Second 3 years' service.			Third 3 years' service.			Fourth 3 years' service.			After 12 years' service.		
At sea.	On shore or other duty.	On leave or waiting orders.	At sea.	On shore or other duty.	On leave or waiting orders.	At sea.	On shore or other duty.	On leave or waiting orders.	At sea.	On shore or other duty.	On leave or waiting orders.	At sea.	On shore or other duty.	On leave or waiting orders.
$1,500	$1,125	$875	$1,625	$1,250	$1,000	$1,750	$1,625	$1,125	$2,000	$1,625	$1,250	$2,250	$2,000	$1,500

The above shows pay of warrant officers: Boatswains, gunners, carpenters, sailmakers, pharmacists, and machinists.

SEATTLE, WASH., *April 22, 1918.*

United States Senator CHAMBERLAIN,
Chairman of the Senate Military Committee,
United States Senate, Washington, D. C.

DEAR SIR: We, the undersigned officers of the United States Army mine planter *Major Samuel Ringgold*, wish to call your attention to, and to protest against, the ratification of the Army mine planter bill, as passed by the House of Representatives on April 8, 1918.

We are basing our protest on the grounds that the bill in its present form is not a fair bill to the men now employed in this service. The greatest objection being the matter of salary offered, which is far below that now in force for these vessels and others of the same class, namely, all ocean vessels navigating the Atlantic and Pacific Oceans, and below the pay of warrant officers of the United States Navy, where warrant officers' pay ranges from $1,500 to $2,250 per year as base pay, while that offered in the bill is from $972 to $1,800 per year.

Attached to this communication is a scale of wages in force on the Pacific coast to merchant officers and the Army transports and to officers of the Shipping Board vessels, also an official copy of the wage scale to vessels of the mine planter service here.

It is proposed to pay the master of these mine planters less than what is paid to masters of small gas-propelled launches of the Coast Artillery Corps. At the coast defenses of Puget Sound the master of the distribution-box launch *L–35* receives a salary of more than $1,800 per year, as do the masters of the 60-foot harbor boats *Lieut. Gurney* and *Capt. Anton Springer*. The harbor boats *Major Evan Thomas* and the *General Mifflin* pay as salary to the master $240 per month. These vessels are much smaller vessels than the mine planters. Does it stand to reason that the crew of an ocean-going vessel should receive less remuneration than these small harbor vessels?

After reading in the CONGRESSIONAL RECORD of the passage of H. R. 9898 and noting the remarks of the several Members on the bill, it is evident that the welfare of the men who operate and navigate the vessels was not considered at all, as there was no opposition or word of protest offered on the floor of the House.

In creating a new branch of the Army, as it is proposed by this bill, and which is to be a permanent arm, is it not to the best interests of the Government to create something that will attract the mariners of proven capability and keep in the service the present members who thoroughly understand all the requirements of mine planting, this planting being an art that takes years to acquire the proper skill and ability to handle a mine planter in the mine fields?

There have been many opportunities for better positions with the Navy Department, Shipping Board, and merchant fleets, yet very few have left their vessels in expectation of some satisfactory legislation being enacted that would be beneficial both to themselves and the War Department, but this present bill is not considered so. We do not believe even yet that it is the intention of the War Department to underpay its employees and to class us as of no value as compared with other vessels' crews in its harbor service. So it is our intention to get these facts before your committee before a vote is taken in the Senate. We hope that the Senate will give more consideration to our claims than was the case in the House of Representatives.

Consider, for example, the case of the first and second mates and the assistant engineer: The first mate is to receive $1,320; the second mate, $972; and the assistant engineer, $1,200 per year; a comparison with the present wage we are now getting will show why this letter has been written. Mates and engineers on small tugs that operate wholly in bays and harbors receive from $125 to $175; and a copy of ocean-tug salaries is also attached to this letter. These schedules and statements can be verified by inquiry at any steamship office or agency.

It was stated in the House that these ocean vessels never went to sea, but hung around harbors, and would not out if it was too dark or rough. In view of the over-seas voyages that these vessels have made in the past this contention will not stand. The mine planters *Knox* and *Hunt* both steamed across the Atlantic to the Philippine Islands by way of the Suez Canal; the *Armistead* and *Ringgold* both steamed around to the Pacific coast from the Atlantic coast by way of the Straits of Magellan; and every year the *Armistead* and *Ringgold* have alternated making a trip across the Pacific to Honolulu, the *Armistead* making the trip the present year, having left here in March and being in Honolulu at the present time, the *Ringgold* doing the planting at the Columbia River bar this year. On the Atlantic coast there are five planters that make trips on the Atlantic seaboard from Maine to the Panama Canal. So, in view of these facts, this work can hardly be likened to harbor work, and mine planters must be considered as ocean vessels in every sense of the word, and manned by ocean navigators, and can not be confused with harbor boats, which are manned and officered by strictly harbor men, whose license will not permit them to leave certain restricted inland waters. A copy of the requirements for officers of the mine-planting service is inclosed. Where can a man with such ability be secured for $972 per year, or $81 per month, out of which must come food and uniform?

Is it the intention of the War Department to rate these planters as in a lower class than even its smallest harbor boats?

In this letter we are telling what we know to be the truth, and the wage schedules attached are those in operation at the present time on the Pacific coast. We believe that we have a just cause or there would be no protest against this measure.

It is also evident from the conversation that took place at the time this bill was passed by the House that the Members were not very well informed regarding marine conditions, and it does not seem possible that this bill was thoroughly investigated before passage, possibly on account of many pressing and more urgent bills to come before that body. We are urging that your committee make a thorough investigation of this bill or, if not having time at present, to delay it until such investigation has been made.

The United States Navy considers the men of this service as valuable officers, as several who have offered their services have all been accepted and given commissions ranging from ensign to lieutenant commander. These men entered the Navy early in the war, but that is not possible at present, as the Quartermaster General does not look with favor upon officers of the Army service resigning their positions for commissions in the Navy, who demand a release from the Army before accepting as members of one of these vessels. These releases are not given; and attached to this correspondence will be found two copies of correspondence. One refers to the advisability of allowing mine-planter officers to resign and the other as to the penalty for leaving the Army service.

In view of these statements, what chance have we to accept outside positions if the War Department chooses to enforce these rulings, should any of us tender our resignations, which, under this bill many of us will be forced to do, for the reason that it will be next to impossible to support our families on the salary offered, especially the lower officers.

Every one of us wish to remain where we are at present, if possible, and have no reason for leaving under present conditions, and it is not yet too late to make this an attractive proposition by rectifying the objectionable features of this bill.

The Military Committee knows from legislation discussed in the Senate for the betterment of conditions for naval officers—and this includes warrant officers of the Navy—what the base pay of warrants in the Navy is, and a comparison of that base pay and that proposed for our branch will show a great reduction for us.

In closing we wish to state that we do not believe that after full investigation the Senate will approve this bill as it now stands, and we earnestly urge a readjustment of the base-pay scale.

Sincerely, yours,

FRANK H. BANNING,
Master U. S. M. P. "Ringgold."
A. E. GREENANS,
Chief Engineer U. S. M. P. "Ringgold."
HARRY E. LEIGHTON,
First Officer U. S. M. P. "Ringgold."
GEORGE G. TRAHEY,
Second Officer U. S. M. P. "Ringgold."
WILLIAM R. MCLAUGHLIN,
Assistant Engineer U. S. M. P. "Ringgold."

May address Fort Stevens, Oreg., coast defenses of the Columbia River.

Rates of pay for transports and the cable ship "Burnside" on the Pacific coast.

	Per month.
Master	$300
First officer	175
Second officer	140
Third officer	130
Fourth officer	117
Chief engineer	250
First assistant	190
Second assistant	150
Third assistant	125

Quarters and board in addition.

Rates of pay of Puget Sound Tow Boat Co., Seattle, Wash.

	Per month.
Master	$250
Mate	175
Chief engineer	190
Assistant engineer	145

This in addition to quarters and board.

Warrant officers in the Navy receive a base pay according to length of service the lowest base pay being $1,500 per year and the maximum $2,250 per year.

The pay of quartermaster harbor boats in this district.

	Per month.
Steamers *General Mifflin* and *Major Evan Thomas:*	
Master	$240.00
Chief engineer	190.00
Gas steamer *L-35*, steamer *Anton Springer*, and steamer *Lieutenant J. A. Gurney:*	
Master	152.50
Engineer	152.50

Proposed pay for warrant officers of the Coast Artillery.

	Per month.
Master	$150.00
First mate	110.00
Chief engineer	141.66
Second mate	81.00
Assistant engineer	100.00

Present pay officers of mine planters.

	Per month.
Master	$240
Mate	190
Chief engineer	225
Second mate	140
Assistant engineer	175

Rates of pay, U. S. A. M. P. "Ringgold."

In accordance with authority contained in letter of the Quartermaster General of the Army, dated June 21, 1917, the rates of pay for the crew of the mine planter *Ringgold* are fixed as follows, effective July 1, 1917, and payment should be made accordingly:

	Per month.
Master	$240
First mate	190
Second mate	140
Chief engineer	225
Assistant engineer	175
Oiler	110
Fireman	105
Deck hand	95
Steward	100
Cook	90
Pantryman	75

Rates proposed in bill.

	Per month.
Master	$150.00
First mate	110.00
Second mate	81.00
Chief engineer	141.66
Assistant engineer	100.00

[Extract from letter No. 231, S 322, Hq. West. Dept., Aug. 3-17.]

Those drawing less than $1,200 per annum receive 10 per cent additional.

Those drawing between $1,200 and $1,800 receive 5 per cent additional.

Mr. CHAMBERLAIN subsequently said: Mr. President, again referring to the suggestion of the Senator from Washington [Mr. JONES] about the comparative pay of the men who are engaged in the Army Mine Planter Service, the amounts received by them before the passage of this proposed law and the amounts to be received under it, I now have that information, and I ask to have it inserted in the RECORD directly after the remarks of the Senator from Washington, so that it may be all together.

The VICE PRESIDENT. In the absence of objection, the matter will be inserted in the RECORD at the place indicated. The question is on the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was, on page 102, Chapter X, amending the Articles of War.

The VICE PRESIDENT. That amendment was passed over at the instance of the Senator from Missouri [Mr. REED].

Mr. REED. Mr. President, I have examined the language contained in that amendment, and I think it is reasonably safe as it is.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was, Chapter XI, beginning on page 106, in line 5, "Method of determining quotas for military service."

Mr. CHAMBERLAIN. Mr. President, the Senator from California desires to address himself to that amendment, and I do not see him in the Chamber just at the moment. I therefore ask that the amendment be passed over for the present.

The VICE PRESIDENT. The amendment will be passed over. The next amendment passed over will be stated.

The SECRETARY. The next amendment passed over was, Chapter XVI, which is found on page 117, "Aircraft Production Corporation."

Mr. REED. Mr. President, this provision was adopted, as indeed the entire bill was passed upon, while the subcommittee of the Military Affairs Committee in charge of the investigation of the aircraft situation was absent from the city upon the business of making that investigation. I wish to say now that I do not think the bill ought to have been reported by the committee while members of the committee were absent on the business which they were charged by the committee to conduct. I say that, not for the purpose of making complaint, but I certainly do not want to be charged with any part of the responsibility as a member of the committee when the bill is passed upon in that way.

I desire to call particular attention to Chapter XVI, which relates to the Aircraft Production Corporation. I think that at least that part of this bill ought to be referred to the subcommittee for their examination. We have spent over two weeks in investigating the aircraft situation. Speaking for myself, I am not content to grant the powers provided for in Chapter XVI unless I shall have some explanation of what is proposed. I know of nothing that has been done by Mr. Ryan that warrants me in concluding that we ought to give him the authority provided in Chapter XVI.

I have tried to reach the chairman of the subcommittee this morning, the Senator from Colorado [Mr. THOMAS], in order that there might be some consultation among the Senators who have been particularly engaged in this business; but up to this moment we have not been able to have any kind of meeting. I should like to have this matter lie over until there can be a consultation, if it is not going to delay the bill. If it is going to delay the bill, I am going to ask to have this amendment rejected.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Missouri yield to the Senator from Oregon?

Mr. REED. I do.

Mr. CHAMBERLAIN. Of course, the committee would not have any objection to the amendment going over for a reasonable length of time in order that the Senator may advise himself fully about it. I suppose the Senator could do that some time during the day?

Mr. REED. I think we could get together and have a talk about it. I have been looking around the Chamber for the Senator from Colorado, but he has been called out.

Mr. CHAMBERLAIN. Of course, if that can be done, the committee is perfectly willing to let the amendment go over for a while.

In reference to the suggestion of the Senator from Missouri, Mr. President, that the bill ought not to be acted upon in the absence of some members of the committee, I will say that the subcommittee had this bill under consideration for nearly three weeks, and at the time when the five members of the subcommittee on aircraft production were here the doors were always open for any of the members of the committee who wanted to be present. There was no desire at all to be discourteous to members of the subcommittee, for they are doing splendid work in investigating the situation of aircraft production. However, the War Department was so insistent and the needs of the country were so great just at this crisis that the committee did not wait for the return of the subcommittee in order to take the matter up. I hope Senators will not think that there is any purpose to be discourteous at all to those Senators.

Mr. REED. Oh, Mr. President, the chairman of the committee could not be discourteous; it is not in his nature. I realize the fact that this is a day of haste; that everything gives way to haste. I only think that there might have been a delay long enough for the full membership to have arrived and have voted; but I will make no complaint about that. I know that no discourtesy was intended; but I ask that this matter be laid over until the subcommittee on aircraft production may consult about it. I do not know whether they will feel like making any suggestions or not, but the subject of aircraft was committed to their care—not the subject of this legislation—and the subcommittee has given very earnest work to it. If the amendment can go over during the afternoon, I will try to see if I can get the subcommittee together.

Mr. WILLIAMS. Does that request require unanimous consent, Mr. President?

Mr. CHAMBERLAIN. No, indeed.

Mr. REED. I think it does not.

Mr. WILLIAMS. If it does require unanimous consent, I object.

Mr. CHAMBERLAIN. I hope the Senator from Mississippi will not object. It is a very reasonable request which the Senator from Missouri makes—that the matter go over for a while this afternoon, until the subcommittee on aircraft can look into it.

Mr. WILLIAMS. Does it require unanimous consent, Mr. President? If it does, I object.

Mr. CHAMBERLAIN. I do not think it does require unanimous consent.

Mr. SMITH of Georgia. I do not think it requires unanimous consent. The Senate can pass over a provision of this kind. I was with the committee when the provision was considered, and regretted that the other members of the subcommittee on aircraft were not also present. I sought to investigate it so far as I could, and the subcommittee, consisting of myself, the Senator from Nebraska [Mr. HITCHCOCK], and the Senator from Pennsylvania [Mr. KNOX], was appointed to consider this particular amendment. Still, although I agreed to it—and a further study of the amendment has made me more strongly for it than I was when it was considered by the committee—I join in the expression of the hope that the Senate will permit this provision to go over until to-morrow. I think it is due the other four members of the subcommittee on aircraft that they should have an opportunity to consider it.

Mr. WILLIAMS. Mr. President, if this request involves unanimous consent, I object. If it does not, of course I can not help it.

The PRESIDING OFFICER. In view of the objection, of course the Senate will have to determine the matter. The question raised is, Shall the item be passed over temporarily?

Mr. CHAMBERLAIN. Mr. President, it has been usual here for the chairman of the committee to join in such a request; I never knew it to be opposed; but I do not think it requires unanimous consent.

The PRESIDING OFFICER. The Chair submitted the question; but, in view of the objection, the Senate should be required to determine the matter. The question is, Shall the item be passed over temporarily? [Putting the question.] The ayes appear to have it. The ayes have it, and the item will be passed over.

The PRESIDING OFFICER. That completes the committee amendments, except the two passed over, to wit, Chapter XI and Chapter XVI.

Mr. FALL and Mr. McCUMBER addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico rose first and is recognized.

Mr. FALL. Mr. President, I understand amendments are now in order to the bill?

The PRESIDING OFFICER. Amendments are now in order from the floor.

Mr. FALL. On yesterday afternoon I offered an amendment, but in view of the fact that the bill was then about to be laid over I simply requested that the amendment be printed and taken up in due course. I now offer the amendment.

The PRESIDING OFFICER. The Senator from New Mexico offers an amendment, which will be stated.

The SECRETARY. On page 120, after line 6, it is proposed to insert the following:

Provided, That the age limit fixed in said act is hereby changed and shall be and is hereby fixed at 18 and 45 years in lieu of 21 and 31: *Provided further*, That those registered under the age of 21 shall not be drafted nor used for service upon the firing line until they shall have reached the age of 21.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Mexico.

Mr. JONES of Washington. Mr. President, I think this is a tremendously important proposition, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hale	McKellar	Shields
Baird	Harding	McNary	Simmons
Bankhead	Hardwick	Martin	Smith, Ga.
Borah	Henderson	Nelson	Smith, Md.
Calder	Hitchcock	New	Smoot
Chamberlain	Hollis	Norris	Sterling
Colt	Johnson, Cal.	Nugent	Sutherland
Cummins	Johnson, S. Dak.	Overman	Swanson
Curtis	Jones, N. Mex.	Penrose	Thomas
Dillingham	Jones, Wash.	Phelan	Thompson
Fall	Kellogg	Poindexter	Tillman
Fernald	Kendrick	Pomerene	Trammell
France	Kenyon	Ransdell	Vardaman
Frelinghuysen	King	Reed	Wadsworth
Gallinger	Knox	Robinson	Walsh
Gore	Lenroot	Shafroth	Watson
Gronna	Lodge	Sheppard	Williams
Guion	McCumber	Sherman	Wolcott

Mr. ROBINSON. I wish to announce that the Senator from Kentucky [Mr. BECKHAM] is detained on official business.

Mr. SUTHERLAND. I desire to announce that my colleague [Mr. GOFF] is detained on account of illness.

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum of the Senate is present.

Mr. FALL. Mr. President——

Mr. JONES of Washington. Mr. President, I should like to ask the Senator from New Mexico a question.

Mr. FALL. I yield to the Senator from Washington.

Mr. JONES of Washington. I note that the maximum age limit that the Senator places in his amendment is 45. I want to ask him if he would have any objection to making that 55?

Mr. FALL. Personally I have no objection at all to making it 58, which would cover my own age by about a year.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from New Hampshire?

Mr. FALL. Certainly.

Mr. GALLINGER. Would the Senator have any objection to making it 41?

Mr. FALL. I do not care to accept the amendment to make it 41, because despite the objections which I know exist in this body and among a great many of the citizens of the United States to either increasing or decreasing, and particularly decreasing, the age limits, in my personal judgment the age limits now existing under the laws must be both decreased and increased before we win this war. We are going to face it sooner or later, and we realize now some of the difficulties which we have incurred in the past by virtue of not being fully prepared for contingencies as they arise. There is nothing compulsory in this amendment except that the age limits would be decreased and increased, and the compulsory feature of the proviso that the President shall not put upon the firing line any of the boys under 21 years of age.

Mr. THOMPSON. Mr. President——

Mr. FALL. I yield to the Senator from Kansas.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. FALL. I yielded to the Senator from Kansas.

Mr. THOMPSON. I simply want to ask a question. The amendment proposed by the Senator involves two propositions, one of lowering the age limit and the other of increasing it. Would there be any objection to having those propositions voted upon separately? I am in favor of one proposition, but I am opposed to the other, and I think many Senators are in the same position.

Mr. FALL. Of course, even if I were to object the proposition is possibly divisible. I think it is possible that the Senator would have a right to divide the question. I will say very frankly, Mr. President, that in so far as I am concerned personally, to the best of my judgment, the last proviso is one which should not be adopted. In other words, I believe that, as has been the case in all other wars, it is going to be necessary for us to take the boys from 18 and men up to 45 years of age before we conclude this war. That has been the history of our country in every other war, and in my judgment it will be now.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Mississippi?

Mr. FALL. I yield for a question.

Mr. WILLIAMS. Mr. President, I should like to make a few remarks. Am I recognized?

Mr. FALL. The Senator asks recognition to make a few remarks. I will yield the floor in a very short time, as my remarks will not be extended.

Mr. WILLIAMS. The Senator, of course, can reassume the floor whenever he pleases. Now, Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico has not yielded the floor except for a question.

Mr. WILLIAMS. Mr. President, I ask to be recognized for a few minutes.

Mr. FALL. Mr. President, I can not yield.

The PRESIDING OFFICER. The Senator from New Mexico declines to yield. That ends the matter.

Mr. FALL. Mr. President, I shall not extend my remarks to any great length. The amendment speaks for itself.

Mr. PENROSE. Mr. President, may I ask the Senator a question?

Mr. FALL. I yield for a question.

Mr. PENROSE. I will ask the Senator from New Mexico whether, up to to-day, the War Department made any recommendation on this proposition?

Mr. FALL. Mr. President, the War Department certainly has made none to me, and I have no knowledge of its having made any to the Senate or to the Congress.

Mr. PENROSE. I did not know whether the department had made some suggestion to the Committee on Military Affairs.

Mr. FALL. I am not a member of the Committee on Military Affairs, Mr. President, and I can not speak for the committee. This amendment is one drawn not even in concert with my colleagues in the Senate, but simply expressing my own view.

Mr. President, of course there is objection to decreasing the age limit. The fact remains, however, that practically a million men of the forces now under arms in the United States are in the service under the provision of the law providing that they may enlist from 18 to 45. I have reference to the Regular Army, to the National Guard, and to the marines and sailors of the United States. Of course, these are volunteers. This would simply extend the draft provisions to the same ages.

Mr. President, the provision that the boys under 21 years of age shall not be placed upon the firing line is one which I have said I personally do not favor. The history of our former wars shows that they were won by boys under 23, and that the majority of the soldiers who fought in the Civil War were under 21. Under the provisions of the draft act as it is the law now, the President has the power not only to exempt certain classes, but to summon into the semimilitary service each of the men or classes whom he exempts, if in his judgment he desires to do so.

He has not availed himself of that power or authority vested in him now by the law. I desire to read the provision, or at least a line of it:

The President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes—

Enumerating them. The enumeration of the classes whom the President may exempt is also the enumeration of the classes whom he may call into the semimilitary service. Therefore, to-day every man in the United States who is not drafted for purely military service, every man between the ages of 21 and 31, is subject, in my judgment, under the provisions of the law as it is now, to draft for semimilitary purposes. What those semimilitary purposes are must be discovered by any legislative conclusion upon that subject as drafted into law or by the Judge Advocate General, I presume, or those who are called upon to enforce the provisions of the draft law.

So far as the legislative opinion upon the subject has been expressed in the various bills which have passed this body from time to time practically every business in the United States has become, by legislative expression, a war necessity, or at least a semimilitary duty, so that without any attempt to stretch the powers directly conferred upon the President of the United States by the draft act itself, in my judgment he now has the authority to draft into the semimilitary service for farm employment or for any other employment connected with the war or with the creation of a military necessity all those whom he may exempt between the ages of 21 and 31.

There are, of course, many men over the age of 31 who have no dependents whomsoever upon them. It is much more just to take these men into the service for purely military service now than it is to go into a second class and take those between the ages of 21 and 31 who to-day have dependent wives or dependent children or dependent families.

This, it seems to me, is a matter of justice which speaks for itself. There is no reason whatsoever why the President should not have the power to go into the class between 31 and 45 and to take from that class for military service those who have not dependent families rather than that he should be compelled—as he will be compelled, I understand—in increasing the armed forces under the draft act, to go into the second, third, or fourth classifications and take those in actually necessary employments or those with dependents upon them.

The only question meriting discussion, as it appears to me, is the question of decreasing or lowering the age limits. As I have said, in our past history we have started at 18, always. To repeat myself, with reference to practically a million men now in the military service we have started at the age of 18. It is true that it is a hardship upon the mothers to take from them their boys between 18 and 21. It is true, of course, that some of these boys will be taken from their schools if this provision is adopted. Nevertheless, Mr. President, the country is going to be compelled, in my judgment, notwithstanding the good news that we have had in the past two days, to use all its manhood to win this war. We are face to face with the proposition and we might as well settle it. If in the President's discretion he sees fit not to draw the boys from 18 to 21, or if he sees fit to classify them into the third, fourth, or fifth classes, or any other class which he may designate, he has the power to do so. He is not compelled to draft them, to take them away from their farms or their schools or their mothers or their families. He is simply authorized to do so. There is not a direction in this entire bill, in the original draft bill, or in the present bill. There is nothing compelling the President to do anything whatsoever. Authority is simply vested in him, in his discretion, to do certain things in the event he desires to avail himself of such authority.

As I have said, I have very little to say on the subject, Mr. President. I hope the amendment, as drawn and offered, will be adopted.

Mr. WILLIAMS. Mr. President, so far as the boys who are 20 years old are concerned, I have no quarrel with this amendment, because they can receive one year's training before they go into actual service, and at the end of one year's training they will be better fitted to serve the United States Government than any of the troops we now have; but, so far as I can learn by sizing it up, with our population each additional year involves a million men going to the front. I am therefore going to move to reduce the maximum of this requirement from 40 to 35 years. That will give us 3,000,000 more soldiers, most of whom will have no home dependents, and most of whom will cost the United States Government nothing except for themselves.

I offer, Mr. President, an amendment reducing the age limit from 45 to 40.

The PRESIDING OFFICER. The Senator from Mississippi proposes an amendment to the amendment, which will be stated.

The SECRETARY. On line 3 of the amendment of the Senator from New Mexico it is proposed to strike out "45" and insert "40."

Mr. WILLIAMS. That gives us nine more years, or something like 9,000,000 more of men.

Now, Mr. President, speaking for myself and the class and the age to which I belong, we can not do very much. I see the Senator from New Hampshire [Mr. GALLINGER] down there below me. He can not do much, and I also can not do very much, except in the words of a recent poem that has come back to me from France, "Helping Bill to win the war." "Bill" is an impersonal character. He is my boy; he is the boy of the Senator from Utah; he is the boy of the Senator from Minnesota; he is the boy of the Senator from New Hampshire; he is my boy. His name is Bill, in general terms. Of course, all we can do is to pay and praise, and praise some more and then pay some more, and see the boys through.

Mr. President, men between 40 and 45 generally are the men whose domestic relations have been fixed. It will cost the United States a great amount of money, under the allowance and the allotment and the insurance legislation which we have passed, to make these people fight for the United States. If we raise the 31-year limit to 35 years, which is my motion, we bring in 4,000,000 more men.

Now, in regard to these 19-year-old boys, when you say that a 19-year-old boy has got to be trained for two years before he can even go into the Army, that is foolishness; so I move to put that age at 20. That will give a boy 12 months to be trained for military service.

That is enough if he has any brains at all or is a real American boy; he can be trained in 12 months for any service anywhere on the surface of the earth. If he can not be, he is not a real American boy.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Mexico [Mr. FALL] to the amendment.

Mr. FRELINGHUYSEN. Can we have the amendment read?

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In line 2 of the amendment of the Senator from New Mexico strike out "18" and insert "20," and in line 3 strike out "45" and insert "40," so that it will read:

That the age limit fixed in said act is hereby changed and shall be, and is hereby, fixed at 20 and 40 years in lieu of 21 and 31.

Mr. NORRIS. As I understand the Senator, the original amendment was to strike out 45 and insert 35, but did not include in that striking out 21 or 18 and inserting 20; and that is not a part of the amendment, I understand.

The PRESIDING OFFICER. It can be but one amendment.

Mr. NORRIS. If the Chair holds that that is a part of the amendment, then I demand a division.

The PRESIDING OFFICER. The Senator has that right.

Mr. NORRIS. Personally, I am in favor of the amendment as far as it fixes the age at 45 as a maximum, but I am not in favor of the amendment when it provides for taking boys who are 18 years of age instead of 21. If I had my way about it, I would increase it to more than 45. The proviso, of course, takes away a good deal of the harm of fixing the age at 18, because it provides that they can not be used in actual service until they have become 21. While I would favor an amendment striking out 18 and inserting 20, and if it is not moved by some one else I expect to move it, I do not want to mix the two amendments together.

The PRESIDING OFFICER. The Senator has the right to separate the amendment.

Mr. NORRIS. I think we should have a separate vote on each branch.

The PRESIDING OFFICER. The Senator has that right.

Mr. VARDAMAN. Do I understand the Senator from Nebraska to say that he is in favor of reducing the age limit from 21 to 20?

Mr. NORRIS. No; I stated just the opposite. I am opposed to reducing the age limit, but I am in favor of increasing the maximum over 31. If I had my way about it, I would make it 60.

Mr. VARDAMAN. In that statement the Senator expresses my own thoughts and desires. I would rather see the minimum limit fixed at 20 than 18, but I prefer 21 to either.

Mr. NORRIS. So would I, and I am going to favor that kind of amendment.

Mr. VARDAMAN. I am satisfied with 21. I shall vote against any change of the present law fixing the minimum or lower age limit. In the first place, I shall not vote to conscript

a man for service at the front who has not reached 21 years of age. That is, I shall not do it at this time. From 18 to 21 years of age is the formative period in a man's life. During those years he lays the foundation of a life's work—builds the substratum upon which character is erected. He is not consulted about the laws of the country; he is not permitted to go to the polls and settle with his Congressman for the blessings or the damage that that Congressman by his vote may have imposed upon him, and since he is not permitted to participate in the affairs of his Government I shall never vote to compel him to render service such as is contemplated in this amendment. There are enough older men who under the draft system can be selected—men capable of rendering efficient service in the Army, who have had their "swing around the circle"—and if they happen to be killed they have not lost as much as a boy who has had no chance at all.

I shall not take by conscription the mother's boy; I shall not break the ties that bind to a mother's heart this child who to her is yet a child until he reaches the age of maturity or manhood. This, Mr. President, is sentimental, it may be said, but the world is controlled by sentiment, and not even the armies, the cannon, the shot, and the shell will contribute more to winning this war than sentiment.

There is another reason why these boys should not be taken as proposed under this amendment. They are needed on the farm and in the industrial pursuits of life. Many of them are the stay and support of the home, and if they are taken and put in training it will materially, I fear, reduce the yield of the farms and the products of the factory which are needed to support our armies, our women and children at home, and our allies abroad. The man above 31 years who will be taken under this draft will not have the home ties and responsibilities which usually devolve upon a boy, especially among the middle or laboring class of people between the years of 18 and 21.

I repeat, Mr. President, I have no objection to raising the age limit to 40, 45, 50, or 60, if necessary in order to raise an army which will overcome our enemy across the waters, but I can not, I will not, vote to reduce the age limit below 21, and I sincerely, from the depths of my heart, trust that the amendment may be disagreed to.

Mr. NELSON. Mr. President, this increasing of the age limit to 55 and 60 looks to me like providing an asylum for home guard. The best men we had in the Civil War, and the Civil War was fought by men of that age, were boys who enlisted when they were 18 and 19 years, very many of them 17. Three-fourths of the Army who fought the Civil War on the part of the North were boys 18 and 19 years old, and they make by all odds the best soldiers.

If Senators want an effective Army that can render efficient service, that can stand the test of warfare, they will take the basis from 18 to 35 or 45, I do not care which. I think ordinarily when a man has passed 40 he does not make a very good and effective soldier. There may be some part of the work he may be able to do.

I have been getting in these recent times a lot of letters from men who say, "I want to do my bit for this war. I am anxious to get in. Can you not find me a place at Washington in some of the departments, or can you not get me a commission?" One man wrote me, "If you only will extend the age limit to 60 years, I might get into the Army." To my mind, for effective military service, after a man has passed 40 years, or at the utmost 45 years, he is of little or no value to stand the stress of a campaign.

Now, let us not be fooled by any maudlin sympathy in this matter. We are at war and at war with a powerful enemy, and we shall need an army, and we want the best kind of an army. If we extend the limit from 18 to 45 a greater opportunity is given to the Government to grant exemptions in industrial lines to those of the older age. Is not a man when he is 35 or 40 a good hand to work on a farm? Can he not stand farming much better than military service? A man might work in a factory, where they work only 8 hours a day, instead of working in the trenches 24 hours a day in rain and flood and mud and everything else.

If you want to carry on this war successfully, why resort to any maudlin sympathy? Make the age limit from 18 to 45, or 35 if you please. If you want good soldiers, take the young men. They are the most effective.

As to this story about taking young men out of school, Mr. President, it was my lot to serve in the Army as an enlisted man, a private, and a noncommissioned officer, and I regard my Army service as the best part of my education. I feel confident I would never have gotten along as well in the world as I did if I had not gotten my diploma as a noncommissioned officer in the Fourth Wisconsin Regiment of the Union Army during the war.

Let our boys go into the Army. It gives them a training, a discipline, which they can get nowhere else. If you want to carry on this war successfully do not let this maudlin sympathy about keeping the boys on the farm and in school restrain you from giving us the best material we need for an effective Army.

Mr. CHAMBERLAIN. Mr. President——

Mr. FALL. Before the Senator proceeds, will he yield to me for just a moment to suggest a correction in the phraseology of my amendment?

Mr. CHAMBERLAIN. I yield.

Mr. FALL. On line 5 of the printed amendment, after the word "drafted," the words "nor used" should be stricken out, so that it will read "shall not be drafted for service upon the firing line."

The words "nor used" might be construed to prevent boys from being registered or volunteering for service.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. McCUMBER. Before the Senator from Oregon proceeds, with his permission I should like to ask for an explanation as to the idea the Senator from New Mexico intends to convey by the use of the term "drafted." You reduce the age, and I suppose that is the age subject to the draft, from 21 to 18. Do you provide that those registered under the age of 21 shall not be drafted? If it means anything it means that they can not be called even into training, because you can not train men until you draft them. It would seem to me, if the Senator wishes to make it convey the meaning that they shall not be used upon the firing line until they have reached the age of 21, it would be far better to strike out the words "drafted nor," so that it would read:

That those registered under the age of 21 shall not be used for service upon the firing line until they shall have reached the age of 21.

That it gives the Government the right to bring them in and train them and prepare to put them upon the firing line.

I am not agreeing, Mr. President, that we should exempt them even from the firing line. I agree with the Senator from Minnesota [Mr. NELSON] that the boys from 18 to 21 will make the very best soldiers. But the point I want to make is that if you include the words "shall not be drafted" it means you can not even call them into the service, and in that respect you are not changing the law from what it was before.

Mr. FALL. The Senator from Oregon has the floor, but the Senator from North Dakota has asked me a question.

Mr. CHAMBERLAIN. I yield to the Senator from New Mexico.

Mr. FALL. I suggest to the Senator that for the purpose of perfecting this language I have just asked that the words "nor used" be stricken out, so that it will read "shall not be drafted for service upon the firing line." They may be drafted for any other purpose whatever, but not for service upon the firing line.

Mr. NELSON. If the Senator from Oregon will yield to me, I want to say that that provision is an insult to the boys. It is an insult to tell them "we will make baby soldiers of you; keep you at home for parading and drilling, and we will not let you do any real fighting." On behalf of the young men who have patriotism and want to fight I protest against that provision.

Mr. CHAMBERLAIN. Mr. President, the Senate knows very well that the provisions which are now in the draft law as to age were compromise provisions. The Senate and the House had come to an impasse in reference to the age, and we fixed the ages between 21 and 30 after a good deal of discussion and after conference.

Mr. President, I am in thorough sympathy with the view of the distinguished Senator from Minnesota [Mr. NELSON]. I believe with him that the age limit ought to be fixed between 18 and 45, because aside from the sentiment which is involved there is no reason in the world why young men between 18 and 21 should not be called upon to serve their country.

I think the records of the Civil War will show that most of the Army on both sides was composed of young men under 21 years of age, and not only between 18 and 21, but they went in from 13 and upward. I know in the neighborhood where I lived young men did not dare to stay at home beyond the age of 16, because if they did they were practically ostracised from the society of all good people. So the Army on both sides was composed of young men between 14 and 21.

But feeling as I do about it, we have got to meet a situation. This war can not be waged, Mr. President, unless we have the sentiment of the country behind us, and I am satisfied from what I have seen that the country will not stand for the drafting of young men into the active service under 21.

The matter has been more discussed within the past year than it ever was discussed before the American people in times past, and I believe, favoring universal military training, as I

have at all times, if we put the minimum at 20, to be trained until they are 21, and then raise the age limit to 45, to be classified after they have registered, we will have done a great deal and will have put upon the statute books a statute which may possibly find advocates in the House as well as in the Senate.

Mr. FALL. Will the Senator allow me?

Mr. CHAMBERLAIN. I yield.

Mr. FALL. Does the Senator make that as a motion or a suggestion?

Mr. CHAMBERLAIN. I have not the power to accept it on behalf of the committee, but it is an amendment of first impression. As far as this bill is concerned, I am only stating my views as an individual.

Mr. FALL. In drawing the amendment I have only stated my views as an individual. Of course, I do not seek to have them carried out in opposition to the wishes of the majority, and I defer in these matters to the chairman of the committee, who is so constantly at work in trying to shape our affairs for this war. So far as I am concerned, I certainly would not insist upon my personal views as opposed to his, and I would be inclined to accept a suggestion to strike out "18" and put "20" in lieu.

Mr. CHAMBERLAIN. I will be glad to see that done, and I will give the measure my support. In view of the fact that the committee has not acted upon the subject at all, I feel at liberty to exercise my own personal preference in the matter.

Mr. POMERENE and Mr. KIRBY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Oregon yeild; and if so, to whom?

Mr. CHAMBERLAIN. Excuse me for a moment. I believe there will be some chance to get the House to agree to that amendment, but I am sure that the House would never consent to a reduction of the age to 18. I yield to the Senator from Ohio.

Mr. POMERENE. Is there any reason, from the standpoint of man power, why we should reduce the age below 21 now?

Mr. CHAMBERLAIN. I would say yes, for this reason: Even if the age is reduced to 20, we will have a trained army of men who will reach 21; while, as it is now, we have to take them for training, and it takes from six months to a year to train them.

Mr. POMERENE. As I understand it, we have over 10,000,000 men since the last registration—probably 11,000,000 men—between 21 and 31, and of that class there have been only about a million and a half called to the colors. What is the need of reducing the age below the present limit?

Mr. CHAMBERLAIN. For this reason, Mr. President: If the Senator will examine the testimony of Gen. Crowder before our committee, he will find there is a reason for changing the age limit. I do not care to state it here now, but unless we do change the age limit we will find ourselves in other classes than class 1 pretty soon, and that interrupts the whole of the social fabric, both of industrial and commercial life. When we get out of class 1 we go into the class of young men who have families—young men who are established, young men who have dependents—and it is better, from my viewpoint, to step over the line of 30 and take the man who loafs around the barroom, if you please, and the billiard parlor, and has no dependents. We might just as well take such a man as a young man between 21 and 30.

Mr. POMERENE. I can understand why there might be a necessity for raising the age limit; I qualify that—not a necessity, but perhaps it might be the part of good policy to do it—but the reason which would suggest the raising of the age limit does not appeal to me when it comes to the lowering of the age limit.

Mr. CHAMBERLAIN. I have stated to the Senator my personal view as to those between 18 and 21. I do not believe Congress will pass a law that will reduce the age to 18. Yet we need not deceive ourselves about what the enemy knows. The enemy knows our military situation just as well as we do, if not better than many of us do. America ought to go to work, and she will have to go to work before this war is over and serve notice on the world that every man in this country, even if under 18, America stands ready to put to be trained, if not put to the front, for the protection not only of our own country but of civilization as well.

In the present emergency and as the conditions are to-day we do not need to go down to 18, but we ought to go down to 20, so that the young men may be classified and put into military training and come out of it at the age of 21, when they may be called for service prepared to fight the battles of the country instead of taking them into cantonments and then training them.

Mr. CUMMINS. Mr. President——

Mr. CHAMBERLAIN. I yield.

Mr. CUMMINS. For information only. I believe in reducing the age to 18. I will say that in the beginning. But my question is, Whether it is not true that more than 200,000 boys between 18 and 21 have enlisted since the war began?

Mr. CHAMBERLAIN. Absolutely.

Mr. CUMMINS. I say you can not keep them out, and you ought to do something, in my opinion, to relieve the obloquy which rests upon these boys if they can not get in.

Mr. NELSON. You can not keep the boys out if they have got the right patriotic American spirit. They will keep on volunteering; and as to these slackers, what is the use of protecting them? The moral effect of letting Europe know that we have extended the law to reach all classes of our population and bring them into the Army is worth a great deal.

Mr. CUMMINS. That is just what I was trying to say, although the Senator from Minnesota has said it more emphatically and said it better. But we will have to recognize the attitude of the boys from 18 to 21. They will not stay at home and be charged with being slackers and indifferent to the war or unable to carry on the war.

Mr. CHAMBERLAIN. Let me suggest to the Senator that we are now taking steps by this very bill to let men into the service who are under 21. Here we have provisions for reorganizing the National Guard. We are making appropriations for young men to go into the National Guard between 18 and 21, and when they are trained in the National Guard they can be drafted again into the Federal service.

Mr. McCUMBER. I wish to ask the Senator how he would put into operation this last provision in the amendment:

> That those registered under the age of 21 shall not be drafted nor used for service upon the firing line until they shall have reached the age of 21.

Mr. CHAMBERLAIN. I think——

Mr. McCUMBER. Now, just a minute, so that I can explain the proposition. You call upon these men, and they enter your Army before that age. There will be in the company boys of 18 and men of 30. They will drill together. They will come from the same State, generally from the same county and the same township or town. Are you going to segregate those men and put them in a class by themselves and drill them longer when they have had just as much drilling as those who are above 21? Are you going to separate them from their associates and scatter them all over in other units? Are you going to have certain units where none will be above 21 years of age, or how will it operate?

Mr. CHAMBERLAIN. I think that is entirely a matter subject to regulation and adjustment by the Provost Marshal General's office. They may be segregated or they may not. That will be entirely covered by the regulations. I do not think it will require legislation to regulate that matter.

I have said more than I intended to say. I merely wanted to express my views on the age limit. I should like to see the amendment of the Senator from New Mexico amended as I suggested.

Mr. SHIELDS. I desire to ask the Senator a question before he yields the floor. We all recognize that food production is absolutely necessary to win this war. We have to furnish not only our own people and our own Army but the allies and their armies. Has the Senator any statistics showing how many of these boys would come from farms where they are badly needed for the cultivation of crops and in producing food? Has the Senator gone into the question as to how that would cripple the farmers who are already short of labor?

Mr. CHAMBERLAIN. I will say to the Senator that that is one of the very reasons why I favor raising the age limit. It is to place those men within military control and let them be detailed for agricultural work. If the age limit is raised, they can be classified by the War Department, and they can be detailed for duty if need be.

Mr. SHIELDS. I was not speaking about raising the age limit. I was speaking about taking the boys who are on the farm, assisting their fathers, as members of his family, in producing crops. I agree with the Senator in raising the age limit to reach men who are just as able-bodied and make as good soldiers as those under 21, say to 35, but it is the question of taking the young boys we are now discussing. They are on the farm, and they are needed there. They are now being educated. They are right in the most important part of their youth in that respect. It would be far better to have men already mature, who are already educated, and who in many cases have left the farms, and allow these young men to stay and be educated and be producers of food, which is indispensable to the winning of this war.

Mr. KIRBY. Mr. President, I do not think this amendment to the amendment ought to be adopted. Just now it seems to

me the question asked by the Senator from Ohio [Mr. POMERENE] is the only one that needs to be considered. Is there any necessity for extending the age limit within the provisions of the draft law at this time? If there is such a necessity, I want to say it has not been brought to my attention as a member of the Committee on Military Affairs. I wish to say further that the War Department itself is not making any such demand and it is not considering making such a demand at this time. That is the condition so far as it actually exists and is known to me.

The same question is presented by this amendment to the amendment that has been fought out once and determined adversely. It provides, if it shall be adopted, that these men shall be registered at 18 and shall not be called to fight until they reach 21. You put these 18-year-old men in the cantonments and in the camps where men are needed to be trained now who are going to fight when the training period is over. We have not enough officers, and we have not enough places for training, and we have not enough money to train 3,000,000 men three years, when you can not make soldiers out of them until the end of the three-year period.

We established that at one time to such an extent that the Senate almost unanimously refused to agree to that amendment. Now, why should we impose this burden upon our Military Establishment at this time when we need trained soldiers and need them over in France? We first had over 10,000,000 men registered, and then from 800,000 to a million under the last registration, and we have only about a million and a half with the colors now. What becomes of the other 10,000,000 men? Why shall they not be required to bear the burden of the country now and fight its battles, if it is necessary that they shall do so?

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Iowa?

Mr. KIRBY. I yield.

Mr. CUMMINS. Was the evidence of Gen. Crowder given before the Military Affairs Committee in confidence, and am I at liberty to quote it?

Mr. KIRBY. So far as I know, it was not given before the Military Committee but only to a subcommittee, and it was Gen. Crowder's individual opinion and was not approved by the War Department.

Mr. CUMMINS. Am I at liberty to quote it?

Mr. KIRBY. I do not know. I am not a member of the subcommittee. It was not given before the general committee, of which I am a member.

Mr. CUMMINS. Of course, I do not want to do anything that is improper.

Mr. CHAMBERLAIN. If the Senator from Arkansas will yield to me for a moment——

Mr. KIRBY. I yield.

Mr. CHAMBERLAIN. I did not understand that Gen. Crowder's testimony was confidential; but later, after he left the stand, the Secretary of War asked the committee to withhold from publication the first part of his testimony with reference to the different classes.

Mr. CUMMINS. Did that include also secrecy with regard to his opinion touching the advisability of increasing the draft age?

Mr. CHAMBERLAIN. I do not think so—only as to the first part.

Mr. CUMMINS. I will not speak of that. It is true that Gen. Crowder appeared before the committee and gave some views sufficient to him, at least, for the increase of the draft age. I do not say the decrease but the increase of the draft age, under 45 years or more.

Mr. THOMPSON. Does the Senator from Arkansas know how many men are available under the first draft between the ages of 21 and 31?

Mr. KIRBY. I understand that about six million or more have been accepted for service.

They are, however, in different classifications and in deferred classifications. There are nearly 600,000 more men under the last class.

Mr. THOMPSON. Less than a third of them are now in the service.

Mr. KIRBY. Less than a third in the first class are in the service. It is said these other men are in different classifications. That may be true, but a man who is 18 years old to-day will be needed in this country 10 years from now as much as or more than the man who is 23 or 25 or 30 years of age. So the country must keep on. We have determined that men shall not be registered and shall not be called on to fight for the country until they are at least allowed to vote; until they are grown. That has been determined upon. We have use for all of our facilities, all the men who are capable of training, and all of our money to train the men who are within the draft age who are subject to call and who are fit to fight.

Mr. FALL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. KIRBY. I do.

Mr. FALL. Do I understand the Senator from Arkansas to say that this proposition has been affirmatively disapproved by the War Department.

Mr. KIRBY. I said it had not been approved by the War Department.

Mr. FALL. I misunderstood the Senator, and I asked so that I might be informed. There is quite a difference between not being approved and being disapproved.

Mr. KIRBY. But it has been disapproved by the Senate, because we fixed the age at 21 years.

Mr. FALL. No; but I asked about the War Department, Mr. President. Has this proposition been disapproved by the Secretary of War?

Mr. KIRBY. I do not know that it has been disapproved. All I know is that it has not been approved.

Mr. FALL. Has it been disapproved by the President of the United States, the Commander in Chief of the Army and Navy?

Mr. KIRBY. I do not know whether the President, the Commander in Chief, is familiar with this sort of a proposition or not. It has not come to me that he is in favor of or against it; but I do know that the War Department, whose business it is to consider these matters all along the line and the necessity for increasing the Army or the draft age at this time, has not approved it.

Mr. FALL. I should like to get at just exactly what the situation is. The way the Senator now puts it, it would make the impression upon me that the War Department, in the opinion, at any rate, of the Senator, is opposed to the adoption of this provision.

Mr. KIRBY. Mr. President, it has not come to me in such a way as that, but I do know that the War Department has not approved this sort of policy; I do know that the War Department is not of opinion at this time that this is necessary.

Mr. FALL. The Senator knows that—that the War Department is of opinion at this time that this legislation is not necessary?

Mr. KIRBY. Well, it is not of opinion that it is necessary, I know that. I do not know what it might be along the other side; but the War Department is supposed to be in closer touch with this matter than is anybody else; it is the War Department's business to raise the Army, to train the Army, and to win the fight with the Army after it shall have been trained.

Mr. FALL. The Senator from Arkansas, of course, does not mean to say that it is the War Department's business or the business of the administration to raise the Army or to train it under its own rules and under its own regulations for this war?

Mr. KIRBY. Certainly not. It is only its business to train the Army after provision is made for raising the Army, as has already been done.

Now, it seems to me that under this condition we ought not at all to fix the age from 18 to 21 and to provide that these soldiers can not be used after they are trained, because we need all the facilities, we need all the money, we need all the use of the training capacity now of the men who are to be used the minute they are trained and ready to fight. Now, let us not clutter it up; let us not burden this legislation with something that can not possibly be of any benefit.

As to the age of 45, that is an old proposition. I do not think it is necessary to go up to that age yet; but if it is, I do not care how far up in that direction you go. Men when they have passed 20 years of age and on up to 45 have enjoyed all the blessings of this life which they could enjoy under the civilization of this time, and it is more their duty to fight, in my opinion, than it is that of the 18-year-old boy, who has not yet been allowed to vote.

Mr. FALL. Will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Mexico?

Mr. KIRBY. Yes.

Mr. FALL. The Senator from Arkansas certainly has not read the amendment, or he would understand that there is nothing whatever in it that requires the boy to be trained for three years, or which requires him to be drafted at all, or which requires him to be drafted for any service at all of any kind or character.

Mr. KIRBY. Well, what is the use of providing here about drafting them, if you do not expect to use them and can not use them under the provisions of the bill?

Mr. FALL. I am pursuing my usually consistent course, and am simply leaving it to the President of the United States, in

his discretion, if he needs any of the boys who are between 18 and 21 years of age to call them.

Mr. KIRBY. I understand the Senator's position thoroughly, but since we are not expecting to call, and under the terms of the amendment which the Senator proposes can not call, these men to fight until they are 21 years of age, what is the use of registering and training them now at the expense of the Government, which expense must be maintained?

Mr. FALL. Why, Mr. President, they are simply registered. There is no compulsion upon the President or upon the Secretary of War as to drafting them. They are not compelled to draft them at all; they may not draft one of these men until he is 20, but they may draft him for three months' service, they may draft him for five months' service, or may draft him for any service whatsoever that they require. The only provision of a directory character is that they shall not be used for the firing line until they reach their present draft age of 21 years.

Mr. KIRBY. Mr. President, if it were desired to leave that feature of the legislation out, since these men can not be used as soldiers, and all our efforts must be directed to the training of men who can be used, this amendment could very easily be amended to provide that the age limit might be extended to 45 years; but since there is no necessity apparently for that as yet, I do not see why this bill should be burdened with this sort of an amendment.

Mr. FALL. Will the Senator from Arkansas yield again?

Mr. KIRBY. Yes.

Mr. FALL. We are now registering and drafting boys as soon as they reach the age of 21 under the present law. Would the Senator from Arkansas see any objection to the suggestion of the chairman of the committee that if this amendment were again amended by raising the age to 20 years by striking out "18 years" and inserting "20 years," would the Senator see any objection to the training——

Mr. KIRBY. I certainly would.

Mr. FALL. To the training of these boys prior to the time when they are drafted for service upon the firing line? Might they not well be trained three or six months prior to the time they reach 21 years of age?

Mr. KIRBY. That would be all right if it were necessary to do so; but I do not see any such necessity, for you might train them a whole year before you could use them.

Mr. FALL. There is no compulsion to train them for one month.

Mr. KIRBY. Then do not let us do it if there is no compulsion about it.

Mr. FALL. If we are going to need any more soldiers and are simply going to take away the father from his child and the husband from his wife—all those who have been exempted under the present draft provisions and regulations—if we are going to take them in lieu of taking those over 31 who have no dependents, or those under 21 who have no dependents, if we are going to continue this practice, if we propose to use all the material, before we go outside of the arbitrary limits fixed by the Congress, there is no doubt that we have something like 10,000,000 registered under the first registration.

I want to say to the Senator that it is a matter of common knowledge—whether it is before the Senate committee or not—that we shall not get our next 500,000 men until we go among the exempted classes and take the husbands away from their wives and the fathers away from their children, at a time when we have millions of men here in the United States who are just as fit for military service who have not those ties upon them.

Mr. KIRBY. Why should not the husband be taken from his wife and the father from his children if that is necessary in order to defend the country in which that wife and those children live? Why should such a man have any exemption above the boy who has had no opportunities here?

Mr. FALL. Well, why should there be any exemption, as the Senator from Oregon [Mr. CHAMBERLAIN] has stated? Why should not every able-bodied man in the United States, as I have suggested time and time again, be drafted into the service of the United States and be placed by the President of the United States in the position in which he can best serve?

Mr. KIRBY. I think, as the Senator from New Mexico does, that when we were providing for this draft system we should have drafted every man of military age, according to the old requirement, from 18 to 45.

Mr. FALL. That is just what I am trying to get at—to include those from 18 to 45 years of age.

Mr. KIRBY. But we did not do so.

Mr. FALL. We are proposing to do it now.

Mr. KIRBY. And until the War Department thinks it is necessary I do not think we should go ahead here and burden ourselves with the three years' training of men who can not be used until the end of that period.

I hope the amendment will not be adopted, or, if it is adopted, if we want to extend it up—I do not care for that—after the word "and," on line 2, let us strike out everything else and so extend the age limit to 45 years; but as the amendment stands it ought to be defeated, and I hope it will be.

Mr. WADSWORTH. Mr. President, it seems to me that the Senate in approaching this subject should take into consideration how large an Army the United States should have in this war, how it can be supported, and, incidentally, to what uses it should be put.

As Senators know, under the present system of drafting men between the ages of 21 and 31, inclusive, a questionnaire has been arranged under which the men liable to draft under the registration are classified, and that in class 1 are placed those men who are unmarried and also those men, I think, who, while married, are not in the slightest degree depended upon by their families for support. It has been the ambition of the War Department, as I understand, to recruit the Army of the United States from men of class 1.

A good deal of discussion has taken place in the last few months as to the size of the Army which the United States must put into the field in order to bring our weight to bear in this war in such manner as to bring it to a conclusion in the shortest possible time. Three million men have been mentioned by some as a minimum; others have said 4,000,000 men, and others have said 5,000,000 men. The President of the United States has said there should be no limit, that not even 5,000,000 men should be set as a limit.

Mr. FALL. Mr. President, will the Senator yield for just a moment?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from New Mexico?

Mr. WADSWORTH. I yield.

Mr. FALL. I gave notice several days ago that I would offer an amendment providing that during this fiscal year not less than 3,000,000 men should be drafted and trained under the provisions of the draft act and used in this war. I shall offer such an amendment.

Mr. WADSWORTH. I remember the fact that the Senator has given notice of such an amendment. Men may differ as to the size of the Army which this country should put into the field. Of course, there is a limit to the annual increment; there is a limit to the number of men which the recruiting machinery and the training machinery can absorb and turn into soldiers in a year's time; but if we are to project our vision toward the future, and a future not very far away, we might just as well make up our minds that we will need at least three million men, and, in all probability, will need 5,000,000 men in arms in the war zones at a given time before this war is ended.

Mr. President, that can not be done by relying solely upon the men in class 1 of the draft with the age limits fixed at 21 and 31. I venture to say to the Senate that if the present program of drafting new soldiers into the Army of the United States is carried on at the rate now proposed and now upon the program of the War Department, class 1 will be exhausted before November 1 next; and if the age limits are not extended both up and down the Provost Marshal General will have to invade class 2 and class 3, in all probability, and take married men whose families are dependent upon them for support, and the skilled workers, whose presence in the munitions factories is essential to the successful conduct of those factories, which, in turn, supply the men in the Army with weapons.

If we fail to raise the age limit, and also to lower it at least two years during this session of Congress, class 1 will have been exhausted before the needs of the Army for the year 1918, both for actual service and for training service, shall have been met; and we will have to disrupt to a greater or less degree—and I believe it will be to a great degree—the industrial and economic organization of the country, including agriculture, by taking married men and men essential in trades and industries in order to get the number of men required by the military situation.

I am in hearty sympathy with the comments made by the Senator from Minnesota——

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Arkansas?

Mr. WADSWORTH. I yield.

Mr. KIRBY. Is there anything in the law which prevents an 18-year-old man voluntarily joining the Army, if he desires to do so?

Mr. WADSWORTH. There is nothing to prevent it; that is true.

Mr. KIRBY. Certainly not.

Mr. WADSWORTH. Under that system, however, under which men under 21 may volunteer, but under which no obligation is placed upon all the men under 21, we have the same old distinction, which to my mind is vicious, that those men, we will say, of 20 years who feel it a duty to serve their country go and do it, while those who do not feel it their duty do not do it.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Tennessee?

Mr. WADSWORTH. I yield.

Mr. McKELLAR. I should like to ask the Senator a question. We have now a little more than 10,000,000 men who have been registered and who are subject to draft.

Mr. THOMAS. Nearer 12,000,000 men.

Mr. McKELLAR. My friend from Colorado says "nearer 12,000,000 men." The number is certainly in the neighborhood of 11,000,000 men. We have actually drafted about 2,000,000. Now, does not the Senator suppose when it comes to a question of fair treatment that the 2,000,000 men sometimes have some thoughts in their minds about where the other 9,000,000 men are and how they happen to be in excepted classes? And does not the Senator think we had better make the requirement of service apply first to the whole 11,000,000 who are physically fit?

Mr. WADSWORTH. Mr. President, of course, operating upon that theory—and I will admit that it is plausible—we could draft all of the 11,000,000 men, but the instant we did so we would have to stop waging the war because we would absolutely wreck our industries. It is all very well to say that every man must serve in the Army as a matter of principle; but if it were attempted, we would be "all army," and would have no industrial organization back of it. It is the very purpose of the selective draft, which so many people seem to forget, namely, to select the men best fitted in every respect, not only on their own account but as citizens of the Republic, to serve in the field, and to let those men who are best fitted to serve in the munitions plants and in other occupations stay and serve there. I would not be at all surprised, Mr. President, if we eventually brought into being and into operation some power which would so arrange things that those men who are in munition plants and who can do their best work in munition plants and similar undertakings should stay there and work, just as we say that the soldier once in the Army shall stay there for the duration of the war.

But, Senators, if we are to have the armies that we are talking about and which are being discussed in the public press and by public men, we have got to raise, and, in my judgment, also lower, the age limit. There are several phases of this matter which I think are well worthy of discussion, and I wish to enter into one or two of them very briefly.

Senators will remember that the Provost Marshal General has sent out an order to the local draft boards, if I remember correctly, instructing them to put into class 1, and make liable for immediate military service thereby, all men who are not usefully employed. The application of that order, of course, is confined to men not usefully employed between the ages of 21 and 31. Its influence will be beneficial. It will compel some men to undertake a useful job or else serve in the Army, and most of those men must undertake a useful job under those circumstances because they have families to support. That order has, however, a very limited application, because there is not a very large percentage of men between the ages of 21 and 31 who are not usefully employed; but when you pass the age of 31 and extend it to the age of 45 and apply that same order of the Provost Marshal General, you will find thousands and thousands of men who are to-day not usefully employed and who, under that order, being subject to the draft and subject to being placed in class 1 and liable to immediate military service, will quickly find, in defense of their own families, some useful employment; and you will thereby add to the available labor supply of the country, which every Senator knows in some parts of the country is scarce at the present time.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. NUGENT in the chair). Does the Senator from New York yield to the Senator from Missouri?

Mr. WADSWORTH. I yield to the Senator.

Mr. REED. I should like to ask the Senator's opinion of an amendment to the present military law providing that all persons between the ages of 30 and 40 who have not families to support shall be called into the service before those between the ages of 20 and 30 having families to support shall be drafted. To make myself clear, at the present time if we continue to raise very large armies—and I think everybody is in favor of that; I know I am—and we raise them out of the limited number of men between the ages of 21 and 31, I am fearful we will soon reach fathers of families and take them even though families are dependent upon them. At the same time there will be a large number of men between 30 and 40 who have no families whatever dependent upon them and who are capable of military service. Now, the suggestion which I have to make, and which I may embody in the form of an amendment, is as to the propriety of calling unmarried men between 30 and 40 for military service before we call upon the married men between 20 and 30 for military service. When I say "married men" I mean those whose families are dependent upon them. I should like to get the Senator's opinion upon that.

Mr. WADSWORTH. Mr. President, I am in entire sympathy with the Senator from Missouri on that proposition, but let me say to him that that is exactly what the questionnaire system, under which all registrants are classified, does; and that same questionnaire system and that same classification would hold good in its operation among the men between the ages of 31 and 40 as it now holds good among the men between the ages of 21 and 31. The amendment of the Senator from New Mexico makes no suggestion of a change in the classification, and if it is adopted, or if its provisions are approximately adopted, the first men to be called and, in my judgment, the only men who will be called, unless most unlooked-for events overtake us, will be those men who are put in class 1.

They are the unmarried men; and, regardless of their age, so long as they are, as the Senator from New Mexico suggests, between 18 and 45, if they are unmarried and have no dependents, they will be equally liable to service. I think that is the system under which we must operate so long as we can, and I think we can raise and maintain a most impressive Army under such a system.

Mr. REED. I was obliged to leave the Chamber while the Senator was speaking. Did the Senator state the number of men whom it is estimated we can raise under the present law?

Mr. WADSWORTH. Mr. President, my knowledge of that is not absolutely definite; and, in addition to that, I have some hesitancy in discussing it and the source of my information. I doubt if those figures should be discussed in public. I think some of them have been discussed.

Mr. REED. I do not think we need to be sensitive about that, because statements concerning the figures have been made from time to time, but they have escaped me.

Mr. WADSWORTH. Perhaps I do not understand the question.

Mr. REED. The question I am asking is how many men we can put into the Army under the present law?

Mr. WADSWORTH. In addition to the number now in the service?

Mr. REED. Yes. I was going to follow that with a further question as to how many of them there were in class 5, which, I believe, embraces married men with families dependent upon them.

Mr. WADSWORTH. My understanding is that from class 1 as now registered we can get approximately 500,000 in addition to those in the service to-day.

Mr. REED. I thank the Senator. I shall try to get the exact figures. I thought perhaps he had them.

Mr. WADSWORTH. Let me say to the Senator from Missouri that that estimate may vary from the truth somewhat; it is merely a rough estimate.

Mr. McKELLAR. Mr. President, may I ask the Senator a question?

Mr. WADSWORTH. I yield.

Mr. McKELLAR. How many men is it estimated we can get from the new registration that took place on June 5 last?

Mr. WADSWORTH. I do not know.

Mr. McKELLAR. It has been suggested that there are fully 700,000 men who would come in under that registration. That would give us 1,200,000 more men subject to draft at this time without going any further.

Mr. WADSWORTH. The Senator must remember that it is very easy to say that we have 700,000 soldiers in addition to our present force by reason of the fact that 700,000 men have registered, but he must remember that there is quite a percentage of physical defectives——

Mr. McKELLAR. Of course, I understand that.

Mr. WADSWORTH. Men who are not fit for military service. In that connection, may I say that I am in sympathy with what the Senator from Minnesota [Mr. NELSON] has said. The percentage of those who are physically unfit for military serv-

ice amongst those men under 21 and down to 18 is considerably less than the percentage unfit for military service amongst those, we will say, around 30. I sympathize with the Senator from Minnesota in his estimate of what the young man does in the way of campaigning. The man between 18 and 25, generally speaking, is the man who can fight on or work on with little or no sleep; who can lie down for an hour or two hours, get a nap, awake refreshed, and resume his work. It is for that reason, I believe, more than any other, that all the armies in all the great wars that have lasted any length of time have turned out to be at the conclusion of those wars largely made up of men around 20 years of age. They are the men who survive; they are the ones who stand the work best; they are the ones who suffer least; and they make the best soldiers. I think any Army officer of broad experience in the training of men will admit that the men under 25, and preferably around 21 or 20 or even 19, are the men who make the best soldiers, and of whom the greater percentage survives until the conclusion of the war in which they are engaged.

Mr. CUMMINS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Iowa.

Mr. CUMMINS. I think the question propounded by the Senator from Missouri was either misunderstood or the Senator from New York has some reluctance about answering it. I think it ought to be answered, unless there is a real reason for not having the facts before the Senate.

I have given some study to these figures of the work of the War Department. There were about 9,600,000 men registered between 21 and 31, I believe. About 20 or 25 per cent of them have been found, under the rules, physically unfit for service; so that if the entire number of men between 21 and 31 were put into the Army we would have an Army of about 7,000,000 men. We have already called probably a million and a half of them; so that if we should exhaust all the classes arranged for by the Provost Marshal General we would have about five and a half million who might yet be put into the Army. But to take them without regard to their occupations or their dependents would dislocate not only the social but the industrial life of the United States; and in the very nature of things, in my opinion, we are bound not only to go above 31 but to go below 21. I shall have some figures to present on that point presently.

Mr. WADSWORTH. The argument the Senator from Iowa has just made is the one I have been trying to emphasize. Senators, if we do not raise and lower these age limits we can not put into the field an army worthy of our strength and worthy of the obligations that we must carry in this war without disrupting the industry and the agriculture of the country behind that army; and I am one of those Senators who believe that this is indeed a world war. We speak of it as such, but a great many of us are inclined to direct our attention solely to one phase of the war. A good many people in the United States, a good many of us in our discussions here in the Senate, direct our entire attention to the western front. Of course it is the most important front, and I think no one would deny that.

But, Mr. President, this ought to be, in fact as well as in name, a world war; and if America can do it, if America can supply the surplus of men and material, of soldiers and weapons, over and above what is actually necessary to establish a clear preponderance of weight upon the western front, then, indeed, America should use that surplus of men and materials in combating the Germans, no matter where they are found on this earth—the Germans and their allies—and by that I mean Bulgaria and Turkey, just as we classify Austria. Make it a world war, Senators, and we will end it sooner.

Of course, we should place our first and greatest emphasis in France. No one will deny that for a moment. We must establish there a clear preponderance, so that the Teutonic powers will never again enjoy the offensive upon that front, but shall be subjected to an offensive on the part of ourselves and our allies which they will be unable to resist and which will eventually crush them, even if we do not attack them from any other quarter. But I believe that this country is big enough and strong enough and rich enough to do more than that. We should help the Italian Army. Senators, would it not be a blessing if there were an American Army corps along the Piave River this very day to help drive home the defeat that the Italians are inflicting upon our enemies, the Austrians?

I am not complaining that they are not there, Mr. President. Perhaps it could not have been done by this time—the sending of a considerable American expedition to help the Italians—but it ought to be done just as soon as possible. We should attack the Teutonic powers from every quarter in which we can find any facilities for attacking them, even if it be through Siberia. True, it will be a difficult undertaking; but should that stay us from attempting it if we can thereby add to the difficulties of the Teutonic powers? We should attack them, if we can, in Palestine, reinforcing the British, and by the elimination and crushing of Turkey prevent Germany from developing and possessing the oil fields in the Batum Province of the Caucasus, whose resources will soon be used against our men in France.

It is part of the war for America—and I believe she can do it—to bring every influence that she possesses to bear in the fight against these people, wherever they may be found, wherever they are organizing or working for the undoing, eventually, of the United States; and, Senators, we can not do it unless we have clearly in mind the raising and the maintenance of a great American Army. Yes; make it 5,000,000 men if it is necessary. As the President says, why limit it? When it is raised, use it wherever it can be of service—not only in France, but in Italy; in the Balkans, if need be; in Asia Minor, helping out the British, who have already done such remarkable work there in Palestine and Mesopotamia; and even in Siberia, where there are many, many thousands of Russians who would rally around an American force and prevent the organization, for military purposes, of that great country by the Germans. Let us reestablish the eastern front, renew and rebuild the iron ring that surrounded Germany and Austria up to a year ago.

The collapse of Russia in many respects made this a new war. It completely changed the picture, and the picture was changed to our disadvantage. We lost something like 8,000,000 soldiers when the Russian Army disbanded, not as a result of a military victory on the part of Germany, but as a result of German propaganda. Can America do something to restore that situation? Can America do something, as the Senator from Iowa [Mr. KENYON] said so eloquently a few days ago, to attack Austria, that empire that contains within its borders such a tremendous element of discontent and rebellion? I believe she can; and if at first we accomplished only a little in those far-away regions of the earth, our influence would in the end be decisive. We must look forward to these efforts and lay the foundations now.

That is one of the reasons, Mr. President, why I support the amendment offered by the Senator from New Mexico, because I believe that only by such an amendment, or something closely approximating it, can America put an army into the field big enough to undertake these great tasks and carry the obligation and meet the opportunities that this great country of ours ought to carry and ought to meet, and, God willing, will carry and will meet, before this war is over.

Mr. McKELLAR. Mr. President, whenever it is necessary, or, indeed, whenever it is expedient, I am willing to vote to raise the age limit, or, possibly, to lower the limit somewhat. I am opposed to this amendment as now proposed. I am rather inclined to think that 18 years is too low a limit, but whenever it becomes necessary I will vote to lower the limit or to raise it. Indeed, I will vote for any measure that will mean early victory against Germany. But before we adopt this particular amendment we ought to give it very careful consideration. The proviso to the amendment is all wrong and can serve no useful purpose. It simply ties up and renders ineffective three classes of boys to the number of some 2,500,000 or 3,000,000.

This particular legislation has been considered neither by the War Department, so far as I am advised, nor by the Committee on Military Affairs, whose province and duty it is to consider this kind of proposal. I am not one of those who believe we ought to follow whatever a department recommends; but, Senators, we must remember that we have turned over to the War Department the duty of executing the laws that we make about this war. We must remember it is not an original proposition. It is a proposed addition to a system that we have already put in the hands of the War Department to execute. We have already given the War Department registered men in the number of about 11,000,000. They have actually drafted about a million and a half men, and the remainder are still registered and still subject to the draft. Under this state of facts who would know whether the limits fixed in that draft law should be changed better than the department that is now executing this very law? The officers charged with the execution of this law know whether or not they have the men there; they know whether or not the limit ought to be changed; and it seems to me we ought to have some recommendation from that department before enacting this very important amendment to the legislation. There are so many things to be considered in connection with this kind of legislation—the question of subsistence, the question of clothing for the additional men brought under the draft, the question of guns, the question of training, the question of officers. All these things have to be considered,

and primarily they have to be considered by the department that is executing this law.

Why should we, without any advice as to what men are needed, without any advice that there is a deficiency or likely to be one, change this law at this time? Why should we change the law when there are, according to the undisputed evidence, some 9,000,000 men registered in this country and subject to draft between the ages of 21 and 31 years, but who have not as yet been actually drafted?

Mr. REED. Mr. President——

Mr. McKELLAR. I yield to the Senator from Missouri.

Mr. REED. Of course, the Senator does not want to leave a false impression.

Mr. McKELLAR. Surely not.

Mr. REED. The Senator has stated that there are approximately 11,000,000 men within the draft ages. A million and a half have been called to the service, and that leaves approximately nine and a half million. Now, of course, the Senator knows, if he will stop to think, that there is no such number liable to military duty, because the million and a half that have been taken have been the perfect men; that is, they have been the men who have qualified for military service. A very large number of rejections took place in order to get that million and a half men. A very large number of rejections necessarily will take place among the others that may be called hereafter.

Mr. McKELLAR. That is true.

Mr. REED. So that we can not use the figures the Senator is using.

Mr. McKELLAR. Oh, on the contrary, we can use those figures, though, of course, we must always take into consideration the fact that there are some exemptions under the draft law. The physically unfit are exempted. Some are exempted because engaged in industry or in agriculture and some few others for the other causes set forth in the act. The fact remains, however, that of 11,000,000 registered only about 1,500,000 have actually been drafted into the service, and everybody knows that this is a very small percentage of soldiers of those registered. Undoubtedly there is still a large number of soldiers to be secured from those already registered—probably many more than can be trained this year.

Mr. WARREN. Mr. President, if the Senator will allow me——

Mr. McKELLAR. I yield.

Mr. WARREN. A very great many have enlisted and gone into the Army through enlistment.

Mr. McKELLAR. That is true, too, and those are to be taken into consideration; but the fact remains that we have not actually drafted 20 per cent of the men who are registered between 21 and 31, and the other fact remains that the War Department has not furnished any data or statistics showing that there is a lack of men to go into the Army from those already registered.

Whenever it does—whenever there is any evidence, whether it comes from the War Department or not, that we are short of men, or that we are likely to be short of men—I am willing to get those men wherever we can get them. But in the absence of that kind of evidence, on the floor of the Senate, without any consideration by the committee—the committee has not had the question before it—without deliberation, without knowledge of the facts for the most part, without any recommendation from the War Department, it seems to me that we ought not to run roughshod over that department and force on them a registration that evidently they do not want at this time. If we were putting into operation an original system, perhaps we would not need any information from the department. But we are undertaking by this amendment to add to a system which the department is now engaged in carrying out without waiting to see whether the proposed amendment fits in with the department plans or not.

Mr. FALL. Mr. President——

Mr. McKELLAR. I yield to the Senator from New Mexico.

Mr. FALL. The Senator, of course, sees the casualty lists published in the morning papers, and he knows that our military force is being rapidly decreased.

Mr. McKELLAR. I do. I regret very much that that is the fact.

Mr. FALL. Of course, the Senator further realizes that in so far as the War Department is concerned the only work that would be placed upon the War Department by the adoption of this amendment is not one of providing for subsistence, and not one of providing for munitions or arms or anything of that kind, but is simply the additional burden of registration until the Commander in Chief of the Army sees fit to draft these men.

Mr. McKELLAR. Oh, Mr. President, I call the attention of the Senator from New Mexico to his own amendment:

Provided, That those registered under the age of 21 shall not be drafted nor used for service upon the firing line until they shall have reached the age of 21.

That means this, that the War Department must take these 2,400,000 young men or thereabouts—it is estimated that about 800,000 to 1,000,000 of them come of a fixed age each year—and the War Department must do something with them. There can be but one purpose if the amendment is to do any good, and that is that they must be trained. By implication, at least, the department is directed to train them. They have to be put into units; they have to have officers; they have to have guns; they have to be put in cantonments; additional cantonments must be built for them.

Mr. FALL. What are we doing with the 10,000,000 men now registered? How many of those are we training?

Mr. McKELLAR. Apparently there are some seven or eight million—75 or 80 per cent of them—with whom nothing is being done. They have not been called to the colors. They are registered, ready to be called whenever the department calls on them; and why should they be excused at this time?

Mr. FALL. Why? That is precisely the point. There is no more compulsion in regard to calling the entire 100 per cent of these men than there is in regard to calling the entire 100 per cent of those now registered. Mr. President, this is merely a direction to extend the ages for registration. In so far as the drafting, use, subsistence, training, or handling of those men is concerned, the discretion is left absolutely in the Commander in Chief, exactly as it is with reference to the 10,000,000 men now registered.

Mr. McKELLAR. Does the Senator intend that those now registered and subject to military duty shall be called before any classes of those between 18 and 45, as provided in his amendment, are called?

Mr. FALL. Mr. President, the Senator does not intend to do anything whatsoever except to bow his head in obedience to the action of Congress before investing discretion in the Commander in Chief of the Army. If the Senator from New Mexico could enforce his views upon the Senator from Tennessee and his other colleagues here, the Senator would see engrafted into legislation a direction to the President—the Commander in Chief—the Department of War, the Judge Advocate General, and others as to how this Army should be raised and what should be done with it under the Constitution. But the Senator bows himself to the will of the majority, as expressed, and simply provides for additional registration and leaves the discretion entirely in the hands of the Commander in Chief.

Mr. McKELLAR. Mr. President, as a matter of fact the Commander in Chief has authority now. He has control of the situation. He has these millions of young men between the ages of 21 and 31 that he has not called out. He has not asked that that number be increased. He has not said that the number now registered will soon be exhausted. Whenever he does, as Commander in Chief, it is our duty to give him the necessary men. Whenever he says that he believes that that list of men is not sufficient, that we need more men, then it is our duty to give him the men and uphold him in the prosecution of this war, and we will do it without delay whenever he, or his military representative, makes the request. But the Commander in Chief is not making any such request of us now, and we surely have ample men already registered at this time. There is one thing I can say for this country, whatever else may be said of it, and that is that its man power is all right. There has been no trouble about getting men. We can substantially get all the men we need at any time.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield to the Senator.

Mr. CUMMINS. The Senator from Tennessee said a few moments ago that the committee had given no thought or examination to this subject.

Mr. McKELLAR. That is true, Mr. President, so far as my knowledge of it goes.

Mr. CUMMINS. Why did it not do so?

Mr. McKELLAR. It was not called to our attention. We had registered some seven or eight or nine million of young men—somewhere in that neighborhood—between the ages of 21 and 31 and not yet drafted. We saw no reason to exempt these young men, whether they were in deferred classes or not. It was the purpose of the law to make it bear equally on all. This legislation in the proposed amendment can have but one purpose at this time, and that is to let men in the deferred

classes be exempted, and I do not think they ought to be exempted.

Mr. CUMMINS. I am not speaking about the merits of the proposal. I am speaking about the consideration the committee gave to the subject. Something like two weeks ago I introduced a proposed amendment to the military bill which is in effect the amendment proposed by the Senator from New Mexico. It was printed, and it was referred to the Committee on Military Affairs. I asked for an opportunity to be heard upon that amendment; but the committee, I assume, were so much occupied with other affairs that it never became convenient. But the amendment was before the committee proposing this identical thing; and the Senator from Tennessee knows that the very man who is in charge of the administration of the draft law, who knows more about it than any other man in the country, believes, and so told a subcommittee at least of the Military Affairs Committee, that the draft age ought to be increased in order to meet emergencies that will occur not later than the early part of the year 1919.

Mr. McKELLAR. I was not present at the meeting to which the Senator refers and I do not personally know of such evidence. I was not a member of the subcommittee, and I did not hear the testimony of Gen. Crowder. I want to indorse all that the Senator says about Gen. Crowder. I think he is one of the most capable and competent officers of this Government. I think he has rendered a service to our Army and to our Government that is not surpassed by that of any other officer in the Army. There is no one who could have performed the great task of organizing the drafted forces of this country better than Gen. Crowder has done. I indorse every word the Senator has said about him; but, as a matter of fact, whatever views Gen. Crowder may entertain have not matured to the point of his formally bringing them before the Military Affairs Committee, and they have not been brought before that committee, and the matter has not been considered or debated before that committee, so far as I know. I think, in all fairness, that a matter so important as this ought to be carefully considered by the committee, especially when we have at least some seven millions of men to draw from, already registered, that we can call out at any time we want to, and when there is no demand for it by the proper authorities. If Gen. Crowder made the demand, he has evidently yielded to the views of others to some extent, because no demand has been made in our committee for this legislation, and I think it ought to come before the committee and be carefully considered by it before the legislation is enacted. Now, mind you, I do not object at all to increasing the age limit or even to lowering it to a limited degree, but I do not think it ought to be done now, in this hasty way.

Mr. CUMMINS. I assume that Gen. Crowder has made no demand, nor would any other officer of the Government make a demand, upon Congress for particular, specific legislation.

Mr. McKELLAR. I do not know whether the Senator is correct about that or not. I think there are a great many who make distinct demands on us for legislation.

Mr. CUMMINS. I am not speaking now of the President of the United States——

Mr. McKELLAR. I was not speaking of the President, either.

Mr. CUMMINS. Because the President has a perfect right to recommend legislation to Congress. I am not now going into the realm of secrecy. I do not find it necessary to go to the testimony given by Gen. Crowder before the Committee on Military Affairs.

Mr. McKELLAR. The subcommittee of the Committee on Military Affairs.

Mr. CUMMINS. But I go to the public press, in which it was stated that Gen. Crowder entertained certain views on this subject; and I say again, and I am glad the Senator from Tennessee agrees with me, that I think his administration of the draft law is a monument of industry, intelligence, and patriotism, and there is no testimonial that I would not gladly bear for his work in this great and important matter.

Mr. McKELLAR. And if the Senator will excuse me one minute I will go a little bit further than that, and I will say that I think it is the duty of Congress properly to recognize officially the splendid work Gen. Crowder has done for the country in this hour of its trouble. He has made such a splendid success of the draft law that, in my judgment, Congress should grant him specifically some fitting mark of its appreciation of his great service. He is a man of unusual ability and marvelous aptitude for the particular work intrusted to him.

Mr. CUMMINS. I agree with the Senator. Three weeks ago or more some one published in one of the newspapers in Washington a statement indicating that this officer of the Army was in favor of increasing the draft age so as to enlarge the authority of the President in calling men into the service. It was stated in that newspaper, as I recollect, that the Secretary of War was not yet ready to insist upon legislation of this character, but that he released Gen. Crowder from any obligation to further keep his own views a secret, and they were published; and it is now as well known as any fact can be known that this eminent officer believes that this legislation is necessary, not only for the good of the Army but for the good of the industries of the country.

Mr. McKELLAR. I, of course, do not keep up, I am sorry to say, with the newspapers like I ought. In the tremendous rush of work now falling on all of us, I simply do not have time. I do not think I am able to recall that, but I accept what the Senator says was published in those papers.

I want to say this about it: We have intrusted to the military department of the Government the execution of the draft act. We have given them already ten or eleven million names to draw from. They have never complained that they have not enough. When they do, then we must give them additional men. We must give them every man they need. We must go to the last limit to win this war. There is no limit—age or any other kind of limit, to which we will not go. I accept, of course, what the Senator says—that Gen. Crowder expressed some such views when he appeared before the subcommittee, but what I mean to say is that neither he nor anyone in his department has sent official notice to Congress that the law already passed is not sufficient for the present.

Now, in all good common sense, is it not wise to let them mature their plans? Let Gen. Crowder, in whom I have the greatest confidence, and in whom the Senator has the greatest confidence, mature his plans for getting additional men, and let us have the advantage of the department's plan when we pass upon the kind of legislation provided in this amendment.

We do not have to accept any advice or plan offered by the department. It may be a plan that I would not subscribe to and that the Senator would not subscribe to; but at all events, they have the execution of these plans within their power and judgment and they ought to be consulted before passing such drastic legislation. It seems to me that we ought to have their advice; that we ought to consult them; and it ought to be worked out in the way Congress has given the authority to work out these things, and not have it come before the Senate by offering an amendment on the floor which may or may not fit the plans of those who are executing the laws.

Mr. CUMMINS. May I ask the Senator another question?

Mr. McKELLAR. I will be delighted.

Mr. CUMMINS. Has not the situation changed somewhat? The House bill, which is not modified by the Committee on Military Affairs, gives the President unlimited authority to call for all the men he thinks necessary for the prosecution of the war.

Mr. McKELLAR. That is true.

Mr. CUMMINS. Heretofore we have given the President no such authority. I am not protesting against that authority, although it might be helpful for Congress to keep it in its own hands. But, however that may be, we are giving that authority.

Now, does not the Senator think when we give this broad, unrestricted authority to draw men from civil life into the military forces of the country we ought also to broaden the field from which he may draw the men?

Mr. McKELLAR. I feel quite sure that that will come. If it had been thought by the Commander in Chief, when he asked for that broadening of authority, that it was wise to increase the number of men who could be drafted he would have said so. He is in touch with the situation. His Secretary of War is in touch with the situation. They know what their plans are, and I am glad to say that they have progressed splendidly with those plans. It seems to me that they are progressing well enough with those plans to-day for us to have reasonable confidence in them. They have gotten practically a million men in Europe at this hour, and it seems to me before we pass a radical measure of this kind we might give that department credit enough for their good work to consult them. We have not consulted them. They have not recommended this legislation to our committee. When they do, it seems to me we ought to consult among ourselves and report to this body the best bill we know how to frame along those lines in accordance with the plans which the department is now carrying out so well.

Mr. CUMMINS and Mr. WATSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I will yield to the Senator from Indiana soon, but I will yield immediately to the Senator from Iowa.

Mr. CUMMINS. The Senator from Tennessee must have observed that under this amendment the President still has complete, absolute discretion. He can draw men from the ages of 21 to 31 before drafting a single man either below the age of 21 or above 30.

Mr. McKELLAR. If the Senator will excuse me a moment, I know he does not want to make a mistake about that. The President is given no authority to deal with men under the age of 21.

Mr. CUMMINS. Absolutely. In my judgment there is nothing to interfere with the President's existing authority to classify these men in any way he sees fit.

Mr. McKELLAR. Oh, of course, to classify them, but if the Senator will excuse me, we are in a war now. We are not preparing for war. We have a war on our hands and under this proviso in the amendment the President would be powerless to use young men under 21 years of age for actual service in fighting for our country. They are taken out of his power completely for a period of three years, and we ought not to do it. I think if we are going to reduce the age limit we ought to give him power to call on those just like he calls on any other drafted men. We ought not to make classes among drafted men.

Mr. CUMMINS. It enlarges the power and gives him power to deal with men above 30.

Mr. McKELLAR. It does so far as men above 30 are concerned, but so far as men below 21 are concerned it limits his power.

Mr. CUMMINS. He has no power to deal with them now at all?

Mr. McKELLAR. He certainly has the right to accept them as volunteers now and many of them are entering the service that way.

Mr. FALL. Will the Senator yield?

Mr. McKELLAR. I am about to yield the floor. I have talked longer than I should have.

Mr. FALL. I was going to ask the Senator a question. I will say to him for his gratification that I expressed my views upon this proviso when I offered the amendment, and I agree with him exactly. I shall perfect the amendment by striking out the proviso.

Mr. President, I will say to the Senator that my idea in offering this amendment and providing that the ages between 18 and 21 should not be used on the firing line, except that the discretion is left to the President of the United States as Commander in Chief, who has just as much sense as the Senator from New Mexico or the Senator from Tennessee, as to what he shall do with these boys between 18 and 21 years. I will be very frank with the Senator. If I had the enforcement of a provision of this kind, during a vacation I might call out all these boys for one or two months and train them and send them back.

Mr. McKELLAR. Where would the Senator get the officers to train them?

Mr. FALL. Every noncommissioned officer—does the Senator mean to say that he does not anticipate enlarging the present Army?

Mr. McKELLAR. I certainly do expect our Army to be increased. I think it ought to be increased as fast as we can train and ship the men—increased to 3,000,000, to 5,000,000, or even to 10,000,000, or to any number necessary to whip the Germans; but noncommissioned officers are not available to train these boys, but are used to train men who are going to France.

Mr. FALL. We can get noncommissioned officers as every other military country has done. Then in training them, if we are going to enlarge the Army, we have officers to train men under 21.

Mr. McKELLAR. Mr. President, I disagree with the Senator entirely on the subject of having ample officers to train these men. We are having great trouble in securing competent officers to train the men to go to France.

Mr. FALL. Suppose——

Mr. McKELLAR. Just one moment. We are training them as rapidly as we can. We are making splendid headway with this training. I know it must be a source of pride and gratification not only to the Members of the Senate but to the people of the United States that we are making such headway with the training of our forces in getting them on the battle line. Now, when we are just getting in our stride, pressing forward, making tremendous headway in this fight, why dissipate our forces by in effect making schools for these young men under 21 years of age and preventing them from going into the Army until they are 21? What we ought to do is to centralize our efforts upon winning this war at this time, and then later on we can talk about universal military training and other kindred subjects which are in substance incorporated in this proviso.

I hope the Senator will not only perfect the amendment by withdrawing the proviso, which he suggests he will do, but that he will leave it to the War Department now to conduct and to carry on this war in the way they have set forward. They have the plans and know what the facts are; they know what their abilities are to get officers and equipment with which to train the men, and I think it ought to be left to that department, at least, to suggest changes in the draft law.

The proviso in this amendment should by all means be withdrawn or defeated, and I believe it would be better to defer action on the whole subject until we have all the facts before us. The Congress will at any time enlarge the limits of the draft law when it is made manifest that an enlargement is necessary. There will be no trouble on earth about getting a bill or resolution for such a purpose through at any time that it may be asked for by our military authorities.

Mr. WATSON. Mr. President——

Mr. McKELLAR. I yield to the Senator from Indiana.

Mr. WATSON. Can the Senator give us anything like an accurate estimate of the number of men under the operations of the present selective-service law who have been actually put on the battle line?

Mr. McKELLAR. I have been informed that there are about a million and a half or a little more than a million and a half who have been drafted out of the number of between nine and ten million in the first registration.

Mr. WATSON. What per cent of those are in fighting units, I will ask the Senator?

Mr. McKELLAR. I do not know what per cent. The Senator will recall that recently resolutions have passed asking for the number, and I believe the number has not yet been ascertained and given to Congress. I can not furnish those figures to the Senate, but I know that less than 20 per cent of all those within draft age and registered have been actually drafted up to this date, and I think there must still be a very large number, probably many more than can be trained this year, still subject to draft and fit for service under that first registration. In addition there remains the 800,000 registered in June, 1918, of which probably 75 per cent, or 600,000, are fit for service.

Mr. THOMAS obtained the floor.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from North Dakota?

Mr. THOMAS. I yield.

Mr. McCUMBER. I wish simply to answer the question which was asked by the Senator from Indiana [Mr. WATSON] as to what per cent are in fighting units. I wish to call attention to the fact that the evidence before the committee, as I am informed, was that 58 per cent are within fighting units, and, of course, that would leave 42 per cent who are not.

Mr. THOMAS. Mr. President, the purport of this amendment is to substitute for the ages 21 and 31 in the existing law the ages of 18 and 45. If in the enactment of that law the limit of the draft had been fixed at 18 and 45 instead of 21 and 31, then the law would have been, and would still be, precisely as it will be if this amendment to the amendment is adopted.

It was stated many times here in the discussion of the present draft law that the 10-year limitation which it fixed as the basis of coercion would bring within its provisions upward of 11,000,000 men, and that, making allowance for defective physical conditions and for express exemptions and for exemptions which would be permissible under the discretion of the statute, there would remain an available force fit for military duty of something more than 5,000,000 men. I may be inaccurate in some of these statements, but such is my recollection. It was also insisted that within the limitations of the law there would be found an ample force of men for the great emergency confronting the people of the United States.

I opposed that measure largely because I did not believe in substituting the draft for the volunteer system, and incidentally because it seemed to me that if we were to go to the draft system we should abandon the volunteer system. I had no reason then, Mr. President, and certainly I have none now, to question the accuracy of the estimates which were made concerning the force available under the law. I believe, and still believe, that inasmuch as they were carefully made by experts along that line we could rely upon them substantially.

Now, Mr. President, it appears in this discussion that we have taken from this available force approximately one and one-half millions of men, a number, however, which includes a very considerable proportion of volunteers under and over the age limitations. So it is safe to say that there could be an avail-

able force of three and one-half millions, plus the number covered by our amendment to that law and enacted at this session of Congress, for our immediate need.

If I am correct in my recollection concerning these estimates, then it would seem unnecessary to resort at this time to so sweeping a measure as the one now under consideration, which extends from 18 to 45 and embraces a period of life nearly three times as great as that which is covered by the existing statute.

If I thought it were necessary, if the time ever comes when the department determines that it is necessary to extend this limitation even beyond that proposed by the amendment, I should not hesitate to vote for it if I should be in the Senate at that time. But, Mr. President, until we are semiofficially informed that it is essential I doubt the wisdom, I doubt the expediency of the enactment of this proposed extension.

Something has been said about the moral effect this amendment would have upon our enemy. I think it was stated by the Senator from Minnesota [Mr. NELSON] that in the event this amendment was enacted the population of the central empires would feel that we had taken this step expressive of our resolution and determination in this war and possibly weaken their own. Of course, I do not pretend to use the exact phraseology of the Senator, but such, in substance, was its intent.

Mr. President, in my judgment, if there should be any consequent effect upon the minds or the morale of our enemies through the enactment of this measure, it would be precisely to the contrary.

Another Senator has said that Germany knows our military condition as well, if not better, than many of us. I have no doubt that is true; but if within one year and two months after the enactment of a conscript law, which was then declared by its advocates to be all that was necessary for the mobilization of such man power in this country as the war required, we should follow it by extending that age limitation from 18 to 45, the inference would logically be that we had exhausted our efforts to secure the service of men within the first limitation and were therefore compelled as a military necessity to extend the law so that it would be commensurate with the volunteer age fixed in that or some other statute and which is the law of the country. If, therefore, our object is to appall the enemy with the magnitude of our potential preparations, it will, in my judgment, fail of its purpose, although, of course, I know the author of this amendment had no such purpose in view. He has been consistently from the commencement of this gigantic struggle an advocate of an enormous military force, a believer in the mobilization of every resource of the country, and in making every possible effort within our power against the enemy.

I believe so, too, Mr. President, but I differ very materially as to the manner in which it is to be done, and I differ also, perhaps, in my conception of the extent to which we can do it.

I have heard a great deal recently from those in high authority and those in lower authority, and from those who are not in authority at all, about the importance of mobilizing and placing at once upon the front an American Army of 5,000,000 men; that before the war shall have been ended it will be necessary to have such an army there. I hope such will not prove to be the case. If it does, Mr. President, we will endeavor to meet the necessity and provide for it even before it shall appear upon the horizon.

But we are apt in this country to use large figures and make large statements, sometimes without a due conception of what they involve. It has required us something like 14 months to place upon the French front an army of nearly a million men, or, speaking more correctly, I should say a force of nearly a million men, of which about 60 per cent are effective. In doing that we have made the greatest possible draft upon our transportation capacity, not only upon the seas but upon the land. During the last three months the accomplishment of the War Department in the mobilization of troops 3,000 miles across the sea has no parallel in the history of the world. And yet during that period, at a time when we had to strain every nerve at our command, we have not moved, I think, to exceed 250,000 or 300,000 men.

It is all very well to talk about striking the German wherever you can find them, to send an army to Mesopotamia, another to Macedonia, and another to Siberia, and thus mingle our troops with the troops of the allies wherever there is an objective point. The conception, Mr. President, is a noble one. The possibility of its execution is another question entirely. We can not do it, or at least we can not do it at present, because forsooth, Mr. President, we are doing all that our present capacity will permit in peopling the war front with a great army of American soldiers.

I do not think that I betray any secrets when I state that it requires about 9 tons of capacity per annum to supply each American soldier in France with the equipment necessary to sustain him physically and in a military sense. His clothing, his food, his munitions, his gun, his artillery, his aircraft equipment—all the paraphernalia of modern warfare—require 9 tons per annum, or 9,000,000 tons for 1,000,000 men. Of course, perhaps one-third of that is sufficient for the reason that more than three round trips may be made by the same vessel during that period of time, but when we consider the enormous demand upon the tonnage of the world for other purposes, for furnishing food for our allies, for supplying them with war materials and all other material for which they are dependent on other sections of the world, the wonder is that we have been able to secure tonnage sufficient to make the record of the last three months. We are building ships. Thank God they are coming now with reasonable rapidity, and I trust will soon cross the line between the amount of tonnage sunk and the amount of tonnage created. Yet they are not building one-third, perhaps, of the number that could be used. We can not get them too fast, and some one must build them. We may have five million, seven and a half million, ten million effective troops, but the enemy is across the sea, and we must cross the sea to get at him.

When we are talking about an army of 5,000,000 men across the sea, we should think of the 45,000,000 tons of carrying capacity that will be essential for their sustenance and support. To transport an army to France or anywhere else and then leave it unprotected and unprovided for is unthinkable; it is impossible.

Mr. REED. Mr. President——

Mr. THOMAS. I will yield in a moment. Where are the men coming from, Mr. President, if we are to subject everybody from 18 to 45 to the draft? Where shall we look for the human material necessary for the construction of that one tremendous item so absolutely and unavoidably essential to a successful prosecution of the war? I yield to the Senator from Missouri.

Mr. REED. The Senator has made the statement that it takes nine tons of material per annum to supply a single soldier, and that 5,000,000 troops, therefore, would require 45,000,000 tons. He does not, I take it, however, mean that that signifies that we must have a ship tonnage of 45,000,000?

Mr. THOMAS. Oh, no; not for that purpose.

Mr. REED. But that is because each ship would make several trips during the year?

Mr. THOMAS. Each ship would make several trips.

Mr. REED. How many tons does the Senator estimate it would take in tonnage of vessels? How much would we have to increase our floating tonnage?

Mr. THOMAS. I do not think it would be safe, Mr. President, to rely upon less than 15,000,000 tons. It is true also that faster vessels can make more than three turnabout trips, as they are called, per annum; but when you consider the necessity for repairs, the danger from the submarines, and the other accidents that may, and generally do, interfere with the regularity of such voyages, you must have something of a margin, and count, say, three trips to each vessel per annum between America and Europe.

Mr. SHAFROTH. Mr. President, I read in a morning newspaper a day or two ago that there were 89 ships to be launched on the 4th day of July next. I will ask my colleague whether his investigation, which has been recently made, confirms that or whether it does not?

Mr. THOMAS. Well, Mr. President, our investigation, which has been made recently, had reference to another sort of ship. I wish to God I could say there were going to be 45,000,000 tons of airships, or an amount proportioned to 45,000,000 tons of shipping in position to aid our troops and help win the victory within the next nine mnths.

Mr. McCUMBER. Mr. President——

Mr. THOMAS. I yield to the Senator from North Dakota.

Mr. McCUMBER. Will the Senator from Colorado allow me to inquire of his colleague [Mr. SHAFROTH] if he read at the same time that there had been 640,000 gross tons of shipping sunk during the month of May?

Mr. THOMAS. Mr. President, at the time I read both accounts I do not recall having seen a statement of the tonnage sunk so large as the statement made by the Senator from North Dakota; but I will accept his statement.

Mr. SHAFROTH. I should like to ask the Senator from North Dakota whether that 640,000 gross tons, which was stated to have been sunk during the month of May, does not comprehend the shipping of all of the nations? The 89 ships which are to be launched on the Fourth of July next, however, contemplate only what this Nation alone is doing.

Mr. McCUMBER. Yes; the Senator from Colorado is correct; it refers to the shipping of all nations; but there are only two

nations that are building ships which amount to anything, and those are the United States and Great Britain.

Mr. THOMAS. I think the Senator from North Dakota should add Japan as doing pretty well now.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. THOMAS. I yield to the Senator from South Dakota.

Mr. JOHNSON of South Dakota. I desire to ask the Senator from Colorado what amount of tonnage we now have in operation, if he knows?

Mr. THOMAS. I am unable to answer that question. Both on account of the sinkings and on account of additions, the amount of our shipping is constantly changing. I was going to attempt to approximate, but I shall not try to do so, as I have but little knowledge upon the subject.

I may say to my colleague, however, that the 89 ships which are to be launched upon the Fourth of July next, if I remember the account correctly, do not aggregate quite a million tons; most of them are of small size; so that their aggregate tonnage, while very considerable and very creditable, is a very small proportion of the amount of tonnage that is so badly needed at the present time.

Mr. REED. It is to be a Fourth of July spurt; it does not mean that we are going to get that much on the 2d of July or on the 3d, but only on the Fourth.

Mr. THOMAS. Yes, Mr. President, that is a very timely suggestion. We are going to make on the Fourth day of July, the natal day of the Nation, a special effort to launch more ships than perhaps we shall launch for a good many days succeeding. So in determining how many troops we are going to send to France, we must not lose sight of our capacity to send them. I am not at all sure that it is a proper policy to equip, discipline, and train more soldiers than we can send or more soldiers than we know, with a reasonable degree of accuracy, that we can send within the next 6, 8, or 10 months.

Mr. President, I do not believe that I minimize at all the tremendous task confronting this Nation. I believe that I feel and realize quite as keenly as do any of my colleagues or any of my fellow citizens, that if we are to succeed in this great struggle we must mobilize and utilize every resource of the Republic; that, if the world is to be made safe for democracy and if Anglo-Saxon civilization is to be preserved, we must not fail in any direction or at any time to make the winning of the war the business of the Nation and the business as well of every one of its citizens.

But, Mr. President, it has been well said that this is not a war of armies, but a war of peoples; not a conflict between military forces, but a conflict between the industrial, social, moral, political, and military elements of all the nations engaged in it. Germany's successes have been quite as much due to her recognition of that mighty fact as to the superior excellence of her armies. Her conquest of Russia was not effected by her legions, but by her propagandist policy, which began years ago, and which has been developed with a fiendish perfection, so that when the hour came, it could be utilized for Russia's destruction. We must carry on a similar warfare.

We must also remember that the man upon the farm, the boy at school, the workman in the shop, the constructor of war materials, is as much a factor, each is as much a soldier enlisted in this great conflict and performing his duty as fully as though he were in the trenches at the front; and that, unless he continues to perform that service, the man in the trenches can not perform his duty there.

I believe, Mr. President, in some draft system which will take under governmental supervision the man power of the country, not so much for the purpose of increasing our armies, but for the purpose of increasing the forces in our factories and upon our farms.

The Senator from Maryland [Mr. FRANCE] has introduced and has several times advocated a measure of that sort. I believe it is his intention to offer it as an amendment to this bill. That, Mr. President, in my judgment, is the sort of amendment to the draft law which the present exigency requires.

The men who strike in the factories, the men who fail to work their eight hours a day and to give the Government or their employer due consideration, and therefore the men who interfere with the general progress of development and of production in this country, should be under the military arm of the Government and be subject to the infliction of the military code just as much as the soldier who wears the uniform of his Government and who stands before the hail of bullets of the enemy. So believing, Mr. President, I am unable to support this amendment. I do not believe that it is necessary at this time.

It has been stated here that more than 200,000 young men under the age of 21 and over the age of 18 are in the Army as volunteers. One of the predictions made of the conscript law, one of the things which, in theory at least, it sought to do away with, was that system of volunteering which deprived the Nation of the best and most enthusiastic blood of its youth and depleted the country of its finest material of young men; yet it appears that, notwithstanding the conscript law, the volunteer system is quite as effective as it was before we had a conscript law, and that, instead of being a substitute for, it is merely a supplement to that old and better volunteer system which, supported by patriotism, like hope, "springs eternal in the human breast," and marches in the great human army which in a Republic may always be relied upon when the Government needs the services of its citizens.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. THOMAS. Yes.

Mr. CHAMBERLAIN. The volunteers who have been mentioned are young men who went into the National Guard system before the draft law was enacted; so that the volunteers in the service now have probably reached the age limit, unless some go into the new National Guard organization which is now provided for.

Mr. THOMAS. I think the Senator from Oregon is mistaken in the statement that they all enlisted in the National Guard before the draft law was enacted.

Mr. CHAMBERLAIN. Practically they all were.

Mr. THOMAS. The draft law, as I remember—the Senator from Oregon will correct me if I am wrong—expressly recognized the right of volunteering between the ages of 18 and 45 in the Regular Army and in the National Guard.

Mr. CHAMBERLAIN. I do not think so.

Mr. THOMAS. I know personally of many instances where men less than 21 years of age did volunteer in the National Army after that law was passed.

I am not finding fault with that law, Mr. President. I opposed it conscientiously and unsuccessfully, but since its adoption it has had my undivided and constant support. I think, however, it is well enough to call attention to the fact that, inasmuch as it does permit volunteering, we shall get, as we have got, plenty of volunteers, the most of them beneath but many of them above the age limitation.

Mr. President, this is too important a matter, in my judgment, for Congress to pass upon affirmatively as an amendment to the military appropriation bill. It is a question of Nation-wide importance; it is one which affects every calling, every man with the age, the family of every man within the age, and every industry and pursuit of the Nation. It is a matter which should be made the subject of a separate bill just as much as the draft law was made the subject of a separate bill. It should be introduced as a separate item of legislation; it should be considered by the appropriate committee; we should have the best information that can be acquired from the highest military sources. We should also inquire the extent to which our industries may be affected. Then, with that wealth of information before us, coupled with such recommendations as the administration may see fit to make, we can act wisely, intelligently, and permanently.

Of course, there has been a good deal of discussion both official and unofficial regarding the raising of the age limit. I am quite aware of the sentiment of Gen. Crowder regarding it; and I wish, Mr. President, to add my own to the encomiums which have here been pronounced upon the work of that splendid officer. He has discharged the duties which the Executive called upon him in a time of great stress to administer, and he has wisely, efficiently, and successfully administered a great military law. Under it he has built up a magnificent Army, and is entitled to the highest praise that a grateful Nation can bestow; but, Mr. President, we must remember, nevertheless, that it is a part of the military training to urge increases in the Army and increases of the limits of service. A soldier would hardly be a soldier if he did not develop such an attribute. The general wants a large Army; his reasons may be of the best; I am not criticizing them; I merely state the tendency of all things military toward a larger and a yet larger establishment; indeed, if I had the time, I believe I could demonstrate that this war was due to the expansion of that spirit, beginning perhaps in low degree, but so developing itself as finally to engulf a great people, and convert a great empire from one of the finest monuments of modern civilization to the most brutal and dominating force ever known to man. But even he, Mr. President, so far as I am aware—and I am now referring to Gen. Crowder—even he has not been before the Senate committee, nor do I think before the committee of the other House, urging upon them or upon us an immediate consideration and enactment of this measure or anything like it.

So that we only have unofficially his view; which, however correct it may be, is not sufficient, in my mind, to justify us in affirmatively passing upon this very important amendment.

Mr. HITCHCOCK. Mr. President, I present a proposed amendment to the bill and ask to have it printed. I wish to say in reference to it that I expect to offer it as a substitute for the amendment offered by the Senator from New Mexico [Mr. FALL].

In further explanation, I desire to say that we seem to be confronted in this bill with the need of amending our draft law in order to comply with the desires and relieve the embarrassments of the Department of State. The present draft law provides for the drafting not only of American citizens but of those aliens who have declared their intention to become citizens. When an alien of Great Britain or Italy or France has declared his intention to become an American citizen and is drafted, there is no objection to that on the part of his country; but when we attempt to draft the citizens or subjects of neutral countries we have been confronted with the fact that we are violating treaties, and to some extent are violating international comity. The representatives of those countries have appealed to the State Department in thousands of cases to secure immunity for those declarants. It seems to be necessary, therefore, in order to relieve the State Department of that embarrassment, to amend the law by giving absolute immunity to these declarants. At the present time the War Department, under the interpretation of Gen. Crowder, has construed the act of Congress as repealing the treaties, and although the State Department is unable to take that view of it, so long as the War Department holds that view and sends these men to Europe against their will and in spite of protests we are likely to be embroiled in very serious embarrassment. I think, therefore, we must amend the law.

In the amendment I propose that where the declarant is drafted and sets up his immunity he shall be at once released; but when he is released under those circumstances his declaration to become an American citizen is automatically canceled and recalled, and he can never thereafter become a citizen of the United States. I have inserted that provision with the idea that that will restrain men from setting up the claim of immunity, and if they do set it up they will lose their right to become American citizens. I come from a State in which there are a good many so-called declarants—that is, men who have declared their intention to become citizens—and it would cause a good deal of ill feeling and a good deal of indignation on the part of American citizens whose sons are subjected to the draft to have their neighbors released from the draft and to stay at home to do the voting while their sons go to the war.

I therefore am going to offer this amendment—I hope it will not come up until to-morrow, and in the meantime it can be printed—as a substitute for the amendment offered by the Senator from New Mexico. In it I have placed the ages from 20 to 40 years, with the impression that I can in that way concur with the amendment proposed by the Senator from New Mexico.

Mr. GALLINGER. Mr. President, may I ask the Senator if his amendment is of much length?

Mr. HITCHCOCK. No; and I shall be glad to have it read.

Mr. GALLINGER. I should like to have it read if it is not a long amendment.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The SECRETARY. As a substitute for the amendment offered by Mr. FALL, it is proposed to insert the following:

That the second sentence of section 2 of an act to amend an act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be amended to read as follows:

"Such draft as herein provided shall be based upon liability to military service of all male citizens between the ages of 20 and 40 years, both inclusive, and also such male residents of the United States as are the nationals of countries cobelligerent with the United States in the present war or are the nationals of countries neutral in the present war and have declared their intention to become citizens and failed to assert any claim to immunity as foreign nationals: *Provided, however*, If such claim to ammunity is asserted, it shall be recognized and shall operate automatically as a withdrawal and cancellation of the declaration to become an American citizen, and the individual shall forever be debarred from becoming one."

Mr. REED. Mr. President, some figures have been given this afternoon that ought to be corrected. The country has been misled often enough by loose and flamboyant figures. I read the other day a statement made by a Representative in Congress as to the number of fighting planes we had on the other side which had no relation whatever to the facts. Statements have been made this afternoon that we can draw an army of eight or nine million men from those who are now within the draft age, and the impression would go to the country that all we have to do is to keep calling men just as we are calling them now, and we can have eight or nine million men out of those within the draft age. If the Senate will bear with me a moment I will give them the best figures obtainable, and Senators will be astounded, I think, at the smallness of the Army we are to have from those now covered by military draft law.

Mr. President, the total number of men who were registered and who were required to file questionnaires was 8,689,447. They were placed in five classes. Class 1 included 2,428,729 men; class 2, 509,666; class 3, 427,870; class 4, 3,483,326; and class 5, 1,839,856.

What are those classes? Those embraced in class 1 are as follows:

A. Single man without dependent relatives.
B. Married man, with or without children, or father of motherless children, who has habitually failed to support his family.
C. Married man dependent on wife for support.
D. Married man, with or without children, or father of motherless children; man not usefully engaged, family supported by income independent of his labor.
E. Unskilled farm laborer.
F. Unskilled industrial laborer.
Registrant by or in respect of whom no deferred classification is claimed or made.
Registrant who fails to submit questionnaire and in respect of whom no deferred classification is claimed or made.
All registrants not included in any other division in this schedule.

That is class 1, and you will observe that it is very broad. I come now to class 2:

A. Married man with children or father of motherless children, where such wife or children or such motherless children are not mainly dependent upon his labor for support for the reason that there are other reasonably certain sources of adequate support (excluding earnings or possible earnings from the labor of the wife), available, and that the removal of the registrant will not deprive such dependents of support.
B. Married man, without children, whose wife, although the registrant is engaged in a useful occupation, is not mainly dependent upon his labor for support, for the reason that the wife is skilled in some special class of work which she is physically able to perform and in which she is employed, or in which there is an immediate opening for her under conditions that will enable her to support herself decently and without suffering or hardship.
C. Necessary skilled farm laborer in necessary agricultural enterprise.
D. Necessary skilled industrial laborer in necessary industrial enterprise.

It is getting pretty dangerous when you begin to take the skilled industrial labor and the skilled agricultural labor, and it is getting to be a pretty great hardship when you take the married man with children, and take him simply because there may be some other means of support outside of him, not in the way of his fortune, but from some other source; and it is getting to be a very great hardship when you take the husband of the wife because she can go out and get a job and go to work.

Now I come to class 3:

A. Man with dependent children (not his own), but toward whom he stands in relation of parent.
B. Man with dependent aged or infirm parents.
C. Man with dependent helpless brothers or sisters.
D. County or municipal officer.
E. Highly trained fireman or policeman, at least 3 years in service of municipality.
F. Necessary customhouse clerk.
G. Necessary employee of United States in transmission of the mails.
H. Necessary artificer or workman in United States armory or arsenal.
I. Necessary employee in service of United States.
J. Necessary assistant, associate, or hired manager of necessary agricultural enterprise.
K. Necessary highly specialized technical or mechanical expert of necessary industrial enterprise.
L. Necessary assistant or associate manager of necessary industrial enterprise.

Mr. President, you can not take those men, or any one of those classes of men, without striking at the very roots of our production which is essential to the war.

Now, I read class 4:

A. Man whose wife or children are mainly dependent on his labor for support.
B. Mariner actually employed in sea service of citizen or merchant in the United States.
C. Necessary sole managing, controlling, or directing head of necessary agricultural enterprise.
D. Necessary sole managing, controlling, or directing head of necessary industrial enterprise.

Why, when you go out and take the heads of the great factories and skilled labor, what will remain to back up our armies in the field?

Now, see how far class 5 reaches:

A. Officers—legislative, executive, or judicial of the United States or of State, Territory, or District of Columbia.
B. Regular or duly ordained minister of religion.
C. Student who on May 18, 1917, was preparing for ministry in recognized school.
D. Persons in military or naval service of United States.
E. Alien enemy.
F. Resident alien (not an enemy) who claims exemption.
G. Person totally and permanently physically or mentally unfit for military service.
H. Person morally unfit to be a soldier of the United States.
I. Licensed pilot actually employed in the pursuit of his vocation.

Out of the 2,428,729 men in class 1 certain deductions must be made of delinquents, Emergency Fleet employees, limited-service men, remediable defectives, and cases pending and not physically examined on date of last report; so that we now find that there has actually been called out under the 1917 registration a total of 1,575,572 men to date, and there remains yet uncalled in class 1 of the draft 475,000 men who will be called some time between now and the middle of September, making a total of 2,050,572 men, or the whole of class 1, who will be called by the middle of September, this year. From the date of the first registration, June 5, 1917, to June 5, 1918, there were 740,000 men who became of age and registered. Out of this number it is estimated that 400,000 can be called to the colors. In addition to this we have an army composed of the National Guard and enlisted men of 800,000, making a grand total of 3,350,572 men in our Army when all available men in class 1 of the drafts have been called.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. REED. Yes.

Mr. WARREN. Has the Senator in his calculations considered the wastage that is constantly going on?

Mr. REED. I have not considered the wastage. Of course, any great battle might make a difference. I am simply speaking of the total. I am not taking into account deaths. It is the best military opinion that none of the classes except class 1 should be touched. They embrace the married men who are heads of families and have families dependent upon them. They embrace the men who are engaged in the management of great factories and institutions essential to the war. They likewise embrace those skilled workmen who must be kept in the shops of the country in order that we may produce enough for the war. In other words, they embrace a class of men that the best military opinion holds are essential to the industries of our country, or else they are the heads of families actually supporting their wives and children, and hence, if taken, the wives and children will become a charge upon the country. So that, counting this matter up and reducing it to figures as nearly as I am able to do in a somewhat hasty examination of figures which are accurate, we are about in this situation:

We have from the present draft, and will have from the draft when we have exhausted all of class 1, approximately 2,600,000 drafted troops. We will have from other sources—that is, the National Guard, the Regular Army, and so forth—approximately 800,000 men; so that we will have an Army of approximately 3,400,000 men, and then the present draft will have been exhausted, unless we go into classes 2, 3, 4, and 5, which it is thought ought not to be called.

The object of my observations thus far is simply and only to get accurate figures before the Senate and let us have done with this—I will not say nonsense—but this mistaken idea of boastfully saying to the world that America can raise out of her present draft eight or nine million troops. That can not be done practically. If we are going to raise an Army much beyond 3,400,000 men, then we must either go into classes 2, 3, 4, and 5 or we must extend the age limit, either raising it up or lowering it down, or extending it in both directions.

Mr. FRELINGHUYSEN. Mr. President, may I ask the Senator a question?

Mr. REED. I yield.

Mr. FRELINGHUYSEN. Where are these figures taken from? I was not in the Chamber when the Senator began his speech.

Mr. REED. I was asked not to disclose the exact source of them. I will say that they are correct.

Mr. FRELINGHUYSEN. Are they official figures from the Judge Advocate General's Department? The only reason why I ask the question is that Gen. Crowder has just made the statement to me that the entire strength of the Army will be two million and a half of men in three months, and I am surprised at the Senator's statement that it will be 3,400,000.

Mr. REED. I shall be glad to give the Senator, in confidence, the source of my information. It has been suggested to me that the mistake may come in this way: My figures of 3,400,000 include the Regular Army, the Volunteers, the National Guard, and then include all that we have obtained by the draft or those that we will get from the draft unless we invade classes 2, 3, 4, and 5.

Mr. POMERENE. Mr. President, if I may ask the Senator a further question, assuming that the same rules of physical qualification are enforced as to the lower classes, how large an Army could we raise?

Mr. REED. From the other classes?

Mr. POMERENE. Yes.

Mr. REED. I could not answer that. I assume that the other classes are no more physically unfit than the class that we have spoken of.

Mr. WADSWORTH. Mr. President, may I ask the Senator a question?

Mr. REED. I yield.

Mr. WADSWORTH. Did the Senator say, in the course of his remarks—I had to leave the Chamber—how many men are in the Army now?

Mr. REED. Yes; that is included.

Mr. WADSWORTH. Will the Senator say what the number is?

Mr. REED. Yes; I can say to the Senator approximately. You will have 3,400,000 in September, and if you will take out of that the 875,000 that are yet to be called under the old and new drafts you will have substantially the present Army. The Senator can make the subtraction himself.

Mr. WADSWORTH. Then I understand that that is the limit of our increment, certainly within the year?

Mr. REED. Yes.

These figures have been handed to me in the Senate Chamber. I have not had time to digest them, and I apologize for taking so many words to present a matter that I could have placed before the Senate in shorter compass if I had had a little time to collate my facts. But I rose only to submit these figures in order that we might get our feet on the ground and know what we are talking about, and quit talking about eight or nine million men within the draft age, just like we ought to quit talking about 3,000 airplanes on the front. If we had 3,000 good fighting airplanes on the front at this time, the Germans would be in retreat. If we had 500 great fighting Caproni machines on the Italian front, the probabilities are that the Austrian troops would retreat entirely from Italian territory, and likely enough the Austrian Empire would fall to pieces, because men who know say that a few bombing machines over the capital of Austria would break the morale of that people at the present crisis. We do not have them, and we do not have them because there has been a good deal of talk about flying machines that have never flown and never will fly except in the imagination of gentlemen who have been entertaining the country with dreams.

Mr. VARDAMAN. Mr. President, will the Senator tell me how many we have?

Mr. REED. I can not tell the Senator accurately. We have a very small number, with a very large number coming on, I am happy to say; but we have no bombing planes at present. That, however, is another matter, and I do not want to go into it, because the committee has been investigating it, and I wish to let them report.

So I think the problem that is now confronting us is this: Are we content at this time to allow the law to remain so that the maximum of our Army next fall will not exceed 3,400,000, and so that when that time shall have arrived—which is only 60 to 90 days from now—we will then be without any law under which any other troops can be drawn, unless we go into classes 2, 3, 4, and 5? And then if we do desire a larger Army than 3,400,000 to be constructed by that time, or to be in process of construction by that time, is it better to increase that number by changing the age limit or is it better to go into these classes 2, 3, 4, and 5 in order to get the additional number? Let us assume that we ought to have an additional Army in creation of 1,000,000 men—that is, 1,000,000 more than the 3,400,000—and that we ought to be preparing now for that. The problem then would be, Shall we get that from classes 2, 3, 4, and 5 or would we better get it by changing the age limit? Which will be the greatest injury to the country? Which will give us the best Army? Which will involve the least expense?

We do not have the figures, or, at least, I do not have them in my possession, as to the number of men unmarried and without dependents between the ages of 30 and 40; but it does seem to me that it would be very much better to call the unmarried men without dependents between the ages of 30 and 40 than it would to call the men from classes 2, 3, 4, and 5. I think, therefore, that we ought to take time and get the information and know what we are doing, and not guess at it.

Mr. President, I do not believe it is wise for us to take men out of the industries of this country faster than we can take them into the Army, digest them—if I may use that term—and transport them. I agree in a large measure that the remarks of the Senator from Colorado [Mr. THOMAS] along that line were very wise. That is undoubtedly true. It would be a mere wastage to take a lot of men from industries where they are needed to put them out in military camps and keep them there

if they can not be there utilized. That, of course, is true; but, Mr. President, what are the facts?

Let us take the question of transportation. The fact is that every 30 days we are sending about 200,000 troops to Europe. If we have the boats to do that now, we will have as large a number of boats in the future. We hope by this time that we have overtaken the destruction of the submarine, so that the production is equal to the destruction, and that in a very short time the production will outrun the destruction, so that our ability to transport troops must be on the increase; and yet, at the rate of present transportation, we shall have sent our entire Army abroad in a very few months of time. In a very few months of time, therefore, we can transport more troops; and the question that we ought to be considering, it seems to me, in all solemnity, is the creation of additional troops if they are going to be necessary. The preliminary steps ought to be taken. There should be no time lost. There should be no interregnum between the completion of the present draft, the creation of the present army, and the bringing into the service of additional troops in such numbers as may be necessary to meet the great emergency that now confronts the world.

I am heartsick—and I say this with as much sorrow as I ever said anything in my life—when I contemplate what has been done, at the frightful chances that we have taken by reason of being behindhand with our work. We are behindhand in many respects. There is no use in complaining about a thing that is water over the dam. The question is, What are we to do in the future? If we had proceeded according to the best possible means we would have had airplanes in large numbers before this time; we would have had more ordnance before this time; we would have had many more things in the nature of necessary equipment, and I believe every man in the Senate will agree that those mistakes never ought to be repeated. I say this without any bitterness, without any desire to criticize anybody. They are the mistakes that other countries have made. They may be mistakes that are almost incident in a situation, and yet we ought to avoid them in the future.

So far as I am concerned, I am thoroughly convinced of the fact that if the United States is to emerge from this war with honor, with a glorious victory that will in part compensate for the fearful price in blood and treasure we are compelled to pay, the sooner we get men and metal in overwhelming amounts upon the European battle fields the sooner the struggle will be over and the less will be the expense. While I do not want to force my views upon the War Department, and recognize that it would be useless for me to attempt to do so, I do believe that the Congress of the United States is warranted in so amending this law that the President may, in his discretion, call for troops as rapidly as they can be absorbed into the great Military Establishment and transformed into soldiers.

In this connection I cite a fact that is so well known that it can not be regarded as a military secret. Many troops are being sent to Europe to-day with a very short course of training. That I do not criticize, because I believe we ought to do it, but I regret that we have to do it. I hope that we will keep on collecting troops in these cantonments and training the troops, so that when our men go across they will go well fitted for the task that is before them.

Mr. OVERMAN. Mr. President——

Mr. REED. I yield to the Senator.

Mr. OVERMAN. The Senator is an able member of the Committee on Military Affairs, and I want to know for my own satisfaction whether the War Department has sent any estimates or whether he has from any source an estimate sent to the committee stating how many men there ought to be and what the ages ought to be?

Mr. REED. The only way I can answer that question with propriety, I think, is to say this: There seems to be an opinion on the part of some of our officers that for the present we do not need any increase; that until we have absorbed all the men in class 1, at least, we do not need to amend the law. Mr. President, one of the officers who has been most persistent in that opinion is no more a military man than the Members of this body. I do not reflect upon him at all; I entertain for him a very great respect; but he has made mistakes in the past. He will make some in the future. We all make mistakes. As far as I am concerned, I am utterly unwilling to see the creation of this Army cease on the 15th day of next September with an Army of only 3,400,000 total. If we are going to need more men after the 15th day of next September, it is now late enough to begin calling them. We can scarcely get out the papers between now and the 15th day of next September to call the men for a new draft which might be authorized to-day. It seems to me that there is going to be a great lapse here. This is a grave situation.

Let me say this to the Senate in conclusion; let me appeal to your judgment on this point: Before we had sent a soldier to Europe, if the battle over there had gone against us, we could have lined our troops and massed our cannon on our own shores and stood here and fought the Huns forever and a day. Even if all Europe collapsed we could have defended ourselves, I believe, against all kinds of attack. Therefore until we sent our soldiers the issue was different from that which is presented to-day.

Now, we have 900,000 of our boys in Europe, and every one of them is a hostage for victory. If the European line should be broken, if a great disaster should befall, if these 900,000 men of ours should be killed or captured, then we can not stand on our shores and defy Germany. The injury has already been irremediable and our boys would be captives in German prison pens. They are our hostages for an effort that will exhaust all the resources of this country. Back of them we are pledged by our action, our fortunes, and our lives and all that we possess. Having put 900,000 men in this position of peril, I deem it my duty to do all that lies within my power to see to it that they are backed up not by sentiment, not by speeches, not by bombast, but by other men and other guns and other ships, so that they shall be secure because of their numbers and invincible because they represent the strength of the entire Nation.

Mr. JONES of New Mexico. The Senator has referred to the time that will be required in the preparation of papers. I should like to ask the Senator whether if this amendment should be adopted as it is now framed the men coming within the new ages would be considered as acceptable as the men within the present draft age?

Mr. REED. I assume that those within the present draft are already registered. There will be a registration of the new men.

That I may not be misunderstood, let me state that I do not want to be understood as advocating, in what I said, the amendment proposed by the Senator from New Mexico. I do advocate some extension of the draft.

Mr. FALL. If the Senator from Missouri will yield to me for a moment, or if my colleague will yield to me——

Mr. JONES of New Mexico. I simply rose to ask the question, and perhaps my colleague can answer it.

Mr. FALL. I can answer it very definitely. Under the rule I have a right at least to perfect my amendment. If I am recognized for that purpose, or in the time of my colleague and he yields for that purpose, I shall ask leave to perfect the pending amendment by striking out in line 2 the word "eighteen" and inserting in lieu thereof the word "twenty"; in line 3 by striking out the word "five," after the word "forty," and striking out all of line 4, so that it will read:

Provided, That the age limit fixed in said act is hereby changed and shall be, and is hereby, fixed at 20 and 40 years in lieu of 21 and 31.

Mr. JONES of New Mexico. I should like to ask my colleague if that would permit the exhaustion of the present age limit before bringing in the additional ages. In other words, I ask my colleague whether the adoption of this amendment would bring about a confusion in the operation of the present law as applied to the present ages.

Mr. FALL. It could not bring about any confusion. It would simply increase the number of men under 21 in class 1 and over 31 in class 1.

Mr. GALLINGER. Will the Senator permit me? In making those changes in his proposed amendment does the Senator strike out the proviso?

Mr. FALL. I strike out the proviso entirely. I will say that I do that after hearing the debate and after consultation with a large number of Senators, including the Senator from Nebraska [Mr. HITCHCOCK].

Mr. GALLINGER. I thought of offering an amendment in the exact terms of the Senator's amendment as amended, but I shall not offer it.

Mr. FRANCE. I desire to offer an amendment to the amendment of the Senator from New Mexico [Mr. FALL]. I ask that it be read.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 1, line 6, at the end of the line, insert "but those between the ages of 19 and 21, exclusive, shall be called for education or training, nonmilitary, military, or both, or for other forms of noncombatant national service during a portion or all of each year."

Mr. KING. I offer an amendment, which I ask may lie on the table and be printed.

The VICE PRESIDENT. That action will be taken.

LEGISLATIVE, ETC., APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. I present a report of the conferees on the legislative, executive, and judicial appropriation bill, and ask for its adoption.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10358) "making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following:

"The minimum of daily hours of labor required of all clerks and other employees of the several executive departments and independent establishments, prescribed by section 7 of the act of March 15, 1898, as amended, is increased during the period of the existing war from seven hours to eight hours under the same authority and conditions specified in the said act as amended."

And the Senate agree to the same.

THOMAS S. MARTIN,
LEE S. OVERMAN,
O. W. UNDERWOOD,
F. E. WARREN,
REED SMOOT,
Managers on the part of the Senate.

JOSEPH W. BYRNS,
JOHN M. EVANS,
WILLIAM H. STAFFORD,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report? The Chair hears none. The question is on agreeing to the conference report.

Mr. SHEPPARD. May I ask a question of the chairman of the Committee on Appropriations? I understand that the Senate conferees agreed to the House provision relating to the extension of the working time for clerks to eight hours.

Mr. MARTIN. They did, and it made an eight-hour day. The House insisted on that, and in order to reach an agreement and to have this bill passed, which it is vitally important shall go into effect the 1st of July, the Senate conferees receded on that amendment.

Mr. GALLINGER. It is a matter of regret to me that the Senate conferees felt obliged, as I understand they did feel obliged, to do so, or possibly lose the bill, and that they agreed to the so-called Borland amendment. I think it is a mistake, but under the circumstances I take it for granted it could not be avoided.

Mr. MARTIN. I fully agree with the Senator. We have to make concessions in order to accomplish legislation, and we did recede from that amendment of the Senate.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m., Tuesday, June 25, 1918) the Senate took a recess until to-morrow, Wednesday, June 26, 1918, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 25 (legislative day of June 24), 1918.

ASSISTANT TREASURER OF THE UNITED STATES.

Charles B. Strecker, of Boston, Mass., to be Assistant Treasurer of the United States at Boston, Mass. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

William U. Hews, of Idaho, to be receiver of public moneys at Hailey, Idaho, his term having expired May 3, 1918. (Reappointment.)

APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants with rank from June 12, 1918.

Cadet John Paul Dean.
Cadet Patrick Henry Timothy, jr.
Cadet Hugh John Casey.
Cadet Robert Earle Hamilton.
Cadet Patrick Henry Tansey.
Cadet Hans Kramer.
Cadet Albert Gordon Matthews.
Cadet Amos Blanchard Shattuck, jr.
Cadet Leland Hazelton Hewitt.
Cadet Michael Charles Grenata.
Cadet Preston Wood Smith.
Cadet Thomas Francis Kern.
Cadet Ralph Edward Cruse.
Cadet Lewis Tenney Ross.
Cadet Roland Stenzel.
Cadet Charles Francis Baish.
Cadet Clarence Lionel Adcock.
Cadet Keryn ap Rice.
Cadet Charles Stuart Ward.
Cadet Henry Morehead Underwood.
Cadet James Bryan Newman, jr.
Cadet James Marshall Young.
Cadet James Creel Marshall.
Cadet Walter Ernest Lorence.
Cadet Meyer Loshie Casman.
Cadet Lucius Du Bignon Clay.
Cadet Lloyd Ernst Mielenz.
Cadet Pierre Alexander Agnew.
Cadet Alexander Murray Neilson.
Cadet Hoel Smith Bishop, jr.
Cadet Charles Emmett McKee.
Cadet Robert Habersham Elliott.
Cadet Samuel Davis Sturgis, jr.
Cadet Thomas Hay Nixon.
Cadet Anderson Thomas William Moore.
Cadet Reginald Whitaker.
Cadet Eugene Mead Caffey.

FIELD ARTILLERY ARM.

To be second lieutenants, with rank from June 12, 1918.

Cadet Roland Mac Gray.
Cadet Robert Johnson Horr.
Cadet John Loughlin Grant.
Cadet Paul Ludwig Deylitz.
Cadet Leo Myron Kreber.
Cadet Edwin Luther Sibert.
Cadet O'Ferrall Knight.
Cadet Charles Clifton Blanchard.
Cadet Paul Eleanor Hurt.
Cadet Henry Winston Holt.
Cadet Clarence Page Townsley, jr.
Cadet James Hubert Roemer.
Cadet John Mesick.

COAST ARTILLERY CORPS.

To be second lieutenants with rank from June 12, 1918.

Cadet Julius Joseph Mussil.
Cadet James Milligan Gillespie.
Cadet Milo Benson Barrigan.
Cadet Oscar Alfred Axelson.
Cadet George Bicker Aigeltinger.
Cadet Joseph Stubbs Robinson.
Cadet James Faulkner Pichel.
Cadet Roy Douglas Paterson.
Cadet John Lawrence Hanley.
Cadet Albert Edwin Marks.
Cadet John Arthur Weeks.
Cadet Fred William Gerhard, jr.
Cadet Jacob Gunn Sucher.
Cadet Howard Harvey Newman, jr.
Cadet Ernest Lenwood Stephens, jr.
Cadet Nevins Dorsey Young.
Cadet Benjamin Franklin Manning.
Cadet Paul William George.

CAVALRY ARM.

To be second lieutenants with rank from June 12, 1918.

Cadet Henry Milton Alexander.
Cadet Clyde Beauchamp Bell.
Cadet John Magruder Bethel.
Cadet Francis Parker Tompkins.
Cadet Cornelius Comegys Jadwin, II.
Cadet Donald Coray.
Cadet William Frederick Holford Godson, jr.
Cadet William Lillard Barriger.
Cadet Frederick William Fenn.
Cadet Elmer Quillen Oliphant.
Cadet Jonathan Lane Holman.
Cadet Francis Earle Rundell.
Cadet George Baird Hudson.
Cadet Edmund Bellinger Bellinger.
Cadet Harry Clay Mewshaw.
Cadet Joseph Perry Catte.
Cadet Maxwell Michaux Corpening.
Cadet Peter Lee Atherton Dye.
Cadet Frank Thorpe Turner.

INFANTRY ARM.

To be second lieutenants with rank from June 12, 1918.

Cadet Charles Ellicott Hoffman.
Cadet Hugh Ambrose Murrill, jr.
Cadet Paul Bernard Malone, jr.
Cadet Ernest William Gruhn.
Cadet Edwin Hunter Crouch.
Cadet William Crosby Coogan.
Cadet John Haleston.
Cadet Robert Hilton Offley.
Cadet John Paul Zachman.
Cadet Elton Thomas Cobb.
Cadet Edward Alvin Grupe.
Cadet Fracisco Cintron, jr.
Cadet Richard Gray McKee.
Cadet Julian Kitchen Miller.
Cadet Joseph Charles Kovarik.
Cadet Wynot Rush Irish.
Cadet Royal Adam Machle.
Cadet Leonard Randall Nachman.
Cadet Clark Hazen Mitchell.
Cadet William Maynadier Miley.
Cadet Duncan Hodges.
Cadet Wayne Wallace Wells.
Cadet Alfred Armstrong McNamee.
Cadet Francis Joseph Achatz.
Cadet Harold Strong Kelley.
Cadet Leon Calhoun Boineau.
Cadet Harold Wilbert Gould.
Cadet Howard Parrill Richardson.
Cadet George Bittmann Barth.
Cadet Harry Benham Sherman.
Cadet Albert Francis Ward.
Cadet John Templeton Newland.
Cadet Carroll Tye.
Cadet Benjamin Ransom McBride.
Cadet Thomas Quinton Donaldson, jr.
Cadet Philip Edward Gallagher.
Cadet Carroll Kimball Leeper.
Cadet Edward Nathaniel Jones, 3d.
Cadet Herbert Benjamin Williams.
Cadet Harold Berkeley Lewis.
Cadet Charlie Quillian Lifsey.
Cadet Hugh McCalla Wilson, jr.
Cadet Dwight Terry Francis.
Cadet William Nimmons Davis.
Cadet Dorr Hazlehurst.
Cadet Robert Trueheart Foster.
Cadet Robert Edwin Bagby.
Cadet Edwin Davis Dando.
Cadet Frederick von Harten Kimble.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

INFANTRY.

To be captains with rank from January 21, 1918.

First Lieut. Sidney F. Mashbir.
First Lieut. William P. Scobey.
First Lieut. William C. Moore.

To be captain with rank from February 24, 1918.

First Lieut. Albion Smith.

To be captain with rank from February 28, 1918.

First Lieut. Edwin D. Patrick.

To be captain with rank from March 15, 1918.

First Lieut. Herman F. Kramer.

To be captain with rank from April 4, 1918.

First Lieut. Clarence P. Evers.

To be captain with rank from April 9, 1918.

First Lieut. William H. Coacher.

To be captain with rank from May 9, 1918.

First Lieut. Edward S. Johnston.

To be captain with rank from June 7, 1918.

First Lieut. John T. Henderson.

These nominations were submitted to the Senate January 31, 1918, and were confirmed by that body on February 13, 1918.

This message is submitted for the purpose of correcting errors in dates of rank of the nominees.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

To be major with rank from May 15, 1917.

Capt. Harry S. Howland, United States Army, retired.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 7th day of March, 1918:

Charles A. Pownall,
Earl A. McIntyre,
Milton H. Anderson,
Edgar R. McClung,
Wells E. Goodhue,
Harvey S. Haislip, and
Rivers J. Carstarphen.

Lieut. (Junior Grade) George H. Fort to be a lieutenant in the Navy from the 8th day of June, 1918.

Passed Asst. Surg. Willard G. Steadman, jr., to be a surgeon in the Navy with the rank of lieutenant commander from the 15th day of October, 1917.

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant from the 22d day of April, 1918:

Foster H. Bowman,
William W. Wickersham,
Charles W. Depping,
William A. Stoops, and
Talmadge Wilson.

Machinist Oscar D. Parker to be a chief machinist in the Navy from the 17th day of January, 1918.

Pay Clerk William H. McKenna to be a chief pay clerk in the Navy from the 2d day of September, 1917.

Pay Clerk Leroy Moyer to be a chief pay clerk in the Navy from the 10th day of April, 1918.

Lieut. (Junior Grade) Roman J. Miller to be a lieutenant in the Navy, for temporary service, from the 1st day of February, 1918.

Lieut. (Junior Grade) Joseph J. Clark to be a lieutenant in the Navy, for temporary service, from the 24th day of April, 1918.

The following-named temporary warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of June, 1918:

George Paille,
John P. Hildman,
Louis B. Raper,
Walter F. H. Nolte,
William H. Mann, jr.,
John M. Schmissrauter,
Franklin E. Cook,
Dougald E. Martin, and
Fred A. Hauser.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of June, 1918:

Froebel A. Lawrence,
Harry L. Hill,
Truman E. Ayers,
George W. Travis,
Lewis E. Shaw,
Meares B. Cartmell,
James F. Jeter,
John J. Dem,
Francis F. Martin,
James L. Freese,
Myron T. Grubham,
Charles F. Adams,
Richard L. Jones,
Edgar J. Hayden,

Werdebaugh Ramsay,
Christopher Bell, and
Hafford C. Southall.

Ensign Thomas R. Jones, of the United States Naval Reserve Force, to be an ensign in the Navy, for temporary service, from the 15th day of June, 1918.

The following-named citizens to be acting chaplains in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 14th day of June, 1918:

John C. Ely, jr., a citizen of Pennsylvania,
Simon A. O'Rourke, a citizen of Massachusetts, and
Frederick Schweitzer, a citizen of Pennsylvania.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 25 (legislative day of June 24), 1918.

COLLECTORS OF CUSTOMS.

Frederick C. Peters to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C.

James H. Fry to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind.

POSTMASTER.

PENNSYLVANIA.

Thomas M. Reed, Frackville.

HOUSE OF REPRESENTATIVES.

TUESDAY, *June 25, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our hearts go out in gratitude to Thee, our Father in heaven, for the deep and abiding patriotism which has ever characterized the American people and which insures the perpetuity of our Republic; for the alacrity with which our young men have sprung to the call of the colors in this hour of danger.

Encourage, strengthen, and maintain them, with our allies, that victory may crown their efforts and bring a lasting peace to the weary, worn world, and all praise shall be Thine, in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

RANK OF MEDICAL OFFICERS.

Mr. LAZARO. Mr. Speaker, I ask unanimous consent to address the House for not to exceed three minutes.

The SPEAKER. The gentleman asks unanimous consent to address the House for not to exceed three minutes. Is there objection?

There was no objection.

Mr. LAZARO. Mr. Speaker, I notice in this morning's CONGRESSIONAL RECORD that the principal committee amendment to the Army appropriation bill adopted in the Senate yesterday is that straightening out the dispute over the lack of rank in the Medical Corps of the Army. Substantially it contains the provisions of the Owen bill.

Complaint has been made that because of the inferior rank among medical officers they were unable to compel obedience to their orders affecting sanitation and health. Under the amendment adopted yesterday one additional major general and three additional brigadier generals are allowed to the Medical Corps of the Regular Army and three major generals and six brigadier generals provided for the Medical Corps for each million men of the National Army.

It is often said, and truly so, that this is a war of science and experts; therefore let us hope that the death rate from disease in this war shall be reduced from what it was in our past wars, especially the Spanish-American War, which is still fresh in our minds, in which we lost 14 men from disease where we lost 1 from bullets.

Without minimizing for a moment the splendor of Japan's victories on land or sea—Mukden, Port Arthur, Liaoyang, and the Corean Strait—of which two are among the bloodiest battles in history, it remains true that the greatest conquests of Japan have been in the humanities of war and the stopping of the needless sacrifice of life through preventable diseases. Longmore's Tables, which are accepted as reliable statistics of war, and which are based upon the record of battles for the past 200 years, show that there rarely has been a conflict of any great duration in which at least four men have not perished from disease to every one from bullets. All the statistics of the past were studied with the minutest care and detail by the Japanese. Their authorities recognized that in order to be victorious over a foe like Russia this great silent enemy that slaughtered 80 out of every 100 that fell had to be overcome. Japan sent her students all over the world to study army systems in every land. With the knowledge thus gathered she evolved a system of her own. The result was shown after their war with Russia. Japan lost in killed and died from wounds 52,946; died from all diseases, 11,992; more than four deaths from bullets to one from disease as against a record of centuries of four from disease to one from bullets, or 800 per cent better than the average of history. Only 1.2 per cent of the entire army died of sickness or disease. Only 1.5 per cent died of gunshot wounds, although 20 per cent were wounded. This record, I believe, is unparalleled in the annals of history.

This should be a lesson for us in this war, and we can do as well, if not better, provided our medical officers have more executive and less advisory privileges in matters of hygiene and sanitation in barracks and field. In Great Britain they have given very much more important recognition to the officers in the medical department, and the same thing is true with regard to France and Italy. This legislation is not only in the interest of the soldiers, but it is also a recognition of the valuable services rendered by the medical fraternity and in keeping with the high purposes and efficiency of the profession. I therefore trust that when this matter comes before the House it will receive careful and due consideration and that the amendment will be enacted into law.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the sundry civil appropriation bill, disagree to the Senate amendments, and ask for a conference. Is there objection?

There was no objection.

The Chair announced the following conferees: Mr. SHERLEY, Mr. BYRNES of South Carolina, and Mr. MONDELL.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 19, 1918:

S. 4445. An act granting the consent of Congress to Marion and Horry Counties, S. C., to construct a bridge across Little Peedee River.

On June 20, 1918:

H. R. 11284. An act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the following titles:

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the Senate had passed with amendments the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, in which the concurrence of the House of Representatives was requested.

SENATE RESOLUTION REFERRED.

Under clause 2, Rule XXIV, the following resolution (S. Res. 266) was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

IN THE SENATE OF THE UNITED STATES,
June 24, 1918.

Whereas H. R. 9248, a bill "To prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes," duly passed by the House of Representatives March 12, 1918, was considered in the Senate and passed with a reported amendment in the nature of a substitute May 11, 1918; and
Whereas on said May 11, 1918, a conference was asked and managers on the part of the Senate were appointed thereon; and
Whereas on June 14, 1918, the chairman of the Committee on the District of Columbia of the House of Representatives called said bill from the Speaker's table, and made thereon certain remarks seriously reflecting upon the honor and integrity of the Senate, as appears on pages 8452 to 8457 of the CONGRESSIONAL RECORD; and
Whereas subsequently on said June 14, 1918, managers were appointed on the part of the House of Representatives, of whom said chairman of said committee was one; and
Whereas said chairman of said House committee subsequently sent to each manager on the part of the Senate under date of June 19, 1918, the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"HOUSE OF REPRESENTATIVES, UNITED STATES,
"*Washington, D. C., June 19, 1918.*

"DEAR SIR: I write to advise you that on the 14th instant the House agreed to the request made by the Senate for a conference on H. R. 9248, the antiprofiteering rent bill, and that Messrs. CROSSER, of Ohio; CARY, of Wisconsin; and myself were appointed conferees on the part of the House. And further, to advise you that we will meet the Senate conferees at such time and place that will be most agreeable to the Senate conferees.

"In order to facilitate matters I am inviting the attention of each of the Senate conferees to some of the more important questions of difference which will arise in conference by sending in advance a list of questions inquiring as to the attitude of the Senate conferees concerning each. The questions mentioned are herewith inclosed.

"Very truly, yours,

(Signed) "BEN JOHNSON.

"1. Are you unalterable in your purpose to create a rent administrator?

"2. If so, are you unalterable in your purpose not to intrust the work with anyone unless he be a resident of the District of Columbia?

"3. Are you unalterable in your purpose not to permit the President to select a rent administrator for the District of Columbia just as he selected a Food Administrator and Fuel Administrator, i. e., without your consent and approval?

"4. Are you unalterable in your seeming purpose to permit profiteering in house rents by imposing a fine less than the amount of the profiteering, or will you accept some plan like that recently suggested by the President in his message to Congress, whereby all the money taken in a profiteering transaction shall be surrendered?

"5. Are you unalterable in your adherence to that part of the Senate bill which would compel the tenant to leave his work as often and as long as it would be necessary for him to leave it in order to prosecute or defend the several appeals allowed?

"6. Are you unalterable in your purpose not to fix a gross return to the landlord, but instead to give him a 'net' return, notwithstanding the fact that thereby the landlord would have no interest whatever in keeping down the operating expenses of the premises?

"7. Are you unalterable in your purpose to saddle upon the tenant the cost of permanent street and similar improvements to the real estate alone, notwithstanding the fact that the erstwhile tenant enjoys the building alone?

"8. Are you unalterable in your purpose to compel the tenant to account for 'vacancies' in the house and 'depreciation' of the house; and not allow himself to offset that by the growing increase in the value of the land upon which the house stands?

"9. Are you unalterable in your purpose to permit a landlord to profiteer with a business house because it may once have been used as a residence?

"10. Are you unalterable in your purpose to fasten the present annual rates of rental on the tenant by fixing the rates in effect on the 1st day of last October as a basis?

"11. Are you unalterable in your purpose that the rental for furniture shall be as much as 30 per cent of its value?

"12. Are you unalterable in your seeming purpose not to punish profiteering corporations to the same extent that you would individuals who profiteer?

"13. Are you unalterable in your seeming purpose to exempt 'the original landlord' from all the provisions of the bill by your definition of 'landlord'?

"14. If you are unalterable in your seeming purpose to adhere to the remedy of 'fine' instead of that of 'taxation,' as set out in the bill passed by the House, would you be in favor of having a fine levied on all those who violate any provision of the act, or would you insist upon limiting it to those only who 'evade or attempt to evade its provisions'?"

And
Whereas on June 21, 1918, said chairman of said House committee sent to each of the managers on the part of the Senate the following letter:

"COMMITTEE ON THE DISTRICT OF COLUMBIA,
"HOUSE OF REPRESENTATIVES, UNITED STATES,
"*Washington, D. C., June 21, 1918.*

"To the SENATE CONFEREES ON H. R. 9248
(the antiprofiteering rent bill),
"*Washington, D. C.*

"GENTLEMEN: The Washington newspapers of yesterday contained the statement that at least some of the Senate conferees on the antiprofiteering rent bill contemplated having me denied the privileges of the Senate floor because of the criticism made by me of the Senate amendment which has come to be known as the 'Pomerene bill.'

"I do not care a continental about that—run along and get through with it, and then permit the Senate to vote on a measure that will prevent the profiteers from driving nearly a thousand war workers out of Washington every week. I am not interested in the least in your undertaking to deny me the privileges of the Senate Chamber, but I am deeply concerned for the war worker, who is being robbed and then sent out of Washington, and because of which our boys in France must suffer.

"The newspaper articles referred to state also that at least some of the Senate conferees may decline to go into conference because I am one of the House conferees. May I not suggest that by such a course, either intentionally or unintentionally, you play right into the hands of the profiteers, as delay in the passage of a good bill is what they seek?

"May I not also suggest that your skins should be thicker or your bill better? I not only invite the severest criticism of all my official acts, but I am quite anxious, indeed, to have the acid test applied to my endeavors in this particular matter, and you will not only not offend me but you will do me a favor by wading into both me and it without gloves, since I, and not the landlords, am its author.

"This is not a time for 'senatorial dignity' but one for action. Rearing back on your 'pastern joints' don't get the oppressed tenants anything. I do not intend to permit your attitude toward me, because of my criticism of your 'rotten' bill, to in the least deter me in my efforts to prevent the profiteer from fattening off of your country's needs.

"Your amendment—the Pomerene bill—had to be criticized, 'senatorial dignity' to the contrary notwithstanding.

"My contempt for such of you as may resort to pretext to evade full responsibility for not giving our war workers protection from the miserable profiteers is just as great as yours may be for me; but, as I said, that shall not stop me from following my plain duty in the premises.

"Let us get to work on the bill, and then you can have your revenge on me to your hearts' content. You have my full consent to deny me the privileges of the Senate Chamber, or even to take your spite out of my hide, if you will only go ahead and let the Senate vote on a good bill instead of a subterfuge.

"While I am sending this letter to each of the conferees, it is really intended for those only who are responsible for the article in yesterday afternoon's local newspapers.

"Very truly, yours,

(Signed) "BEN JOHNSON."

And
Whereas on June 22, 1918, the said chairman of said House committee presented the foregoing letters to the House of Representatives, and in presenting them used the following language:

"I take it for granted that the thought of 'ousting' me from the Senate Chamber is the result of a close association with those who have been 'ousting' the Government workers from houses in the District of Columbia."

Therefore be it

Resolved, That the conferees on the part of the Senate on said bill be, and they are hereby, excused from further service as such conferees until otherwise ordered by the Senate; and that the Secretary of the Senate be directed to transmit a copy of this resolution to the House of Representatives.

Attest: JAMES M. BAKER, *Secretary.*

To the Committee on the District of Columbia.

LEAVE TO ADDRESS THE HOUSE.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may speak for two minutes.

The SPEAKER. The gentleman from California asks unanimous consent to proceed for not to exceed two minutes. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, is it for the purpose of reading something or for really speaking?

Mr. RAKER. I expect to do both.

Mr. STAFFORD. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects.

OMNIBUS PENSION BILLS.

Mr. KEY of Ohio. Mr. Speaker, I call up conference reports on the bills H. R. 9506, 9641, 10843, 10924, and 11658, all bills granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER. The gentleman from Ohio calls up the conference reports on the several omnibus pension bills mentioned by him. The Clerk will read the conference reports.

The conference reports were severally read and severally agreed to, as follows:

CONFERENCE REPORT (NO. 684).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 14, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 21, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and

agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Fred O. Hamilton, late of Company M, Fourth Regiment Missouri Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month."

And the Senate agree to the same.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (George W. Rathman): Strikes out the provision for pension.

On amendment No. 2 (Andrew S. Pope): A correction.

On amendment No. 3 (Theodore J. Kountz): Strikes out provision for pension.

On amendment No. 4 (James F. Connell): Strikes out provision for pension.

On amendment No. 5 (Lory H. Powell): Grants $12 per month in lieu of $17.

On amendment No. 6 (Mack Rittenberry): Strikes provision for pension.

On amendment No. 7 (Charles F. Russell): Restores $17 rate in lieu of $12 as amended by the Senate.

On amendment No. 8 (James E. Norman): Strikes provision for pension.

On amendment No. 9 (Charles D. Skirdin): A correction.

On amendment No. 10 (Fred O. Hamilton): Provides for restoring the item to the bill with a rate of $24 per month instead of the $50 rate approved by the House.

On amendment No. 11 (John Dowdy): Strikes provision for pension.

On amendment No. 12 (Seaborn A. Frost): Strikes provision for pension.

On amendment No. 13 (Peter F. O'Brien): Strikes provision for pension.

On amendment No. 14 (Stephen Hill): Restores to the bill the stricken item at $12 per month.

On amendment No. 15 (Richard Gurney, jr.): Strikes provision for pension.

On amendment No. 16 (Charles V. Bradford): A correction.

On amendment No. 17 (James A. Kelly): Strikes provision for pension.

On amendments Nos. 18, 19, and 20 (Sallie Speer Signor): A correction.

On amendment No. 21 (Joseph Whitney): Dead. Strikes provision for pension.

On amendment No. 22 (Herschel Spainhour): Restores provision for pension.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

CONFERENCE REPORT (NO. 685).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, and 5, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the amount proposed insert "$17"; and the Senate agree to the same.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors submit the following written statement in explanation of the effect of the action agreed upon by the conferees as to each of said amendments, namely:

On amendment No. 1 (James O. Carroll): Strikes out the provision for pension.

On amendment No. 2 (Jesse G. Frier): Restores provision for pension stricken out by Senate.

On amendment No. 3 (Michael P. Connaughton): Strikes out provision for pension.

On amendment No. 4 (Sommers J. Love): Provides a rate of $17 per month as amended by the Senate in lieu of the $24 as approved by the House.

On amendment No. 5 (Charles A. Walters): Strikes out the provision for pension.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

CONFERENCE REPORT (NO. 681).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 11, 12, and 18.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 16, 17, 19, 20, and 21, and agree to the same.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, viz:

On amendment No. 1 (William L. Snider): Restores provision for pension stricken out by the Senate.

On amendment No. 2 (Thomas J. Harris, jr.): A correction.

On amendment No. 3 (Pauline A. Randt): A correction.

On amendment No. 4 (Andrew E. Younginer): Strikes out provision for pension.

On amendment No. 5 (George H. McCauley): Allows $12 per month, as amended by the Senate, in lieu of $17, as proposed by the House.

On amendment No. 6 (Howard A. Littlejohn): Restores provision for pension.

On amendment No. 7 (Lemil S. Darr): Allows $12 per month in lieu of $17 proposed by the House.

On amendment No. 8 (John E. Root): Strikes out provision for pension.

On amendment No. 9 (Joseph Harris): Allows $12 per month, as amended by the Senate, in lieu of $17, proposed by the House.

On amendment No. 10 (John F. Smoot): Allows $12 per month, as amended by the Senate, in lieu of $17, proposed by the House.

On amendment No. 11 (Walter L. Jewell): Restores provision for pension.

On amendment No. 12 (Howard P. Hare): Restores provision for pension.

On amendment No. 13 (Charles F. Schiller): Strikes out provision for pension.

On amendment No. 14 (Hulbert O. White): Strikes out provision for increase of pension.

On amendment No. 15 (Richard Thrash): Strikes out provision for pension.

On amendment No. 16 (Olaf H. Heiele): Allows $12 per month, as amended by the Senate, in lieu of $17, proposed by the House.

On amendment No. 17 (James Manning): Strikes out provision for pension.

On amendment No. 18 (Christine Cook): Restores provision for pension.

On amendment No. 19 (William C. Crockett): Allows $12 per month, as amended by the Senate, in lieu of $17, proposed by the House.

On amendment No. 20 (Mary Leahy): Strikes out provision for pension.

On amendment No. 21 (Mart Bradshaw): Allows $12 per month, as amended by the Senate, in lieu of $17, proposed by the House.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

CONFERENCE REPORT (NO. 682).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (John Groth): Strikes out provision for pension.

On amendment No. 2 (Margaret C. Fargo): Strikes out provision for increase of pension.

On amendment No. 3 (T. McElvany): A correction.

On amendment No. 4 (Mary Diven): Strikes out provision for increase of pension.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

CONFERENCE REPORT (NO. 683).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 10, 11, 14, and 15.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 7, 9, 12, 13, and 16, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"The name of Clarence L. Wimer, late of Company A Signal Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $12 per month."

And the Senate agree to the same.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

HENRY F. HOLLIS,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War and to widows and dependents of such soldiers and sailors, submit the following written statement in explanation of the effect of the action agreed upon by the conference as to each of said amendments, namely:

On amendment No. 1 (John McMahon): Strikes out provision for pension.

On amendment No. 2 (Wilbur S. Chapman): Strikes out provision for pension.

On amendment No. 3 (John Hammons): Strikes out provision for pension.

On amendment No. 4 (Clarence L. Wimer): Restores provision for pension, but at $12 per month in lieu of $17 proposed by the House.

On amendment No. 5 (John W. Hamilton): Strikes out provision for pension.

On amendment No. 6 (Freda Burow): Strikes out provision for pension.

On amendment No. 7 (James Green): Strikes out provision for pension.

On amendment No. 8 (Margaret A. McAdoo): Restores provision for increased pension.

On amendment No. 9 (Oliver P. Jackson): Strikes out provision for pension.

On amendment No. 10 (Elmer D. Hopper): Restores provision for pension.

On amendment No. 11 (Mary F. Kenaday): Restores provision for pension at $25 per month as proposed by the House.

On amendment No. 12 (Mary C. Shell): Strikes out provision for pension.

On amendment No. 13 (John M. Hall): Strikes out provision for pension.

On amendment No. 14 (Dallas Mills): Restores provision for pension.

On amendment No. 15 (Amanda Foster): Restores provision for increase of pension.

On amendment No. 16 (William D. Harris): A correction.

JOHN A. KEY,
EDWARD KEATING,
SAM R. SELLS,
Managers on the part of the House.

Mr. KEY of Ohio. Mr. Speaker, I now call up the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors. This bill has been on the calendar for about a month. Last Friday a week ago was pension day on the Private Calendar in the House, and our committee gave way in order that the gentleman from Kentucky [Mr. SHERLEY] might consider his appropriation bill. I would like very much to have this and other bills considered at this time, and I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the bill S. 4542, which the Clerk will report by title.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, let the bill be read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of John B. Chandler, late of Company K, Fourth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Barker, late of Company D, Thirty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Rolla King, late of Battery E, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John B. Raines, late of Company A, Second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John W. Ferris, late chaplain, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Emmett L. Warren, alias Alanson Warren, late of Capt. L. Buoy's Company B, Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Roswell B. Van Wagenen, late of Company E, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of John Fitzgerald, late of Company C, Eighth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Green B. Riggs, late of Capt. J. Williams's Company N, Second Regiment Washington Territory Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Barnard J. Irwin, late of Company C, Third Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Laura A. Workman, widow of Eddy J. Workman, late of Battery I, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of each of the minor children of said Eddy J. Workman until they reach the age of 16 years.

The name of George R. Hamilton, late of Company I, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Orval W. Hiatt, late of Company E, Fortieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month.

The name of Charles R. Walters, late of Troop D, Eighth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Agnes Swarts, widow of John L. Swarts, late of United States ship *Independence*, United States Navy, Regular Establishment, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the minor children of said John L. Swarts until they reach the age of 16 years.

The name of Mary Howard, widow of George Howard, late of Battery M, Fourth Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Berlie Cross, late of the Fifty-first Company, United States Coast Artillery Corps, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Willis Hood, late of the Hospital Corps, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John L. Daries, late of Company C, Fourth Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James F. Byard, late of Company H, Second Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Ada Johnston Cowles, widow of Walter Cleveland Cowles, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of Florence M. Anderson, widow of James L. Anderson, late captain Company L, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of Fred Boyd, late of Company F, Second Regiment Oregon Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ellen H. Sharp, widow of Frederick D. Sharp, late captain, Twentieth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $25 per month.

The name of George W. Goodman, late of Capt. Robert Porter's company California Volunteers, California Indian War, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Edward Jordan, late of Company M, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month

The name of Lanson O. Brown, late of Company H, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Louis H. Roberts, late of Company G, Fourth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Persis M. McKee, widow of Thomas McKee, late of Capt. Allred's company, Nauvoo Legion, Utah Volunteers, Utah Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Mary P. McIntire, former widow of William B. Skinner, late of Company I, First Regiment Illinois Volunteer Infantry, War with Mexico, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Feracane Paolo, late of Company D, Thirteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Louis N. Mallet, late of Company I, First Regiment District of Columbia Volunteer Infantry, and Company A, Twenty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of David M. Thompson, late of Company E, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 202. John B. Chandler.	S. 3763. Willis Hood.
S. 326. John Barker.	S. 3830. John L. Daries.
S. 338. Rolla King.	S. 3972. James F. Byard.
S. 608. John B. Raines.	S. 3989. Ada Johnston Cowles.
S. 665. John W. Ferris.	S. 4058. Florence M. Anderson.
S. 768. Emmett L. Warren.	S. 4082. Fred Boyd.
S. 964. Roswell B. Van Wagenen.	S. 4090. Ellen H. Sharp.
S. 969. John Fitzgerald.	S. 4150. George W. Goodman.
S. 1156. Green B. Riggs.	S. 4170. Edward Jordan.
S. 1441. Bernard J. Irwin.	S. 4191. Lanson O. Brown.
S. 1732. Laura A. Workman.	S. 4215. Louis H. Roberts.
S. 2568. George R. Hamilton.	S. 4286. Persis M. McKee.
S. 3302. Orval W. Hiatt.	S. 4291. Mary P. McIntire.
S. 3347. Charles R. Walters.	S. 4351. Feracane Paolo.
S. 3422. Agnes Swarts.	S. 4358. Louis N. Mallet.
S. 3688. Mary Howard.	S. 4418. David M. Thompson.
S. 3711. Berlie Cross.	

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the bill for amendment.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Has the gentleman asked unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union?

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read as follows:

The name of John W. Ferris, late chaplain, Sixth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The committee amendment is as follows:

Page 2, strike out lines 9 to 11, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Roswell B. Van Wagenen, late of Company E, Third Regiment Wisconsin Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The committee amendment was read, as follows:

Page 2, line 19, strike out "$20" and insert "$17."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Barnard J. Irwin, late of Company C, Third Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Laura A. Workman, widow of Eddy J. Workman, late of Battery I, First Regiment United States Artillery, War with Spain, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of each of the minor children of said Eddy J. Workman until they reach the age of 16 years.

The committee amendment was read, as follows:

Page 3, strike out lines 4 to 13, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Orval W. Hiatt, late of Company E, Fortieth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month.

The committee amendment was read, as follows:

Page 3, line 20, strike out "$20" and insert "$12."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Agnes Swarts, widow of John L. Swarts, late of U. S. S. *Independence*, United States Navy, Regular Establishment, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the minor children of said John L. Swarts until they reach the age of 16 years.

The committee amendment was read, as follows:

Page 4, strike out lines 1 to 6, inclusive.

The question was taken, and the amendment was agreed to.

Mr. KEY of Ohio. Mr. Speaker, at that juncture I offered an amendment a while ago which was not in order at that time, which amendment was to restore that item. I sent a copy of it to the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, lines 1 to 10, insert the matter stricken out by the committee amendment, which reads as follows:

"The name of Agnes Swarts, widow of John L. Swarts, late of U. S. S. *Independence*, United States Navy, Regular Establishment, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the minor children of said John L. Swarts until they reach the age of 16 years."

Mr. WALSH. Mr. Speaker, it seems to me the proper procedure would be to vote down the committee amendment. You do not have to move to insert that. The committee has reported this bill with an amendment striking out the first item on page 4, and now I understand the gentleman from Ohio desires to have that item retained in the bill. The proper procedure would be to vote down the committee amendment. It is not proper to move to insert again in the bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the proceedings by which that amendment was agreed to be vacated. Is there objection? [After a pause.] The Chair hears none. Now the question is on the amendment adopted a while ago.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

The name of Mary Howard, widow of George Howard, late of Battery M, Fourth Regiment United States Artillery, Regular Establishment, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The committee amendment was read, as follows:

Page 4, strike out lines 7 to 10, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Ada Johnston Cowles, widow of Walter Cleveland Cowles, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

The committee amendment was read, as follows:

Page 5, line 4, strike out "$50" and insert "$25."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Florence M. Anderson, widow of James L. Anderson, late captain Company L, One hundred and sixty-first Regiment Indiana Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The committee amendment was read, as follows:

Page 5, strike out lines 5 to 8, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Ellen H. Sharp, widow of Frederick D. Sharp, late captain, Twentieth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $25 per month.

The committee amendment was read, as follows:

Page 5, line 15, strike out "$25" and insert "$20."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of George W. Goodman, late of Capt. Robert Porter's company California Volunteers, California Indian War, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The committee amendment was read, as follows:

Page 5, strike out lines 16 to 19, inclusive.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of Lanson O. Brown, late of Company H, First Regiment New Hampshire Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The committee amendment was read, as follows:

Page 5, strike out lines 24 and 25, and lines 1 and 2, page 6.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The name of David M. Thompson, late of Company E, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $20 per month.

The committee amendment was read, as follows:

Page 7, line 4, strike out "$20" and insert "$12."

The amendment was agreed to.

The bill as amended was ordered to be read the third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Has the gentleman got any more bills?

Mr. KEY of Ohio. I have three other bills to call up.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. GARRETT of Texas, leave of absence was granted to his colleague Mr. GREGG indefinitely, on account of illness in the family.

PENSIONS.

Mr. KEY of Ohio. Mr. Speaker, I call up the bill S. 3798.

Mr. STAFFORD. The gentleman asks unanimous consent, I presume?

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to call up Senate bill 3798.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire whether this is another omnibus pension bill?

Mr. KEY of Ohio. It is a Senate bill.

Mr. STAFFORD. My inquiry is, What is the occasion of the gentleman calling it up on a day other than the day reserved for pension bills?

Mr. KEY of Ohio. These bills are Senate bills and have been on the calendar for four or five weeks. A week ago last Friday was pension day on the Private Calendar. The Committee on Pensions gave way in order that the gentleman from Kentucky [Mr. SHERLEY] might take up an appropriation bill, with the understanding that we could bring this in at any time next week when there was not some important war measure on. I ask unanimous consent to take up this bill.

Mr. STAFFORD. The gentleman does not consider the census bill an important war measure?

Mr. KEY of Ohio. I take it that every Member——

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the private calendar.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The Clerk read as follows:

An act (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Abel H. Hall, late of Company F, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Frankie Esselstyn, widow of Elton H. Esselstyn, late of Company L, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of each of the minor children of the said Elton H. Esselstyn until they reach the age of 16 years.

The name of Samuel Breitigan, late of U. S. S. *Pennsylvania*, United States Navy, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Edward Sweeney, late of Company E, Fifteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Arthur Rose, late of Company L, First Regiment Washington Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Lucie Kellogg, widow of William R. Kellogg, late of Troop A, First Regiment Ohio Volunteer Cavalry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of William P. Robinson, late of Company I, First Regiment West Virginia Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of William D. Harrington, late of Company K, Fifteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Fannie H. Maffitt, widow of John W. Maffitt, late of Company A, First Regiment Arkansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of Minnie H. Wolf, widow of Herman P. Wolf, late of Company H, First Regiment North Dakota Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of each of the minor children of said Herman P. Wolf until they reach the age of 16 years.

The name of Willis S. Harris, alias Charles E. Sanders, late of Battery C, Fourth Regiment United States Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of John M. Dikes, late of Troop H, First Regiment United States Cavalry, and Company A, Thirtieth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of James W. McKay, late first lieutenant Battery A, First Regiment Rhode Island Volunteer Light Artillery, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Adam S. Bridgefarmer, late of Captain Hiram Wilber's Company B, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Charles H. Ferriss, late of Company H, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Van Ogle, late first lieutenant, Company B, Washington Territory Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Reuben Waller, late of Company H, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas M. Woods, late of Company C, Third Regiment Tennessee Volunteer Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of George M. Spencer, late of Company F, First Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Katharine E. Bocoskey, widow of Michael Bocoskey, late of Company E, Nineteenth Regiment United States Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of each of the minor children of said Michael Bocoskey until they reach the age of 16 years.

The name of Thomas S. Millikin, late of Company L, Forty-fourth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of William C. Campbell, late of Company C, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of William J. La Rock, late of Company C, First Regiment Vermont Volunteer Infantry, and Company A, Forty-third Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Alice Russell, late of Captain Standage's Cavalry company, Nauvoo Legion, Utah Volunteers, Utah Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Oscar M. Dreibelbiss, late of Company M, Second Regiment Ohio Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Edmund G. Thompson, late of Company D, Thirteenth Regiment Pennsylvania Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Joseph W. Gay, late of Captain O. Humason's company B, First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Emmett W. Fitzsimmons, late of Company B, Twenty-second Regiment New York Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Charles E. Matthews, late of Company A, Twenty-eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Martha R. Sutton, widow of Thomas J. Sutton, late of Captain John F. Miller's company, Oregon Volunteers, Oregon and Washington Territory Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Hildur M. Phillips, widow of George W. Phillips, late chief gunner, with rank of ensign, United States Navy, Regular Establishment, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said George W. Phillips until they reach the age of 16 years.

The name of Joseph M. Love, late of Company I, First Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The name of Leander Thomas, late of Company G, Fourth Regiment Kentucky Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Isaac F. Allen, late of Companies C and L, Third Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $10 per month.

The name of James M. Fitch, late of Troop F, First Regiment Illinois Volunteer Cavalry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of John Ferris, late of U. S. S. *Ashuelot*, United States Navy, Regular Establishment, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Esther Shields, former widow of Walter Rogers, late of General Mounted Service, United States Army, Regular Establishment, and pay her a pension at the rate of $20 per month.

The name of Elizabeth K. Cottman, widow of Vincendon L. Cottman, late rear admiral, United States Navy, Regular Establishment, and pay her a pension at the rate of $50 per month.

The name of Francis J. Kearney, late of Troop B, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Simeon Ely, late first lieutenant Captain Goodall's company Oregon Volunteers, Oregon and Washington Territory Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of John A. D. Tharp, late of the U. S. S. *Pennsylvania*, United States Navy, Regular Establishment, and pay him a pension at the rate of $30 per month.

The name of Wesley H. Dick, late of Company B, Thirty-fifth Regiment Michigan Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Julia Burger, widow of Peter Burger, late of Company F, Fifth Regiment United States Infantry, Florida Seminole Indian wars, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Leander Johnston, late of Company I, First Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The name of Laura C. Slack, widow of William B. Slack, late second lieutenant, United States Marine Corps, United States Navy, Regular Establishment, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S.	73. Abel H. Hall.	S.	2138. William J. La Rock.
S.	139. Frankie Esselstyn.	S.	2172. Allen Russell.
S.	197. Samuel Breitigan.	S.	2193. Oscar M. Dreibelbiss.
S.	240. Edward Sweeney.	S.	2237. Edmund G. Thompson.
S.	331. Arthur Rose.	S.	2288. Joseph W. Gay.
S.	477. Lucie Kellogg.	S.	2391. Emmett W. Fitzsimmons.
S.	588. William P. Robinson.	S.	2424. Charles E. Matthews.
S.	675. William D. Harrington.	S.	2472. Martha R. Sutton.
S.	687 Fannie H. Maffitt.	S.	2492. Hildur M. Phillips.
S.	765. Minnie H. Wolf.	S.	2572. Joseph M. Love.
S.	882. Willis S. Harris, alias Charles E. Sanders.	S.	2586. Leander Thomas.
		S.	2592. Isaac F. Allen.
S.	912. John M. Dikes.	S.	2744. James M. Fitch.
S.	981. James W. McKay.	S.	2763. John Ferris.
S.	996. Adam S. Bridgefarmer.	S.	2955. Esther Shields.
S.	1174. Charles H. Ferriss.	S.	2981. Elizabeth K. Cottman.
S.	1177. Van Ogle.	S.	2988. Francis J. Kearney.
S.	1242. Reuben Waller.	S.	3097. Simeon Ely.
S.	1443. Thomas M. Woods.	S.	3342. John A. D. Tharpe.
S.	1526. George M. Spencer.	S.	3343. Wesley H. Dick.
S.	1569. Katharine E. Bocoskey.	S.	3424. Julia Burger.
S.	1989. Thomas S. Millikin.	S.	3500. Leander Johnston.
S.	2040. William C. Campbell.	S.	3591. Laura C. Slack.

The Clerk read the following committee amendments:

Page 3, strike out lines 7 to 12, inclusive (Minnie H. Wolf).

The amendment was agreed to.

Page 5, strike out lines 11 to 14, inclusive (William C. Campbell).

The amendment was agreed to.

Page 7, strike out lines 10 to 12, inclusive (Leandar Thomas).

The amendment was agreed to.

Page 7, strike out lines 13 to 16, inclusive (Isaac F. Allen).

The amendment was agreed to.

Page 7, strike out lines 24 and 25 and lines 1 to 3, page 8 (Esther Shields).

The amendment was agreed to.

Page 8, strike out lines 3 to 6, inclusive (Elizabeth K. Cottman).

The amendment was agreed to.

Page 9, strike out lines 7 to 11, inclusive (Laura C. Slack).

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

Mr. MILLER of Washington. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. MILLER of Washington. May I inquire of the chairman—on page 8, line 3, there is a denial of a pension to Mrs. Cottman, widow of Admiral Cottman. May I inquire why that is?

Mr. KEY of Ohio. Page 8, line 3?

Mr. MILLER of Washington. Page 8, line 3.

Mr. KEY of Ohio. What is it?

Mr. MILLER of Washington. Why is the pension to the widow of Admiral Cottman stricken from the bill?

Mr. KEY of Ohio. I can not say without looking up the report. The committee refused to give a pension in excess of $25 per month for this reason, that when the House passed the war-risk insurance bill last fall it was practically the unanimous sentiment of the House when they gave all the widows in the present war $25 per month that that was the last word from Congress on what the widows ought to have, because they had agreed to give the widows of the privates the same pension as the widows of the officers; that the widows of the officers should receive no more than the widow of a private. And inasmuch as that was the last word from Congress the committee took it we could use that as a guidance, and that if the rate of pension was $25 to all widows it would be a maximum.

Mr. MILLER of Washington. Would it be agreeable to the committee to have an amendment so that she should receive a pension of $25?

Mr. KEY of Ohio. I could not tell without reading from the report.

Mr. MILLER of Washington. My information is that she is in destitute circumstances and very much in need of a pension. That was the information given to me by Senator JONES, of my State.

Mr. KEY of Ohio. Does she not get a pension now under existing law?

Mr. MILLER of Washington. I think not; although I am not clear on that point.

Mr. KEY of Ohio. I think the gentleman ought to get clear on it.

Mr. STAFFORD. May I suggest that this bill will very likely be in conference, and the gentleman from Washington in the meantime can get the facts and submit them to the conferees for their consideration.

Mr. MILLER of Washington. I will be glad to get the information.

Mr. KEY of Ohio. And I shall be glad to consider it in conference.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion by Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to call up the bill S. 4193.

The SPEAKER. The gentleman from Ohio calls up the bill S. 4193, which the Clerk will report.

The Clerk read as follows:

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. This bill is on the Private Calendar.

Mr. KEY of Ohio. It is on the Private Calendar, the same as the other bill.

The SPEAKER. I know; but has the gentleman any request to make?

Mr. KEY of Ohio. I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill for amendment.

The bill was read for amendment, as follows:

An act (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of William C. Black, late of Company B, Second Regiment Oregon Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of James Golden, late of Company K, First Regiment Montana Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Elmer H. Martin, late of U. S. S. *Pennsylvania*, United States Navy, Regular Establishment, and pay him a pension at the rate of $10 per month.

The name of Kathryn B. Steiner, widow of Charles J. Steiner, late of Company H, Forty-seventh Regiment United States Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said Charles J. Steiner until she reaches the age of 16 years.

The name of Anthony W. Presley, late of Capt. C. Bennett's Company F, First Regiment Oregon Mounted Volunteers, and first lieutenant Capt. B. Miller's Company J, Second Regiment Washington Territory Volunteers, Oregon and Washington Territory Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Pyrrhus Williams, late of Battery E, Fifth Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Ellsworth E. Welch, late of Battery D, First Regiment United States Artillery, War with Spain, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of Edward L. Frabe, late of Company L, Fifth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of Thomas S. Gher, late of Company C, Fourth Regiment Illinois Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Thomas E. Cruess, late of U. S. S. *Supply* and *Independence*, United States Navy, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of George W. Gray, late of Company C, Eighth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John Stone, late of Sixty-seventh Company, United States Coast Artillery, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Bailey, late of Capt. Alcorn's Company G, Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Thomas Harrison, late of Troops D and A, Third Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of Mary C. Christensen, dependent mother of Harvey Christensen, late of Company I, First Regiment Colorado Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Mamie E. Bridgwater, widow of Samuel Bridgwater, late of Company A, Twenty-fourth Regiment United States Infantry, Regular Establishment, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of each of the minor children of said Samuel Bridgwater until they reach the age of 16 years.

The name of William Shoemaker, late of Company B, Twelfth Regiment Minnesota Volunteer Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Harry H. Hallock, late of Company C, Battalion of Engineers, United States Army, War with Spain, and pay him a pension at the rate of $12 per month.

The name of John Aldrich, late of Company E, First Regiment Rhode Island Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Luther C. Wright, late of Company A, Twenty-second Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The name of Albert P. Ramsey, late of Hospital Corps, United States Army, Regular Establishment, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The name of William W. Cook, late of Company I, Eighteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Robert L. McFarland, late of Company M, Seventh Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The name of George White, late of Troop C, Tenth Regiment United States Cavalry, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Harvey Day, late of Company M, Eighteenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The name of Etta S. Jeffrey, widow of Howard F. Jeffrey, late first lieutenant Company E, Second Regiment Nebraska Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of Martha H. Saers, widow of Charles O. Saers, late of Company D, First Regiment District of Columbia Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month and $2 per month additional on account of the minor child of said Charles O. Saers until she reaches the age of 16 years.

The name of Abbie M. Peabody, dependent mother of James F. Peabody, late of Company L, Twenty-second Regiment Kansas Volunteer Infantry, War with Spain, and pay her a pension at the rate of $12 per month.

The name of Richard McDermott, late of Company F, Fourth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The name of John M. Taylor, late of Company H, Tenth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Lottie J. Miller, widow of Richard L. Miller, late captain Company L, Third Regiment Virginia Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month.

The name of Lawrence O. Loughlin, late of Company D, Twentieth Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Walter J. Hawthorne, late of Company I, First Regiment Connecticut Volunteer Infantry, War with Spain, and pay him a pension at the rate of $30 per month.

The name of Murtha Doyle, late of Company I, Fourteenth Regiment United States Infantry, Regular Establishment, and pay him a pension at the rate of $20 per month.

The name of Israel Wood, late of Company K, First Regiment Oregon Riflemen, Cayuse Indian War, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Sarah Whittle, widow of Frank Whittle, late of Captain Warkass's company, Washington Territory Volunteers, Oregon and Washington Territory Indian War, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Catherine Grace, dependent mother of John T. Grace, late of U. S. S. *Indiana*, United States Navy, Regular Establishment, and pay her a pension at the rate of $20 per month.

The name of Henrietta A. Forbes, widow of Theodore F. Forbes, late colonel Twenty-seventh Regiment United States Infantry, and brigadier general United States Army, retired, Regular Establishment, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William W. Keyser, late of Company I, Twenty-second Regiment United States Infantry, War with Spain, and pay him a pension at the rate of $17 per month.

The name of Virginia A. Porter, widow of Sanford Porter, late of Company E, Mormon Battalion, Iowa Volunteers, War with Mexico, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Edwin C. Gasque, late of the Eighty-second Company, United States Coast Artillery, Regular Establishment, and pay him a pension at the rate of $12 per month.

The name of Charles H. Lutkin, late of Company A, Forty-fifth Regiment United States Volunteer Infantry, War with Spain, and pay him a pension at the rate of $12 per month.

The name of Sallie Hardwick, widow of Linus Hardwick, late of Company H, First Regiment Florida Volunteer Infantry, War with Spain, and pay her a pension at the rate of $25 per month, and $2 per month additional on account of the minor child of said Linus Hardwick until she reaches the age of 16 years.

This bill is a substitute for the following Senate bills referred to the Committee on Pensions:

S. 36. William C. Black.
S. 37. James Golden.
S. 223. Elmer H. Martin.
S. 238. Kathryn B. Steiner.
S. 334. Anthony W. Presley.
S. 369. Pyrrhus Williams.
S. 600. Ellsworth E. Welch.
S. 666. Edward L. Frabe.
S. 671. Thomas S. Gher.
S. 893. Thomas E. Cruess.
S. 1437. George W. Gray.
S. 1524. John Stone.
S. 1724. Thomas Bailey.
S. 1896. Thomas Harrison.
S. 1944. Mary C. Christensen.
S. 2054. Mamie E. Bridgewater.
S. 2241. William Shoemaker.
S. 2272. Harry H. Hallock.
S. 2338. John Aldrich.
S. 2448. Luther C. Wright.
S. 2580. Albert P. Ramsey.
S. 2603. William W. Cook.
S. 2612. Robert L. McFarland.
S. 2841. George White.
S. 3176. Harvey Day.
S. 3188. Etta S. Jeffrey.
S. 3192. Martha H. Saers.
S. 3228. Abbie M. Peabody.
S. 3441. Richard McDermott.
S. 3492. John M. Taylor.

S. 3598. Lottie J. Miller.
S. 3641. Lawrence O'Loughlin.
S. 3660. Walter J. Hawthorne.
S. 3695. Murtha Doyle.
S. 3844. Israel Wood.
S. 3846. Sarah Whittle.
S. 3867. Catherine Grace.
S. 3891. Henrietta A. Forbes.
S. 3912. William W. Keyser.
S. 4016. Virginia A. Porter.
S. 4027. Edwin C. Gasque.
S. 4029. Charles H. Lufkin.
S. 4128. Sallie Hardwick.

The following committee amendments were read and agreed to:

Page 2, strike out lines 4 to 9, inclusive. (Pension of Kathryn B. Steiner.)
Page 3, strike out lines 3 to 5, inclusive. (Pension of Thomas S. Gher.)
Page 3, line 9, strike out "$20" and insert in lieu thereof "$17." (Pension of Thomas E. Cruess.)
Page 3, strike out lines 23 and 24, and lines 1 and 2 on page 4. (Pension of Thomas Harrison.
Page 5, strike out lines 7 to 10, inclusive. (Pension of William W. Cook.)
Page 6, line 17, strike out "$30" and insert in lieu thereof "$24." (Pension of John M. Taylor.)
Page 7, strike out lines 22 to 26, inclusive. (Pension of Henrietta A. Forbes.)
Page 8, strike out lines 8 to 12, inclusive. (Pension of Edwin C. Gasque.)
Page 8, strike out lines 16 to 21, inclusive. (Pension of Sallie Hardwick.)

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. KEY of Ohio, a motion to reconsider the vote by which the bill was passed was laid on the table.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) providing for the Fourteenth and subsequent decennial censuses, and pending that motion I would like to come to some agreement with the gentleman from Michigan [Mr. NICHOLS] as to general debate. There was a tentative agreement between the gentleman from Michigan and myself for two hours on a side. I understand the gentleman from Michigan has 14 minutes remaining. The gentleman from Georgia [Mr. LARSEN] before adjournment last Saturday was recognized for one hour. I understand that he wants to consume only a very short time, not exceeding 20 minutes, and therefore I ask that general debate conclude in 30 minutes.

Mr. NICHOLS of Michigan. That is satisfactory.

Mr. STAFFORD. How will the time be divided?

Mr. HELM. The gentleman from Michigan to control 14 minutes, and I to control 16 minutes.

Mr. WALSH. Reserving the right to object, is that in addition to the time for which the gentleman from Georgia [Mr. LARSEN] has been recognized?

Mr. HELM. Oh, no.

Mr. WALSH. Of course, if he is content to have 16 minutes when he is entitled to an hour——

Mr. HELM. He is not making any objection.

The SPEAKER. What is the request of the gentleman from Kentucky?

Mr. HELM. Mr. Speaker, I will have to modify my request and ask that the time for general debate be extended 46 minutes, the gentleman from Michigan to control 14 minutes and myself 30 minutes.

Mr. GILLETT. Mr. Speaker——

Mr. STAFFORD. That makes only 44 minutes instead of 46.

Mr. GILLETT. I think it ought to be divided equally. Very likely we will not want to use it, and if we do not we will not use it; but I think it fair that there should be an equal amount on each side.

Mr. HELM. Mr. Speaker, I ask unanimous consent that the general debate close in one hour, the gentleman from Michigan to have 30 minutes and myself 30 minutes.

The SPEAKER. Does that include the hour of the gentleman from Georgia?

Mr. HELM. All time.

The SPEAKER. The gentleman from Kentucky, pending his motion to go into Committee of the Whole House on the state of the Union, asks unanimous consent that general debate on this bill be limited to one hour, half to be controlled by himself and half by the gentleman from Michigan [Mr. NICHOLS]. Is there objection?

Mr. WALSH. Will the gentleman include in that request the statement that it includes the gentleman from Georgia [Mr. LARSEN], who has heretofore been recognized for an hour?

Mr. HELM. It is so understood. The gentleman from Georgia consents to it. It is at his suggestion.

The SPEAKER. And that it includes the gentleman from Georgia [Mr. LARSEN].

Mr. STAFFORD. All the other 434 Members of the House are left out.

Mr. WALSH. They have not been recognized.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion to go into Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill 11984, to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11984, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. HELM. Mr. Chairman, I yield 20 minutes to the gentleman from Georgia [Mr. LARSEN].

The CHAIRMAN. The gentleman from Georgia is recognized for 20 minutes.

Mr. LARSEN. Mr. Chairman, gentlemen oppose the passage of this bill saying no census should be taken during the war and that if one is taken it should be of population, strictly in accordance with the provisions of the Constitution.

They would omit a census of agriculture, of manufactures, of forestry and forest products, and of mines and quarries, but would take a census of population, at a cost of $10,440,000, which, if taken in conjunction with other matter provided for in the bill, would cost only $7,100,000. They would take a census of population, intended primarily, as they say, to form the basis of distribution of representation in Congress, and omit a census of those industries and commodities absolutely necessary in times of war and highly essential in times of peace.

So careful were our forefathers as to the taking of the census that in the second section of the Constitution, adopted just at the close of the Revolutionary War, they provided that a census should be taken within three years from that date and that subsequent censuses should be taken every 10 years thereafter. I take it that all gentlemen are bound by an oath of office, the same as each and every other Member of this House, and that the Director of the Census and those other officials of the Government connected with this matter are also bound by their oath of office, and that this oath of office requires them to support and defend the Constitution.

Now, I would like to know how any man who has in mind the provisions of the Constitution could advocate the policy of not taking a census.

Gentlemen opposing the passage of the bill upon this ground might do well to reflect upon the history and scope of the legislation under which the previous censuses have been taken.

The First Census, provided for and taken shortly after the close of the Revolution, and at a time when our agricultural and manufacturing resources were meager, included only a census of the population. It was evidently not satisfactory to the people, for, strictly speaking, it was the only one of the kind ever taken.

The Second Census, taken in 1800, was an extension of the first, in that it gave information as to age distribution of the free white element of the population, and in that the distribution age was made to apply to females as well as to males. But even this extension did not meet the demands of the most thoughtful and reflective of those times. Previous to the enactment of the law governing that census two of the leading literary societies of America, the Connecticut Academy of Arts and Sciences, presided over by Timothy Dwight as its president, and the American Philosophical Society, presided over by Thomas Jefferson as its president, petitioned Congress and suggested that inquiry be made as to the number of births, the number of persons by sex in each of the various specified age groups, the number of native and foreign born citizens and of aliens, the number of persons in each of certain classes of occupations, and the number of married, single, and widowed persons.

The Third Census, taken in 1810, attempted to gather industrial statistics. So did the succeeding one of 1820, and also extended its inquiry to the number of foreign and naturalized persons and to the number of persons engaged in agriculture, commerce, and manufactures.

The census of 1830 omitted inquiry as to industrial statistics, but since that date no census has omitted such important information.

The census of 1840 marks the end of a complete census period of this Nation. The policy of that census and those preceding

it was to confine inquiries, as much as possible, to population. They resulted, generally speaking, in an effort to enumerate and to classify the population of the country, with little or no regard for the industrial conditions. It was not so much an effort to ascertain the amount or value of our agricultural or manufactured products as it was to determine the number of our population engaged in such enterprises. Yet in half of those taken even then, notably the census of 1810, of 1820, and of 1840, efforts were made to extend the scope of investigation so as to include statistics of industries.

Since the census of 1840 not one has been taken which has failed to make inquiry concerning our industrial resources, and in this respect our products of agriculture, mine, and manufacture have been given much consideration. The tendency has been to tabulate results of the various fields of activity and to show the quantity and value of such products rather than the various occupations in which our population is engaged.

If gentlemen are really serious in the contention that no census should be taken during the war, why do they not seek to amend the Constitution so as to obviate such an expenditure of both labor and money? Such a course would greatly emphasize their sincerity.

Certainly if our forefathers who framed the Constitution had possessed such forethought and wisdom they would not have felt justified in making such a census provision without providing a war-exception clause.

Mr. SMITH of Idaho. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. Yes.

Mr. SMITH of Idaho. As a matter of fact, is anybody opposing the taking of the census in 1920—any Member of this House?

Mr. LARSEN. If you will read the RECORD I think you will find that the gentleman from Indiana [Mr. Cox] made a statement authorizing such a conclusion.

Mr. COX. Oh, no. I am perfectly willing to have the population census taken. I so stated.

Mr. LARSEN. I did not so understand. At the time the gentleman from Indiana made the remarks I asked him if he would yield to me, in order that I might ask him a question on that point, and he refused.

Mr. COX. The gentleman from Kentucky [Mr. HELM] propounded the same question to me.

Mr. LARSEN. You did not yield to me when I sought to interrogate you on that line. You may have yielded later to the gentleman from Kentucky for interrogation along this line. I make no complaint, but I will quote your words from the CONGRESSIONAL RECORD, page 8160, which are as follows: "I read the hearings before the committee last Sunday instead of going to church, as I should have done. It has been said here that it is constitutionally necessary to take a census. I know of no provision in the Constitution or in any law now upon the books or of any law that Congress could pass that would hold anyone guilty in the event that the next census should not be taken at all."

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. Yes.

Mr. EMERSON. What would be the penalty if Congress did not provide for the taking of the census?

Mr. LARSEN. Then it should be taken under existing law; but I think Members of the House, or anybody connected with the census department as a sworn officer, attempting to prevent it would be guilty of false swearing.

Mr. HEFLIN. Mr. Chairman, will the gentleman yield for a moment?

Mr. LARSEN. Yes.

Mr. HEFLIN. They asked who opposed the taking of the census. The gentleman from Maine [Mr. HERSEY], I believe, said the purpose of taking it was to give jobs to Democrats. You recall that, do you not?

Mr. LARSEN. I think that was the substance of his remarks.

Mr. HERSEY. I could not hear the statement of the gentleman from Alabama.

Mr. HEFLIN. I understand that the gentleman from Maine said it was to give a lot of Democrats jobs. Did not the gentleman say that?

The CHAIRMAN. Does the gentleman from Georgia yield?

Mr. LARSEN. Mr. Chairman, I am sorry, but I can not yield further.

The census of 1860 was taken during the Civil War. The enumeration began June 1, 1860, some months after war began, and it was not completed earlier than the latter part of 1862. Among other things it included a census of population, manufactures, agriculture, mortality, and social statistics. No one seems to have even made an attempt to change the rule at that time, and I am of the opinion that the wisdom of the majority will prevent it now.

Prior to the census of 1830 the first Monday in August seems to have been the date for beginning the enumeration, but the law for the census of that year changed it to June 1. The law for the census of 1910 changed it to April 15. Thus it will be seen that the tendency, certainly since 1830, has been toward an earlier date of enumeration.

The present bill provides that it shall be taken as of the 1st day of January.

In the opinion of the committee and of many expert witnesses called before it, this date is better adapted to the requirements of an agricultural census, especially when taken in connection with the enumeration of population, which requires a house-to-house canvass. April 15, the enumeration date fixed by the previous census bill, is not a good date for the taking of a census of crops, on account of the lapse of time following the harvesting of the previous one; nor is it a reliable date for the taking of a census of live stock. January 1 is undoubtedly the season of the year when our population is most accessible. If climatic or other conditions prevent operations at that time, the director is clothed with discretionary power to postpone the work until such time as it can be performed.

The gentleman from Indiana [Mr. Cox] raves over the fact that we propose to take a census at such a season of the year, and take persons out of agricultural and other industrial pursuits to assist in making the enumeration. It will not take more than 30 days to make it; and I may say to the gentleman that if we take it on the 1st day of January it will undoubtedly be at the season of the year best adapted to taking a census of any kind. Generally speaking, parties engaged in agricultural industries will be used in the taking of the census, and they can be better spared from the farms at that season of the year than any other.

The gentleman from Indiana [Mr. Cox] waxed eloquent over a provision of the bill fixing the salary of the Director of the Census at $7,500 per annum and that of the Assistant Director at $4,500. May I say to him that the salary of the director in 1900, 20 years ago, was $7,500, exactly the amount fixed in the present bill? May I also remind him that we now have no Assistant Director of the Census, and it is not contemplated that we will until the beginning of the Fourteenth decennial census period. The salary provided for such an officer when appointed will be $500 less per annum than was allowed during the taking of the last census.

The salary and compensation fixed in the bill for other officers and employees in connection with the taking of the next census is the result of thoughtful consideration upon the part of the committee, whose only desire was to do justice by all concerned. In the discharge of this duty error may have been committed, but if so I trust it is not of a very serious nature.

The census of 1910 cost $15,270,000. The one of 1920 will cover more territory, will embrace more resources, will give more information, and will contain at least 10,000,000 more in population. When it is considered that it is to be taken under war conditions, and at the estimated cost of $17,987,000, I do not feel that gentlemen of the House can with good grace say the committee was extravagant in fixing compensation to be allowed those taking it.

The gentleman from Massachusetts [Mr. GILLETT], in the course of debate, gave utterance to words the import of which I am sure, was not well considered by him; otherwise he would not have given expression to them. Considering the character of the remarks and the eminent source from which they emanated I do not feel that they should pass unnoticed.

As I am the only member of the Census Committee coming from the locality where the remarks are perhaps calculated to do most harm, and the only member of the Georgia delegation whose present plans contemplate a discussion of the bill, it is deemed proper that I should make some reply.

The distinguished gentleman from Massachusetts, in a discussion of that portion of the bill providing for the appointment of supervisors, and incidentally a change of the date of enumeration from April 15 to January 1, used the following language:

> But why was January 1 selected? I suppose that it was selected just for the very purpose of giving a basis of an excuse for not having the President appoint the supervisors. Now, the Director of the Census is a politician. This administration has not appointed to that office statisticians but politicians. The Director of the Census who was first appointed by the administration was Mr. Harris, from Georgia, who, if I recollect aright, was the chairman of the Democratic committee of that State; and I knew he gave up much of his time, which ought to have been spent in the Census Bureau, to the pursuit of politics in his own State. I am told that the present Director of the Census was the campaign manager of Senator SIMMONS, of North Carolina.

These remarks, as I construe them, involve not only a criticism of Mr. Harris, now a private citizen of Georgia, but also

of the present Director of the Census and of the President of the United States.

Regardless of what views may be entertained by the gentleman from Massachusetts regarding Mr. Harris, of Georgia, I do not think it is fair to leave it as his impression that because the present Director of the Census was once, perchance, the campaign manager of Senator SIMMONS he would so far degrade himself and pollute the honorable position which he now holds as to appoint inefficient and unworthy supervisors on that account. [Applause.] If the gentleman draws his conclusions in this respect from experiences which he may have had with managers of his own campaigns, I would say he has indeed been very unfortunate. My impression of Mr. Rogers, the present Director of the Census, is that he is a gentleman of highest character, who can be trusted to do what he thinks is right and proper under any and all circumstances. [Applause.]

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. LARSEN. I do.

Mr. HELM. If the Director of the Census was appointed by the President, as he was, and the Secretary of Commerce was appointed by the President, as he was, and if he is subject to the strictures and criticisms that the gentlemen on the Republican side of the Chamber have imputed to him, is it not quite possible that the supervisors, if they were appointed by the President, would be equally as obnoxious to the gentlemen on the opposite side of the Chamber as the Director of the Census and the Secretary of Commerce, both of whom were appointed by the President himself?

Mr. LARSEN. I should say that would undoubtedly be true. As for Mr. Harris, I have known him intimately and personally for nearly 20 years. No one would dare say he is not a gentleman. Even the gentleman from Massachusetts, I suppose, concedes that. May I suggest to him that the good people of Georgia, who perhaps know more of Mr. Harris than he does, regard him as a business man rather than as a politician? But be that as it may, they would certainly be slow to believe that as Director of the Census he neglected important public business in order to pursue political matters in his own State. [Applause.] I may also say to the gentleman, in this connection, that the chairmanship of the State Democratic committee of Georgia has not in recent years imposed such onerous burdens on its chairman as cause him to neglect, certainly to any great extent, either public or private matters.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN. I would like about one minute more.

Mr. HELM. I yield to the gentleman two minutes.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. LARSEN. In order that the gentleman from Massachusetts might enlighten us as to just when and what business matters had been neglected by Mr. Harris in the pursuit of politics in Georgia, I requested that he yield to me for a question at the time he gave utterance to his remarks, but he declined to yield, and hence I was unable to ask for information at the time.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LARSEN. I can not, in the limited time I have.

Mr. JOHNSON of Washington. I should like to ask the gentleman a question in that connection.

Mr. LARSEN. I have not time. If I had it I would yield.

Perhaps, inasmuch as I have suggested to the gentleman from Massachusetts the desirability of his specifying what public business was neglected by Mr. Harris, as Director of the Census, in order to look after political matters in Georgia, he will yet enlighten us along these lines. If he does not, we shall conclude that his charge was not well founded.

It is a matter of general knowledge that Mr. Harris administered the affairs of the Census Department so satisfactorily that President Wilson appointed him to a position on the Federal Trade Commission, of which he soon became chairman. [Applause.]

Now, if the criticism of Mr. Harris and the present Director of the Census is justified, in accordance with the words of the distinguished gentleman from Massachusetts, the responsibility for this criticism must necessarily rest upon our President. As for one, I do not feel that it is justified.

Certainly the President needs no defense or eulogy from one so unworthy as I, but I may be pardoned if I state my opinion of him, and in doing so say that it is my belief that when the impartial historian of the future writes the history of the nations he will record Washington as the father of our country, the author of our liberty, and as the one man who made possible the adoption of our Federal Constitution, that great beacon light of the world to which the succeeding generations of mankind have looked for liberty and freedom; that he will also record Jefferson as our great political philosopher and intellectual genius; Lincoln as our greatest apostle of freedom and the preserver of our Union; Lee as our greatest military genius; and Woodrow Wilson as our greatest dynamic force, combining more of the great and good qualities of those whom I have mentioned than any other one man. [Applause.]

Mr. NICHOLS of Michigan. Mr. Chairman, I yield two minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, I desired to ask a question of the gentleman who has just spoken in regard to the political activities of the former Director of the Census, Mr. Harris, but the gentleman declined to yield. It seems, from what I heard the gentleman say, that it has been suggested during this debate that Mr. Harris may have neglected his duties as Director of the Census to take part in politics in the State of Georgia. I do not know anything about that, but a further charge has been made that Mr. Harris, while a member of the Federal Trade Commission, tendered his resignation, to take effect at a date far in advance, and then left his duties as a member of the Federal Trade Commission to go to Georgia to participate in politics.

Mr. LARSEN. Will the gentleman yield?

Mr. JOHNSON of Washington. No; I can not yield in the limited time I have.

Mr. LARSEN. That charge has not been made here in the consideration of this bill before the House.

Mr. JOHNSON of Washington. I will ask the gentleman not to interrupt me. The charge has been made that Mr. Harris, with his resignation on file, to take effect at some future date, went into the senatorial contest in Georgia, and I am informed that the main question in dispute, or one of them, anyway, is how much part Mr. Harris had, in his capacity as a member of the Federal Trade Commission, in authorizing the payment of a fee of $30,000 to a prominent attorney, the question being as to whether there was any right to pay such a fee. That is politics in the State of Georgia, and the former Director of the Census seems to be in it; but according to the gentleman who has just spoken, Mr. Harris is regarded down there as a citizen rather than as a politician.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. HELM. I yield one minute to the gentleman from Georgia.

Mr. LARSEN. May I say to the gentleman from Washington that it is a very easy matter to make charges that can not be substantiated. May I ask why it is that you have not submitted to the House some proof in substantiation of the charges that you now make, or say have been made by others? You repeat charges without saying who made them or vouching the truth of them. The gentleman must know or believe the charges are not well founded, otherwise as a citizen of the United States and as a Member of Congress he should have instituted an investigation and had the matter looked into long before the resignation of Mr. Harris. [Applause.]

I may say to the gentleman that I have known Mr. Harris for 20 years, and, while I am in no way concerned or interested in his campaign, I am sure that Mr. Harris stands as high in the State of Georgia and among the good people who know him as does the gentleman who criticizes him. In addition to this I may say that it is my belief that Mr. Harris has at all times discharged the duties of a public nature intrusted to him to the entire satisfaction of his constituents, and in many instances to much better advantage than has the gentleman from Washington.

Mr. NICHOLS of Michigan. I yield two minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Chairman, the gentleman from Georgia seems not quite to have understood the statement that I made. It is not my purpose to make any charges against Mr. Harris in his capacity as a private citizen, but I undertook to state that in the senatorial contest for the Democratic nomination now raging in Georgia a large part of the row prevailing there seems to rage around the charges made by some of the candidates against the other candidate—a Democratic row pure and simple, the whole thing, apparently.

Mr. LARSEN. It is, as you make it, a Republican row. Nobody is growling about it except you.

Mr. JOHNSON of Washington. Oh, no. There are columns about it in the Georgia newspapers, as to whether Mr. Harris had any part, in his capacity as a member of the Federal Trade Commission—although his resignation was filed to take effect at some future date—as to whether he had any part in authorizing the payment of a fee of $30,000 to an attorney for that Federal Trade Commission. Now, I do not belong to the party

in power. I am not in the councils of the party. It is up to those who are in the councils of that party to watch these commissions, to ascertain if fees are being paid in excess, and it is their own affair if their member of the Federal Trade Commission seeks to get out from his office, while still drawing pay, and go into a campaign.

I yield back any time remaining.

The CHAIRMAN. The gentleman yields back one-half minute.

Mr. CROSSER. Mr. Chairman, to-day our soldiers battle against a foreign enemy, and we rightly praise them for the great sacrifice they make for our common country. They are fighting for the principle of government by consent of the people.

It must not be forgotten, however, that the people here at home have also a high duty to perform if government by the consent of the people is to be secured. The consent of the people is given by their vote at the polls. If they fail to vote, or do not vote according to their own best judgment, they neglect their highest privilege and also one of their most sacred duties. If they permit those who seek special advantage for themselves to dictate how they shall vote, it is little, if any, better than allowing the few to govern as they please without a vote of the people. There has been a tendency toward this very evil. Those who seek for themselves some special privilege now try to accomplish their purpose by the control of certain newspapers and magazines for the purpose of molding public opinion, or they work through the "bosses." Generally they use both methods.

Because their motives would generally be apparent, they do not openly urge or oppose measures or policies affecting their special interests, but they raise a great cry about some unimportant question or resort to the use of abuse.

At the present time, while pretending a desire to avoid a division of public opinion, they are busily engaged in different parts of the country in trying to revive disputes which have been long settled, and also in making false issues.

The primary election system has done much in many communities to prevent the growth of bossism in politics. This system, adopted by most States in recent years, enables the voters of any party to vote at the polls according to their own best judgment, and for the men whom they prefer.

Under the old convention system, the political boss was to be found in every city. He controlled the delegates to the convention, and they usually voted as he ordered. The political bosses are trying in almost every State to-day to have the direct primary election laws repealed, in order to make their control of the political party complete. In the meantime, they try to dictate to every precinct committeeman and ward leader in the city, and tell him not only how he must vote, but try to compel him to have the party voters in his precinct vote the same way.

If they should succeed in their efforts, it is perfectly clear that the people will have very little opportunity for real choice as to public officials, because the candidates of the different parties will be named by the bosses, or as they like to call themselves, leaders, and the people would have the poor privilege of choosing between their selections. The candidate then owing his nomination to one or two political bosses must, in order to keep their favor, do what he is told by them. It is easy to see that the bosses will carry their demands as far as they can safely do so.

The only remedy for conditions such as these is the faithful performance by every citizen of his duty to vote. Every man should express his best and independent judgment by his vote on the primary election day.

A number of States hold primary elections during the months of July and August. On Tuesday, the 13th day of August, primary elections are held in two States, Alabama and Ohio. In the State of Alabama the people have practically gotten rid of bosses, and in Ohio, the State in which I live, I feel that it will only be a short time until there will be no such thing as political bosses.

In the State of Ohio the bosses still try to compel every precinct committeeman to vote as they order and to insist upon the other voters in the precinct doing likewise. In the city of Cleveland, however, where the people have the habit of thinking for themselves, many precinct committeemen resent the insult to their intelligence and independence and insist upon using their own judgment, as every man should do.

Let us hope that before long in every city and State in the Union the primary election will be decided by the free and independent vote of the people themselves. When the people realize the importance of voting at the primary elections and vote without fear or favor of any man, then will machine politics be abolished and the humblest citizen in the land will have equal opportunity with the wealthy and powerful, and government by consent of the people will be secure.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That a census of the population, agriculture, manufactures, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the Navy Department and a census of the Panama Canal Zone by the War Department in accordance with plans prescribed or approved by the Director of the Census.

Mr. HELM. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 10, strike out the words "Navy Department" and insert in lieu thereof "respective governors of said islands."

The amendment was agreed to.

Mr. HELM. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Page 1, line 11, strike out the words "War Department" and insert in lieu thereof "Governor of the Canal Zone."

Mr. HELM. The purpose of these amendments is to simplify the work. Instead of the census being taken by the War Department it is to be taken by persons in control of the respective islands and the Canal Zone. The gentleman will observe that this is to be done in accordance with plans approved by the Director of the Census. I do not think that it was the purpose of the committee drafting the bill, or the intention of this committee, that anyone shall be sent to either the island of Guam or Samoa or to the Canal Zone for the purpose of taking this census, but that the schedules and outline of the work shall be forwarded to the governors of these respective political organizations and be conducted by the governors of the islands of Guam and Samoa and the Canal Zone, thereby saving the expense of sending men to these places so far distant from the Capital.

Mr. STAFFORD. Will the gentleman yield?

Mr. HELM. Yes.

Mr. STAFFORD. Under the amendment the Governor of the Canal Zone would have authority delegated to him to incur any expense that might be occasioned by the taking of the census in the Canal Zone.

Mr. HELM. The Appropriation Committee will provide for that when the proper time comes for making provision for taking it in these places.

Mr. STAFFORD. I understood the gentleman to say that it was not the intention to have any census representative take the census.

Mr. HELM. It was the intention not to have any representative go to these places, but it is to be done in an economical way by competent men on the islands and in the Canal Zone.

Mr. RAKER. Mr. Chairman, I had 10 minutes under general debate and did not use it. I wish to say that I have had a number of inquiries made of me to furnish the Great Britain or people act of 1918; also the Dominion elections act, section 33a, inserted by the war-time elections act and the Canadian act known as "An act to confer the electoral franchise upon women"; also the translation of a bill introduced in the French Parliament in 1918. I ask unanimous consent to extend my remarks in the RECORD by printing the several acts.

The acts referred to are entitled "Representation of the people act, 1918" (8 Geo. 5, c. 64, sec. 4); the "Dominion elections act," section 33a, inserted by war-time elections act, section 1 (d) (7–8 Geo. 5, c. 39, assented to Sept. 20, 1917); the Canadian act entitled "An act to confer the electoral franchise upon women," passed by the House of Commons April 12, 1918, amended and passed by the Senate May 3, 1918; and, lastly, the bill concerning woman suffrage introduced into the Chamber of Deputies January 24, 1918, by M. Emile Magniez, deputy.

These several laws relating to woman suffrage and the bill introduced into the French Chamber of Deputies are as follows:

GREAT BRITAIN.

REPRESENTATION OF THE PEOPLE ACT, 1918.

(8 Geo. 5, c. 64, sec. 4.)

4.—(1) A woman shall be entitled to be registered as a parliamentary elector for a constituency (other than a university constituency) if she—

(a) Has attained the age of 30 years; and

(b) Is not subject to any legal incapacity; and

(c) Is entitled to be registered as a local-government elector in respect of the occupation in that constituency of land or premises (not being a dwelling house) of a yearly value of not less than £5 or of a dwelling house, or is the wife of a husband entitled to be so registered.

(2) A woman shall be entitled to be registered as a parliamentary elector for a university constituency if she has attained the age of 30 years and either would be entitled to be so registered if she were a man or has been admitted to and passed the final examination and kept under the conditions required of women by the university the period of residence necessary for a man to obtain a degree at any university forming, or forming a part of, a university constituency which did not at the time the examination was passed admit women to degrees.

(3) A woman shall be entitled to be registered as a local-government elector for any local-government electoral area—

(a) Where she would be entitled to be so registered if she were a man; and

(b) Where she is the wife of a man who is entitled to be so registered in respect of premises in which they both reside, and she has attained the age of 30 years and is not subject to any legal incapacity.

For the purpose of this provision, a naval or military voter who is registered in respect of a residence qualification which he would have had but for his service shall be deemed to be resident in accordance with the qualification.

CANADA.

DOMINION ELECTIONS ACT, §33A.

(Inserted by war-time elections act, §1(d), 7-8 Geo. 5, c. 39, assented to Sept. 20, 1917.)

33A. (1) Every female person shall be capable of voting and qualified to vote at a Dominion election in any Province or in the Yukon Territory, who, being a British subject and qualified as to age, race, and residence, as required in the case of a male person in such Province or in the Yukon Territory, as the case may be, is the wife, widow, mother, sister, or daughter of any person, male or female, living or dead, who is serving or has served without Canada in any of the military forces, or within or without Canada in any of the naval forces, of Canada or of Great Britain in the present war: *Provided*, That this section shall not apply to the wife, widow, mother, sister, or daughter of a person no longer serving as aforesaid, unless such person has died in or has been honorably discharged from such service, or, in the case of an officer, has died in or has been permitted to resign from such service or has been dispensed by competent authority from further service, or in any case has died after honorable discharge, resignation by permission, or dispensation from further service as aforesaid.

(2) Such naval forces of Canada shall be deemed not to include members thereof engaged within Canada who may become members after the passing of this act.

AN ACT TO CONFER THE ELECTORAL FRANCHISE UPON WOMEN.

(Passed by the House of Commons Apr. 12, 1918. Amended and passed by the Senate May 3, 1918.)

His Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. (1) Every female person shall be entitled to vote at a Dominion election who—

(a) Is a British subject;

(b) Is of the full age of 21 years and upward;

(c) Has resided in the constituency in which she seeks to vote for a period of at least three months immediately preceding the date of the issue of the writ for an election in such constituency; and

(d) Is not disqualified on account of race, blood, or original nationality to vote at elections for members of the legislative assembly of the Province in which the constituency is situate in which such female person seeks to vote.

2. For the purposes of this act a female person shall be deemed to be a British subject—

(a) If she was born a British subject and is unmarried or is married to a British subject and has not become a subject of any foreign power; or

(b) If she has herself been personally naturalized as a British subject and has not since become the subject of a foreign power; or

(c) If, being a married woman and previously an alien, she has become a British subject by marriage or by the naturalization as a British subject of her father while she was a minor, and in either case has done nothing (other than in the second case by marriage) to forfeit or lose her status as a British subject and obtains and presents to the official or officials in charge of the preparation or revision of the voters' lists of the constituency a certificate under the signature of a judge or any court of record or of any superior court, under the seal of the said court, certifying that such female person is of the full age of 21 years, has resided in Canada a sufficient length of time, and is possessed of all requirements necessary to entitle her, if unmarried, to become naturalized as a British subject and that she has taken the oath of allegiance to His Majesty; or

(d) If, notwithstanding she is married to an alien, she was at the time of such marriage a British subject by birth and has not herself sworn allegiance to any foreign power: *Provided, however*, That this section shall not apply to the wife of an alien enemy.

2. This act shall be construed as one with the Dominion elections act, chapter 6 of the Revised Statutes of Canada, 1906, and the war-time elections act, chapter 39 of the statutes of 1917.

3. Notwithstanding anything in this act contained, it shall not be necessary by reason of any of the provisions thereof, to prepare new voters' lists for the purpose of any by-election to be held before the first day of January, 1919, and in the case of any such by-election any lawful lists available therefor may be used for the purposes of such by-election to the same extent and with the same validity as if this act had not been passed.

FRANCE.

TRANSLATION OF A BILL CONCERNING WOMAN SUFFRAGE.

[Introduced in the Chamber of Deputies Jan. 24, 1918, by M. Emile Magniez, deputy. Journal officiel, Doc. parl.—Chambre, annexe no. 4228 (Apr. 21, 1918).]

SECTION 1. The right to vote for municipal, cantonal, legislative, and senatorial elections is hereby granted to women.

SEC. 2. The age restrictions and other conditions of the possession and exercise of this right shall be the same as those applied to men, except as provided in section 3.

SEC. 3. Women who are keepers of houses of prostitution and of assignation and women enrolled on the list of prostitutes shall be excluded from the right to vote.

SEC. 4. At senatorial elections the municipal council of each commune shall appoint to the electoral college, in addition to the number of male delegates to which it is at present entitled, an equal number of delegates selected from among the women voters of the commune.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD by printing the several acts referred to? Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was agreed to.

Mr. HERSEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

Page 1, line 3, after the word "population," strike out the words "agriculture, manufactures, and mines and quarries."

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to proceed for 15 minutes.

The CHAIRMAN. The gentleman from Maine asks unanimous consent to proceed for 15 minutes. Is there objection?

There was no objection.

Mr. HERSEY. Mr. Chairman, when the immortal Daniel Webster was nearing the close of an eventful life and while attending a banquet in his honor it was noted that he was in a very serious mood, and when he was questioned he said, "The most serious thought of my life is the feeling of my own responsibility."

When the President of the United States, on April 2, 1917, nearing the close of his great war message to the Congress paused, and, thinking, no doubt, of his position as Commander in Chief, solemnly exclaimed, "It is a fearful thing to lead this great peaceful people into war." He, too, felt his awful responsibility.

During this war Congress every one of us must have felt at times the great individual responsibility laid upon us in the part we play in the conduct of a world-wide war. To-day in another room of this Capitol sits the great Committee on Ways and Means to provide for the largest revenue bill ever enacted by any nation. The responsibility of the Democratic leader [Mr. KITCHIN] is tremendous, but the responsibility of the President or of a great leader is not so great and important as that of the humblest Representative who honestly attempts at this time to be "a watch dog of the Treasury."

I was much interested in the honest, straightforward remarks the gentleman from Indiana [Mr. Cox] made upon this bill. I have noticed during my short service in this House that the gentleman from Indiana has always been in favor of economy and has always stood for the cutting down of useless expenses of the Government as well as against the making of reckless expenditures and the passage of "pork-barrel" bills; and I agree with him in his unanswerable argument that there is no reason at the present time why this Congress should spend additional millions in the taking of a useless census, and that a census of the population only is all that is necessary to be taken in 1920, and that a census of everything else would be not economy but extravagance.

Now, I have offered an amendment to this first section striking out from this census bill everything but an enumeration of the population.

There is much of misconception and misinformation in regard to the necessity of taking a census of all matters outside of population in 1920. All that the Constitution requires is an enumeration of the population every 10 years, and the Constitution nowhere provides any method for taking even a census of population.

If the Constitution had not provided for a census of population every 10 years no committee of this Congress would have had the hardihood to present the present bill in this time of war or ask for a census of everything in sight. The present Census Bureau might take a census of population by mail by returns from town officers and mayors of cities, who all have up-to-date statistics of their own population, and such a census as that would meet the Constitution without any extra expense in this time of war.

Even if we should find it necessary and proper to take a census of the population by the same methods and expenses as was provided by the one taken 10 years ago, we ought at the present time to go no further than population. We can not go further without committing a great wrong against the people of the

Nation when we are so earnestly called upon for economy and to "save to win."

The present bill provides, in addition to a census of the population, that there shall be taken a census of manufactures in 1920, and there are some in favor of this bill who loudly proclaim that it is absolutely necessary that we have a full census of manufactures every 10 years as well as a census of the population. To take a full census of manufactures under the present bill would result in the publication in 1923 of many large volumes of statistics showing the state of our disorganized manufactures three years before that publication, to wit, in 1920. Such a census could be of no value to this Nation. The millions we would spend for such a census is very much needed at the present time, especially when this work has been supplanted by a census of manufactures recently taken by the Census Bureau.

I read from the Annual Report of the Director of the Census for the fiscal year ending June 30, 1917. On page 16 of that report the Director of the Census says, under the subject "Census of manufactures":

The last quinquennial census of manufactures, which covered the calendar year 1914, was taken during the following year. * * * The work of compiling and publishing these press summaries, or preliminary statements, began in June, 1915, and was completed in August, 1916. The summaries gave * * * statistics as to number of establishments; proprietors, officials, and employees; horsepower; capital; salaries and wages; cost of materials; value of products; and other items. * * * Tables were prepared and published in pamphlet form covering four census years and giving comparative statistics of manufactures for the United States by geographic divisions, States, and industries.

* * * The preliminary figures having thus been published, the clerical force of the bureau was concentrated, so far as possible, upon the preparation of the analytical tables and text for the final reports. These are being published first in bulletin form, a separate quarto bulletin being issued for each State and the District of Columbia and for 41 selected industries. These bulletins will later be bound together in three large quarto volumes. Of the 49 bulletins for the States and the District of Columbia, 33 have been published and the remaining 16 are in the hands of the printer; and of the 41 industry bulletins, 13 have been published, 24 are in proof, and copy for 3 more is now in the hands of the printer. In the case of the remaining industry, shipbuilding, the 1914 statistics will not be published separately, but will be issued together with those for 1916, which are now being compiled in connection with the census of transportation by water. * * * The work of preparing the State bulletins for publication in the form of two bound volumes is now in progress and analytical tables are being compiled for the report on industries, to be published in a similar volume.

The abstract of the census of manufactures was completed and published during the fiscal year. This is an octavo volume of 722 pages presenting in condensed and convenient form the more important statistics derived from the census of 1914. It contains 223 tables, with descriptive text giving brief comments on the statistics. This abstract is in some respects a new departure in census work and has proved to be a popular publication. It differs from the abstracts of the decennial censuses of 1890 and 1900 in that it contains analytical tables, comparative figures for earlier years, and text discussions; it differs from the abstract of the decennial census of 1910 in that it presents the statistics in considerably greater detail, and at the same time is of octavo instead of quarto size, and therefore more convenient for handling; and it differs from all former abstracts in that it contains statistics of manufactures only. Since the abstract will supply the needs of a great majority of those using the statistics of manufactures, it was the first volume of the final reports to be issued. There has already been a great demand from manufacturers and others for this publication.

The bureau has recently had a full census of all the factories, plants, and manufactories that in any way have been able and prepared to build ships, aeroplanes, guns, munitions of war, or war materials. Those having charge of the conduct of the war are not relying upon past censuses, and they will therefore not receive any help from the census of manufactures and population made in 1920 and printed in 1923. The Congress can order a census of manufactures any time when it is needed. We do not have to wait for a 10-year period, and such a census will be made whenever it is needed, but to be of use it must be made with promptness and dispatch when our industries have again returned to normal conditions, and also, to be of value, it must be made in a time of peace.

As to a census of agriculture as provided by this bill to be made in 1920, how useless it will be for us to expend millions to obtain a dozen volumes of statistics in 1923, when the Department of Agriculture is engaged to-day in making a continual census of agriculture. Its reports are of great value to the Nation, because they are made monthly and are to-day relied upon, and not those made by the census of 10 years ago, and these reports from the Department of Agriculture will be relied upon for information in the days to come, and not any census made in 1920 and printed in 1923.

Before the Committee on the Census appeared the Secretary of Agriculture, Mr. Houston, who testified, among other things, as follows:

Secretary HOUSTON. We have over 150,000 volunteer reporters working for us. We have in each State reporting for us a very considerable number of the best farmers, the most alert farmers in each county; they are on the job throughout the year. Many of them have been working for the department for years, trained in the department's methods. The reports are made by the best farmers we have been able to select in every community in the Union. We get our information in that way.

We have recently appropriated to the Department of Agriculture millions of dollars to make a census of agriculture, and that department is now making monthly reports of agricultural products all over the Nation of all crops planted, of the kind of crops raised and produced, the kind of products of the animal industry of the country, and the plant industry and plant diseases, marketing, the distribution of farm crops, the purchasing of farm seeds, and so forth.

In addition to this, the Food Administration bureau, at great expense, is making a census all the time of food products and all that pertains to the farm and the food production of the country. Now, why should we, at great expense, expend other millions in duplicating the work now going on by the Agricultural Department and Food Administration and other bureaus and get no better and perhaps not so good results?

The same is true of a census of mines and mining provided by this bill. A few days ago this Congress provided, at great expense, a census and survey of all the mines and mineral resources of the country in connection with the Geological Survey; and why should we spend another million dollars in a duplication of that work and make another survey that will not be of value to us until 1923?

The same is also true of a survey of forests and forest products provided for by an amendment to this bill. By recent legislation, at great expense, we have provided for a number of special censuses and surveys of all the forests and forest products of the country. Now, why at this time, when we are at war, should we be called upon to make another census of forest products, when we should practice the strictest economy and not spend another million in duplicating the work of these surveys by a census that will not be available until 1923?

During the present war Congress will pay no attention to this bill if enacted. Those who have the conduct of the war will obtain no help or benefit from this bill, and in the days of peace to come Congress will not rely upon any census made in 1920; but after our manufactures and industries and agricultural and mining pursuits have all returned to a normal condition it will be time enough then to take a census of these manufactures and industries, which can then be made promptly and as an emergency, and down to date, and will not be made simply to give place and power to an army of slackers who want salaries and offices and profits from the Government of the United States.

Mr. COX. Will the gentleman yield?

Mr. HERSEY. Yes.

Mr. COX. How much will it cost to take the census of the population?

Mr. HERSEY. That depends upon how it is taken. If it is taken as the census of 1913 was taken, it would be very reasonable.

Mr. COX. Has the gentleman any approximate figure as to what is a reasonable amount?

Mr. ALEXANDER. Ten million dollars.

Mr. HERSEY. It ought not to take that.

Mr. HELM. Will the gentleman yield?

Mr. HERSEY. Yes.

Mr. HELM. Does the gentleman consider the census taken in 1900 a reasonable amount?

Mr. HERSEY. Oh, I never examined it.

Mr. HELM. Does the gentleman consider the cost of the census taken in 1900 a reasonable amount?

Mr. HERSEY. There were a great many frauds in the census of 1910, in the padding of the population at least.

Mr. HELM. Was the system good or bad in either instance?

Mr. HERSEY. It could be improved upon.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HERSEY. I know that while we are appropriating billions of dollars it seems a very small matter to attempt to save a few millions. I do not know how long the present war will continue, how many more billions will be demanded, how many more bonds will be issued, how many more liberty loans will be needed, how many more war-savings stamps must be sold, but I do know that there will come a time, and it will come soon, when the people will demand a stern accounting from those who agree to lavish and useless expenditure, under "pork-barrel" appropriations, of millions by increasing the expenses and salaries and by organizing and maintaining here in Washington a great army of political slackers who are but parasites upon the body of the Nation. [Applause.]

Mr. ALEXANDER. Mr. Chairman, I still am not able to diagnose the case of the gentleman from Maine [Mr. HERSEY]. His attitude with reference to this bill is incomprehensible to me. The question whether or not the census shall be extended to manufactures, mines, and mining came up in the minds of members of the committee and we sought an answer to that question from the very best available sources. Hence we called before the committee the Secretary of Agriculture and the Secretary of Commerce, representatives of the Bureau of Mines, and the Director of the Geological Survey.

We also directed inquiries to the Chamber of Commerce of the United States and other commercial bodies and manufacturing organizations, and all our information is to the effect that a census of manufactures, mines, and quarries is of the utmost importance. Many of them emphasize the fact that it will be of more importance following this war than at any other period in our history to take an inventory of our national assets. It is incomprehensible to me that any intelligent man with broad vision, recognizing this Government in its several activities as the greatest business concern in the world, thinks that it should not take an inventory of its assets. The gentleman asserts that this is an undertaking to make places for a lot of political slackers. I would inquire upon what basis he makes any such assertion as that? Every census that has been taken since I have been a voter was taken under a Republican administration and on terms substantially the same as in this law. Yet I never thought that in framing of census bills the responsible party in power had no higher conception of its duty to the people than to provide places for a lot of political adherents of a party in power. I would have contempt for the Republican Party if I thought that it could be prompted by any such mean, low motives. I do not assume that if this census is taken, beginning the 1st of July, 1919, and extending over to 1922, that it will afford a refuge for political slackers or men or women who may seek to avoid any of their obligations growing out of this war. On the contrary, I assume that this census will be taken in a way that will interfere as little as possible with the activities of the war that is going on, and if the war is over no such condition as the gentleman mentions would intervene.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GOOD. What was done under the appropriation made at the last session of Congress for a food survey with regard to taking an agricultural census during the past year, if anything?

Mr. ALEXANDER. The agricultural appropriation bill and the bill providing for a survey were for the fiscal year and necessarily must be quickly taken. It is taken through agents in the field on estimates and is not accurate but is for immediate use and in no way interferes with or overlaps or duplicates the work of the Census Bureau provided for in this bill.

Mr. GOOD. My recollection is that the amount appropriated for that survey was quite a considerable sum, running into a couple of million dollars or more.

Mr. ALEXANDER. I think the gentleman is right about that.

Mr. GOOD. It seems to me that that same organization ought to be qualified to do this work, so that there may be no duplication.

Mr. ALEXANDER. As I say, this is a census of agriculture. It will be the only accurate census we will get of mines and mining, because we will go to the original sources of information. The information is now taken quickly through agents and based on estimates, but all statisticians and political economists recognize the census as the only source of accurate information.

Mr. GOOD. I recall that when we had under discussion the repeal of the law, for which I think Mr. Burleson was responsible, to take an agricultural census every five years, there were some hearings, and it was admitted that an accurate agricultural census should not be taken. No farmer knows exactly how many bushels of corn he raises or how many bushels of wheat or rye or barley or how many tons of hay. The whole thing in that hearing, as I recollect it, was based on the best estimates the individual could make. So it is, after all, not accurate. It is a guess.

Mr. ALEXANDER. It may be in a sense inaccurate, but I am sure that an agent at a county seat can not sit down in his office and estimate how much wheat and corn and rye and other farm products have been raised in the county as well as the individual farmer can tell.

Mr. GOOD. Was that the way the food survey was made?

Mr. ALEXANDER. It was made through agents in different counties, who made a general survey.

Mr. GOOD. I thought they visited the individual farmer.

Mr. ALEXANDER. Oh, no.

Mr. GOOD. Then they had too much money.

Mr. MONDELL. Mr. Chairman, I rise to support the amendment offered by the gentleman from Maine [Mr. HERSEY], and I support it because if we are to pass a census bill at this time the work should be confined, in my opinion, exclusively to a census of the population. As a matter of fact, this bill should not be considered at this time. Legislation of this character should not be passed at this time.

It is impossible for us to tell nearly two years in advance of the census period what it may be wise to do when the time comes to take the census. If we are still engaged in war, it seems quite likely that it will be wise to confine the census activities to an enumeration of the population. On the other hand, it may develop that it is wise to have special examinations made at that time in order to secure and preserve a permanent record of the abnormal conditions existing in the industries at that time. It may be that it will be wise to go even further into some of these activities than is now proposed. On the other hand, it may not be wise to go into them at all. On the other hand, if in the meantime peace shall come and normal conditions are in the course of being established, it will probably be wise to conduct inquiries and investigations along lines with regard to which we are not now fully advised. It seems to me that a survey of the present situation and a consideration of present conditions all lead inevitably to the conclusion that it is utterly futile and foolish to legislate at this time in regard to matters on which we can not have full information nearly two years in advance of the advent. Some gentlemen have suggested that we should make a census provision at this time ample and wide, as is proposed, because conditions will be abnormal, and that we should have a record of that situation. Assuming that to be a sound argument, we can not at this time tell how far we shall want to go, in what direction we should extend our inquiries, just what class of inquiries we should make, so far in advance of the time and with so little knowledge as we now have as to the conditions that will exist. We never have, so far as I am informed, provided for a census so far in advance. But in times of profound peace, when matters are moving along in a normal and ordinary way, we may be able to tell, we might be able to determine even two years in advance, what it would be wise to include in the investigations and inquiries of a census. But under these circumstances no man is wise enough to forecast the future, no man is wise enough to know what should be embraced within the census inquiry, and therefore the Congress is simply wasting its time in legislating on the subject. I predict that whatever may be the form of this legislation as it passes this House it will be radically different when it becomes a law, and that if it becomes a law in the near future it will be radically amended before we reach the census period.

Mr. COX. Mr. Chairman, I am not at all concerned about the law being passed at this early time—to me that is a very minor consideration—nor am I very much concerned about the fear of some of my Republican friends over there that there is going to be a lot of jobs given out to somebody. That does not give me any trouble or worry whatever. Not that I care anything about the jobs, but you who are preaching that doctrine to-day do not believe what you are preaching, not one of you. I was a Member of this body 10 years ago, when the census was taken. A very warm Republican friend of mine was made district supervisor in my district. I thought we had an understanding, he and I, as to the division of these little enumerators. It finally wound up by the Democratic Party getting two enumerators in one township where there was not a Republican who could qualify for it. So that is the extent of Democratic patronage the third district of Indiana got when the census of 1910 was taken. This patronage does not concern me at all. You men are just as big political grabbers for jobs as any Democrat on the floor of the House.

Mr. GARNER. And probably a little bit more so.

Mr. COX. And probably a little bit more so. So I hope no man will rise any more on the floor of the House and discuss this from that viewpoint. But I am sincere in supporting the amendment offered by the gentleman from Maine. I concede that it is necessary to have a constitutional census of population, but I am unprepared to concede the necessity of taking such a voluminous census at this time. If I could see where it would increase the production one extra bushel of wheat, rye, oats, corn, barley, hay, I would quickly vote for it. If I could see where it would produce an extra pound of pork or beef or mutton or any other food product, I would willingly and gladly vote for it.

Mr. ALEXANDER. Will the gentleman yield at that point for a question?

Mr. COX. I will.

Mr. ALEXANDER. Do I understand the gentleman's position that he never was in favor of taking a census?

Mr. COX. Oh, no.

Mr. ALEXANDER. If it will not produce another pound of pork or another bushel of wheat——

Mr. COX. I admit in peace times it is necessary to take this census, but what the nations of the earth need to-day in this war is food. They want bread and meat; they want something to support and maintain their armies and civilian population at home, and instead of taking these people out of the line of production in producing these things they want to leave them at home. Now, in section 8 of this bill, I would like to have some gentleman at this time explain just how the taking of an agricultural census will increase production—to find out the occupants of the farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements and the incumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration? I repeat, how is that going to stimulate production if production is what we are after in the country, and we certainly are after it, because the burden of feeding not only our people but half the population of Europe is resting upon the shoulders of the farmers of the United States to-day, to-morrow, and until this war closes. Now, there is another thing I want briefly to mention. It is conceded, I think, by everybody who has touched this bill or knows anything about it that it would be a matter of economy to take a constitutional census of the population.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Here is the condition in the city of Washington: We recently passed an appropriation of $10,000,000 to provide homes and to build dormitories for the clerical force that is here and 20,000 more soon to arrive. When these figures are being compiled that will be taken by the enumerators out in the various parts of the country it will increase the clerical force here in Washington anywhere from 15,000 to 20,000 clerks. They have got to come here, and soon thereafter Congress will be called upon to make another appropriation, in all probability, of $10,000,000 more, with which to provide homes and build dormitories for clerks, and so forth, coming here for that purpose.

Mr. HELM. Will the gentleman yield?

Mr. COX. For a question.

Mr. HELM. Do I understand you to say it will be necessary to house 20,000 more clerks?

Mr. COX. Fifteen thousand to twenty thousand.

Mr. HELM. The gentleman is mistaken.

Mr. COX. How many clerks came here 10 years ago?

Mr. HELM. About 3,000.

Mr. COX. Now, then, we could take a constitutional census and comply with the organic law of the Nation in every respect, saving to this Government a few millions of dollars, a thing that is certainly very essential now in view of the condition of the Treasury, and, as the gentleman from Maine [Mr. HERSEY] well said a while ago, when the Ways and Means Committee is racking its brains in connection with the Treasury to find some objects on which to raise by Federal tax $8,000,000,000. Now, when these jobs are to be given out there will not be any draft required. Oh, no! They will come from every valley, hilltop, and mountain in the United States, but every one of them will come here with the request, "I want to do my bit to help in this war, but in order to do my bit and help win the war I ought to have a salary of about $1,500 a year," and from that on up. This amendment, gentlemen, ought to prevail. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HERSEY. Mr. Chairman, I would ask that the gentleman's time be extended.

Mr. HELM. Mr. Chairman, I would like to reach an agreement for closing debate on this amendment. I ask that it close in 10 minutes.

Mr. NICHOLS of Michigan. I would suggest half an hour, 15 minutes on each side.

Mr. HELM. The gentleman from Maine has already consumed 18 minutes, and the gentleman from Indiana, supporting the amendment, has used 8 minutes, and only 5 minutes have been consumed in opposition to it.

Mr. NICHOLS of Michigan. Make it 20 minutes on each side.

Mr. HELM. Mr. Chairman, I ask unanimous consent that debate on this amendment close in 20 minutes, 10 minutes to be controlled by the gentleman from Michigan and 10 by myself.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the debate on this amendment close in 20 minutes, 10 minutes to be controlled by the gentleman from Michigan and 10 by himself. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Kentucky [Mr. HELM] is recognized.

Mr. GOOD. Mr. Chairman, am I recognized?

Mr. GARNER. The gentleman does not control the time.

The CHAIRMAN. The gentleman from Kentucky and the gentleman from Michigan are in control of the time.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, I believe there is a good deal in what the gentleman from Maine [Mr. HERSEY] and the gentleman from Indiana [Mr. COX] have said with regard to the matter of taking of the special censuses at this time. Personally, I represent an agricultural community. My people are interested in agricultural production, and anything that is going to help them to increase production at this time, when it is increased production that the country wants, I wish to be for if it can be had within anything that is reasonable. I have here the Agricultural Yearbook for 1917. That book contains what I suppose is rather reliable information as to the exact number of bushels of corn produced in the United States, subdivided, giving the number of bushels produced in every State. And the same information is found in that book with regard to wheat, barley, rye, hay, cotton, and everything of that kind.

It gives the number of cattle, the number of horses, the number of hogs, the number of mules and sheep in every State and in the United States. It gives all the information, Mr. Chairman, that it is proposed to secure by the expenditure of millions of dollars in this bill to take an agricultural census.

Now, I submit that, taking corn, for instance, in the State of Missouri, this report shows that they doubled the production of corn last year over 1916. Is it claimed this information is not reliable? The farmers of the United States have been speeding up without a special census. They have been speeding up under the stimulus that comes to every patriotic citizen of America to do all he can to help win the war.

Why, Mr. Chairman, I doubt if after spending several millions of dollars you will have more reliable information, so far as the production of the farms is concerned, than you already have under the organization, the splendid organization, of the Agricultural Department. It does seem to me that we ought not to double up on all these things at a time when the war is demanding that millions of our young men shall give up the vocations of peace and go into the line. While that is on, if we can stop some of this special investigation work, the work requiring large sums of money and a great many people in counting things that could well be deferred, we should do so.

Mr. HELM. Mr. Chairman, there will be only one speech on this side, and I ask the gentleman from Michigan [Mr. NICHOLS] to yield some of his time.

The CHAIRMAN. The question is on the amendment——

Mr. HELM. I announced to the gentleman from Michigan that there will be only one speech on this side.

The CHAIRMAN. Does the gentleman from Michigan [Mr. NICHOLS] desire to use his time?

Mr. NICHOLS of Michigan. I wanted to reserve it at this time.

The CHAIRMAN. The gentleman will have to use it now, because the gentleman from Kentucky announces that there will be but one speech on that side.

Mr. NICHOLS of Michigan. Then I yield to the gentleman from Wisconsin [Mr. STAFFORD] five minutes.

Mr. STAFFORD. Mr. Chairman, the gravamen of the argument advanced by those who insist that we should take a census of agriculture, manufacture, mines, and quarries at this time is that it will be of value to statisticians and political economists. I have followed this debate from its very inception and no one has claimed up to the present moment that a census of agriculture will add one iota in bushels of crop yield when the census is taken three or four years before the statistics are available. As far as manufactures are concerned, it goes without saying that manufacturers do not depend upon statistics to determine their output. The only reason presented by the Bureau of the Census, which was read by the distinguished gentleman from Missouri [Mr. ALEXANDER] in the letter from the secretary of the Chamber of Commerce, did not contain any argument, but merely the opinion that it would be of value.

I would like to know some reason for the extravagant outlay of $7,000,000 when no good will come to the manufacturing interests or the agricultural interests from the compilation of these statistics at the present time.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I will yield for a brief question. My time is limited.

Mr. ALEXANDER. Will the gentleman state to this House what value has come to the manufacturing industries of this country by taking a census of the manufactures in the years past?

Mr. STAFFORD. Oh, those statistics have not been for manufacturers. They have been for statisticians and political economists, and most of the work of the Bureau of Census is of interest only to statisticians and political economists. Mr. Schwab and other great captains of industry do not depend upon statistics to determine whether or not they will go into a certain line of manufactures, nor do the farmers of the country depend upon statistics of agriculture for determining whether they will plant corn or wheat. They plant corn or wheat on the price of those commodities. They raise hogs when there is a prospect that the raising of hogs will be profitable.

Mr. NICHOLS of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. NICHOLS of Michigan. Do you believe in taking a census of manufactures?

Mr. STAFFORD. I believe in taking a census of manufactures when conditions are normal, but it is agreed that there is no reason at the present time to take a census of manufactures, because the conditions are utterly abnormal. Will your Dodges and your Fords and your other great manufacturing captains of industry in Detroit determine their position in the future upon these statistics collected in abnormal times? Of course not. They determine their policy upon conditions existing to-day, upon the demand for their products and the sale of their products. It is ridiculous. Is there a man employed in the Ford or the Dodge plant or any other great motor plant in Detroit dependent on statistics to determine whether they will extend or curtail their production? The gentleman can not cite one who resorts to census statistics to determine their production.

Mr. NICHOLS of Michigan. They do it now just as much as ever.

Mr. STAFFORD. Yes; a very clever answer, because they have never resorted to it, and I have never known a successful manufacturer to resort to statistics collected by the Bureau of the Census, four years old, when they are available four years after being taken, to determine whether they shall extend their business or not.

Mr. GREEN of Iowa. The gentleman is quite right, so far as the farmers are concerned. These statistics are absolutely valueless. They do not come in until five years after they are taken. The gentleman from Wisconsin is correct. They may be of value to philosophers or economists, but they are of no value to farmers.

Mr. STAFFORD. If there was some value to the Government to-day, well might we spend $7,000,000 for that purpose. But there is proof here that we have as first-class information as is obtainable by the Food Administrator and by the Agricultural Department here in the statistics read by the gentleman from Iowa [Mr. GOOD]. He shows that there is available to-day first-hand information, not dusty, obsolete information four years old, as to the amount of acres utilized in the production of the various commodities. Certainly, Mr. Chairman, no good reason has been advanced up to the present time for the expenditure of $7,000,000. It is necessary under the Constitution to have a census of population, but no more, and the burden is upon the committee to show some reason why we should spend the $7,000,000 in these abnormal times when the results will not be of any value even to statisticians. [Applause.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. NICHOLS of Michigan. I yield to the gentleman from Indiana [Mr. FAIRFIELD] one minute.

The CHAIRMAN. The gentleman from Indiana is recognized for one minute.

Mr. FAIRFIELD. Mr. Chairman, it is rather remarkable that there should be an arraignment of the Census Bureau in the last 50 or 100 years, so far as it has any value at all. It is remarkable indeed that this Government should have continuously taken a census of agriculture, manufactures, mines, and quarries all these years and suddenly gentlemen here find out that it is absolutely worthless. That is a strange and significant thing under these circumstances.

Let me say that the book from which the gentleman from Iowa [Mr. GOOD] read is built upon one estimate after another made on the census of 1910.

Mr. GOOD. The production of 1917?

Mr. FAIRFIELD. The production of 1917 is made on the basis of estimates, so the man who appeared before the committee stated. Every department said that. There has been no complete census in 1917, no complete census, but on the cursory survey, based upon estimates largely, and not correct. Evidently, it could not be. When men talk this way, extravagantly, about its utter uselessness, it looks to me as if it were unfair treatment of the subject. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HELM. If the gentleman desires an extension of time, I will give it to him.

The CHAIRMAN. All other time has expired. The gentleman has six minutes remaining.

Mr. HELM. Mr. Chairman, it is a very singular situation that confronts the committee, and I am at a perfect loss to understand how it is that the great Republican Party has degenerated into a contest over a census bill for a political issue in the coming election. [Applause.]

If the Republican Party has gotten down to such a fine point that it expects to depend upon the passage or nonpassage of the census bill, including a census of agriculture, manufactures, mines, and quarries, then you are indeed in a desperate condition, gentlemen, a deplorable condition, if you are undertaking to make a campaign issue out of that fact. You have, indeed, arrived at "the irreducible minimum."

Now, let us see. The censuses of 1900 and 1910 were passed by Republican Congresses. They were good then. They certainly ought to be, in your estimation, a good precedent for the passage of a census bill for 1920. The worst feature of this bill is that it is copied after both of those bills that were passed by Republican Congresses and approved by Republican Presidents. If they contain any vice at all, from my viewpoint, it is that they are the offspring of Republican legislation, and why you at this time should undertake to repudiate your own product is something that I can not understand. [Applause.]

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. HELM. With pleasure.

Mr. HERSEY. Do you copy from the Republican census bill of 1910 in the way of the appointment of supervisors?

Mr. HELM. My good friend, we are now considering your amendment to section 1.

Mr. HERSEY. Why do not you answer my question?

Mr. HELM. I do not want to punish you. [Laughter.] I think so much of you that I do not want to treat you as your position deserves.

Mr. HERSEY. Do not worry about me, but answer the question.

Mr. HELM. We are discussing——

Mr. HERSEY. Are not you going to answer the question?

Mr. HELM. If you will give me an opportunity to answer it, I will; but if you want to draw a blue print for my answer, why, I will say no. But I will answer your question in my own way, if you will give me an opportunity to do so. The gentleman has offered an amendment to strike out almost the first line of the first section on the first page. If he wants to jump clear over into the back part of the bill and to discuss the last section of it, I will tell you very frankly it has been stated perhaps 500 times that this bill differs from that bill in that respect. Has the gentleman been answered?

Mr. HERSEY. No. Will you yield further?

Mr. HELM. No; I do not think your attitude toward the committee merits it. [Laughter.] The gentleman from Maine is a very delightful gentleman, except when he gets his Maine type of politics stirred up in him. [Laughter.] Individually and personally he is as delightful a gentleman as I ever met or ever hope to meet; but when he gets up here on the floor he gets his quills up and begins to play a little politics over a bill that has no element of politics in it.

Mr. HERSEY. Will you yield for a question?

Mr. HELM. Certainly. I will take one more chance with you.

Mr. HERSEY. Do my questions embarrass you?

Mr. HELM. Get that out of your mind. Nothing that you could ask me about this bill would embarrass me in the least. [Laughter.] Now, let us get back to the bill and the amendment under consideration. I know that every fair-minded man in this Chamber must admit that a census of manufactures, of agriculture, and of mines and quarries is a necessary piece of legislation. Let me make this suggestion to you gentlemen over there who are undertaking to play a little game of politics.

After the close of this war necessarily there will have to be a tariff bill written, and I am disposed to believe that the tariff question following this war will not be a very decisive political issue. We will have to raise a tremendous amount of revenue to pay the interest on this war-bonded debt. Now, in order that a tariff bill may be written, I submit to every fair-minded, candid man here, can you write that bill without knowing what your resources are, what your stock in trade is, and what volume of business we have done?

Mr. HERSEY rose.

Mr. HELM. I do not yield any further.

The CHAIRMAN. The gentleman declines to yield.

Mr. HELM. I hope gentlemen will think over that feature of this situation. Now, I want to submit this other proposition to you: Is there a successful business man conducting a big business proposition in the United States who on the 1st day of January does not take an invoice of his stock? It does not put a pound of any commodity in his establishment. It does not add a single article of value to his stock in his store or in his warehouse. It does not take anything out of it. But how long would a business man continue in business without knowing what his stock consisted of? And that is this proposition exactly. We are undertaking in this bill to take an invoice in 1920 of the stock in trade of this country. Any business man who fails to do the same thing in his own private affairs will soon be out of business.

Mr. FESS. Will the gentleman yield for a question?

Mr. HELM. With pleasure.

Mr. FESS. I understand the Constitution requires that there be a census taken every 10 years, with reference to the apportionment for Congress.

Mr. HELM. Yes.

Mr. FESS. And you are simply adding to that requirement that we shall also make an inventory of our wealth in addition to the population.

Mr. HELM. We are simply carrying in this bill what has been carried in it since 1820, and I undertake to say that if you did not include a census of agriculture and of manufactures in this bill, the very first thing that would be done at any succeeding session of Congress would be that some one would come on the floor here to introduce just such a measure as this one to take a census of manufactures. The idea of undertaking to do the volume of business that the United States is doing without taking an invoice of the business every 10 years, when an individual takes an invoice of his stock every year and sometimes biennially, is an absurd idea.

Mr. FESS. Will the gentleman permit me?

Mr. HELM. Certainly.

Mr. FESS. I am in sympathy with what the gentleman is saying about adding to the census an inquiry as to these elements of wealth. The only thing I have in mind is that in our food-survey bill of last year we undertake to get our status as to agriculture, and that was said to be annual. Will we not be called upon to repeat that?

Mr. HELM. No. Let me give the gentleman the reason. All of the activities provided for heretofore with reference to agriculture expire June 30, 1919, and the decennial period begins July 1, 1919. So you see that all of the stocktaking and food survey and everything else that has heretofore been provided for expires before this bill even becomes effective, and there is no overlapping, no duplication. As a matter of fact, it is recognized by every department in this Government that the Bureau of the Census is the one bureau that they all depend upon for reliable, accurate information. Here is a letter from the chief of the Bureau of Markets, stating that without the census of agriculture their work is virtually worthless. Now let me give just a little instance. In the food survey they take a few representative families in a community and find out what they have, and multiply it by the number of people in the community.

Mr. FESS. That is a mere estimate.

Mr. HELM. That is a mere estimate. It is just a wild guess. It is the best they can do, and when you have an opportunity to do something that is worth while some gentlemen here are disposed to criticize and throw aside the only real valuable instrument of the Government that we have to get dependable and reliable information.

The CHAIRMAN. The time of the gentleman from Kentucky has expired; all time has expired, and the question is on the amendment offered by the gentleman from Maine.

Mr. GRAHAM of Illinois. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read the amendment.

The question was taken; and on a division (demanded by Mr. HERSEY) there were 33 ayes and 42 noes.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. That during the decennial-census period, and no longer, there may be employed in the Census Office, in addition to the force provided for by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, an assistant director, who shall be an experienced practical statistician; a chief statistician, who shall be a person of known and tried experience in statistical work; a disbursing clerk; an appointment clerk; a private secretary to the director; 4 stenographers; 8 expert chiefs of division; and 15 statistical experts. The assistant director shall be appointed by the President, by and with the advice and consent of the Senate. The chief statistician, the disbursing clerk, the appointment clerk, the chiefs of divisions, and the private secretary to the director shall be appointed without examination by the Secretary of Commerce upon the recommendation of the Director of the Census. The statistical experts and the stenographers shall be appointed in conformity with the civil-service act and rules.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the chairman of the committee whether it is practicable to designate the 1st day of July next preceding the census by naming the year. In the language as reported by the committee it says "for the fiscal year immediately preceding the decennial-census period." That compels a mental calculation. Is it practicable to designate the 1st of July of the year intended.

Mr. HELM. I see no objection to saying July 1, 1919.

Mr. STAFFORD. Does not the gentleman think that would be an improvement?

Mr. ALEXANDER. That is in accordance with the language of existing law. The language is, "for the fiscal year immediately preceding the decennial-census period."

Mr. STAFFORD. I realize that it has to be indefinite or continuing language, because this bill is not seeking to take the Fourteenth Census only but succeeding censuses; but I suppose the date extended is July 1, 1919.

Mr. HELM. I do not think there is anything indefinite about it.

Mr. STAFFORD. It would be a little more definite if we named the year. I withdraw the pro forma amendment.

Mr. HERSEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 16, after the word "division" strike out the semicolon, insert a period, and in lines 16 and 17 strike out the words "and 15 statistical experts."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. HERSEY) there were 13 ayes and 23 noes.

So the amendment was rejected.

Mr. ROBBINS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend section 3 as follows: Strike out, in lines 21 and 22, the words "without examination"; strike out, in line 23, the words "The statistical experts" and all of lines 24 and 25 and insert the following in lieu thereof: "That all appointments made or to be made pursuant to the provisions of this act shall be made in accordance with the provisions and requirements of the civil-service act of January 16, 1883: *Provided, however,* That no male citizen shall be appointed under the provisions of this act who at the time of his appointment is within the age limit rendering him liable to draft for the military service of the United States: *And provided further,* That whenever an appointee under this act becomes of the age which renders him liable to military service of the United States he shall by reason of that fact be forthwith released from service in connection with his appointment under this act."

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, the purpose of this amendment is to put this bill and the appointees under it within the provisions of the civil-service act. There is no reason why they should not be within the civil-service requirements as to efficiency, and there is every good reason why they should be. The establishment of a standard for this service ought not to be treated as a political question in any sense of the word.

Mr. ASWELL. Will the gentleman yield?

Mr. ROBBINS. Yes.

Mr. ASWELL. Does the gentleman or anybody believe that anyone would take a civil-service examination for a job lasting two or three weeks?

Mr. ROBBINS. Yes; because the examination could be made to suit the character of the employment. This same question was up when the last census was taken. The bill was vetoed by President Roosevelt for that very reason. I have his whole veto message, which is found in the CONGRESSIONAL RECORD, page 1966, of 1909, and I want to read a little of it, because it is refreshing to go back and see how the law has been developed and protected through the efforts of a Republican President. We have heard the statement made that that was a Republican census bill, and it has also been charged against

the Republicans that probably they were attempting to manipulate that act and the appointments on political grounds. Now, in section 7 of this bill you will find all the appointments removed from civil service, and in section 10 of that bill is to be found the antagonism to the whole principle of civil service in its most flagrant form. President Roosevelt's veto of the census act of 1909, in part, reads as follows:

Section 7 of the act provides in effect that appointments to the census shall be under the spoils system, for this is the real meaning of the provision that they shall be subject only to noncompetitive examination. The proviso is added that they shall be selected without regard to political party affiliations. But there is only one way to guarantee that they shall be selected without regard to politics and on merit, and that is by choosing them after competitive examination from the lists of eligibles provided by the Civil Service Commission. The present Director of the Census in his last report states the exact fact about these noncompetitive examinations when he says:

"A noncompetitive examination means that every one of the many thousands who will pass the examinations will have an equal right to appointment, and that personal and political pressure must in the end, as always before, become the determining factor with regard to the great body of these temporary employments. I can not too earnestly urge that the Director of the Census be relieved from this unfortunate situation."

To provide that the clerks and other employees shall be appointed after noncompetitive examination, and yet to provide that they shall be selected without regard to political party affiliations, means merely that the appointments shall be treated as the perquisites of the politicians of both political parties instead of as the perquisites of the politicians of one party. I do not believe in the doctrine that to the victor belong the spoils; but I think even less of the doctrine that the spoils shall be divided without a fight by the professional politicians on both sides; and this would be the result of permitting the bill in its present shape to become a law.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. Just for a question.

Mr. ASWELL. Is it not a fact that a Republican Congress later enacted this law and appointed these people without the civil service?

Mr. ROBBINS. No; they did not. I have the law here.

Mr. ASWELL. The fact is that they did.

Mr. ROBBINS. I shall not bandy words with the gentleman about that; the law will speak for itself. I continue the reading:

Both of the last two censuses, the Eleventh and the Tenth Censuses, were taken under a provision of law excluding competition; that is, necessitating appointments being made under the spoils system. Every man competent to speak with authority because of his knowledge of and familiarity with the work of those censuses has stated that the result was to produce extravagance and demoralization.

Mr. Robert T. Porter, who took the census of 1890, states:

The efficiency of the decennial census would be greatly improved and its cost materially lessened if it were provided that the employees should be selected in accordance with the terms of the civil-service law.

There, now, I have cited to you not only a former President of the United States but two Directors of the Census, stating that it ought to be taken under the civil-service law by employees selected pursuant to its terms. The gentlemen know that the civil-service law was the result of 40 or 50 years' struggle for the betterment of the civil service of our Government, and that the Republicans were in power when the civil-service law was enacted, and that it was enacted because it was believed that that party—or any party—in power would abuse the right of appointment to public office and use public office for political spoils. Mr. Chairman, the worst feature in this bill is not, perhaps, the selection of these minor appointees outside of the civil service. That is bad enough; that will "produce extravagant demoralization" of the service, in the language of Director Porter—and everyone will acknowledge that he was a distinguished gentleman, a scholar, and a patriot. It will produce inefficiency also. Let us turn to page 10 of the bill, to which this amendment will also apply. We find there that the majority party in this House have not only increased the number of supervisors, who are presumably to be the representatives of the Census Bureau, taking the census in each congressional district, from 330 to 400, but they have also made them appointees of the Secretary of Commerce, on the recommendation of the Director of the Census! Think of that! That takes all of these officials who will select all the enumerators, and who, in turn, will be in charge of the actual work of the taking of the census, and will be responsible for its accuracy and faithfulness as to all the facts, out from under the civil-service law. Under all prior census laws the supervisors were appointed by the President and confirmed by the Senate, but in this bill the Secretary of Commerce is to make these appointments. It would appear as if the majority party do not trust their own President! It may be argued that this will entail too much work upon the Civil Service Commission.

I took occasion to inquire into that. I hold no brief for the Civil Service Commission. I am speaking of it as a Member of Congress, regardless of whether the principle of making appointments under that law is to be applied here to a set of Democratic officials to take the census or a set of Republican officials. I believe in the system. I want to say to the gentlemen who are going to oppose this amendment that I was in Congress when Mr. McKinley was President, when the civil-service law did not apply to the appointment of postmasters. I represented a congressional district where there was over 300 post offices to be filled by appointment of the President on the recommendation of the Member of Congress. That was the greatest burden and the greatest cause of dissatisfaction and criticism that I ever had to deal with in all my experience in public life, politically, professionally, or otherwise. Those who sought these appointments or their friends were after me morning, noon, and night about these post offices. The communities where they were located at times became interested and divided, so intense in some cases did these contests become. Happily that has all been eliminated and none of us are now troubled since the Civil Service Commission has been placed in charge of these appointments, and the results have been eminently satisfactory. Can the Civil Service Commission perform this work? I think I have shown conclusively by the testimony of a former President and of two former census directors that can not be denied or seriously questioned by those who are experienced in this matter that all these positions ought to be placed under the civil-service law. If the civil service can furnish the lists of eligibles from which to select these appointees, why should anyone object. I took occasion to call up the Civil Service Commission on the 22d of June and inquire as to the ability of the commission to furnish suitable lists of persons eligible for these places, and I received from the commission the following letter:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., June 22, 1918.

Hon. EDWARD E. ROBBINS,
House of Representatives.

MY DEAR MR. ROBBINS: I inclose herewith copy of my letter of May 9, 1918, to Hon. HARVEY HELM, chairman of the Committee on the Census of the House of Representatives. The references in this letter are to the committee print of the bill, which was then under consideration.

I know of no good reason why appointments to the census force should not fairly and properly be made under the civil-service rules and regulations. The commission is amply able to do the work.

Very respectfully,

JOHN A. MCILHENNY,
President.

Inclosure.

Let us turn to the work that this Civil Service Commission is doing. It has a large building here in the city of Washington, and many employees, all of which are essential to one of the great departments of our Government. They hold examinations all over the country, and lately we modified the rules so that they can examine in Washington anyone, provided the party applying for the examination can show that he or she is entitled to it, and can be charged to some congressional district in the United States, and have a legal domicile other than in the city of Washington. During the last year—and I now read from the annual report of 1917, page 7, of the Civil Service Commission—it examined and certified appointments as follows: In the field, 174,653 applicants, and in Washington, 35,765; and there was appointed to office from this list thus certified to governmental departments persons qualified to fill the positions that were asked to be filled, as follows: Outside of Washington, 78,528, and in Washington, 6,761. We have their word, as expressed in the above letter, that they can furnish eligible lists of persons duly qualified for all these places in the Census Bureau. I appeal, therefore, to the majority party in control here not to force this bill through and make these places all political spoils. "To the victor belongs the spoils" is no longer a popular political slogan. Destroy the merit system, and you will find these appointments coming home to plague you politically in your congressional districts, because for every man that you appoint to office you will have five or six that are displeased.

Mr. COX. Oh, 50.

Mr. ROBBINS. And the men you put in will be snugly sitting on their salaries and the five or six whom you will disappoint will lie awake nights on your political trail.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROBBINS. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ROBBINS. My friend from Kentucky [Mr. HELM], who is the chairman of this committee and in charge of this bill, is something of a humorist, I notice in his reply to the questions of the gentleman from Maine [Mr. HERSEY]. I want to lift this discussion to the plane of real serious debate and out of the hustings of popular politics, because it does not make any difference to me, politically or otherwise, whether you make this the "spoils system" or not. We Republicans will obtain control of the Government in due time, no difference what is the

fate of this amendment, and, therefore, we expect no profit or advantage politically or otherwise by this bill. No department of our great and splendid Government enjoys to a larger extent the confidence and respect of all of our people than the Civil Service Commission.

President Roosevelt vetoed a pension bill enacted by a Republican Congress, because the places created thereby were not under its eligible list; President Cleveland stood firmly for its enforcement and announced that "public office was a public trust;" President Wilson has extended by Executive order the civil-service law to many offices not formerly covered by its provisions, and this House should not now curtail its operation by placing those who are to take the Fourteenth Census beyond the pale of its scrutinizing tests. But I do plead with you who are in the majority to preserve this civil-service law. The temporary advantage of striking it down will not benefit any political party and it will be a demoralization to the public service of our country that we as patriots ought not to tolerate or encourage. [Applause.]

Mr. ASWELL. Mr. Chairman, all of the employees of the Census Bureau are now under civil service, and this bill provides that those employed in the bureau shall be under civil service, and it applies only to those in the field service, as suggested by the gentleman who has just spoken. Mr. Chairman, it is recognized that while the Constitution places the responsibility in time of war upon the President, this Congress has ungrudgingly and without stint given the President ample authority. The same principle applies to any business. Any man in charge of a great business industry, whether it be merchandise, manufacturing, or farming, the man who is responsible for the success of that institution must have authority. The director should have authority over the appointees. Put them under the control of the Senate, and they ignore the director at will, and the work fails. The claim has been made by the gentleman who has just spoken and by others that supervisors, who are to serve only a short period of time, should be appointed by the President and confirmed by the Senate.

Mr. ROBBINS. Will the gentleman yield?

Mr. ASWELL. In just a moment. I call the attention of this committee to this fact, that the Director of the Census is charged with the responsibility of making this decennial census a success. He is held accountable for the results of this work, and if this Congress holds him responsible, why, does it not stand to reason that he should be given opportunity and authority? It has been charged that the Director of the Census and the Secretary of Commerce are well-known ordinary politicians and therefore should not have the right to make these appointments. I call the attention of this committee to the fact that those two gentlemen, the Secretary of Commerce, Mr. Redfield, and the Director of the Census, Mr. Rogers, received their appointment by the President and were confirmed by the Senate, and to the gentleman's argument that the danger is that they will appoint politicians. I call attention to the fact that they themselves, the very gentlemen Members on this floor have been criticizing, received their appointments from the President and were confirmed by the Senate. [Applause.] So, Mr. Chairman, it seems to me that the claim that these temporary workers, some of them schoolboys, some of them women, some of them men, who have opportunity to work for only two or three weeks, it seems to me that it would be ridiculous to call upon them to go to the trouble and expense of taking the civil-service examination when this bill provides that the Director of the Census himself shall give examinations to such extent as will absolutely guarantee the fitness of each individual in taking the census. [Applause.]

Mr. ROBBINS. Will the gentleman now yield?

Mr. ASWELL. I yield.

Mr. ROBBINS. I have before me the act of 1909, and the gentleman does not want to misquote it. The law reads this way on this point:

Supervisors shall be appointed by the President, by and with the advice and consent of the Senate.

This bill reads that "the supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census," on page 10. Does the gentleman mistrust his President and will not allow him to make these appointments? Is that the gentleman's position?

Mr. ASWELL. This section has nothing to do with supervisors.

Mr. ROBBINS. But it amounts to the same thing, because my amendment puts everything under the civil service.

Mr. ASWELL. That is where the gentleman's amendment is wrong.

Mr. ROBBINS. That is not right; that will not answer the question.

Mr. ALEXANDER. Will the gentleman yield?

Mr. ASWELL. I will.

Mr. ALEXANDER. I would call the attention of the gentleman from Louisiana to the fact that under section 6—

That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period, and no longer, as many clerks with salaries, etc., as may be found necessary for the proper and prompt performance of the duties herein required.

Section 7 provides—

That the additional clerks and other employees provided for by section 6 shall be subject to such special test examinations as the Director of the Census may prescribe, the said examinations to be conducted by the United States Civil Service Commission, to be open to all applicants without regard to political party affiliations, and to be held in such places in each State as may be designated by the Civil Service Commission.

Mr. ROBBINS. That is simply examinations by the commissioner himself.

Mr. ALEXANDER. Civil-service examinations.

Mr. ROBBINS. The commissioner has the right and he prepares the questions.

Mr. ALEXANDER. Has the gentleman read all of the Civil Service Commissioner's letter?

Mr. ROBBINS. No; I did not read the first paragraph because it referred to another letter, but I can read it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HELM. The amendment of the gentleman from Pennsylvania relates to two different subjects, one the Civil Service Commission and the other the appointment of persons liable to military service.

Mr. ROBBINS. Oh, the gentleman probably did not understand it if he did not read it and simply heard it. It simply says that no man can be appointed to a position liable to the draft.

Mr. HELM. I think everybody wants to agree to that, but I do not think everybody wants to agree to the civil-service feature of it, and therefore I ask for a division of the question presented by the amendment.

Mr. ROBBINS. Mr. Chairman, in order that I may be perfectly well understood, and that the gentleman may not misunderstand the amendment, I will say that it only provides for putting the positions under civil service and provides that no man can go in there that is liable to military service.

Mr. HELM. There are two very distinct propositions involved in that.

Mr. ASWELL. Will the gentleman yield at that point for a question?

Mr. ROBBINS. You can not divide the proposition.

The CHAIRMAN. The Chair thinks it can be divided.

Mr. STAFFORD. May we have the amendment again reported?

Mr. ROBBINS. May we have it read again so that we will all understand it?

Mr. ALEXANDER. My understanding is that there is no objection to the last proposition. Does the gentleman want to oppose it? We are willing to concede the second proposition, but we are not in favor of the first proposition.

The CHAIRMAN. The Clerk will again report the amendment.

The amendment was again read.

The CHAIRMAN. The question is on the first part of the amendment.

Mr. HELM. Mr. Chairman, the first part of the amendment, as I understand it, relates to the civil-service feature. I ask for a separate vote on that. I want to be heard for five minutes, or less time.

The staff officials of the Director of the Census are the assistant director, the chief statistician, the disbursing clerk, the appointment clerk, the chiefs of divisions, and private secretary to the director. Now, let us look at that just a moment. Would any man in Congress want his private secretary appointed by the Civil Service Commission?

Mr. ROBBINS. I except the director's private secretary.

Mr. HELM. You except the private secretary?

Mr. ROBBINS. Yes.

Mr. HELM. And not the assistant secretary's secretary?

Mr. ROBBINS. No; not the assistant secretary's.

Mr. HELM. That looks like an absurd proposition on its face. The assistant director has charge of the office force and perhaps 80,000 to 100,000 appointees, and has to possess administrative ability to handle men and to direct the business; and to require such assistant director to be put under the civil-service rules is an unthinkable proposition to me. You might just as

well say that the director should be appointed under civil-service rules and regulations. Men who handle this type of business are men who have initiative and administrative capacity, and to undertake to say that a man who gets a high standing on a civil-service examination shall be put at the head of a bureau is a most unbusinesslike proposition. It would be almost as reasonable to appoint the higher officers of the Army and Navy by competitive civil-service examination. And, as suggested by the gentleman from Missouri [Mr. ALEXANDER], you would have to confine yourself to the age limit under the civil-service rules and regulations.

Now, as to these statisticians. These men, who are to direct and to digest and who are to coordinate all of the data that is brought to that office, have been in that office for a period of years, and have had training along a particular line of duty. You can not go into the States and pick up at random a man who is qualified to act as chief statistician whose sole and only qualification is his ability to successfully take a civil-service examination. The work in the bureau is divided into three or four separate divisions.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. HELM. In just a moment. In the Division of Population there are 2,000 clerks; in the Division of Agriculture there are 1,000 clerks; and in the Division of Manufacturing, Mines, and Quarries, 1,000 clerks. That is the office force and not the field force. Now, do you want to just pick a man at random and put him in charge of 2,000 men who are assembling data and getting it in an intelligent form? It would be an unbusinesslike procedure. It is not good common sense. And I believe the gentleman from Pennsylvania [Mr. ROBBINS], on reflection and further consideration, will see that these statisticians are men of different capacity and different training, and that we do not want to cripple the service by requiring the impossible.

Now I yield to the gentleman from Wisconsin.

Mr. STAFFORD. I assume from the gentleman's statement that the chief statistician is a statistical expert?

Mr. HELM. The chief statistician is a——

Mr. STAFFORD. Should be a statistical expert?

Mr. HELM. As a matter of fact, he ought to be the very highest type of statistician.

Mr. STAFFORD. Now, you provide in your bill——

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. HELM. Mr. Chairman, I ask unanimous consent for five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Now, you require the statistical expert authorized by this section to be subject to civil-service examination. Why not require the chief to be subject to the same requirement? Why allow him to be a creature of spoils?

Mr. HELM. The chief statistician?

Mr. STAFFORD. Yes.

Mr. HELM. Well, the gentleman from Wisconsin can certainly draw a line of distinction between a man who is directing such a large organization as the statistical branches in the Bureau of Census and his subordinates?

Mr. STAFFORD. I can draw this distinction, if the gentleman will permit, that the chief statistician should be under the same rigorous examination as to qualifications, and more so, than the subordinate statistical experts which the gentleman's own committee require to be under civil-service rules.

Mr. HELM. Now, as a matter of fact, the chiefs of the divisions of population, agriculture, manufacture, mines, and quarries are men who are and have been in the bureau and do have a civil-service status, so far as that is concerned. But——

Mr. STAFFORD. That is the very purpose, if the gentleman will permit——

Mr. HELM. But if anything should happen and any one of these men should die, to require the director to hold a civil-service examination to select a man to be placed in charge of a force such as this seems to me to be——

Mr. STAFFORD. That is the very point I am trying to bring out, if the gentleman will permit, in all seriousness. Under the existing law, on the statutory roll there are carried nine chiefs of divisions that are subject to civil-service rules. Now you bring in a bill where you provide that the statistical experts of the census only shall be subject to civil-service rules, but you do not provide that these eight expert chiefs of divisions shall be under civil-service rules. Yet he was not placed on the statutory roll. They are required to be on the census roll.

Mr. HELM. Let us not meet that until it is presented, Mr. Chairman. I ask for a vote.

Mr. BARKLEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kentucky moves to strike out the last word.

Mr. ROBBINS. An amendment is pending.

Mr. BARKLEY. Mr. Chairman, I desire to call the attention of the gentleman to this fact: The last proviso in his amendment is as follows:

Provided further, That whenever an appointee under this act becomes of the age which renders him liable to the military service of the United States, he shall, by reason of that fact, forthwith be released from service in connection with said appointment.

I hardly think the gentleman realizes the effect of that. In other words, if the military age remains as it is and a man under 21 years of age is appointed to any position, although it may be that of a mere enumerator, whose services would not be required for more than three weeks, yet if in the middle of that work he becomes of the age of 21, he is immediately liable to military service, and he must quit his position and some one else must be appointed to take his place, although he might not be called to service for months.

Mr. ROBBINS. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. BARKLEY. Yes.

Mr. ROBBINS. I thought of that, and I made that flexible, so as to cover the possible draft age from 18 to 45, according to the amendment now pending in the Senate.

Mr. BARKLEY. If a man happens to arrive at military age, he might not be called for service for six months, and yet on the very day he reaches military age he would have to be released from employment.

Mr. ROBBINS. That is the only way I can see to safeguard against getting a lot of slackers.

Mr. SUMNERS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. SUMNERS. The point is that this question is not now before the House. The gentleman is discussing one part of the amendment and another part is pending.

Mr. BARKLEY. It strikes me that this amendment should not be agreed to in that form.

Mr. ALEXANDER. I do not believe in agreeing to it except by a division of the question. I think the amendment should be divided and the two parts separated. If the party recommended is called into the service of the United States, then——

Mr. BARKLEY. I do not think that is needed. These positions are not exempted from the military service. There is no place that a man holds that exempts him unless his chief states that his services are indispensable. But if it is necessary to amend the act so as to make it sure that they are not exempted, no objection could be made to that. I do not care to see any of these positions filled by men of military age, but if a man who is of military age and who has been examined and rejected and could not get into the Army is transferred to some job in here, he would have to be immediately removed.

Mr. ALEXANDER. I have no objection to the principle of it.

Mr. BARKLEY. I have no objection to the principle; but it will work out, as I believe, unwisely.

Mr. ASWELL. Is it not a fact that the Army regulations control that? The whole amendment, in that case, would be useless. Under it you could not employ anybody in the bureau anywhere unless he was under 18 or over 45.

Mr. BARKLEY. Suppose we should take a man within military age, over 25 years old, as an enumerator. He would not require more than three weeks to perform his duty in the district assigned to him. He might not be called into service for three months. It strikes me that it is an undue precaution to require that men shall be disconnected from the service when they have reached military age, although not called into service. I think it would be sufficient to provide that appointment under this act shall not entitle any man to deferred classification or exemption from military service.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I am in favor of the principle involved in the amendment which proposes that men to be employed shall be outside of military age, and I hope that something of the kind will be approved by the committee. I am not concerned as to the words or as to the amendment being adopted in the exact words suggested by the gentleman from Pennsylvania [Mr. ROBBINS]; but as to the objection made by the gentleman from Kentucky [Mr. BARKLEY], I think his objection is not good. I think the administration of this act should be in the direction of refusing to employ men within the age which subjects men to military service, and then the objection of the gentleman from Kentucky would not obtain. [Applause.]

The gentleman from Kentucky says also that employment in this line of work does not exempt a man from military service. That is true; but this employment gives opportunity for the head of the department or the official to whom this employee is subject to ask for his deferred classification on account of his employment.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I know of a department in this Government employing thousands of men in positions that do not exempt them from military service. I know also that the head of that department has asked for deferred classification for thousands of those men on account of their employment. It is up to the head of the department. The employment itself does not exempt a man, but the head of a department has authority to ask the draft boards to place men in deferred classes, and no draft board disregards the request of the head of a department.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I yield.

Mr. BARKLEY. Would the gentleman's suggestion be corrected by providing, instead of eliminating anybody who might arrive at military age, an amendment that would make it impossible for the Director of the Census or anybody under him to ask for a deferred classification for a man of military age?

Mr. McLAUGHLIN of Michigan. I want it air-tight. I am not concerned, as I said, about the words, but I think it is up to this Congress now—it should have been done before—to provide that these places we are creating should not be filled by men within draft age. The Congress is coming to that state of feeling. It should have experienced that feeling earlier. It ought to give expression to it now.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I do.

Mr. ALEXANDER. I think that provision in substance has been adopted in several bills that have been passed already.

Mr. ROBBINS. I have some of the bills here.

Mr. McLAUGHLIN of Michigan. Yes; but the gentleman from Kentucky suggests another form, a form that I do not approve.

Mr. BARKLEY. I am not concerned as to the form, but I can foresee a ridiculous situation that might arise with people arriving at military age, when their duties would not require more than a month's service, and yet they would immediately be disconnected from their duties, although they would not be called into service for months.

Mr. McLAUGHLIN of Michigan. It would be easy to frame the amendment in such words that that difficulty could not arise.

Mr. BARKLEY. I think it would be wise to eliminate from the appointment of these men those who are liable to military service, but if anybody is appointed who is not liable to military service I do not think a worthy object could be effected by separating that person immediately from his position before he is called to the military service.

Mr. SIMS. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. SIMS. I will state to the gentleman that I have just left the Senate, where an amendment is being considered to put within the draft age every man between the ages of 18 and 45. If that law were passed it would make it difficult to secure the necessary number of enumerators.

Mr. McLAUGHLIN of Michigan. I doubt if that amendment will be adopted by Congress, particularly at this time.

Mr. HELM. If anybody will present a well-considered amendment along the line of the suggestion of the gentleman from Michigan, I do not think there will be a particle of doubt about the adoption of it. The only question is in getting the amendment in proper shape.

Mr. BORLAND. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Pardon me for a moment. When the Agricultural bill was under consideration I offered an amendment——

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The gentleman from Alabama will state his parliamentary inquiry.

Mr. BANKHEAD. Would an amendment to the second portion of the amendment offered be in order at this stage of the proceedings?

The CHAIRMAN. Yes. It is divisible. The gentleman from Michigan has the floor.

Mr. McLAUGHLIN of Michigan. I want to make a parliamentary inquiry. The chairman has decided that this amendment is divisible, but after the committee has acted on the first portion of the amendment, will the second portion be open to debate?

The CHAIRMAN. The Chair thinks so.

Mr. McLAUGHLIN of Michigan. Then I do not care to proceed further at this time. I have nothing to say as to the first part.

Mr. STAFFORD. Mr. Chairman, can we have the first part reported as the Chair has divided it?

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

First part of the amendment offered by Mr. ROBBINS, of Pennsylvania: Strike out, in line 23, the words "The statistical experts and the stenographers shall be appointed in conformity with civil-service act and rules" and insert the following in lieu thereof: "That all appointments made or to be made pursuant to the provisions of this act, except the private secretary to the Director, shall be made in accordance with the provisions and requirements of the civil-service act of January 16, 1883, and the rules and regulations made thereunder."

The CHAIRMAN. The question is on the amendment.

The question being taken, on a division (demanded by Mr. ROBBINS) there were—ayes 22, noes 35.

Accordingly the amendment was rejected.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment which the Clerk will report.

Mr. BANKHEAD. I move to strike out the words "become of the age which renders him liable" and insert in lieu thereof the words "whenever called into."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD to the second part of the amendment offered by Mr. ROBBINS: Strike out the words "become of the age which renders him liable;" and insert in lieu thereof the words "whenever called into."

Mr. STAFFORD. So that it will read——

Mr. ROBBINS. Let the Clerk read the whole amendment as proposed to be amended.

The Clerk read as follows:

So that it will read:

"*Provided, however,* That no male citizen shall be appointed under the provisions of this act who at the time of his appointment is within the age limit rendering him liable to draft for the military service of the United States: *And provided further,* That whenever appointed under this act, whenever called into the military service of the United States"——

Mr. HEFLIN. The first part ought all to be stricken out.

Mr. BANKHEAD. Mr. Chairman, I will withdraw my amendment for the purpose of redrafting it.

The CHAIRMAN. The gentleman from Alabama withdraws the amendment.

Mr. BORLAND. Mr. Chairman, I want to oppose the amendment, if I may be recognized.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. BORLAND. I am in full sympathy with what I believe to be the purpose of the amendment of the gentleman from Alabama, and I hope he will get his amendment into such form that we can all agree upon it. His purpose is to prohibit men using these census positions as safety-first jobs during the war. We are all in hearty sympathy with that purpose, I think. It seems to me that men will be appointed to positions under this census who are of military age, but there is no reason why their appointment, whether they have actively sought it or not, should exempt them from the military service that is common to all American citizens of their age.

Mr. BARKLEY. Will the gentleman yield?

Mr. BORLAND. I yield to the gentleman from Kentucky.

Mr. BARKLEY. Under the first part of the second clause of the amendment no man of military age can be appointed.

Mr. BORLAND. And that is exactly the difficulty with it. The language is so drastic in its nature that no man of military age could be appointed. Under the present wording of it, no man between 21 and 31 could be appointed to the service; and if the military age were enlarged from 18 to 45, then it would be extremely difficult to get a working force under this census bureau of men not within military age. But the purpose can all be accomplished by permitting freedom of appointment in accordance with the civil-service regulations, but refusing any exemption on the ground of necessary employment to men who are in that line of service. It does seem to me that either by oversight of Congress or by slipping up on the soft side of executive officers a large number of men who ought to be subject

to military service, like any other good citizens of the United States, have been exempted from military service. It is not at all creditable that that sort of thing has gone on to any extent.

Mr. HERSEY. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. HERSEY. Would not that objection be obviated by appointing women to the places?

Mr. BORLAND. I have no doubt that a large number of women will be appointed. It is unquestionably true that women are in many respects as well or better adapted to office work than men. But there will be a great many of these positions, such as enumerators, and places of that kind, which can not very well be filled by women. I take it that there will be a large number of men, notwithstanding the very general employment of women in this service.

Mr. WHEELER. If I understand the first part of this amendment correctly, a man 25 years of age who had only one leg could not be appointed to this service, because he is within the military age.

Mr. BORLAND. Yes. If it simply excludes men of military age the gentleman from Illinois is correct. A man of military age must be refused appointment, even though not qualified for military service.

And that brings before us another thought that must be prominent in our minds from now on for the immediate future. It is that most of these Government employments ought to be open to men who have performed military service and who bear the scars of battle. Men who have been crippled in the service—one-legged soldiers, one-armed soldiers—can do a great deal of this kind of work. As far as I am concerned, when any place in the Federal service is open that a man crippled in this war can fill, he will be the first man who will have my voice for the place. I think general legislation will probably be passed which will enable the civil service to be open to self-respecting and patriotic Americans who have been crippled in the military service, who come back here bearing the scars of this great war for democracy. Those men ought to be put in. We can amend this so that men liable to military service and who are called upon for military service shall promptly go into the military service, as other American citizens go. Then there can be no evil concealed in this law. I think that is the full purpose and scope of the amendment of the gentleman from Alabama. I think his purpose is a very proper one, and I hope he has got his amendment in such shape that we can all agree upon it with that idea in our minds.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment as a substitute for the second part of the Robbins amendment.

Mr. ROBBINS. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROBBINS. I have modified the amendment, after consultation with the gentleman in charge of the bill.

The CHAIRMAN. The Clerk will first report the substitute offered by the gentleman from Michigan.

The Clerk read as follows:

Substitute for second part of the amendment offered by Mr. ROBBINS: "*Provided*, That no man appointed or employed or who shall hereafter be appointed or employed under this act shall on account of such employment be certified by any official or authority for deferred classification under act No. 12, Sixty-fifth Congress, entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917, or under any act amendatory thereof that has been or shall hereafter be enacted."

Mr. HELM. Mr. Chairman, I reserve a point of order on the substitute for the Robbins amendment unless the amendment permits the soldiers who have been in the service and been discharged for disability, or who have been rejected on account of physical disability. I do not think we ought to put up a bar against soldiers who have been in the service and have been disabled or been honorably discharged, or put up a bar to those of military age who have been rejected by examining boards.

Mr. McLAUGHLIN of Michigan. My amendment will meet the situation the gentleman has in mind. It will not prevent the employment of disabled soldiers, it simply provides that no one shall be employed under this act who, on account of his employment, has been certified by deferred classification under the act.

Mr. BARKLEY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. BARKLEY. Does the gentleman interpret his amendment so that it would not bar anybody that should not be given a deferred classification?

Mr. McLAUGHLIN of Michigan. Anyone could be appointed.

Mr. BARKLEY. Anybody that came back from the service could be appointed?

Mr. McLAUGHLIN of Michigan. He could.

Mr. HELM. I withdraw the point of order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken and the substitute was agreed to.

Miss RANKIN. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 2, line 25, after the word "rules," insert the following: "*Provided further*, That wherever practicable women shall be employed in the positions herein provided for."

Miss RANKIN. Mr. Chairman, as has been suggested on the floor, these are positions in which women can perform the services very easily. Women can do the work of enumerators. It has been found that women who have been employed as tenement-house inspectors were able to do the work as efficiently as men. The detailed work necessary in these positions would be faithfully performed by women. This amendment, if adopted, would also prevent men who are needed in war work from being employed in this bureau.

Mr. ASWELL. Mr. Chairman, I wish to call attention to the fact that women have full right to do this work the same as men now have under the bill, without any such amendment as has been offered by the lady from Montana.

Mr. MONDELL. Mr. Chairman, I suggest to my friend from Louisiana who has just said that women would undoubtedly be given an opportunity for employment that the fact is, however, that there are some men who prefer to employ men in work of this character, and therefore unless we provide for the appointment of women when practicable they are not likely to get the positions. Undoubtedly in some cases men will be recommended and appointed for political purposes, because of their political influence. In this time of war and stress when man power is so greatly needed on the fighting line or in the heavy, active, essential work of the war, the women of the country should be given an opportunity, so far as it is possible to do so, to do the work which they can do just as well as men. In the taking of the census women will be found as efficient and capable as men, and therefore I favor the amendment of the lady from Montana [Miss RANKIN], which provides that they shall be employed so far as is practicable.

Mr. ASWELL. They have the opportunity now, have they not?

Mr. MONDELL. They have the opportunity, but without some such suggestion as this, some expression of legislative opinion they are not likely to get the jobs.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Unless there is some advice to the appointing officers indicating the view of Congress in this matter, women are not likely to be appointed in considerable number. I yield to the gentleman.

Mr. ASWELL. This census is to be taken in 1920, and by that time undoubtedly a large number of crippled soldiers will be here. Would the gentleman eliminate them from this work?

Mr. MONDELL. Not at all. This amendment would not eliminate crippled soldiers. So far as it is practicable to employ crippled soldiers by all manner of means they should be employed.

Mr. ASWELL. This amendment does not say anything about crippled soldiers.

Mr. MONDELL. This amendment does not relate to that particular matter. This amendment refers to the employment of women. I should be glad to have it amended to include honorably discharged soldiers.

Mr. ASWELL. Would the gentleman suggest that this Congress go on record specifying any class of citizens in work of this kind?

Mr. MONDELL. Oh, yes; proper specification.

Mr. ASWELL. When all classes are admitted into this work?

Mr. MONDELL. We frequently grant preference to soldiers, and in time of war it is our duty to appoint for clerical work people who are not available for military service or heavy productive work.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GOOD. I want to inquire of the gentleman in charge of the bill if the amendment of the lady from Montana [Miss RANKIN] would be satisfactory if we added to it "and crippled soldiers," so that it would read, "that so far as practicable, women and crippled soldiers shall be employed"?

Mr. HEFLIN. Does not the gentleman think that the amendment would be better if it said "may be employed"?

Mr. GOOD. If that would be satisfactory to the gentleman, I should be glad to so amend it.

Mr. ASWELL. If the gentleman is asking me the question. I should say that it would be entirely out of the proprieties or the

proper thing in any sense to specify any class of citizens when everyone should have a chance to do the work.

Mr. HEFLIN. It seems to me that the amendment would be better if it read "may be appointed" instead of "shall be appointed."

Mr. MONDELL. This is simply a preference. The appointing power is not compelled to appoint women exclusively. Women are to be given the preference wherever it is practicable so to do.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. GALLAGHER. Is it not barely possible that the women may wield some political influence about the time these offices open up?

Mr. MONDELL. I think they may, and it may prove just as wise politically to appoint women to these positions as to appoint men. This legislative suggestion will be along that line, but, apart from all political considerations, this is the time to utilize the services of the women of the country in all lines of endeavor to which they are adapted.

Mr. ALEXANDER. They have that influence in Montana now.

Mr. MONDELL. And in Wyoming.

Mr. ALEXANDER. In Wyoming.

Mr. GOOD. Mr. Chairman, I move to amend the amendment offered by the lady from Montana by adding the words "and disabled soldiers" after the word "women."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. GOOD to the amendment offered by Miss RANKIN: After the word "women" insert the words "and disabled soldiers," so that the amendment as amended would read:

"*Provided further*, That wherever practicable women and disabled soldiers shall be employed in the positions herein provided for."

Mr. HARRISON of Mississippi. Mr. Chairman, I move as a substitute for the amendment of the lady from Montana and the amendment to the amendment that it read "disabled soldiers and sailors."

Mr. GOOD. I would be very glad to accept that amendment.

Mr. HARRISON of Mississippi. My substitute goes to the amendment of the lady from Montana, and also the amendment offered to the amendment by the gentleman from Iowa, and I would strike out the amendment offered and substitute the one that I have suggested.

Mr. GOOD. I will ask the gentleman if he would not modify his amendment by including those honorably discharged.

Mr. HELM. I understand that the amendment is by way of substitute.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Provided further, That wherever practicable disabled soldiers and sailors shall be employed in the positions herein provided for.

Mr. MONDELL. Mr. Chairman, does the gentleman who offered the last amendment intend to strike out the word "women"?

Mr. HARRISON of Mississippi. Mr. Chairman, it is my intention to offer this as a substitute to strike out "women" and make it apply to disabled soldiers and sailors.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi in the nature of a substitute.

The Clerk read as follows:

Amendment offered by Mr. HARRISON of Mississippi as a substitute for the amendment offered by the lady from Montana: Page 2, line 25, after the word "ruled," insert the following: "*Provided further*, That wherever practicable disabled soldiers and sailors shall be employed in the positions herein provided for."

Mr. GOOD. Mr. Chairman, the amendment offered by the lady from Montana [Miss RANKIN] has great merit. It has such merit, it seems to me, that it can not be sneered off the floor of this House in any such manner as is attempted here now. If the gentleman will send to the folding room and secure a copy of the war labor laws of Great Britain, printed under a resolution offered by Senator HOLLIS, he will find that in Great Britain the labor unions have welcomed the employment of female labor in practically all of the great munition plants and in all of the industries. Wherever women can be employed in Great Britain and in France during the war, they are employed to take the place of men. The amendment offered by the gentleman from Mississippi, if adopted, will serve notice on the Director of the Census, even where practical, he must not employ women.

Mr. ASWELL. Will the gentleman yield?

Mr. GOOD. Because the effect of his amendment is to reject the amendment offered by the lady from Montana to utilize a great body of women wherever practical, and that is all her amendment would accomplish.

Mr. ALEXANDER. Will the gentleman yield for a suggestion?

Mr. GOOD. I will.

Mr. ALEXANDER. Ought not the gentleman's amendment to have soldiers and sailors?

Mr. GOOD. I was going to add that. If this amendment is adopted, I shall ask to modify my amendment so it will read "honorably discharged soldiers and sailors." The man who is honorably discharged, who has performed his military service over there, if he can be employed to do this work, and is competent to do it and is not fully capable of doing some other and harder work, he ought to have the opportunity to be so employed. And it seems to me while this war is on we ought to utilize wherever we can the women power of America for doing this very class of work, especially clerical work, and thereby relieve the men to fight the battles of the Republic. They are all needed, and we should come to this position at once.

Mr. ASWELL. Is it not a fact this bill provides that now? There is nothing in the bill to prohibit it, and is it not the fact that women are being utilized throughout the entire country here? There is nothing in the bill to prevent that. [Applause.]

Mr. GOOD. I think the Congress ought to emphasize the fact that women should be employed to a greater extent than they are now, so that men not within draft age can go and take the plow and help speed up production, can take to the factory, where he can do work that women can not do so well, and I hope the amendment of the gentleman from Mississippi will be defeated.

Mr. HARRISON of Mississippi. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. HARRISON of Mississippi. I notice the gentleman would make a preference given to women and disabled soldiers and sailors?

Mr. GOOD. Yes.

Mr. HARRISON of Mississippi. Now, where would the preference come? Would women come before the disabled soldiers and sailors, or disabled soldiers and sailors before women? In other words, who will have——

Mr. GOOD. That will be left entirely to the Director of the Census.

Mr. HARRISON of Mississippi. The women will be appointed first, and then if there are any places left, give them to the soldiers and sailors?

Mr. GOOD. Not necessarily so. I take it that the Director of the Census will be a man with red blood in his veins, and if he had a job that could be performed better by a woman than by a disabled soldier or sailor, he will appoint the woman, and if the work could be done better by a disabled soldier or sailor, he will appoint him.

Mr. ASWELL. The Director of the Census makes the statement already that he intends to do that. Now, what is the use of this legislation?

Mr. GOOD. He intends to take a census, then what is the use of passing this census law?

Mr. ASWELL. You will have to have some authority to take the census——

Mr. GOOD. I think the Congress ought to direct in matters of this kind, and especially when it comes to directing as to the speeding-up program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa——

Mr. ASWELL. Mr. Chairman, a parliamentary inquiry. Is not the substitute in order first?

The CHAIRMAN. The rule is to perfect an amendment before voting on a substitute, and the Chair is right.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify my amendment so it will read "honorably discharged soldiers and sailors."

The CHAIRMAN. The gentleman from Iowa asks unanimous consent——

Miss RANKIN. Mr. Chairman, I agree to that amendment.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

After the word "women" insert "disabled and honorably discharged soldiers and sailors."

Mr. GOOD. I ask to strike out "disabled" because they would be honorably discharged.

The Clerk read as follows:

Insert "honorably discharged soldiers and sailors."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. Now, the question is on the substitute offered by the gentleman from Mississippi.

Mr. HARRISON of Mississippi. Mr. Chairman, may we have that reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The amendment was again reported.

Mr. HEFLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HEFLIN. If the amendment offered by the gentleman from Iowa should stand, an honorably discharged soldier or sailor would be in the same class as a disabled soldier or sailor honorably discharged?

The CHAIRMAN. The Chair does not think it comes within his prerogative to construe what the amendment might be, and therefore declines.

Mr. HEFLIN. But he might not be disabled while he might be included in this——

The CHAIRMAN. The Chair does not feel called upon to construe——

Mr. HEFLIN (continuing). And be put on the same footing with the disabled.

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry along the same line.

The CHAIRMAN. The gentleman will state it.

Mr. MONDELL. If the amendment should be adopted then there would be no preference in the employment of women; that is, if the substitute be adopted?

Mr. HARRISON of Mississippi. Only for disabled soldiers and sailors.

The CHAIRMAN. The Chair will not construe the law as to that.

Mr. HARRISON of Mississippi. Mr. Chairman, I ask unanimous consent to modify my substitute by adding "disabled soldiers and sailors honorably discharged."

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to modify his amendment in the manner indicated and which the Clerk will report.

The Clerk read as follows:

Mr. HARRISON of Mississippi offers to modify his amendment as follows: After the word "sailors" insert the words "honorably discharged."

The CHAIRMAN. The question is on the amendment of the gentleman from Mississippi by way of substitute to the amendment offered by the lady from Montana.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. GOOD. Division, Mr. Chairman.

The committee divided; and there were—ayes 38, noes 35.

Miss RANKIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and Miss RANKIN and Mr. HARRISON of Mississippi took their places as tellers.

The committee again divided; and the tellers reported—ayes 33, noes 45.

So the substitute was rejected.

The CHAIRMAN. The question now is on the amendment of the lady from Montana as amended.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. HARRISON of Mississippi. Division, Mr. Chairman.

The committee divided; and there were—ayes 49, nays, none.

So the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment: Line 23, page 2, before the word "statistical," insert "chiefs of division."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 23, before the word "statistical," insert the words "chiefs of division."

Mr. STAFFORD. Mr. Chairman, on the statutory roll there are employed at the present time nine expert chiefs of division. Those expert chiefs of division are under the classified service. I can understand wherein the Democratic side would wish to have the appointment clerk, the assistant director, and the chief statistician, perhaps, without civil-service requirements; but still the gentleman, if he provides for statistical experts under the civil-service rule as is provided in this last sentence, should be willing to include chiefs of division. There are eight chiefs of division provided for in this bill. There can be no distinction between the respective character of the work. If statistical experts should be under classified service, certainly these chiefs of division should likewise be. And I hope the gentleman will see the consistency of supporting this amendment in view of the report of the committee favoring statistical experts being included under civil-service rules.

Mr. HELM. Mr. Chairman, you would then have in line 20 that chiefs of divisions and a private secretary should be appointed without examination by the Secretary, and in line 23 you would have chiefs of divisions, stratistical experts, and stenographers to be appointed in conformity with the civil-service acts and rules.

Mr. STAFFORD. I did not get the gentleman's first statement, if he will permit.

Mr. HELM. He would have chiefs of divisions in line 20 to be appointed by the director.

Mr. STAFFORD. I intend to strike those out if this amendment is adopted.

Mr. HELM. There is a broad distinction, and I hope the committee will listen to me, between the chief of a division in the Census Bureau and a statistical expert. The chief of a division such as manufactures or of agriculture takes a man of exceptional qualification and exceptional administrative ability. When one stops to think, he will see that there are about 3,000,000 manufactories in the United States, and a man to handle that volume of business is a man out of the ordinary. And take the man who handles the division of agriculture, there are 7,000,000 farmers, and if you were to examine one of these schedules, the preparation of it, and the proper handling of this schedule and the business incident to it, you would see that the chief of that division is a man who must be almost on the same plane with the director himself. He is the man who does the work, as a matter of fact. And to restrict the operations of the bureau may possibly hamper the work in some way. Now, if you want the work to proceed in a businesslike, thorough-going manner, it seems to me the best thing to do is to let the bill remain as it is. I hope the amendment of the gentleman from Wisconsin [Mr. STAFFORD] will be defeated.

Mr. ALEXANDER. Question, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the Chair announced that the noes seem to have it.

Mr. STAFFORD. Division, Mr. Chairman.

The committee divided; and there were—ayes 29, noes 36.

So the amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BARKLEY having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 12441) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. MARTIN, Mr. OVERMAN, Mr. UNDERWOOD, Mr. WARREN, and Mr. GALLINGER as the conferees on the part of the Senate.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

The committee resumes its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That during the decennial census period the annual compensation of the officials of the Census Office shall be as follows: The Director of the Census, $7,500; the assistant director, $4,500; three chief statisticians and the chief clerk, $3,000 each; three other chief statisticians, $3,000, and the geographer, $2,750; the disbursing clerk, $3,000; the appointment clerk, $2,750; the chiefs of division, $2,250 each; the private secretary to the director, $2,250; the statistical experts, $2,000 each; and the stenographers provided for in section 3 of this act, $1,800 each.

Mr. ASWELL and Mr. GOOD rose.

The CHAIRMAN. The gentleman from Louisiana is recognized.

Mr. ASWELL. Mr. Chairman, I offer a committee amendment.

The CHAIRMAN. The gentleman from Louisiana offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment: Page 3, line 23, after the word "clerk" strike out "$3,000" and insert "$3,500"; and in line 23 strike out "three" and insert "two."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WALSH. Well, Mr. Chairman——

The CHAIRMAN. Does the gentleman from Louisiana [Mr. ASWELL] desire to be heard?

Mr. ASWELL. If anyone wishes it, I shall offer just a word of explanation. You will notice that three statisticians, the first three referred to, are the present chiefs of divisions. They will have charge of the three great divisions during the census period; that is to say, they will have 2,000 employees each under them and be responsible for the handling of reports from 85,000 enumerators. They are the three gentlemen who have been in the service for many years. The other three statisticians, you will note, will be employed for the census period only. The bill provided for three of these. The committee discussed it very thoroughly and decided to cut out one of the three and make the number two, and give those three men who have charge of all the divisions $3,500, and thereby in actual dollars and cents there will be a saving of $1,500 a year. These second statisticians are really under the supervision of the first three, and the responsibility of the success of the whole census rests upon the first three gentlemen.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. GOOD. What do these three trained experts receive now, and what did they receive under the former census?

Mr. ASWELL. Three thousand dollars in the last decennial census.

Mr. GOOD. And you are proposing now to increase their pay $500?

Mr. ASWELL. Yes; and cut out one of the others and reduce the sum total.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. WALSH. You are increasing their pay from $3,000 to $3,500?

Mr. ASWELL. Yes.

Mr. WALSH. Is that for just the period of the census?

Mr. ASWELL. For the three years only.

Mr. WALSH. It is not permanent?

Mr. ASWELL. It is not.

Mr. WALSH. And as to the two statisticians you are providing for, instead of three, what are they going to have charge of? How many employees will they have under them?

Mr. ASWELL. They, in a way, will be under the direction of these three.

Mr. WALSH. They will really be assistants to them?

Mr. ASWELL. Yes.

Mr. GOOD. If I understood the gentleman correctly, he stated that these three experts during the time we were at work in collecting the data for the last census were receiving $3,000. Are they receiving $3,000 now?

Mr. ASWELL. Yes; during the census period.

Mr. GOOD. They received just the same?

Mr. ASWELL. Yes.

Mr. GOOD. There is nothing in this bill that provides that after the work of taking this census is over their salaries will be reduced.

Mr. ASWELL. This census applies to only three years.

Mr. GOOD. So far as these experts are concerned we have always appropriated for them, in the years following the census, the same salaries that they formerly received.

Mr. ASWELL. No. The gentleman is mistaken.

Mr. GOOD. My inquiry was whether, when they were at work before, collecting the data for the last census, they received $3,000, and the gentleman said they received that salary.

Mr. ASWELL. Yes; during the census period.

Mr. GOOD. So that they did not receive any more salary during the time they were collecting the data than they do at present?

Mr. ASWELL. Yes.

Mr. GOOD. That is true, is it not?

Mr. ALEXANDER. The chief statisticians at present get $3,000 a year, and under the Thirteenth Census they got $3,000 a year. This bill proposes to increase their pay $500 during the census period, but not as permanent law.

Mr. STAFFORD. Will the gentleman permit an interruption in that particular?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. I do not understand that it is the purpose of the Census Committee to increase the salaries of the five chief statisticians who are now on the statutory roll from $3,000 each to $3,500, but it is the purpose of the committee to single out for preferment three chief statisticians who shall receive $3,500, thereby having five highly-expert chief statisticians receiving $3,000 on the statutory roll and another temporary force of three receiving $3,500.

Mr. ALEXANDER. No. The provisions of this bill and the salaries named in this bill apply only to the fourteenth decennial period.

Mr. STAFFORD. Oh, if the gentleman will permit, this bill does not seek to change the salaries of those on the statutory roll unless specific provision is made for them on the statutory roll. I find in the bill before me that the director shall receive $6,000, and five chief statisticians at $3,000 each. The bill provides for the appointment of three chief statisticians, and you propose to give them a salary of $3,500, $500 more than the Census Committee reported in the bill presented to the House for consideration.

Now, I present to the gentleman this practical situation: Here you have five chief statisticians on the statutory roll, expert men, receiving $3,000, and besides that you give three chief statisticians at $3,500 each, which will necessarily cause dissatisfaction, so far as the five permanent chief statisticians are concerned, if you are going to pay three, who are brought into the service and who will not equal those on the permanent roll in efficiency, $500 more during the three-year period for taking the census.

Mr. ASWELL. The three statisticians mentioned, who are to be increased to $3,500, are the three who are now in the office and are now the chief statisticians.

Mr. STAFFORD. The gentleman is mistaken. There are five now in the office.

Mr. ASWELL. I am speaking of the three at the head of the office.

Mr. ALEXANDER. They will have charge of the census—one of agriculture, one of manufactures, and the other of mines and quarries—and in view of the fact that they were to be in charge of this important work they felt that their salaries ought to be increased.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALEXANDER. I ask unanimous consent that the gentleman's time be extended three minutes.

The CHAIRMAN (Mr. CARTER of Oklahoma). The gentleman from Missouri asks unanimous consent that the time of the gentleman from Louisiana be extended three minutes. Is there objection?

There was no objection.

Mr. ALEXANDER. These gentlemen came before the committee and insisted that in view of the fact that they would be in charge of the work of these several divisions they ought to have the $500 additional pay, and instead of authorizing three other statistical experts we concluded, if that were true, that we would cut out one of them and add the $500 to their pay, which would result in a net saving so far as that was concerned of $500 and at the same time yield to their request, which we regarded as reasonable, to increase their pay during the census period $500 per year. That is all there is to it.

Mr. WALSH. Will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. WALSH. I see this section provides for three chief statisticians and three other chief statisticians. That apparently makes six chief statisticians down there.

Mr. ALEXANDER. The amendment of the gentleman from Louisiana cuts the three to two, as I understand.

Mr. WALSH. That is, instead of three others there are to be only two others?

Mr. ALEXANDER. Yes.

Mr. WALSH. And the three chief statisticians were each to get $3,500?

Mr. ALEXANDER. Yes.

Mr. ASWELL. We cut out one of the others.

Mr. ALEXANDER. The amendment cuts out one of the other three.

Mr. GOOD. Mr. Chairman, I desire to oppose the amendment. I know how enthusiastic Members of Congress become when sitting around a table, as the committee reporting out this bill sat around the table and heard the statement of the cost of these expert statisticians. I have been amazed, at hearings that I have attended for several years, to find the comparatively small salaries received by expert men in the employment of the Government. I have been surprised to learn of the small salaries that able lawyers in the employment of the Government receive. Since I have heard these statements for several years and have come in contact with many of these men, I have felt that we sometimes slop over, so to speak, when we talk about the underpaid clerks here in the departments at Washington. I know that the hearings before the committee on the legislative, executive, and judicial bill have disclosed the fact that men at the head of bureaus, experts, statisticians, and lawyers, hundreds of them, who are employed in all the different branches

of the Government, are receiving very low salaries. I think many of them are underpaid, and that their salaries ought to be increased. I should be glad to engage in the work with the proper committee to revise the statutory salaries. But when the Subcommittee on Appropriations considered the legislative, executive, and judicial bill they found that in every department of the Government, including the Census Department, estimates were made for increases in the salaries of this very class of men. The gentleman from Tennessee [Mr. BYRNS] stood out and contested every one of these claims.

Mr. ASWELL. Will the gentleman yield for a question?

Mr. GOOD. Yes.

Mr. ASWELL. The increases to which the gentleman refers did not apply to this case.

Mr. GOOD. They are the same character of men, even to the director himself. They are the same class of men in all the departments of the Government. I was about to say that the gentleman from Tennessee [Mr. BYRNS] had a job on his hands that lasted for 60 days, in declining all of these increases, and he did it on the theory that during this war there should be a substantial increase for those in the Government service who received salaries up to $2,000, but that we would not grant any increase to officials whose salaries were over $2,000. Now, in this amendment that the gentleman has offered, you are increasing the salary of the chief clerk $1,000. He now receives $2,500 a year, and you propose to increase his salary $1,000. He received only $2,500 during the last census.

Mr. ASWELL. I call attention to the fact that this bill is merely an authorization.

Mr. GOOD. So was the last census bill.

Mr. ASWELL. It refers it to the Committee on Appropriations to decide. It is not an order at all, but an authorization.

Mr. GOOD. In the hearings, on page 9, you have set out the last authorization bill, and that, as I understand it, carries $2,500 for the chief clerk.

Mr. ALEXANDER. I know the gentleman wants to be accurate in his statement.

Mr. GOOD. Yes; I do.

Mr. ALEXANDER. The chief clerk during the taking of the Thirteenth Census received $3,000. If the gentleman will turn to page 74 he will see the table there——

Mr. GOOD. I call the gentleman's attention to page 12 of the hearings, where I got my information. Section 5 reads as follows:

That during the decennial census period the annual compensation of the officials for the Census Office shall be as follows: Director of the Census, $7,000; Assistant Director, $5,000; three chief statisticians, at $3,000; chief clerk, $2,500.

It was estimated that he should receive $4,000. I am reading from the law. I can not tell about the gentleman's table, nor am I informed as to the amount subsequently appropriated. We are only concerned now with authorizations.

Mr. ALEXANDER. I think the explanation of it is this: That in the legislative, executive, and judicial appropriation bill the chief clerk's salary was increased during the decennial census period to $3,000. That was the explanation given to us, as I recall it.

Mr. GOOD. That may be true. The gentleman may be right.

Mr. ALEXANDER. Yes.

Mr. GOOD. But the law that we enacted, the authorization, was for $2,500.

Mr. ALEXANDER. Yes.

Mr. GOOD. And this is an increase of $1,000 over the authorization in the last law, according to this report.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. GOOD. I make these observations for this reason. In about three months we will have a new legislative bill to report. What does Congress want that committee to do in regard to salaries of this class of employees? Shall we increase the salaries of these very worthy men who now receive $3,000 to $3,500? Shall we reverse the policy of this Congress, where we declined to give these increases? We should be just and fair in our dealings with Government employees.

It was not long ago that I read somewhere in a platform of a political party about the salaries of these people that deplete the Treasury of the United States. I want to say to you now, without a tinge of politics, without any thought but interest of the Treasury and justice to the employees, that our decision should rest on a sound business proposition. We ought not now to increase the salaries of any of these men $500 a year, taking in view what the people are doing to put money into the Treasury of the United States. But if we increase the pay of one we should at the same time consider the claims of all employees of the same class.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. If this amendment were not so vital to the salaries of all the highly paid officials of this Government I would not attempt to supplement the argument advanced by my colleague on the subcommittee of the legislative, judicial, and appropriation bill. As stated by him, our subcommittee was beset from the beginning of the hearings lasting two months with demands for increased salaries to these higher-paid officials, based upon the fact that their work had been increased by our entering the war. Our subcommittee, supported by the full committee and approved by this House, adopted the policy that we would not in this time of stress and strain, when we needed money so badly to carry on this great war, increase the salaries of these highly paid officials. In every instance we continued the salaries despite the urgent appeals of the heads of departments, despite the urgent appeal of the Secretary of State in person, despite the appeal of the Attorney General in person, and allowed the salaries of the higher-paid officials to stand as they were.

Now, what does the committee do as far as the chief clerk of the bureau, who is only receiving $2,500, is concerned? They propose to give him an increase of $1,000, or $3,500, on the plea that his work will be increased during the census period, and yet the chief clerk of the department, charged with greater responsibilities, tenfold over than this clerk, an able man, receives only $3,000. You are under the guise of exigency because he has a little different work, giving the chief clerk of the bureau $500 more, an increase of $1,000, and demoting, in fact, the chief clerk that has grave responsibilities in the department, allowing his salary to remain at $3,000.

Mr. ASWELL. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ASWELL. I am sure the gentleman does not want to insist on an error. We are not increasing the salary of this clerk $1,000.

Mr. STAFFORD. The chief clerk receives $2,500. I have it here in the legislative, executive, and judicial appropriation bill.

Mr. ASWELL. The gentleman is correct in that, but I am not discussing what he is getting now, I am discussing the census period of 1910.

Mr. STAFFORD. I have not made any statement as to the census period of 1910; my whole argument has been in harmony with the suggestion proposed to give this chief clerk a salary of $3,500. The chief clerk of the department, Mr. Johannes, a most capable and efficient man, is receiving only $3,000, and you are leaving his salary at $3,000. I submit to this House whether you should single out this clerk and show him the favoritism when at this time Congress by a set policy has said that the higher salaries should not be increased during this period of war.

Mr. LARSEN. Mr. Chairman, I take it that everybody is in favor of saving money. That has been the cry, and yet when it gets down to the point of saving it we find that many who talk about it seem to be unwilling to do it. Gentlemen of the committee, if you are in favor of saving money, you are in favor of the amendment offered by the gentleman from Tennessee. The three clerks whose compensation it is intended to increase by this amendment are men who will be intrusted with the discharge of duties of a nature and responsibility which, I think, you will agree merits the increase of salary proposed in the amendment. One of these gentlemen will have 2,000 men working under him, another approximately 2,000, and the other at least 1,000.

The proposition is that in place of giving three statisticians $3,000 each, we cut out one of them, which will make two instead of three. In that way you will save $3,000 by disposing of the salary of one man. You can then add $500 to the salaries of each of the three chief statisticians, increasing their salaries to $3,500, and by that operation you save $1,500. If you are in favor of saving money, and at the same time favor paying efficient men what their services are worth, you have the chance to do so.

If you vote against the amendment, you vote to squander, as it were, $1,500 more, and if you vote in favor of the amendment, you vote to save $1,500, and at the same time provide adequate compensation for men who are in responsible positions.

Mr. GOOD. Then if we really want to save money we can demand a division of the amendment and vote down the first part and vote in the second part of the amendment.

Mr. LARSEN. I do not think you could do that, but perhaps you can.

Mr. GOOD. That is the way we could save money, and I hope we will do it. I demand a division of the amendment.

Mr. WALSH. Mr. Chairman, I understand this is a committee amendment, and I desire to compliment the committee and the distinguished members upon the unique policy and theory they have advanced here for saving money. They recommend that we have three chief statisticians and a chief clerk, and then three other chief statisticians. If there was no need for the three other chief statisticians, why did the committee recommend it, and if there is need of but two chief statisticians, why not eliminate one of the three recommended, and if you do eliminate one of them, why should we tack on a part of the salary of that one to the three others, who are already getting a salary which is commensurate with the duties they will be called upon to perform? Gentlemen talk about one of these three chief statisticians having one or two thousand men under his charge. Various other employees of the Government have that number under them.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. ASWELL. They not only have 2,000 men in the office force, but those three gentlemen are responsible for the work of 80,000 men in the field, in collecting and arranging facts as the facts are brought in.

Mr. WALSH. The responsibility will be principally of a directory nature, it will not increase their work one-tenth, and if it does, they have been appointed to these positions and they know what their duties are. They have been given sufficient funds to equip their office so that they can perform this work in an efficient manner, and it should not be a condition attached to their positions that when we happen to take the census they should have their compensations increased during the census period. I submit this is no way of saving money—to bring in a bill and call for three officials when only two are needed, and then lop off one of them and divide up part of his salary among three others whom they say they do need. I trust the amendment will be defeated and that when we come to consider the other chief statisticians we will reduce them to two. The member of the committee who has offered this amendment has admitted here that they need but two other chief statisticians. That being the case, I submit the committee ought to ask that that number be reduced, and we ought not to establish the precedent here, as it is sought to be established for other bills, of increasing these higher-paid officials of the Government. The exigency of this work is nothing compared with the importance of the work done by other officials of the Government in various other departments more intimately associated with the crisis in which this country now finds itself. We have not sought to increase the compensation of chief clerks or the statisticians or the experts in other lines of activity in the Government in any such amount as this.

Mr. ASWELL. I call the gentleman's attention to the fact that in the Bureau of the Census the highest-paid man is receiving a salary only of $3,000, except the director.

Mr. WALSH. But you are increasing the salary in this measure.

Mr. ASWELL. Certainly; those three gentlemen will have added responsibilities.

Mr. WALSH. Now, if these gentlemen in the Bureau of the Census have only duties arduous enough to keep them employed $3,000 worth of their valuable time during periods between the census, I submit that we might reduce the force instead of keeping them on the pay roll.

Mr. ASWELL. Will the gentleman yield for another question?

Mr. WALSH. Yes.

Mr. ASWELL. Does the gentleman know that the Bureau of the Census has already lost most of its best men because of the higher salaries paid in other departments?

Mr. WALSH. Well, I understand we have a law which prevents them from being transferred to other departments.

Mr. ASWELL. But the fact is that the Bureau of the Census has lost probably all its best men, who either went into the lump-sum appropriation or else went out of the service altogether.

Mr. WALSH. That may be, Mr. Chairman, but the salaries we provide in this bill will bring an army of experts out of the wilds and woods that will more than fill the Census Bureau up three or four times, because they are going to have all sorts of experts, statisticians, theorists, economists, and a salary of $3,500 or $3,000 will look very alluring to those gentlemen who have been obliged to work at much less than that in the past.

Mr. ASWELL. I call attention to the fact that some of these men coming out of the woods come from Boston.

Mr. WALSH. Then it is high enough salaries for them, too, whether they come from Boston as experts or whether they come from New Orleans.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. GOOD. Mr. Chairman, I demand a division of the amendment.

The CHAIRMAN. The gentleman from Iowa demands a division of the amendment. The question will be taken on the first part of the amendment, which the Clerk will report.

The Clerk read as follows:

Page 3, line 23, after the word "clerk," strike out "$3,000" and insert "$3,500."

The question was taken; and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. ASWELL) there were—ayes 10, noes 42.

So the amendment was rejected.

The CHAIRMAN. The question is on the second part of the amendment.

Mr. KEARNS. Let us have that read.

The CHAIRMAN. The Clerk will report the second part of the amendment.

The Clerk read as follows:

And, in line 23, strike out the word "three" and insert "two."

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I move, line 21, to strike out "$7,500" and insert in lieu thereof the figure "$7,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 21, strike out "$7,500" and insert "$7,000."

Mr. COOPER of Wisconsin. Will the gentleman yield for one question?

Mr. GOOD. Yes.

Mr. COOPER of Wisconsin. Is the salary of $7,500, proposed in line 21, the salary which he is now receiving?

Mr. GOOD. He is now receiving $6,000.

Mr. COOPER of Wisconsin. This proposes an increase of $1,500?

Mr. GOOD. Yes; it proposes an increase of $1,500 over the present salary, and if I am correctly informed an increase of $500 over the salary that the last Director of the Census received.

Mr. ALEXANDER. The Director of the Thirteenth Census got $7,000 and the Director of the Twelfth Census got $7,500.

Mr. GOOD. If the amendment which I have offered is adopted, the Director of the Census during the time required to take the census will receive the same salary that the last Director of the Census received during the time he was taking the census.

Mr. ALEXANDER. That is right.

Mr. GOOD. Now, Mr. Chairman, I submit this is not the time to increase the salary of the Director of the Census so that he will receive $1,500 a year more than United States judges of district courts receive. Some of the very best men in the United States give their time and legal ability acquired after years of experience and training for $6,000 a year. Now it is proposed to pay the Director of the Census an increase of $500 a year over the amount paid when the last census was taken.

If we are to do this with regard to the Director of the Census, who is an able and a very agreeable man, why should we not increase the salaries of all officials of the Government and pay them increased salaries during this period of the war? We have just decided that these experts, these statisticians, must work at the same salaries that they received when the last census was taken. Let us not adopt a different policy so far as the Director of the Census is concerned.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 6. That in addition to the force hereinbefore provided for and to that authorized by the legislative, executive, and judicial appropriation act for the fiscal year immediately preceding the decennial census period, there may be employed in the Census Office during the decennial census period, and no longer, as many clerks with salaries at the rates of $1,920, $1,800, $1,680, $1,560, $1,440, $1,380, $1,320, $1,260, $1,200, $1,140, $1,080, $1,020, $960, and $900; 1 engineer at $1,200 and 2 photostat operators at $1,200 each; as many skilled laborers, with salaries at the rate of not less than $720 nor more than $1,000 per annum; and as many messengers, assistant messengers, messenger boys, watchmen, unskilled laborers, and charwomen as may be found necessary for the proper and prompt performance of the duties herein required; these additional clerks and employees to be appointed by the Director of the Census: *Provided*, That the total number of such

additional clerks with salaries at the rate of $1,440 or more per annum shall at no time exceed 150: *Provided further*, That employees engaged in the compilation or tabulation of statistics by the use of mechanical devices may be compensated on a piece-price basis to be fixed by the director.

Miss RANKIN. Mr. Chairman——

Mr. BYRNS of Tennessee. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BYRNS of Tennessee offers the following amendment: Page 4, line 9, after the word "clerks," strike out all down to and including the word "each" in line 13 and insert the words "of classes 4, 3, 2, and 1; and on line 21 strike out, after the word "clerks," down to and including the word "annum" in line 22, and insert in lieu thereof the words "of classes 2, 3, and 4."

Mr. BYRNS of Tennessee. Mr. Chairman, I want to say only a word in reference to this amendment. If this amendment is adopted it will restore the provision which was carried in the law of 1909, and I hope the gentleman in charge of the bill will accept it. This section as drawn proposes for a portion of the Census Bureau employees a radical change in the system of classification which has prevailed in the various departments and bureaus here in Washington for the last 20 years, possibly. Under present classification, clerks are divided into classes of 1, 2, 3, and 4, paying salaries of $1,200, $1,400, $1,600, and $1,800, respectively. This provision as written in this bill would change that classification, not as to the entire bureau, but simply as to those clerks who are employed during the decennial period of three years. In other words, we would have in the Census Bureau one class of clerks under the old classification and another set of clerks with the salary set forth in this provision, and it would necessarily create confusion in the drafting of the appropriation bill which will provide for the payment of these clerks.

Mr. ALEXANDER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I will yield.

Mr. ALEXANDER. This provision gave me much trouble, because I have never familiarized myself with the classification of clerks and their pay. But on page 13 of the hearings this committee appointed by the director makes this observation:

Under the scheme of classification provided by section 6 as amended, the clerical salaries, starting with $900, advance in increments of $60 up to $1,440 and thereafter by increments of $120 up to $1,920. This increase in the number of salary classes for clerks is considered desirable because it will make possible a more equitable adjustment of the salary to the varying degrees of merit and efficiency in the work of the clerks and will also permit more frequent promotions, thus tending to improve the morale and efficiency of the force. A small increase in salary carries with it a recognition of merit, the moral effect of which upon the clerk is hardly less than that of a considerably larger increase. The salary classification here advocated has already been adopted in some branches of the Government service and is substantially the same as that recommended several years ago by the committee on departmental methods commonly known as the Keep committee.

The gentleman is more familiar with that than I am.

Mr. BYRNS of Tennessee. I will say that the gentleman who made that statement is entirely in error, because there is not a department of this Government that has adopted this system of classification. The Director of the Census for the last two or three years has come before the subcommittee on the legislative, executive, and judicial appropriation bill and made a proposition of this kind. I have said before on the floor of this House that I hope the time will come when Congress will take up the question of reclassifying the clerks and do it upon a scientific basis, and make it apply to all the departments and all the bureaus of the Government; and I hope that will be done as soon as this war is over. But I am opposed to undertaking to do that by piecemeal and making it apply to a portion of one bureau.

The gentleman who made the statement just read by the gentleman from Missouri is entirely in error, because, so far as I know, there is not a department in this Government which has not operated and is not operating under the old classification, which has existed for 20 years. And the only object I have in proposing this amendment is simply to prevent confusion in the drafting of the appropriation bills. And that, I think, was the controlling reason of the subcommittee which has reported the legislative, executive, and judicial appropriation bills here in declining the recommendation of the Director of the Census.

Now, this bill does not apply to the regular employees. The gentleman refers to the fact that this would afford a more ready means and a more equitable means of promotion. As a matter of fact, it would bring about confusion and discrimination in the bureau, for at the same desk possibly there would be clerks who would be serving under the present classification of 1, 2, 3, and 4, and to which I have referred. It ought to apply to all the clerks or none. Therefore I think, gentlemen, that in the interest of order and to the end that the Congress may know what it is doing when your appropriation bill comes in here next December this amendment ought to be adopted. If it is adopted, it will restore the provision which was carried in the bill of 1909.

Mr. HELM. Mr. Chairman, I dislike to be in any way at cross-purposes with the committee of which I have the honor to be chairman, and I think that my position is thoroughly understood by those who are associated with me on that committee. I endeavored to impress my views on the committee in drafting the bill. I think I am not transgressing any rule of propriety by saying that I was opposed to all increases in salaries in the drafting of this bill.

I believe that what the gentleman from Tennessee [Mr. BYRNS] has said is correct, in that this departure from the usual method of classification and compensation to clerical employees will create confusion. We undertook to bring out that feature of the situation at the hearing, and we were assured, as I recall it—and I think my recollection is clear—that it would not disconcert the appropriations as stated by the gentleman from Tennessee, but on the contrary that several of the departments or bureaus, or subdivisions of some of the departments, had adopted this method. For my part, I hope that the amendment offered by the gentleman from Tennessee will carry. I have on several occasions addressed the House in opposition to proposed increases of salaries during the war in other bills, and have voted against all such proposals; for the same reasons I shall oppose the proposed increases in this bill. No Member of the House could justify a vote increasing his own salary during the continuance of the war; for the same reason I do not believe he is justified in voting to increase the salary of any civilian employee of the Government, except in the rarest instances.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee [Mr. BYRNS].

The amendment was agreed to.

Miss RANKIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the lady from Montana.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 5, line 2, after the word "director," insert:

"*Provided*, That, whenever possible, women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. When the amendment offered by the lady from Montana was adopted to the prior section it was stated that it was after the word "rules," in line 25, on page 2. I believe it should have been offered to follow the amendment just adopted, offered by the gentleman from Michigan [Mr. MCLAUGHLIN]. The gentleman from Michigan offered an amendment not to exempt any of these persons from military duty, and then the lady from Montana offered her amendment. The way it was offered the amendment read to follow the word "rules," on line 25.

Mr. HELM. Anything to oblige the lady from Montana.

Mr. STAFFORD. I ask unanimous consent that the amendment offered by the lady from Montana should follow the amendment offered by the gentleman from Michigan that was adopted, instead of following the word "rules," in line 25, page 2.

The CHAIRMAN. The amendment has already been inserted in that way. The Clerk will read.

The Clerk read as follows:

SEC. 7. That the additional clerks and other employees provided for by section 6 shall be subject to such special test examinations as the Director of the Census may prescribe the said examinations to be conducted by the United States Civil Service Commission, to be open to all applicants without regard to political party affiliations, and to be held at such places in each State as may be designated by the Civil Service Commission. Certifications shall be made by the Civil Service Commission upon request of the Director of the Census from the eligible registers so established, in conformity with the law of apportionment as now provided for the classified service, in the order of rating: *Provided*, That the requirement as to conformity with the law of apportionment shall not apply to messenger boys, unskilled laborers, and charwomen: *Provided further*, That hereafter all examinations of applicants for positions in the Census Office from any State or Territory, shall be had in the State or Territory in which such applicant resides, and no person shall be eligible for such examination or appointment unless he or she shall have been actually domiciled in such State or Territory for at least one year previous to such examination: *Provided further*, That the Civil Service Commission may hold examinations for positions in such service of applicants temporarily absent from the place of their legal residence or domicile in the District of Columbia and elsewhere

in the United States where examinations are usually held upon proof satisfactory to the commission that such applicant is a bona fide resident of the State or Territory in which such applicant claims to have a legal residence or domicile: *Provided further*, That nothing herein shall be so construed as to abridge the existing law or apportionment or change the requirements of existing law as to legal residence or domicile of such applicants: *And provided further*, That no person afflicted with tuberculosis shall be appointed and that each applicant for appointment shall accompany his or her application with a certificate of health from some reputable physician: *And provided further*, That in no instance shall more than one person be appointed from the same family: *And provided further*, That when the exigencies of the service require, the director may appoint for temporary employment not exceeding six months' duration from the aforesaid list of eligibles those who, by reason of residence or other conditions, are immediately available, and may also appoint for not exceeding six months' duration persons having had previous experience in operating mechanical appliances in census work whose efficiency records in operating such appliances are satisfactory to him, and may accept such records in lieu of the civil-service examination: *And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination: *And provided further*, That during the decennial census period, and no longer, the Director of the Census may fill vacancies in the permanent force of the Census Office by the promotion or transfer of clerks or other employees employed on the temporary force authorized by section 6 of this act: *And provided further*, That at the expiration of the decennial census period the term of service of all employees so transferred and of all other temporary officers and employees appointed under the provisions of this act shall terminate, and such officers and employees shall not be eligible to appointment or transfer into the classified service of the Government by virtue of their examination or appointment under this act.

Mr. STAFFORD. Mr. Chairman, I move to strike out the first proviso at the top of page 7.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 7, line 1, strike out the proviso beginning on line 1 and ending on line 9, which reads as follows:

"*And provided further*, That employees in other branches of the departmental classified service who have had previous experience in census work may be transferred without examination to the Census Office to serve during the whole or a part of the decennial census period, and at the end of such service the employees so transferred shall be eligible to appointment to positions in any department held by them at date of transfer to the Census Office without examination."

Mr. STAFFORD. Mr. Chairman, my purpose in moving to strike out that proviso is to put a stop to the very objectionable practice that has been indulged in by these new bureaus that have been established in competing with the various established departments in trying to secure their best employees at higher wages or salaries. The one major complaint that we have found in considering the legislative, executive, and judicial appropriation bill has been that these new bureaus—the Bureau of War-Risk Insurance, the Bureau of Food Administration, and the Bureau of Fuel Administration—have gone into the old departmental service and have offered to the clerks additional salaries, so that they would leave their former employment, causing disorganization in the permanent force of the old departmental service.

Mr. ASWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. STAFFORD. Yes.

Mr. ASWELL. Is it not a fact that recent legislation has corrected that, and that whole matter is stopped? They can not be transferred at an increase of salary at all now.

Mr. STAFFORD. That practice was called to the attention of the President, because it became critical to the welfare of the public service.

Mr. ASWELL. It has been stopped.

Mr. STAFFORD. It has been stopped; but here you are permitting that very character of employment.

Mr. ASWELL. Not at increased salaries. The existing law prohibits increased salaries.

Mr. STAFFORD. Oh, under the Executive order, to correct that situation, the prohibition was made not only against the transfer at increased salaries but there was an absolute prohibition denying the right of any new bureau or department to secure the services of a clerk in the other departments without the full approval of the head of the bureau or department where the clerk was employed.

Mr. ASWELL. It does not have anything to do with that order.

Mr. STAFFORD. This authorizes the Census Office to go into any department of the Government and offer the employees higher salaries.

Mr. ASWELL. Oh, no.

Mr. STAFFORD. Where is there anything that prevents it? Where is there anything in this bill that prevents the head of the Census Office going into other departments and claiming the transfer of other clerks at higher salaries?

Mr. ASWELL. It is impossible under existing Executive order.

Mr. STAFFORD. It is not possible under existing Executive order. The existing Executive order forbids the transfer of any clerk from one department to another new bureau or establishment. Now, here, by legislation——

Mr. ASWELL. It is forbidden by existing law now.

Mr. STAFFORD. I can not hear the gentleman when I am talking myself.

Mr. ASWELL. I say it is forbidden by existing law now.

Mr. STAFFORD Now, by this provision you are authorizing that very thing which the President found it was necessary to stop by Executive order.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I will be glad to yield to the gentleman from Kentucky.

Mr. HELM. Much of the criticism that the gentleman refers to is absolutely correct. That is to say, some of the war bureaus have practiced some very gross improprieties in taking clerks from other departments by offering them higher salaries. No bureau in the Government has suffered more from that practice than the Census Bureau. Twenty or thirty of the best men in the Census Bureau have been drafted by these war bureaus in order really to show them how to perform the work that they were appointed to do. Now, so far as the gentleman's criticism was directed against that, he is correct; but this provision is to permit those who have heretofore been connected with the Census Bureau and are not otherwise employed——

Mr. STAFFORD. Oh, no—otherwise employed.

Mr. HELM. Any man who knows the temperament of the departmental clerk as well as the gentleman from Wisconsin knows that a man who is in another department is not going into the Census Department at less compensation.

Mr. STAFFORD. No; at more compansation.

Mr. HELM. How is he going to get it? You have restored classes 4, 3, 2, and 1.

Mr. STAFFORD. Yes; there is nothing that prevents the Director of the Bureau of the Census——

Mr. HELM. These are clerical positions, and these men will come from class 1 in the Treasury Department into class 1 in the Census Bureau; they will come out of class 2 in any other department into class 2 in the Census Bureau; they will come out of class 3 in some other department and go into class 3 in the Census Bureau. There is nothing here to justify the criticism of the gentleman from Wisconsin.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN (Mr. FOSTER). The gentleman from Wisconsin asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. STAFFORD. There is nothing in the bill that provides that these clerks who are now employed in one department shall be transferred to the other in the same class. If there were any such provision, there would not be the incentive for a person in one department to seek a transfer to the Census Bureau, where he has had prior experience in that line. The very purpose is that he may get back into the Census Bureau at an increased compensation, disorganizing the departmental service, of which I have complained, and the gentleman says my complaint is a just one. That is the one thing which I wish to warn against. We do not want to let the Census Bureau compete with other departments which have certain employees formerly employed in the Census Bureau.

Mr. McLAUGHLIN of Michigan. Would the trouble that the gentleman from Wisconsin points out be remedied by an amendment like this—that no employee so transferred shall receive a higher salary than he is now receiving?

Mr. ASWELL. They can not, for a year afterwards, now.

Mr. ALEXANDER. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Missouri.

Mr. McLAUGHLIN of Michigan. Did the gentleman from Missouri rise to answer my question?

Mr. ALEXANDER. The gentleman from Wisconsin has the floor. I understand the abuse sought to be stopped by Executive order was by transfer to other parts of the service where provision was made by lump-sum appropriation to pay the clerks. Could that abuse exist under this proviso? If they come into the employ of the Bureau of the Census, they would not come in under the lump-sum appropriation.

Mr. STAFFORD. Oh, yes. I do not pretend to know the bill better than the gentlemen who have reported it, but all of these employees for the period of the census will be provided for by lump-sum appropriations, and, under the amendment offered by the gentleman from Tennessee, they will have to be in class 1, class 2, class 3, or class 4, and there will be nothing to prevent a clerk in the Navy Department, receiving $1,400, from going to the Bureau of Census and receiving $1,600 after his transfer to the Bureau of Census. The vice that appealed to the Executive and caused him to put a bar to that practice is being lowered by the proviso.

Mr. ALEXANDER. This was in a section of the bill of 1910.

Mr. STAFFORD. But the conditions then were not so pressing as they are to-day. One department should not be allowed to take the clerks of another department by offering them an increase of pay of $200, $400, and sometimes as high as $600, to be paid out of a lump-sum appropriation, as has been indulged in by some of these new bureaus. This proviso would lift that bar and enable that practice, so far as the Census Bureau is concerned, to be continued.

Mr. GILLETT. Would not that also be disrespectful to the President, for is it not repealing his Executive order as applied to the bureau?

Mr. STAFFORD. There is no question about that, but I would not charge the Democratic Party with being disrespectful to the President.

Mr. ALEXANDER. It is in the existing law and we did not disturb it. Would not the amendment suggested by the gentleman from Michigan cure that?

Mr. STAFFORD. No; it would not. It would not prevent them at any time increasing the salary to a higher grade.

Mr. ASWELL. The existing law provides that clerks can not be transferred and the salary increased within 12 months thereafter.

Mr. STAFFORD. But this law supersedes that, and you ought not to be allowed to disorganize one department by another.

Mr. WALSH. Mr. Chairman, there seems to be a violent disagreement as to the interpretation of this section. I think if it is going to be correctly interpreted we should have a larger attendance, and I make the point of order that there is no quorum present.

Mr. HELM. Will not the gentleman withhold it until we dispose of the amendment to this section?

Mr. WALSH. I will withhold the point temporarily, to see if we can not get the situation smoothed out.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 7, line 9, after the word "nation," add the following words: "but no employee so transferred shall within one year after such transfer receive a higher salary than he is receiving at the time of the transfer."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

Mr. HELM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. STEPHENS of Mississippi, by unanimous consent, was given leave of absence indefinitely, on account of sickness.

EXTENSION OF REMARKS.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing two pages of a statement of the Federal reserve bank of the fifth district relative to cotton loans.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee presented a conference report on the bill H. R. 10358, the legislative, executive, and judicial appropriation bill for printing under the rule.

AEROPLANES.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to the production of aeroplanes.

Mr. FOSTER. Will it consist of the gentleman's own remarks?

Mr. CRAMTON. In part, but it will include also a statement which I think will be of general interest to the House.

Mr. FOSTER. By a Government official or by an outsider?

Mr. CRAMTON. I will say that there is no official objection to it.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. HELM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned until to-morrow, Wednesday, June 26, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 401) requesting the Board of Managers of National Homes for Disabled Volunteer Soldiers to report to the House of Representatives conditions at the soldiers' home in Virginia and reasons for separation of Joseph S. Smith from the governorship, reported the same without amendment, accompanied by a report (No. 691), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the resolution (H. Res. 392) requesting information as to the number of men in the service of the Food Administrator and Fuel Administrator who are within the draft age, reported the same without amendment, accompanied by a report (No. 692), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 12557) for the relief of Sylvester Hannan, alias Henry Edwards, reported the same without amendment, accompanied by a report (No. 690), which said bill and report were referred to the Private Calendar.

Mr. FIELDS, from the Committee on Military Affairs, to which was referred the bill (S. 1766) to authorize the President to appoint Col. L. Mervin Maus to the grade of brigadier general in the United States Army and place him on the retired list, reported the same without amendment, accompanied by a report (No. 693), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. JOHNSON of Washington: A bill (H. R. 12558) to amend section 4 of the act approved June 29, 1906, entitled "An act to establish a bureau of immigration and naturalization and to provide a uniform rule for the naturalization of aliens throughout the United States"; to the Committee on Immigration and Naturalization.

By Mr. ROBBINS: A bill (H. R. 12559) to punish the injuring and destruction of property essential to the national defense as acts of treason, and for other purposes; to the Committee on the Judiciary.

By Mr. TREADWAY: Resolution (H. Res. 402) requesting the Secretary of War to furnish certain information regarding the taking of pictures of the American Expeditionary Forces; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRUMBAUGH: A bill (H. R. 12560) granting a pension to Carl F. Gatterdam; to the Committee on Pensions.

By Mr. CARY: A bill (H. R. 12561) granting an increase of pension to J. S. Tehan; to the Committee on Pensions.

By Mr. CLASSON: A bill (H. R. 12562) to correct the military record of John G. Day; to the Committee on Military Affairs.

Also, a bill (H. R. 12563) to correct the military record of Thomas C. Tulley; to the Committee on Military Affairs.

By Mr. SANDERS of Louisiana: A bill (H. R. 12564) granting a pension to Anna Hohndorff; to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 12565) granting an increase to pension to Magdalina Klein; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Memorial of Washington State Federation of Women's Clubs, urging war prohibition, the submission of the suffrage amendment, and the repeal of the postal-zone law; to the Committee on Ways and Means.

Also (by request), letter from Obear-Dixon Brokerage Co., Kansas City, Mo., against the Jones amendment; also the statement of Henry M. Leland, president Lincoln Motor Car Co., and 11 other leading business men, of Detroit, Mich., urging the adoption of the Jones amendment; to the Committee on Agriculture.

Also (by request), resolution of the executive board of the New York State Woman Suffrage Party, urging that military rank be conferred upon our nursing corps; to the Committee on Military Affairs.

Also (by request), petitions of the West Michigan Conference of Seventh Day Adventists and of the Women's Clubs of Christopher, Ill., favoring war prohibition; to the Committee on the Judiciary.

By Mr. BROWNING: Petition of citizens of Pitman, Camden, and Sewell, N. J., urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petitions of members of the First Methodist Episcopal Church, Clinton Junction; Congregational Church, Elkhorn; Baptist Church, Mukwonago; Seventh Day Baptist Church, Milton; Presbyterian Church, Janesville; Janesville Baptist Association; Walworth County Baptist Association; Good Samaritan Lodge, No. 135, Free, Ancient, and Accepted Masons, Clinton Junction; Women's Christian Temperance Union, Springfield; Daughters of the American Revolution Chapter, Elkhorn; Rebekah Lodge No. 59, Orfordville; Waupega Lodge No. 76, Independent Order of Odd Fellows, Orfordville; Federation of Women, Janesville; trustees Beloit College, Beloit; all in the State of Wisconsin, urging Congress to immediately enact legislation to provide for war-time prohibition; to the Committee on the Judiciary.

By Mr. EMERSON: Petition of citizens of the twenty-second district of Ohio, protesting against the zone system; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Resolutions of Bethany Methodist Episcopal Church, of Vancouver, Wash., favoring prohibition of the manufacture of alcoholic liquors during the war; to the Committee on the Judiciary.

By Mr. McFADDEN: Petitions of 35 citizens of Araret and of Thompson, Pa., for the repeal of the postal-zone rate postal bill; to the Committee on Ways and Means.

By Mr. RANDALL: Telegraphic petition of First Methodist Church, of Pasadena, Cal., for war prohibition; to the Committee on the Judiciary.

By Mr. SNELL: Petitions of S. J. Veitch, Mable W. Parker, Mrs. W. L. Distin, Ella B. Distin, Fred J. Tooker, Francis S. Podmore, Mrs. E. Cassavaugh, S. G. Hefelbower, Aminta E. Hitchins, Anna E. H. Hefelbower, Mrs. Helen Spaulding, Mrs. Ina Vandenburgh, Mrs. Amelia F. White, Willis P. White, Mrs. M. Keene, Mrs. B. Tenison, Mrs. J. A. Baker, Mrs. W. J. Baker, Mrs. William Layhee, Miss Viola Layhee, Miss Roy Dickinson, all of Saranac Lake, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of "The Prospectors," of Saranac Lake, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of citizens of Brier Hill, N. Y., favoring war prohibition; to the Committee on the Judiciary.

Also, petition of the First Presbyterian Church of Heuvelton, N. Y., favorng war prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Petitions for war prohibition from various residents of the thirty-third district, New York; to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *June 26, 1918.*

(Legislative day of Monday, June 24, 1918.)

The Senate met at 12 o'clock noon.

Mr. HITCHCOCK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	Martin	Smith, S. C.
Beckham	Hardwick	Nelson	Smoot
Borah	Henderson	New	Sterling
Brandegee	Hitchcock	Norris	Sutherland
Calder	Hollis	Nugent	Swanson
Chamberlain	Johnson, Cal.	Overman	Thomas
Culberson	Johnson, S. Dak.	Penrose	Thompson
Cummins	Jones, Wash.	Pittman	Tillman
Dillingham	Kellogg	Poindexter	Trammell
Fall	Kenyon	Pomerene	Underwood
France	King	Ransdell	Vardaman
Frelinghuysen	Kirby	Reed	Wadsworth
Gallinger	Knox	Sheppard	Walsh
Gerry	Lenroot	Sherman	Warren
Gore	Lewis	Shields	Watson
Gronna	McCumber	Simmons	Weeks
Guion	McKellar	Smith, Ariz.	Wolcott
Hale	McNary	Smith, Ga.	

Mr. SHEPPARD. The senior Senator from Kentucky [Mr. JAMES] is detained by illness, and the junior Senator from Kentucky [Mr. BECKHAM] is absent on official business.

Mr. LEWIS. I wish to announce that the Senator from Colorado [Mr. SHAFROTH] and the Senator from Wyoming [Mr. KENDRICK] are detained on official business.

Mr. SUTHERLAND. I wish to announce that my colleague the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. TRAMMELL. I desire to announce the absence of my colleague, Mr. FLETCHER, on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present.

OWNERSHIP AND CONTROL OF RAILROADS.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Acting Director General of Railroads in response to a resolution (S. Res. 258) of the Senate of the 6th instant, which will be inserted in the RECORD and referred to the Committee on Interstate Commerce.

The communication is as follows:

DIRECTOR GENERAL OF RAILROADS,
Washington, June 21, 1918.

The PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: In compliance with the resolution of the Senate of June 6, 1918, I beg to reply as follows:

(1) No action has been taken in regard to taking over as part of the Railroad Administration any of the stockyards of the country.

As to the stockyards railways, the present view of the Railroad Administration is that in general it will be in the public interest for the Government not to exercise control of such railways, since they are either wholly or largely plant facilities for the stockyards service. The allowances made to such stockyards railways will, however, be carefully scrutinized to see that they are not excessive. It is believed that an adequate and nondiscriminatory service can be secured without Federal control of these railways.

In a few cases the stockyards railways may be so extensive and may serve so many industries, other than the stockyards and packing houses, as to make such railways an integral part of the general terminal facilities of the United States Railroad Administration and necessitate their retention in Federal control. The Chicago Junction Railway, which has 220 miles of track and serves many other industries, is of this class.

These questions at present are receiving careful study, and a specific answer as to the permanent status of these stockyards railways in respect of Federal control can not be made until the study shall be completed.

(2) It is believed that the Director General of Railroads has not authority under existing laws to take over stockyards. The authority under which the roads were taken over by the President is derived from the act approved August 29, 1916, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1917, and for other purposes," and the power is limited to systems of transportation or parts

thereof. The Federal control act approved March 21, 1918, does not, it is believed, enlarge this power.

(3) No study, as such, has been made regarding the ownership and control of the stockyards to determine what, if any, connection such ownership and control has upon the packing industries of the country. The only information which we have sought is to determine whether the terminal roads in different localities should be taken under control of the Government.

Cordially, yours, WALKER D. HINES,
Acting Director General.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10358) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed the following bills with amendments, in which it requested the concurrence of the Senate:

A bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

A bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

A bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9506) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10843) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10924) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11658) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

PETITIONS AND MEMORIALS.

Mr. HALE presented a petition of the Woman's Club of Eastport, Me., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

He also presented a petition of Twin Butte Grange, No. 38, Patrons of Husbandry, of Bordeaux, Wyo., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. LODGE presented a telegram in the nature of a petition from sundry citizens of Mattapoisett, Mass., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

He also presented a memorial of the Clearing House Association of New Bedford, Mass., remonstrating against the enactment of legislation to guarantee certain bank deposits, which was ordered to lie on the table.

Mr. WADSWORTH. I present a memorial in the nature of a plea from a number of women war workers in the State of New York, protesting against the passage of the woman-suffrage amendment.

I also present a memorial containing over 3,000 names, which is addressed to the Senate, from sundry citizens of the State of New York, protesting against the passage of the same amendment. I ask that the memorials be noted in the RECORD.

The VICE PRESIDENT. The memorials will lie on the table.

Mr. WADSWORTH presented memorials of sundry citizens of Rochester, Riverdale, Plattsburg, Troy, Garden City, Brooklyn, New York City, and Bronxville, all in the State of New York, remonstrating against the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. WALSH, from the Committee on Pensions, to which was referred the amendment submitted by Mr. HOLLIS on the 24th instant proposing to appropriate $1,200 to pay Dennis M. Kerr for extra and expert service rendered to the Committee on Pensions, etc., reported it favorably without amendment and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

Mr. SMITH of South Carolina. From the Committee on Interstate Commerce I report back favorably, with an amendment, the joint resolution (S. J. Res. 159) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919.

The VICE PRESIDENT. The joint resolution will be placed on the calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 4754) granting an increase of pension to John Bush; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 4755) granting an increase of pension to Martha R. Griswold (with accompanying papers); to the Committee on Pensions.

By Mr. FERNALD:

A bill (S. 4756) granting an increase of pension to James D. Wilder (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSON of South Dakota:

A bill (S. 4757) granting an increase of pension to Lewis Newman (with accompanying papers); to the Committee on Pensions.

By Mr. LEWIS:

A bill (S. 4758) granting a pension to Joshua S. Sneed; to the Committee on Pensions.

By Mr. CALDER:

A joint resolution (S. J. Res. 161) authorizing the Secretary of War to cause a preliminary examination and survey to be made of Coney Island Creek, N. Y.; to the Committee on Commerce.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. TILLMAN. I submit the report of the committee of conference on House bill 10854, the naval appropriation bill, and I give notice that I shall call it up at some time later in the day. I ask that it lie on the table for the present.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) "making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 53.

That the House recede from its disagreement to the amendments of the Senate numbered 34, 35, 38, 39, 41, 42, 102, and 115, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows:

Strike out all of said amendment and in lieu thereof insert the following:

"That the act approved August 29, 1916, entitled 'An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes' (Stat. L., vol. 39, ch. 417, pp. 573, 574), be, and the same is hereby, amended by striking out all of said act following the caption 'Naval Dental Corps,' on page 573, but preceding the caption 'Dental Reserve Corps,' on page 574, and by substituting therefor the following:

"'That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental officers in the Navy at the rate of one for each thousand of the total authorized number of officers and enlisted men of the Navy and Marine Corps, in the grades of assistant dental surgeon, passed assistant dental surgeon, and dental surgeon, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be made in the grade of assistant dental surgeon with the rank of lieutenant (junior grade), and all dental officers now in the Dental Corps appointed under the provisions of the act of Congress approved August 22, 1912 (Stat. L. 37, p. 345), or under the provisions of the act of Congress approved August 29, 1916 (Stat. L. 39, p. 573), or who may hereafter be appointed, shall take rank and precedence with officers of the Naval Medical Corps of the same rank according to the dates of their respective commissions or original appointments, and all such dental officers shall be eligible for advancement in grade and rank in the same manner and under the same conditions as officers of the Naval Medical Corps with or next after whom they take precedence, and shall receive the same pay and allowances as officers of corresponding rank and length of service in the Naval Medical Corps up to and including the rank of lieutenant commander: *Provided*, That dental surgeons shall be eligible for advancement in pay and allowances, but not in rank, to and including the pay and allowances of commander and captain, subject to such examinations as the Secretary of the Navy may prescribe, except that the number of dental surgeons with the pay and allowances of captain shall not exceed 4½ per cent and the number of dental surgeons with the pay and allowances of commander shall not exceed 8 per cent of the total authorized number of dental officers: *Provided further*, That dental surgeons shall be eligible for advancement to the pay and allowances of commander and captain when their total active service as dental officers in the Navy is such that if rendered as officers of the Naval Medical Corps it would place them in the list of medical officers with the pay and allowances of commander or captain, as the case may be: *And provided further*, That dental officers who shall have gained or lost numbers on the Navy list shall be considered to have gained or lost service accordingly; and the time served by dental officers on active duty as acting assistant dental surgeons and assistant dental surgeons under provisions of law existing prior to the passage of this act shall be reckoned in computing the increased service pay and service for precedence and promotion of dental officers herein authorized or heretofore appointed.'

"All appointees authorized by this act shall be citizens of the United States between 21 and 32 years of age, and shall be graduates of standard medical or dental colleges and trained in the several branches of dentistry, and shall, before appointment, have successfully passed mental, moral, physical and professional examinations before medical and professional examining boards appointed by the Secretary of the Navy, and have been recommended for appointment by such boards: *Provided*, That hereafter no person shall be appointed as assistant dental surgeon in the Navy who is not a graduate of a standard medical or dental college.

"Officers of the Naval Dental Corps shall become eligible for retirement in the same manner and under the same conditions as now prescribed by law for officers of the Naval Medical Corps, except that section 1445 of the Revised Statutes of the United States shall not be applicable to dental officers, and they shall not be entitled to rank above lieutenant commander on the retired list, or to retired pay above that of captain.

"All dental officers now serving under probationary appointments shall become immediately eligible for permanent appointment under the provisions of this act, subject to the examinations prescribed by the Secretary of the Navy for original appointment as dental officers, and may be appointed assistant dental surgeon with the rank of lieutenant (junior grade) to rank from the date of their probationary appointments: *Provided*, That the senior dental officer now at the United States Naval Academy shall not be displaced by the provisions of this act, and he shall hereafter have the grade of dental surgeon and the rank, pay, and allowances of lieutenant commander, and he shall not be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in the line of duty: *Provided further*, That no dental officer in the Navy who on original appointment as dental officer was over 40 years of age shall be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in line of duty.

"All acts or parts of acts inconsistent with the provisions of this act relating to the Dental Corps of the Navy are hereby repealed: *Provided*, That nothing herein contained shall be construed to legislate out of the service any officer now in the Medical Department of the Navy or to reduce the rank, pay, or allowances now authorized by law for any officer of the Navy."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out "$2,500,000" and insert "$1,000,000" and add the following proviso: "*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for this purpose not to exceed $1,500,000 in addition to the appropriations herein made." Strike out "$2,525,000" and in lieu thereof insert "$1,025,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In line 6 of said amendment, after the word "condemnation" insert the words "or acquisition." Strike out "$550,000" and in lieu thereof insert "$850,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: Strike out "$49,999,375" and in lieu thereof insert "$46,694,375"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: Strike out all of said amendment and in lieu thereof insert the following:

"That the President of the United States be, and he is hereby, authorized during the period of the present war to promote temporarily, with the advice and consent of the Senate, commissioned line officers and engineer officers of the United States Coast Guard below the rank and grades of captain and captain of engineers to the ranks and grades of the Coast Guard not above captain and captain of engineers, respectively, without regard to number or length of service in rank or grade: *Provided*, That such temporary promotions may be to such rank and grade in the Coast Guard not above captain or captain of engineers as correspond to the rank and grade that may be attained in accordance with law, either permanently or temporarily, by line officers of the Regular Navy of the same length of total service: *Provided further*, That constructors of the Coast Guard now authorized by law who shall have had as much total service in the Coast Guard as the officer of the Construction Corps of the Navy at the foot of the permanent or temporary list of those with the rank of lieutenant commanders may be temporarily promoted to the rank of captain of the Coast Guard: *And provided further*, That for the purposes of this act service in the Coast Guard to be counted must have been continuous: *And provided further*, That nothing contained in this paragraph shall operate to disturb the relative position of officers in the Coast Guard with reference to precedence or promotion, but all such officers otherwise qualified shall be advanced in rank with or ahead of officers in the Coast Guard who were their juniors on the date of this act.

"That the President be, and he is hereby, authorized during the period of the present war to promote temporarily, with the advice and consent of the Senate the captain commandant of the Coast Guard to the rank of commodore in the Navy and brigadier general in the Army, and the engineer in chief of the Coast Guard to the rank of captain in the Navy and colonel in the Army, officers of the Coast Guard holding permanent commissions above the rank and grade of first lieutenant and first lieutenant of engineers as follows: Not to exceed two-fifths of the captains authorized by law, and not to exceed one-third of the captains of engineers authorized by law, to have the rank of senior captain in the Coast Guard; and not to exceed one-third the senior captains authorized by law to have the rank of captain

in the Navy and colonel in the Army: *Provided*, That the senior captains, captains, and captains of engineers to be temporarily promoted as herein provided shall be selected as provided by law for promotion by selection in the Navy.

"That during the period of the present war, the senior district superintendent, the three district superintendents next in order of seniority, the four district superintendents next below these three in order of seniority, and the junior five district superintendents shall have the rank, pay, and allowances of captain, first lieutenant, second lieutenant, and third lieutenant in the Coast Guard, respectively.

"That the permanent and probationary commissions of officers of the Coast Guard shall not be vacated by reason of the temporary promotions and advancements authorized by this act, nor shall said officers be prejudiced in their relative lineal rank in regard to their promotion as provided for in existing law: *Provided*, That no officer who shall receive a temporary promotion or advancement under this act shall be entitled to pay or allowances except under such promotion or advancement: *Provided further*, That upon the termination of the temporary promotions and advancements authorized by this act, the officers so promoted and advanced shall revert to the rank and grade from which temporarily promoted or advanced, unless such officers in the meantime, in accordance with law, become entitled to promotion to a higher grade or rank in the permanent Coast Guard, in which case they shall revert to said higher grade or rank, and shall, after passing the prescribed examinations, be commissioned accordingly.

"That all temporary promotions and advancements authorized by this act shall continue in force only until otherwise directed by the President, and not later than six months after the termination of the present war.

"That any officer of the Coast Guard temporarily promoted or advanced in grade or rank in accordance with the provisions of this act who shall be retired from active service under his permanent commission while holding such temporary grade or rank, except for physical disability incurred in line of duty, shall be placed on the retired list with the grade or rank to which his position in the permanent Coast Guard at the date of his retirement would entitle him.

"That officers of the United States Coast Guard on sea duty or on shore duty beyond the continental limits of the United States during the period of the present war shall receive the same increase of pay and allowances in all respects as are now or may hereafter be provided by law for officers of the Navy of corresponding rank.

"That nothing contained in this act relating to the Coast Guard shall operate to reduce the rank, pay, or allowances that would have been received by any person in the Coast Guard except for the passage of this act."

And the Senate agrees to the same.

On amendments of the Senate numbered 37, 47, 52, and 170 the committee of conference have been unable to agree.

B. R. TILLMAN,
CLAUDE A. SWANSON,
BOIES PENROSE,
H. C. LODGE,
JOHN WALTER SMITH,
Managers on the part of the Senate.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. Mr. President, the Senator in charge of the Army appropriation bill has agreed to yield to me for just a moment.

I desire to ask the conferees on the part of the Senate upon the Agricultural appropriation bill (H. R. 9054) what the possibilities are for an agreement on that bill? This matter has been before the conference committee for a long time. The time is near at hand, I think, when Senators generally expect a recess. It is important to facilitate the necessary business of the Senate.

Mr. GORE. Mr. President, answering the Senator's question, I will say that the House and Senate conferees have had several conferences on the Agricultural appropriation bill. It is known to the Senate that an agreement was reached some time since on all the amendments except the amendment numbered 44, increasing the guaranteed price of wheat to $2.50 a bushel. Everything else except that is agreed to, and there is only that difference now in conference.

We held a conference day before yesterday. It was a protracted session. A number of modifications were submitted by the Senate conferees signifying their willingness to agree to the several modifications. The House conferees declined to accept any modifications whatever, and insisted on a recession on the part of the Senate. A majority of the Senate conferees were not willing to recede.

Of course, we shall abide by any instruction the Senate may see fit to direct to the conferees, but we are unwilling to recede voluntarily, since the amendment was adopted under a suspension of the rules. A two-thirds majority of the Senate voted to suspend the rules and adopted this particular amendment by a vote of 49 to 18. In that situation the Senate conferees feel bound by the express sense of the Senate, and they feel that the Senate, and not the conferees, ought to take the initial step looking to a recession, if any is to be taken.

We hope, if the Senate conferees and the Senate will insist on the amendment, that sooner or later the House conferees will recede, but I can not say to the Senator making the inquiry that I see any prospect of recession on the part of the House conferees.

Mr. MARTIN. Mr. President, this is one of the big supply bills, and the 1st of July is right at hand when these moneys will be needed. It seems to me the time has arrived when this matter should be disposed of, and unless there is some satisfactory report from the conferees to-morrow morning I shall feel it to be my duty to move that the Senate conferees be instructed to recede on the amendment which is in disagreement. I shall make the motion to-morrow morning unless some satisfactory report from the committee is made.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. CHAMBERLAIN. Mr. President, I should like to have the Senate proceed with the consideration of the Army appropriation bill, but before proceeding with the amendment which was pending at the time the Senate took a recess I desire to make a statement for the information of the Senate. If I do not state the matter correctly, I hope what I may say will be supplemented by some other member of the Military Affairs Committee who was present.

At the suggestion or possibly at the request of some of the members of the Military Affairs Committee made to me yesterday, I invited to be present at the meeting of the Military Affairs Committee this morning the Secretary of War, Mr. Baker, with Gen. March, Chief of Staff, and Gen. Crowder, the Judge Advocate General and Provost Marshal General, to discuss with the committee the proposition of changing the age limit of the draft, either by lowering it to 18 or 20 or to any age, or by increasing it from 30 to 40 or any age above the present draft limit. We met this morning at 9.30 o'clock, and the committee has been in session discussing the matter with these gentlemen until the convening of the Senate.

Both the Secretary of War and Gen. March are of the opinion that no change ought to be made in the age limit of the draft at this time. They say in order to have proper consideration as to what the limit should be a complete investigation ought to be made as to the number of men within the draft age now, the number of men who can be transported to France, the shipping necessary to take them over, and the amount of supplies that will be necessary to equip and keep the men who are taken there; that such an examination is now being made; and that no harm can be done and no delay occasioned by the postponement of the consideration of the changing the age of the draft until September, when probably there will be a reconvening of the Senate or the Senate may be in session that long. They very much advised against the change until this examination and investigation can be had.

The committee was given to understand that the troops which are being sent over now are being sent over in bottoms that are furnished in part by France, leased by America, of course, and bottoms that are furnished by Great Britain. There may be some changes in these arrangements for the transportation of troops by the end of July. At that time new arrangements may be made, or there may be sufficient American shipping to transport them; but in any event they feel that before any change is made and any disturbance in the social or industrial life of the country a full investigation ought to be made, and then action taken by the committee upon the enlarged program that it is deemed to be necessary to be proposed to Congress by the Secretary of War and the War Department.

In view of this discussion the committee concluded by a majority vote that it probably would be best not to undertake to change

the age limit of the draft at this time. I say this because I want the Senate to be thoroughly advised about it, and in possible explanation of the vote which I may feel impelled to cast in view of the statements of these distinguished officers.

Mr. SMOOT. The Senator stated that the Secretary of War and Gen. March were in favor of no increase or decrease in the age limit, but the Senator did not state what Gen. Crowder's opinion was.

Mr. CHAMBERLAIN. Each of these gentlemen stated positively that he thought no change ought to be made at this juncture until an investigation could be had. Each was asked individually what his opinion was, and when Gen. Crowder was appealed to Gen. Crowder simply said that it was his duty to search out and to carry out what was agreed upon. I think we can read between the lines of the statements which Gen. Crowder has made from time to time that he entertains the same opinion that I do, and the same opinion that other Members of the Senate entertain, and that is that eventually these changes will have to be made. The only question with us at present is whether it is necessary to make them now or whether they could better be made two months from now, and they say no delays will be occasioned.

Mr. McCUMBER. Mr. President, I should like to ask the Senator if he would enlighten us as to what source of information is available to the Secretary of War which is not also available to the Committee on Military Affairs, and why the committee can not obtain all information upon which it could pass its judgment, and if it is the duty of the committee to prepare for war, why the judgment of that committee should not govern rather than the judgment of the officers themselves?

Mr. CHAMBERLAIN. I will answer the Senator by saying that this proposition of changing the draft age was not suggested to the committee by the War Department and was not initiated by the committee, and therefore the subject was not gone into and investigated before the Army appropriation bill was reported. It was offered and initiated, as the Senator knows, by a proposed amendment in the Senate. It was taken up and discussed here.

Mr. McKELLAR. If the Senator will permit me to interrupt him——

Mr. CHAMBERLAIN. In just a moment. Therefore the committee has not had an opportunity to investigate the whole subject with reference to our arrangements with our allies. We only had this morning to devote to the consideration of the matter, particularly with reference to the shipping proposition.

Mr. STERLING. Mr. President, I simply wish to suggest to the Senator from Oregon that, to my mind, no one can be better informed in regard to the situation and in regard to the needs than Gen. Crowder himself, and I am satisfied that Gen. Crowder approves of this proposed legislation. It was from Gen. Crowder yesterday morning about 10 o'clock that I first learned of the amendment of the Senator from New Mexico, and it was my clear understanding that he favored the amendment. He talked about it with the Senator from New Mexico, and the amendment had his entire approval. Since in raising the armies we need it is his business to answer the requisitions of the Chief of Staff and Gen. Pershing, it would seem to me we could rely more upon what he has to say in regard to it than upon other authorities.

Mr. McCUMBER. If the Senator from Oregon will allow me, I had always supposed that it was the function of Congress to raise armies. I had supposed it was one of the provisions of the Constitution which imposed that duty upon Congress. Therefore I assumed that it was the function of the Committee on Military Affairs to inquire into these subjects and to use its judgment on the age for the draft and not the judgment of anyone else, because upon that judgment must depend the size of the Army which Congress is to raise.

Mr. CHAMBERLAIN. Mr. President, there is not any question about the position which the Senator from North Dakota takes; but the Senator knows, as every other Senator does, that, in seeking information as to the size of the Army, as to the needs of the Army, and as to other matters involved in this war, such information is sought from the Commander in Chief, or, if not directly from him, through those who represent him. As I have stated to the Senator, we have not had an opportunity to go into this at very great length, because it was initiated for the first time on the floor of the Senate.

Mr. McCUMBER. I supposed that the amendment was offered while the matter was still before the committee.

Mr. CHAMBERLAIN. It might be introduced as a separate measure, if need be, and considered at length, and would have been considered more at length if it had been raised before the committee, and if there had not been such haste to get through the military appropriation bill, the passage of which is absolutely necessary for the support of the Army.

I want to say to the Senator that that bill did not come over to the Senate until very recently; so the committee has spent most of its time in considering the items of the bill.

Mr. McCUMBER. Mr. President, being one of those who believe that we ought to raise the largest possible army we can raise, and that we ought to put it in the field in France in the shortest possible time, I think the Committee on Military Affairs ought to investigate, and, upon the result of that investigation, ought to use its own judgment as to the size of the Army that is to be used. What I rather object to, however, is not that the committee may fail at any time to perform its functions as a war committee but that it seems inclined to follow entirely, without using any judgment whatever, any suggestion which may come from the Secretary of War or from the War Department. I do not think that is just to Congress.

Mr. CHAMBERLAIN. Mr. President, I hardly think that is a fair conclusion to draw from the statement I made or from any statement I shall hereafter make; but I think the Secretary of War and the Chief of Staff, who are in direct touch with the situation, are in a position to know all about the allocation of ships, the arrangements that we have with Great Britain and France about troop ships, and the shipping program generally of the United States with reference to the carrying of cargo to maintain such troops.

Mr. McCUMBER. Are we not entitled to that information at all times, and ought we not to exercise our judgment upon it?

Mr. CHAMBERLAIN. There is no doubt about that, Mr. President; and there is no doubt that the committee was exercising its judgment when it reached the conclusion it did, and which I have stated.

Mr. FALL. Will the Senator yield for a question? I want to get some information which I did not exactly catch.

Mr. CHAMBERLAIN. Certainly, I yield.

Mr. FALL. It seems to me the most significant part of the Senator's statement has not impressed itself, possibly, upon the Senate as it has upon myself. I agree thoroughly that the committee should seek the advice of the War Department; and, so far as I am concerned, under ordinary circumstances I would by my action not only seek it but I am frank to say that, unless I was convinced that that advice was incorrect, I should be inclined to follow it; but I understand the Senator from Oregon to say that the War Department asked that nothing be done, because they are now investigating the question and have not determined whether or not more troops will be needed first and whether, if they are needed, they can be used because of shipping, supplies, and so forth.

Mr. CHAMBERLAIN. They were investigating more particularly, I will say to the Senator from New Mexico, the question of our ability to get the men over if we increased the number of men who are to be transported, and then the question of our ability to feed them with the shipping facilities we have if we had them over there.

Mr. FALL. And they could not now give the committee that information?

Mr. CHAMBERLAIN. They could not now give the committee that information.

Mr. FALL. After 14 months' time they do not know whether we need any more men, whether we are going to need any more men, whether we have supplies to furnish them, and whether we shall be able to use them or get them across the water, and they need additional time to offer that information to the committee?

Mr. CHAMBERLAIN. The Senator from New Mexico knows that the transportation of troops to France has been very much speeded up in the last two or three months.

Mr. FALL. Undoubtedly.

Mr. CHAMBERLAIN. They have been able to do that because of the fact that they have leased ships from Great Britain and have leased ships from France. It is the information of these gentlemen, or it is stated by them, that by the end of July our arrangements for the troop ships that we are renting from those Governments will end. Some arrangement has got to be made with reference to that, and they are negotiating about that now. It is barely possible, though not probable, that our own shipping facilities may be sufficient to handle this situation at that time, but they say certainly our own shipping facilities will be sufficient by the 1st of January to handle the whole proposition.

Mr. FALL. Then they ask that we do not act. If our shipping facilities are going to be sufficient, and we would still have at our command the shipping facilities which we are now using

of France and Great Britain, which would greatly enlarge the total shipping facilities, then they must be hesitating because they do not know whether we are going to need additional forces or not.

Mr. CHAMBERLAIN. They claim that we are raising all the men that we can handle either in the way of training or in the way of transportation, and that there will be no danger of infringing upon class 2 of the draft act before we have an opportunity to act and to provide for any larger program that Congress may determine upon.

Mr. FALL. Then, Mr. President, they do not care at this time to have any measure of preparedness adopted, although the use of the means would not be at all compulsory, but simply that the President, as Commander in Chief, if his advisers thought best later, would have the instrument placed in his hands by the Congress of the United States by the passage of this bill. They oppose it, although there is no compulsion about it and although it does not require another ship or another pound of food. I will admit that I am in somewhat of a quandary to understand just the idea, but I understand from portions of the remarks of the Senator from Colorado [Mr. THOMAS] on yesterday that it seems to be the impression in the minds of some people, and apparently in the minds of the War Department officials, that it will require more tonnage, more shipping, more guns, more rifles and bigger rifles, and more ammunition to supply in Europe a single man of 20 who has no dependent family than it would to supply a man of 30 who has a wife and five children. That could be the only objection to this, because there is no proposition to compel anyone to put another man in the Army.

Mr. CHAMBERLAIN. I desire to say to the Senator that he knows my personal view upon this whole subject.

Mr. FALL. I know the Senator's view.

Mr. CHAMBERLAIN. I desire to say to the Senator that, if I had it in my power, I would change the age limit to include those from 18 to 45, and I would have 2,500,000 men in France with all the speed possible to get them there, and as many more in training here at this time.

I may say further to the Senator that I am not disposed personally to agree with the views of the Secretary of War upon the subject of changing the draft age, but I want to express to the Senate the views that he has expressed to the committee and the conclusion which the majority of the committee came to after having heard the statements of these gentlemen.

Mr. FALL. Mr. President, the object of my question, if the Senator will allow me, of course, was simply to obtain some idea if there was any reason advanced by the Secretary of War for his request or suggestion that nothing be now done. I think I am thoroughly acquainted with and impressed and in accord with the views of the chairman of the committee upon the subject of the draft and the necessity of an increased army; I think we understand each other very thoroughly upon that subject. So I was attempting, for my information and that of the Senate, to ascertain whether it was simply a statement that they wanted nothing done prior to the election—of course I know that no statement with reference to the election was made—or whether the status quo was to be maintained at the present time simply upon a statement of the Secretary of War, or whether any valid reasons were given for the request that no action be taken.

Mr. CHAMBERLAIN. If I thought the Secretary of War was small enough or the Chief of Staff was base enough to be influenced in their judgment by the fact that there was an election to come around, I would repudiate the recommendations of either or both.

Mr. FALL. I am convinced of that.

Mr. CHAMBERLAIN. But let me say to the Senator that, as I understand, if the Senate is going to take a recess until the 1st of September, they expect to have a report before us at that time, so that we can act. They say that this will not delay for a moment the raising of an army. Gen. Crowder——

Mr. FALL. Now, Mr. President——

Mr. CHAMBERLAIN. Just a moment. Gen. Crowder says that within 24 hours from the time he receives notice that it is desired to register men of any particular class, he can have them registered, and within 60 or 90 days he can have those men classified and ready to be drawn.

Mr. FALL. Mr. President, the Senator, I presume, has recently seen statements as to exactly how the last registration was brought about; how the necessities of the case were foreseen by Gen. Crowder and his assistant, Col. Johnson; how by forestalling the action of the Congress of the United States before the draft bill was passed the Judge Advocate General, now the Provost Marshal General, succeeded in inaugurating his machinery, so that he could go to work immediately on the adoption of the legislation, and how even the law was, if not evaded directly, set aside or anticipated, at any rate. The machinery to be adopted by Congress, and Congress alone, was forestalled by the action of Gen. Crowder in securing the registration of the men to be drafted under the draft act. Now, with all this machinery provided for in that way, we can proceed much more rapidly, in the event this amendment is adopted, to draft the additional men. There is no doubt that we could proceed with great rapidity, but until Gen. Crowder understands what the draft age is to be it is impossible for him to put that machinery into operation, and only Congress can say whether or not the draft age is to be changed. If the machinery itself were put in operation, it would merely mean the registration of men between 20 and 21 and between 31 and 40, would it not? That would be all that would be done, and it would not cost any more to make that registration at the present time than to make it in September, would it?

Mr. CHAMBERLAIN. Not at all.

Mr. FALL. It would cost more in September, possibly, because the cost of living is increasing all the time.

Mr. CHAMBERLAIN. Let me state to the Senator one reason they gave, which I did not state.

Mr. FALL. I will be glad to have the Senator do so, for I am seeking information.

Mr. CHAMBERLAIN. They, say, in connection with military registration—and I think probably the statement is true—that if you register a man who is 20, he has no dependents as a rule; he has no ties that make him figure particularly as to his future; but when you register a man who is above 30 the suggestion is made that immediately that man, if he is in industrial life, begins to consider himself as subject to call, with the result that it unsettles him and unsettles his business. He may deem it necessary to close out his business; and it is their desire not to disturb industrial life any further than the demands of the country for men require.

Mr. FALL. Now, Mr. President, would not exactly the same argument apply if you do not now fix the ages of those men who will be called, provided it is understood that we are going to call any others? Now, all this argument is futile——

Mr. NORRIS. Mr. President, may I interrupt the Senator?

Mr. FALL. I wish to make the point I have in mind, and then I will yield to the Senator. All this argument is absolutely futile, if we have enough men and if we are not going to call other men in addition to those we have in class 1, and it is futile and useless if it is the sense of Congress or of the War Department, that classes 2, 3, 4, and 5 shall be exhausted before others are called. If those questions are to be answered in the affirmative; that is, if we shall not register any others at all, then, of course, there is no necessity for my making the argument which I am making; but so far as unsettling conditions is concerned, will it not very much more unsettle conditions if the age limit is left in the air, as it were, so that men from 31 up to 45 are unable to know whether they may be drafted in the next draft, or men below 21 are unable to know whether they will be drafted? If people know exactly what ages are to be included in the event another draft is to be made, it seems to me that the very argument which they are making, or which they have assigned as one of their reasons to the Senator, answers itself. So far as settling business or unsettling business is concerned, if action is taken now, then every one knows where he stands; if not, it is all up in the air, and no one knows where he stands, and business is unsettled.

Mr. LODGE. Mr. President——

Mr. FALL. I yield to the Senator.

Mr. LODGE. Is not the real point, that it is not thought best that Congress should fix the age limit?

Mr. FALL. Mr. President, I intended to go into this matter a little bit more fully. On yesterday I listened with great interest and some amusement to the argument upon that very point of the Senator from Tennessee [Mr. MCKELLAR]. He stated—and I think the RECORD will bear me out—that we should wait until we were told by the War Department, which is now doing so well, just what we should do, although admitting, of course, as others admit, at least sotto voce, that Congress has jurisdiction in these matters. The Senator insisted that, as they were doing so well, Congress should not act at all until told what to do. That is the effect of his language.

Mr. MCKELLAR. Mr. President, will the Senator yield?

Mr. FALL. I will yield for a question, but I should like, if the Senator will allow me, to finish the statement, and then possibly he can ask his question and I can answer it more intelligently.

I said that the argument somewhat amused me, because I remember very distinctly when the draft bill was before the Congress, which had been approved by the department, and we were requested to pass it without the crossing of a "t" or the

dotting of an "i," that the Senator from Tennessee secured my vote and the vote of some 30 of my colleagues upon this side for his amendment, which was absolutely opposed by the Commander in Chief and by the War Department. So that it would appear, in answer to the question of the Senator from Massachusetts, that now we are to wait, before we take any action of any kind whatsoever, the further determination of the administration imparted to us, or else we are to wait until a proposed amendment comes from the Democratic side of the Chamber.

Mr. HITCHCOCK and Mr. McKELLAR addressed the Chair.

The VICE PRESIDENT. The Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I think there is an undue amount of confusion as to what the situation is with which the Senate is confronted. In the first place, no committee has considered or reported a proposed change in the draft law. The draft law was fixed by Congress after considerable debate, and no committee has either considered or advocated its change. The Secretary of War and the Chief of Staff did not seek an interview with the Military Affairs Committee. The Military Affairs Committee had not proposed an amendment to the law; but here upon an appropriation bill an effort was made to legislate a change in the draft age, and the chairman of the committee, in order to secure light and in order to secure information, asked the Secretary of War and the Chief of Staff and Gen. Crowder to meet with the committee this morning. So that there is no effort on the part of the administration or on the part of the War Department to interfere with the action of Congress.

Mr. HARDWICK. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Georgia.

Mr. HARDWICK. I was disposed to question the accuracy of the Senator's statement. The Senator said the committee did not propose to change the law with respect to the draft. My recollection is that the law limited the number of men that could be drafted under its provisions to 1,000,000, in installments of 500,000 each, and that the committee does propose to change it in that respect.

Mr. HITCHCOCK. I perhaps should have said that there is no proposal by the committee to make a change in the draft age which would make a radical difference and which would create a very decided disturbance in the country.

Mr. HARDWICK. That is another matter.

Mr. HITCHCOCK. Now, I have laid the foundation by saying that no effort is being made on the part of the War Department to interfere with the act of Congress or the action of Congress upon the draft matter.

Mr. FALL. Mr. President, may I interrupt the Senator there for just a moment?

Mr. HITCHCOCK. Yes.

Mr. FALL. One of the very arguments which I had in mind as at least fortifying me in offering this amendment was that the President of the United States had been at times criticized, and by myself among others, because of his interference in the matters belonging purely to the legislative or congressional department of the Government, and that I thought it was the duty of some Senator to relieve him from the onus of that criticism which would be heaped upon him if he came here and insisted upon forcing his own views upon the Congress in this matter.

Mr. HITCHCOCK. Mr. President, I repeat what I said, that we have before us an appropriation bill. The House has considered it. It was passed by the House, came to the Senate, and went to the Senate committee. The Senate committee considered it, and reported it without any proposed change in the draft age. That matter has therefore come before the Senate simply as the result of the proposed amendment upon the floor. In order to meet that emergency the chairman of the committee, himself in favor of changing the draft age, calls the committee together, and asks the representatives of the War Department to come before it for information. The information given to the committee this morning is in substance this: That when we shall have exhausted all available men in Class I of the present draft we will have an army of 3,300,000 men in August. Added to that there will be, as estimated by Gen. Crowder, about 150,000 Canadians that we will bring into the Army as the result of the treaty just ratified, so that we will then have an Army of 3,440,000 men. Now, the highest estimate of the number of those men that we can have in France at that time is 1,450,000, so that when Congress reconvenes after its proposed recess in September we will have in this country at that time over 2,000,000 men and approximately 1,450,000 men in France.

I state these figures to show that there is no emergency as a result of which action should be taken now. There is no hurry for action at the present time; and the War Department prefer, stated frankly, that action should be deferred until they can have fuller information as to the number of ships available for transportation, and fuller information as to other matters which must be had and which can only be had by negotiations with our cobelligerents in this war.

It seems to me that is a very simple proposition. It is simply the judgment of the War Department that to legislate on this matter at this time upon an appropriation bill which has to be passed within a few days is not so wise as to wait until the September meeting, when Congress will be in session and when it will be able to legislate intelligently.

Mr. McCUMBER. Mr. President, may I ask the Senator a question right there?

Mr. HITCHCOCK. Certainly.

Mr. McCUMBER. The Senator has stated, and I understood the chairman of the committee to state, that there has been no proposition before the committee to change the draft age, and that it came before the committee only after this bill had been reported to the Senate. I have understood right along that the Senator from Iowa [Mr. CUMMINS] not only had introduced a resolution calling for information but also that as soon as that committee received the bill from the House it had before it an amendment changing the draft age. If that be true, certainly there must be a mistake on the part of the chairman of the committee or on the part of the Senator from Nebraska, and I have not understood that there has been any action by the committee upon that amendment.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. HITCHCOCK. Yes.

Mr. CHAMBERLAIN. The Senator is correct about the resolution of the Senator from Iowa. I meant that the committee had not gone into an investigation.

Mr. McCUMBER. Why did not the committee investigate an amendment which was submitted to the committee?

Mr. CHAMBERLAIN. The committee acted on the amendment, but did not go into an investigation.

Mr. McCUMBER. It acted on it without investigation?

Mr. CHAMBERLAIN. Yes.

Mr. HITCHCOCK. The Senator can take that state of facts as indicating that in the judgment of the committee it was not wise upon this bill to attempt hastily to amend the law as to the ages in the draft; so that the matter is here purely as a spontaneous affair. While I was disposed yesterday to favor the idea of an increase in the draft age, I am now disposed to think, in view of statements made by the representatives of the War Department that it is not necessary, that it can be more properly taken up as a separate matter and considered as a matter of legislation, and not of legislation upon an appropriation bill which must be crowded to passage within a few days.

Mr. CUMMINS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Iowa.

Mr. CUMMINS. I think the Senator from Nebraska misses the real point.

Mr. HITCHCOCK. It is quite possible.

Mr. CUMMINS. I have no doubt about the power of the Government to get enough soldiers under the present draft law. It is primarily a question of production. I think we are now taking men who ought to be left at home, and that instead of taking them we ought to be taking some men above 30 years of age, and that we are doing this country a vast injury in that selection. Let me ask if the officers of the War Department gave any attention to that phase of the matter.

Mr. HITCHCOCK. We discussed the question purely as to how large an Army we can raise out of Class I, as classified by Gen. Crowder; and that Army appears to be abundant to meet all possibilities of our shipping them to Europe and supplying them there and filling the camps in the United States.

Mr. CUMMINS. Does the Senator know that a large number of men both below 21 and above 30 could be taken and put in Class I and assigned to military service to the very great advantage of the country and to the more abundant supply of necessary labor? That is the real question, anyhow. We are short of labor. We could impress any number of men into the Army if we were sure that we could maintain that Army and discharge our obligations abroad. I think that is the phase of the question which the War Department has not considered at all, and possibly does not consider of any importance.

Mr. HITCHCOCK. And I will say further that it is a question which Congress ought not to consider on an appropriation bill, which is urgently needed, unless it is necessary. The War Department says it is not necessary to decide it now, and they would prefer to have further information before it is taken up.

Mr. CUMMINS. The Senator from Nebraska must admit that about half or more than half of this bill is general legislation, and does not pertain to appropriations at all.

Mr. HITCHCOCK. That is true; but it is also true that it is urgent legislation; and this, according to the statement of the War Department and the figures given, is not urgent at this time.

Mr. McKELLAR obtained the floor.

Mr. LODGE. Mr. President, I should like to ask the Senator from Nebraska a question.

Mr. McKELLAR. I yield to the Senator for that purpose.

Mr. HARDWICK. Mr. President, who has the floor?

The VICE PRESIDENT. The Senator from Tennessee has the floor.

Mr. LODGE. I have asked the Senator from Tennessee kindly to yield to me to ask the Senator from Nebraska a question; that is all.

I understand that we are not to attempt to fix the draft ages here, although I supposed that was one of the rights of Congress. Are we to be allowed to say how many men shall be raised?

Mr. HITCHCOCK. Mr. President, I think the Senator from Massachusetts is wrong in the insinuation he makes that the War Department is attempting to interfere with Congress. I have stated already that the representatives of the War Department came down because the chairman of the committee asked them to come and give information. The chairman thought we ought to have this information if we were going to act, and all that the War Department officials did was to come before us and give, in a very mild way, their judgment on the situation. The Senator is indicating that this is an interference with Congress.

Mr. LODGE. Oh, no; not in the least. Congress is so continually interfered with that it would be the last thing I should attempt to say. When we are interfered with on a constitutional amendment, surely they have a right to interfere with legislation of this kind, and I am not questioning it. I only wanted to know how far we could go. I have a feeling—an old-fashioned feeling, I admit—that under the Constitution the Congress of the United States is intrusted with the raising of armies and also the disciplining of them. In this bill we are not even to be allowed to say that the Army shall not be less than so many men. Now, the reason why I should like to see it stated that the Army to be raised—and I take the appropriations as a basis—shall not be less than 3,000,000 men is not because I am afraid of the administration raising too many men. I am afraid there will not be enough men raised, and that they will not be raised fast enough.

Mr. McKELLAR. Mr. President, I desire just for a few moments to refer to two matters, one referred to by the Senator from New Mexico [Mr. FALL] and the other by the senior Senator from Massachusetts [Mr. LODGE]. From something that I said yesterday it seems to have been understood by the distinguished Senator from New Mexico that I made the statement that I wanted the Senate to yield its authority to the War Department to settle this draft question. Of course I made no such statement.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. McKELLAR. In just a moment. Nothing was farther from my purpose. What I meant to say then, and what I mean to say now—and I had had no conversation with any member of the War Department about this matter before I spoke on yesterday—is that this question of changing the draft law had not been considered by the Military Affairs Committee of the Senate, and so far as I knew had not been recommended by the War Department, and that I thought so important a matter as this should be considered, and carefully considered and weighed, both by the War Department and by the Military Affairs Committee before the Senate acted upon it.

The Senate has appointed the Military Affairs Committee. To make a recommendation on that kind of legislation is one of its functions; that is one of its duties; and surely before we undertake to deal with so important a matter as the age limits of the draft act the Military Affairs Committee ought to consider it and then report to this body about it. In addition to that, I said that we ought to have—and I say it again—advice and facts from the department. The Provost Marshal General, in who we all have the greatest confidence, has charge of this particular matter, and we ought to have advices from his department before we act as a committee, before we make a report to the Senate, and before the Senate acts in this summary way on so important a matter.

That was the position that I took yesterday, and that position I take now. It has been said that because last year I differed with the department as to the volunteer amendment offered by me then I ought to continue to differ with the department now. There is no reason in that. I would be unworthy if I did that. I would be just as willing to differ with the department to-day if I thought the department was wrong.

The fact is that, instead of my taking the part of the department on yesterday, I was acting solely upon my own initiative. I had not talked to the Secretary of War about the draft, or to Gen. March or to any other officer of the department about it, so far as I now recall. I was acting purely on my own initiative in the matter. Naturally, I am pleased to know that the views I expressed on yesterday have been upheld this morning, as shown by the remarks of the chairman of our committee. The fact further is that, instead of being opposed to the draft law last year I was very much in favor of it, the only difference between me and the department last year being that I thought we ought to permit as many as half a million of volunteers to come into our Army. In that position, as I recall, the Senator from New Mexico was with me. I think the department is right in asking that this matter should have careful consideration, and I am willing that it shall have careful consideration before we pass this law.

Mr. WATSON. Mr. President——

Mr. McKELLAR. I will yield to the Senator in just a moment, after I yield to the Senator from California [Mr. JOHNSON]. He asked me to yield first. Before I yield, however, I want to say this:

The Senator from Massachusetts [Mr. LODGE] said awhile ago that we only passed such laws as were submitted by the departments; and I think he referred, as I understood him, to the draft law. Why, the department, as I recollect, recommended that the age limit in the draft law should be from 19 to 25. The Senate wholly disagreed with the department. The Congress fixed the draft age limit from 21 to 31 wholly against the wishes of the department. What the department recommended was from 19 to 25.

Mr. CHAMBERLAIN. Eighteen to 25.

Mr. McKELLAR. I think the Senator is mistaken. I think it was 19 to 25; but whether it was 18 to 25 or 19 to 25 is immaterial so far as this branch of the Army is concerned. We wholly disagreed with the department, and we changed the ages from 21 to 31, and, according to my recollection, I voted to raise the age as high as 40; and I think it was a very great mistake that the age was not made 40 at that time. But before we make the change—and that is all that I submit to the Senate—let us examine it carefully, and have it reported upon by the Military Affairs Committee, in whom I believe the country and the Senate have considerable confidence.

I now yield to the Senator from California. Does the Senator want to ask me a question?

Mr. JOHNSON of California. No; I wanted to add just a word to what the Senator said in respect to what transpired concerning the meeting of the Military Affairs Committee this morning, and the activities of the department in reference to this particular bill.

I am the last one to act as an apologist for the abrogation or the abdication of the functions or powers of Congress; but in this instance, as a simple matter of justice to the Secretary of War and the Chief of Staff, I want to make plain that, of their own motion, neither has suggested or intimated the course Congress should pursue. Yesterday I suggested to the chairman of the Military Committee that we ought to meet this morning on this very important subject—the most important with which we have dealt since the draft itself—and that we ought to ask the Chief of Staff, the Secretary of War, and Gen. Crowder to enlighten us and to give us such details as might enable us intelligently to act. In response to that invitation, suggested by me, and in the suggestion of which I think others joined as well, the Secretary of War and the Chief of Staff attended the meeting of the Military Committee this morning. On no occasion did the Secretary of War or the Chief of Staff in any fashion suggest or indicate the legislation which we ought to enact, except in response to direct queries by members of the committee, insistently put; and I wanted to make that plain in justice to the Secretary of War and the Chief of Staff.

If the Senator will allow me just one further observation while I am on my feet, yesterday I was somewhat perplexed with the situation and inclined to vote for the amendment which was before the Senate just prior to adjournment. This morning, after listening to the Secretary of War and the Chief of Staff, and their positive statement that no emergency exists which requires immediate legislation, and realizing the futility of one House legislation of this sort under the circumstances, I am inclined to acquiesce in the determination we reached this morning after listening to their statements upon the subject. I think, however, it ought to be made clear to the country that the

draft age will have to be altered within a brief period, and that it is quite likely within 90 days from this date all of class 1 or class A, under the present draft, will have been exhausted.

Mr. McKELLAR. I thank the Senator for his interruption.

Mr. WATSON. Mr. President——

Mr. McKELLAR. In just a moment. That is exactly in line with what I have contended for here without knowing the department's position. I am frank to say that I did not know of the committee meeting this morning; I was not advised of it. By accident the notice was not left at my office or at my residence. The result is that I was not present. I never talked with the Secretary of War or with Gen. March or Gen. Crowder about the matter, until just a few moments ago I talked with Gen. Crowder as to what took place this morning. What he said was in line with what we ought to do in this case, and I am delighted to know the department has taken the steps it has taken by appearing before the committee.

There are a great many questions about the draft law we have not yet considered in our debate here in the Senate. One is, are we going to permit by this law the new men who come in the draft that is to be hereafter made, or the registration that is hereafter to be made, to be inducted into the Army before those in Class I who already have been put in that class? Those kinds of questions will arise. There are other just as important questions to arise, and they ought to be worked out by the Military Affairs Committee, and they ought to be worked out by that committee with all the facts before them. I have never been a believer in yielding blindly to the department, but we ought to get advice from the department whenever it is necessary in order to legislate intelligently. I now yield to the Senator from Indiana.

Mr. WATSON. I quite fully concur in the sentiments expressed by the Senator from Tennessee, that the Committee on Military Affairs should consider this proposition. Is it not true that a subcommittee of the committee some time ago had Gen. Crowder before it, and that he made this recommendation?

Mr. McKELLAR. I will say that on yesterday for the first time I learned of it. I know that I am a fairly good attendant on the sessions of the Committee on Military Affairs. If Gen. Crowder ever appeared there, then the subcommittee, in effect, reported adversely by not reporting the amendment. At all events, in so far as this particular amendment is concerned, the committee on Military Affairs has reported against it by not reporting it. They certainly have not recommended it to this body, and we have not considered it as a committee. What the subcommittee may have done I do not know.

Mr. WARREN. Mr. President——

Mr. McKELLAR. I yield to the Senator from Wyoming, who was on the subcommittee, and he can tell what took place before it.

Mr. WARREN. I will state to the Senator from Indiana [Mr. WATSON] that some members of the subcommittee were considering an amendment offered by the Senator from Maryland [Mr. FRANCE] and it was reported that the Provost Marshal General agreed substantially with that amendment. Therefore he was invited to come to the committee room and state his views. He stated that there was much in the France amendment that he approved, but that he would reach the result in an entirely different way. When pressed for his ideas, he stated distinctly that he would only express his personal opinion about it. He stated that very soon the entire class 1 would be drawn if the schedule proposed was carried out—that is, by January, as he put it, and afterwards his assistant said December, probably—and that in the later drafts the ages would have to be extended, in his opinion, in both directions, unless men were to be taken from classes 2, 3, and 4. He then again said, in brief, that it was his opinion and that he thought the Secretary of War believed that the time had not yet arrived when it should be initiated.

Mr. WATSON. That is what I am trying to get at.

Mr. WARREN. If I may add a word, the Secretary is of the opinion, and Gen. Crowder is of the opinion, that when those ages are extended they ought to embrace enough both below and above so that we should not have to make another registration soon.

Mr. WATSON. If the Senator from Tennessee will yield, I should like to ask the Senator from Wyoming when was Gen. Crowder before the committee?

Mr. WARREN. It was one day, I think, this week, or probably the last of last week.

Mr. WATSON. So he was before the subcommittee, and this very matter was under consideration, and Gen. Crowder stated that there would be a shortage of troops by the 1st of January.

Mr. WARREN. No; but that class 1 would be exhausted. He did not put it as a shortage of troops.

Mr. WATSON. I understand; but an exhaustion of the class.

Mr. WARREN. Of No. 1.

Mr. WATSON. Of No. 1; and that in his opinion the age would have to be lowered and raised?

Mr. WARREN. Yes.

Mr. WATSON. That was a week ago?

Mr. WARREN. It was the first part of this week or the last of last week.

Mr. WATSON. What I wanted to get at is, if this very subject matter has been considered, a matter of such overwhelming importance, why it was that the Committee on Military Affairs did not take up the proposition and consider it?

Mr. McKELLAR. If the Senator will just permit me, for the reason that the Committee on Military Affairs had submitted this bill to a subcommittee for report, and if the subcommittee considered it they turned it down, because they did not report it to the full committee, and the full committee has not considered it. Whether we have been in error in not considering it, whether we ought to have devoted more time to it than we did, is another question; but, at all events, in all the matters that come before the committee that has not been done.

Mr. BECKHAM. Mr. President——

Mr. McKELLAR. I yield to the Senator from Kentucky.

Mr. WARREN. I wish to say just a word in the absence of the chairman. I have answered the question, but I shall be glad if my colleague on the committee, the Senator from Kentucky [Mr. BECKHAM], will further answer it.

Mr. BECKHAM. I wish to suggest to the Senator from Wyoming that when Gen. Crowder came to the committee he did not appear before the subcommittee at all, but by an arrangement between the chairman of our committee and the House committee to consider certain measures which had passed the Senate and were on the House calendar, and to have those measures placed upon the appropriation bill, and the subcommittee was not in session. I believe the Senator from Wyoming was present and the chairman was present, but other members of the subcommittee were not present and were not expected to be present at that time.

Mr. WARREN. I will say to the Senator that he is stating the exact condition. The chairman and the ranking member of the minority of the House were by arrangement in consultation with the chairman of the Committee on Military Affairs of the Senate and, it is assumed, the ranking minority member. One or two other Senators were present, and it was during the consideration of those matters which had already passed the Senate as to whether or no that proposed legislation should be put upon the appropriation bill, to facilitate matters at another place and secure very much needed legislation.

Mr. BECKHAM. So this question of the draft age was mentioned only incidentally?

Mr. WARREN. That in a way is true.

Mr. BECKHAM. And it was not before the subcommittee of the Senate?

Mr. WARREN. It was not before the entire subcommittee.

Mr. CUMMINS. May I ask a question of the Senator from Kentucky?

Mr. McKELLAR. I yield to the Senator for that purpose.

Mr. CUMMINS. I have had the pleasure of reading the testimony of Gen. Crowder as it was taken down before the committee. I do not intend to reveal any confidence, but I think it entirely proper to say that if his testimony upon that point was incidental, the volume of the principal subjects considered must have been very great, because he discussed the question throughout 30 pages of typewritten matter, and, so far as I observe, substantially his entire attention was given to the draft age and matters connected with the exhaustion of certain classes.

Mr. BECKHAM. The Senator from Iowa may be correct about that. As a member of the subcommittee I was not present, and I think probably two other members were not present at that time. When I said that his statements on the draft age were incidental, it was based upon the idea that he came before this committee of the two Houses, you might say—the chairman of the committee and the ranking minority member, the Senator from Wyoming [Mr. WARREN], and the chairman of the House committee and its ranking minority member—to consider a number of measures which it was thought wise to place upon this bill. In that meeting I understand that something was said about the draft age, but the point I make is that it was never considered by the subcommittee of the committee.

Mr. WARREN. If I may be further allowed, he stated that he had some figures, and, if the gentlemen present wished, he would include those in his remarks. So his statement may have contained all those figures.

Mr. VARDAMAN. Mr. President——

Mr. McKELLAR. I yield to the Senator from Mississippi.

Mr. VARDAMAN. I agree with very much the Senator from Tennessee has said. It is entirely proper for the committee to hear the Secretary of War, the Chief of Staff, and other mem-

bers of that department, to get information that will throw light on matters of legislation. Personally I am in favor of the draft being enlarged and raising the age limit. The thing I want to make certain and have the people of the United States understand is that under the present law ample men can be obtained to furnish an army three or four times larger than we can transport to France within the next year.

That is what the American people are interested in. I do not desire that the President, the Commander in Chief, shall be denied a single man that the military authorities of this country think necessary to conduct this war to a successful termination.

Now, I want to ask the Senator from Tennessee, if it is his understanding, and he has given great thought and study to this question, that under the present law, unamended, an army of 8,000,000 or 10,000,000 men could be raised for service in France, if so desired?

Mr. McKELLAR. Absolutely. I will say that I have talked with Gen. Crowder within the hour and he says that there are some 6,000,000 men who could be put into the draft at any time under the present law, and they are——

Mr. WADSWORTH. Will not the Senator qualify that?

Mr. McKELLAR. They are in classes 1, 2, 3, 4, and under the selective-draft law as it was argued on this floor when it was passed it ought to be made to apply to all alike.

Mr. NORRIS. Mr. President——

Mr. McKELLAR. I will yield in just one moment. So far as I am concerned, all I can say is that I realize that there ought to be an enlargement of the draft age. It must necessarily come, and we ought to be certain that we are right when we do change it. That is my whole position about it. I think the Committee on Military Affairs ought to have the right and the duty ought to be imposed upon it to examine into all the facts and report to this body before passing legislation of this drastic kind. I now yield to the Senator from Nebraska.

Mr. NORRIS. What I wanted to ask the Senator is if he agrees with the statement made by the Senator from California [Mr. JOHNSON] that class 1 under the present draft will be exhausted in 90 days?

Mr. McKELLAR. I was not so informed by Gen. Crowder. To class 1 must be added the very large number, probably half a million men, the additional men who will be put in that class as soon as the questionnaire is answered under the draft law of June 5 last.

Mr. NORRIS. The statement has been made here several times, I think on both sides of the Chamber, by members of the committee, that the present draft, as far as class 1 is concerned, will be exhausted some say in September and others say in January.

If that be true must we not do one or two things to equip the Army and keep it up where it ought to be and raise a sufficient number of men, must we not either take classes 2, 3, and 4 under the present ages or extend the age limit and take those above 31 who would be classified in class 1? Is it not a great deal better that we should increase the age limit and take from class 1, who are above 31 rather than take classes 2, 3, 4, and 5 under the present classification?

Mr. McKELLAR. I do not know whether the Senator is correct about that or not. I think it would be exceedingly wise to put all unmarried men in good physical condition between 31 and 40 in the draft. I do not think there is any doubt about that. We all agree on that. But I do not agree with the Senator about the second part of the proposition. I think there are a great many men in the second, third, and fourth classes in the present draft who ought not to be there.

Mr. NORRIS. That may be.

Mr. McKELLAR. I think there ought to be a reclassification of those men.

Mr. NORRIS. That may be, too.

Mr. McKELLAR. And I think we can get all the men who are necessary by this reclassification.

Mr. NORRIS. Let me suggest to the Senator that Congress can not reclassify those men. The department must do it. I have no disposition to do anything but accept their classification; but it seems to me there are a good many reasons why we should not take men who are in the deferred classes who have families to support or who are connected with some occupation that is necessary to keep the Army going. They should not be taken as long as there are other men above 31 who could be taken without interfering with any business of that kind.

Mr. FALL. If the Senator from Tennessee will allow me——

Mr. McKELLAR. I yield. I yield the floor.

Mr. FALL. Very well, Mr. President, then I will undertake to answer the Senator from Nebraska. I said when the original draft law was before this body that it was a measure of preparedness but not an emergency measure. I said then, and I say now, and I followed it by words then which apply to your provisions now, that it is not intended to allow the President, as you hold it out to the world, to raise an unlimited number of men, but that in itself it restricts him and prevents him by law, as the original draft law did, the Senator from Tennessee to the contrary notwithstanding, from raising an army such as we should have to deal with the present situation.

I take issue with the Senator from Tennessee entirely in his legal conclusion, much to my regret, of course. The draft act prohibits in terms the selection of certain men within the registered age. It does not allow and can not allow all the total of 8,000,000 men without a plain, clear violation of the act of Congress itself. It can not allow the raising of 6,000,000 or 4,000,000 men. Classes such as the Senator from Nebraska has referred to, necessary in munition works or in naval work or in other necessary work for carrying on this war, are provided by law to be exempted from military service and they can not legally be drafted into such service. They can be drafted into semimilitary service under the terms of the law which Congress passed, but not into the fighting line, not into the combat force.

The terms of the law are perfectly plain. It was passed after discussion. I remember very distinctly that the discussion of the subject was brought about when I was upon my feet making some remarks by a question asked me by the Senator from Missouri [Mr. REED] as to the exact construction of this provision of the proposed law. There was no difference of opinion in so far as the RECORD shows:

> No person so exempted shall be exempted from service in any capacity that the President shall declare to be noncombatant—

Now—

> and the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes—

Those persons who can be exempted from any military service or can be drafted only for partial military service by the President. Let us see who they are:

> County or municipal officials; customhouse clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States; and such other persons employed in the service of the United States as the President may designate—

Distinct classes are referred to, and the President is prohibited by the terms of the law from drafting them, although they may be within the draft age, from 21 to 31, except for partial military service—

> pilots; mariners actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary to the maintenance of the Military Establishment or the effective operation of the military forces—

There the President has a discretion; he can declare as to whether or not a person engaged in agriculture is necessary to the proper employment of the military forces. He can find him so necessary or not, and as to that man his judgment is final; but as to the other classes to which I have referred he has no judgment whatsoever, except that he may draft them into the semimilitary service—not into the military service.

Take all the mail employees, all those employed in the production of munitions and in the armories, all those employed in the vocations mentioned specifically here whose drafting is prohibited, and tell me, then, how many men you have left of the total registration of 800,000? Remember, as I say, that their drafting for military purposes is prohibited by law. Now, you go before the people of the country by the provision proposed to be enacted in this bill under discussion, and you tell those people that they are complying with the President's suggestion when, in speaking of the proposed army of 5,000,000 men, he says why limit it to 5,000,000; that there should be no limitation whatsoever; and when he asks you to give him full authority, and you pretend to have done it while you have done nothing of the kind, but you have again restricted him, because you have left in the draft both those prohibitions which preclude his selection or his summoning into the draft, into the military forces of the United States, millions of the men registered in the ages between 21 and 31. Again, you are restricting the hands of your Commander in Chief if he demands an army for the proper defense of the country.

Mr. NORRIS. Mr. President——

Mr. FALL. I yield to the Senator from Nebraska.

Mr. NORRIS. It may be that the Senator on yesterday gave the information for which I intended to ask, but, if he did so, I either did not hear it or I have forgotten it. I want to get the Senator's judgment on the exhaustion of class 1. Under

the present registration and within the present age limit, how soon will that class be exhausted?

Mr. FALL. Mr. President, I think the Senator from Missouri [Mr. REED] gave the information, and, I judge with accuracy, that by the 1st of September all of those in class 1 would be exhausted. I think that was the date he gave.

Mr. REED. About the 15th of September.

Mr. FALL. About the 15th of September.

Mr. NORRIS. I desire to ask a further question. Assuming that to be true, then, in order to keep on increasing the Army and to have them trained and ready to transport to France, will it not be necessary either to extend the age limit or to take classes 2, 3, and so forth, under the present registration?

Mr. FALL. Undoubtedly, Mr. President; and when you go to classes 2, 3, 4, and 5, what do you find? You find millions in those classes who are working as artisans in munition factories, in the navy yards, and in other capacities in necessary war work, directly for the Government, and Congress itself has provided that, as to those men, the law excludes them, and they can not be taken.

Mr. NORRIS. Of course, everybody recognizes, I think, that when you commence to take class 2, and as you go on, it gets worse in different classes. You are interfering with the necessary support of the Army at home. Now, is not this the question that it finally resolves itself into: Either we must take those classes, and thus interfere with the production of food or material to support the Army, or we must extend the age limit, and get somebody who at present is beyond the age limit prescribed for class 1?

Mr. FALL. Undoubtedly, Mr. President. That is so simple and plain that I can not understand what objection can be made to it, except that stated by one of the Senators, though not as coming from himself—I refer to the statement of the chairman of the Military Affairs Committee—that it had been suggested as one of the reasons for not taking this action now—and this is the only reason which has appealed in any respect whatsoever to my judgment—that if you now provide for the drafting of these men up to 40 years of age it might incommode them in some way or might cause them to begin to arrange their business so that they could answer the draft.

Mr. NORRIS. Will the Senator permit me to interrupt him again?

Mr. FALL. With pleasure.

Mr. NORRIS. When that very question was answered by the Senator from Oregon [Mr. CHAMBERLAIN] I wanted to interrupt the Senator for the purpose of asking that if we do not raise the age limit and have such an arrangement made as would mentally discommode those who are now beyond the age limit, is it not true that if we do not do that we are interfering with the mental disturbance of the men in classes 2 and 3, so that we are going to interfere with somebody's mental operation no matter what we do? If we extend the age limit and thus run the risk of doing what the Senator suggests as to those above 31, we relieve at the same time the mental disturbance that would exist in those in classes 2 and 3 under present conditions.

Mr. FALL. The suggestion of the Senator from Nebraska is, of course, apropos and is unanswerable. Then we might proceed to discuss the difference between the mental suffering or disturbance of the single man above 31, who knows that he will be drafted, and the mental disturbance and suffering of the wife and child dependent upon the man who must go in his place under the present provisions of this bill. It would be a very interesting field, Mr. President; but I am not voyaging now upon the sea of sentimentality, but am endeavoring to discuss what I think is the practical need of the moment from purely a practical standpoint.

Mr. President, I will proceed now to discuss the present law a little further. I have said that it was a restrictive measure. It is perfectly apparent, with due respect to the Senator from Tennessee, that his statement made here so solemnly that we can secure 6,000,000 additional men under the present draft law, is nonsense, unless we propose to violate the terms of the law itself. I wish to call the attention of the Senate to the wording of the draft law and its punctuation in my endeavor to construe it fairly and to state those propositions which are beyond all question, and then leave to their determination those propositions concerning which there may be certain questions. I have read the list of those who are exempted by law in the various classifications. I have read the list of those who are clearly to be exempted in the judgment of the President. Now, there are other distinct classes not merged with either of the classes referred to, and concerning which the Judge Advocate General has made a decision by virtue of the operation of his orders, without directly making a legal decision upon the subject in question. That class is covered by this clause of the draft act:

Those in a status with respect to persons dependent upon them for support which renders their exclusion or discharge advisable.

On reading this law it will be discovered that there is a question as to whether every man who has a dependent family or others dependent upon him for support is not by the law itself excluded. As I have said, they are placed in a separate classification, and by the wording itself this classification relates back to the word "only."

Mr. NORRIS. Will the Senator read it again?

Mr. FALL. At the request of the Senator from Nebraska, I will read the entire paragraph, with the punctuation:

And the President is hereby authorized to exclude or discharge from said selective draft and from the draft under the second paragraph of section 1 hereof, or to draft for partial military service only from those liable to draft as in this act provided, persons of the following classes: County and municipal officials; customhouse clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States, and such other persons employed in the service of the United States as the President may designate—

Leaving to the President the designation of other persons who are exempt, but exempting by law the persons named—

pilots, mariners—

Exempting by law pilots and mariners—

actually employed in the sea service of any citizen or merchant within the United States; persons engaged in industries, including agriculture, found to be necessary—

There is, of course, a matter of discretion—

to the maintenance of the Military Establishment or the effective operation of the military forces or the maintenance of national interest during the emergency—

And there ends the discretion. Then, relating back—

those in a status with respect to persons dependent upon them for support, which renders their exclusion or discharge advisable—

Unless the word "advisable" was there, there could be no question whatsoever that the draft law itself distinctly excludes from its provisions those who have dependents upon them for support—

and those found to be physically or morally deficient. No exemption or exclusion shall continue when a cause therefor no longer exists.

I say, Mr. President, that the Congress of the United States restricted the raising of an army because it enumerated classes from which the President should not draw combat troops. I say that there would be no question whatsoever in my mind, were it not for the use of the word "advisable," that those with dependents upon them were equally excluded by operation of law from the provisions of the draft act.

Now, in the bill pending before us the committee has reported the following amendment—and still some Senators deprecate the fact that there is any discussion upon the draft law at all—

That the authority conferred upon the President by the act approved May 18, 1917—

Which is the act from which I have just been reading—

entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is hereby extended so as to authorize him during each fiscal year to raise by draft as provided in said act and acts amendatory thereof the maximum number of men which may be organized, equipped, trained, and used during such year for the prosecution of the present war until the same shall have been brought to a successful conclusion.

Mr. President, what does that mean? The committee apparently entertain the idea that this is in compliance with the suggestion that 5,000,000 men be raised, as amended by the President's question, "Why place any limit?" Therefore, ostensibly the committee has brought before the Senate for adoption a provision placing no limit upon the power of the President to raise men. Let us examine that proposition for a moment. The statement is made here, uncontradicted from the record—and I think it comes from the statement of Gen. Crowder himself—that on or before September 15 class 1 under the present draft act will have been exhausted, and that from thence on we must proceed to draft men from classes 2, 3, 4, and 5, if we are to obtain additional men; but remember, Senators, that among these classes all those working in munition plants, all those working in arsenals, all those working in navy yards, or other operations which I have mentioned, are exempted by law. Now, what classes are not clearly exempted by the law itself from the draft?

Who will remain, in other words, subject even to the discretionary action of the President? Only those having dependent families and farmers working upon the farms of the United States, and from the farmers and from those having dependent families only can the President, after the 15th of September, add one to the number of combat forces of the United States. Still this law is held out to the people of the United States as proposing to create an enormous additional army.

Mr. President, it is pure camouflage, if I may use that much-hackneyed term. It raises no additional army, because the President now has the unlimited right by the law itself to organize special forces from those in the draft, and in this manner he has organized some 40 per cent of the total that we are told now are enlisted in the aggregate of 2,000,000 of United States forces. He is restricted by the terms of the act with reference to the combat forces of the National Army to raising 1,000,000 men, and then certain skeleton recruit regiments. This is the only restriction upon him there, and in this respect the limit is raised by the proposition to allow him to go beyond that million men and skeleton regiments; but the fact remains, and can not be controverted, that in securing the additional men he is confined to those two classes, those placed in the deferred classification because of the fact that they have families dependent upon them and those engaged in agricultural pursuits. From these two classes alone can he, under the authority vested in him here, raise an additional soldier. Yet we are told that we must not raise the age limit and that in class 1 there may be from 2,000,000 to 5,000,000 men raised who are not subject to the operations of this law preventing their draft and who have not dependents upon them for support. This is the sole proposition presented by the amendment which I offer, and it has been discussed from every possible standpoint; but, as I have said, the law itself as it stands, and the procedure under which we have been acting as we have been acting, has been referred to in only a very few words except as I have now called the attention of the Senate to it.

I spoke this morning of the amusement with which I had listened to one of the speeches made upon this floor yesterday, when a Senator took me to task somewhat for having dared, for having had the temerity, to offer an amendment at this time until I had been authorized directly so to do by the Commander in Chief or by some officer of the Army or of the War Department. I admit that it did require some temerity; and only what I conceive, possibly mistakenly, to be my duty to the people of this country to call their attention to the absolutely farcical proposition here held up to them as authorizing the increase of their armed forces would have caused me to offer the amendment. My object has been largely gained, whether the amendment is voted down, as it will be, or whether it is adopted, as it should be. At least the discussion has served to call the attention of the people of the country to the fact that under the pretense of greatly enlarging the power by giving the President a so-called unlimited power the committee offers nothing whatsoever. We are back again where we were in 1915.

I listened with great interest to the remarks of the Senator from Colorado [Mr. THOMAS], who, I can most truthfully say, is my personal friend. For his ability and his sincerity and his integrity of purpose I have the very greatest admiration; but, sir, listening to him yesterday, I recalled the fact that on February 21, 1915, I sat equally charmed and listened to him when he accused myself, the Senator from Connecticut [Mr. BRANDEGEE], and other Senators here of being militarists because we were then urging preparation for what we knew, and what it seemed to me any man of common sense would know, must come about—the entrance of this country into this great world war. He refused to vote a dollar, and he declaimed against the appropriation of one cent for increasing the Military or Naval Establishment of the United States. His argument, I may say, was much better put then than it was yesterday, and much more appealing to my good judgment then than it was yesterday, because, summed up, it was a hope held out to the enemy when he said yesterday that we had reached our limit and could go no further in our preparation for the world war; when, in objecting to the proposal that there might be placed at the disposal of the President of the United States, the Commander in Chief, millions more of men, and objecting to the adoption of this amendment he said that we could not use them; that we were up to our limit now; that all the forces at our command were now being used by the War Department; and that this amendment should be defeated because we had reached our limit; and in one portion of his argument, Mr. President, he rather impressed me with the idea—of course he did not intend it—that in his judgment it would require more tonnage to support in France a man of 20 years without a dependent family than to support a man of 30 years with a dependent family behind him in the United States. Of course, this is a reductio ad absurdum, but, nevertheless, I would be justified in inferring from that portion of his argument that that was his conclusion.

Mr. President, in the proposition to amend this law so as to place an unlimited army at the command of the President of the United States I have been absolutely sincere. I have no pride of authorship in the amendment. When the Senator from Nebraska [Mr. HITCHCOCK] came to me yesterday with his proposition providing for the draft of certain alien citizens not already provided for, including alien citizens of neutral countries, I agreed with him at once that as I had, after consultation with other Senators, concluded to perfect my amendment by striking out "18" and "45" and inserting "20" and "40," if he would do the same thing I would advocate his proposal as a substitute for mine. My object is action, and I care not under whose name it comes. I know that it is much easier to obtain action from the Senate in a matter of this kind when it is proposed from a Member of the majority—necessarily so. This is a Government of majorities and a Government of parties, and I realize that those upon the other side are in much more close touch with the administration at this time, and that therefore any proposal which comes from them will receive at least more support than one coming from this side. Therefore, in the interest of my country, as I believe, I welcomed most cheerfully the suggestion that the Senator from Nebraska should substitute my amendment by his; and I will vote now to substitute his, and he will now vote against his own substitute.

Mr. President, I am intensely in earnest in this matter, and if there is any freedom of the press in the United States yet, I want it to go out and be understood distinctly by the people of the United States that in following the advice of the Commander in Chief or of the War Department as the committee have followed it in wording the provision which they have presented for our adoption, instead of allowing the President of the United States to raise an unlimited army, they are retaining in the law the provisions of the present act absolutely restricting him in providing such an army at all, and that instead of raising an army of 5,000,000 or 6,000,000, which is the limit as placed by the eloquent Senator from Tennessee, instead of allowing the President of the United States to go to that limit the Congress of the United States has cut him off, and that until we repeal the law now upon the statute books the President of the United States, according to my guess, could not go through these classes and raise an additional army of 2,000,000; and I say, whether he could or could not, that army under the provisions of the law itself would necessarily be raised from the agricultural labor of the United States and from those having families dependent upon them for support.

Mr. President, again I invite the attention of the Senator from Oregon, the chairman of the committee. If I am in error in my conclusions, if I am in error in the statement which I have made here, and which I now make solemnly, that you are restricting the authority of the President of the United States instead of giving him additional authority, if those statements can be controverted I shall be glad to change my conclusions and to express my change upon the floor with the same frankness with which I have expressed what I have had to say now.

Mr. BECKHAM. Mr. President, on yesterday, in the course of the debate, the Senator from North Dakota [Mr. MCCUMBER] stated that he had seen in the papers not long since that 640,000 gross tons of shipping had been lost during the month of May. I was, as no doubt others were, very much astonished at those figures, so I took occasion to inquire this morning at the Navy Department, and was informed that the total losses for the month of May, with the exception of the last three days, for which figures had not yet been compiled, were 233,639 gross tons. Now, if the average for those 28 days in May was carried out for the last three days, that would make a total of about 258,671 tons.

I feel sure that the Senator himself will be relieved to get those figures, and to be told that that is the total loss of neutral and allied shipping for that month.

Mr. MCCUMBER. Mr. President, prior to the final report that was made by the British Admiralty, in which they frankly covered all of the sinkings of all of the allies and of neutrals during the year 1917, I had carefully prepared monthly tables myself. Those monthly tables, I learned, compared very closely with the estimates that had been made from German sources; and when the year was closed, and the British Admiralty made their final statement, their statement showed the sinkings to be a little more than the amount given by the German authorities. Now, I have found that as a rule the German reports have not been exaggerated. I have rather learned to place greater reliance upon them than upon the weekly reports which we have been receiving from other sections of the world; and I admit that this is the report made from the enemy side, the report that was made on June 23 of this year. It comes from Amsterdam:

> Ship tonnage sunk by German submarines in the month of May aggregated 614,000 gross tons.

I said yesterday 640,000, because I was speaking from memory only. The tonnage here is given as 614,000.

This is according to the official statement issued in Berlin. The assertion also was made that in addition badly damaged ships, with a tonnage of 56,000 tons, were taken to ports of the entente allies in April, besides the losses already announced for that month.

I will state frankly that I place greater reliance upon the reports of actual losses when they come from the central powers than I have placed upon those of our allies, because I have found that in the press of the country we are so liable to exaggerate our own successes and underestimate the successes of the enemy, and because, as I have stated, the final summing up by the British Admiralty of the results of the 1917 destruction agreed within a very few tons with the statements made by the German Admiralty. So I have taken it at least from the records. I hope that the record the Senator has given as coming from our Navy Department is accurate.

Mr. BECKHAM. It is accurate, so I am informed, as to the month of May, with the exception of the last three days, for which figures have not yet been compiled. I am inclined to think, and I believe the Senator will agree, that such statements from a department of our Government can be better relied upon than those from the German Government.

Mr. McCUMBER. In the early part of 1917, and in fact during all of 1917, I must say to the Senator, that they were very unreliable, and did not agree at all with the British Admiralty reports as they were finally summed up; the British reports showing, in fact, that the sinkings were almost double what our own reports accounted for.

Mr. WADSWORTH. Mr. President, before indulging in a discussion of this question, I desire to say that I was completely surprised when the chairman of the Military Affairs Committee at the convening of the Senate this morning mentioned the meeting of that committee. I was not present at that meeting for the reason that I received no notice whatsoever of it, and what transpired there is all news to me.

Mr. CHAMBERLAIN. Mr. President, may I make a statement to the Senator in that connection?

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. I do.

Mr. CHAMBERLAIN. The request to the Secretary of War and these other gentlemen to come up was not determined upon until last evening at 5 o'clock. Immediately notices were prepared and placed in the hands of special messengers, with the request that the notices be delivered at the homes of the Senators; so that the notices were sent, although they may not have been received.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Washington?

Mr. WADSWORTH. I yield.

Mr. POINDEXTER. If the Senator will yield to me, I think that this information and this question ought to be discussed before a larger number of Senators than are here now. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Guion	Martin	Smith, Md.
Bankhead	Hale	Nelson	Smith, S. C.
Beckham	Hardwick	New	Smoot
Brandegee	Henderson	Norris	Sterling
Calder	Hitchcock	Nugent	Sutherland
Chamberlain	Hollis	Overman	Swanson
Culberson	Jones, N. Mex.	Penrose	Thomas
Cummins	Jones, Wash.	Phelan	Thompson
Curtis	Kellogg	Pittman	Tillman
Dillingham	Kendrick	Poindexter	Trammell
Fall	Kenyon	Pomerene	Underwood
Fernald	King	Ransdell	Vardaman
France	Kirby	Reed	Wadsworth
Frelinghuysen	Lenroot	Robinson	Walsh
Gallinger	Lewis	Shafroth	Watson
Gerry	McCumber	Sheppard	Weeks
Gore	McKellar	Shields	Wolcott
Gronna	McNary	Smith, Ariz.	

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. There is a quorum present. The Senator from New York will proceed.

Mr. WADSWORTH. Mr. President, when I was interrupted by a call for a quorum I was saying to the Senate that I had not attended the meeting of the Committee on Military Affairs this morning owing to the fact that through some slip or oversight, of course it was unintentional, no notice of that meeting reached me, and the first news I received as to what transpired in that meeting was when the chairman of the Committee on Military Affairs rose in his place this morning and described the meeting and said who was there. I listened with a great deal of interest to the reasons recited by the chairman of the committee—those reasons I mean which were put forth by the Secretary of War in urging, or suggesting at least, that for the time being, and perhaps for an indefinite period, no enlargement of the draft should be attempted by the Congress. As I listened to those reasons, I could not help reviewing in my own mind very rapidly, probably very incompletely, some of the salient features of this war since it started on August 1, 1914. I am going to attempt to draw a lesson from it in connection with this very matter. I shall not consume much time in doing this, but I think it is pertinent to the discussion and to the amendment suggested by the Senator from New Mexico.

Mr. President, it is well known that the German Empire was the only one of all the great nations completely prepared to launch itself into a war at a moment's notice. That is now conceded; in fact, it was conceded within a few weeks after the war started. The British Navy, of course, was completely prepared, but the British land forces were utterly inadequate to meet any such catastrophe as Germany had been preparing for 40 years to inflict upon the world.

Lord Roberts traveled about England warning his countrymen that some day a blow would be struck and urging them, begging them, to create an army to ward off that blow and possibly to prevent war altogether. He was unsuccessful; in fact, his advice was derided, his motives even were questioned by some of the highest officials in the British Government in the period prior to the outbreak of the war. We went through something of the same experience. The senior officer of the American Army begged and implored his countrymen through three or four years that they realize and comprehend the danger that confronted them. Little, if any, attention was given to his warning, and now we know that Lord Roberts was right, and the English people know it, and now I believe the American people know that Leonard Wood was right.

After starting in that kind of atmosphere, Mr. President, four years of war have given a constant repetition of Germany doing things first. One incident after another has transpired which has shown that the allies, severally or collectively, have not foreseen and prepared for the emergencies which might overtake them as the war progressed. Of course, the first invasion of Belgium by Germany could not have been anticipated because the civilized world did not realize that Germany would so brutally disregard a solemn treaty compact, and so the element of surprise which accompanied that invasion into Belgium and through Belgium into northern France is one for which the allied leaders could not be blamed. But from that date on, Senators, one thing after another has happened which has shown that the German general staff has been constantly projecting its mind into the future, has been forcing the war, has been taking the initiative, and it has become increasingly apparent as the four weary years have gone on that they have planned this thing in advance in every detail.

So it was, Mr. President, that Bulgaria, through carefully contrived schemes and combinations of diplomatic chicanery and bribery, was brought into this war as an ally of the Teutonic powers, while the allied powers were waiting to see what might be done about it. So it was with Serbia, Mr. President. While the allied powers were wondering if they could be of any service to Serbia, their faithful little ally was overrun by the combined forces of Bulgaria, Austria, and Germany. The allies did not come to the assistance of little Serbia, and look at the result, an open pathway for the Teutonic powers to Constantinople and to Asia Minor, linking up the great Turkish Empire with the entire Balkan region and clear on north to Hamburg—a great Mittel Europa, planned out in advance, accomplished while the entente allies were wondering whether they should or could do something about it.

In the nick of time, it is true, and by overcoming serious difficulties of different kinds, the allies saved Greece, but it was by a hair's breadth; and we now know that the overrunning of Greece and the use of her littoral as a base for submarines was within the German intentions at the very outbreak of the war. The Grecian King, of marked German sympathies, did his best to bring that about, but in this case the situation was saved.

Witness Roumania. While Russia, then a belligerent, and while the other allies, then belligerents as now, were wondering if something could be done to help Roumania, who had come into the war, she is overrun, crushed—because the preparations had not been made to protect her before she became an ally of the entente powers. See the result. The mouth of the Danube and the whole stretch of that great inland waterway stretching up from the Black Sea into the heart of the Austrian Empire is made a German line of transportation.

Witness Russia to-day. Will any Senator deny or doubt the statement that Germany had planned from the very first news

she received that there was a possibility of a revolution in Russia to control that revolution for her own purposes through her propaganda? There can be no doubt about it; and she did it, and she is doing it to-day, Senators, while we stand to one side and watch her do it and wonder whether we can stop it. Germany has taken the initiative in nearly every great event of this war.

In my judgment we ourselves have been guilty of this same lack of foresight since we have been in the war. Senators know, I think they realize, that America did not really wake up in this contest until the German drive started on March 21 last and threatened to be completely successful. Then it was that we began sending troops in great force to France. Then it was that those in power realized, if, indeed, they did not before, and I do not say they did not, that this was a desperate fight; and we have waked up to it and the country is aroused.

Many of the undertakings put into effect by our supply departments, and the character of those undertakings, lead one to believe that we have not been thinking ahead far enough. Luckily we have now made our plans with our allies, but the history of the months of the summer of 1917 in our preparations for this war indicate very clearly that we were on the road to making the same mistakes which had been made by our allies during the three years prior to our entrance into the war—failure to look ahead and instantly prepare for every emergency that might overtake us while the war is in progress.

Now, here we come to this very question to-day. The Provost Marshal General states that by the middle of September under the present program of drafting men into the Army class 1 will be exhausted. I have it on the most reliable authority that class 1 will be exhausted on September 15. Let us be liberal about it and make it October 1 or October 15. Yet it is now proposed to the Committee on Military Affairs of the Senate and to the Senate itself that we do nothing about that for a while; that we wait and see whether it is possible for the United States to use a larger army; whether it will create any industrial disturbance if we enlarge and expand the limits of the draft.

Mr. President, the General Staff, of course, lays out well in advance the program for raising troops. It is the duty of the Provost Marshal General to raise the troops needed by the General Staff. Those troops can not be raised beyond October 15 without going into class 2, and class 3 unless, indeed, it is decided not to raise any more troops after that date. I contend that that assertion can not be denied.

It has been intimated in the Senate this morning by the chairman of the committee, who merely recited what was said by the Secretary of War, that it would be all right for the Congress to wait until some time in September to decide this question, and that within 60 or 90 days thereafter the troops can be obtained. May I ask what is to be done during the months of October, November, and December? Is the calling of troops to be suspended after the middle of October while the preparations are being made in the Provost Marshal General's office for the calling of additional troops under an expanded draft at the expiration of 60 or 90 days?

Mr. President, supposing there does not appear very clearly at this moment any absolute necessity for an enlargement of the American Army after October 15, is it wise for us to proceed upon that basis? Can we not get out of that habit of mind which leads us to endeavor to meet emergencies after they overtake us, a habit of mind that has been all too prevalent, Senators, in this country and in the management of this war at large, not only by ourselves but by our allies? Can we not anticipate the emergencies that may overtake us? Is it not safer? Is it not making war with greater effectiveness for the Congress at this day and date to place at the disposal of the President a sufficient number of registrants under the draft to enable him to get just as big an army as he wants to meet any emergency, and preferably to prepare for that emergency before it comes?

It passes my understanding how those responsible for the conduct of the military preparations of this great Republic can solemnly advise us at this day that for the time being nothing more is desired; that we do not have to do anything yet. Oh, if we could wipe out of our dictionary the words "not yet"!

Mr. President, I do not know what transpired in the Military Committee this morning in detail. I was going to ask the chairman of the committee if any questions were asked there of the Provost Marshal General or the Chief of Staff or the Secretary of War by way of finding out what the program for raising troops is for the remainder of the calendar year 1918. I have been informed of some of that program. I do not know it all, but I know that by October 15, in order to carry it on through the next three succeeding months we have got to go into class 2 and class 3 or else stop raising troops during those months. I was going to ask the chairman of the committee in my own time if he could state whether that subject was gone into.

Mr. CHAMBERLAIN. Mr. President, I think nearly every subject was gone into, because there were some there who radically differed in their views from the views entertained by the Secretary of War and the Chief of Staff. With reference to that particular change, it appeared just after the August draft, which is an unusually large one, there would be still something like 650,000 men of class 1 subject to the draft, and in addition to those it was thought that at least 150,000 additional men would be rendered subject to the draft by reason of the treaties which have just been entered into between the United States and Great Britain and some of the other cobelligerents. Still further, it was assumed that there would be additional men on a reclassification who would be brought into class 1. For instance, I believe it was stated that by combing, as they call it, and reclassifying the men in the District of Columbia there would be added 2,000 of class 1 who were not heretofore included in it. In other words, it was thought there would be enough men subject to the draft during the months of September and October.

Mr. WADSWORTH. How about November and December?

Mr. CHAMBERLAIN. I think there was a difference of opinion. The Senator knows what Gen. Crowder's views were, and I think there was a difference of opinion between Gen. Crowder and the Chief of Staff and the Secretary of War. The Chief of Staff was very emphatic in stating that he indorsed the views of the Secretary of War with reference to it.

Mr. KING. Will the Senator from New York permit me to propound a question to the chairman of the committee?

Mr. WADSWORTH. Certainly.

Mr. KING. I should like to ask the chairman of the committee how many men are now in cantonments?

Mr. CHAMBERLAIN. I forget really what the number is.

Mr. KING. There are not sufficient to fill the cantonments?

Mr. CHAMBERLAIN. They are filling them as men are taken under the draft.

Mr. HITCHCOCK. Mr. President, I think I can answer that question. My recollection is that Gen. March stated that the number in cantonments at the present time is approximately 1,350,000.

Mr. CHAMBERLAIN. They are enlarging the cantonments.

Mr. WADSWORTH. The gentlemen who testified before the committee, then, apparently realized that class 1 is about to be exhausted. Otherwise they would not advocate combing other classes and reclassifying in order to get more men into class 1, nor would they put such reliance upon the number of men who are citizens of Canada and Great Britain now residing in this country in order to meet the situation.

Mr. HITCHCOCK. Mr. President——

Mr. WADSWORTH. I yield.

Mr. HITCHCOCK. I think it is fair to say that the testimony of the representatives of the War Department before the committee was that before class 1 was exhausted or when it was exhausted we would have 1,450,000 men in Europe and 2,000,000 men in the United States.

I am sure the Senator does not favor the idea of calling men into the service before they can either be accommodated in the cantonments or sent to Europe.

Mr. WADSWORTH. Mr. President, I have not said anything about the number of men who ought to be called. My complaint is that without the amendment of the Senator from New Mexico you can not call them.

Mr. HARDING. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. STERLING in the chair). Does the Senator from New York yield to the Senator from Ohio?

Mr. WADSWORTH. I yield to the Senator.

Mr. HARDING. I wish to preface my question by a statement. In the first place, I am cordially in favor of changing the limit of the draft age, and in the next place I am very heartily in favor of coordination between the executive department and Congress. Suppose Congress adopts the amendment of the Senator from New Mexico and fixes the draft age at 20 to 40, what will it avail if it is the policy of the War Department not to accelerate the training of men and calling them into the service? In other words, what will the enactment of this amendment accomplish at this time if the department is opposed to speeding the training of men?

Mr. WADSWORTH. Mr. President, if such an unbelievable situation existed in the War Department the amendment of the Senator from New Mexico would do no good at all, but I can not believe that any such spirit lives there. What I want to see done is the bringing about of a situation in our military prepa-

rations whereby when an emergency makes itself apparent over the horizon, coming our way in the shape of a big, dark cloud, the President and the War Department can act quickly in repelling it, and if the amendment of the Senator from New Mexico or something approximating it is not adopted, then they could not meet that emergency. I for one, Mr. President, am tired of having our country overtaken by emergencies for which we are unprepared.

Mr. FALL. Mr. President——

Mr. WADSWORTH. I yield to the Senator.

Mr. FALL. I wish to ask the Senator if Gen. March and the Secretary of War are right in saying that in so far as the number of troops we have in France and our preparations at this time are concerned we are five months ahead of our plans, then is it not absolutely apparent that the Secretary of War is still five months behind in his plans? Is not that a logical and necessary sequence? We are five months ahead of his plans. It is necessary for us to have the troops in Europe, and we find he is still five months behind in his plans. Then how, in the name of all that is right, can we pay any attention to his plans for the present emergency if he is still five months behind in his plans?

Mr. WADSWORTH. I say very frankly to the Senator from New Mexico that I have never been able to analyze the plans of the Secretary of War.

Mr. FALL. But the Senator recalls a statement of the Secretary of War, and particularly of the Chief of Staff, that we are now five months ahead of our plans.

Mr. WADSWORTH. I was not present at the meeting and I did not hear the statement. It is the first time I ever heard of it.

Mr. FALL. It has been published in every paper, I think, in the United States in the last three weeks. I could fill the RECORD with quotations directly from the Chief of Staff. I am not responsible for them, but the public press is my ordinary source of information.

Mr. WADSWORTH. The only statement about being five months ahead of time that I can recall is the statement of the Secretary of War, published in the Official Bulletin, of February 21, in which he announced the shipment to Europe of battle planes five months ahead of schedule.

Mr. FALL. I have reference to the present troop movement, and that, with 800,000 men, as announced by the Chief of Staff, on the water or in Europe, we are five months ahead of our plan. It struck me at once, then, than the Secretary of War must be five months behind the times, and I should like, so far as I am personally concerned, for him to catch up before he seeks to advise me any further.

Mr. WADSWORTH. Mr. President, to my mind this getting ready in advance is a most serious matter. For one, I am not willing to see these summer months go by without any action being taken by the Congress in regard to it. It does not console me in the least when I hear it stated that it will only take 60 or 90 days after Congress enlarges the age limit to raise the additional troops. Mr. President, those 60 or 90 days may decide the war. Why is it that anyone should hesitate to take every possible precaution now to put into the hands of the President the power to raise as many troops as he desires? Why this hesitation?

The country has been led to believe that there is to be no limit to this Army; this bill contains a provision in effect lifting the limit as to the size of the Army. Does that provision mean what it says, or is it simply declaratory, to arouse enthusiasm, to reassure? The statement of the Senator from New Mexico [Mr. FALL] to the effect that the law as at present drafted puts a rigid limit upon the size of the Army can not be controverted. How are we going to square ourselves with the American public if we leave a rigid limitation in the law and say to the people in the next breath that there is no limit to the size of the Army? What is the purpose of that statement?

I took the President of the United States at his word; I rejoiced when in New York he suggested "Why limit the size of the Army?" I rejoiced when he stated that we were going to stand by Russia just as we are standing by France. The American people rejoiced in it. But leaving the draft law as it now stands upon the statute books negatives the whole program in so far as it is related to the utterances of the President and that provision of the bill which says that the Army shall be without limit.

I am not saying that a million or two million or three million men should be called to the colors within a given time; there is nothing in this amendment that compels the Chief of Staff or the Secretary of War to call more men than can be taken care of—not a thing. They need not call any additional men if they do not think them necessary; but who can say what will happen in the month of October, the month of November, or the month of December? Who can be sure in the assertion that Germany has not planned some other great stroke, and that she may not launch it at a moment's notice? Who can say with absolute certainty that she does not intend eventually to overrun Holland? Are we to stand here and wait until some such emergency overtakes us? We and our allies have indulged in that too much, Senators. This hesitancy in some respects is not surprising, because the people of this country have not been educated to this deadly business of war; but it seems to me we could have learned, and that we have learned by this time, some mighty valuable lessons in this deadly business of war. The greatest lesson of all is to anticipate any and every conceivable blow that your enemy may launch against you. That is why I contend here and now that provision should be made in the statute whereby the President can in effect create an army without limit, for if we do not, Mr. President, we are taking very grave chances, chances that we have no right to take.

It is not the duty of the Congress to say how an army shall be used or where, though individual Senators may express their views, as I attempted to do yesterday in a very brief way. It may not be the duty of Congress, in the judgment of some Senators here, to place a minimum upon the strength of the Army, but it is the duty of the Congress, and it is not the duty of any other branch of the Government, to place in the hands of the President all the men and all the resources of the United States. We are the only ones who can do it; and why his Secretary of War does not want that done passes my comprehension.

Mr. President, I hope that Senators will look upon this amendment of the Senator from New Mexico in the broadest and most statesmanlike spirit. There is nothing of the partisan in it. Senators on both sides realize that no one can tell what will overtake us; Senators on both sides realize that in the past we have failed to anticipate what our enemy might do. If Senators will look upon the amendment in that spirit, I believe they will vote to increase these age limits in the draft, and so make it possible for the Republic to create and maintain at the earliest possible date an army fully able at any time and at any place to cope with our enemy and to overcome him.

Mr. HARDWICK. Mr. President, I suppose the debate is drawing to a close on this question, and I am glad of it. I do not propose to defer that desirable moment very long, but there are one or two observations I wish to make about this matter before the vote is taken.

I have been impressed with the strength of the argument made by the Senator from New York [Mr. WADSWORTH]. It is all right to thunder in the title if you do not fail in the substance; but to speak of raising an army without limit, and to provide no additional sources from which that army may come above those you already have, is rather a contradiction in terms.

Mr. President, when the question of policy was before this Congress, I did not favor conscription or forced military service outside of this country as a policy. I am not going to undertake to repeat to the Senate or to the country the reasons which were good and sufficient to my mind then, and are so yet for that view and that position, because the water that is passed turns no wheel. It has become the settled policy of the country, for this war at least, no matter whether some of us desired it to become so or not, so the question left is, the policy of the country being determined, how ought that policy to be executed?

I think now, as I thought in May, 1917, that if military service is to be forced in this country upon its citizens there ought to be equality in bearing that burden between all men of military age. I can see, speaking for myself at least, neither justice nor equity, neither fairness nor right, in the proposition that a young married man without means, it may be, or with but very little means, of 28 years, we will say for the purposes of illustration, with a growing family of little children looking to him for support and guidance and education and protection, should be forced to go to the colors before some lusty bachelor of 32 or 35 or even 40 years of age is summoned to do his bit otherwise than with his tongue. So if enforced military service is to be obligatory upon the manhood of this country it ought to be imposed equally in order that the largest possible number of shoulders will bear the burden.

Besides, the higher you raise the age limit the more opportunity you give for real discrimination in making the exemptions. If you are to be held down to just a few years—between 21 and 28, or between 21 and 31—you will have to be combing your second and third and fourth classes in order to increase your first class if you have got to increase the size of your Army; but

if you start at 21 and end at 40, or even at 45—which I think is better—then you will not have to take quite so soon the married men, who are needed to support, protect, and educate their families; you will not have to remove from the vital industries of this country quite so quickly the men who are needed to operate those industries if this country is to continue to function and is to be able to prosecute this war vigorously, adequately, and successfully.

For one, I shall be unable to vote for any proposition, except in defense of the soil of this country, to require military service from boys before they reach the age of 21. Before they arrive at the age fixed by law for manhood's responsibilities and manhood's rights, I do not feel as though we ought to force or exact from them manhood's duties. Many of them will volunteer; many of the boys of 17 or 18 or 19 years of age have already done so; but I do not think they ought to be drafted until they reach the age of 21. So I shall propose to amend the amendment of the Senator from New Mexico as to the age limit to begin at 21, instead of at 20. If my amendment shall prevail, I shall then support the amendment of the Senator from New Mexico.

Mr. President, there is another reason why the amendment of the Senator from New Mexico ought to prevail, which was alluded to briefly in passing by the Senator from New York, and I think reiterated somewhat by the Senator from New Mexico; but I want to state it again, although I doubt my ability to add strength to the statement of the proposition that has already been made by those Senators.

Under the original draft law, if it had been strictly construed, and, I think, reasonably construed, the size of the Army would have been sharply limited. The President was authorized to do four things: First, to recruit the Regular Army by drafting up to the strength authorized by law; second, to recruit the National Guard up to the strength authorized by law; third, to draft 1,000,000 men in complements of 500,000 each; and, fourth—and here is where the construction has come in—

> to raise by draft, organize, equip, and officer, as provided in the third paragraph of this section, in addition to and for each of the above forces, such recruit training units as he may deem necessary for the maintenance of such forces at the maximum strength.

Now, by a somewhat liberal construction of the law, by somewhat of a stretching of the law, of which I am not inclined to be critical under the circumstances, the Provost Marshal General's office has construed that to authorize the War Department, so I am informed, to provide these additional units before the existing units are depleted, as Congress evidently contemplated, by the ravages of war. In that way they have been able to add somewhat to the mathematical strength of the Army fixed by the positive mandate of the Congress. But when we were raising an army that we thought meant at the outside a million and a half men, a million for the drafted army and 500,000 men to fill up the ranks of the Regular Army and the National Guard, we fixed an age limit of from 21 to 31, inclusive, out of which to raise that number of men. Now, if the President is to be given unlimited power to raise an unlimited number of men, then the burden ought not to be borne by any such narrow class. The burden becomes infinitely greater, infinitely heavier, and ought to be borne by the entire manhood of this country.

Mr. President, one other observation, and then I shall detain the Senate no longer, though it is almost useless, or it seems so, so far as the present is concerned, to make it; and yet I warn you, Mr. President, it will bear fruit, and that in the not far distant future. The Constitution of the country, sneered at, disregarded, despised, abused, and evaded, provides that "the Congress shall have power to raise and support armies." That power resides not in the President of the United States nor in the War Department nor in the Chief of Staff nor in anyone else on this earth except the Congress of the United States. I would not under any consideration have Congress interfere with the operation of armies after they are raised, for the operation of armies is a military matter, an executive function, and we would be ridiculous if we had a board of strategy composed of 435 Members of the other House and 96 Members of the Senate to direct our military operations; but when it comes to the raising of armies, that is an entirely different question; it is one which by the Constitution of our country is remitted to the body of which this House is one component part, and which power this body, in my judgment, can not delegate to anybody else on earth.

This war was declared by the Congress of the country; it is the country's war, not the Executive's war; it is the country's conflict, and not any one man's conflict; and I would not confer on any one man born of woman—Democrat or Republican, President or what not—the right to say how large an army should be raised or how small, whether all the manhood of this country should be sent or not one. If this is to remain a democracy, if this is to continue the land of the free, that power belongs to the representatives of the people, and to them alone; and if liberty is to live in the Republic, that power can not be surrendered to any person or official whatsoever, and it ought not to be surrendered. The Congress ought to determine for itself, after full investigation, how much of an army is needed, can be equipped, and should be raised.

Mr. UNDERWOOD. Mr. President, when we entered this war my view is that there were comparatively few men in the United States who fully realized the important duty that this Nation had to fulfill before the war was closed. The Russian armies were still in the field; our allies were holding the western front without a break. It seemed to me, and I think to most of the American people, that if we sent an army to Europe of a half million or a million men and mobilized our industries at that time in favor of the allied cause the war would be over in the first year, with victory crowning our arms and our cause. But that viewpoint has gone astray. The collapse of the Russian Government and the withdrawal of the German armies from the eastern front have entirely changed the situation, and, in my judgment, to-day there is but one way to win this war conclusively and that is to put every ounce of weight of our great country in the allied cause, and do it as quickly as possible. It is both the wise thing to do and the economical thing to do, both from the standpoint of men and of money. It will cost us far less in loss of life and far less in the expenditure of dollars if we can bring this war to a successful close at the end of this year by breaking down the German columns and writing a treaty of peace at the point of the sword before the snow flies than it will if this war drags out through a period of two, three, or four years. Therefore, so far as I am concerned, I am heartily in favor of using every power in this Government this year and this hour that can be availed of to bring the war to a successful termination at the earliest possible moment. I think that is the viewpoint of every man in this Chamber to-day.

Now, looking at it from that standpoint, the question that confronts us is as to whether or not we will accomplish something toward that end by the adoption of the pending amendment at this time. If it will accomplish that result, it will have my vote most cheerfully; if it will not accomplish that result, I am not prepared to do an unnecessary thing.

I wish to say, Mr. President, that I am in thorough accord with the provision that is already written in this bill, to allow the President of the United States to raise an army without limit. The greater the army that it is possible for him to raise and put in the field the sooner we can bring this war to a successful conclusion. That power is granted. The only thing involved in this amendment is the question as to whether the reservoir from which this army is to be drawn is large enough to meet the demands of the hour and to build up the Army to the size that the President of the United States thinks he is capable of bringing into the field at this time.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. UNDERWOOD. I do.

Mr. McCUMBER. The Senator states that there is a provision in this bill which allows the increasing of the Army without limit. I wish to ask the Senator if the power to raise the Army is not limited all the way through by specific appropriations for specific purposes?

Mr. UNDERWOOD. I was coming to that.

Mr. McCUMBER. And does not the report of the committee itself, which declares that the bill will take care of approximately 3,000,000 men, preclude the raising of an army of 5,000,000 men?

Mr. UNDERWOOD. The Senator is foreclosing my speech by asking his question.

Mr. McCUMBER. I am sorry.

Mr. UNDERWOOD. But I am in accord with the suggestion the Senator makes, and that is the point to which I am coming.

We have given to the President—or will give under this bill if it becomes a law—the power without limit, within the terms of the draft act, to call to the standard every man that he desires. If the President of the United States or the Secretary of War will come before Congress or officially send word to Congress that there are not sufficient men in the present draft

ages to carry on the plans of the Government, then I am willing to increase the number of men from which he can draw to such limit as the executive branch of the Government is willing to suggest; and I think that is strictly a function of the executive branch of the Government. The Congress declares the great principles of the Nation; we announce the principles upon which the Government must rest; we have announced the great principles for the carrying on of this war; but when it comes to the details, Congress can not provide the details and can not carry them out. That is strictly an executive function, and we must let it rest there, and we propose to do it under the terms of this bill.

I understand that up to this time the President has not asked that the draft limit be increased, nor has his Secretary of War suggested that we should do so. My understanding is that we have in the neighborhood of 2,000,000 men under arms in France and in this country, and that under the draft act we have a reservoir in class 1 of something over 1,600,000 yet to draw from. In other words, we are able as the law stands now, and as the draft is apportioned, to nearly double the Army that we now have in the field.

Now, Mr. President, after the President of the United States has announced that he does not want any limitation placed on the size of the army that he can raise, and after it has been demonstrated month after month, in the recent months that have gone by, that he is carrying every available man to the firing line of France that it is possible for him to carry there, I take it that the executive branch of this Government is prepared to raise just as large an army as conditions will allow, and throw it against the German columns to crush them down. Therefore, that being the natural inference from the situation that presents itself to us, I take it that when the President of the United States does not ask us to increase the draft ages he is not prepared to utilize the men that he would get by reason of the increase of the draft ages.

To build an army requires two things. There are two sides to it. There is the personnel, which is composed of the men we draft and send to the ranks. There is the matériel, which means clothes, small arms, cannon, ships, food, and equipment of every kind. There is no question whatever that we have at least 1,600,000 men that could be called to the standards to-morrow. Why are they not called? We need them if we can get them. There is no question as to the attitude of the Executive on this question. Why are they not called? There can be but one answer to the question, and that is that at this hour the Nation is not prepared to respond to furnish the matériel equal to the amount of men that it can furnish for the Army, and that is the limitation.

My understanding is that this bill carries appropriations to equip, army, and maintain an army of 3,000,000 men. I have no doubt in my mind that if the Nation were prepared to do so from the matériel standpoint, the chairman of the committee would have brought in appropriations not to arm, maintain, and equip 3,000,000 men, but to arm, maintain, and equip 5,000,000 men. I take it, and I think it goes without controversy, that the reason why it is not done is because we have not the guns, the clothes, the food, and the ships to take care of that many men at this hour.

Now, the Nation is mobilizing. Six months from now we probably will be able to take care of the additional men in class 1 in the draft age, but it is not so to-day. If it is not true to-day, what would we accomplish in increasing the draft age to-day? What would be worked out for the good of the Nation? Why should we say in this law that the boys between 18 and 21 must register and become a part of the drafted army to-day, or that the men between 31 and 40 must become a part of the drafted army to-day if we can not use them? I see nothing that can be accomplished by that result at present; and, on the other hand, I recognize the fact that to-day it is a very different proposition than it was a year ago to bring men within the terms of the draft. We have the machinery organized. The country is ready to respond. Men know what the law is, and the machinery of the Government is ready to put it into force. When we increased the age limit and brought into the draft the boys who had become 21 in the last year it did not cause any disruption in the country. There were no great difficulties involved, so far as the executive branch of the Government was concerned. It merely required the enactment of the law. The machinery moved along smoothly, and in one day practically every man who had become 21 years of age within a year was within the draft. The question of fixing his exact place and assembling and deciding on his status in the various classes in the draft is only a question of weeks to determine, not of months. So that at any time in the future when it becomes apparent that the reservoir from which we must draw our reserves has become exhausted and is not keeping up with the matériel that we can supply them with to make the Army, it is merely a matter of a few hours in the Congress of the United States to pass the necessary resolution, and only a question of a few weeks to classify these men and place them in their natural place in the draft, and I am prepared to do it.

I do not intend to vote for this amendment at this time, for the reasons I have expressed; but at any hour that the executive branch of the Government says that there are not enough men enrolled under the present draft system to supply the Army that we need in Europe, I am prepared to vote immediately for an increase of the draft and an extension of the age limits. Up to that time, however, I do not see how anything can be accomplished by it.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Minnesota?

Mr. UNDERWOOD. I do.

Mr. KELLOGG. Is it a fact that class 1 of the draft will be exhausted within the next 60 days?

Mr. UNDERWOOD. The Senator from Minnesota asks me a question that is a technical question. I am not a member of the Military Affairs Committee of the Senate and I have not the exact information, and therefore I hesitate to answer his question; but I will say that, so far as the information I have is concerned, that condition does not exist. I will tell the Senator why it does not exist. My understanding is that there are over 1,600,000 men in that class. They can not be inducted into the Army in that time. Of course, an order could put them in, but I do not think there are going to be any more orders made to send them to camp until the clothes are there and the food is there and the guns are there. It would be folly to do so.

Mr. REED. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Missouri?

Mr. UNDERWOOD. Just let me finish my sentence. Now, I think the answer to the Senator's question is conclusive. The answer sits in this Chamber. The chairman of the Military Affairs Committee has reported a bill providing for 3,000,000 men, and I take it that the bill he has reported meets with the approval of the executive department of the Government. Now, he does not advise supplying the money to arm, equip, and maintain 3,000,000 men. He has 2,000,000 men. To carry out the terms of the bill he needs 1,000,000 men more. When he has drawn them from the reservoir of men, he still has 600,000 men left within class 1.

I now yield to the Senator from Missouri.

Mr. REED. Mr. President, I do not think there ought to be any misunderstanding of the facts. The facts are that if the authorities continue to call men as they have called them—and they expect to continue to call them as they have called them—by the 15th day of September all of class 1 will be in the military camps.

Mr. UNDERWOOD. I do not dispute the Senator's figures on that point at all.

Mr. REED. I state that on the authority of the statement which was made by the Secretary of War and the Chief of Staff this morning, that that is in fact the expectation.

Mr. UNDERWOOD. To be sure, if we intend to call men at the rate of 500,000 per month, we will exhaust 1,600,000 men in three months. That is mere mathematics. But the proposition I make is this: I take it that this bill has been written on the estimates of the War Department, and I take it that in the main the estimates of the War Department have been agreed to by the committee.

Mr. SMITH of Georgia. Mr. President, will the Senator permit me to interrupt him there?

Mr. UNDERWOOD. Surely.

Mr. SMITH of Georgia. I understand that it is the view of the Secretary that within the next 60 days additional estimates will be made of additional expense incident to a broadening of the draft and to calling additional men; but up to the present time the appropriation does not go beyond those now within class 1, and is less than those within class 1. I mention that to the Senator because I was at the hearing this morning when the Secretary of War and the Chief of Staff appeared, and I mention it to confirm the view which the Senator is presenting.

Mr. UNDERWOOD. Exactly. Now, there is the proposition. The War Department can not go beyond this appropriation at this time in bringing the men into the camps. If it is prepared within the next few months to purchase the arms, to get the

guns, to provide the clothing and the food, I have no doubt in the world that it will come before the Congress before the 1st of September and ask for additional appropriations for an increase in the size of the Army above what is carried in this bill. When that comes, going hand in hand with it, it is a simple matter to write within that new appropriation the increase in the draft age, and I shall cheerfully support it.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama further yield to the Senator from Georgia?

Mr. UNDERWOOD. I do.

Mr. SMITH of Georgia. I wish to say to the Senator that the Secretary of War said that at that time he desired also to ask us to broaden the draft age, and he felt that it was wiser to move along the entire line at the same time.

Mr. UNDERWOOD. I was not present when that information was given. It is the first time I have heard it, but I am glad to hear it, and I wish to say that my views are in accord with that statement.

Mr. SMITH of Georgia. I wished to let the Senator know, while he was presenting almost the exact reasons that the Secretary of War submitted to us, that they were the reasons given us by the Secretary of War.

Mr. UNDERWOOD. In my judgment they are conclusive reasons why no change should be made in this bill, and why we should wait until additional money is wanted, and an additional army is provided for, to increase the age limits.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Dakota?

Mr. UNDERWOOD. I yield.

Mr. McCUMBER. What objection could there be to expressing in this bill the legislative judgment that the Army should be increased to 5,000,000 as rapidly as equipment and transportation should be provided? What is the objection to saying that to the country, saying that to our allies, and preparing to meet it?

Mr. UNDERWOOD. In the first place, I will say to the Senator that I think we are too much given to expressing our legislative judgment. I do not believe in expressing our judgment about things that are not our business. I believe in action along the lines that are confined within the legislative duties of Congress. But, more than that, there is a complete answer to the Senator's question, so far as Congress is concerned, contained within the pages of this bill. This bill authorizes the President of the United States to make the Army as large as he wants to. The only limitation on that power is the appropriations carried in this bill, and those appropriations conform to the wishes of the executive branch of the Government. So that we have already told the American people that we are going to the limit in this bill, but we are only appropriating the money that we can use to-day; and I do not think there is a man between the Atlantic and the Pacific Oceans at this good hour who doubts for a moment that the Congress of the United States is going to furnish all the money and all the supplies to maintain the largest army that it is possible for the executive branch of the Government to put in the field.

Mr. McCUMBER. Mr. President, the Senator gave as his first answer that he was opposed to Congress expressing its legislative judgment on a matter which was not the business of Congress. Is it not the business of Congress, in raising an army, to determine the size of that army——

Mr. UNDERWOOD. We have done that.

Mr. McCUMBER. And what the conditions of the war demand of this country?

Mr. UNDERWOOD. Surely.

Mr. McCUMBER. Is not that a legislative matter?

Mr. UNDERWOOD. Surely.

Mr. McCUMBER. Then is it not our business?

Mr. UNDERWOOD. But the Senator wanted to go beyond our business. We have done that. If the Senator had confined himself to our business, I would agree to it.

Mr. McCUMBER. Our business is to say how large the Army shall be.

Mr. UNDERWOOD. Surely; and we have said that. We have said that it should be an army without limit, and we could not say more; but when the time comes to say how many men shall go to the standards this month, and the next month, and the month after, that is the business of the executive branch of the Government; and I am in favor of leaving that business in the hands of the Executive without advice from the Congress of the United States.

Mr. McCUMBER. Mr. President, if the Senator will pardon me once more, I do not think that is exactly what we have said. Taking the entire bill, it says that we appropriate so many dollars for certain purposes, and that means raising an army of approximately 3,000,000 men. Therefore, no matter what suggestion there may be in the bill itself, the bill itself provides for raising an army of approximately 3,000,000 men and not any more—not an unlimited number.

Mr. UNDERWOOD. To be sure; and the Senator is right on the crux of the question. In this bill we have given authority to the President to raise all the men he can; but the Senator points out that he can not raise more men than he has money to supply, and there is the limitation. Now, I ask the Senator, if you want to cut off that limitation, how are you going to do it? Not by passing a resolution through Congress expressing our views on what should be done. That does not get anywhere. That may interfere with the Executive's control of his own business, but it does not get us or the Nation anywhere. If you are not satisfied that 3,000,000 men should be taken care of now, there is only one practical way to meet that question, and that is to decrease these appropriations. If you think it ought to be 6,000,000 men instead of 3,000,000, then you ought to double these appropriations. But I am sure the Senator would never agree to propose an amendment to this bill doubling every appropriation in it when the executive branch of the Government had not asked for more money than is provided for within the terms of the bill.

Mr. FALL and Mr. BRANDEGEE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New Mexico?

Mr. UNDERWOOD. I yield; yes.

Mr. FALL. Is it not fair, then, to ask why you have worded the amendment to the draft act as it has been worded? If the committee thought it necessary to increase the power of the President, and to give him further authority, why did not the committee recommend additional appropriations to carry out the purpose?

Mr. UNDERWOOD. I am not a member of the committee, but I think it goes without saying that the committee has not recommended additional appropriations, because the executive branch of the Government is not prepared at this moment to use them.

Mr. FALL. Then, of course, it is apparent that the purpose is not to increase the Army beyond the number already provided for.

Mr. UNDERWOOD. At this time; but the Senator from Georgia has just said that the Chief of Staff has stated to the Committee on Military Affairs that within a few months he intends to ask for additional appropriations, and to ask for a change in the draft.

Mr. FALL. Then no change at all in the law is necessary at this time.

Mr. UNDERWOOD. When you have 2,000,000 men in the field, and have provided for an army of 3,000,000 men, it goes without saying that you are only going to call a million men, and you have a reservoir of 1,600,000 men to draw from. That is plain mathematics. That is all there is in that.

Mr. FALL. Why, certainly; it is purely a question of mathematics. It is perfectly apparent, then, that there is really no intention to give the President, or no necessity of giving him, any additional authority at all, and that therefore my remark a while ago, using the hackneyed term "camouflage," was perfectly appropriate—that this provision here is pure camouflage.

Mr. UNDERWOOD. I do not agree with the Senator about that at all. I think it is the desire and wish of the President to put as large an army in the field as it is possible and practicable for him to do.

Mr. FALL. Exactly.

Mr. UNDERWOOD. And I think he is going on to do it.

Mr. FALL. But the Senator says his power is limited by the appropriation in this bill.

Mr. UNDERWOOD. Surely.

Mr. FALL. And the appropriation does not provide for any increase.

Mr. UNDERWOOD. Surely; it is limited at this hour by the appropriation in this bill, as every other limitation comes in; but that does not limit us next week or next year, when they are prepared to go on.

Mr. FALL. Certainly not. Then, when you come next week or next year to the additional appropriation to enable you to go on, why do you not wait and then come on with the power to raise additional men?

Mr. UNDERWOOD. That is what I believe in. I am not opposing the Senator's amendment as a fundamental proposi-

tion. I do not know whether or not he was in the Chamber when I started my remarks, but I said that I am perfectly willing to vote for an amendment of this kind whenever the Executive will say that he needs more men than are in the present reservoir.

Mr. FALL. Precisely. Now, here is the position of the Senator from New Mexico: Here is an amendment, which might be subject to a point of order, upon this bill. That question I am not passing upon; but it is offered by the committee and reads as follows:

That the authority conferred upon the President by the act approved May 18, 1917, entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," is hereby extended so as to authorize him during each fiscal year to raise by draft, as provided in said act and acts amendatory thereof, the maximum number of men which may be organized, equipped, trained, and used during such year for the prosecution of the present war until the same shall have been brought to a successful conclusion.

This is the amendment as proposed by the committee, increasing the authority of the President, because under the original draft act the President could raise the first 500,000 men of the National Army, the second 500,000 men, and there his authority stopped, except that he could also raise or provide for certain skeleton recruit units.

This proposed amendment simply does away with that restriction as to the million men and the recruit units, and leaves him to raise under the present registration all the men he can raise, irrespective of the number as restricted in the original act. Now, according to the Senator's argument, there is apparently no provision made by the committee for carrying out the provisions of this act in the matter of increased appropriations. If that is so, then this provision is useless, and logically it should be stricken out.

Mr. UNDERWOOD. The Senator's point of view is not mine at all. In the first place, we knew we were going to raise more than a million men last year. We did not provide for more than a million men at that time in our original appropriation. We believe we are going to raise more than 1,600,000 men now, but in the hour and time we have to get the matériel with which to equip the Army. I do not know, and I do not suppose the Senator knows, what is available in the country to-day in the way of guns, cannon, clothes, and food to take care of this Army. I assume that the Senator in charge of the bill, following out the desires of the War Department, has gone to the limit for this hour; but I know, and the Senator knows, that we are expanding our industrial army every hour and that what we can do to-day is no limitation on what we can do to-morrow; and more than that, if we did not increase the age limit at all and concluded that we wanted to put 5,000,000 men in the field—that is, 3,000,000 men in addition to what we have now—we could get those men under the present draft law if we invaded the deferred classifications.

Mr. FALL. Yes; if we should take agricultural laborers and men having dependents.

Mr. UNDERWOOD. Yes. So that the proposition is not directly involved in this bill, because we are only going to draw 1,000,000 men out of the reservoir of class 1, with 1,600,000 in it.

Mr. FALL. Altogether.

Mr. UNDERWOOD. I think the policy of the Senator from New Mexico and myself would not be at variance——

Mr. FALL. I do not think it would.

Mr. UNDERWOOD. The question that if we want to go outside, if we require more men than the 1,600,000 men in the reservoir of class 1, instead of invading the deferred classifications where we find the industrial army of America, we had better increase the age limits, and not invade that field, is not a question that it is necessary for us to consider at this moment, because we are preparing to take care of the situation in this hour so far as the limitations of this bill permit us to take care of it.

Mr. FALL. That is exactly the point. I do not think the Senator has caught my point in saying it is not necessary to go beyond that; and yet you say to the people by this proposition here that you are granting unlimited power to the President. You are restricting the number to 1,600,000, and still you say you do not provide him with the money with which he can do it. You are holding out that hope to the ear of the people to be broken in the performance.

Mr. UNDERWOOD. When the Senator looks at the ground his vision is limited to the ground in front of his feet, but when he looks at the horizon his vision goes far beyond his ability to reach it. The difference in these propositions is that, so far as this bill is concerned, we are looking at the ground in front of our feet in our power to do something. When we make our declaration as to what the President ought to do, we are looking at the horizon on which flies the flag of our successful and ultimate victory over the German Nation. There we place our standards to which we are going to march. Under the limitations of this bill we are merely providing for the hour, for the men to be equipped and put in the field, and in the declaration we give to the President unlimited power. We say the point we are going to is to win the war, and that is a very different proposition.

Mr. FALL. Let us look at the horizon the Senator refers to. When we say we are going to give to the President unlimited power, then, as I understand the Senator's illustration, we are looking to the horizon and we are making no preparation in arming the President with power to march toward the horizon where our flag is planted.

Mr. UNDERWOOD. We are arming him with power. We do not propose it by our appropriations of the hour, we are not passing it in this bill; but there is a bill in the committee of the Senate to-day providing for great guns and artillery to conduct the war, carrying an appropriation of $5,000,000,000. It is to take care of a situation with an army three times as big as the one we have in the field to-day. But we do not expect to spend it all in one hour, and we could not spend it all this year. As a matter of fact, a part of that bill is cash appropriation, and a part of it is an authorization which is to extend beyond the limits of the fiscal year.

Mr. FALL. I do not care to interrupt the Senator in his very interesting speech, but I have been very much interested in ascertaining just how far apart we are. If the Senator means what he says, while he is limiting the power of the President by appropriations he is attempting to increase the power of the President or to confer additional power on the President by this bill, showing the President the horizon toward which to march, although he is tying his feet together, so that he can not proceed in that direction.

Mr. UNDERWOOD. I do not agree with the Senator.

Mr. FALL. While we are doing that, the Senator agrees with me that it is better to increase the age limit rather than to take necessary agricultural labor, on the one hand, or those with dependents, on the other. While we agree upon that, still the Senator does not agree that this is the time to do it as a portion of the program looking toward our march toward the horizon.

Mr. UNDERWOOD. I certainly do not. There is no difference in substance, in my judgment, between the position of the Senator from New Mexico and myself as to the substance and the ultimate goal to go to. There is a technical difference as to when the hour comes when it is necessary for us to do this act. I say the hour has not come on this bill. No man can demonstrate that it is here on this bill. We have more in the reservoir than we need. I expect within three months more money will be needed and asked for, and then we can determine how far it is necessary to extend the age limit to replete the reservoir of men whom we need to accomplish our ultimate result. That will be time enough.

Mr. FALL. Then there is no difference except this: The Senator thinks it is necessary to adopt the provision which I have read increasing the power of the President; he will not be willing to see the President use this power by drawing additional forces from the agricultural labor or those having dependents, but he would agree that we should increase this power by drawing from the classes I have named.

Mr. UNDERWOOD. I will tell the Senator why I think it is better to put it off. I have a reason why. I think it will have to be extended ultimately before we get through with the war. I do not think it is necessary to do it now, because we could not do it; we have not the appropriations provided to do it.

Mr. FALL. Then the Senator understands me. My contention is if it is not necessary to do that now it is not necessary to adopt this provision.

Mr. UNDERWOOD. It is necessary to increase the President's power, because he has already gone to the limit of his power. We are going beyond the limit of the Army. We must give him additional power, and in giving him additional power we might say, "We will allow you to raise a million men more," or we might say, "You can raise 5,000,000 men more," or we can say, and probably we have said, in this bill, "Go on and raise as many men as you can to win the war with." That is all; but you can not stop with the present limitation, because you could not increase the Army at all if you did.

Mr. President, the one reason why I think it is the part of wisdom to defer action on this question of changing the age

limit at this time is this: The country is going into harvest time. The industries are being mobilized to their utmost capacity. Men are human, no matter how brave and patriotic they may be. There is no more disturbed man in the armies of the United States than the man whom you have just called to the draft, and necessarily so. The future is unknown to him. An unknown life stares him in the face. The home surroundings and the home life must be broken and separated from. Every fiber of his body, every drop of his blood, every beat of his heart is affected by the summons that comes to him, not that he is not a courageous man, not that he is not willing to do his full duty to his country, not that he is not glad to respond to his country's call, but in that hour of doubt as to his future you upset the entire mental and effective capacity of the man.

Mr. FALL rose.

Mr. UNDERWOOD. Now, just one moment, and I will yield. He is in more mental distress than the man who is in the front line in the trenches in France, who has found his place and is ready to go on. The man in France is already separated from his family; he has already decided the question of life and business; he has but one business before him, and that is victory. Now, in this hour, when the Nation's crop must be planted and gathered, when the Nation's industrial resources must be maintained, are you willing to pass a law that may not be necessary for three months and bring to the home of every man between 18 and 21 and between 31 and 40 this entire change of life? He may think to-day it is something that may occur in the future; even men up to 50 may think the hour may come when they will be summoned to their country's needs; but it is not at his door to-day, and why should we place it at his door when we can just as effectively and just as successfully, for the cause of the Nation, accomplish the result and bring it to the man when we need him, and not before? I now yield to the Senator from New Mexico.

Mr. FALL. Mr. President, of course there is great strength in the Senator's argument, and I was simply asking him to apply it to present conditions. Under this bill, what are you doing? Under the former bill, and the rules and regulations adopted under it, you classified all the men between 21 and 31, and said, "Class 1, you will be subject to immediate call; class 2, class 3, class 4, class 5, you will be deferred." These men are working on farms, they are working in their different business enterprises, with the understanding that before they would be called the men would be called who are subject to classification in class 1; that is, those with no dependents and whose work was not necessary for the carrying on of war industries. All these men, millions of them—6,000,000 men—have been practically informed that they could go about their business until they were reached in turn in their classes. The passage of this law, then tells every one of them, without increasing class 1, without calling further upon the youth of the country, those without dependents or not occupied in agricultural pursuits, and without proceeding to call them as we have been calling them, and continuing to excuse them as we have been excusing them, "Hold yourselves now in readiness, because we have given the President the power to call any of you or all of you to-morrow."

Mr. UNDERWOOD. I do not wish to reach my conclusion in that way. When we give the President the right to call men there is a limitation on it. Of course, there is first the limitation of the draft age, the registration next, the limitation of the supplies necessary to furnish an army; but when we give the President the unlimited power to raise an army we notify every man in the country who is able to bear arms, whether he be 60 or whether he be 18, that if his country needs him on the battle line he must go. That is a summons to every man, whether he is in the draft age or not. Now, within the draft age there is no disturbance, because the very terms of the act carry on its face what we are going to do. We have a reservoir in class 1 of 1,600,000 men. We are providing by appropriations in the terms of this bill to increase the Army 1,000,000 men, and every man within the draft age knows that there are going to be 600,000 men left in class 1 when the terms of the bill are carried out, and that we can not go beyond that until there is additional legislation in the way of appropriations, and when that additional legislation in the way of appropriations comes we will take care of increasing the age limit in the draft.

Mr. FALL. I am absolutely astounded at the statement made by the Senator, that after raising the additional million men under the terms of this bill there would still be left 600,000 men in class 1. That is contrary to all the evidence that I have seen that has been given before any committee or any statement made.

Mr. UNDERWOOD. I have a statement from members of the Military Committee that we have about 2,000,000 men in the field. Does the Senator controvert that?

Mr. FALL. No.

Mr. UNDERWOOD. Left in the draft age to-day in class 1 there are 1,600,000.

Mr. FALL. I controvert that and would like to have the figures.

Mr. UNDERWOOD. I got the information about the 1,600,000 from members of the Military Affairs Committee. But that is neither here nor there. Whether the number is 1,600,000 or 1,450,000 my argument is the same.

Mr. FALL. Reading from the RECORD, the Senator from Missouri [Mr. REED] stated yesterday—and I think other Senators are prepared to affirm his statement—that we will have used all our men by the 15th of September and that there are now remaining approximately about 640,000 men. I ask the Senator from California [Mr. JOHNSON], who is on the committee and is familiar with the figures, if that is not correct?

Mr. UNDERWOOD. We did discuss that on this side of the Chamber a moment ago. If they continue to draw the draft at the rate of 500,000 men a month, they will have exhausted class 1. But this bill does not provide for that. It provides for 3,000,000 men.

The Senator admits that there are 2,000,000 men in the Army. We have 3,000,000 men, and it will require 1,000,000 men more. It is immaterial, so far as my argument is concerned, whether the reservoir holds to-day 1,600,000 or whether it holds 1,450,000; at any rate the reservoir holds more than the demands of this particular bill are going to make on that reservoir in class 1.

Mr. FALL. Then this particular bill does not give unlimited power to the President to raise an army?

Mr. UNDERWOOD. Oh, no; this bill is built upon the ground under our feet. It is the action of the hour. The provision in the bill as to the unlimited power of the President goes to the horizon of our Nation's endeavor in this great struggle.

Mr. JOHNSON of California. Mr. President, simply in the interest of accuracy——

Mr. UNDERWOOD. I will be glad to have the Senator correct my figures. As I said in the beginning, I am not on the Military Committee, and I did not have the accurate information.

Mr. JOHNSON of California. Let me state the figures that have been given to us this morning, and if there be any error in what I state I ask that immediately I be corrected. After the present quota that is now called for and is in progress of being filled, there will remain, in class 1, 640,000 men.

Mr. UNDERWOOD. Surely, but that does not controvert what I have said.

Mr. JOHNSON of California. Oh, yes.

Mr. UNDERWOOD. No; not at all. Outside of the present quota that is now being provided for there are in the Army 2,000,000 men.

Mr. JOHNSON of California. I understood the Senator to say that there were 1,600,000 men now in class 1. In that he is in error.

Mr. UNDERWOOD. The Senator's answer to me is technical. There is no real dispute between us. I am making my calculation upon the basis that there are 2,000,000 men in the Army to-day. All outside of that I count in the draft, whether they have been called or not called, and although a number of them have been called, they have not been inducted into the Army. It is a mere question of time. Outside of this call, and this call is still in the draft, there are 2,000,000 men in the Army. Now, taking that as a basis, and not counting in the Army, but counting in the draft, the men within the present call, you have 1,400,000 men. So the last statement shows.

Mr. JOHNSON of California. No; the Senator is in error in that.

Mr. UNDERWOOD. Does the Senator maintain that with the men we have in the Army with the uniform on and the men who are either in the call or in the draft we have not enough to make an army of 3,000,000 men?

Mr. JOHNSON of California. No; I am not contending anything of the sort.

Mr. UNDERWOOD. Then there is no controversy between us. It is a mere question of words; that is all.

Mr. JOHNSON of California. The Senator from Alabama is quite correct in saying that the bill which is now under consideration contemplates an army of 3,000,000 men, but he is quite incorrect in saying that in the draft at present there are 1,600,000 men. The present quota that is now being filled—the number

could be stated, but I take it it is unnecessary—is in process of consummation. After that shall have been completed there will be 640,000 men left in class 1.

Mr. UNDERWOOD. Now, let me ask the Senator when that quota shall be completed how many men will there be in the Army?

Mr. CHAMBERLAIN. May I give those figures accurately?

Mr. UNDERWOOD. I am glad to yield for that purpose.

Mr. CHAMBERLAIN. There has been a good deal of dispute about it, and the Senator from California has stated it approximately correct:

The number of fighting men remaining in class 1 on August 1, 1918, 277,359.

Estimate of fighting men in class 1 to be obtained from June 5, 1918, registration, 400,000.

Estimate of fighting men in class 1 to be obtained from rectification of classification, work or fight order, decision of pending cases, and other miscellaneous sources, 200,000.

Total number estimated to be available after July calls are filled, 877,359.

This number will be depleted by Navy and marine enlistments, deaths, and so forth.

The estimated calls for 1918 are as follows:

August calls	300,000
September calls	150,000
October calls	150,000
November calls	150,000
December calls	125,000
Making a total of	875,000

Mr. UNDERWOOD. While the Senator is on his feet let me ask him a question. As I stated in the beginning, I am not a member of the committee and I got my information from members of the committee as to the number of men we need. As I understand it, and I hope the Senator will correct me if I am in error, this bill provides for the arming and equipping and the maintenance of an army of 3,000,000.

Mr. CHAMBERLAIN. Practically 3,000,000.

Mr. UNDERWOOD. That is the limitation on it. Now, I want to ask the Senator this question: When you have in the Army, including those who are in and those whom you are calling for, 3,000,000 men, the number that are required under the terms of this bill, how many will you have left of class 1 drafted?

Mr. CHAMBERLAIN. I question if we shall have any, unless there be added to class 1 men who are drafted under the treaties which have been negotiated. In other words, this would practically exhaust class 1.

Mr. McKELLAR. Will the Senator yield to me?

The VICE PRESIDENT. Does the Senator from Alabama yield?

Mr. UNDERWOOD. In just one minute. Is the chairman of the committee supporting this proposal?

Mr. CHAMBERLAIN. To amend the bill?

Mr. UNDERWOOD. To amend the bill.

Mr. CHAMBERLAIN. Personally I feel disposed to support it; I have always felt that the draft age ought to be modified; but after the statements made by the Chief of Staff this morning and by the Secretary of War. I think we ought to let the matter remain in statu quo until Congress convenes after the recess.

Mr. UNDERWOOD. Then you think that within class 1 of the draft age there are sufficient men to fill up the Army to the extent that you have provided for in this bill?

Mr. CHAMBERLAIN. Yes; I think so.

Mr. UNDERWOOD. I think that is all there is in the argument.

Mr. FALL. May I ask the Senator from Oregon a question?

Mr. UNDERWOOD. I yield to the Senator.

Mr. FALL. I will ask, if I may, of the chairman, Is it true that while holding out to the people of the United States that there is unlimited power vested in the President of the United States to raise an unlimited number of men, merely as his judgment may dictate, as a matter of fact it will require further action of Congress before he can raise more than 3,000,000, including those now in the service?

Mr. CHAMBERLAIN. I think that is correct, unless the President goes ahead and calls a large number of men, taking them from classes 2, 3, 4, and 5, and creating a deficiency.

Mr. FALL. Creating a deficiency; but so far as Congress is now providing, instead of giving the President unlimited authority to enable him to call out all men who may be necessary in any crisis when Congress adjourns or recesses or is not here you are limiting and restricting him by the terms of this bill, as I said this morning, so that he can not call more than 3,000,000 men without going beyond any provision of the bill.

Mr. CHAMBERLAIN. In order to do it he would have to create a deficiency, because this bill only provides for arming, equipping, and training about 3,000,000 men.

Mr. FALL. And under the plan we are proceeding to draft these men irrespective of any provision in this bill; that is, the additional men?

Mr. CHAMBERLAIN. They could go into class 2.

Mr. FALL. But I say under the present program now being carried out they are proceeding to draft without reference to the additional men in class 1.

Mr. CHAMBERLAIN. They are now drafting them.

Mr. FALL. Without reference to this law; and therefore there is nothing gained by vesting additional power in the President in this law.

Mr. McKELLAR. Mr. President, I wish to ask the chairman of the committee a question. As I understood the figures which the chairman just read in the number of men who are proposed to be drawn by the department for the ensuing months up until January next, the aggregate of the various months is just about the number now in class 1. Is that correct?

Mr. CHAMBERLAIN. It is just about the same number.

Mr. McKELLAR. In other words, then, they have ample men for the remaining months of this year according to the figures the chairman just read.

Mr. CHAMBERLAIN. Let me say this: The Senator will notice that the estimate of the draft for August, September, October, November, and December gradually falls off; in other words, for the month of August they have estimated that the call will be for 300,000 and for each succeeding month 150,000. Those are only estimates. If they increase those we will not have enough men of class 1 to fill any enlargement in the draft, but taking those estimates as the basis upon which they will act there are enough men in class 1 to fill the requirement.

Mr. McKELLAR. One other question. Those figures include the 196,000 men who have appealed to the various district boards and whose cases have not yet been settled?

Mr. CHAMBERLAIN. It includes all of class 1.

Mr. McKELLAR. There are, I understand, 196,000 cases that have been appealed, out of which they surely ought to get 95 per cent at least. That would be an addition?

Mr. CHAMBERLAIN. It would be an addition.

Mr. SMOOT. May I ask the Senator from Oregon a question? As I understand it, and I want to know whether the Senator understands it in the same way, in order to raise the number provided for by the appropriation in this bill it will take all in class 1, including what can be taken from the other classification and through a reclassification put into class 1. That is estimated at something like 200,000, and in addition to that there are 150,000 whom they expect to obtain through the recent treaties. Am I not right in that statement?

Mr. CHAMBERLAIN. I do not know that I quite understand the Senator.

Mr. SMOOT. I can not figure out how we are going to get out of class 1, 3,000,000 men with the number we have already in the Army unless we take all of the men who are now in class 1, and also an estimate of 200,000 who will be put in class 1 by reclassification and add to that 150,000 whom we expect to raise through the treaties that have been recently negotiated.

Mr. CHAMBERLAIN. I have read the estimates of Gen. Crowder, and they embrace only those in class 1.

Mr. SMOOT. I think the figures the Senator read included a reclassification, taking from the present classification some 200,000 men and putting them in class 1.

Mr. CHAMBERLAIN. About 200,000.

Mr. SMOOT. It includes those?

Mr. CHAMBERLAIN. Yes, sir.

Mr. SMOOT. Does it also include the number of men we intend to draft in the Army under the provisions of the treaties?

Mr. CHAMBERLAIN. It does not include them.

Mr. SMOOT. Then my figures and the Senator's wholly differ. The only way I can make 3,000,000 men is by adding about 150,000 whom we expect to get into the Army under the treaties recently negotiated.

Mr. TILLMAN. Mr. President, I gave notice this morning that I would call up the conference report on the naval appropriation bill. If the Senator from Oregon will yield to me for that purpose I will be glad to call up that report.

Mr. CHAMBERLAIN. In reply to the Senator I will state that there are two or three Senators who desire to address the

Senate on the pending amendment. I believe there is another conference report, the report on the Post Office appropriation bill, to come up. I therefore ask that the unfinished business be laid aside until the Senate convenes to-morrow morning.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAMBERLAIN subsequently said:

Mr. President, there is a provision in the Army appropriation bill which has reference to the credits that are allowed to the several States. There has been some question as to the fairness of the law or as to the effect of this provision and one which was based upon population. I have had the Provost Marshal General prepare a comparative tabulated statement showing the quota under the present law and the quota under the law which is based on population. I ask that it may be printed in the RECORD for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement referred to is as follows:

Statement showing a comparison of the States of California and Louisiana.

Population:	
California	3,189,998
Louisiana	1,688,862
Percentage of national population:	
California	0.030
Louisiana	0.016
Registration:	
California	298,989
Louisiana	159,475
Percentage of national registration:	
California	0.0312
Louisiana	0.0166
Class 1:	
California	60,564
Louisiana	58,294
Percentage of number classified:	
California	21.7
Louisiana	39.0

Comparison of two methods of basing quotas, covering calls from date of filling first draft of 687,000 up to and including July, 1918, calls for white, and August calls for colored:

Class 1, without credits:	
California	26,861
Louisiana	29,677
Population with credits:	
California	29,947
Louisiana	26,532
Army enlistments from July 1, 1917, to Mar. 31, 1918:	
California	26,300
Louisiana	3,248
Total draft and enlistments above shown, under present class 1 quota basis:	
California	53,161
Louisiana	32,925
Percentage of national gross quota:	
California	0.0286
Louisiana	0.0177

As men are called quota basis will change from time to time until all class 1 men are called from every State.

Class 1 account.

Total number classified in class 1		2,362,082
Deductions:		
Delinquents	334,634	
Emergency fleet list	36,770	
Limited service men	215,539	
Remediable defectives	50,268	
		637,211
		1,724,871
Fighting men		
January calls	23,288	
February calls	83,779	
March calls	132,484	
April calls	174,377	
May calls	360,230	
June calls	293,594	
July calls (including negroes for August entrainment)	465,991	
		1,533,743
		191,128
Deductions for enlistments in the Navy and Marine Corps, men to replace those rejected at camp, deaths, etc		150,000
Balance remaining on Aug. 1, 1918		41,128
Accretions to class 1 from rectification of classification		200,000
Class 1 men to be obtained from June 5, 1918, registration		400,000
Number of men available on Aug. 1, 1918		641,128

The August and September calls will take the greater part of this number, and class 1 will probably be exhausted during October.

Statement showing a comparison of the percentage strength of class 1 in the North, South, Middle West, and West.

SOUTH.

Alabama	31.1	North Carolina	22.2
Arkansas	31.5	South Carolina	34.2
Florida	39.6	Tennessee	28.9
Georgia	32.9	Texas	26.4
Kentucky	28.0	Virginia	31.6
Louisiana	39.0		
Mississippi	35.2	Average	31.7

NORTH.

Connecticut	23.4	New York	32.5
Delaware	22.5	Pennsylvania	24.1
Maine	29.7	Rhode Island	25.3
Maryland	26.5	Vermont	23.9
Massachusetts	24.1	West Virginia	32.0
New Hampshire	25.2		
New Jersey	27.4	Average	26.4

WEST.

Arizona	17.5	Oklahoma	30.4
California	21.7	Oregon	29.6
Colorado	24.7	Utah	20.8
Idaho	29.9	Washington	24.2
Montana	30.9	Wyoming	54.9
Nevada	28.9		
New Mexico	33.6	Average	28.9

MIDDLE WEST.

Illinois	31.6	Nebraska	24.4
Indiana	24.4	North Dakota	30.2
Iowa	28.6	Ohio	24.9
Kansas	26.7	South Dakota	40.9
Michigan	26.6	Wisconsin	28.1
Minnesota	36.6		
Missouri	26.8	Average	29.1

Report of class 1 as of May 1, 1918.

	Net class 1.				Delinquents.				Emergency fleet list.				Limited military service.			
	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.
Alabama	14,428	12,121	26,549	15.6	1,949	9,335	11,284	6.6	279	181	460	0.3	1,674	614	2,288	1.3
Arizona	1,797	39	1,836	6.2	1,034	11	1,045	3.5	48	.....	48	.2	472	1	473	1.6
Arkansas	14,796	8,609	23,405	17.4	1,505	3,897	5,402	4.0	75	19	94	.1	1,756	575	2,331	1.7
California	17,919	513	18,432	6.6	12,319	251	12,570	4.5	1,527	11	1,538	.5	8,888	113	9,001	3.2
Colorado	9,170	271	9,441	12.2	3,028	68	3,096	4.0	136	.....	136	.2	1,827	19	1,846	2.1
Connecticut	9,035	465	9,501	6.5	6,725	592	7,317	5.0	805	5	810	.6	4,016	68	4,084	2.8
Delaware	989	1,000	1,989	9.5	119	62	181	.9	352	44	396	1.9	902	117	1,019	4.8
District of Columbia	1,546	2,503	4,049	12.7	1,098	954	2,052	6.4	219	26	245	.8	578	212	790	2.5
Florida	4,801	6,687	11,488	14.5	1,855	7,139	8,994	11.3	304	164	468	.6	1,442	640	2,082	2.6
Georgia	13,032	12,627	25,659	11.6	2,474	11,211	13,685	6.2	319	134	453	.2	1,951	838	2,789	1.2
Idaho	6,833	60	6,899	18.0	1,151	59	1,213	3.1	173	.....	173	.4	959	5	964	2.5
Illinois	76,983	5,322	82,308	15.8	15,032	3,274	18,306	3.5	863	6	869	.1	13,132	630	13,762	2.6
Indiana	25,355	3,062	28,417	11.7	4,370	1,253	5,623	2.3	274	2	276	.1	5,169	216	5,385	2.2
Iowa	35,162	595	35,757	18.0	3,172	278	3,450	1.7	162	1	163	.1	2,892	17	2,909	1.4
Kansas	20,825	1,574	22,399	16.2	2,571	289	2,860	2.0	179	10	189	.1	1,923	85	2,009	1.5
Kentucky	29,849	6,453	39,305	16.6	1,989	1,617	3,606	1.9	157	12	169	.1	2,974	326	3,300	1.8
Louisiana	11,745	19,456	31,201	20.8	2,531	6,501	9,032	6.0	390	290	680	.4	2,150	1,151	3,301	2.2
Maine	8,943	34	8,977	15.4	1,998	19	2,017	3.5	740	.....	740	1.3	1,920	4	1,924	3.3
Maryland	8,103	5,105	13,214	11.6	1,937	1,679	3,616	3.2	1,086	175	1,261	1.1	1,653	309	1,962	1.7
Massachusetts	29,117	517	29,634	8.8	10,814	427	11,241	3.4	2,442	30	2,472	.7	14,843	118	14,961	4.4
Michigan	33,414	1,025	34,440	9.8	12,400	862	13,262	3.8	1,421	1	1,422	.4	10,809	191	11,000	3.1
Minnesota	35,420	298	35,718	17.0	5,930	127	6,057	2.9	484	.....	484	.2	4,346	20	4,366	2.1
Mississippi	9,382	15,221	24,603	18.6	728	6,119	6,847	5.1	452	282	734	.6	1,279	918	2,197	1.6
Missouri	39,632	6,298	45,930	16.3	5,636	1,814	7,450	2.6	409	.....	409	.1	5,463	302	5,765	2.1
Montana	12,642	101	12,743	15.9	4,424	94	4,518	5.6	261	.....	261	.3	2,484	12	2,496	3.1
Nebraska	14,548	239	14,787	13.2	1,822	185	2,007	1.7	95	.....	95	.1	1,647	26	1,673	1.5
Nevada	963	9	977	10.8	724	4	728	8.1	12	.....	12	.1	252	1	253	2.8
New Hampshire	4,128	20	4,148	11.5	888	6	894	2.5	113	.....	113	.3	2,012	3	2,015	5.6
New Jersey	24,611	2,819	27,430	9.5	13,329	1,491	14,820	5.1	1,892	69	1,961	.7	9,211	358	9,569	3.3
New Mexico	3,850	29	3,879	13.1	2,764	53	2,817	9.5	39	.....	39	.1	409	2	411	1.4
New York	99,031	3,243	102,277	13.4	38,731	3,316	42,047	5.5	4,000	38	4,038	.5	35,846	523	36,369	4.8
North Carolina	15,667	10,013	25,680	13.5	1,572	4,834	6,406	3.3	761	123	884	.4	2,716	878	3,594	1.8

Report of class 1 as of May 1, 1918—Continued.

	Net class 1.				Delinquents.				Emergency fleet list.				Limited military service.			
	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.
North Dakota	8,852	30	8,882	14.3	1,937	11	1,948	3.1	53	.....	53	.1	1,012	3	1,015	1.6
Ohio	52,820	4,340	57,160	11.1	17,092	4,459	21,551	4.2	1,460	9	1,469	.2	10,391	401	10,792	2.1
Oklahoma	23,984	3,373	27,357	17.4	3,314	951	4,265	2.7	184	14	198	.1	2,416	129	2,545	1.6
Oregon	9,319	54	9,373	14.6	1,503	11	1,514	2.4	1,730	5	1,735	2.7	1,607	3	1,610	3.5
Pennsylvania	63,817	5,701	69,518	9.1	21,981	4,793	26,774	3.5	5,370	193	5,563	.7	18,821	837	19,661	2.5
Rhode Island	5,913	218	6,131	11.9	1,397	265	1,662	3.2	172	1	173	.3	2,195	38	2,233	4.3
South Carolina	8,762	11,903	20,665	16.9	980	3,922	4,902	4.0	182	62	244	.2	1,160	680	1,840	1.5
South Dakota	15,992	36	16,028	29.2	701	27	728	1.3	42	.....	42	.1	1,210	1	1,211	2.2
Tennessee	19,774	10,398	30,172	17.0	1,966	3,453	5,419	3.1	196	5	201	.1	3,023	706	3,729	2.1
Texas	35,816	15,324	51,140	13.8	9,649	4,993	14,133	3.8	462	120	582	.1	3,831	934	4,765	1.3
Utah	3,335	49	3,384	8.4	1,260	18	1,278	3.2	78	.....	78	.2	1,071	9	1,083	2.7
Vermont	2,752	18	2,770	10.6	377	3	380	1.5	66	.....	66	.2	1,361	1	1,362	5.2
Virginia	17,051	15,164	32,215	18.7	1,975	4,601	6,576	3.8	2,705	451	3,156	1.8	2,773	1,146	3,919	2.3
Washington	9,526	78	9,604	9.1	4,199	25	4,224	4.0	1,182	.....	1,182	1.1	4,329	13	4,342	4.1
West Virginia	18,913	3,300	22,213	18.9	2,618	1,104	3,722	3.1	112	3	115	.1	1,629	182	1,811	1.5
Wisconsin	38,578	167	38,745	17.4	3,495	90	3,585	1.6	442	.....	442	.2	5,079	13	5,092	2.3
Wyoming	5,832	56	5,888	34.9	1,291	30	1,321	7.8	17	.....	17	.1	446	3	449	2.7
Alaska	823	1	824	12.5	1,156	17	1,173	17.8	78	.....	78	1.2	126	.....	126	2.0
Hawaii	5,398	5	5,403	19.8	987	2	989	3.6	23	.....	23	.08	382	.....	382	1.4
Total	975,997	196,547	1,172,544	13.4	244,500	96,596	341,096	3.9	35,023	2,486	37,509	.4	210,463	14,392	224,855	2.5

	Remedial group B.				Inducted since Dec. 15, 1917.			Cases pending before district boards.				Not physically examined.				Gross class 1.	Per cent of registration.	Due to be classified.
	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	White.	Colored.	Total.	Per cent of registration.	White.	Colored.	Total.	Per cent of registration.			
Alabama	418	293	711	0.4	4,142	5,155	9,297	57	19	76	0.04	823	1,494	2,317	1.4	52,982	31.1	170,374
Arizona	112	.....	112	.4	1,405	1	1,406	9	.....	9	.03	249	5	254	.9	5,183	17.5	29,511
Arkansas	373	89	462	.3	3,801	4,887	8,688	268	30	298	.2	967	792	1,759	1.3	42,439	31.5	134,544
California	912	7	919	.3	14,270	24	14,294	620	3	623	.2	3,124	63	3,187	1.1	60,564	21.7	279,362
Colorado	261	3	264	.3	3,290	11	3,301	77	.....	77	.1	925	14	939	1.2	19,100	24.7	77,324
Connecticut	950	13	963	.7	6,890	240	7,130	253	2	255	.2	4,240	122	4,362	2.9	34,422	23.4	147,120
Delaware	36	9	45	.2	901	16	920	.....	.....	.....	.....	136	52	188	.9	4,738	22.5	21,026
District of Columbia	99	62	161	.5	1,059	78	1,137	33	2	35	.1	1,058	689	1,747	5.5	10,216	32.1	31,851
Florida	206	165	371	.5	2,378	4,331	6,709	91	38	129	.1	348	926	1,274	1.6	31,515	39.6	79,299
Georgia	235	149	384	.1	5,515	11,114	16,629	1,833	1,500	3,333	1.5	3,823	5,931	9,754	4.4	72,686	32.9	220,515
Idaho	146	.....	146	.3	1,723	3	1,726	68	.....	68	.1	246	2	248	.6	11,437	29.9	38,350
Illinois	2,027	225	2,252	.4	34,563	1,007	35,573	2,928	68	2,996	2.6	7,064	480	7,544	1.4	163,610	31.6	517,278
Indiana	872	82	954	.4	15,655	795	16,450	210	25	235	.1	1,298	478	1,776	.7	59,116	24.4	242,546
Iowa	643	5	648	.3	13,742	12	13,754	134	1	135	.1	772	48	820	.4	58,636	28.6	205,206
Kansas	591	35	626	.5	5,349	143	5,492	604	37	641	.5	2,477	208	2,685	1.9	36,901	26.7	138,315
Kentucky	358	37	395	.2	9,118	2,446	11,564	.....	.....	.....	.....	1,274	384	1,658	.9	50,997	28.0	181,499
Louisiana	497	344	841	.5	3,926	7,143	11,069	.....	.....	.....	.....	1,085	1,085	2,170	1.4	58,294	39.0	149,426
Maine	227	.....	227	.4	1,895	3	1,898	72	.....	72	.1	1,475	7	1,482	2.5	17,337	29.7	58,354
Maryland	598	96	694	.6	3,410	133	3,543	1,326	181	1,507	1.3	2,945	1,507	4,452	3.9	30,249	26.5	113,887
Massachusetts	1,988	11	1,999	.6	12,740	280	13,020	1,348	31	1,379	.4	6,002	478	6,480	1.9	81,186	24.1	335,860
Michigan	2,072	33	2,105	.6	22,178	87	22,265	1,173	68	1,241	.3	6,896	247	7,143	2.0	92,878	26.6	349,791
Minnesota	679	6	685	.3	26,917	123	27,040	513	2	515	.2	1,972	16	1,988	.9	76,853	36.6	209,725
Mississippi	86	71	157	.1	2,020	5,755	7,775	130	71	201	.1	563	3,573	4,136	3.1	46,650	35.2	132,399
Missouri	399	50	449	.2	12,046	391	12,437	.....	.....	.....	.....	2,657	415	3,072	1.1	75,512	26.8	281,465
Montana	240	2	242	.3	3,759	1	3,760	144	1	145	.2	617	5	622	.8	24,787	30.9	80,260
Nebraska	384	7	391	.3	5,044	16	5,060	217	4	221	.2	2,794	187	2,981	2.0	27,215	24.4	111,793
Nevada	121	.....	121	1.3	479	.....	479	.....	.....	.....	.....	35	.....	35	.4	2,605	28.9	9,016
New Hampshire	215	.....	215	.6	1,335	2	1,337	.....	.....	.....	.....	382	2	384	1.1	9,106	25.2	36,114
New Jersey	815	34	849	.3	17,281	419	17,700	1,354	26	1,380	.5	4,687	257	4,944	1.7	78,653	27.4	286,835
New Mexico	48	1	49	.1	1,107	.....	1,107	446	.....	446	.1	1,158	14	1,172	3.9	9,920	33.6	29,556
New York	6,768	194	6,962	.9	44,361	642	45,003	2,345	90	2,435	.3	7,685	439	8,124	1.0	247,255	32.5	759,960
North Carolina	253	182	435	.2	615	1,529	2,144	.....	.....	.....	.....	1,396	1,647	3,043	1.6	42,186	22.2	190,000
North Dakota	59	.....	59	.1	5,736	1	5,737	284	.....	284	.4	752	1	753	1.2	18,731	30.2	62,094
Ohio	2,173	98	2,271	.4	24,856	828	25,684	.....	.....	.....	.....	8,426	941	9,367	1.8	128,294	24.9	513,672
Oklahoma	558	52	610	.4	10,280	182	10,462	.....	.....	.....	.....	1,930	408	2,338	1.5	47,775	30.4	156,920
Oregon	309	.....	309	.5	2,366	.....	2,366	180	.....	180	.3	1,751	6	1,757	2.8	18,844	29.6	63,621
Pennsylvania	3,094	184	3,278	.4	36,968	1,824	38,792	3,029	156	3,185	.4	14,546	1,854	16,400	2.1	183,171	24.1	760,095
Rhode Island	247	2	249	.5	2,185	57	2,242	71	1	72	.1	316	9	325	.6	13,087	25.3	51,670
South Carolina	204	175	379	.3	2,157	4,503	6,660	74	.....	74	.06	1,764	5,155	6,919	5.6	41,683	34.2	121,602
South Dakota	359	.....	359	.6	2,520	.....	2,520	.....	.....	.....	.....	1,537	12	1,549	2.8	22,437	40.9	54,839
Tennessee	557	179	736	.4	4,622	4,480	9,102	137	6	143	.1	879	846	1,725	1.0	51,227	28.9	177,240
Texas	996	206	1,202	.3	12,860	5,465	18,325	1,902	517	2,509	.7	3,147	1,625	4,772	1.3	97,937	26.4	371,166
Utah	226	1	227	.6	2,048	.....	2,048	12	.....	12	.03	285	11	296	.7	8,406	20.8	40,304
Vermont	133	.....	133	.5	1,448	2	1,450	.....	.....	.....	.....	98	1	99	.4	6,260	23.9	26,246
Virginia	343	162	505	.3	2,969	1,660	4,629	306	92	398	.2	1,214	1,842	3,056	1.8	54,454	31.6	172,204
Washington	564	2	566	.5	4,333	4	4,337	98	.....	98	.1	1,119	4	1,123	1.1	25,476	24.2	105,398
West Virginia	185	9	194	.2	7,621	334	7,955	.....	.....	.....	.....	1,423	205	1,628	1.4	37,638	32.0	117,461
Wisconsin	1,377	2	1,379	.6	12,478	12	12,490	.....	.....	.....	.....	687	.....	687	.3	62,420	28.1	222,750
Wyoming	106	1	107	.6	1,107	3	1,110	8	.....	8	.05	375	4	379	2.2	9,279	54.9	16,888
Alaska	19	1	20	.3	244	.....	244	38	.....	38	.6	674	3	677	10.3	3,180	48.3	6,584
Hawaii	.....	98	98	.3	22	.....	22	.....	1	1	.....	912	.....	912	3.3	7,830	28.7	[1] 27,282
Total	35,138	3,377	38,515	.4	419,740	66,142	485,882	22,482	2,972	25,454	.3	113,008	34,494	147,502	1.7	2,473,357	28.35	8,723,313

[1] Estimated.

NAVAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. TILLMAN. I call up the conference report on the naval appropriation bill (H. R. 10854) submitted by me earlier in the day.

The VICE PRESIDENT. The Senator from South Carolina moves that the Senate proceed to the consideration of the conference report on the naval appropriation bill.

The motion was agreed to.

The Secretary read the report, which appears earlier in today's proceedings.

The VICE PRESIDENT. The question is upon agreeing to the conference report.

The report was agreed to.

Mr. TILLMAN. I move that the Senate further insist upon its amendments still in disagreement, request a further confer-

ence with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. TILLMAN, Mr. SWANSON, Mr. SMITH of Maryland, Mr. PENROSE, and Mr. LODGE, conferees at the further conference on the part of the Senate.

POST OFFICE APPROPRIATIONS—CONFERENCE REPORT.

Mr. BANKHEAD. I desire to call up the conference report on the Post Office appropriation bill.

The VICE PRESIDENT. The Chair lays before the Senate the report, which will be read.

The Secretary read as follows:

The committee on conference on the disagreeing votes of the two Houses on the amendment numbered 23 of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out the amendment proposed by the Senate and insert in lieu thereof the following:

"For the transmission of mail by pneumatic tubes or other similar devices $665,000: *Provided*, That the Postmaster General is hereby authorized and directed to extend existing contracts for pneumatic-tube service until March 4, 1919, and the Postmaster General is directed to expend this appropriation for the sole purpose of continuing the existing pneumatic mail tube service, and no part thereof shall be expended for the transportation of mails in any other manner than herein authorized: *Provided further*, That the Interstate Commerce Commission is hereby authorized and directed to investigate and report to Congress not later than the 1st day of December, 1918, (1) whether or not the present pneumatic mail tube service in the cities of New York, N. Y., Brooklyn, N. Y., Boston, Mass., Philadelphia, Pa., Chicago, Ill., and St. Louis, Mo., is a valuable and efficient postal facility, whether or not it expedites the delivery of first-class mail and should be retained or discontinued; (2) to investigate and report whether or not the present pneumatic-tube mail system is suited for the purpose of expediting the delivery of first-class mail, or whether tubes of a different kind or size should be employed; (3) if the said commission should recommend the retention of the present system, should the properties be purchased or leased by the Government, and at what price and upon what terms; (4) if said commission should recommend a rental, as at present operated, what compensation should be paid therefor: *Provided further*, That the Interstate Commerce Commission shall permit hearings to all parties at interest and the expenses for such investigation shall be paid out of any available funds appropriated for the use of the Interstate Commerce Commission."

And the House agree to the same.

J. H. BANKHEAD,
THOMAS W. HARDWICK,
CHARLES E. TOWNSEND,
Managers on the part of the Senate.

WILLIAM M. BELL,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

We do not concur in the above report.

JOHN A. MOON,
A. B. ROUSE,
Of the Managers on the part of the House.

Mr. BANKHEAD. Mr. President, I desire to make a very brief statement in reference to the report.

The Senate will remember that several days ago the conference report on the Post Office appropriation bill was adopted with one item still in dispute, being what is commonly called the pneumatic-tube item. The conferees upon the bill have agreed upon that item, and I have submitted the report, which I should like to have adopted.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

SENATOR FROM WEST VIRGINIA.

Mr. POMERENE. I present a report (No. 525) from the Committee on Privileges and Elections on the memorial of William E. Chilton in the matter of the election to the Senate of a Senator from the State of West Virginia, which I ask may be printed. The report is accompanied by a resolution, which I submit and ask that it lie over.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 269), as follows:

Resolved by the Senate of the United States, That HOWARD SUTHERLAND has been elected as Senator from the State of West Virginia for a term of six years, commencing on the 4th day of March, 1917, and that he is entitled to a seat in the Senate as such Senator.

The VICE PRESIDENT. Does the Senator desire to have the resolution considered?

Mr. POMERENE. No. The report should first be printed, and I suggest that it also be printed in the RECORD in order that we can take it up for consideration at an early day, possibly to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

The report is as follows:

The Committee on Privileges and Elections, to whom was referred the petition and memorial of William E. Chilton to the Senate of the United States in the matter of the election of a United States Senator from the State of West Virginia for the term of six years beginning on the 4th day of March, 1917, adopted as its report thereon the following report of the subcommittee of the Committee on Privileges and Elections and directed that it be respectfully submitted to the Senate, and recommends the adoption of the resolution accompanying said report:

REPORT OF THE SUBCOMMITTEE OF THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

MAY 15, 1918.

On the 4th day of March, 1917, Hon. William E. Chilton presented to the Senate of the United States a memorial praying for an investigation to determine whether or not Howard Sutherland was duly elected to the office of United States Senator.

The petition seeks to set aside the election of Howard Sutherland as Senator for two reasons, which may be stated in general terms as follows:

First. That Howard Sutherland was not the nominee of the Republican Party for the office of United States Senator, because his nomination was brought about by practices which violate the statutes of West Virginia in that no candidate is permitted to spend at the primary more than $75 for each county in the State; that there are 55 counties in the State, making a maximum amount to be expended $4,125; that the statement of his receipts and expenditures which he filed June 6, 1916, before the primary shows a total expenditure by him of $4,395.69, which is $270.69 in excess of the amount permitted to be spent under the statute; that after the primary, on or about June 20, 1916, he filed another statement, as required by the statute, in which he recites among other things that the sum of $375 was improperly charged to primary campaign expenses in the first account filed, leaving a balance of $4,020.69; that expenses incurred by him after the filing of the first account amounted to $155.94, making the total amount thus expended in the primary campaign $4,176.63, or $51.63 in excess of the maximum permitted by the West Virginia statute; and that, because of these facts, the election should be set aside and his seat declared vacant.

Second. The petitioner further charges that Howard Sutherland's election was brought about by practices which were corrupt and illegal in that hundreds of persons known to be dead or nonresident of Mingo County were placed on the registration books; that an appeal was made to the county courts, under the statute, to hear evidence touching the legality of these registrations, but the court declined to hear the evidence; that said names were allowed to remain on the registration list and were used in repeating for the Republican ticket, including the said Sutherland; that thousands of votes were cast by persons not registered; that they voted the Republican ticket in various localities; that enough such votes were cast to change the result in the election of the United States Senator; that large sums of money were used for the purpose of corrupting the voters of the State and inducing them to vote the Republican ticket; and that except for such expenditures contrary to the laws of the State and such illegal votes, the said Howard Sutherland would not have been elected.

On the 29th day of December, 1917, the petitioner wrote the committee in substance:

That the preprimary expense account of Mr. Sutherland showed that he had spent more than the statute permitted; that by reason thereof he was not entitled to have his name upon the Republican ticket; that large sums of money were spent in the State to defeat him; and that enough votes were cast for Mr. Sutherland and enough people were voted who were not entitled to vote to change the election.

But he says he does not have at hand evidence enough to establish this fact; that he has neither the time nor the money to look up the proof; that as soon as war was declared he decided that he would do nothing, by word or deed, to inject a political note into the affairs of Congress; and that he does not desire to involve the Senate in a political investigation while the war is going on, and to do so would be very objectionable to him, and he would not want to take the responsibility of doing it. He therefore suggests that if, in the opinion of the committee or the Senate, there is nothing in the point of the reports made by Mr. Sutherland before and after the primaries to violate the law of the State of West Virginia so as to vitiate his election, he declines to offer any evidence as to other charges.

Mr. Sutherland in his answer to the original petition and memorial of Mr. Chilton, as well as in his reply to Mr. Chilton's letter of December 29, 1917, denies all of the charges against him concerning excessive primary election expenses, except that he admits his preprimary account shows an apparent excessive expenditure of $270.69, and that after certain deductions made by him in his afterprimary account there is an expenditure of $51.63 in excess of the amount permitted by the West Virginia law. He claims, however, that these accounts contained items aggregating $1,500, which are not considered an expenditure within the limits prescribed by the Federal statutes.

He denies all charges of corrupt or illegal or improper registration or voting which affected the result of the election.

In view of these statements by Mr. Chilton and Mr. Sutherland, your committee is of the opinion that there is no evidence before it to justify any investigation of alleged improper registration or improper or illegal voting, and that the charges in respect thereto have been entirely abandoned.

It, therefore, remains for us only to consider the effect of the alleged excessive expenses incurred by Howard Sutherland during the primary campaign, as shown by the accounts filed by him.

The corrupt-practice act of West Virginia, as amended in 1915, limits the amount of expenditures by the senatorial candidate at the primary election to $75 for each of the 55 counties in the State, or to $4,125. His preprimary account, as filed, shows a total expenditure of $4,395.69, or $270.69 in excess of the amount permitted by the statute.

The afterprimary account, as filed, recites that $375 was improperly charged to primary campaign expenses, and after deducting this sum his disbursements totaled $4,176.63, or $51.63 in excess of the amount permitted to be spent by the West Virginia statutes.

The only evidence before the committee as to the amount of the expenditures are the statements referred to and which are attached to the memorial or petition. If we accept them as correct without other proof before us, we must also assume that the sum of $375 claimed to be improperly charged to primary expenses was, in fact, improperly charged.

If, then, the sum of $51.63 was spent in excess of the statutory limitations, what is its legal effect? It is not claimed that any of the money set forth in the accounts referred to was corruptly spent; the only complaint relates to the amount.

Paragraph b of section 14 of the West Virginia corrupt-practices act provides that for certain violations of its provisions, which include excessive expenditures, any person "shall on conviction be disqualified from voting or holding any public office or employment during a period of three years from date of conviction, and if elected to or occupying any public office or employment such office or employment shall be vacated from the date of conviction." But no arrest has been made for this alleged violation of this statute, and no conviction has been had for such violation. Senator SUTHERLAND is therefore not subject to the penalties therein provided.

The only other provisions of the corrupt-practices act of West Virginia which seems to shed any light upon the subject before the committee are sections 15 and 16. They provide that a candidate for United States Senator, upon giving proper bond, can present to any circuit judge his petition, under oath, setting forth that corrupt and illegal practices contrary to the provisions of the act, specifying the same, were committed in connection with such election, naming any candidate as defendant and praying for a judicial inquiry into the alleged facts. Under this act, if the judge is of the opinion that the interests of public justice require a judicial inquiry, he may authorize it. If corrupt and illegal practices connected with the election are shown, "the evidence, opinion, and determination of the court" shall be certified and transmitted "to the proper authorities of the United States Government for such action as said authorities may deem proper."

Mr. Chilton filed his petition in the circuit court before Hon. James H. Miller, one of the judges of that court, asking for judicial inquiry into the election.

Mr. Sutherland filed his petition with the judges of the Supreme Court of Appeals of West Virginia for a writ of prohibition against Judge Miller. To this petition he answered, and Mr. Chilton filed his demurrer and answer thereto.

In passing upon this case the supreme court of appeals held that these statutes violated both the constitution of West Virginia and the Constitution of the United States.

They contravene the constitution of the State because, to quote the language of the syllabus:

"In so far as sections 15 and 16, chapter 27, act 1915, purport to authorize a judge to whom application is made, as therein provided, to order a judicial inquiry, if in his opinion the interests of public justice require it, to ascertain whether a candidate for United States Senator, in person or by his agents, expended to secure his election money or other things of value in excess of the amount allowed in that chapter sufficient to influence materially the result of the election and to require the judge to certify his opinion and determination and the evidence adduced before him upon such investigation 'to the governor of the State, who shall transmit the same to the proper authorities of the United States Government for such action as said authorities may deem proper,' they are obnoxious to and conflict with Article V of the constitution of this State, in that they attempt to empower a member of the judiciary, as such, to exercise a volition to determine when, to what extent, or whether the judicial inquiry into alleged corrupt practices shall be undertaken by him upon such application."

They also violate the Constitution of the United States, to again quote the syllabus of the supreme court of appeals, because:

"In the Senate of the United States, under an express declaration of the Federal Constitution, vests the exclusive power and authority to judge of the election, returns, and qualifications of its Members, and no other power or body lawfully can interpose or in any wise attempt to control or influence the determination of these questions, or declare void an election held to select such a Member."

In conclusion, let it be observed that Mr. Sutherland filed with the secretary of state his preprimary expense statement May 26, 1916, and his afterprimary statement June 20, 1916, as the statutes of West Virginia required. The information contained therein became accessible to all the electors of the State from the dates these accounts were filed.

So far as this committee is informed, no one before the election saw fit to challenge Mr. Sutherland's right to a place on the ticket as a candidate for Senator because of these excess expenditures, and no one either before or since the election has seen fit to institute criminal proceedings against him under the criminal statutes of the State, to which reference is above made. He has neither been arrested nor convicted of any offense against the corrupt-practices act of the State, and the subcommittee does not therefore believe that it would be jusified, under all of the circumstances, in holding that this excess expenditure of $51.63 should operate to vacate his seat, particularly when that fact itself is disputed.

The subcommittee, however, believes that all election laws, State or Federal, relating to the election of Senators should be strictly complied with, and therefore does not desire this report to be regarded as a precedent for disregard of State laws limiting expenditures in elections under circumstances differing from those of this particular case. They therefore recommend the adoption of the accompanying resolution:

"Resolved by the Senate of the United States, That Howard Sutherland has been elected as Senator from the State of West Virginia for a term of six years commencing on the 4th day of March, 1917, and that he is entitled to a seat in the Senate as such Senator."

ATLEE POMERENE,
T. J. WALSH.

I concur in the result.

JAS. A. REED,
P. C. KNOX,
WM. S. KENYON,
Subcommittee of the Committee on Privileges and Elections.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT.

Mr. MARTIN. I send to the desk a resolution which I ask may be read and go over until to-morrow.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 268), as follows:

Resolved, That the managers on the part of the Senate at the conference on the bill (H. R. 9054) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1919," be, and they are hereby, instructed to recede from the amendment of the Senate numbered 44.

The VICE PRESIDENT. The resolution will lie over and be printed.

W. M. RITTER LUMBER CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, which were, on page 1, line 8, to strike out "with single or double tracks"; on page 1, line 11, to strike out "such"; and on page 1, lines 11, 12, and 13, to strike out "as it may now or hereafter be desired for the passage of railroad, tramroad, or logging road engines, cars, and trains," and insert "suitable to the interests of navigation."

Mr. MARTIN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. HOLLIS, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. HOLLIS, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

Mr. WALSH. I move that the Senate disagree to the amendments of the House and request a conference with the House on the disagreeing votes of the two Houses thereon, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. HOLLIS, Mr. THOMPSON, and Mr. SMOOT conferees on the part of the Senate.

BLACKFEET INDIAN RESERVATION, MONT.

Mr. SMOOT. A week or ten days ago I entered a motion to reconsider the vote by which the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stats. L., pp. 1015, 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation in Montana, was ordered to a third reading and passed, and also

that the House of Representatives be requested to return the bill to the Senate. Since that time there has been passed by the Senate a general leasing bill in reference to Indian reservations. As the only item in the bill to which I objected was in relation to leasing upon a certain Indian reservation in Montana, I ask that the order for the return of the bill be rescinded and that the bill be transmitted to the other House.

The VICE PRESIDENT. Without objection, the order will be rescinded. The bill has not been returned.

EXECUTIVE SESSION.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 27, 1918, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 26 (legislative day of June 24), 1918.

MINISTER.

T. Sambola Jones to be envoy extraordinary and minister plenipotentiary to Honduras.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants:

Charles A. Pownall,
Earl A. McIntyre,
Milton H. Anderson,
Edgar R. McClung,
Wells E. Goodhue,
Harvey S. Haislip, and
Rivers J. Carstarphen.

Lieut. (Junior Grade) George H. Fort to be a lieutenant.

Passed Asst. Surg. Willard G. Steadman, jr., to be a surgeon with the rank of lieutenant commander.

The following-named assistant surgeons to be passed assistant surgeons with the rank of lieutenant:

Foster H. Bowman,
William W. Wickersham,
Charles W. Depping,
William A. Stoops, and
Talmadge Wilson.

Machinist Oscar D. Parker to be a chief machinist.

Pay Clerk William H. McKenna to be a chief pay clerk.

Pay Clerk Leroy Moyer to be a chief pay clerk.

Lieut. (Junior Grade) Roman J. Miller to be a lieutenant, for temporary service.

Lieut. (Junior Grade) Joseph J. Clark to be a lieutenant, for temporary service.

The following-named temporary warrant officers to be ensigns, for temporary service:

George Paille,
John P. Hildman,
Louis B. Raper,
Walter F. H. Nolte,
William H. Mann, jr.,
John M. Schmissrauter,
Franklin E. Cook,
Dougald E. Martin, and
Fred A. Hauser.

The following-named enlisted men to be ensigns, for temporary service:

Froebel A. Lawrence,
Harry L. Hill,
Truman E. Ayers,
George W. Travis,
Lewis E. Shaw,
Meares B. Cartmell,
James F. Jeter,
John J. Dem,
Francis F. Martin,
James L. Freese,
Myron T. Grubham,
Charles F. Adams,
Richard L. Jones,
Edgar J. Hayden,
Werdebaugh Ramsay,
Christopher Bell, and
Hafford C. Southall.

Ensign Thomas R. Jones, United States Naval Reserve Force, to be an ensign, for temporary service.

The following-named citizens to be acting chaplains, with the rank of lieutenant (junior grade), for temporary service:

John C. Ely, jr., a citizen of Pennsylvania,
Simon A. O'Rourke, a citizen of Massachusetts, and
Frederick Schweitzer, a citizen of Pennsylvania.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *June 26, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God our Heavenly Father, from whom proceedeth all things and unto whom we are indebted for the renewed blessings of daily life, imbue us plenteously, we beseech Thee, with the riches of Thy grace, that we may measure up to the highest aspirations of our own hearts and quit ourselves like men in all the duties Thou hast laid upon us.

We bless Thee for the cheering message from Italy in a signal victory over their invading foes. May it be an inspiration to them and our allies all along the line to greater exertions toward a victory which shall bring peace to suffering humanity; in the Spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10358) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes.

CONFERENCE REPORT, LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to call up the conference report on the legislative, executive, and judicial appropriation bill.

CONFERENCE REPORT, NAVAL BILL.

Mr. PADGETT. Will the gentleman withhold that request for a moment? I wish to present a conference report on the naval appropriation bill (H. R. 10854), together with a statement, for printing under the rule.

Mr. STAFFORD. Will the gentleman yield to enable me to ask him whether this is a complete report?

Mr. PADGETT. It is not.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The SPEAKER. Ordered printed under the rule.

CONFERENCE REPORT, POST OFFICE APPROPRIATION BILL.

Mr. WALSH. Mr. Speaker, I desire to direct the attention of the Chair to an error in the conference report on the Post Office appropriation bill, and in order to save time——

The SPEAKER. Is the gentleman from Tennessee [Mr. MOON] here?

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NOLAN. What became of the unanimous-consent request?

The SPEAKER. The Chair will get around to that in a minute.

Mr. KITCHIN. Will the gentleman from Massachusetts withhold for a moment?

Mr. WALSH. I will withhold my point.

ADJOURNMENT RECESS.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent for two minutes to make a statement, and then I shall prefer a unanimous-consent request.

The SPEAKER. The gentleman from North Carolina asks unanimous consent for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, some time ago we arranged with some Senators, tentatively, that if the President had no urgent legislation to pass at this time, and with his approval, we should have a recess adjournment for at least a month—possibly a month and 5 or 10 days—as soon as we get through with the appropriation bills and the conference reports on the

appropriation bills, and also pass the census bill in the House. Senator MARTIN, Senator SIMMONS, and myself conferred with the President yesterday afternoon, and under the circumstances and believing, too, that a recess for a month would facilitate the preparation, consideration, and passage of the revenue bill in the House and the Senate, the President approved of the adjournment recess. So I want to say to the House we can send a resolution of adjournment over to the Senate just as soon as we clear up the appropriation bills and the conference reports on the appropriation bills and the census bill.

Mr. FLOOD. Will the gentleman yield?

Mr. KITCHIN. That will be for a recess adjournment; that is, both Houses will join in the recess resolution. I yield to the gentleman from Virginia.

Mr. FLOOD. I want to call the attention of the gentleman to the fact there are a few bills that will have to be disposed of to which I do not believe there is any opposition. The ones I refer to are bills reported from the Committee on Foreign Affairs. One is a bill extending the right of the Secretary of War to issue temporary permits for the diversion of water at Niagara Falls. That right expires on the 1st of July. That bill passed the Senate unanimously, without any discussion, and I suppose everyone here recognizes the necessity of passing it.

Mr. KITCHIN. I imagine that can be done in a very few moments.

Mr. FLOOD. Then I have another unanimous-consent bill to get in.

Mr. KITCHIN. That would be for the House to determine if unanimous consent should be granted.

Mr. STEENERSON. Is there to be any arrangement about the disposition of bills on the Unanimous Consent Calendar before taking a recess?

Mr. KITCHIN. If we get through with these other matters before July 1 or 2, we possibly could have that; but it would simply be by unanimous consent——

Mr. STEENERSON. I have a very urgent measure for the relief of some settlers who have paid for their land and complied with the law, and I have been waiting for over a year to get it up.

Mr. KITCHIN. Of course, this arrangement would not interfere with any unanimous consent the gentleman could get in the House.

Mr. GILLETT. Would it not be possible while waiting, perhaps, for conference reports to get a day in which to clear up the Unanimous Consent Calendar?

Mr. KITCHIN. Possibly we could do it, but I would suggest we would not let that interfere with the recess. We possibly could come here one night. I feel pretty sure that we could get all these conference reports in and out of the way by July 1 or 2, and while we are waiting for them we can take one afternoon or part of a day for the consideration of bills on the Unanimous Consent Calendar.

Mr. BORLAND. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. BORLAND. Would it be possible to arrange a day for the Private Calendar to be heard?

Mr. KITCHIN. If we can; while waiting on some of the conference reports, we could do that.

Mr. BORLAND. I have no doubt we will have days when we could take up the Private Calendar.

Mr. KITCHIN. I would suggest to the House it will be a great deal better to have the recess resolution passed as early as possible. We could make arrangements, I think, by having late sessions, to get away by July 1, certainly July 2.

Mr. BARKLEY. Will the gentleman yield for an inquiry?

Mr. KITCHIN. Yes.

Mr. BARKLEY. I do not see Chairman SIMS in the House just now. Has the gentleman conferred with him in reference to the water-power bill that has been reported, and as to what chance there is to take it up before adjournment?

Mr. KITCHIN. We mentioned that bill in our conference with the President yesterday, and under the circumstances the President would be willing for it to go over. We assured him that we would get unanimous consent to consider the water-power bill immediately after the disposition of the revenue bill in the House when we return.

Mr. BARKLEY. Under the circumstances, can the gentleman indicate about what day this recess adjournment might begin?

Mr. KITCHIN. If we get through these matters it will begin on July 1 or 2.

Mr. STAFFORD. And extend to what time?

Mr. KITCHIN. Not over a month and 10 days.

Mr. GILLETT. And the sooner and the more expeditiously we pass these appropriation bills the sooner we will get away?

Mr. KITCHIN. Yes; and the sooner we will be ready to consider the revenue bill in the House.

Now, Mr. Speaker, I ask unanimous consent to dispense with the business on Calendar Wednesday to the extent and for the purpose of the consideration of conference reports, and that after the conference reports have been considered the regular business for Calendar Wednesday shall proceed.

The SPEAKER. The gentleman asks unanimous consent to dispense with Calendar Wednesday so far as to consider the conference reports. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 9160. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war;

H. R. 10027. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 9612. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

POST OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, the conference report on the Post Office appropriation bill (H. R. 7237) agreed to by the majority—and I was in the minority on that proposition—as made out and printed, is in error in this, that it proposes that the Senate recede from a House amendment. As a matter of fact, there was no house amendment. It is purely a technical objection, but the majority of the conferees—Mr. BELL, Mr. STEENERSON, and Mr. MADDEN—feel that this report (No. 689) ought to be withdrawn in order that the correction may be made. It was an error on the part of the Clerk in drawing the report. I ask unanimous consent to withdraw the conference report.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to withdraw the conference report on the Post Office bill. Is there objection? [After a pause.] The Chair hears none.

BENEFACTION OF THE LATE FRANK H. BUHL.

Mr. BESHLIN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BESHLIN. Mr. Speaker, on many occasions during the present session of the House attention has been called to the generosity of various communities throughout the country as evidenced by subscriptions to liberty loans and the Red Cross. A citizen of my district, a resident of Sharon, Pa., Frank H. Buhl, died the other day, and his last will when offered for probate was found to contain such an unusual provision that I deem it of interest to the House to have it read.

I might say that this man has been known throughout that portion of the State for many years for his interest in matters of public welfare, and his praise is sounded throughout that locality by his fellow citizens.

I send to the desk to have read in my time a copy of the codicil to his last will, which shows in a very marked degree the great compassion he had for the unfortunate people of Belgium and northern France.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

HERE IS BEQUEST TO WAR VICTIMS.

I give and bequeath to my executors herein named, in trust, however, for the purposes hereinafter named, the sum of two million ($2,000,000) dollars. The sum hereby bequeathed to my said executors is to be either expended by them in aiding the destitute or needy individuals in northern France or Belgium who have been reduced to such condition by reason of the ravages of the present war, or, if my executors elect, shall be expended in whole or in part for this purpose through the agency of any society or societies which may be in existence at the time of my death or which may thereafter be created for the purpose of affording such relief.

FRANK H. BUHL.

[Applause.]

Mr. SMITH of Idaho. Mr. Speaker, I am glad to avail myself of this opportunity to give expression to the high esteem in which the people of southern Idaho held the late Mr. Frank H. Buhl, a portion of whose will for the relief of the unfortunate people of France and Belgium has just been read by the Clerk. Mr. Buhl not only disposed of his wealth by will in a

most generous manner, but during his lifetime was always on the alert for opportunities to use a good portion of his large fortune for the development of the natural resources of the country, with a view of bringing comfort and happiness to those less favored than himself.

He was the prime mover and furnished a large portion of the capital for the development of the Twin Falls section of southern Idaho, the largest and most successful irrigation project in the United States. Through his initiative, his desire to be of service, and his willingness to risk a large portion of his fortune, he was instrumental in reclaiming from the desert over 200,000 acres of land by providing water for irrigation at an expense of over $4,000,000, and upon which there are now over 25,000 people residing who are happy, contented, and prosperous. On this tract there is the beautiful city of Twin Falls, with a population of 10,000, two daily papers, three banks, electric lights, and a fine water system is being installed at a cost of nearly one-half million of dollars. Another city, named in honor of the prime mover in this great enterprise, Buhl, contains 3,000 people and is growing rapidly. There are also the towns of Kimberly, named in honor of one of Mr. Buhl's associates; Hansen, Filer, and Murtaugh, and numerous villages.

Mr. Buhl's great aim in investing his money was not one of profit, as is ordinarily the case, but in order that he might place thousands of people in a position to build homes for themselves and families. The land was sold for a price scarcely sufficient to bring a fund large enough to construct the great project, including the Milner Dam, which cost over $1,000,000 alone.

Mr. Buhl presented to the city of Twin Falls 10 acres of land for a public park within the center of the town site, upon which is situated the courthouse and high school, each costing nearly $200,000. He presented the city of Buhl, in addition to land for parks, a high-school building, at a cost of nearly $50,000.

What he has accomplished in Idaho furnishes a splendid example of how those favored with this world's goods can contribute to the happiness, comfort, and prosperity of the people, and is a lasting monument to his foresight and good judgment.

His name will ever be held in grateful remembrance by every person residing on the Twin Falls tract because of the opportunity he has afforded them to establish themselves, and also by the people who are interested in the upbuilding of our State. His philanthropic spirit and his willingness to invest his money in order that the resources of the State might be developed and made available for those who need encouragement and substantial assistance should be an inspiration to men of large fortune to emulate his example. What greater or more lasting monument can be erected or what more satisfactory accomplishment can be placed to the credit of any man?

EXTENSION OF REMARKS.

Mr. FREAR. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Speaker, I wish to ask unanimous consent to extend my remarks in the RECORD upon the subject of pay and promotion of the medical branch of the Army service.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the subject of pay and promotion of the medical branch of the Army service. Is there objection? [After a pause.] The Chair hears none.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATIONS—CONFERENCE REPORT (NO. 634).

Mr. BYRNS of Tennessee. Mr. Speaker, I call up the conference report on the legislative, executive, and judicial appropriation bill, H. R. 10358.

The SPEAKER. The Clerk will report it.

The Clerk proceeded to read the conference report.

Mr. BYRNS of Tennessee (during the reading). Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 10358) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following:

"The minimum of daily hours of labor required of all clerks and other employees of the several executive departments and independent establishments, prescribed by section 7 of the act of March 15, 1898, as amended, is increased during the period of the existing war from seven hours to eight hours under the same authority and conditions specified in the said act as amended."

And the Senate agree to the same.

JOSEPH W. BYRNS,
JOHN M. EVANS,
WILLIAM H. STAFFORD,
Managers on the part of the House.

THOMAS S. MARTIN
LEE S. OVERMAN,
O. W. UNDERWOOD,
F. E. WARREN,
REED SMOOT,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments numbered 38 and 90 of the Senate to the bill (H. R. 10358) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

On No. 38: Strikes out, as proposed by the Senate, the paragraph inserted by the House authorizing and directing the Secretary of the Treasury to discontinue the Subtreasuries within six months after the termination of the existing war.

On No. 90: Appropriates for increased compensation at the rate of $120 per annum to certain Government employees in the manner proposed by the House, modified in the following particulars: Increases the maximum compensation for the persons who shall participate in such additional pay from $2,000, as proposed by the House, to $2,500, as proposed by the Senate; provides, as proposed by the Senate, that employees paid from lump-sum appropriations in bureaus or other Government agencies created since January 1, 1916, shall not participate in such increased compensation; provides, as proposed by the Senate, that employees of the United States under so-called agency contracts shall not participate in such increased compensation; and provides, as proposed by the House, that the minimum of daily hours of labor of clerks and other employees shall be increased from seven to eight hours during the period of the existing war.

JOSEPH W. BYRNS,
JOHN M. EVANS,
WILLIAM H. STAFFORD,
Managers on the part of the House.

Mr. BYRNS of Tennessee. Mr. Speaker, I move the adoption of the conference report.

Mr. AUSTIN. Mr. Speaker, would it be in order to move that the House disagree to that portion of the conference report that affects the hours of the Government clerks here?

The SPEAKER. No.

Mr AUSTIN. Then the question is voting down the motion of the gentleman from Tennessee [Mr. BYRNS]?

The SPEAKER. In order to reject the provision you have got to vote down the whole thing; either take it as a whole or reject it.

Mr. BYRNS of Tennessee. Mr. Speaker, I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. I recognize, Mr. Speaker, that it would be quite futile to urge the rejection of this conference report at this time. The Members of the House are anxious to conclude the work of the session and return to their homes.

There is one provision in the conference report which I believe should be rejected, and that is the provision relating to the Borland amendment. The conferees have been considering that provision for some weeks, and I regret that the conferees

on behalf of the House did not see fit to yield to the Senate amendment.

The attempt at this time to establish a change in the hours of the Government clerks is, to quote the language of a distinguished Senator, "a foolish piece of legislation."

The amendment does not provide for an eight-hour day. If it provided for the same kind of eight-hour day that other Government employees have, no one would object, because the workers in the arsenals and in the shipyards have an eight-hour day which provides time and a half for overtime. But this amendment which you gentlemen are about to adopt provides that Government clerks shall work not less than eight hours a day.

I want to call the attention of the House to the fact that when this proposal was first brought before Congress we were told that it would result in a great saving to the Government of the United States. Not one penny has been deducted from this appropriation bill as the result of the adoption of this amendment, and I venture the prediction that no man in this House will live long enough to see one penny taken off the appropriations as the result of the adoption of this amendment. Therefore, it will effect no saving to the Government of the United States.

The clerks who are now employed by the Government are willing to work just as much overtime as may be necessary to do the work of the Government, and they are willing to work overtime without compensation. All that they have asked has been that the arrangement which has existed here for many years shall be permitted to continue, and that when the Government work permits, the clerks shall be worked seven hours a day.

Now, you gentlemen are about to say that they shall work not less than eight hours a day, and if they work more than eight hours a day they shall not receive pay for overtime.

I want to indulge in another prediction. Not only will this amendment not effect a saving to the Government, but it will actually increase the expenses of the Government, because the sense of fair play among Members of this House will eventually lead to the adoption of legislation which will give these clerks pay for overtime, and in so far as that pay is granted the expense to the Government will be increased. [Applause.]

The SPEAKER. The time of the gentleman from Colorado has expired. The question is on agreeing to the conference report.

Mr. AUSTIN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. AUSTIN. Will the gentleman having this bill in charge give me five minutes?

Mr. BYRNS of Tennessee. I yield five minutes to the gentleman.

Mr. BORLAND. Mr. Speaker, I do not think we ought to delay this conference report.

The SPEAKER. This is not delaying it very much. The gentleman from Tennessee has an hour.

Mr. BORLAND. I have not asked for time in defense of the provision, but it does seem to me that if gentlemen indulge themselves here in further attacks upon this provision that the House has so fully considered, I should like at least five minutes' time. It seems to me rather unnecessary that we should take up the time of the House with a matter that the House has fully considered.

The SPEAKER. The gentleman from Tennessee [Mr. AUSTIN] is recognized for five minutes.

Mr. BORLAND. I would like to have five minutes to answer him.

Mr. BYRNS of Tennessee. I will yield to the gentleman.

Mr. AUSTIN. Mr. Speaker, it is rather surprising to me that the gentleman from Missouri [Mr. BORLAND] should attempt to stifle discussion on this proposition in view of the many, many speeches he has been making on it in the last three or four years.

Why should we discriminate against the clerks in the Government service by failing, in this proposed amendment, to grant them extra pay for extra service? The Government, in consequence of legislation we have passed and an Executive order by the President, is now paying the employees in Government shipyards, navy yards, arsenals, and other Government activities extra pay for all extra time over eight hours. This bill does not carry a provision to pay the Government clerks for extra time. It unjustly discriminates against them.

Mr. Speaker, this case is so well and thoroughly stated by the American Federation of Labor in its recent national convention that I ask the Clerk to read as a part of my remarks the following resolution.

The SPEAKER. Without objection, the Clerk will read.

There was no objection.

The Clerk read as follows:

Resolution 71, adopted by the American Federation of Labor Convention, St. Paul, Minn., June 18, 1918, by Delegates Luther C. Steward, E. J. Newmyer, and Charles F. Nagl, of the National Federation of Federal Employees; Thomas F. Flaherty, of the National Federation of Postal Employees; Edw. J. Gainor, of the National Association of Letter Carriers; and E. J. Ryan, William Collins, and Walter J. Brown, of the Railway Mail Association:

Whereas under the provisions of the act of Congress of March 15, 1898, employees of the Federal Government are required to work not less than seven hours per day, and under the same bill heads of departments are authorized to require longer hours of service when the exigencies require; and

Whereas the legislative, executive, and judicial bill, as adopted by the House of Representatives on March 15, 1918, contains a provision whereby Government employees are required to work a minimum of eight hours per day, the effect of such requirement being to increase by more than 14 per cent their present hours of service, with substantially no increase whatever over their present wages for such increased hours; and

Whereas sponsors of this bill have stated, with a view of obtaining the support of organized labor, that they are merely trying to establish for all Government employees the eight-hour day for which organized labor stands; and

Whereas the effect of the proposed bill is not to establish the maximum eight-hour day of organized labor, with time and one-half for overtime, but it is a minimum eight-hour day, with no pay whatever for overtime: Therefore be it

Resolved by the Thirty-eighth Annual Convention of the American Federation of Labor, assembled at St. Paul, Minn., That we denounce this proposed legislation not only because it is an insult to patriotic Government employees, many of whom constantly work long hours overtime for which they receive no extra pay, but because we believe it is a covert attack on the standard eight-hour day, with pay and one-half for overtime, for which organized labor stands; and be it further

Resolved, That the executive council of the American Federation of Labor be instructed to inform all Members of Congress that organized labor is unalterably opposed to this proposed vicious legislation, and to take the appropriate means for defeating the same.

Mr. BYRNS of Tennessee rose.

The SPEAKER. For what purpose does the gentleman from Tennessee rise?

Mr. BYRNS of Tennessee. I want to use just two or three minutes. The conferees did not have the question of overtime before them. No action had been taken on the question of overtime, either by the House or the Senate, and therefore it was not a proper matter for the consideration of the conferees. If the question of overtime is to be taken up, it must, of course, come by way of separate legislation.

This House has gone on record in favor of what is known as the Borland amendment. The conferees endeavored as best they could to carry out the express recorded wish of the House with reference to this amendment, and agreed upon a compromise amendment, which has been reported and read from the Clerk's desk. That amendment simply provides that there shall be a minimum eight-hour day in the departments and establishments of this Government in Washington during the existence of the present war; and, gentlemen, I have enough confidence in the patriotism and loyalty of the clerks and employees of the Government [applause] to believe that there will not be one of them who will object to giving this extra hour to his Government during this war. We are at a time now when we are appropriating millions of dollars for the purpose of providing housing facilities here in the city of Washington for the extra clerks needed in the conduct of the Government's business during this war. We are needing thousands of additional clerks to come here to perform this business, and I am sure that when the people of the country are giving their time and giving their money and energy and all that is in them to help to win this war, the clerks and employees of this Government, who are equally as patriotic, will be glad to render this additional service. [Applause.]

Mr. GOOD. Mr. Speaker, I would like to have five minutes.

Mr. BYRNS of Tennessee. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Iowa is recognized for five minutes.

Mr. GOOD. Mr. Speaker, I do not see any occasion for this undue and unusual haste in adopting a conference report which contains some things which I am sure some of the Members of the House do not understand. I do not understand why we should adopt one rule for the employees of the Senate and pay certain of the employees of the Senate increased compensation and deny that increased compensation to similar employees of this House.

Mr. BYRNS of Tennessee. If the gentleman will pardon me, that has not been done.

Mr. GOOD. I understand it has been done. I understand that every person that is employed by the Senate, either as a clerk to a Senator or otherwise, receives, if his salary is less than $2,500, $120 extra compensation.

Mr. BYRNS of Tennessee. That is quite true, but——

Mr. GOOD. No person employed as a clerk or secretary by a Member of this House receives a penny of increased compensation. Is it possible that the high cost of living affects the employees of the Senate and does not affect similar employees of the House?

Mr. BYRNS of Tennessee. That is true, I will say to the gentleman, but it is due to the fact that the clerks to Members are not on the roll, as they ought to be. [Applause.]

Mr. GOOD. Probably that is true; but when the conferees were considering this report the whole matter was in their hands, and they could have written into that conference report a provision that would have put these employees on the same basis with the like employees of the Senate.

Another thing: This House went on record in favor of abolishing the Subtreasuries. There is absolutely no reason why we should continue to pay in the neighborhood of $500,000 a year for the maintenance of an organization which the bureau that was appointed to investigate the Subtreasuries found there was no reason for continuing. Yet I suppose we are to go on now for the next year and during this war, at least, continuing these Subtreasuries, selling liberty bonds and levying taxes to pay useless salaries, when there is not an argument advanced why they should be continued, except to provide fat salaries for a number of persons. We should refuse to adopt the report, containing, as it does, this indefensible provision.

With regard to the Borland amendment, when the House took up the proposition with regard to increased pay for Government employees the law was that these clerks should work seven hours per day, and on those hours of service we based an increase of $10 per month. And then, after we had done that, we adopted the Borland amendment, which compelled every one of these clerks to work one hour more every day. The increased compensation that we have granted to them does not pay for the increased labor that we are demanding of them by this legislation. We have added one hour to their labor but not a cent to pay for that extra hour's work. So that every Government clerk under this bill does not receive one-eighth more pay, but he is compelled to do one-eighth more service. I believe these Government employees are patriotic. This House and Congress is patriotic. The clerks will, of course, do what Congress requires, but we ought not to ask a single clerk to do more now for the same pay than he did before, especially when we are increasing the income of every farmer in the country, of every miner in the country, of every mechanic in the country, by way of allowing increased prices for those commodities they have to sell and things that the Government needs. If we are to require an additional hour's service of the clerks, let the Government pay them for that service. They are patriotic, they are willing to wait, they are fair, and I think the House ought to be fair. [Applause.]

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question being taken, the Speaker announced that the ayes appeared to have it.

Mr. AUSTIN. Mr. Speaker, I make the point of no quorum, and demand the yeas and nays.

The SPEAKER. One thing at a time. The gentleman makes the point of no quorum. [After counting.] One hundred and fifty-four Members present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. Those in favor of the adoption of this conference report will vote "yea," those opposed "nay."

The question was taken; and there were—yeas 198, nays 122, answered "present" 1, not voting 109, as follows:

YEAS—198.

Alexander	Byrns, Tenn.	Dixon	Foster
Almon	Caraway	Dominick	Francis
Anderson	Carter, Okla.	Doolittle	Gandy
Anthony	Chandler, Okla.	Doremus	Garner
Aswell	Clark, Fla.	Doughton	Garrett, Tenn.
Ayres	Classon	Drane	Garrett, Tex.
Bankhead	Claypool	Dupré	Gillett
Barkley	Coady	Eagle	Glynn
Barnhart	Collier	Edmonds	Goodwin, Ark.
Beakes	Connally, Tex.	Elliott	Gordon
Black	Connelly, Kans.	Ellsworth	Gould
Blanton	Cooper, W. Va.	Elston	Graham, Pa.
Booher	Cox	Esch	Gray, Ala.
Borland	Cramton	Evans	Green, Iowa
Brand	Crisp	Fairchild, G. W.	Greene, Vt.
Brodbeck	Crosser	Fairfield	Griest
Buchanan	Currie, Mich.	Ferris	Hadley
Burnett	Dale, Vt.	Fields	Hamlin
Butler	Dent	Fisher	Hardy
Byrnes, S. C.	Dickinson	Flood	Harrison, Miss.
Harrison, Va.	McClintic	Price	Stephens, Miss.
Hastings	McFadden	Quin	Stephens, Nebr.
Heaton	McKenzie	Raker	Sterling, Ill.
Heflin	McKeown	Ramsey	Sterling, Pa.
Helm	McLaughlin, Mich.	Ramseyer	Stevenson
Helvering	McLaughlin, Pa.	Rayburn	Sumners
Hilliard	Madden	Robbins	Taylor, Ark.
Holland	Magee	Rogers	Taylor, Colo.
Hull, Tenn.	Mansfield	Romjue	Tillman
Humphreys	Mapes	Rose	Timberlake
Jacoway	Martin	Rouse	Venable
Johnson, Ky.	Mays	Rubey	Vinson
Jones	Miller, Minn.	Rucker	Volstead
Kennedy, Iowa	Miller, Wash.	Sanders, N. Y.	Waldow
Kincheloe	Mondell	Sanford	Walton
Kinkaid	Montague	Saunders, Va.	Ward
Kitchin	Moon	Scott, Mich.	Watkins
Kraus	Moore, Pa.	Sears	Weaver
Kreider	Mott	Sells	Welling
La Follette	Nicholls, S. C.	Shallenberger	Whaley
Langley	Nichols, Mich.	Sherley	Wilson, La.
Larsen	Oldfield	Shouse	Wilson, Tex.
Lazaro	Oliver, Ala.	Sloan	Wingo
Lee, Ga.	Overstreet	Small	Winslow
Lesher	Padgett	Snell	Woods, Iowa
Lever	Park	Snook	Woodyard
Linthicum	Peters	Snyder	Wright
Little	Platt	Stafford	Young, Tex.
Lobeck	Porter	Steagall	
Longworth	Pou	Stedman	

NAYS—122.

Ashbrook	Fess	Littlepage	Sanders, Ind.
Austin	Flynn	Lufkin	Sims
Beshlin	Fordney	Lunn	Sinnott
Blackmon	Frear	McArthur	Smith, Idaho
Bowers	French	McCulloch	Smith, Mich.
Burroughs	Fuller, Mass.	Maher	Smith, T. F.
Campbell, Kans.	Gallagher	Mason	Steele
Campbell, Pa.	Garland	Meeker	Steenerson
Cannon	Good	Merritt	Stiness
Carlin	Graham, Ill.	Moores, Ind.	Strong
Cary	Gray, N. J.	Morgan	Sweet
Chandler, N. Y.	Greene, Mass.	Morin	Tague
Clark, Pa.	Hamilton, Mich.	Mudd	Temple
Cleary.	Haskell	Neely	Thomas
Cooper, Wis.	Hawley	Nolan	Thompson
Copley	Hayden	Oliver, N. Y.	Tinkham
Crago	Hersey	Osborne	Towner
Decker	Hollingsworth	Parker, N. J.	Treadway
Delaney	Huddleston	Parker, N. Y.	Van Dyke
Dempsey	Hull, Iowa	Phelan	Vestal
Denison	Hutchinson	Polk	Voigt
Denton	Igoe	Purnell	Walsh
Dewalt	Ireland	Rainey, H. T.	Wason
Dill	Johnson, Wash.	Rainey, J. W.	Wheeler
Dillon	Kearns	Randall	Williams
Donovan	Keating	Rankin	Wilson, Ill.
Dowell	Kelly, Pa.	Reed	Wood, Ind.
Dyer	Kennedy, R. I.	Riordan	Young, N. Dak.
Eagan	King	Roberts	Zihlman
Fairchild, B. L.	Lea, Cal.	Rodenberg	
Farr	Lehlbach	Rowe	

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—109.

Bacharach	Foss	Key, Ohio	Scott, Iowa
Baer	Freeman	Kiess, Pa.	Scott, Pa.
Bell	Fuller, Ill.	Knutson	Scully
Bland	Gallivan	LaGuardia	Shackleford
Britten	Gard	London	Sherwood
Browne	Glass	Lonergan	Siegel
Brumbaugh	Godwin, N. C.	Lundeen	Sisson
Caldwell	Goodall	McAndrews	Slayden
Candler, Miss.	Gregg	McCormick	Slemp
Cantrill	Griffin	McKinley	Smith, C. B.
Carew	Hamill	McLemore	Sullivan
Carter, Mass.	Hamilton, N. Y.	Mann	Swift
Church	Haugen	Nelson	Switzer
Cooper, Ohio	Hayes	Norton	Talbott
Costello	Heintz	Olney	Templeton
Curry, Cal.	Hensley	O'Shaunessy	Tilson
Dale, N. Y.	Hicks	Overmyer	Vare
Dallinger	Hood	Paige	Walker
Darrow	Houston	Powers	Watson, Pa.
Davidson	Howard	Pratt	Watson, Va.
Davis	Husted	Ragsdale	Webb
Dies	James	Reavis	Welty
Dooling	Johnson, S. Dak.	Robinson	White, Me.
Drukker	Juul	Rowland	White, Ohio
Dunn	Kahn	Russell	Wise
Emerson	Kehoe	Sabath	
Estopinal	Kelley, Mich.	Sanders, La.	
Focht	Kettner	Schall	

So the conference report was agreed to.

The following pairs were announced:

Until further notice:

Mr. DIES with Mr. CARTER of Massachusetts.

Mr. HOUSTON with Mr. DRUKKER.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. OLNEY with Mr. HICKS.

Mr. KEHOE with Mr. DAVIS.

Mr. SHERWOOD with Mr. DUNN.

Mr. GREGG with Mr. WHITE of Maine.

Mr. ESTOPINAL with Mr. HUSTED.

Mr. HOOD with Mr. FOSS.

Mr. WATSON of Virginia with Mr. CURRY of California.

Mr. HOWARD with Mr. BACHARACH.
Mr. TALBOTT with Mr. BROWNING.
Mr. SANDERS of Louisiana with Mr. BLAND.
Mr. ROBINSON with Mr. BRITTEN.
Mr. BAER with Mr. BROWNE.
Mr. BELL with Mr. COSTELLO.
Mr. BRUMBAUGH with Mr. DALLINGER.
Mr. CALDWELL with Mr. DARROW.
Mr. CANTRILL with Mr. DYER.
Mr. CAREW with Mr. EMERSON.
Mr. CHURCH with Mr. FOCHT.
Mr. CLEARY with Mr. FREEMAN.
Mr. DALE of New York with Mr. FULLER of Illinois.
Mr. DOOLING with Mr. GOODALL.
Mr. GALLIVAN with Mr. HAMILTON of New York.
Mr. GARD with Mr. HAUGEN.
Mr. GLASS with Mr. HAYES.
Mr. GODWIN of North Carolina with Mr. JAMES.
Mr. GRIFFIN with Mr. JUUL.
Mr. HAMILL with Mr. KAHN.
Mr. HOOD with Mr. KELLEY of Michigan.
Mr. KETTNER with Mr. KNUTSON.
Mr. KEY of Ohio with Mr. NORTON.
Mr. LONDON with Mr. LUNDEEN.
Mr. LONERGAN with Mr. PAIGE.
Mr. MCANDREWS with Mr. PRATT.
Mr. MCLEMORE with Mr. REAVIS.
Mr. O'SHAUNESSY with Mr. ROWLAND.
Mr. OVERMYER with Mr. KIESS of Pennsylvania.
Mr. RAGSDALE with Mr. SCOTT of Iowa.
Mr. RUSSELL with Mr. SIEGEL.
Mr. SABATH with Mr. SLEMP.
Mr. SCHALL with Mr. SWIFT.
Mr. SCULLY with Mr. DAVIDSON.
Mr. SHACKLEFORD with Mr. SWITZER.
Mr. SISSON with Mr. TEMPLETON.
Mr. CHARLES B. SMITH with Mr. TILSON.
Mr. SULLIVAN with Mr. WATSON of Pennsylvania.
Mr. SCHALL with Mr. HEINTZ.
Mr. WALKER with Mr. VARE.
Mr. WEBB with Mr. MCCORMICK.
Mr. WELTY with Mr. JOHNSON of South Dakota.
Mr. WHITE of Ohio with Mr. LAGUARDIA.
Mr. WISE with Mr. NELSON.

On this vote:

Mr. CANDLER of Mississippi (for) with Mr. SWIFT (against).

Mr. BROWNING. Mr. Speaker, did the gentleman from Maryland [Mr. TALBOTT] vote?

The SPEAKER. He did not.

Mr. BROWNING. I voted "no." I wish to withdraw that vote and be recorded as present.

The result of the vote was then announced as above recorded.

On motion of Mr. BYRNS of Tennessee, a motion to reconsider the vote whereby the conference report was agreed to was laid on the table.

A quorum being present, the doors were opened.

CONFERENCE REPORT, POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I present a conference report on the bill H. R. 7237, the Post Office appropriation bill, for printing in the RECORD.

WATER-POWER LEGISLATION.

Mr. SIMS. Mr. Speaker, I ask unanimous consent to make a short statement for the information of the House in order to present the status of water-power legislation.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SIMS. Mr. Speaker and gentlemen of the House, there was a statement made in the House this morning in reference to taking a recess. I did not hear it, but I understand that the matter has not yet been acted upon. Gentlemen of the House know that at the request of the President a special committee on water-power legislation was created by a special rule, composed of six members from the Committee on Agriculture, the Committee on Public Lands, and the Committee on Interstate and Foreign Commerce. I was appointed chairman of that committee. The facts are that that committee has considered, as the rule provided, all legislation pertaining to water power or dams for such purposes. Among others, was Senate bill 1419 that passed the Senate in December last. This joint special committee could be in session only when six members of each of the committees from which it was composed could attend. All three of those committees had legislation to consider that was absolutely and necessarily important to be considered, reported, and passed by the House. We have made every effort to get a water-power bill reported. A bill has now been ordered reported and will be upon the calendar as soon as the formal report can be written. We are anxious to have the bill considered by the House before any recess is taken, for the reason that a Senate bill has already passed and will be amended by way of a substitute. As soon as it has passed the House and goes back to the Senate it can immediately go to conference and the conferees can consider the bill during the recess, if there is one, and be ready to report when the recess ends, if one is taken.

Now, I think the Members, perhaps, understood that the Senate has to pass this bill after it gets over there. Such is not the case. All the Senate has to do is to disagree to the House amendment and send it to conference and appoint conferees. During the recess will be one of the best times imaginable for the conferees to iron out the differences and settle them between the two Houses. What I wanted to say is that I hope no recess will be agreed on or taken until that bill has been disposed of by the House. I am as anxious as anyone to have the Congress finish its work and adjourn, but to take a recess without first having finished our legislative program is most objectionable from any standpoint.

LEAVE OF ABSENCE.

Mr. LONERGAN, by unanimous consent, was given leave of absence for two days, on account of important business.

STEAMBOAT-INSPECTION SERVICE.

Mr. ALEXANDER. Mr. Speaker, I call for the regular order.

The SPEAKER. The Clerk will call the committees.

The Clerk proceeded to call the committees, and when the Committee on Merchant Marine and Fisheries was reached,

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill S. 2104, on the Union Calendar.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

An act (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

Be it enacted, etc., That sections 4402, 4404, and 4414 of the Revised Statutes of the United States be, and they are hereby, amended to read as follows:

"SEC. 4402. That there shall be a supervising inspector general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the Steamboat-Inspection Service, and who shall be entitled to a salary of $5,000 a year and his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"The Secretary of Commerce may appoint a deputy supervising inspector general, who shall be the chief clerk of the bureau and in the absence of the supervising inspector general have power to act in his stead, and who shall be entitled to a salary of $3,000 per year.

"SEC. 4404. There shall be 11 supervising inspectors, who shall be appointed by the President, by and with the advice and consent of the Senate. Each of them shall be selected for his knowledge, skill, and practical experience in the uses of steam for navigation, and shall be a competent judge of the character and qualities of steam vessels and of all parts of the machinery employed in steaming. Each supervising inspector shall be entitled to a salary of $3,450 a year and his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"SEC. 4414. There shall be in each of the following collections districts, namely, the districts of Philadelphia, Pa.; San Francisco, Cal.; New London, Conn.; Baltimore, Md.; Detroit, Mich.; Chicago, Ill.; Bangor, Me.; New Haven, Conn.; Michigan, Mich.; Milwaukee, Wis.; Willamette, Oreg.; Puget Sound, Wash.; Savannah, Ga.; Pittsburgh, Pa.; Oswego, N. Y.; Charleston, S. C.; Duluth, Minn.; Superior, Mich.; Apalachicola, Fla.; Galveston, Tex.; Mobile, Ala.; Providence, R. I.; and in each of the following ports: New York, N. Y.; Jacksonville, Fla.; Tampa, Fla.; Portland, Me.; Boston, Mass.; Buffalo, N. Y.; Cleveland, Ohio; Toledo, Ohio; Norfolk, Va.; Evansville, Ind.; Dubuque, Iowa; Louisville, Ky.; Albany, N. Y.; Cincinnati, Ohio; Memphis, Tenn.; Nashville, Tenn.; St. Louis, Mo.; Port Huron, Mich.; New Orleans, La.; Los Angeles, Cal.; Juneau, Alaska; St. Michael, Alaska; Point Pleasant, W. Va.; and Burlington, Vt.; Honolulu, Hawaii; and San Juan, Porto Rico, one inspector of hulls and one inspector of boilers.

"The inspector of hulls and the inspector of boilers in the districts and ports enumerated in the preceding paragraphs shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce, namely:

"For the port of New York, N. Y., at the rate of $2,950 per year for each local inspector.

"For the districts of Philadelphia, Pa., Baltimore, Md., San Francisco, Cal., and Puget Sound, Wash., and the ports of Boston, Mass., Buffalo, N. Y., and New Orleans, La., at the rate of $2,700 per year for each local inspector.

"For the districts of Michigan, Mich., Milwaukee, Wis., Duluth, Minn., Providence, R. I., Chicago, Ill., and the ports of Albany, N. Y., Cleveland, Ohio, Portland, Me., Los Angeles, Cal., Juneau, Alaska, St. Michael, Alaska, and Norfolk, Va., Honolulu, Hawaii, and San Juan, P. R., at the rate of $2,500 per year for each local inspector.

"For the districts of Oswego, N. Y., Willamette, Oreg., Detroit, Mich., and Mobile, Ala., and the ports of St. Louis, Mo., and Port Huron, Mich., at the rate of $2,350 per year for each local inspector.

"For the districts of Pittsburgh, Pa., New Haven, Conn., Savannah, Ga., Charleston, S. C., Galveston, Tex., New London, Conn., Superior, Mich., Bangor, Me., and Apalachicola, Fla., and the ports of Dubuque, Iowa, Toledo, Ohio, Evansville, Ind., Memphis, Tenn., Nashville, Tenn., Point Pleasant, W. Va., Burlington, Vt., Jacksonville, Fla., Tampa, Fla., Louisville, Ky., and Cincinnati, Ohio, at the rate of $2,100 per year for each local inspector.

"And in addition the Secretary of Commerce may appoint, in districts or ports where the volume of work requires them, assistant inspectors, at a salary, for the port of New York, of $2,500 a year each; for the port of New Orleans, La.; the districts of Philadelphia, Pa.; Baltimore, Md.; the ports of Boston, Mass.; Chicago, Ill.; and the districts of San Francisco, Cal., at $2,350 per year each, and for all other districts and ports at a salary of $2,100 a year each; and he may appoint a clerk to any such board at a compensation not exceeding $1,500 a year to each person so appointed. Every inspector provided for in this or the preceding sections of this title shall be paid his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

"Assistant inspectors, appointed as provided by law, shall perform such duties of actual inspection as may be assigned to them under the direction, supervision, and control of the local inspectors.

"The Secretary of Commerce may appoint not exceeding four traveling inspectors when in his judgment they are necessary for the improvement of the service, each of whom shall be entitled to a salary of $3,000 a year and his actual necessary traveling expenses while traveling on official business

"And the Secretary of Commerce may from time to time detail said assistant inspectors of one port or district for service in any other port or district, as the needs of the Steamboat-Inspection Service may, in his discretion, require, and the actual necessary traveling expenses of assistant inspectors so detailed, while traveling on official business assigned them by competent authority, shall, subject to such limitations as the said Secretary may in his discretion prescribe, be paid in the same manner as provided in this section for inspectors."

The House automatically resolved itself into Committee of the Whole House on the state of the Union, with Mr. FERRIS in the chair.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I understand that under the rule two hours of general debate is allowed, to be confined to the subject matter of the bill. I will control one half of that time and the gentleman from Massachusetts [Mr. GREENE] the other half.

Mr. Chairman, the Steamboat-Inspection Service is one of the most important services connected with our American merchant marine. Prior to the beginning of the present war we had less than 1,000,000 tons of shipping under the American flag engaged in the foreign trade. We now have more than 3,000,000 tons of shipping under the American flag engaged in the foreign trade, and I confidently expect that within the next year or 18 months we will have not less than 10,000,000 tons of shipping under the American flag engaged in the over-seas trade. Hence, with the expansion of our American merchant marine it becomes of the utmost importance that we should have an efficient steamboat or marine-inspection service.

The bill under consideration is a bill to increase the pay of the men in the Steamboat-Inspection Service. It increases the pay of the supervising inspector general, his chief clerk, who, under the provisions of the bill, in the absence of the supervising inspector general would act as supervising inspector general. It increases the pay of the supervising inspectors, 10 in number now. The bill also provides for one additional, making 11 supervising inspectors. The bill also increases the pay of the local and assistant inspectors, a force all told, at the time this bill was considered in the committee, of 255 men. The pay of the men in this service has not been increased for many years. When I tell you that the pay of the local inspectors under the existing law ranges from a maximum of $2,500 down to $1,500 a year, and that the pay of supervising inspectors is $3,000 a year, I think that you will agree with me that if we would maintain the efficiency of this service and retain the men charged with responsible duties devolving upon them in the service, an increase of pay is imperatively demanded.

Mr. HARDY. Mr. Chairman, will the gentleman yield for a question?

Mr. ALEXANDER. Yes.

Mr. HARDY. Is it not a fact that at the present time the pay of these men in Government employ is far below the pay of the same character of men in private employment?

Mr. ALEXANDER. That is true; and I will say further that these men are selected under the civil-service law. Every man must have seen service at sea, either as a master or a mate, or as an engineer. The pay of the men in that service at this time is 75 to 100 per cent more than the pay of the men in the Steamboat Service.

Legislation along the lines proposed in this bill has been urged for many years past, not only by the men directly interested but by the Department of Commerce, the American Bureau of Shipping, by commercial bodies, and the steamship companies on our Great Lakes and in our coastwise and foreign service, and by others interested in the welfare of the men, and in making this service more efficient.

The Chamber of Commerce of the United States thought the matter of such great importance that it employed Mr. N. Sumner Myrick, a prominent lawyer and a splendid citizen of Boston, to make a thorough investigation of the Steamboat-Inspection Service. In his report to the Chamber of Commerce Mr. Myrick strongly urged a substantial increase in pay for the men in the service, not only as an act of justice long deferred to a body of worthy men, but also with a view of drawing to and holding in the service a class of men who would improve the personnel and raise the standard of efficiency in the Steamboat-Inspection Service in the future. Mr. Chairman, we have under consideration at this time Senate bill 2104.

The Committee on the Merchant Marine and Fisheries reported to the House H. R. 9908 on February 15 last. H. R. 9908 is a committee substitute for H. R. 4206, introduced by my esteemed colleague on the committee, the gentleman from New York, Mr. ROWE, and H. R. 5010, which was introduced by the gentleman from New York, Mr. CHARLES B. SMITH. Hearings were had on these bills on January 17, January 18, January 24, and January 31, 1918. The following-named parties were heard by the committee: Capt. Thomas H. Foster, an assistant inspector of the Steamboat-Inspection Service, of New York; Congressman CHARLES B. SMITH, of New York; Mr. John E. Wilson, inspector of boilers at the port of Philadelphia; Tobias D. Noel, inspector of boilers at the port of New York; Gen. George Uhler, Supervising Inspector General of the Steamboat-Inspection Service; Mr. N. Sumner Myrick, a member of the shipping committee of the Chamber of Commerce of the United States, now of this city; H. M. McLarin, national president of the National Federation of Federal Employees, of Washington, D. C.; Mr. Irving L. Evans, of Cleveland, Ohio; and Capt. William A. Westcott, president of the Masters, Mates, and Pilots of the Pacific, San Francisco, Cal.

Many letters indorsing the legislation have been received from men in the service, and while it is not entirely satisfactory to them, as the increases in pay are not as great as they think they are entitled to, yet in view of war conditions and the ever-increasing demands upon the Treasury, the Committee on the Merchant Marine were unwilling to do more at this time in recommending increases, and the men affected have accepted the bill as reported out by the committee in good faith and are asking the Congress to enact it into law.

Mr. Stevenson Taylor, president of the American Bureau of Shipping; Mr. N. L. Cullin, secretary and treasurer of the National Board of Steam Navigation; Mr. Ben. Mitchell, president of the American Pilots' Association; and H. H. Raymond, president of the Clyde Steamship Co., and others too numerous to mention, wrote me letters strongly indorsing the bill.

Mr. MILLER of Minnesota. Mr. Chairman, will the gentleman yield there, or would he prefer to have me wait until later?

Mr. ALEXANDER. I would prefer to have the gentleman wait until later. The Committee on Commerce of the Senate did the Committee on the Merchant Marine and Fisheries the honor to amend the bill (S. 2104) now under consideration to conform to the provisions of the House bill, and in the report of the bill to the Senate they incorporated the report of the Committee on the Merchant Marine on H. R. 9908 in their report on S. 2104 to the Senate. There is this difference, however, between the Senate bill and the House bill: The House bill carries a provision authorizing the Secretary of Commerce to appoint a deputy supervising inspector general, who shall be the chief clerk of the bureau, and in the absence of the supervising inspector general have power to act in his stead, and who shall be entitled to a salary of $3,000 per year. The Senate bill does not contain that provision, and at the proper time I will offer a committee amendment containing that provision.

Mr. Hoover is the chief clerk of the Steamboat-Inspection Service. Until the last year or two I did not know the salary that he received, and I was astonished to learn that it was only $2,000 a year.

Gen. Uhler, Chief of the Steamboat-Inspection Service, was appointed by President McKinley and has been continuously in the service ever since. Mr. Hoover has been in the service for 15 years and has been chief clerk for 15 years past and his salary has been $2,000 a year. As I have said, the Committee on the Merchant Marine and Fisheries when they had the bill H. R. 9908 under consideration inserted a provision authorizing the Secre-

tary of Commerce to appoint a deputy supervising inspector general, who shall be chief clerk of the bureau in the absence of the supervising inspector general and shall have power to act in his stead, and making his salary $5,000 a year, and I assume that there can not be any reasonable objection to this increase.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. I may say for the information of the gentleman, if he has not the information at present, that the Secretary of Commerce has recommended for a number of years past an increase of Gen. Uhler's pay as head of the Steamboat-Inspection Service from $4,000 to $5,000. The committee reporting the legislative, executive, and judicial appropriation bill has declined to grant the increase. I wish to call the gentleman's attention to this fact, however, that while in prior years before our entry into the war the Secretary of Commerce recommended that increase, in the estimates as submitted this past year for the bill adopted just a few moments ago he did not make any recommendation of an increase, because I believe it was the policy of the administration, approved by the President, that there should be no increases of these higher-paid officials during the present war. At least, the Attorney General of the United States came before our committee and stated that he would not make any recommendations of increases during the existing war because he believed it was the policy of the administration not to do so. Now, why has the committee gone ahead and made this recommendation when it is the set policy of the administration, and of Congress I might say, not to grant any increases of these higher-paid officials at the present time?

Mr. ALEXANDER. I will call the gentleman's attention to the report of the committee which was made by Mr. ROWE, in which he incorporates a letter from the Secretary of Commerce expressly approving this bill and urging its enactment.

Mr. STAFFORD. I am fully aware of that letter; I read it before the gentleman directed my attention to it. Of course, I know the Secretary of Commerce is not adverse to making recommendations for increases——

Mr. ALEXANDER. What is the gentleman's point?

Mr. STAFFORD. That it is the policy of the administration——

Mr. ALEXANDER. How does the gentleman know?

Mr. STAFFORD. Because the Attorney General has stated before our subcommittee that he would not recommend any increases of salaries, because he did not believe it was advisable in these stressful times.

Mr. ALEXANDER. We are not considering any legislation coming from the Department of Justice; we are considering legislation which has to do with the Department of Commerce, and the Secretary of Commerce has recommended this increase.

Mr. STAFFORD. And yet the Secretary of Commerce, if the gentleman will permit, did not this year, for the first time in many years, in his book of estimates make any recommendation for an increase of the salary of the chief of the service.

Mr. ALEXANDER. The Secretary of Commerce knew very well this bill was under consideration by the Committee on the Merchant Marine and Fisheries and that it carried this increase, and there was no occasion for him to come before the Committee on Appropriations and ask for it. There are some other committees in this House besides the Committee on Appropriations capable of considering the merits of these cases.

Mr. STAFFORD. I am only directing attention to the policy. I am not questioning the Committee on the Merchant Marine and Fisheries has full jurisdiction over increase of salaries. No one questions that.

Mr. ALEXANDER. I expect I am as much authorized to speak as regards the policy of the administration as the gentleman.

Mr. STAFFORD. The gentleman is far more so than I am. I only reflect the testimony before the Committee on Appropriations. That is the reason I asked the gentleman the question.

Mr. ALEXANDER. I have no information of that sort from the administration. I do know that these increases are recommended by the Secretary of Commerce, and, better than that, I know they have merit and ought to be given fair consideration. The Senate has recognized the merit and justice of the increases of pay carried in the bill, because the Senate amended the Senate bill to conform to the provisions of H. R. 9008, which carries an increase for the Chief of the Steamboat-Inspection Service. The only difference between the two bills is that the Senate bill omits any increase for the chief clerk in the Steamboat-Inspection Service.

Mr. MILLER of Minnesota. Will the gentleman now yield?

Mr. ALEXANDER. I will yield to the gentleman.

Mr. MILLER of Minnesota. Preliminary, if I might, I heartily approve this increase of Gen. Uhler's salary. I think he should have had it years ago. He has been at the head of a bureau, and it has been the universal policy that the head of a bureau should receive $5,000 a year. He is an unusually capable, efficient, and accommodating man, and everybody knows that. I want to ask in reference to the proposed assistant supervising inspector general. I assume it is the intention to promote the present chief clerk to this position which is thus created?

Mr. ALEXANDER. Yes.

Mr. MILLER of Minnesota. Inasmuch as the Supervising Inspector General and also the 11 supervising inspectors must be confirmed by the Senate, does not the gentleman think that this particular official, as a matter of permanent law, ought to be confirmed by the Senate in harmony with those who are above and below him? Has the committee given consideration to that matter?

Mr. ALEXANDER. The chief clerk, under the provisions of the House amendment to the Senate bill, would be designated as the deputy supervising inspector general and chief clerk of the bureau, and I would hardly think that necessary. Of course, what we had in mind was the increase in the salary of Mr. Hoover, who has been in this service for many years and who is a man of extraordinary fidelity and efficiency in the service, but no good reason occurred to us why his appointment should go to the Senate for confirmation.

Mr. MILLER of Minnesota. I would have the same point of view as the gentleman if it were not provided here that a new position is being created——

Mr. ALEXANDER. No; it is hardly a new position. He is to serve temporarily in the absence of the Supervising Inspector General. He acts in that capacity now, being designated by the Secretary of Commerce to serve in the absence of the Supervising Inspector General.

Mr. MILLER of Minnesota. I gathered from this paragraph, however, that a new position of considerable importance is made permanent by law, that of deputy supervising inspector general. Doubtless it would be advisable that the chief clerk should be appointed to that. I assume that would be done.

Mr. ALEXANDER. In the absence of the Supervising Inspector General the Secretary of Commerce now designates Mr. Hoover to act as Supervising Inspector General. In this bill we simply make an express provision of law to that effect. It may not be necessary, but the committee were of opinion that it is best to write it in the law.

Mr. GILLETT. What does the chief clerk get now?

Mr. ALEXANDER. Two thousand dollars a year.

Mr STAFFORD This only increases it a thousand dollars.

Mr. ALEXANDER. Only $1,000, and yet he is one of the most competent men in the service, and he is charged with very responsible duties.

Mr. HARDY. Will the gentleman yield for a suggestion in answer to the inquiry of the gentleman from Minnesota? This bill is not intended to change the functions or the duties that Mr. Hoover is performing now. It does change the name by calling him "deputy supervising inspector general" who shall be chief clerk. We gave him a new name and additional salary. And I wish to say this: That Mr. Hoover was before us, and I do not believe a more competent or efficient man has ever appeared before the committee on the Merchant Marine and Fisheries. And he has been there for 15 years.

Mr. MILLER of Minnesota. From what I know of Mr. Hoover and his work my opinion is the same as that of the gentleman.

Mr. HARDY. We only change his title. We did not change his duties.

Mr. MILLER of Minnesota There has been brought up for attention here a subject in which I have been vitally interested for a great many years There are 11 supervising inspectors?

Mr. ALEXANDER. There are 10 now in the service, and this adds one.

Mr. MILLER of Minnesota. With the advice and consent of the Senate. Is there anything in the law to indicate where each of these supervising inspectors shall keep his office?

Mr. ALEXANDER. No. The country is divided into inspection districts, and I suppose they have their office at some central point in the district.

Mr. MILLER of Minnesota. The gentleman knows that some of the inspection districts are exceedingly grotesque, I am sure?

Mr. ALEXANDER. The boundaries are not defined by Congress. They are defined by the department.

Mr. MILLER of Minnesota. Now, let me call the gentleman's attention to one specific case. I will omit the rest, although I have some others in mind. But this one I am particularly interested in. The city of Duluth, which is the largest port in the world, and has the largest registration of ships of any city in America, with the exception of New York, is under a supervising inspector who has his office at Dubuque, Iowa, where

there is practically no commerce, practically nothing to do; and that condition has been that way for many years. Now, I am not going to tire the House or ask the gentleman to reveal, if he knows, the conditions under which the supervising inspector's office in one night was removed to Dubuque many years ago? But is there not some way in which that can be changed? We have suffered under it for a long time, and the work is all at Duluth.

Mr. ALEXANDER. I agree with the gentleman; it ought to be taken there.

Mr. Chairman, I will just detain the committee a moment or two more.

Mr. GILLETT. Does the gentleman indorse the statement of the gentleman from Texas [Mr. HARDY] about this deputy supervising inspector general, that there is no change in his duties but simply a change in the name, and therefore by changing the name we are paying $1,000 for it?

Mr. HARDY. The "gentleman from Texas" did not say that we just changed the name.

Mr. GILLETT. He said we changed the name but did not change the duties. I made the deduction that $1,000, therefore, was given to the name.

Mr. ALEXANDER. Oh, no. If the bill did not provide for his designation as deputy inspector general, I would favor and the committee would favor an increase of his pay to $3,000 a year as chief clerk, without reference to the added duties or dignities.

Mr. HARDY. Let me make this statement to the gentleman from Massachusetts. I did not go into it fully. He has been serving at this pay for 15 years, and we felt that he, like all the rest, under the increased cost of living and under the conditions, was entitled to a raise whether we changed his title or not.

Mr. WALSH. Mr. Chairman, I make the point of order there is no quorum present.

Mr. ALEXANDER. I hope the gentleman will withdraw that point. We want to get through with this bill.

Mr. WALSH. I appreciate that this is an important measure. It is boosting salaries at $1,000 a clip, and there ought to be a quorum here to consider it.

Mr. LINTHICUM. Will the gentleman withdraw the motion for a few minutes?

Mr. WALSH. No; I will not.

The CHAIRMAN. The gentleman from Massachusetts makes the point that there is no quorum present, and evidently there is none, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Bacharach	Estopinal	Kettner	Saunders, Va.
Baer	Fairchild, Geo. W.	Key, Ohio	Schall
Bell	Fields	Kiess, Pa.	Scott, Iowa
Beshlin	Fisher	Knutson	Scott, Pa.
Bland	Flood	LaGuardia	Scully
Britten	Focht	Langley	Shackleford
Brodbeck	Foss	Lea, Cal.	Shallenberger
Butler	Freeman	Little	Sherwood
Caldwell	Fuller, Ill.	Littlepage	Siegel
Candler, Miss.	Fuller, Mass.	London	Sisson
Cantrill	Gallivan	Lonergan	Slayden
Carew	Gard	Lundeen	Sloan
Carter, Mass	Garrett, Tex.	McAndrews	Smith, Chas. B.
Chandler, N. Y.	Glass	McCormick	Snyder
Chandler, Okla.	Goodall	McKinley	Stedman
Church	Gordon	McLaughlin, Mich.	Stevenson
Clark, Fla.	Gould	McLemore	Sullivan
Clark, Pa.	Gregg	Mann	Swift
Classon	Griffin	Mason	Switzer
Cleary	Hamill	Miller, Minn.	Talbott
Cooper, Ohio	Hamilton, N. Y.	Moores, Ind.	Templeton
Copley	Haugen	Nicholls, S. C.	Tillman
Costello	Hayes	Norton	Tilson
Crago	Heaton	Olney	Vare
Curry, Cal.	Heintz	Osborne	Venable
Dale, N. Y.	Hensley	O'Shaunessy	Volgt
Dallinger	Hicks	Paige	Walker
Darrow	Hood	Polk	Ward
Davidson	Houston	Powers	Watson, Pa.
Davis	Howard	Pratt	Watson, Va.
Dent	Hull, Iowa	Price	White, Me.
Dies	Humphreys	Ragsdale	White, Ohio
Donovan	Husted	Rainey, Henry T.	Wilson, Ill.
Dooling	James	Reavis	Wise
Drane	Johnson, S. Dak.	Riordan	Wood, Ind.
Drukker	Juul	Roberts	Woodyard
Dunn	Kahn	Robinson	Wright
Dyer	Keating	Rowland	
Elliott	Kehoe	Russell	
Emerson	Kelley, Mich.	Sabath	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. MCCLINTIC, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, had found itself without a quorum, and he had directed that the roll be called, whereupon 273 Members, a quorum, had answered to their names, and he submitted a list of the absentees for printing in the Journal.

The SPEAKER. The committee will resume its session, with the gentleman from Oklahoma [Mr. FERRIS] in the chair.

Accordingly the House again resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2104, with Mr. FERRIS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill S. 2104, which the Clerk will report by title.

The Clerk read as follows:

S. 2104. An act to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

STEAMBOAT-INSPECTION SERVICE.

The committee resumed its session.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield for a question?

Mr. ALEXANDER. Yes; I yield to the gentleman.

Mr. LINTHICUM. I note the report and the bill do not specify what the increases are in these particular cases. Will the gentleman tell us what these various increases in these positions amount to in the bill?

Mr. ALEXANDER. The pay of the local inspectors and assistants under existing law ranges from $2,500 down to $1,500. The increases provided in the bill make the minimum $2,100 and the maximum $2,950. The larger increases, of course, affect those whose pay is $1,500, $1,800, and $2,000. The smaller the salary the larger the increase. I will incorporate with my remarks tables showing the number of men now in the service, where located, their present pay, and the increases provided in the bill.

Mr. MILLER of Minnesota. Mr. Chairman, may I inquire of the gentleman something that I would like to have information about?

Mr. ALEXANDER. I yield to the gentleman.

Mr. MILLER of Minnesota. I notice these ports or districts have been grouped into classes, as the gentleman has just stated. New York seems to be the highest class, the inspectors therein securing a salary of $2,950, which really is but an increase of $50 a year for each. And then there is the next class, and they are enumerated—Philadelphia, Baltimore, San Francisco, Puget Sound, and so on—and they get $2,700. Then there is a third class, which gets $2,500; and a fourth class, getting $2,350; and still a fifth class, which is a sort of a residuum class, getting $2,100. Is not the work of each of these men of the same character, and does it not require the same qualifications? And what is the reason for having different compensations for the same kind of work, if the work is the same?

Mr. ALEXANDER. Because the character of the work in the different ports is different. It is true the general qualifications of the inspectors under the law are the same. They pass the same form of civil-service examination, but the duties of the inspectors in the ports of New York and Philadelphia and Boston and Baltimore and San Francisco are greater and call for a higher degree of skill and efficiency than is required in many other ports. They have various types of vessels to inspect, and recognizing their more varied and important duties for many years past the inspectors in some ports have received a larger rate of pay than in others.

Now, in framing this bill the committee did not undertake to readjust the salaries, but base the increases on the salary now received.

Mr. MILLER of Minnesota. If the gentleman has concluded, I would like to ask him another question.

Mr. ALEXANDER. I would like to complete my statement.

Mr. MILLER of Minnesota. Certainly.

Mr. ALEXANDER. The original bills for which this is a substitute based increases on the present rate of pay of the local inspectors and assistant inspectors at the different ports. The inspectors themselves tried to get together and readjust their pay on a more equitable basis and make the increases apply to that readjustment of pay, but they found they could not do it. The effort created friction among them, and they gave it up, and for that reason they recommended to the committee that the

increases should be based on the present rate of pay, and in that respect we conformed to their view. We thought that if they could not agree among themselves it would be a hopeless task for us to undertake to attempt to make a readjustment that would be satisfactory to them. I had correspondence with them, in which I called attention to that matter, because, like the gentleman from Minnesota, it was my view that men with substantial qualifications and performing the same class of service should have the same rate of pay without reference to the port.

Mr. MILLER of Minnesota. I feel that way very strongly myself. I would like to ask the gentleman this: Was any effort made to reclassify these various districts or places or ports so as to harmonize the classification with any changed conditions that may have occurred during recent years, such as the building up of some ports and reducing others in importance?

Mr. ALEXANDER. Section 4414 is in the language of the existing law, except the increases in the rate of pay. We do not change the law in any other respect at all.

Mr. MILLER of Minnesota. Would the gentleman consider an amendment that would take Duluth, Minn., out from the third class, where it now is, and put it in the second class?

Mr. ALEXANDER. No; I could not do it.

Mr. MILLER of Minnesota. If the gentleman could be shown that Duluth belongs in the second class, or in the first class for that matter, would he consider favorably such an amendment?

Mr. ALEXANDER. Well, I can give the gentleman the view of the inspectors in the service, and they do not favor that being done.

Mr. MILLER of Minnesota. I do not care what the inspectors favor or do not favor, whether it is right or wrong is the determining factor.

Mr. ALEXANDER. I think it would be wrong. We are considering the Senate bill, in which the increases are identical with the increases in the House bill, except the one relating to New York, in which we make the increase $2,950 and the Senate makes it $2,900, and the only other amendment that is proposed to the Senate bill by the Committee on the Merchant Marine and Fisheries is the amendment on page 2, which is shown in italic. It would lead to confusion and perhaps to the defeat of this bill if each port in the United States should undertake to assert its dignity, as compared with other ports, and want to reclassify the men in this service and readjust their pay.

Mr. MILLER of Minnesota. Then, even though the classification once made is wrong, because it was once made we should not change it and make it right? The gentleman has assumed to bring in a bill to rectify certain wrongs, and he certainly ought to have the support of the House in that; but if he is going to rectify one wrong, why not rectify two?

Mr. ALEXANDER. I do not think you can do that on the floor of the House. But I may say that the committee was of the gentleman's view at first, but after giving it careful consideration they were in favor of recommending the plan adopted by the men in the service.

Mr. MILLER of Minnesota. I will say to the gentleman that when the time arrives I am going to make a motion to fix the salaries of all these men the same. I do not know whether the gentleman will accept it or not. If he does not, probably it will not prevail; but that will express my views, and if my motion does not prevail I shall not care whether this bill becomes a law or not.

Mr. ALEXANDER. In other words, will the gentleman vote to defeat an increase to anyone in the service just because he can not have his own way?

Mr. MILLER of Minnesota. Oh, no; the gentleman knows very well indeed that I do not want to do that; but this bill increases the salaries of two gentlemen in Washington, and of others in the service, and what I am after is to have a reclassification of these men in accordance with the facts. I think we ought to do that when we have the matter up, and if we can not do it on the floor, if the bill goes back to the committee probably we can.

Mr. ROBBINS. Will the gentleman yield to me?

Mr. ALEXANDER. I prefer to proceed, but I will yield to the gentleman for a question.

Mr. ROBBINS. I see here you have increased the pay of the inspectors for the city of Pittsburgh from $2,000 to only $2,100, and you put Pittsburgh in with a port like Point Pleasant, W. Va., which is a very small port.

Mr. ALEXANDER. We have not put it in at all. That is the existing law. We have not changed the law in any respect except to increase the pay.

Mr. ROBBINS. That is not the way the statute reads at all. I have the statute before me, in which it speaks of the districts of Philadelphia, Baltimore, Buffalo, St. Louis, Louisville, Cincinnati, Pittsburgh, Boston, Detroit, Chicago, Milwaukee, Huron, and Galena, $2,000 each. You seem to have taken Pittsburgh out of the Philadelphia, Baltimore, Buffalo, St. Louis class and put it in with these smaller ports like Point Pleasant, W. Va., and Bangor, Me., and give an increase of only $100. Does the gentleman think that is fair? It does not strike me that it is right, and I want to get information about it.

Mr. ALEXANDER. I think it is fair. That is what the men directly affected say.

Mr. ROBBINS. I know that the port of Pittsburgh has many times more commerce than either of these two ports that I have suggested, and that there will be so much more work there.

Mr. ALEXANDER. I expect that every gentleman will become the champion of his port and will say that it is the best in the country. We realized that difficulty and we called it to the attention of the men in the service. They said they had undertaken to readjust the salaries themselves, each one having regard to his own port, and they gave it up in despair.

Mr. ROBBINS. Take the port of Mobile. You have increased that salary from $1,500 to $2,350, and you have increased the salary at the port of St. Louis from $1,500 to $2,350. Pittsburgh is a larger and more important port than St. Louis.

Mr. EDMONDS. If the gentleman will look at the table, he will find that Point Pleasant has just as much business as Pittsburgh.

Mr. ROBBINS. It could not have.

Mr. EDMONDS. Therefore they are classed together.

Mr. ALEXANDER. The gentleman is mistaken about the pay in the ports referred to. We have not increased the pay of inspectors in any port $850. The maximum increase is $600. We did not undertake to determine the relative importance of the ports, but based the increases on the pay the men are now receiving, and in that we had the approval of the men in the service themselves.

Mr. ROBBINS. You increase the salary at Pittsburgh only $100, and at San Francisco you increase the salary $700.

Mr. ALEXANDER. The gentleman is mistaken. The increases are equitable, based on their present pay, and is what they themselves agree to.

Mr. ROBBINS. I suggest that it is inequitable.

Mr. ALEXANDER. It would be impossible to balance all these equities.

There are 21 vacancies in the position of hull inspector in the Steamboat-Inspection Service. They have 13 temporary men in the service now, leaving 8 vacancies. There are 8 vacancies in the positions of boiler inspectors. Six temporary appointments have been made, leaving two vacancies. The men are leaving the service all the time on account of the meagerness of the pay and the inducements held out for higher pay in other services. Hence it is of the utmost importance that these increases of pay should be made if we expect to prevent the demoralization of the service. And when we call to mind that under the existing law the maximum pay is only $2,500 and the minimum pay only $1,500, and that we are only increasing the minimum to $2,100 and the maximum to $2,945, I am sure the committee will agree with me that we have been very careful not to make any other than very modest increases.

Mr. Chairman, I wish to incorporate as part of my remarks the following excerpts from the report made by Mr. N. Sumner Myrick to the Chamber of Commerce of the United States. Mr. Myrick says:

EXHIBIT A.

Of all the members of the Steamboat-Inspection Service none are entitled to greater respect than the local inspectors, the clerks, and the assistant inspectors stationed at the various districts throughout the country, and none excite an equal degree of sympathy. Taken as a whole, the Government is nowhere served by a body of men who are more conscientious, zealous, or harder worked, or more inadequately compensated than are these servants of the inspection service. Most of the inspectors, as in the case of the supervisors, have had but little education, measured by the standard of the schools. But, as in the case of the supervisors, many of them have taught themselves to a proficiency in the technical side of their work that is as surprising as it is gratifying to realize. Some of them in fact have realized creditable results in authorship. Of course, nearly all of them have had large experience in navigation as masters, or with machinery and boilers as engineers, besides long training in the service as assistant inspectors. Their work is laborious in the extreme, continuing through more hours of the day than a labor unionist could easily locate by the clock, and if paid for at the union rates for overtime, would leave but little to be desired by them as to the compensation.

The multiplying duties of the local inspection force may be conceived of from a consideration of the new work made necessary by the seamen's act, the larger part of which devolves upon the locals.

For the improvement of the local inspection service many things need to be done. In the first place there should be an increase both in salaries and in numbers. The service, it can not be too frequently stated, is underpaid and greatly undermanned. Every man who enters the service as an assistant inspector should, and usually does, have a master's or chief engineer's certificate. The annual salaries paid assistants varies from $1,600 to $1,800, except at New York, where it is $2,000. Contrasting this compensation with that of $3,000 paid to mas-

ters and $2,100 to engineers of coastwise vessels, to $1,600 to $2,000 and a bonus paid to masters and engineers of ore boats, and to $2,500 and $3,000 paid to masters and $2,000 paid to engineers of package-freight boats on the Lakes for seven or eight months' service, it is as apparent that there is not much inducement for men of this class to enter the inspection service, as it is natural to expect that considerable difficulty should be experienced in obtaining for the force of assistants men of the proper experience and mental equipment.

That the conditions growing out of these circumstances affect other branches of the service will be realized when it is recalled that the local inspectors are recruited from the ranks of the assistants. It is not reasonable to expect a higher type of superior officer when the selection is thus limited. The surprising fact in this connection is that so large a percentage of the men reach so high an average of efficiency.

The personnel of the clerical force also is affected by the low rate of compensation and by insufficient numbers to perform the duties that are constantly increasing in volume and importance. Probably in no department of the Government is there a body of clerks that are so consistently worked beyond normal office hours as are the clerks in the Inspection Service. No private employer would exact an equal amount of excess labor without additional compensation. Some of these overworked men have been employed in the service for periods varying from 12 to 30 years, and are receiving salaries of only $1,200 to $1,500, the latter the maximum, while others earning much more than they are paid receive only $960.

In reference to this question of salaries, it is important to point out that from figures compiled in 1913, it appears that 38 local inspectors received less than the minimum salary paid to assistant inspectors, and that only 16 received more than the maximum paid assistant inspectors. Such inequalities in compensation are rarely to be found outside Government employment.

It is suggested that a revision in salaries be made and that the Supervising Inspector General be paid $5,000; the supervisors, $3,500; the chief clerk at Washington, $3,000; that the minimum salary to be paid clerks be fixed at $1,200 and the maximum at $2,000, to be paid all clerks having served 10 years, and that the salaries of those who have served less than 10 years be increased $100 per annum until the maximum is reached. It is further suggested that the salaries of local inspectors range from $2,000 to $3,000, and those of assistants from $1,500 to $2,000.

Changing conditions, involving a higher grade of intelligence and acquired knowledge of many complicated problems arising in connection with the increasing size in vessels and machinery, and varied life-saving equipment, without reference to other considerations, make reasonable this increase in compensation, and its reasonableness is made clearer when it is understood that the growing demand for capable men in the merchant service, and the increase in their compensation, will presently make it impossible to recruit the inspection service from their ranks, if the present rate of compensation is to be maintained. Again, if the need of some degree of technical proficiency in the assistant inspectors is admitted, and this seems to be necessary, especially in view of the enlarged merchant marine that the public mind has assumed is in process of development, the acquisition of qualified men will be much more difficult.

Mr. Chairman, I also wish to call attention to the following exhibit:

EXHIBIT B.

Number and salaries of local inspectors and assistant inspectors at the various ports, fiscal year ended June 30, 1917.

Port.	Salary of local inspectors.	Assistant inspectors.		Vessels inspected.		Reinspections.	Number of officers licensed.
		Number.	Salary.	Number.	Tonnage.		
San Francisco	$2,250	10	$1,800	418	581,296	90	2,074
Honolulu	2,000			35	70,480	2	78
Juneau	2,000			51	4,560		178
Los Angeles	2,000			26	6,657	8	381
Portland, Oreg.	1,800	2	1,600	140	40,980	77	698
St. Michaels	2,000			28	12,599		77
Seattle	2,250	8	1,600	342	357,476	27	1,393
New York	2,500	30	2,000	1,386	1,825,605	517	4,369
Albany	2,000	2	1,600	157	60,306	137	325
New Haven	1,500			121	12,015	10	348
Philadelphia	2,250	8	1,800	393	315,406	131	1,147
Norfolk	2,000	6	1,600	303	182,137	179	1,273
Baltimore	2,250	8	1,800	327	262,803	180	1,042
Charleston	1,500			80	16,424	9	264
Jacksonville	1,500			80	25,894	4	290
Savannah	1,500			54	47,237	27	601
St. Louis	1,800			115	20,887	133	618
Dubuque	1,500			75	5,453	41	438
Boston	2,250	6	1,800	254	248,381	127	1,201
Bangor	1,500			67	18,008	27	316
New London	1,500			58	23,576	46	317
Portland, Me	2,000			83	105,898	47	407
Providence	2,000	4	1,800	131	110,133	82	387
Louisville	1,500			39	6,143	33	184
Evansville	1,500			54	8,912	29	249
Memphis	1,500			57	6,375	38	268
Nashville	1,500			58	7,537	44	209
Pittsburgh	1,500			74	11,180	13	236
Cincinnati	1,500			43	8,578	46	180
Point Pleasant	1,500			54	6,802	14	330
Detroit	1,800	4	1,600	138	234,559	101	618
Chicago	2,000	4	1,600	144	291,438	47	463
Duluth	2,000			98	266,616	27	144
Grand Haven	2,000	4	1,600	73	50,457	117	532
Marquette	1,500			32	24,399	7	152
Milwaukee	2,000	2	1,600	152	276,196	23	494
Port Huron	1,800			64	60,838	15	418
Cleveland	2,000	6	1,600	179	538,880	18	495
Buffalo	2,250	6	1,600	278	647,683	61	563
Burlington	1,500			15	2,993	18	76
Oswego	1,800			65	32,368	21	481

Number and salaries of local inspectors, etc.—Continued.

Port.	Salary of local inspectors.	Assistant inspectors.		Vessels inspected.		Reinspections.	Number of officers licensed.
		Number.	Salary.	Number.	Tonnage.		
Toledo	$1,500			84	136,359	17	196
New Orleans	2,250	6	$1,800	245	127,358	186	1,036
Apalachicola	1,500			64	13,880	2	474
Galveston	1,500			117	81,560	5	515
Mobile	1,800			112	25,483	11	359
San Juan	2,000			21	29,025	30	68
Total				6,984	7,249,589	[1] 2,827	26,962

[1] In addition to reinspections a large number of special examinations, dry-dock examinations, and other miscellaneous inspections are made.

Mr. Chairman, I beg to call attention to the following statement:

EXHIBIT C.

STEAMBOAT-INSPECTION SERVICE.

Statement showing the positions, present number of employees, proposed number of employees, present salary of each employee, proposed salary of each employee, and total increase as covered by House bill 9908, known as the Rowe bill, and relating to the Steamboat Inspection Service, Department of Commerce.

Position.	Present number employees.	Proposed number employees.	Present salary each.	Proposed salary each.	Total increase.
Supervisor Inspector General	1	1	$4,000	$5,000	$1,000
Deputy Supervising Inspector General	1	1	2,000	3,000	1,000
Supervising inspectors	10	11	3,000	3,450	7,950
Local inspectors	2	2	2,500	2,950	900
Do	11	14	2,250	2,700	6,300
Do	28	28	2,000	2,500	14,000
Do	12	12	1,800	2,350	6,600
Do	40	40	1,500	2,100	24,000
Assistant inspectors	36	36	2,000	2,500	18,000
Do	40	40	1,800	2,350	22,000
Do	4	4	1,800	2,100	1,200
Do	4	4	1,600	2,350	3,000
Do	44	44	1,600	2,100	22,000
Traveling inspectors	2	4	2,500	3,000	7,000
Total	238				
The legislative, executive, and Judicial appropriation bill for the year beginning July 1, 1918, and ending June 30, 1919, provides for the following additional positions in the Steamboat-Inspection Service, which positions are covered by the Rowe bill and will be affected if the Rowe bill passes:					
Assistant inspectors		4	1,800	2,350	2,200
Do		10	1,600	2,100	5,000
Total		255			142,150

RECAPITULATION.

Position.	Number of employees.	Total increase.
Supervising Inspector General	1	$1,000
Deputy Supervising Inspector General	1	1,000
Supervising inspectors	11	7,950
Local inspectors	96	51,800
Assistant inspectors	142	73,400
Traveling inspectors	4	7,000
Total	255	142,150

Mr. GREENE of Massachusetts. I yield to the gentleman from New York [Mr. ROWE] 20 minutes.

Mr. ROWE. Mr. Chairman, I would like to review briefly the history of steamboat inspection in this country. In 1838 the Congress of the United States passed the first act in reference to steamboat inspection and authorized the district judges at the various ports to appoint two inspectors for the inspection of each vessel. It called upon masters and owners of vessels to have their steamboats inspected once each year, and the universal custom grew up of allowing $5 to each one of these inspectors by the court for each inspection.

In 1852 another act was passed, which named the ports in the United States that were to have inspectors, and put two inspectors in each port, one an inspector of hulls and the other an inspector of boilers.

In 1871 a very comprehensive law was passed, fixing the salaries of all these inspectors in the various ports, changing them, reducing some and increasing others.

In 1895 a radical change was made in the inspection of steamboats, and from that time on the inspectors were paid in proportion to the number of vessels inspected in their ports. For instance, if less than 100 were inspected, each of the two inspectors were paid $1,200. If over 100 and less than 150 were inspected, the inspector was paid $1,500. If over 150 and less than 200 were inspected, each inspector was paid $1,800. From 200 vessels to 300, the inspectors were paid $2,000. From 300 to 500, the inspectors were paid $2,250. Over 500 vessels inspected, the inspectors were paid $2,500 each.

Now, this system had its faults, and its greatest fault was that there was a radical difference in the different ships in different ports. For instance, all the vessels in a port on the Mississippi would be river steamboats that would be very much alike and the machinery and boilers would be practically the same, while almost every boat in a seaport town like New York would be different. They not only would have different kinds of boilers but each ship would be of a different type, and they would have to inspect all foreign vessels taking passengers from the United States. That would make them take up the question of foreign-built steamboats with foreign-built power.

There was still another fault in the law of 1895—that it created a great temptation to defraud the Government; for instance, in a certain district where 99 vessels had been inspected, if they could inspect one more vessel they could raise the salary from $1,200 to $1,500 per annum. It was a terrible temptation, and it led in one particular case to the digging up of an old scow that had been sunk for years in order that they might inspect it.

So in 1905 a new act was passed, going back again to the salary system, and it established, with few exceptions, the salaries formerly paid.

In 1910 several new districts were created. Owing to our War with Spain we had to have a new district in Porto Rico, one in the Philippines, and a little later one was established in Tampa, Fla.

Let us for a moment refer to the personnel of this force. It is not large; it is very small. That is the reason they have not had a raise in a great many years. There are actually 226 people in the whole United States in the employment of this service. One of these has an office in Washington; the Supervising Inspector General is in charge of that office. He is the head of the service. He has one chief clerk. There are 10 supervising inspectors in the 10 different districts. For instance, there is at this time just one district on the Pacific coast, and that supervising inspector goes all the way from Alaska down the coast to southern California.

Mr. HADLEY. Will the gentleman yield?

Mr. ROWE. I will.

Mr. HADLEY. The district of the Pacific coast includes all the territory west of the crest of the Rocky Mountains, south into the Pacific Ocean, to Hawaii, and north to Alaska.

Mr. ROWE. I thank the gentleman. There are 10 supervising inspectors who travel constantly, each covering his district. There are two traveling inspectors. It frequently becomes necessary for the supervising inspector, by reason of an accident or some irregularity in the work, to send out a traveling inspector. The Supervising Inspector General can not go all over the United States, for his office is in Washington, and somebody must be in charge there.

Mr. PLATT. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. PLATT. The gentleman stated that this supervising inspector general had but one clerk.

Mr. ROWE. Yes.

Mr. PLATT. Is it possible that there is really an office in Washington with only one clerk?

Mr. ROWE. That happens to be so in this particular.

Mr. STAFFORD. Will the gentleman yield?

Mr. ROWE. Yes.

Mr. STAFFORD. I fear that the gentleman is mistaken in regard to the Steamboat-Inspection Service. There are a number of clerks carried in the legislative, executive, and judicial appropriation bill—one clerk class 4, two clerks in class 3, one clerk in class 2, and one clerk in class 1—two at $1,000, two at $900, besides the chief clerk who receives a salary of $2,000, with perhaps an increase of salary to $3,000.

Mr. ROWE. The gentleman may be correct in the minor positions, but I took this from the head of the department. I think these could hardly be called a part of the service. They are not permanent employees, but are there temporarily as bookkeepers and stenographers.

Mr. STAFFORD. The gentleman is in error, these clerks have been carried on the rolls for years. The gentleman is confused in his telephonic communication by the fact that in the service throughout the country there is but one clerk attached to each office.

Mr. ROWE. The gentleman is in part correct. There are bookkeepers and stenographers.

Mr. STAFFORD. I am not in error. The force I have referred to is on the permanent rolls in Washington.

Mr. ROWE. But they have no authority in the Inspection Service.

Mr. STAFFORD. No; but the gentleman's colleague, Mr. PLATT, asked if there was an office in Washington that had only one clerk and the gentleman said yes, and I am controverting that.

Mr. ROWE. There are 48 inspection districts in 48 ports of the United States. Each one has two local inspectors—first, an inspector of hulls, and, second, an inspector of boilers. There is besides that a force known as assistant inspectors. For instance, in all of the large ports of the United States, like Boston, New York, Philadelphia, San Francisco, Buffalo, and many other large ports, there are assistant inspectors. The local board in smaller districts does the inspection of vessels and in large districts the assistant inspectors do most of it. New York, I think, is the only one where the local board makes no inspections. There the board sits constantly as a court. All accidents, as where two vessels collide, must be brought before the local board. Then it takes care of all trouble about engineers and masters of vessels. All such questions are tried before the local board. It licenses engineers and masters of vessels and all other officers of vessels, so that the local board in New York has all it can do as a court and is sitting constantly and does not inspect vessels.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. ALEXANDER. Is it not a part of their duty also, not only to inspect hulls and boilers but to enforce the provisions of the seamen's act and see that vessels are properly equipped with wireless and properly manned, that every lifeboat and every life-saving equipment is provided according to the requirements of the law?

Mr. ROWE. The gentleman is correct, and I want to thank him for adding that, for I might have failed to mention it. These 226 men are all civil-service appointees. They have to pass an examination, but before they come up for examination they have to show a long service in the steamboat line. The gentleman from Minnesota [Mr. MILLER], if he is reading the testimony, will find there is a difference in qualification for the inspector, and a very great difference in the examination he has to pass as to whether he seeks a position in a seaport town or in an inland port. He must have had five years experience at sea before he can enter an examination. He must have held the position of a master or the mate of a vessel or the chief engineer or the assistant engineer of large vessels. He must have had experience, years of experience at sea, before he is qualified to take the examination. This examination is a very difficult examination, and while many undertake it only few pass. It takes seven or eight days to take the examination. They are a very high grade of men. Every member of the Committee on Merchant Marine and Fisheries was impressed with the character of the men in this service.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. GOOD. I observe that the inspectors of hulls and the inspectors of boilers, for instance, at the port of New York, who are now receiving $2,000, are increased in compensation to $2,950.

Mr. ROWE. The gentleman is mistaken. The $2,000 men are raised to $2,450.

Mr. GOOD. Reading from page 4—

> The inspector of hulls and the inspector of boilers in the districts and ports enumerated in the preceding paragraph shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce, namely:
>
> For the port of New York, N. Y., at the rate of $2,950 per year for each local inspector.

Mr. ROWE. They receive now $2,500. There are two such men in the port of New York. Their salaries were fixed in 1895.

Mr. MILLER of Minnesota. Why is that $2,950?

Mr. ROWE. They are raised $450 a year.

Mr. MILLER of Minnesota. The figures $2,500 are stricken out and $2,950 inserted.

Mr. ROWE. Which bill has the gentleman?

Mr. MILLER of Minnesota. I am reading for the Senate bill.

Mr. ROWE. The Senate bill is $2,900, and it is $2,950 in the House bill.

Mr. GOOD. For the district of Philadelphia, in the next paragraph, you provide that the rate of pay shall be $2,750.

Mr. ROWE. Yes. These men are now receiving $2,250.

Mr. GOOD. And in the next paragraph you provide for $2,500, and those men are now receiving $1,600, are they not?

Mr. ROWE. No; they are now receiving $2,000.

Mr. GOOD. What I want to inquire of the gentleman from New York is this: As I recall, we have added during the past three years about 50 to this force. That is, we have increased the appropriation by about $100,000, have we not?

M. ROWE. When?

Mr. GOOD. During the past four years.

Mr. ROWE. I do not think you have increased it a dollar except for the new districts at Porto Rico and Honolulu and at Tampa, Fla.

Mr. ALEXANDER. In the appropriation bill for the fiscal year ending June 30, 1919, the number of inspectors was increased five or six.

Mr. GOOD. Since 1912 has not the number been very largely increased?

Mr. ALEXANDER. I think not.

Mr. GOOD. The increase has been in assistant inspectors.

Mr. ROWE. No; there have not been increases in the number of assistant inspectors.

Mr. ALEXANDER. There can not be any increase except as they are authorized by the Committee on Appropriations.

Mr. GOOD. I call attention to the fact——

Mr. ALEXANDER. We do not increase the number; the number is determined by the Committee on Appropriations.

Mr. GOOD. In 1915 the appropriation for assistant inspectors, and so forth, was $353,600. Last year there was appropriated $434,100, with a supplemental deficiency appropriation of $2,250, so the increase was about $100,000 in three years, which increase went to pay the salaries of more assistant inspectors.

Mr. ALEXANDER. I have not followed that up because those matters are determined by the Committee on Appropriations.

Mr. GOOD. So there is an increase in the salary of assistant inspectors——

Mr. ROWE. Yes; averaging about $400 or $450 each.

Mr. GOOD. That is what I wanted to ask the gentleman about. My recollection is that the superintendent or the Secretary of Commerce testified that he was having no difficulty in employing men at this service but was having some difficulty in retaining men at the salaries, because the various activities of the Government elsewhere were calling them from that service.

Mr. ROWE. I will answer that question by reading a letter from the Assistant Secretary of Commerce, Acting Secretary while the Secretary of Commerce was on the Pacific coast:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, April 16, 1918.

Hon. F. W. ROWE,
House of Representatives, Washington, D. C.

MY DEAR MR. ROWE: I am taking the liberty of writing you urging prompt consideration of your bill increasing the pay of the inspectors of the Steamboat-Inspection Service. My reason for doing this is that conditions in the service are becoming bad owing to resignations of local inspectors and the inability of the department to find suitable men to take their places. These resignations are all due to the fact that the salary is comparatively small and the men resigning have been offered more lucrative positions elsewhere. From July 1 to December 31, 1917, 12 inspectors resigned; from January 1 to February 28, 1918, 5 inspectors resigned. Nine of these positions are now filled by temporary appointments and eight of them are filled permanently from the list of civil service eligibles. From March 1 to April 15, 1918, 14 inspectors resigned, 12 of whom were hull inspectors. No eligibles are available and the department has been unable to find any men to fill these places. This shows the trend, and unless some remedy is soon found—and the only one that I know of is the passage of your bill—we will probably lose more men in the immediate future.

As you well know, the bureau operates under great difficulties with its present force, being compelled to continually switch men from one place to another, in order that the work may be kept up. This is especially so at this time of the year, when navigation on the Great Lakes is opening up. Fourteen vacancies constitute a large hole in the service and necessarily cripple it to a great extent. If any more vacancies occur and we are unable to fill them, it will be utterly impossible to keep the work up to that standard of efficiency which has been maintained heretofore and which the department is so desirous of maintaining.

Thanking you in advance, and with kindest personal regards, I am,

Yours, very truly,

A. L. THURMAN,
Acting Secretary.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. I yield the gentleman 10 minutes additional.

Mr. ROWE. There are only 212 inspectors all told.

Mr. GOOD. Let me ask the gentleman at this point: When this bill was drawn, was it not the gentleman's intention and the intention of the committee reporting it that the salaries fixed in the bill should be the only salaries or compensation they should be paid by the Government?

Mr. ROWE. Yes.

Mr. GOOD. To-day we approved the legislative, executive, and judicial appropriation bill, carrying the salaries for these men next year, and that bill provides that any Government official or employee who receives a salary of $2,500 or less shall receive in addition thereto $120 a year. The gentleman did not intend that they should receive this salary and in addition the $120 a year that has been placed on the legislative bill?

Mr. ALEXANDER. If the gentleman will allow me to answer that question, I will say no; and if it is necessary to prevent that from being done, we will accept an amendment to this bill to that effect, but at the time this bill was under consideration we did not know what provisions would be in the legislative bill.

Mr. MILLER of Minnesota. Is there anything in the work of an assistant inspector at New York differing from the work of an assistant inspector anywhere else in the United States, so as to justify the man in New York receiving $2,500 a year and the man working at San Francisco $2,350, and the rest of them doing that kind of work elsewhere $2,100? In other words, why is not the kind of work performed in this service in the United States the same, and should not the compensation be the same?

Mr. ROWE. No; the work is not the same.

Mr. MILLER of Minnesota. Why?

Mr. ROWE. The compensation should not be the same. Does the gentleman think if he worked, for instance, in Duluth, with the expenses of a city the size of Duluth, he should have the same wages that he would have if he worked in the city of New York?

Mr. MILLER of Minnesota. The gentleman certainly is not going to make the statement here that living in the city of New York is higher than in the Western States?

Mr. ROWE. It is higher than in any city in the Union; much higher even than in Washington.

Mr. MILLER of Minnesota. I am not willing to believe that.

Mr. ROWE. I have lived in New York for 31 years, and I know.

Mr. MILLER of Minnesota. If you are going to grade these salaries according to expenses of living in the various places, then we will have to have a commission to go out and find out the cost of living and how it changes from month to month and year to year.

Mr. PLATT. Will the gentleman yield?

Mr. ROWE. I would like to answer the gentleman from Minnesota, and then I will yield to my colleague from New York. Just let me answer in Gen. Uhler's own words:

He says:

In New York the local inspectors are responsible for the inspection and the certificating, first, of the little steam water boat that goes around the harbor carrying water to the ships; the tugboat, the large tugboat, the big seagoing tug of 700 or 800 tons, which is as large as the ships that I was in at one time; freight boats, passenger boats, ferry boats, our own coastwise steamers, like that one shown on the wall [indicating] until you get up to the big steamers like those of the Hamburg-American, or the North German Lloyd, or the Netherlands Line.

Now, they have to be practically conversant with all the conditions that apply to those different classes of vessels, in order that they may pass judgment upon appeals, upon whether or not the local inspectors have been right in this or in that ruling.

Another point in that connection is this: In a great district like New York, and a great harbor like New York, there are scarcely four days in the month that that board of inspectors is not there, sitting at a table like this [indicating] hearing testimony in a case of collision, or of some disaster, or some calamity. They have got to be perfectly familiar with the conditions that apply to navigation on these ships [indicating picture on wall], and on ships like the Hamburg-American, the North German Lloyd, and the Netherlands Line, or our own ships. They have got to be familiar with the situation that tugs get into; they have got to be familiar with the conditions that a ferryboat and a tug may get into, which bring about a collision, so that they may intelligently pass upon those things.

I have considered all of those things, and while the same qualifications are required for entry into the service, they have ten times as many problems to meet in New York, probably, as they do in any other part of this country.

Now, the qualifications of the man for inspector at Buffalo or on the Great Lakes or on inland rivers or lakes are not the same as for the seaport on the Atlantic or Pacific.

Mr. MILLER of Minnesota. I have observed that the inspection at New York City last year in round numbers covered a tonnage of 1,825,000. At this work there were 30 assistant inspectors, and, of course, two inspectors, making 32 in all, or on the average for each one, about 57,000 tons. That is less work than is done anywhere else in the United States per man, as the record in the hearings show.

Mr. ROWE. There is a great difference between inspecting a Great Lakes freight boat, admirable as it is, and inspecting an ocean-going steamer.

Mr. MILLER of Minnesota. Just how many of those great ocean-going steamers are there?

Mr. ROWE. All passenger boats must be inspected four times a year.

Mr. MILLER of Minnesota. There are not as many as go out of the city of Duluth in one day.

Mr. HARDY. I would like to ask right here, was it not testified to by the men interested that they have tried to find out all the equities, and that this bill came as near as they could make it—that is, the Steamboat-Inspection Service, Gen. Uhler, and Mr. Hoover—and that they had presented it in the most equitable shape they could?

Mr. ROWE. Yes.

Mr. EDMONDS. The gentleman also knows that these men are responsible for the inspection of the local passenger steamers that carry excursionists back and forth, and that in New York there is a tremendous amount of that traffic going on almost every day in the year.

Mr. GREENE of Massachusetts. And I would like to know if there is not a great deal required of them on account of collisions?

Mr. ROWE. All of that has to be taken into consideration in New York Harbor. There are more accidents there than in any other harbor in the United States.

Mr. PLATT. I would like to know if you could not squeeze out another $50 and make it $3,000 for these salaries?

Mr. ROWE. We will give the gentleman a chance in a few moments to make it $2,950 instead of $2,900 as in the Senate bill.

Mr. PLATT. Why not make it $3,000?

Mr. ROWE. It was more than that when the bill was presented, but the committee, in their judgment, reduced it to $2,950.

Mr. PLATT. That is pretty small cheeseparing for a Nation like this.

Mr. GRAHAM of Illinois. I would like to know if you have made a computation to ascertain how much the total increase is that is carried by this bill per annum?

Mr. ROWE. I do not exactly know. Does the chairman know that? I think it is between $112,000 and $115,000 a year.

Mr. GRAHAM of Illinois. Here is another thing I want to ask. I observe that the original act, in section 4404, provided, in taking care of the expenses, that the inspector should have his actual and reasonable expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. GRAHAM of Illinois. He should have his actual and reasonable traveling expenses. However, that has been changed by the committee, and the language now is "actual necessary traveling expenses." Why this change? Why not permit it to remain as it was in the original act, "actual and reasonable"?

Mr. ROWE. They require them to make a certificate of just what they spend and where they spend it and to itemize the account. The Merchant Marine Committee thought the language of the bill preferable.

Mr. GRAHAM of Illinois. According to the original act they had to make a certificate.

Mr. ROWE. Originally they were allowed when traveling 10 cents per mile and later 5 cents per mile, and by a later act they were allowed what they actually spent.

Mr. GRAHAM of Illinois. And you say the persons who are in favor of this bill objected to the language "and reasonable"?

Mr. ROWE. The committee wanted the other words. Now, I would like to say just one word before sitting down——

Mr. ALEXANDER. In that connection, a gentleman asked the question as to what the increase would be, and I understood the gentleman from New York to say between $112,000 and $115,000. In this bill there are 255 employees, and the present number of employees is 238. Now, the proposed number of employees will be 255, according to this statement, and the total increase in the pay for all will be $142,150.

Mr. ROWE. I thank the gentleman. The chairman of the committee is no doubt correct.

Mr. GRAHAM of Illinois. There is another question I intended to ask. What became of the inspector of hulls and the inspector of boilers at the inspection districts of Galena and Wheeling? Have those been omitted by amendatory legislation of the original act? I observe in the original act there were the inspection districts of Galena and Wheeling. They are not in this act. What has happened to them?

Mr. ROWE. I will have to refer that to our chairman.

Mr. PLATT. There used to be a navy in Switzerland?

Mr. GRAHAM of Illinois. The interjection of the gentleman from New York [Mr. PLATT] is uncalled for and unnecessary. It does not answer the question at all. I would like to have some information on this if I can get it.

Mr. ROWE. There are no such districts in the present law.

Mr. Chairman, I would just like to refer very briefly to a few letters which I have received. There are only one or two which I wish to read in full. These letters are all from men not now in the service, but who have left within the last 12 months. But I should first state that there were 36 resignations in 10 months ending April 30, 1918. One-sixth of all the inspectors resigned in 10 months to take more lucrative positions. I want to read this one in full; it is very brief.

S. S. "ALCORN."
New Orleans, La., March 28, 1918.

Hon. F. W. ROWE,
United States Representative, Washington, D. C.

MY DEAR CONGRESSMAN: Referring to House of Representatives bill No. 9908, I beg to state I left the Steamboat-Inspection Service to accept a position paying a much larger salary. I held a temporary appointment as local inspector of hulls at Galveston, Tex. The salary was $125 a month with a 5 per cent increase, making a total of $131.25, out of which I had to pay all living expenses. I resigned on account of inadequate salary and accepted a position as master of the steamer *Alcor* at a salary of $275 a month, with a 25 per cent bonus while engaged in coastwise trade, making a salary of $343.75 a month, with board and lodging furnished.

Respectfully, yours, JAMES F. DECKER.

Remember, gentlemen, these people have to be of the grade of masters. Most of them have been masters. The new salary is considerably more than twice the salary he was receiving in the service.

One feature about this loss to the Steamboat-Inspection Service is that other services have been hiring men to do exactly the same work. Here is a man hired under the Shipping Board. His name is V. E. Wright, of Mystic, Conn. I will not read his letter, but he says he was receiving $1,500 as an inspector in the United States Steamboat-Inspection Service, and is now doing the same kind of work for $2,200 at Hog Island for the Shipping Board.

Here is a letter from Joseph T. Drake, of Boston, Mass. His salary was $1,890. He says:

I am now doing good war service here by preparing men for navigators and am turning out from four to eight every week, with prospects of continual increase. It is rather difficult to estimate my financial prospects, but I feel sure of not less than $5,000 per year, with a possibility of nearly doubling that.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. FESS. The gentleman referred a while ago to many persons leaving the service. I wondered whether the character of the work is such that there must be such a training for it that it will be difficult to fill the places when they leave it.

Mr. ROWE. It is exceedingly difficult. They are put on as temporary inspectors. Something like 12 in the service now are temporary men, but these men must pass the civil service, and they must have been either a master or a mate on a vessel in order to be a hull inspector. They must have been an engineer or assistant engineer on a big steamer to be an inspector of boilers; and men are not qualified until they are about 30 or 35 years old to fill these positions.

Mr. FESS. So that the claim for increase is not simply in behalf of individuals, but also on behalf of the service?

Mr. ROWE. Yes. The service is crippled to-day. They have never been so short of men as they are now.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. ROWE. Certainly.

Mr. HARDY. The country is needing generally many masters and mates, and the ordinary master and mate gets a salary above that of these officers, does he not?

Mr. ROWE. Yes. I will read another letter. Here is a man who has gone to the American Line. This man was receiving $2,250. His name is B. B. Whitney, of Seattle, Wash. He now receives $4,000. Let me read:

AMERICAN BUREAU OF SHIPPING,
Seattle, Wash., May 15, 1918.

Mr. H. M. MCLARIN,
President National Federation of Federal Employees, Washington, D. C.

DEAR SIR: Your letter of May 9, 1918, duly came to hand, and in reply I have to state that I know that the steamboat-inspection officers are a lot of high-grade men who are grossly underpaid for the very important service rendered, and I sincerely hope that Congress will soon give them just compensation for their services.

I left the service because the salary, absurdly small in normal times, was absolutely inadequate to meet obligations in these abnormal times. I received as local inspector the princely sum of $2,250 per year for standing responsible for the seaworthiness of vessels of all sorts and the qualifications of the officers who navigate them, and who, as masters of some vessels, received nearly twice as much. Officers of the Steamboat-Inspection Service are held responsible also for the safety of the lives of passengers on board of steam vessels, and therefore must see that they are stanchly built, properly equipped, adequately manned, and officered by competent men, and are paid about the same as long-

shoremen who load and unload the cargo with no responsibilities beyond the breakage of packages and the economical stowage. The supervising inspector general with his sterling integrity and his exceptional abilities and with responsibilities beyond those of any other public officer is rewarded with a salary which is less than one-half what it should be.

I am now receiving $4,000 per year for the same kind of service that I rendered the Government, and do not have half the worries that local inspectors are burdened with. I sincerely hope that officers of the Steamboat-Inspection Service will get their just dues.

Yours, very truly,

B. B. WHITNEY,
Surveyor to American Bureau of Shipping
(Formerly local inspector, Seattle district).

A local inspector is subject at any time to be arrested. If any vessel goes to the bottom, the last man who inspected that vessel is liable to be arrested. You gentlemen all remember that incident in Chicago, where United States inspectors were led through the city of Chicago handcuffed, and yet they were found later not to have been responsible. Their inspection was perfect. Yet they were arrested. Any inspector in the service is liable to arrest at any time. Here is a letter from George F. Waite, who is now receiving $3,300 at Hog Island under the Shipping Board. His former salary was $2,000.

This letter from Capt. M. Walls, of Buffalo, N. Y., states that when in the Steamboat-Inspection Service he received $2,000, and that he is now a captain, with a salary of $3,600 and a bonus of $400.

He gets, you will observe, $4,000 instead of $2,000.

Mr. FESS. Mr. Chairman, will my friend yield again?

Mr. ROWE. With pleasure.

Mr. FESS. I am in sympathy with what the gentleman wants to do in this bill, but it would not be safe, would it, to use the scale of salaries that Hog Island is now paying under the Shipping Board?

Mr. ROWE. No; it would not. We have not reached those figures at all. We passed a bill here on June 5 in reference to the qualifications of inspectors of steam boilers on railroads. The chief of that service was receiving prior to that time a salary of $4,000. Under our bill that we passed without opposition here, although some questions were asked, he gets $5,000. The two assistant inspectors in his office—clerks, so to speak—got $3,000, and now they are to get under that bill $4,000. The 50 district inspectors were to get $1,800 each. They are now raised to $3,000, a raise of $1,200. The highest raise in this bill is $1,000 to two men, but so far as inspectors are concerned the raise is about $500.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. ROWE. I hate to take up so much time, but many questions have been asked me, so that a great deal of my time has been taken in answering questions. Here is a letter from Mr. Winslow D. Conn, of San Francisco, who is getting $1,800 a year as an inspector. He does not write me that he has left, but he speaks especially of other people. He says that Capt. Cecil Brown, one of the traveling inspectors under the Government, was drawing $2,500 and is now drawing $3,600. He tells of others, whom I have not the time to mention. They are mostly on the Pacific coast, from San Francisco to Seattle, where many have left the service.

Here is a letter from D. A. Curran, of Cleveland, Ohio, who was drawing $1,600. He is now drawing $2,000 under an agreement that in six months he will receive $2,500 from the American Bureau of Shipping. That is a good standard. They do not pay more than a man is worth.

Mr. WALSH. Will the gentleman state what the American Bureau of Shipping is?

Mr. ROWE. It is an inspection service used largely by insurance companies and others. It answers the purpose in this country of Lloyd's in England.

Next is a letter from Mr. Butler, of Cleveland, Ohio. He has been receiving as inspector $1,600 and in his new position is to receive $2,000.

Mr. ALEXANDER. Will the gentleman yield?

Mr. ROWE. Yes; I yield to the chairman of our committee.

Mr. ALEXANDER. I have taken very great interest in developing our American Bureau of Shipping, because I think we ought to have an American Lloyd's. Mr. Stevenson Taylor is the president of the American Bureau of Shipping. Referring to this bill under date of January 16, 1918, he wrote me:

AMERICAN BUREAU OF SHIPPING,
New York, January 16, 1918.

Hon. J. W. ALEXANDER,
Chairman Committee on Merchant Marine and Fisheries, Washington, D. C.

DEAR SIR: Having had a great many years' experience with the Steamboat-Inspection Service, now under the Department of Commerce, I have felt for a long time that they are very much underpaid, and I am writing to ask your support of H. R. 4286, which proposes to remedy this matter.

In this connection let me say that I have had many occasions to confer with not only the Supervising Inspector General but with the supervising inspectors of two or three of the districts and locals besides, and when I consider that the American Bureau of Shipping, for instance, is now paying its surveyors from $2,000 to $6,000 per annum, I feel that comparatively the Steamboat-Inspection surveyors are receiving entirely too little pay for the quality of service demanded.

Our $2,000 men above mentioned are taken on probation and in six months receive $2,500 per annum, and during the past year we have been compelled (pleasantly compelled) to increase the salaries in order that we should keep the good men. With sincere regards, I am

Yours, very truly,

STEVENSON TAYLOR, *President.*

Mr. ROWE. I thank the chairman of the committee for reading that letter. There has been some question about the wages of these men, and I should like to state to you briefly what has happened. I know more about the port of New York than I do about other ports. In the port of New York there are two inspectors who now receive $2,500, and they are to be raised to $2,950; but there are 30 local inspectors in the port of New York who receive $2,000 each. Their salaries were fixed in 1878 at exactly that figure, and that is what they receive to-day. Two of the men who appeared before us have been over 16 years in the port of New York drawing salaries of $2,000 each. They are to be raised by this bill to $2,500. The salaries of the assistant inspectors at the ports of New Orleans and Philadelphia were fixed in 1895. There have been no changes worth mentioning in the salaries since 1895. There have been, however, three or four new ports where the salaries have been fixed recently. More than half of them have not been changed in over 40 years.

The CHAIRMAN. The gentleman's time has again expired.

Mr. GREENE of Massachusetts. I yield to the gentleman five minutes more.

Mr. ROWE. When this war began in Europe four years ago we were building in this country about 250,000 tons of new shipping a year. This year our product will be between 3,000,000 and 4,000,000 tons. Every vessel of this kind must be inspected. It can not take either passengers or freight until it is certificated by our inspectors. The inspectors of all these other services have their uses perhaps, but the vessel must be finally passed upon by our own United States inspectors.

Mr. FESS. Will the gentleman yield?

Mr. ROWE. Certainly.

Mr. FESS. Are we increasing the number of inspectors in proportion to the increases in the output of shipping?

Mr. ROWE. No; nothing like that; but we have authorized in this bill an increase of assistant inspectors to care for this new work.

Mr. STAFFORD. Will the gentleman permit me to correct him in the statement he just made?

Mr. ROWE. Certainly.

Mr. STAFFORD. In the current legislative, executive, and judicial appropriation act reported a year ago, providing the salaries for assistant steamboat inspectors, the committee granted an increase of 12 additional to the force then provided for. In the bill that we reported this year, which finally passed the House to-day, we provided for an increase of 14, or every assistant inspector asked for by the department. So the gentleman is not quite correct in his statement.

Mr. ALEXANDER. Under the law the Congress may provide for an increase in the number of local inspectors or assistant inspectors as the service may require. The number is not limited in the law.

Mr. ROWE. The gentleman is correct.

Let me read one more letter, although I have taken too much of your time. This is a day of inspection, and this service has to do with the necessities of the hour. A few days ago we read about the torpedoing of the oil tanker *Herbert L. Pratt*. The man who inspected that ship in San Francisco, Cal., after it was completed has written me this letter:

SAN FRANCISCO, CAL., *June 5, 1918.*

Hon. FREDERICK ROWE,
House of Representatives, Washington, D. C.

SIR: I had occasion to address a letter to you on May 29 last regarding the status of affairs in the Steamboat-Inspection Service, in which you have shown such a kind and considerate interest, particularly as to legislation designed to increase the pay of this hard-worked service.

The reason for this letter arises from the reports received two days ago about the activities of the enemy submarines on the Atlantic coast.

Among the vessels reported attacked and sunk was the oil tanker *Herbert L. Pratt*, and I desire to relate a circumstance regarding the inspection of that vessel which has an interest at this moment in illustrating the surpassing need of this service at this time more than ever.

At the final examination of this vessel by my associate and myself we found, as is always the circumstance at new vessels, all the interested parties awaiting our inspection of and decision as to the equipment, and as we are directed by statute to perform this function, no one else examines the equipment with care like that which we bestow upon it, because all hands know that we are going to test it and pass on its suitability.

Now, this is what we found and rectified as to the lifeboat equipment on this vessel, viz:

1. Oars much too short and light for a boat of this size and which were useless for the purpose intended.
2. Masts too large in diameter, never having been fitted to the boats, and which could not be stepped into position.
3. Yards too long and heavy for the sail, and which experienced sailors endeavored to rig in our presence and were unable to do so owing to its being too long.

Now, all this equipment was provided in the boats, and as these faults described were such that they could not be discovered except by actual test and which a superficial examination would not show and in trusting to the methods of buying equipment in these rush times the defects would not have been discovered until too late, or when the crew would be trying to use the sails or oars in mid-ocean and with no means to rectify the defects.

Now, the crew of this vessel, in all probability, did have to abandon ship and take to these boats, and, thanks to the thorough work of our inspectors and their experienced judgment, when the supreme moment of actual test arrived and this crew stepped into these boats they found them seaworthy and properly equipped, and thus these men had a fair chance against the elements.

In speaking of this I am speaking for all, for I know the conscientious manner in which our inspectors perform their work.

Now, the ordinary perils of the sea are sufficient to call for the best that is in us to protect the traveling public and the men who follow the sea for their livelihood, and the manner in which we have done our work can be shown by referring to the reports of the Supervising Inspector General, where can be noted the small number of preventable casualties that have occurred in the past.

But now the enemy submarine comes and adds to the other dangers of the sea, and the necessity of our inspection will never be questioned by anyone who has passed through the ordeal of being torpedoed and found himself in a seaworthy and properly equipped lifeboat.

In addition to the names given you in the last letter of inspectors that had left the service for more lucrative employment, these also resigned within a year: Messrs. Whitney, Jordan, Shields, and Marshall, all of the Seattle office.

Yours, very respectfully, WINSLOW D. CONN,
Assistant Inspector of Boilers,
San Francisco, Cal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Minnesota. Does he refer to the masts of the ship or to the masts of the lifeboats?

Mr. ROWE. The masts of the lifeboats. Mr. Chairman, I ask permission to extend my remarks in the RECORD and to insert the letters that I have referred to.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WALSH. Mr. Chairman, I make the point that no quorum is present.

The CHAIRMAN. The gentleman from Massachusetts makes the point of order that no quorum is present, and the Chair will count. [After counting.] Thirty-four Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fordney	Kitchin	Rodenberg
Bacharach	Foss	LaGuardia	Rowland
Baer	Frear	Lever	Russell
Bell	Freeman	Linthicum	Sabath
Bland	Fuller, Ill.	Littlepage	Sanders, N. Y.
Britten	Gallivan	London	Schall
Brodbeck	Gard	Lonergan	Scott, Iowa
Brumbaugh	Glass	Longworth	Scott, Pa.
Burnett	Goodall	Lundeen	Scully
Caldwell	Goodwin, Ark.	McAndrews	Sells
Campbell, Pa.	Graham, Pa.	McCormick	Shackleford
Candler, Miss.	Gray, Ala.	McKinley	Sherley
Cannon	Gregg	McLemore	Sherwood
Cantrill	Griest	Madden	Siegel
Carter, Mass.	Griffin	Mann	Sinnott
Church	Hamill	Martin	Sisson
Classon	Hamilton, N. Y.	Mason	Slayden
Collier	Harrison, Miss.	Moores, Ind.	Slemp
Cooper, Ohio	Haugen	Mudd	Sloan
Costello	Hawley	Nicholls, S. C.	Small
Cramton	Hayes	Nichols, Mich.	Smith, C. B.
Curry, Cal.	Heaton	Norton	Sterling, Ill.
Dale, N. Y.	Heintz	Oldfield	Sullivan
Dallinger	Helvering	Oliver, N. Y.	Swift
Darrow	Hensley	Olney	Switzer
Davidson	Hicks	O'Shaunessy	Tague
Davis	Hood	Overmyer	Talbott
Dent	Houston	Paige	Templeton
Dewalt	Howard	Pou	Tillman
Dies	Hull, Iowa	Powers	Tilson
Dooling	James	Pratt	Van Dyke
Drukker	Johnson, Ky.	Price	Vare
Dunn	Johnson, S. Dak.	Purnell	Walker
Eagle	Juul	Ragsdale	Watson, Pa.
Emerson	Kahn	Rainey, H. T.	Watson, Va.
Estopinal	Kehoe	Rayburn	White, Ohio
Evans	Kelley, Mich.	Reavis	Wilson, Ill.
Fairchild, G. W.	Kennedy, R. I.	Riordan	Wingo
Ferris	Key, Ohio	Roberts	Winslow
Focht	Kiess, Pa.	Robinson	Wise

The committee rose; and the Speaker having resumed the chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill S. 2104, found itself without a quorum, whereupon the roll was called and 270 Members answered to their names, and he presented a list of the absentees.

The committee resumed its session.

Mr. GREENE of Massachusetts. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. STAFFORD] 10 minutes.

Mr. STAFFORD. Mr. Chairman, a question of policy confronts the House in the consideration of this bill—whether we should launch piecemeal upon an increase of salary of any of our higher-paid officials. If we should adopt the policy in these times of war of increasing the salary of the higher-paid officials, then I suggest to the House that a committee ought to be appointed to go over the salary list of all the officials and increase them according to the changed conditions.

There is no denying that the salaries of most of the higher-paid officials are out of joint with the existing conditions, both in industrial and commercial life, and yet up to the present time it has been the policy of Congress not to increase the salaries of these higher-paid officials. This afternoon the Congress adopted a conference report that sought to give some increase of salary based upon the increased cost of living to all those employees of the Government who have a lower salary than $2,500. It raised the limit of those who received the increase last year from $1,800 to $2,500, granting to all who receive $2,500 and under an increase of $120.

Now, the committee comes here and singles out for preferment only one branch. You can go through the legislative, executive, and judicial appropriation bill and find hundreds of instances where there is just as much warrant for increasing the pay of the higher-paid officials as there is in this instance. No one denies that the head of the Steamboat-Inspection Service is a competent official, but no one denies also that when you increase his salary from $4,000 to $5,000 you do an injustice to the Assistant Secretaries of War, who in these times are charged with a hundredfold more responsibility than is the Chief of the Steamboat-Inspection Service.

Yet they receive only $4,500. Take the case of the pay of the Assistant Secretaries of the Treasury. They receive but $5,000, I believe. All down the line you can pick out officials whose salaries should be increased, where the men filling those positions are performing service that in private employment would demand twice, three times, and, in some instances, four times the salary they are receiving from the Government. But a practical situation confronted Congress upon our entering the war—whether we should undertake a general increase of salaries of all these officials, and up to the present time, for reasons of economy, for reasons of patriotism, for reasons of necessity, it was concluded not to pursue that policy.

If we attempted it in one instance it could be used with equal force as an argument in every instance. That is the question before the House. It is one of policy. No one denies that these officials should have an increase in salary, if you are going to compare their salaries with what they were receiving under conditions that prevailed before we entered the war.

As far as the assistant inspectors are concerned, they constitute the great bulk of this force of 255 men. I believe there are but 13 men all told who are not assistant inspectors. Every one of those assistant inspectors will receive the increase allowance of $120 provided in the legislative, executive, and judicial appropriation bill, which we passed this morning. Personally, I did not think that $120 was adequate as an increase, and in the committee I favored an increase of $150, thinking that was more commensurate with conditions, but Congress has fixed it at $120. What do you do here? You say to this branch of the service that $120 is not sufficient and by this bill you are going to increase their salaries four or five hundred dollars. How unfair that is to the hundreds and thousands of employees in other branches of the service performing work of a similar kind, who will receive but $120. Of course, no one will deny the contention that many of these men have resigned, by reason of the competition in industrial life, from their present positions. Instances have been cited of their going to Hog Island. Hog Island has not only withdrawn men from the Government service, but there is instance after instance where outlandish salaries have been paid to employees who came from private shipbuilding plants. In fact, the New York shipbuilding plant, across the way from Hog Island, in Camden, was alsot crippled because of the wages offered their employees by the owners of the Hog Island plant. They did more by that method to demoralize shipbuilding than to increase it. That is the rule always, however.

Men of high qualification will take positions in public employment—post-office inspectors, for instance—and along comes some private concern that finds a particular man is more valuable in some private capacity, and he is offered an increase of $500 or $1,000 over what the Government is paying him. Naturally he leaves the Government employment. He has special qualifications that fit him for some higher grade of employment. While there are only 12 vacancies in this branch to-day, that

is nothing exceptional. We provided 12 additional assistant inspectors in the appropriation bill for the present fiscal year, and we are providing 14 more in the bill passed to-day.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ALEXANDER. We are launching now about 250,000 tons, dead weight, of vessels every month, and Mr. Schwab is quoted as saying that by the 1st of August we will launch 500,000 tons a month. I doubt very much if you have provided the necessary increase for the next year.

Mr. STAFFORD. If we have not provided for the necessary increase then the fault lies with the Secretary of Commerce and not with the Committee on Appropriations, because the committee granted every individual asked for by the Secretary of Commerce in the estimates of this year. We recognize the need of additional employees, and we granted them completely. If not enough have been provided then it rests upon the Secretary of Commerce to go before the subcommittee having in charge the deficiency appropriation bill and ask for more.

The subcommittee having in charge the legislative, executive, and judicial appropriation bill can not be charged with delinquency in not providing an adequate force as recommended by the Secretary of Commerce.

Mr. ALEXANDER. What I said was not in the spirit of criticism at all. I simply expressed a doubt that enough employees had been added to meet the increase in tonnage.

Mr. STAFFORD. I might agree with the gentleman, because when the Chief of the Bureau of Steamboat Inspection came before the committee he justified this demand for an increase in assistant inspectors upon the ground of additional tonnage to be placed on the ocean under the American flag.

Mr. BANKHEAD. Does the gentleman attach any weight to a recommendation of the Secretary of Commerce with reference to the increase in these salaries?

Mr. STAFFORD. As to the recommendation for an increase in salary, I pointed out, while the gentleman from Missouri [Mr. ALEXANDER] had the floor, that for years past the Secretary of Commerce has asked for an increase of $1,000 in the compensation of the chief of this bureau, from $4,000 to $5,000, as is carried in the report of this committee. But this year, as I am reliably informed, following the decision of the administration not to increase the salaries of any of these highly paid officials, and for the first time in many years, in the Book of Estimates which I have before me he did not recommend any increase in the salary of the chief of the bureau or of the chief clerk.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. ROWE. The gentleman has been on the Committee on Appropriations for a great many years and I would like to know if he knows of any other employees whose work has been very much increased who are now receiving the same salary that the office paid in 1895.

Mr. STAFFORD. Oh, yes. I cited all of the Assistant Secretaries of War and the Assistant Secretaries of the Treasury; all of the employees of the Treasury Department; the post-office inspectors. There are some 200 or more of them.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I would ask the gentleman from Missouri [Mr. ALEXANDER] to yield me some time.

Mr. ALEXANDER. How much time does the gentleman wish?

Mr. STAFFORD. Five minutes, I suppose, will be sufficient.

Mr. ALEXANDER. I will yield the gentleman five minutes.

Mr. STAFFORD. It is a pretty weak argument when you are singling out this one class for preferential consideration and singling it out to the extent of $500 per man, whereas you give to the other men in the service but $120. That is the objection to it. With a general bill providing for all the officials and employees of the service, the only criticism that could be lodged against it would be that at this time it would be ill-advised to make a general increase of salaries, but here you are singling out one particular class and increasing salaries in this extravagant manner. Certainly you do not wish to increase the chief of the bureau a thousand dollars and deny a similar increase to the Assistant Secretaries of War. Why, the Assistant Secretaries of War, I dare say, in private life, before they accepted the positions, were receiving $10,000 a year, and men down in the various new activities of the Government receiving salaries of only $2,000 to $2,500 gave up positions drawing from $5,000 to $8,000 in many instances as a patriotic duty. But here you come along and say, "No, in this special branch of the service we will adopt a different rule of providing salaries commensurate with the increased cost of living and what is being paid in private establishments and single out one special class for preferential consideration."

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. STAFFORD. I will.

Mr. ALEXANDER. The other day a bill was reported to the House and passed without question increasing the pay of the chief inspector of boilers in the railroad service from $4,000 to $5,000, and 2 assistant inspectors from $3,000 to $4,000, and 50 assistants from $1,800 to $3,000.

Mr. STAFFORD. I will say that I can agree to the position of the gentleman in one particular, that we passed the bill. Out of deference to my feeble efforts in opposing that bill I can not say that it passed without question, because I would have to acknowledge an inconsistent position if I stated that. I rose on the floor of this House at that time and pointed out that I recognized the futility of attempting to defeat a bill that had the support of the Railroad Brotherhood of Engineers. I pointed out from the hearings on that bill that in private employment these very inspectors were receiving $2,000 to $2,750 a year, but the Committee on Interstate and Foreign Commerce brought in a bill increasing the compensation from $1,800 to $3,000, which was not even justified, as shown from the hearings. All you can do in these times is to point out inequities, and if the House seeks to follow wildly the recommendations of the committee and show favoritism no more can be done. I am doing my simple duty and saying that it is not right to single out one class of individuals. We ought to have, gentlemen, as soon as this war is over, a committee appointed to go over this whole question of equalization of salaries, so that the various officials and the various employees will receive a salary based upon the responsibilities of the work as it exists to-day.

Mr. Chairman, I yield back the remainder of my time, if I have any.

Mr. ALEXANDER. I will ask the Clerk to read.

The Clerk read as follows:

Be it enacted, etc., That sections 4402, 4404, and 4414 of the Revised Statutes of the United States be, and they are hereby, amended to read as follows:

"SEC. 4402. That there shall be a supervising inspector general, who shall be appointed from time to time by the President, by and with the advice and consent of the Senate, and who shall be selected with reference to his fitness and ability to systematize and carry into effect all the provisions of law relating to the Steamboat-Inspection Service, and who shall be entitled to a salary of $5,000 a year and his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

Mr. MILLER of Minnesota. Mr. Chairman, there is only one section of the bill and there are several paragraphs, and I ask unanimous consent that the bill be read by paragraph and not by section.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that the bill be read by paragraph for amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. WALSH. Mr. Chairman, I move to strike out, page 2, line 3, the figures "$5,000" and insert "$4,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 3, strike out "$5,000" and insert in lieu thereof "$4,000."

Mr. WALSH. Mr. Chairman, I think it is the day after to-morrow that the people of this country are to be called upon to subscribe to their utmost to what is known as the war-saving stamp campaign, and I am wondering if the people having that campaign in charge did not make an error in not having incorporated in the posters which we see in every hamlet and town throughout the country appealing to the people to buy war-savings stamps, a statement to the effect that $122,000 or thereabouts of the sum which will be received from that campaign will be devoted to increasing salaries in the Department of Commerce in this particular bureau. What an inspiration, what a stimulation that would be to the people of this country. How they would be encouraged to come forward and buy these stamps if they only knew by official proclamation that these funds were to be devoted to this particular purpose. Ah, Mr. Chairman, it would seem the war needs of this country, the legitimate war needs, are of such tremendous size and running into such stupendous figures that we ought to stop right here when propositions are made to increase salaries, particularly of the higher-paid officials of this Government.

The gentleman from Wisconsin [Mr. STAFFORD] has pointed out that the chief of this particular bureau would receive more than an Assistant Secretary of War. He would receive more than the Commissioner of the War-Risk Insurance Bureau. Now, I have no criticism——

Mr. ALEXANDER. The gentleman does not mean that last statement, does he?

Mr. WALSH. I do.

Mr. ALEXANDER. He receives $5,000.

Mr. WALSH. The gentleman is talking about the director. I am talking about the commissioner. I said he would receive more than the Commissioner of the War-Risk Insurance Bureau. I do not mean to criticize the head of this very important department. He is a very efficient servant. He has been there a long time, practically since the Department of Commerce was created by act of Congress, and he has put this particular bureau upon a very efficient footing; but I submit that to those gentlemen who are getting $4,000 in these serious times that it is patriotic and proper that they should be willing to wait until after this war is over before they come in here and expect the Congress to jump their salaries $1,000 at a clip. If the chief clerk of this bureau is worth more money, he is entitled to a moderate increase, but I submit he is not entitled to an increase of $1,000. I was very much interested in listening to the remarks of the gentleman from New York [Mr. ROWE], who explained the history and importance of this important bureau very carefully and very thoroughly and showed a keen insight into its work.

Both of these gentlemen perform a very important work, but every department of this Government can come in here and make an equally persuasive appeal to have their salaries raised. The Bureau of Navigation, the Bureau of Commerce, the Interstate Commerce Commission, the various other bureaus and other departments of the Government can show that some of their men are resigning, that the high salaries in private employment are enticing them away, and they can make an argument equally persuasive as that made in this case. But I submit we ought not to be swayed by this appeal at this particular time, and that we ought not to establish the precedent here of saying to the $4,000 employee of the United States Government, "All you have to do is to ask for an increase and Congress will grant it," because, Mr. Chairman, we will establish the precedent by this legislation. And the days of adjournment of this session are in the somewhat distant future, and you will see the pressure being brought to bear by letters and appeals, and you will hear identical arguments being made to grant like increases right down the line until they run up into the millions and hundreds of millions of dollars. And I submit we are not justified at this particular time in granting this increase.

Mr. COX. Mr. Chairman——

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. ALEXANDER. Is the gentleman for or against the amendment?

Mr. COX. I am for it.

Mr. ALEXANDER. The gentleman from New York [Mr. CLEARY] wishes to speak in opposition to the amendment. I would like to enforce the rule as to debate, so that we can get through.

Mr. CLEARY. Mr. Chairman, the only reason why I rise here to speak on this subject is because of the long experience I have had in and around New York Harbor with water transportation. Time and again we have seen old hulks go up and carry passengers, and for other service, and the question was immediately raised, "Have they been properly inspected?" Now, when you send an old steamboat through the Sound or out to sea, but particularly out to sea, without proper inspection, you are risking the lives of a whole lot of people upon the integrity and upon the ability of that inspection. When great banks and other moneyed institutions pay high salaries for the employment of men who will uphold and support and sustain those institutions, they do it with reference to the integrity and ability of such men. And yet what is it? Simply dollars and cents; and that is all. But when you employ a steamboat inspector you employ a man who has to pass upon the safety of the lives of men, women, and children. And you can not do anything more important than to see that the men who pass on these passenger boats and ships are men of integrity and men of ability.

I do not know that they ever do anything wrong, but I do know that there is an idea prevalent among steamboat men that sometimes you can take out an old boat that you should not take out if you can get the inspectors to pass it. That is the reason, and it is a more important reason than anything gentlemen can bring up here in the matter of economy. You have to have able men, men who know how to inspect, and you have to have honest men, who can not be purchased by some people who desire to put something afloat and send it to sea that ought not to go to sea.

So, gentlemen, when you talk about a little matter of a few dollars' increase, or the difference between an able man and an incompetent man, between an honest man and a man who is not strictly honest, when the lives of people depend on that integrity and that ability, it is hardly a question of voting it down and taking the consequences of putting in men who are not entirely honest where able and honest men ought to be. No able men in any board of directors of any bank or any other institution would take that chance, and you have no business to take it while you are here representing the people. [Applause.]

Mr. COX. Mr. Chairman, I move to strike out the last word. I am most heartily in favor of the amendment offered by the gentleman from Massachusetts [Mr. WALSH]. I want to commend the Committee on the Merchant Marine and Fisheries for their work in connection with this bill. This bill, at its beginning, did not have a very good inception. On May 9, 1917, there was introduced the bill H. R. 4286. On June 13, 1917, there was introduced the bill H. R. 5010. On these two bills the Committee on the Merchant Marine and Fisheries had some rather exhaustive hearings. Now, if what I am going to say is not true, I call upon the members of that committee to rise and correct me. But I am absolving the committee of any and all culpability whatever. I am commending them for their action and for their conduct, for their careful scrutiny, in the investigation of certain things before the bill was formulated. A firm of attorneys in the city of Washington by the name of Herbert & Micou, I am informed, had a contract with the employees who are to be benefited by this measure whereby they were to get 25 per cent of the first year's increase in their salary that Congress gave them. That contract was in writing. On top of that, these employees, who were to be benefited by this bill, paid the firm of attorneys $1,000 in cash. But before the bill was reported out of the Committee on the Merchant Marine and Fisheries it learned of this fact, and called Mr. Micou before it and compelled him to tear up and destroy the written contract that he had with these two or three hundred men who were to be benefited by whatever legislation the committee might report out in their favor. That would have netted to Mr. Micou the sum of $25,000 or $30,000. What became of the $1,000 in cash I do not know. I presume he kept it.

Now, there are many of you here on the floor this evening who remember when a bill came up here for passage about two or three months ago relating to what is known as the officers' longevity pay. Mr. Micou had a contract with many of the claimants to be benefited by that measure. What his per cent was I do not know, but I imagine it was large enough to pay him a round fee. The House struck out the enacting clause. The bill is back on the calendar now in a little different shape, but it is on the calendar again. I intend to watch it and intend to be here when it comes up. And I am warning you now that while it has a limitation on it, as I recall, of attorney fee not to exceed 20 per cent, I believe that this man Micou has lobbied around this Capitol long enough.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COX. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. COX. Now, as gentlemen have argued here this evening, it is certainly a bad time to increase these high-priced salaried officers. Frequently I get letters, and I am sure every Member here does, saying, "I want to do my bit in this war," but nine out of every ten of them wind up by saying, "I want a job, and a job that pays from $1,500 to $2,000. That is the bit I want to do in this war."

Now, here is the Inspector General. I know him personally. He is a high-priced man and a good man. I served on this committee at one time, and Mr. Uhler was before it frequently, as he had a right to be. But, gentlemen, is not $4,000 enough in times of war, when we are straining every nerve to raise the money to meet at least a part of the current expenses of the war? Can Mr. Uhler get along on $4,000 a year? He surely can. If wives of soldiers can get along on $300 per year, he can get along on $4,000 per year. Is not that enough for him?

Now, they talk about paying salaries here, and they tell me how hard it is to get honest men to perform the service. If there is any place in the United States where we have the right to expect honesty, it is in the War Department; yet the papers in the last three or four weeks have been running column after column about a few persons in the War Department committing frauds, crimes, embezzlements. Some of them are arrested today. They ought to be arrested, every one of them who are guilty of violating the law, and I commend the War Department for it. You will never get a better personnel, gentlemen, by increasing salaries. You can go out here to the Supreme Court room and I undertake to say that every member of the Supreme Court can walk out of that court room upon a fixed salary of $50,000 a year, but they do not resign. Their work is agreeable

to them. It is their lifetime profession, and they are satisfied with their salaries.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. COX. I will yield for a question.

Mr. GORDON. The gentleman, I have no doubt, is familiar with the character of the work that these inspectors and assistants are required to perform. Is it the gentleman's judgment that if these salaries, fixed at what they now are 20 years ago, are high enough, is it not a fact that they were very much too high then if they are not too low now?

Mr. COX. They were too high then. There is no question in my mind about that.

Mr. ALEXANDER. Does the gentleman think an expert at $1,500 a year is a high salary?

Mr. GORDON. What do you think of a Member's salary at $7,500?

Mr. COX. It is too much in time of war.

Mr. GORDON. Do you favor cutting our salary down?

Mr. COX. I voted for it. I can show it to you in the CONGRESSIONAL RECORD.

As I said a moment ago, I do not wish to catechize or criticize the committee in reporting this bill. I think the committee served the country well when it called Mr. Micou before it and exposed the corruption on the part of Mr. Micou. I think it will serve another purpose, that henceforward any man or woman in the employ of the United States who feels that he or she ought to have his or her salary increased is not required to go to a firm of lawyers in the city of Washington or elsewhere and pay them a bonus or a fee in order to lobby a bill through Congress.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. COX. For a question.

Mr. GORDON. Do you not think that the matter you referred to—and I agree with you fully about that—has been disposed of, that the bill has been purged of that impurity?

Mr. COX. I said so.

Mr. GORDON. Then why argue it more?

Mr. COX. I said so, and I have exonerated the committee in reporting this bill. I am not criticizing the committee at all. I am simply trying to inform this House that back behind it, if it had not been for the zeal and the integrity and the fidelity of the members of this committee, this House would have been without doubt imposed upon by an unconscionable and unscrupulous attorney here in the city of Washington.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. COX. For a question.

Mr. KEARNS. The very fact that the committee here required the attorney to tear up that contract—did that relieve his client from paying his fee?

Mr. COX. That is a question I do not know how to answer.

Mr. KEARNS. I do not think it would. They would still owe it to him.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. COX. Yes.

Mr. GOOD. The amendment pending before the committee now is to reduce this amount from $5,000 to $4,000. I will state to the gentleman that that salary was not fixed 20 years ago, even that salary of $4,000. What has the gentleman to say about that, in regard to that salary?

Mr. COX. I hope the amendment will carry, and I am against the bill on the final roll call.

Mr. ALEXANDER. Mr. Chairman, so far as the salary of the Inspector General of the Steamboat-Inspection Service is concerned, I do not believe a Member on this floor who has heard what has been said here to-day doubts for a moment that this is a reasonable increase.

But with reference to the matter to which the gentleman from Indiana [Mr. Cox] referred, when he spoke of Mr. Micou being a corrupt lobbyist, I do not believe that statement is justified by the facts. The facts are simply these: The men in the Steamboat-Inspection Service are unorganized. They are scattered in all parts of the country. The testimony before the Committee on the Merchant Marine showed that they had an informal meeting and appointed a committee to see if they could not get some recognition in the way of increased pay. They had made an effort in years past to get together and cooperate in an effort to that end. They employed Mr. Micou as their representative in Washington to see if he could not aid them to get consideration. He acted as their legislative agent. He helped them frame the original bill. It was introduced in the House by Mr. ROWE, of New York. I do not know by whom it was introduced in the Senate. Mr. Micou never approached a member of the committee in any way. I never saw him until he came to the hearings when the bill was under consideration and he never opened his mouth at the hearings. I assume Mr. Micou assisted the inspectors to prepare their case for presentation to the committee.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Not at this time. Members of the Steamboat-Inspection Service came before the committee and stated their case. In the course of the hearing it came to my attention in a confidential way that the inspectors had employed counsel in Washington to represent them on a contingent fee. I learned the names of the attorneys. I called the chairman of the committee representing the men of the Steamboat-Inspection Service to Washington and told him what I had learned, and he told me very frankly without hesitation what he had done, and the name of the firm of attorneys employed, and he told me the terms of the contract.

I told him that the committee would not stand for any such contract as that; it would not be embarrassed by any such contract as that in the consideration of the bill. He sent for Mr. Micou, who came before the committee. We stated the case to him. He disclaimed any corrupt purpose, any illegitimate purpose; and the committee were unable to find any evidence whatever that at any time or in any way Mr. Micou undertook to unduly or improperly influence the action of the Congress.

But my viewpoint was, and the viewpoint of the committee was, that we could not consider the bill at all so long as any such contract as that disclosed by the evidence was in existence, and that we would not give further consideration to the bill so long as there was any obligation on the part of these men to any firm of attorneys anywhere. We explained to the committee representing the inspectors that if they had a meritorious case we would be glad to consider it and we would report their bill to the House and aid them in every proper way to have it considered and passed through Congress, and they need not be under any obligation to pay anybody a cent to assist them.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. GORDON. If he did not do anything to promote this legislation, then that contingent-fee agreement was a fraud on these men, was it not?

Mr. ALEXANDER. I understand he framed the original bill for them, notified them of the date set for the hearing, and helped them prepare their case.

Mr. GORDON. He got a thousand dollars fee, presumably for that. If he did not do anything to promote this legislation I do not see how he could claim any fee for getting it through.

Mr. ALEXANDER. I said the testimony failed to show that he did anything improper.

Mr. GORDON. I understood you to say he had not approached the committee.

Mr. KEARNS What did he do?

Mr ALEXANDER. I do not know what he did regarding what the evidence disclosed. We called him before the committee. We called the representatives of the Steamboat-Inspection Service before the committee. The contract was produced there and destroyed in the presence of the committee, and in our presence he absolved the inspectors from any further obligation to him. As far as I was able to discover, there was no inclination or effort, either on the part of Mr. Micou or the committee representing the inspectors, to conceal anything.

Mr. KEARNS. Will the gentleman yield?

Mr. ALEXANDER. I yield to the gentleman.

Mr. KEARNS. In what way would the members of the committee have any right to dissolve a contract existing between these gentlemen?

Mr. ALEXANDER. We are not discussing a legal proposition; we are stating a fact. In the presence of the committee he absolved these gentlemen from any obligation to him.

Mr. KEARNS. Did he make the statement that he would not collect the contingent fee?

Mr. ALEXANDER. Yes; and the contract was destroyed in our presence.

Mr. GORDON. Is it not a fact that such a contract as that is contrary to public policy?

Mr. ALEXANDER. I think so.

Mr. GORDON. Of course, it is.

Mr. ALEXANDER. That is my opinion of it.

Mr. HARDY. Mr. Chairman, I should like to make a little statement along that line.

Mr. ALEXANDER. This related to the inspectors themselves, the men who were getting from $1,500 to $2,500 a year. Gen. Uhler, the Supervising Inspector General, had no knowledge of this contract. It was a contract between the local inspectors, the assistant inspectors, and this law firm.

Mr. HARDY. Mr. Chairman, purely from a sense of justice I want to make a brief statement on the question just raised by the gentleman from Indiana [Mr. Cox]. I never saw Mr.

Micou before I saw him about this contract. As the chairman of our committee [Mr. ALEXANDER] has stated, we heard that there was such a contract in existence, and we at once notified the heads of the organization who were representing these steamboat inspectors that this bill would perhaps sleep unless that contract was somehow changed or canceled. Mr. Micou came before us, and I want to state just as I remember it exactly what occurred. Mr. Micou stated that they came to him and asked him to assist in the preparation of a bill and to assist in prosecuting it through Congress, not by any improper means, as he stated and as they stated, but by preparing the bill for them and presenting testimony on behalf of that bill, selecting the witnesses and seeing that they presented their matter to the committee.

Then Mr. Micou said, "Gentlemen, I want to state to this committee that if the connection of my firm with this matter will in any way obstruct the passage of this bill, which we believe is a bill that is just to these men, we want to withdraw all claim under that contract, which we do hereby, and we release them from their obligation under it." He said, "Further, we will send for the contract," and Mr. Micou came back in the afternoon and brought the contract and said to the representatives of this Steamboat-Inspection Service, "Men, you are released," and he authorized them to notify the different local organizations, and he said, "We claim absolutely nothing." And the contract was torn up in the presence of the committee. I personally stated to Mr. Micou that he had done everything he could do, and I believe he acted in an absolutely honorable way. He had a right to accept employment and a fee for presenting their case in a clean way to Congress, if his fee was just.

Mr. WELLING. Will the gentleman yield for a question right there?

Mr. HARDY. Yes.

Mr. WELLING. As I understand it, the contract had as one stipulation that $1,000 in cash was transferred to this law firm for work that they had done.

Mr. HARDY. I think that was paid.

Mr. WELLING. That was paid?

Mr. HARDY. That is my recollection.

Mr. WELLING. Now, did the committee feel in demanding the destruction of the contract that they ought also to make this law firm disgorge that $1,000?

Mr. HARDY. Candidly, personally I did not and the committee did not say anything about it. As a matter of fact, if a big organization wanted to get a bill prepared, I do not know that there is any law or any public policy against their paying a reasonable fee for the preparation of that bill, and I know, further, that it seemed to us that Mr. Micou, when he got through, had done all that he could do to relieve the situation of his encumbrance if he was an encumbrance. But that was not the question with us. After it was all done it was up to us to do our duty with reference to these men in the public employ. Now, I want simply to say this, that the supervisor of the Steamboat-Inspection Service, George Uhler, is a man as competent as can be found in the United States. I want to say, furthermore, that the functions he performs are more important than the functions of almost any Member of Congress. There is not one man in the United States in whose hands there rests so much of the safety of life at sea as in the hands of George Uhler. I want to say, further, that the pay has not been increased for years and years. I will not go into detail, but the simple and cold fact is that it is our duty as Members of Congress with reference to the salaries of these men who fill the most important positions that there are in the service of the land to make them what they ought to be.

Mr. GOOD. Will the gentleman yield?

Mr. HARDY. Yes.

Mr. GOOD. The salary of this gentleman was fixed in 1910.

Mr. HARDY. Yes; that is eight years ago.

Mr. GOOD. And he then was receiving $3,500.

Mr. HARDY. And it was raised to $4,000. I want to tell the gentleman that neither he or I as well earn $7,500 a year as does this gentleman, and yet I know we are both faithful Members of Congress.

Mr. GOOD. Then why did not the gentleman bring in a bill to give this man $7,500 a year or else reduce his own salary?

Mr. HARDY. Because we had to meet criticism of just such men as the gentleman from Iowa. [Laughter.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARDY. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARDY. I want to say that in this Government there are a great many places not near as important that pay a higher salary than $5,000. As far as the chief clerk or deputy inspector general at $3,000 is concerned, we had him before us, and I know from investigation what his services are; and we placed his salary at $3,000. We have not raised the salaries in proportion to other raises in other branches of service. The truth is that if this service was filled by as many men as the Rural Carrier Service and the city mail carriers, these salaries would have been raised from year to year, but there are only 200 of these inspectors scattered all over the country. They had no influence, and they have not tried to have any. Now, it has been eight years since this salary of $4,000 was fixed, and many of the men in the Steamboat-Inspection Service have been working at the same salary for 15 years. The gentleman from Indiana [Mr. Cox] goes the "whole hog" and says that it was too high then. He says that the salaries of the Members of Congress were too high. If that is so, he and I ought to hand back to the Government $3,500 annually since we have been here. I want to say that there is no service so important to the commerce and safety of life in this Government as the Steamboat-Inspection Service. They inspect every boiler and engine; they inspect every lifeboat; they inspect the equipment for safety of life at sea. They see that a sufficient number of men man the vessels and as to the qualifications of these men. They give a certificate as to the manning and equipment of every vessel when it goes out that it is properly manned, properly equipped; and if they are not honest as well as capable, the safety of life at sea is despaired of. The qualifications of the men who fill the places of the local inspectors are such that they can command much higher salaries in private employment than they are now receiving.

Gentlemen, this bill reported by the committee, by both Republicans and Democrats, was drafted in the desire to unite on a bill that would be so reasonable that it could pass the House without criticism. We think we have a bill that ought to pass without criticism. And it must pass if we are to retain competent men. [Applause.]

Mr. Chairman and gentlemen of the House, the Steamboat-Inspection Service is an essential, a vital, part of our great and growing merchant marine. It is not out of place, therefore, to talk to you here about our merchant marine.

On May 22, 18 members of the Merchant Marine and Fisheries Committee, on their own initiative and at their own expense, left the Capital to visit and inspect some of the largest shipbuilding plants of the United States. On the 22d we visited the Pusey & Jones yard at Wilmington, the Chester Shipbuilding and the Sun Shipbuilding Co. yards at Chester. From there we went to Philadelphia and spent the night. Next day we visited League Island and Hog Island and the Pennsylvania and New Jersey and New York shipyards, returning to Philadelphia for the night. Next day we visited Cramp & Sons' ship and engine building plant and Traylor's shipyard and the Merchant Co.'s yard and returned for the night to Philadelphia. We returned to Washington the next day, May 25, by way of Baltimore, where we visited the Baltimore Dry Dock's shipyard.

Our trip was not for pleasure but to see with our own eyes what is being done with the vast sums we have appropriated to build up our merchant marine and to equip ourselves as far as possible with first-hand knowledge affecting our shipping problems, dependent so largely on legislation which must come through our committee.

We spent our whole time inspecting and studying the works and working of the great establishments visited—not seeking grounds of praise or censure, but for facts.

Generalization rather than profuse details will best present what we found. We found everywhere, it seemed to us, managers in charge of the works who were big men, fired with zeal and ambition to do big things and do them well, and workmen laboring in hearty cooperation. We were not speech making or banqueting. The whole trip was inspiring. I realize, now, as I never did before, the giant strength of the United States. I understand as never before why our allies build so much upon the help we are bringing them and why Germany is straining every nerve to win victory over our allies before we get into the battle with all our might. No nation ever built ships as we are building them to-day, and in every other field our activities are in keeping, and those in high military command in Germany know what we are doing, though they try to hide it from their people. More than one of our party almost involuntarily exclaimed that if the German people could but see what we were seeing they would know that ultimate victory for them was impossible and would compel their rulers to seek a

just peace. Four years ago all the shipyards in America employed less than 50,000 laborers. To-day the yards visited by us on the Delaware River alone, I understand, employ 61,950.

They have an aggregate capacity of one and one-fifth ships per day of an average tonnage of 4,000 tons per ship. They have 146 ways. Some of them are now working full capacity and all of them soon will be. The Delaware is a greater shipbuilding center than the River Clyde.

Hog Island, far famed in many ways, interested us greatly. We were not there, however, to investigate what had been spent or how it had been spent, so much as to find what had been done, what is being done, and what will be done there.

Hog Island was a swamp, in large part, eight months ago. There are now 23,000 workers busy there, and it is perhaps the greatest shipbuilding plant in the world. There are 50 ways and keels had been laid in 21 of them. The ships building are fabricated elsewhere. If the great steel plants who have contracted with the Government to furnish fabricated material comply with their contracts and keep this yard supplied with material, I believe Hog Island alone will launch over a million tons of ships within 12 months. The spirit of the workers is shown by their subscription to the third Liberty loan—22,400 of them bought $2,135,000 bonds. If things continue to move there as they seem to be moving now, it will be undoubtedly the greatest shipyard in the world. Its magnitude is not measured by the 50 ways and 23,000 workers there, but it must be remembered that it is really an assembling yard and draws its steel plates, its boilers, engines, shafting equipment, and so forth, from all over the United States, so that there are doubtless more men at work in other establishments than here whose work contributes to the output of ships.

The other yards we visited are different. Most of them do a great deal of fabricating work. Some of them do it all, making their own boilers, engines, shaftings, propellers, turbines, and machinery of every kind, even the tools they work with.

Among these yards on the Delaware there was one wooden-ship building plant, the Traylors' shipyard, and this was one of the complete yards. They build everything they put in a ship except the timber, and they will launch two 3,500-ton ships in a few weeks.

Perhaps the most complete yard we visited—one that made everything necessary—was the Baltimore Dry Dock & Shipbuilding Co. The spirit pervading that plant was exceptionally fine. The manager seemed to know all his men and to think that nothing was too good for them, and the men seemed to be fire and tow for Uncle Sam. They are building a great ship there—I forget its tonnage—which they expect to launch in 40 days from the laying of its keel. This yard works three shifts.

Estimating the plants visited by us as being less than one-fourth of the entire merchant-ship building capacity of the United States, we must have at this time over 400,000 men directly engaged in shipbuilding. In fact, Chairman Hurley has estimated that we have in this country over 700,000 men working in the shipyards and plants auxiliary thereto fabricating ship materials. Henceforth until the emergency is over we will build somewhere near 8,000,000 tons of ships per annum, possibly more. It is so big I can not grasp it, but I do grasp the comparison between this tonnage and that of the whole world, which was less than 4,000,000 tons per annum before the present war began.

We are largely building standardized ships of fabricated steel and iron, most of them oil burners with the most modern up-to-date equipment. When this war is over we will have the yards, the material, the skilled managers and workmen, and the capital to enable us to meet and beat the world in fair competition in building merchant ships, and we will build for ourselves and for the nations of the earth. Moreover, we are training in a great number of establishments young men in the management and operation of ships, and we are bringing back to the sea, by generous treatment and provisions for them, the highest type of American manhood, so that thousands of our sturdy, stalwart sons will take employment again in the merchant service of the United States. With our ships built here, not because of any law excluding foreign-built ships, but because we can and will build cheaper and better ships than any other nation, and with the splendid crews of American citizens which we are drawing into the service we will furnish to the world's commerce the cheapest unit of transportation and become again, as we were in the days of old, masters of the sea.

In the war after the war—the friendly war of rivalry between the nations for supremacy in commerce and in transportation—we will triumph, because we will deserve to triumph. Ours will be a victory, not of blood, simply for dominion over conquered peoples and carrying desolation in its wake, but a victory of peace carrying blessings and sunshine for the healing of the nations.

In the days of our former maritime glory, in the days of the wooden ship, New England did most of our shipbuilding and seafaring, and she did it nobly. The spirit that moved her then has awakened again after its long sleep; but the magic touch has not fallen on the eyes of New England alone. The skill, genius, the indomitable enterprise of all America is awake. New England shouts to New York and Philadelphia, and these pass the cry to Baltimore, Norfolk, and farther South, "Awake! Awake! to the lure of the sea."

The Gulf coast and the Pacific shores hear the call, and on the Great Lakes the throbbing heart of the Nation answers. While the war lasts America will do her duty on the seas, and when it is over the song of the American seamen will be heard and the flag of the land of liberty will float with the proudest and above the proudest on every ocean under the skies.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. WALSH) there were—ayes 22, noes 41.

So the amendment was rejected.

Mr. ALEXANDER. Mr. Chairman, on page 2, after the word "commerce," line 9, I offer the following amendment.

The Clerk read as follows:

Page 2, line 9, after the word "commerce," insert as a new section the following:

"The Secretary of Commerce may appoint a Deputy Supervising Inspector General, who shall be the chief clerk of the bureau and in the absence of the Supervising Inspector General have power to act in his stead, and who shall be entitled to a salary of $3,000 per year."

Mr. WALSH. Mr. Chairman, I move to amend the amendment by striking out the figures "$3,000" and inserting "$2,500."

The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH to the committee amendment: Page 2, line 14, strike out the figures "$3,000" and insert in lieu thereof the figures "$2,500."

Mr. WALSH. Mr. Chairman, I desire to say a few words on this amendment, although it is clearly demonstrated that no argument along the lines of economy or an attempt to conserve the Public Treasury will be considered persuasive to the members of the committee. But I desire to point out that the chief clerk in The Adjutant General's Department in the Army gets $2,500 a year. The chief clerk in the Inspector General's office of the War Department gets $2,000 a year. The chief clerk in the Judge Advocate General's office gets $2,500 a year.

Mr. HARDY. Will the gentleman yield for a suggestion?

Mr. WALSH. Yes.

Mr. HARDY. The chief clerk in The Adjutant General's office sits in his office in Washington and does not do any work such as does the deputy supervising inspector. The clerk in The Adjutant General's office does not require anything more than clerical ability.

Mr. WALSH. No; but does not the chief clerk of the Steamboat-Inspection Service get his per diem when he leaves Washington?

Mr. HARDY. Yes; I think he does.

Mr. WALSH. And that same chief clerk would not be found climbing in the boilers and dirty water and dusty fireboxes——

Mr. HARDY. That gentleman is an acting inspector and in the absence of the supervising inspector is the acting supervising inspector.

Mr. WALSH. That gentleman is a most competent and courteous official. I have had dealings with Mr. Hoover. He is able to conduct the office of Gen. Uhler in his absence. I am not criticizing them for their efficiency or their ability.

Mr. HARDY. Does not the gentleman realize that when his salary was fixed some 15 years ago at $2,000, it was then either very much too liberal——

Mr. WALSH. I admit it was too low and is too low now.

Mr. HARDY. Will not the gentleman admit that $3,000 is not enough for that man?

Mr. WALSH. No; I will not. We ought not to make these large increases in the midst of this great war. The only increase we ought to make is a reasonable increase in view of the changed conditions and the excess cost of living. We ought not to jump it up a thousand dollars at a clip. The salary of no official ought to be raised upon that basis. Let us take the chief clerk of the War Department, the one department that is vested with the responsibility and duty of caring for our armed forces, the soldiers that we are sending across to fight this battle. Many of the chief clerks get less than is contemplated even by my

amendment. The chief clerk in the office of the Chief of Coast Artillery gets but $2,000. The chief clerk of the entire Navy Department gets only $3,000, and who will say that the chief clerk of this bureau has anything like the work or the responsibility of the chief clerk of the Navy Department? The chief clerk of the Department of State is paid but $3,000. The chief clerk in the Attorney General's office is paid but $3,500. I submit that we ought not to embark upon a policy of making permanent increases here at the rate of $1,000 per clip, which will stand as a precedent. We ought to make slight, reasonable increases in these higher paid positions during this war, and for any permanent increases these officials ought to be willing to wait until after the struggle is over, and then we can see what the condition of our Treasury is going to be. We know from what we have heard that we are going to float another bond issue in the fall. We know that during the recess the Committee on Ways and Means is going to sit to devise ways and means for raising funds by taxes levied on the people, and I say we are not justified in making a part of that tax a levy to pay increases in salaries of the officials of the Government who are already getting a reasonable stipend from the Public Treasury. Let us make moderate increases and depend upon their patriotism to be willing to wait.

Mr. GORDON. Mr. Chairman, I want to say a word against this amendment. I have not been noted for advocating permanent increases during the period of the war. In fact, I think I have voted against them quite generally. Here is an instance, however, provided in this bill before us, for the reasons that have been stated here by the members of the committee, which I think ought to be allowed. There is no analogy between the clerks down here in these departments and the assistant steamboat inspector. All of these positions in this bill are of very great importance. The integrity of the men, the experience of the men, the character of service that they are required to perform, the importance of the service they render in protecting the lives of passengers and crew, of women and children, it seems to me makes the positions of such importance that it can hardly be overrated. With the tremendous demand for skilled labor and men with the experience that these men have had, I am afraid the Government is not going to be able to hold them in the service. They will be offered higher salaries to work in private employment. All things considered, for the general reasons the members of the committee have given, I think the increases are justified and ought to be allowed.

Now, as to the amendment pending here to reduce this salary of $3,000 of the assistant inspector, as has been pointed out, he, in the absence of the chief, acts as inspector. There is no analogy between his duties and those of a clerk; none at all. As far as this talk about complaining of the lack of increases in the War Department, they put a rider on the war-risk insurance bill, I think it was, which gave every chief of a bureau the salary and allowance of a major general during this war, $9,500 per annum, after the House and Senate had both voted it down.

Mr. COX. Will the gentleman yield?

Mr. GORDON. I will.

Mr. COX. The gentleman from Missouri [Mr. RUCKER] has introduced a bill to repeal that, and I think it will be repealed probably before the 1st of July.

Mr. GORDON. And I will vote to repeal it.

Mr. COX. And so will I.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. There are two amendments pending, one by the committee and one offered by the gentleman from Massachusetts——

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to speak for five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I know the chief clerk of this bureau. I know him to be a very competent official, and yet I do not believe that we should establish here such an increase as will be warrant for increase of the chief clerks of all the departments. The chief clerk of the Department of Commerce (Mr. Johannus), who has the supervisory control of the entire departmental work, Bureau of Standards, this bureau, Bureau of Navigation, and other bureaus, only receives $3,000 and now you are seeking to give this official $3,000, and that will naturally compel the heads of the departments to increase the salaries of their chief clerks. This chief clerk has only nine clerks under him, a very small bureau, and I think we would be doing much when we increase the salary $500. I rise in protest of this abnormal increase of $1,000 more because it will be used as a precedent by chief clerks of the departments who are receiving only $3,000. You can readily urge that should the chief clerk of a bureau, competent as he is, receive $3,000, why necessarily the chief clerk of a department charged with not only the responsibilities of this bureau but the other bureaus should receive much more.

Mr. GORDON. Will the gentleman yield?

Mr. STAFFORD. I shall be very glad to do so.

Mr. GORDON. I want to call the attention of the gentleman to the fact this amendment which is pending here, brought in by the committee, devolves duties upon this official which are other than clerical.

Mr. STAFFORD. If the gentleman was well acquainted with the work of this office he knows the chief clerk has been performing these duties all these years. It is an old practice on the part of those who seek to get increased salaries to change the name and claim they are performing different work. This man is a most efficient official, he has been performing these very duties all these years at $2,000. I do not believe it should be so inordinately increased as to be used as a warrant to obtain the increases of salaries of chief clerks in every bureau of the Government. The chief clerk of the Comptroller of the Currency with more responsibility only receives $2,500. The chief clerk of the Pension Bureau only receives $2,500, having under his control hundreds and hundreds of employees. Let us be reasonable, let us grant the man the $500 increase and he should be well satisfied with that increase in these times.

The CHAIRMAN. The vote occurs on the amendment offered by the gentleman from Massachusetts to the committee amendment.

The question was taken, and the Chairman announced the noes seemed to have it.

On a division (demanded by Mr. WALSH) there were—ayes 29, noes 32.

Mr. WALSH. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. WALSH and Mr. ALEXANDER) announced that there were—ayes 32, noes 34.

Mr. MEEKER. Mr. Chairman, I make the point of order that there is not a quorum present.

The CHAIRMAN. The gentleman from Missouri makes the point of order there is no quorum present. The Chair will count. [After counting.] Ninety-two gentlemen are present, not a quorum.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise, and on that motion I demand tellers.

The CHAIRMAN. The gentleman from Missouri [Mr. ALEXANDER] moves that the committee do now rise, and on that motion demands tellers.

Mr. GARRETT of Tennessee. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GARRETT of Tennessee. The amendment is disposed of, is it not?

The CHAIRMAN. The Chair does not think so.

Mr. ALEXANDER. It has not been disposed of.

Tellers were ordered, and Mr. ALEXANDER and Mr. MEEKER took their places as tellers.

The committee again divided, and the tellers reported—ayes 2, noes 63.

Mr. BUTLER. Mr. Chairman, does not the count here by tellers settle the question of a quorum?

Mr. ROBBINS. There is no quorum present.

Mr. MILLER of Minnesota. Mr. Chairman, there were several gentlemen who did not pass between the tellers in plain view of the chairman. Would it be parliamentary if the Chair should take cognizance of them? There is an automatic call of the committee.

The CHAIRMAN. The Chair can not do that.

Mr. ALEXANDER. Mr. Chairman, I suggest that the roll be called in order to save time. We are going to pass this bill to-night.

The CHAIRMAN. The Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Anthony	Cannon	Dallinger	Fairchild, G. W.
Bacharach	Cantrill	Darrow	Fields
Baer	Carlin	Davidson	Flood
Bell	Carter, Mass.	Davis	Fordney
Blackmon	Church	Denison	Foss
Bland	Clark, Fla.	Dent	Freeman
Borland	Classon	Dewalt	Fuller, Ill.
Britten	Coady	Dies	Gallivan
Brodbeck	Cooper, Ohio	Donovan	Gard
Brumbaugh	Copley	Dooling	Garland
Buchanan	Costello	Drukker	Glass
Caldwell	Crisp	Dunn	Goodall
Campbell, Pa.	Curry, Cal.	Emerson	Gould
Candler, Miss.	Dale, N. Y.	Estopinal	Graham, Pa.

Gray, Ala.	Kless, Pa.	Pratt	Snyder
Green, Iowa	Kitchin	Rainey, H. T.	Stedman
Gregg	Kreider	Rayburn	Steele
Griest	LaGuardia	Reavis	Stephens, Miss.
Griffin	Lever	Reed	Sterling, Ill.
Hamill	Linthicum	Riordan	Stiness
Hamilton, N. Y.	London	Roberts	Sullivan
Harrison, Va.	Lonergan	Robinson	Swift
Haugen	Longworth	Rodenberg	Switzer
Hawley	Lundeen	Rowland	Talbott
Hayes	McAndrews	Rucker	Templeton
Heaton	McArthur	Russell	Tilson
Heintz	McCormick	Sabath	Vare
Hensley	McKenzie	Schall	Walker
Hicks	McKinley	Scott, Iowa	Ward
Hood	McLemore	Scott, Pa.	Wason
Houston	Madden	Scully	Watson, Pa.
Howard	Mann	Sells	Watson, Va.
Hull, Tenn.	Martin	Shackleford	Webb
Humphreys	Mason	Sherley	Whaley
Husted	Moore, Pa.	Sherwood	White, Ohio
Igoe	Nicholls, S. C.	Shouse	Wilson, Ill.
James	Norton	Siegel	Wingo
Johnson, Ky.	Olney	Sisson	Winslow
Johnson, S. Dak.	O'Shaunessy	Slayden	Wise
Juul	Overmyer	Sloan	Woodyard
Kahn	Paige	Small	Young, N. Dak.
Kehoe	Pou	Smith, C. B.	
Kelley, Mich.	Powers	Smith, T. F.	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. CARAWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, and finding itself without a quorum, he had caused the roll to be called under the rule, whereupon 259 Members—a quorum—had answered to their names, and he submitted a list of the absentees for printing in the Journal.

The SPEAKER. The committee will resume its sitting.

The committee resumed its sitting, with Mr. CARAWAY in the chair.

The CHAIRMAN. The vote recurs on the committee amendment.

Mr. GILLETT. Mr. Chairman, I ask that the amendment be again reported.

Mr. SAUNDERS of Virginia. The vote recurs on the amendment to the amendment.

The CHAIRMAN. The gentleman from Virginia will indulge the Chair a moment. The Chair desires to state the situation. The vote was by tellers on the amendment offered by the gentleman from Massachusetts [Mr. WALSH] to the amendment, and the Chair announced the result of that vote as 32 to 34. The amendment to the amendment failed.

Mr. SAUNDERS of Virginia. But the question of no quorum was raised in connection with that vote, and it was established in connection with that vote that there was no quorum, and therefore the vote recurs on the amendment to the amendment.

The CHAIRMAN. The Chair will put the vote on the amendment of the gentleman from Massachusetts to the committee amendment.

Mr. WALSH. But the vote will be taken by tellers. Tellers had been ordered and no quorum was developed.

The CHAIRMAN. The Chair was under the impression he first stated. The question is on agreeing to the amendment to the amendment.

Mr. GILLETT. Mr. Chairman, I understood the Chair to agree that the amendment should be reported.

The CHAIRMAN. Without objection, the amendment will again be reported.

The Clerk read as follows:

Committee amendment: Page 2, line 14, strike out "$3,000" and insert in lieu thereof "$2,500."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts to the committee amendment.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. WALSH. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 32, noes 82.

So the amendment to the committee amendment was rejected.

The CHAIRMAN. The vote recurs on the committee amendment.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. WALSH. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 102, noes 21.

So the committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4414. There shall be in each of the following collection districts, namely, the districts of Philadelphia, Pa.; San Francisco, Cal.; New London, Conn.; Baltimore, Md.; Detroit, Mich.; Chicago, Ill.; Bangor, Me.; New Haven, Conn.; Michigan, Mich.; Milwaukee, Wis.; Willamette, Oreg.; Puget Sound, Wash.; Savannah, Ga.; Pittsburgh, Pa.; Oswego, N. Y.; Charleston, S. C.; Duluth, Minn.; Superior, Mich.; Apalachicola, Fla.; Galveston, Tex.; Mobile, Ala.; Providence, R. I.; and in each of the following ports: New York, N. Y.; Jacksonville, Fla.; Tampa, Fla.; Portland, Me.; Boston, Mass.; Buffalo, N. Y.; Cleveland, Ohio; Toledo, Ohio; Norfolk, Va.; Evansville, Ind.; Dubuque, Iowa; Louisville, Ky.; Albany, N. Y.; Cincinnati, Ohio; Memphis, Tenn.; Nashville, Tenn.; St. Louis, Mo.; Port Huron, Mich.; New Orleans, La.; Los Angeles, Cal.; Juneau, Alaska; St. Michael, Alaska; Point Pleasant, W. Va.; and Burlington, Vt.; Honolulu, Hawaii; and San Juan, P. R.; one inspector of hulls and one inspector of boilers.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Mr. Chairman, I desire to ask the chairman of the committee if they have included any new ports or districts in this section of the law, or whether they have increased the number of inspectors? What is the difference between existing law and this bill?

Mr. ALEXANDER. I think that is the language of the existing law, except that in the last Congress the gentleman from Florida succeeded in adding an inspection district.

Mr. WALSH. What is the reason for this section appearing in this bill if it is existing law?

Mr. ALEXANDER. You have not read all the section yet.

Mr. WALSH. You have read section 4414.

Mr. ALEXANDER. We have not read all the section yet.

Mr. WALSH. I understand; but in the part of section 4414 that has been read there is no change in existing law.

Mr. ALEXANDER. That is true; but we are amending the section by increasing the salaries which follow.

Mr. WALSH. On the next page?

Mr. ALEXANDER. Yes.

Mr. WALSH. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn.

Mr. MILLER of Minnesota. Mr. Chairman, I rise in opposition to the amendment. I move to strike out the last two words.

The CHAIRMAN. The gentleman from Minnesota moves to strike out the last two words.

Mr. MILLER of Minnesota. I would like to ask the chairman of the committee if that language, "collection districts," in line 5, page 3, is the language of the existing law? "Collection districts" is the language used to designate certain places.

Mr. ALEXANDER. I think it is.

Mr. MILLER of Minnesota. What does that mean? I can understand "inspection districts," but what is "collection districts"? If that is existing law, it probably has a well-understood meaning.

Mr. ALEXANDER. I am not sure I can explain it to the gentleman. We did not undertake to change the phraseology of existing law. I think it refers to those ports where duties are collected under the law.

Mr. MILLER of Minnesota. That can not be, because the last half of the paragraph refers to ports, and under the established usage of the Treasury Department a port means a place where there is a collector of customs or a deputy.

Mr. ALEXANDER. This has been the law for many years. The committee did not undertake to change the law in that regard.

Mr. MILLER of Minnesota. I withdraw the pro forma amendment.

Mr. FESS. Mr. Chairman, a parliamentary inquiry. Is the committee proceeding section by section or by paragraphs?

The CHAIRMAN. The bill is being read by paragraphs. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the order directing the Secretary to request the House of Representatives to return to the Senate the bill (S. 4404) repealing that portion of the Indian appropriation act of March 1, 1907 (34 Stat. L., pp. 1015 and 1035), which relates to the disposal of the surplus unallotted lands within the Blackfeet Reservation, in Montana, be, and it is hereby, rescinded.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill

(S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries in the counties of Buchanan and Dickenson, in the State of Virginia.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to the bills of the following titles, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOLLIS, Mr. THOMPSON, and Mr. SMOOT as the conferees on the part of the Senate:

S. 4193. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. 3798. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 4542. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War and to certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, had further insisted on its amendments Nos. 37, 47, 52, and 170, still in disagreement, had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. TILLMAN, Mr. SWANSON, Mr. SMITH of Maryland, Mr. PENROSE, and Mr. LODGE as the conferees on the part of the Senate.

STEAMBOAT-INSPECTION SERVICE.

The committee resumed its session.

The Clerk read as follows:

The inspector of hulls and the inspector of boilers in the districts and ports enumerated in the preceding paragraphs shall be entitled to the following salaries, to be paid under the direction of the Secretary of Commerce, namely:

For the port of New York, N. Y., at the rate of $2,900 per year for each local inspector.

With the following committee amendment:

Page 4, line 6, strike out "$2,900" and insert "$2,950."

Mr. WALSH. Mr. Chairman, I desire——

Mr. ALEXANDER. I do not care to waste any time on this. It is a $50 increase, to make it conform to the amount provided in the House bill; but it is a small matter. We do not care to spend any time on it. You may vote it down if you want to.

Mr. WALSH. Does the gentleman object to my speaking five minutes under the rules of the House in opposition to the committee amendment?

Mr. ALEXANDER. Oh, no; not at all; but I say we do not regard it as of sufficient importance to resist the gentleman if he wants to oppose it.

Mr. WALSH. Mr. Chairman, I simply rise to oppose the committee amendment, and I am a little at a loss to understand the objection of the distinguished gentleman from Missouri or his remark that he did not want to waste any time. I suppose the inference is that the 10 minutes of time that I have heretofore occupied during the afternoon has been wasted.

Mr. ALEXANDER. The gentleman caused us to spend an hour and a half to-day in roll calls on points of no quorum. But then that is all on the side.

Mr. WALSH. Yes, of course, that is all behind us. I want to commend the committee for their thoroughness in preparing this bill and in recommending a $50 increase for the inspectors at the port of New York. The bill as it came from the Senate provided $2,900 and the committee tacked on $50 more. Of course that $50 will be of immense benefit to these worthy employees of the Government in meeting the high cost of living in the imperial city of New York. It will almost pay their taxicab expenses in driving once from their office to their homes in the beautiful suburbs where undoubtedly some of them live. But I should think that the committee, after giving the chief clerk a $1,000 increase, would blush at their moderation in adding only $50 to the salary of an inspector at the port of New York over and above the Senate provision, particularly where these inspectors have to crawl into these foreign boilers that are so dirty with vile water and climb up and down ladders. In view of the fact that the increase is only $50 for these men at this point, I am opposed to the amendment, and trust that they will leave it at $2,900 until the committee, in their generosity, may come in here and report an increase of $1,000 and follow out the example that has been set in the case of the higher-paid officials and give some consideration to the rigors of the duties of these local inspectors. Unless the committee desires to make this $3,000, as the gentleman from New York [Mr. ROWE], suggested, I trust that we will leave this at $2,900 and save this $50 to the Treasury, inasmuch as we have declined to save $500 or $1,000 in other cases heretofore during the consideration of this bill. So I trust, Mr. Chairman, that the committee amendment carrying this insignificant and trifling increase may not be agreed to.

Mr. ALEXANDER. I hope the gentleman from Massachusetts may be satisfied with the facetiousness of his remarks, and I think he is from his demeanor. We increased the salary of the local inspector $450. That was the provision in the House bill. The Senate undertook to make the increases in the Senate bill conform to the increases in the House bill, but in this instance instead of making it $2,950, as the House committee reported, they made it $2,900. In going over the Senate bill in committee we noticed the difference in the amount and amended it to make it conform to the House bill. So that the increase is not simply $50, but $450.

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the committee amendment was agreed to.

The Clerk read as follows:

For the districts of Philadelphia, Pa.; Baltimore, Md.; San Francisco, Cal.; and Puget Sound, Wash.; and the ports of Boston, Mass.; Buffalo, N. Y.; and New Orleans, La., at the rate of $2,700 per year for each local inspector.

Mr. MILLER of Minnesota. Mr. Chairman, I desire to offer the amendment which I send to the desk.

The Clerk read as follows:

After the word "California," line 8, page 4, insert the words "and Duluth, Minn."

Mr. MILLER of Minnesota. Mr. Chairman, I appreciate the difficulties under which the committee is laboring in the effort to make a well-merited and justified increase in salaries of the employees in this bureau. But I think that no member of the committee will deny that many injustices will result if this bill is enacted as it reads. The Steamboat-Inspection Service has grown up in a patchwork fashion during many years, and during the period of time that different sections of the country have been developed. As a consequence, some localities that were insignificant at one time have come to be very important. There is no attempt to reclassify the districts and do justice to the country at large.

New York City is favored in this bill beyond its deserts. I say that without qualification. New York City is given 2 inspectors, with 30 additional assistant inspectors. There are 32 all together. Their work last year was unusually large, and during the time they inspected enough tonnage so that the amount to the credit of each one was 56,000 tons, which makes it among the lowest in inspection per inspector in the United States. If we apply that same test to the city of Duluth, we find that these same individuals had an inspection of not 56,000 tons but 150,000 tons each. Why increase the inspector's salary in New York City by $450, making it $2,950, when we do not give the same consideration to inspectors at other important places? But I will let that pass by.

Mr. ROWE. Will the gentleman yield?

Mr. MILLER of Minnesota. In a moment. I have let that pass. It seems to be popular that "from him that hath the least shall be taken and given to him that hath the most." I realize that that is not an exact quotation.

Now, this second class is presumed to contain those places where there is a large commerce, where the duties of this office are important. I find here listed Philadelphia, Pa., one of the greatest ports in the United States; Baltimore, Md.; San Francisco, Cal.; Puget Sound; Boston; Buffalo; New Orleans; and so on. I want to say to you gentlemen, and I hope you will all hear when I say it, that the commerce of Duluth, Minn., every year is greater than the combined commerce of Philadelphia, Baltimore, San Francisco, Puget Sound, Boston, Buffalo, New Orleans, and I will add Galveston, Tex., and 10 other places. [Applause.] If I had a few minutes more time I would make the list longer and elicit more applause.

Mr. HAMILTON of Michigan. I wonder how they overlooked it. [Laughter.]

Mr. MILLER of Minnesota. My friend from Michigan has been here too long a time to be serious in that remark. They did not overlook it; they failed to do justice to it.

Mr. HAMILTON of Michigan. Then it was unwarranted.

Mr. MILLER of Minnesota. If anything was unwarranted, it was. Duluth is classed with Michigan, Mich. I wish some gentleman would tell me where that is; I do not know.

Mr. GRAY of New Jersey. Perhaps it is where Ford lives.

Mr. BARNHART. Maybe it is Michigan City, Ind., in my district.

Mr. MILLER of Minnesota. It may be Michigan City, Ind. Can anyone tell me where Michigan, Mich., is? I pause, but I hear no answer. There probably is a place called Michigan, Mich., but it has sunk down, so far as commercial importance and water transportation are concerned, so that it is of comparative insignificance. Then I find that Duluth is also classified with St. Michaels up in Alaska.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MILLER of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MILLER of Minnesota. That is exceedingly gratifying to us, and we take great pride in the fact that we have advanced so far in the attention of Congress that we are now classified with St. Michaels, Alaska. There is more commerce in and out of Duluth-Superior Harbor in one night than there is in and out of St. Michaels in an entire year.

Mr. ALEXANDER. Does not the gentleman know that they have more inspectors there?

Mr. MILLER of Minnesota. How many inspectors have we at Duluth?

Mr. ALEXANDER. If the gentleman wanted to inform himself on matters material, he ought to have found out.

Mr. MILLER of Minnesota. I will answer by stating that we have just two.

Mr. ALEXANDER. And that is all you need.

Mr. MILLER of Minnesota. I am not asking for more; I am asking that you do justice to those two that are there; and in the hearings there is a remark of Gen. Uhler's, in response to an inquiry, that Duluth Harbor is closed for a part of the year——

Mr. GORDON. It is frozen up for eight months of the year.

Mr. MILLER of Minnesota. Mr. Chairman, the gentleman from Ohio [Mr. GORDON] has manifested an extreme lack of intelligence on many things, but this crowns them all. There are just two inspectors at that place, and Gen. Uhler himself says that they are busy every day in the year.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Minnesota. Yes.

Mr. ROWE. Does the gentleman know that there are four inspectors now at the port of Duluth?

Mr. MILLER of Minnesota. The reports that I saw showed that there were two inspectors.

Mr. ROWE. That is the board.

Mr. MILLER of Minnesota. And two assistants; but I am speaking of inspectors. We are not dealing now with assistant inspectors. We are dealing with inspectors.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. ROWE. Mr. Chairman, there were at Duluth 98 inspections and 98 vessels. There were 27 reinspections. In New York there were 1,386 inspections and 517 reinspections. Each inspector in Duluth inspected about 25 vessels. Each inspector in New York inspected 45 vessels.

Mr. SAUNDERS of Virginia. Mr. Chairman, in the preparation of this bill the committee conferred not only with the officials of the inspection department of the United States, but with representative inspectors from different cities, with a view to grouping together certain cities for the purpose of fixing salaries in those cities, having in mind the relative importance of the ports, the amount of work to be done in each one, and the cost of living in these various cities. The committee sought to fix a fair salary for the inspectors in each of these groups of cities. The gentleman from Minnesota [Mr. MILLER] complains that Duluth is grouped with St. Michaels in Alaska, and with Michigan, Mich., but he omits to state that Duluth is also grouped with such cities as Chicago, Ill., Albany, N. Y., Cleveland, Ohio, Los Angeles, Cal., and Norfolk, Va. The committee has not been unmindful of the merits or claims of inspectors from Duluth. The salary for all of the inspectors in this group of cities has been advanced from $2,000 to $2,500, and, according to the figures that have been put into the RECORD by the gentleman from New York [Mr. ROWE], having in mind the amount of work to be done by the inspectors at Duluth, the committee insists that there are no inspectors in any city, that have been more fairly and generously treated in the matter of advance, than the inspectors at that port.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

For the districts of Michigan, Mich.; Milwaukee, Wis.; Duluth, Minn.; Providence, R. I.; Chicago, Ill.; and the ports of Albany, N. Y.; Cleveland, Ohio; Portland, Me.; Los Angeles, Cal.; Juneau, Alaska; St. Michael, Alaska; and Norfolk, Va.; Honolulu, Hawaii; and San Juan, P. R.; at the rate of $2,500 per year for each local inspector.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I would like to have the attention of the chairman of the committee. I wish to inquire whether there might not be some typographical error in describing Michigan, Mich., which was alluded to by the gentleman from Minnesota [Mr. MILLER]. I direct the attention of the chairman to the fact that in the legislative, executive, and judicial appropriation bill provision is made for assistant inspectors at Grand Haven, Mich. I do not find any reference in the bill as reported by the committee to Grand Haven, Mich. Could it have been intended to have Grand Haven instead of Michigan, Mich., included as the district in these first two lines?

Mr. ALEXANDER. That attracted our attention, and I am reading now from existing law:

New Haven, Conn.; Michigan, Mich.; Milwaukee, Wis.; etc.

That is all there is. If it is an error, it is in the existing law.

Mr. STAFFORD. I wish again to call attention that at the present time under existing law there are four assistant inspectors at Grand Haven. That is a district by itself, which includes Michigan City, Ind.; Muskegon, Ludington, Manistee, and I suppose all the ports on the eastern shore of Lake Michigan. Now, it could not be the State of Michigan, because I direct the attention of the chairman to the following paragraph, which refers to the district of Detroit, Mich., and Port Huron, Mich., also, so I think that may refer to Grand Haven. I am only doing this to try to refresh the memory of the chairman.

Mr. ALEXANDER. My attention was called to it in the last few moments. I think the provision of the bill is the existing law, and if there is an error it is in the existing law, and if the bill goes to conference——

Mr. STAFFORD. I wish to call the attention of the chairman further to the fact that under existing law in the legislative bill provision is made for four assistant inspectors at Grand Haven, two more than at Duluth and the same number as at Milwaukee, so it is quite a consequential port; but you make no provision whatsoever in your bill for assistant inspectors at Grand Haven, Mich.

Mr. ALEXANDER. This is a paragraph which refers to inspection, one inspector of hulls and one inspector of boilers for each place enumerated in the paragraph. It does not refer to assistant inspectors at all.

Mr. STAFFORD. But assistant inspectors, I wish to call to the attention of the chairman of the committee, may be assigned to these districts referred to in this line. It is true, as the gentleman says, that the bill refers to an inspector of hulls and an inspector of boilers at these respective ports and districts, and then, on page 5, on line 8, there is authorization for assistant inspectors in addition at these districts and ports. It is purposed to have assistant inspectors at all the places named in the paragraph we are now considering.

Mr. ALEXANDER. That is true; but if it is an error and I could suggest the needed amendment I would do so.

Mr. STAFFORD. I merely rose to direct the attention of the chairman, believing the genteman had that information.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For the districts of Pittsburgh, Pa.; New Haven, Conn.; Savannah, Ga.; Charleston, S. C.; Galveston, Tex.; New London, Conn.; Superior, Mich.; Bangor, Me.; and Apalachicola, Fla.; and the ports of Dubuque, Iowa; Toledo, Ohio; Evansville, Ind.; Memphis, Tenn.; Nashville, Tenn.; Point Pleasant, W. Va.; Burlington, Vt.; Jacksonville, Fla.; Tampa, Fla.; Louisville, Ky.; and Cincinnati, Ohio, at the rate of $2,100 per year for each local inspector.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I again rise for the purpose of inquiring of the chairman whether the bill as reported has not an error in referring to Superior, Mich. Does not that refer to Superior, Wis., across from the harbor of Duluth, Minn.? I do not know of any port of any consequence at all on the eastern shore of Lake Michigan or on the western shore of Lake Huron or the shore of the upper peninsula of Michigan that is named Superior, Mich. I am fairly well acquainted with the ports along those shores. Should it not be Superior, Wis., at the top of page 5, first line? We have a large delegation from Michigan here—I think every district is represented—and I will catechise them and ask whether they know of any place in the State or of any port known as Superior, Mich.

First, they are all acquainted with the important point of Superior, Wis., which was represented in this House by the illustrious present Senator, Mr. LENROOT.

Mr. MEEKER. Will the gentleman yield?

Mr. STAFFORD. I will be glad to do so.

Mr. MEEKER. Are all Michigan ports superior?

Mr. STAFFORD. Not superior to those of Wisconsin.

Mr. EAGLE. Is Milwaukee famous for water?

Mr. STAFFORD. Milwaukee excels them all, notwithstanding the Representative from the zenith city of the Lakes, from the unsalted waters of the inland sea, for White Rock and Silurian and all other good waters, and a famous beverage that is known the world over.

Mr. MILLER of Minnesota. I might suggest to the gentleman——

Mr. PLATT. I wanted to ask the gentleman whether it was a fact that the gentleman from Wisconsin had been claiming commerce as belonging to Milwaukee that belonged to Superior, Wis.?

Mr. MILLER of Minnesota. I can not understand his claims. I think many times when he is speaking of Duluth he indulges in hyperbole of phrase.

Mr. PLATT. All the docks are on the Wisconsin side, or were when I lived there.

Mr. MILLER of Minnesota. Will the gentleman from Wisconsin yield for a suggestion?

Mr. STAFFORD. Yes.

Mr. MILLER of Minnesota. I think that arose in this way: The language says "district," and I think it will be found on inquiry that there is a district in Michigan called the "Superior district."

Mr. STAFFORD. That must refer to Duluth.

Mr. ALEXANDER. The language of the existing law is "Superior, Mich."

Mr. MILLER of Minnesota. I think it is a superior district that is located in Michigan.

Mr. COOPER of Wisconsin. Mr. Chairman, I rise to correct the very important error just made by the gentleman from Wisconsin, my colleague [Mr. STAFFORD]. In reply to the question of the gentleman from Texas [Mr. EAGLE], which was, "Is Milwaukee famous for water?" the gentleman from Wisconsin replied, "Yes; for White Rock, Silurian, and other things." Now, Mr. Chairman, the fact is that Milwaukee has nothing whatever to do with White Rock or Silurian. Both are produced at Waukesha, in the first district of Wisconsin, which I myself have the honor to represent. [Laughter.]

Mr. STAFFORD. Will the gentleman yield?

The CHAIRMAN. The gentleman has yielded the floor.

Mr. COOPER of Wisconsin. I yield to the gentleman.

Mr. STAFFORD. The gentleman knows that prior to his having the distinction of representing the famous White Rock, Silurian, and Bethesda Springs it was my honor to represent Waukesha County for eight years. But I recognized that more Waukesha water was consumed in Milwaukee than in the Waukesha district. That is the reason I referred to Silurian, Bethesda, and White Rock as being connected with Milwaukee.

Mr. COOPER of Wisconsin. But the gentleman said that Milwaukee was famous for Silurian and White Rock, the plain implication, of course, being that Milwaukee produces both of these famous waters, whereas in truth it produces neither; and therefore I reaffirm that they are produced only in the first district of Wisconsin, which I myself have the honor to represent. [Laughter.]

The Clerk read as follows:

And in addition the Secretary of Commerce may appoint, in districts or ports where the volume of work requires them, assistant inspectors, at a salary, for the port of New York, of $2,500 a year each; for the port of New Orleans, La.; the districts of Philadelphia, Pa.; Baltimore, Md.; the ports of Boston, Mass.; Chicago, Ill.; and the district of San Francisco, Cal., at $2,350 per year each, and for all other districts and ports at a salary of $2,100 a year each; and he may appoint a clerk to any such board at a compensation not exceeding $1,500 a year to each person so appointed. Every inspector provided for in this or the preceding sections of this title shall be paid his actual necessary traveling expenses while traveling on official business assigned him by competent authority, together with his actual and reasonable expenses for transportation of instruments, which shall be certified and sworn to under such instructions as shall be given by the Secretary of Commerce.

Mr. ALEXANDER. Mr. Chairman, I desire to offer an amendment to correct an error. In line 14, page 5, strike out the words "Chicago, Ill.," and insert "Providence, R. I."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, line 14, strike out the words "Chicago, Ill.," and insert in lieu thereof "Providence, R. I."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. MILLER of Minnesota. Mr. Chairman, I move to amend line 11, page 5, by striking out the words "for the port of New York." Also to further amend, and it is all the same amendment, by striking out of lines 10 and 11 the words "for the port of New York," and then strike out, beginning with the word "for," in line 11, all down through and including the word "each" in line 16.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 5, lines 10 and 11, strike out the words "for the port of New York." And beginning with the word "for," in line 11, strike out all down to and including the word "each" in line 16.

Mr. MILLER of Minnesota. Mr. Chairman, we are getting our geography straightened out very beautifully this afternoon even if we are not getting very much intelligence into this bill. So one purpose of the discussion has been served. There remains just one correction that it seems necessary to make, and then we can dispense with the subject of geography. The gentleman from New York [Mr. PLATT] a moment ago observed that the docks at the head of the Lake were at Superior, Wis., and not at Duluth. At least he said they were when he was there. According to my recollection he was there in the early Silurian age, back at a time when fish were legal tender and birchbark served as wearing apparel for the natives who hibernated in that locality. [Applause.] If he had been there during the last half century, or particularly in the last 15 years, he would have a better knowledge of the exact condition. There is glory enough for all. The harbor of Duluth-Superior is one harbor, with the greatest mileage of landlocked harbor to be found anywhere in the United States. While the commerce of the Duluth end is considerably the greatest, nevertheless it is one harbor, and the glory spreads on both sides.

But, Mr. Chairman, that was not the purpose of my rising to speak on this amendment. I do not imagine that at this late hour, considering the temper of the House as it is manifested, this amendment will be adopted; but I believe the chairman of this committee will admit that it ought to be adopted, if not now, then some time. In response to a query early in the afternoon, he stated that these inspectors had all to pass the same examination; in other words, they had to be practically of the same character and possess the same qualifications, and that they are doing the same work.

Do not let any man stand up and try to make an intelligent man believe that the only ships that carry passengers float around in New York Harbor. My God! Widen your horizon and take in something beyond the Harlem River. The importance of that work in New York Harbor is great. You need the character of the men described heretofore. But life is just as sacred in San Francisco, just as sacred in New Orleans, just as sacred in Galveston, just as sacred in Duluth, just as sacred in Chicago as it is in the city of New York. You need there the same character of men; you need just as high-grade men. They are performing just as important a service. You may not need as many of them, but they all ought to be just as capable and just as efficient, just as honest, and just as true as the assistant inspectors in the imperial city of New York.

We have had it served up to us that the reason these salaries are increased is to get better men. I have no doubt that that result will in some degree be obtained. But I say that absolutely there is no science, no reason, no justice in paying men doing a certain kind of work one salary here, and men doing the same kind of work in New Orleans another salary, or men doing the same kind of work in San Francisco another salary, and in Duluth, Minn., still a different salary. There is nothing in that to justify this distinction or this classification. No matter how much language men may use and how beautiful the words they may employ, they can not justify it in reason and in sense.

This very section provides that these men are interchangeable, according as the condition of the work in various localities may make it necessary to change these men. The Secretary of Commerce can send one of these deputy inspectors from New York to Galveston, or he can send one from Galveston to New York. He may send one from Chicago to Duluth or he may send one from Duluth to Chicago. Why have a difference in salary every time an assistant inspector takes a train and moves? He is the same man, doing the same character of work. He is interchangeable in the system. I say, give them all the same salary. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. MEEKER. Mr. Chairman, I move to strike out the last word in order to ask the gentleman a question.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. MEEKER. Do we understand by that that they can shift these men either way, from New York to Duluth or back?

Mr. MILLER of Minnesota. They can.

Mr. WALSH. Mr. Chairman, I am opposed to the amendment offered by the gentleman from Minnesota [Mr. MILLER], and probably that will be sufficient to assure him that it may carry in the vote that the committee will take upon it. I am opposed to it because in its working out it will give some of these assistant inspectors an increase of salary of $700 and others an increase of but $350 or $500.

The committee are to be commended—at this point let me assure the distinguished chairman of the Committee on the Merchant Marine and Fisheries that in the statement I am about to make I am not attempting to be facetious—the committee are to be commended for providing increases which conform to the salaries now paid, which make them resemble somewhat equitable increases. But if the amendment of the gentleman from Minnesota [Mr. MILLER] prevails, as I understand it, the districts of Baltimore and San Francisco will receive increases of $700.

Mr. MEEKER. The gentleman agrees with the gentleman from Minnesota that you can ship these inspectors either way, from New York to Galveston or back? I am not attempting to be facetious.

Mr. WALSH. Perhaps I had better not answer the question, because I might lay myself open to the charge of being facetious. I think if we are going to give these men any increases at all the provisions of the bill ought to be retained. I am not in favor of granting quite as large an increase as the committee has reported, but I certainly would not be in favor of amending this section so as to provide one inspector a $700 increase——

Mr. HARDY. Will the gentleman yield for a question?

Mr. WALSH. Yes.

Mr. HARDY. If the gentleman from Minnesota wished to be consistent, he would also vote to raise that $2,100.

Mr. STAFFORD. That is included in the gentleman's amendment.

Mr. WALSH. I thank the gentleman for his suggestion. Of course, to make that comport with the gentleman's amendment, there ought to be a $1,000 increase jumped in here somewhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. MILLER].

The amendment was rejected.

The Clerk read as follows:

The Secretary of Commerce may appoint not exceeding four traveling inspectors when, in his judgment, they are necessary for the improvement of the service, each of whom shall be entitled to a salary of $2,000 a year and his actual necessary traveling expenses while traveling on official business.

Mr. WALSH. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee what these traveling inspectors receive now.

Mr. ALEXANDER. They receive $2,500.

Mr. WALSH. Is the number increased?

Mr. ROWE. There are two now, and this will make four.

Mr. ALEXANDER. This authorizes the appointment of four, but it is for the Committee on Appropriations to authorize an appropriation for it. If it is necessary, the number may be increased to four.

Mr. STAFFORD. If the gentleman from Massachusetts will yield, I take it that if this bill becomes a law it will not be necessary for the Committee on Appropriations to authorize the two additional traveling inspectors.

Mr. ALEXANDER. The language is that—

The Secretary of Commerce may appoint not exceeding four traveling inspectors when, in his judgment, they are necessary for the improvement of the service, each of whom shall be entitled to a salary of $3,000 a year and his actual necessary traveling expenses while traveling on official business.

So if he makes the appointments I suppose it will be the duty of the committee to provide for them.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

Mr. STAFFORD. It is to be a new paragraph to follow the paragraph just read.

The Clerk read as follows:

Mr. STAFFORD offers the following amendment as a new paragraph, to follow line 10, page 6:

"That all officers and employees provided for in this act shall not receive the additional compensation authorized by section 6 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919."

Mr. ALEXANDER. That is agreeable to the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The amendment was agreed to.

The Clerk resumed and completed the reading of the bill.

On motion of Mr. ALEXANDER, the committee rose; and the Speaker having resumed the chair, Mr. CARAWAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. ALEXANDER. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. WALSH. I ask a separate vote on the amendment on page 2, relative to the appointment and salary of the Deputy Supervising Inspector General.

The SPEAKER. Is a separate vote demanded on any other amendment?

There was no demand for a separate vote on any other amendment.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the amendment upon which a separate vote is demanded.

The Clerk read as follows:

The Secretary of Commerce may appoint a Deputy Supervising Inspector General, who shall be the chief clerk of the bureau and in the absence of the Supervising Inspector General have power to act in his stead, and who shall be entitled to a salary of $3,000 per year.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. WALSH) there were 83 ayes and 19 noes.

So the amendment was agreed to.

The bill was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. WALSH) there were 95 ayes and 13 noes.

Mr. WALSH. Mr. Speaker, I make the point of order that no quorum is present.

Mr. GILLETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. GILLETT. If the House should adjourn now, would a vote on the passage of the bill be the first thing in order tomorrow morning?

The SPEAKER. It would.

Mr. GILLETT. I move that the House do now adjourn.

The SPEAKER. The gentleman from Massachusetts moves that the House adjourn.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 49 ayes and 66 noes.

So the House refused to adjourn.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] makes the point that no quorum is present. Evidently there is not a quorum present, and the Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on the passage of the bill.

The question was taken; and there were—yeas 206, nays 31, not voting 193, as follows:

YEAS—206.

Alexander	Byrnes, S. C.	Crago	Drane
Ashbrook	Byrns, Tenn.	Cramton	Dupré
Aswell	Campbell, Pa.	Crisp	Dyer
Bankhead	Caraway	Crosser	Eagan
Barkley	Carew	Currie, Mich	Eagle
Barnhart	Carter, Okla.	Dale, Vt.	Edmonds
Beakes	Cary	Decker	Esch
Beshlin	Chandler, N. Y.	Delaney	Fairfield
Black	Chandler, Okla.	Dempsey	Farr
Blanton	Clark, Pa.	Denton	Fess
Bowers	Claypool	Dill	Fisher
Brand	Condy	Dillon	Flood
Browne	Collier	Dixon	Flynn
Browning	Connally, Tex.	Dominick	Focht
Burnett	Cooper, W. Va.	Doughton	Fordney
Burroughs	Cooper, Wis.	Dowell	Francis

Frear	Kennedy, R. I.	Nelson	Smith, Mich.
French	King	Nicholls, S. C.	Smith, T. F.
Fuller, Mass.	Kinkaid	Nichols, Mich.	Snook
Gallagher	Knutson	Nolan	Steagall
Gandy	La Follette	Oldfield	Sterling, Ill.
Garland	Larsen	Oliver, N. Y.	Sterling, Pa.
Garrett, Tex.	Lazaro	Osborne	Strong
Glynn	Lea, Cal.	Park	Summers
Godwin, N. C.	Lee, Ga.	Parker, N. J.	Sweet
Goodwin, Ark.	Lehlbach	Peters	Tague
Gordon	Lesher	Phelan	Taylor, Ark.
Gould	Little	Platt	Temple
Gray, Ala.	Lobeck	Polk	Tillman
Gray, N. J.	Lufkin	Price	Timberlake
Greene, Mass.	Lunn	Purnell	Tinkham
Greene, Vt.	McAndrews	Rainey, J. W.	Treadway
Hadley	McArthur	Raker	Vestal
Hamilton, Mich.	McClintic	Ramsey	Vinson
Hamlin	McFadden	Ramseyer	Volstead
Hardy	McKeown	Rankin	Waldow
Harrison, Miss.	McLaughlin, Pa.	Roberts	Walton
Haskell	Magee	Rogers	Wason
Hastings	Maher	Romjue	Watkins
Hayden	Mansfield	Rose	Weaver
Heaton	Mapes	Rouse	Welling
Heflin	Mays	Rowe	Welty
Hilliard	Merritt	Rubey	Wheeler
Holland	Miller, Minn.	Sanders, Ind.	White, Me.
Hollingsworth	Miller, Wash.	Sanders, La.	Williams
Huddleston	Montague	Sanford	Wilson, La.
Hull, Tenn.	Moore, Pa.	Saunders, Va.	Wilson, Tex.
Hutchinson	Moores, Ind.	Scott, Mich.	Woods, Iowa
Jacoway	Morgan	Sinnott	Wright
Jones	Mott	Sloan	Young, N. Dak.
Kearns	Mudd	Small	
Kennedy, Iowa	Neely	Smith, Idaho	

NAYS—31.

Ayres	Garner	Kincheloe	Robbins
Campbell, Kans.	Gillett	Kraus	Shallenberger
Cannon	Good	McLaughlin, Mich.	Shouse
Connelly, Kans.	Graham, Ill.	Meeker	Stafford
Cox	Helm	Oliver, Ala.	Thomas
Doolittle	Hersey	Porter	Thompson
Elliott	Ireland	Quin	Walsh
Ellsworth	Kelly, Pa.	Ragsdale	

NOT VOTING—194.

Almon	Fairchild, G. W.	Langley	Sells
Anderson	Ferris	Lever	Shackleford
Anthony	Fields	Linthicum	Sherley
Austin	Foss	Littlepage	Sherwood
Bacharach	Foster	London	Siegel
Baer	Freeman	Lonergan	Sims
Bell	Fuller, Ill.	Longworth	Sisson
Blackmon	Gallivan	Lundeen	Slayden
Bland	Gard	McCormick	Slemp
Booher	Garrett, Tenn.	McCulloch	Smith, C. B.
Borland	Glass	McKenzie	Snell
Britten	Goodall	McKinley	Snyder
Brodbeck	Graham, Pa.	McLemore	Stedman
Brumbaugh	Green, Iowa	Madden	Steele
Buchanan	Gregg	Mann	Steenerson
Butler	Griest	Martin	Stephens, Miss.
Caldwell	Griffin	Mason	Stephens, Nebr.
Candler, Miss.	Hamill	Mondell	Stevenson
Cantrill	Hamilton, N. Y.	Moon	Stiness
Carlin	Harrison, Va.	Morin	Sullivan
Carter, Mass.	Haugen	Norton	Swift
Church	Hawley	Olney	Switzer
Clark, Fla.	Hayes	O'Shaunessy	Talbott
Classon	Heintz	Overmyer	Taylor, Colo.
Cleary	Helvering	Overstreet	Templeton
Cooper, Ohio	Hensley	Padgett	Tilson
Copley	Hicks	Paige	Towner
Costello	Hood	Parker, N. Y.	Van Dyke
Curry, Cal.	Houston	Pou	Vare
Dale, N. Y.	Howard	Powers	Venable
Dallinger	Hull, Iowa	Pratt	Voigt
Darrow	Humphreys	Rainey, H. T.	Walker
Davidson	Husted	Randall	Ward
Davis	Igoe	Rayburn	Watson, Pa.
Denison	James	Reavis	Watson, Va.
Dent	Johnson, Ky.	Reed	Webb
Dewalt	Johnson, S. Dak.	Riordan	Whaley
Dickinson	Johnson, Wash.	Robinson	White, Ohio
Dies	Juul	Rodenberg	Wilson, Ill.
Donovan	Kahn	Rowland	Wingo
Dooling	Keating	Rucker	Winslow
Doremus	Kehoe	Russell	Wise
Drukker	Kelley, Mich.	Sabath	Wood, Ind.
Dunn	Kettner	Sanders, N. Y.	Woodyard
Elston	Key, Ohio	Schall	Young, Tex.
Emerson	Kiess, Pa.	Scott, Iowa	Zihlman
Estopinal	Kitchin	Scott, Pa.	
Evans	Kreider	Scully	
Fairchild, B. L.	LaGuardia	Sears	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. MARTIN with Mr. McKENZIE.

Mr. MOON with Mr. MADDEN.

Mr. GARRETT of Tennessee with Mr. MASON.

Mr. HUMPHREYS with Mr. MONDELL.

Mr. OVERSTREET with Mr. MORIN.

Mr. PADGETT with Mr. PARKER of New York.

Mr. POU with Mr. REED.

Mr. KEATING with Mr. RODENBERG.

Mr. HENRY T. RAINEY with Mr. SANDERS of New York.

Mr. RANDALL with Mr. SCOTT of Pennsylvania.

Mr. RAYBURN with Mr. SELLS.

Mr. RIORDAN with Mr. SNELL.

Mr. RUCKER with Mr. SNYDER.

Mr. LEVER with Mr. STEENERSON.

Mr. LINTHICUM with Mr. STINESS.

Mr. SEARS with Mr. JOHNSON of South Dakota.

Mr. SHERLEY with Mr. TOWNER.

Mr. SIMS with Mr. VOIGT.

Mr. STEDMAN with Mr. WARD.

Mr. STEPHENS of Mississippi with Mr. WILSON of Illinois.

Mr. STEPHENS of Nebraska with Mr. WINSLOW.

Mr. STEVENSON with Mr. WOOD of Indiana.

Mr. LITTLEPAGE with Mr. ZIHLMAN.

Mr. TAYLOR of Colorado with Mr. BAER.

Mr. VAN DYKE with Mr. WOODYARD.

Mr. TALBOTT with Mr. ELSTON.

Mr. KITCHIN with Mr. BENJAMIN L. FAIRCHILD.

Mr. CANTRILL with Mr. BLAND.

Mr. CANDLER of Mississippi with Mr. JAMES.

Mr. KETTNER with Mr. EMERSON.

Mr. WISE with Mr. PRATT.

Mr. ALMON with Mr. SCOTT of Iowa.

Mr. BLACKMON with Mr. ANDERSON.

Mr. BOOHER with Mr. ANTHONY.

Mr. BORLAND with Mr. AUSTIN.

Mr. BRODBECK with Mr. CLASSON.

Mr. BUCHANAN with Mr. COOPER of Ohio.

Mr. STEELE with Mr. BUTLER.

Mr. CARLIN with Mr. COPLEY.

Mr. CHURCH with Mr. DENISON.

Mr. CLARK of Florida with Mr. GEORGE W. FAIRCHILD.

Mr. DENT with Mr. GRAHAM of Pennsylvania.

Mr. DEWALT with Mr. GREEN of Iowa.

Mr. DICKINSON with Mr. GRIEST.

Mr. DONOVAN with Mr. HAWLEY.

Mr. DOOLING with Mr. HULL of Iowa.

Mr. DOREMUS with Mr. JOHNSON of Washington.

Mr. EVANS with Mr. KREIDER.

Mr. FERRIS with Mr. LANGLEY.

Mr. FIELDS with Mr. LONGWORTH.

Mr. FOSTER with Mr. McCULLOCH.

Mr. VENABLE with Mr. FOSS.

Mr. WINGO with Mr. CARTER of Massachusetts.

Mr. YOUNG of Texas with Mr. DRUKKER.

Mr. HELVERING with Mr. HUSTED.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. ALEXANDER, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. ROWE. Mr. Speaker, the gentleman from New York, Mr. SWIFT, is unavoidably absent, and he asked me to announce that if he had been present he would have voted for the bill.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that those who spoke on the bill may revise and extend their remarks in the RECORD.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, will the gentleman make that within five days and on the bill?

Mr. ALEXANDER. Yes.

The SPEAKER. Within five days and on the bill. Is there objection?

There was no objection.

EXTENSION OF REMARKS.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting therein a letter from the Secretary of Labor.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. ALEXANDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 44 minutes p. m.) the House adjourned until to-morrow, Thursday, June 27, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of harbor at Newport, Cal. (H. Doc. No. 1189); to the

Committee on Rivers and Harbors and ordered to be printed, with illustrations.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Little River, N. C. and S. C. (H. Doc. No. 1190); to the Committee on Rivers and Harbors and ordered to be printed.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Broad and Congaree Rivers at or near Columbia, S. C., with a view to improvement for navigation, consideration being given to any proposition of local cooperation (H. Doc. No. 1191); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Postmaster General submitting deficiency estimate of appropriation required by the Postal Service for the fiscal year 1917 (H. Doc. No. 1192); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting a tentative draft of a provision of legislation authorizing the Bureau of Engraving and Printing to increase the number of sheets of checks, drafts, and miscellaneous work to 6,500,000 for the current fiscal year (H. Doc. No. 1193); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (H. J. Res. 303) to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, to January 1, 1919, reported the same with amendment, accompanied by a report (No. 706), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ROGERS, from the Committee on Foreign Affairs, to which was referred the bill (S. 4477) authorizing certain persons formerly connected with the American Embassy at Berlin to accept pieces of plate presented to them by the British Government, reported the same with amendment, accompanied by a report (No. 695), which said bill and report were referred to the Private Calendar.

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (H. R. 3892) to remove the charge of desertion from the military record of John F. Kelly, reported the same without amendment, accompanied by a report (No. 697), which said bill and report were referred to the Private Calendar.

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 1831) for the relief of Kate Chateau, reported the same without amendment, accompanied by a report (No. 698), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1409) for the relief of Charles Lee Baker, reported the same without amendment, accompanied by a report (No. 699), which said bill and report were referred to the Private Calendar.

Mr. GORDON, from the Committee on Military Affairs, to which was referred the bill (H. R. 7769) for the relief of Robert McFarland, reported the same without amendment, accompanied by a report (No. 700), which said bill and report were referred to the Private Calendar.

Mr. WISE, from the Committee on Military Affairs, to which was referred the bill (H. R. 5108) for the relief of William A. Persons, reported the same without amendment, accompanied by a report (No. 701), which said bill and report were referred to the Private Calendar.

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (H. R. 3100) for the relief of Samuel Snyder, reported the same without amendment, accompanied by a report (No. 702), which said bill and report were referred to the Private Calendar.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 3843) for the relief of John W. Baggott, reported the same without amendment, accompanied by a report (No. 703), which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on Military Affairs, to which was referred the bill (H. R. 3329) to correct the military record of John R. Smith, deceased, reported the same without amendment, accompanied by a report (No. 704), which said bill and report were referred to the Private Calendar.

Mr. McKENZIE, from the Committee on Military Affairs, to which was referred the bill (H. R. 7778) to amend the military record of George W. Laland, reported the same with amendment, accompanied by a report (No. 705), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KING: A bill (H. R. 12566) granting free transportation to and from their home towns for soldiers and sailors on furlough, and employees of any department of the United States, during the period of the war and for six months thereafter; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS: A bill (H. R. 12567) to prevent idleness in the District of Columbia during the continuance of the war in which the United States is now engaged, and prescribing the duties of civil and police officers of said District; to the Committee on the District of Columbia.

By Mr. DOREMUS: A bill (H. R. 12568) to provide for the computation of longevity pay for officers of the Regular and National Army; to the Committee on Military Affairs.

By Mr. PARK: Resolution (H. Res. 403) authorizing the chairman of the Committee on Enrolled Bills to employ additional assistant clerks; to the Committee on Accounts.

Also, resolution (H. Res. 404) authorizing the Postmaster of the House to continue the employment of certain messengers during the remainder of the present session of Congress; to the Committee on Accounts.

By Mr. CLEARY: Joint resolution (H. J. Res. 308) authorizing the Secretary of War to make a preliminary examination and survey of Coney Island Creek, N. Y.; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 12569) granting an increase of pension to Martin McDermott; to the Committee on Invalid Pensions.

By Mr. BRODBECK: A bill (H. R. 12570) granting a pension to Eleanora Sharp; to the Committee on Pensions.

By Mr. CONNELLY of Kansas: A bill (H. R. 12571) granting a pension to William H. Mize; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 12572) for the relief of the Shipowners' & Merchants' Tugboat Co.; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 12573) to remove the charge of desertion from the record of Benjamin Brothers; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 12574) to correct the military record of Henry Emerich; to the Committee on Military Affairs.

Also, a bill (H. R. 12575) granting an increase of pension to William F. Bell; to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12576) granting an increase of pension to Mary S. Hayden; to the Committee on Pensions.

By Mr. VOIGT: A bill (H. R. 12577) granting a pension to Albert Ullman; to the Committee on Invalid Pensions.

By Mr. WALDOW: A bill (H. R. 12578) granting a pension to Henry A. Meal; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the City Federation of Women's Clubs of Salt Lake City, Utah, indorsing House bill 5407; to the Committee on Military Affairs.

Also (by request), petition of John Fitzgerald, president Federal Employees' Union No. 4, New York City, opposing the zone system for second-class postage; to the Committee on Ways and Means.

Also (by request), petition of the Congregational Church of Polar, Wis., favoring war prohibition; to the Committee on the Judiciary.

Also (by request), petition of H. M. McLarin, president of the National Federation of Federal Employees, and resolution of the American Federation of Labor, denouncing the Borland amendment to the executive, legislative, and judicial bill; to the Committee on Appropriations.

By Mr. BROWNING: Petitions of citizens of Collingswood, of Wenonah, of Swedsboro, and of Pennsgrove, all in the State of New Jersey, urging nation-wide prohibition during the period of the war; also memorials of East Greenwich Lodge, No. 230, Independent Order of Odd Fellows, of Clarksboro, and of Mickleton Grange, Patrons of Husbandry, No. 3, of Mickleton, N. J., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. CAREW: Petition of D. M. Hough, of Chicago, Ill., proposing a measure compelling all neutral powers to boycott the central powers or to be cut off from all intercourse with the concurring powers; to the Committee on Foreign Affairs.

Also, memorial of the New York Clearing House Association, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

By Mr. ESCH: Petition of sundry citizens of Monroe County, Wis., urging the enactment of a war prohibition law; to the Committee on the Judiciary.

By Mr. FLYNN: Resolution of the New York Association of Women Workers, urging the establishment of a national conservatory of music and art; to the Committee on the Library.

By Mr. HOLLINGSWORTH: Petition of board of directors of East Liverpool (Ohio) Chamber of Commerce, protesting against stop watch, time-measuring devices, or use of bonuses and premiums in rewarding employees in the public service in addition to their regular wages; to the Committee on Naval Affairs.

Also, petition of W. J. Waters, of East Liverpool, Ohio, protesting against zone system of postage on magazines, etc.; to the Committee on Ways and Means.

By Mr. MOORE of Pennsylvania: Memorial of the Philadelphia Board of Trade opposing Senate bill 4426, providing for a guaranty fund for payment of certain deposits; to the Committee on Banking and Currency.

By Miss RANKIN: Petition of the Montana Woman's Christian Temperance Union, asking for the passage of immediate war prohibition; to the Committee on the Judiciary.

By Mr. SNYDER: Petition of H. B. Sykes, president, and of the Men's Club, Presbyterian Church, Clinton, N. Y., for war prohibition; to the Committee on the Judiciary.

By Mr. TEMPLE: Petition of the Woman's Presbyterial Missionary Convention of Mercer Presbytery, Pennsylvania, favoring an antipolygamy amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. TEMPLETON: Resolutions of the First Methodist Episcopal Church of Wilkes-Barre and of the 24 other organizations of the eleventh district of Pennsylvania, urging the submission of an antipolygamy amendment to the Constitution; to the Committee on the Judiciary.

SENATE.

THURSDAY, *June 27, 1918.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we worship Thee. Thou art the Sovereign of the universe. Thy will is the law of all men. We come before Thee at a time when we are mobilizing our forces for the mightiest conflict in the history of the world. We bless Thee for the boys who have so willingly and joyously trooped to the colors, the boys who are far distant from us to-day, and we invoke Thy blessing upon them. They have gone with the touch of a mother's love, they have gone with the sanctifying influences of the church and the Sunday school, they have gone with the inspiration of Thy Word in their hearts. We pray Thee to give them victory upon the battle field, and bring them back not only with glorious victory perched upon their banners, but with the greater victory of an unsoiled manhood. Grant Thy grace to us this day to discharge the duties that are upon us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, June 24, 1918, when, on request of Mr. GALLINGER and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. LEWIS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary proceeded to call the roll, and was interrupted by

Mr. BRANDEGEE. Mr. President, I ask that order may be maintained in the galleries.

The VICE PRESIDENT. Perhaps it is as well to state now as at any time that there is a rule of the Senate that there shall be no disorder in the galleries, that there shall be neither approval nor disapproval of the proceedings of the United States Senate, and that without any suggestion upon the part of any Senator it is the duty of the presiding officer to preserve order in the galleries. This notice is given in order to prevent confusion. If confusion arises, the Chair will order the galleries to be cleared.

The Secretary resumed and concluded the calling of the roll, and the following Senators answered to their names:

Ashurst	Gronna	McNary	Smith, Ariz.
Baird	Guion	Martin	Smith, Ga.
Bankhead	Hale	Myers	Smith, Md.
Beckham	Harding	Nelson	Smith, S. C.
Borah	Hardwick	New	Smoot
Brandegee	Henderson	Norris	Sterling
Calder	Hitchcock	Nugent	Sutherland
Chamberlain	Hollis	Overman	Swanson
Colt	Johnson, Cal.	Page	Thompson
Culberson	Johnson, S. Dak.	Penrose	Tillman
Cummins	Jones, N. Mex.	Phelan	Trammell
Curtis	Jones, Wash.	Pittman	Underwood
Dillingham	Kendrick	Poindexter	Vardaman
Fall	Kenyon	Pomerene	Wadsworth
Fernald	King	Ransdell	Walsh
Fletcher	Kirby	Reed	Warren
France	Knox	Robinson	Watson
Frelinghuysen	Lenroot	Shafroth	Weeks
Gallinger	Lewis	Sheppard	Williams
Gerry	Lodge	Sherman	Wolcott
Goff	McCumber	Shields	
Gore	McKellar	Simmons	

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

Mr. SHAFROTH. I desire to announce the absence temporarily of my colleague [Mr. THOMAS] on official business.

Mr. BRANDEGEE. Mr. President, I again suggest that conversation shall be suppressed in the galleries.

The VICE PRESIDENT. It is impossible for the Chair to tell, on account of the confusion on the floor, whether the confusion arises on the floor or in the galleries.

Mr. BRANDEGEE. I will inform the Chair that it arises in the galleries.

The VICE PRESIDENT. Eighty-six Senators have answered to the roll call. There is a quorum present.

WOMAN SUFFRAGE.

Mr. POINDEXTER. Mr. President, the Senator from New Mexico [Mr. JONES] gave notice a few days ago that he would move to-day to take up for final disposition the proposed amendment to the Constitution conferring suffrage upon women.

Mr. REED. Mr. President, I call for order in the Chamber. The Senator is speaking with perfect clearness, I take it, but we can not hear a word on this side.

The VICE PRESIDENT. Unless the Senate of the United States shall be in order, the Chair will not attempt to keep the galleries in order.

Mr. POINDEXTER. This matter, Mr. President, has been pretty well talked out. I think that the last word both for and against it has been said so far as argument is concerned, but I have been requested to make a brief statement as to the effect and operation of woman suffrage in the West. I desire to say just a few words in that respect.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. POINDEXTER. I yield for a question.

Mr. LODGE. I rise to a question of order. Of course the Senator will have ample opportunity to say what he is saying when the joint resolution is taken up, as it immediately will be, but there is some little morning business to be disposed of. It seems to me that we ought to be allowed to get that out of the way before the speaking begins.

The VICE PRESIDENT. Does the Senator make a point of order?

Mr. LODGE. Yes; I ask for the regular order.

The VICE PRESIDENT. The Senator from Washington is out of order. The presentation of petitions and memorials is in order.

Mr. LODGE. I have some morning business which I should like to dispose of. I shall be very glad to hear the Senator. I do not want to cut off his speech, but there is morning business, and I do not see why we should not transact it.

The VICE PRESIDENT. The Senator from Massachusetts is recognized for petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of the Equal Suffrage League of Boston, Mass., and telegrams in the nature of petitions from sundry citizens of Massachusetts, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a memorial of the Lynn Branch of the Massachusetts Antisuffrage Association, of Lynn, Mass., remonstrating against the adoption of a Federal suffrage amendment, which was ordered to lie on the table.

He also presented a petition of the Congregation of the East Baptist Church, of Lynn, Mass., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. PENROSE presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the enactment of legislation to guarantee certain bank deposits, which was ordered to lie on the table.

Mr. LENROOT presented petitions of the faculty and students of the University of Wisconsin, Madison; of the faculty and students of Lawrence College, Appleton; of the faculty of Downer College, Milwaukee; of the State Teachers' Association; of sundry students of the Oshkosh Normal School; of the Wisconsin Normal School, of Superior; of academic-school teachers of Janesville; of sundry citizens of Milwaukee, Madison, Waukesha, and Viroqua; and of 38 trade-unions, all in the State of Wisconsin, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. KNOX presented petitions of sundry citizens of Armstrong County, Pa., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. GALLINGER presented a petition of the New Hampshire Committee on Public Safety, praying that interned enemy aliens be put to work, which was referred to the Committee on Military Affairs.

He also presented telegrams in the nature of memorials from the Keene National Bank, of Keene; from the New Hampshire Bankers' Association, of Hanover; from the Amoskeag National Bank, of Manchester; and of the Amoskeag Savings Bank, of Manchester, all in the State of New Hampshire, remonstrating against the enactment of legislation to guarantee certain bank deposits, which were ordered to lie on the table.

Mr. ASHURST presented a telegram in the nature of a petition from J. A. R. Irvine, of Phoenix, Ariz., and a telegram in the nature of a petition from the congregation of the Methodist Church of Morenci, Ariz., praying for national prohibition as a war measure, which were ordered to lie on the table.

Mr. MYERS presented a memorial of the Woman's Christian Temperance Union of Bozeman, Mont., remonstrating against the proposed reduction of the minimum age limit of the draft, which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Bozeman, Mont., praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. HARDING presented a memorial of the Cincinnati and Hamilton County Association Opposed to Woman Suffrage, remonstrating against the adoption of a Federal suffrage amendment, which was ordered to lie on the table.

Mr. CALDER. I present resolutions adopted by the Legislature of the State of New York, which I ask to have printed in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK,
IN ASSEMBLY,
Albany, January 28, 1918.

[By Mr. Meyer.]

Whereas the House of Representatives has passed by the requisite two-thirds vote a resolution submitting to the legislatures of the States for their ratification an amendment to the United States Constitution abolishing the sex qualification for suffrage; and

Whereas the voters of the State of New York on the 6th day of November, 1917, by an overwhelming majority adopted a constitutional amendment conferring equal suffrage upon women; and

Whereas the resolution heretofore referred to, submitting to the legislatures of the States for their ratification the amendment to the United States Constitution removing the sex qualification for suffrage is now before the United States Senate and must there receive favorable action before the amendment is referred to the State legislatures for their ratification: Now, therefore, be it

Resolved (*if the senate concur*), That the United States Senate be, and it is hereby, respectfully requested to act immediately and favorably upon said resolution; and be it further

Resolved, That the Senators representing the State of New York in the United States Senate be, and they are hereby requested to voice the expressed will of the people of this State by voting for and doing all in their power to secure the immediate passage of the said resolution by the requisite two-thirds vote; and be it further

Resolved, That the secretary of state be, and he is hereby, directed to transmit copies of this resolution to the United States Senate and to the Senators representing this State therein.

Passed January 28, 1918, in assembly.

In senate passed without amendment January 29, 1918.

By order of the senate:

ERNEST A. FAY, *Clerk.*

Filed January 30, 1918.

FRANCIS M. HUGO,
Secretary of State.

Mr. CALDER presented resolutions adopted by the Republican County Committee of Kings County, of the Mothers' Club of New York, of the Trades Assembly of Schenectady, of the Council of Women's Clubs of Syracuse, of the Women's Auxiliary Railway Mail Association of Syracuse, of the National Woman's Party of New York, of Local Branch New York Letter Carriers' Association, of Brooklyn, and of the Republican County Committee of New York County, all in the State of New York, favoring the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

Mr. WEEKS presented a petition of the Equal Suffrage Club of Winchester, Mass., and a petition of the Woman's Christian Temperance Union of Worcester, Mass., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

WOMAN SUFFRAGE.

Mr. THOMPSON. I present an article appearing in the Woman Citizen, being a very brief article on the question of the woman suffrage constitutional amendment. I should like to have it printed in full in the RECORD.

Mr. SMOOT. The Senator from Kansas knows that there is objection to filling the RECORD with articles and papers of any kind. I object.

Mr. THOMPSON. I ask that the motion be put.

The VICE PRESIDENT. The question is, Shall the article be put in the RECORD? [Putting the question.] The noes have it.

Mr. THOMPSON. I ask for the yeas and nays.

The yeas and nays were not ordered.

The VICE PRESIDENT. The motion is lost.

Mr. THOMPSON. I desire to say that I will read the article a little later.

Mr. SMOOT and Mr. GALLINGER. Regular order!

The VICE PRESIDENT. The further presentation of petitions and memorials is in order. If there be none, reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out, during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," reported it with amendments.

Mr. JOHNSON of South Dakota, from the Committee on Indian Affairs, to which was referred the bill (S. 4146) conferring jurisdiction on the Court of Claims to determine and report upon the interest, title, ownership, and right of possession of the Yankton Tribe of Indians to the Red Pipestone Quarries, S. Dak., reported it without amendment and submitted a report (No. 526) thereon.

PORT OF SAN JUAN, P. R.

Mr. WILLIAMS. From the Committee on Finance, I report back favorably without amendment the bill (S. 4274) providing for the establishment of the Port of San Juan, customs district of Porto Rico, as a port of entry for immediate transportation without appraisement of dutiable merchandise, and I ask for its immediate consideration.

Mr. SMOOT. I am not going to object to the consideration of the bill at this time, but I shall object during the morning hour to the consideration of any other bill this morning, and if this bill leads to any debate whatever I shall object to it.

Mr. WILLIAMS. I am sure it will lead to no debate. If it does, I will withdraw the bill and let it go to the calendar. It is a unanimous report of the Committee on Finance.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the privileges of the first and seventh sections of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement be, and are hereby, extended to the port of San Juan, customs district of Porto Rico.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KNOX:

A bill (S. 4759) authorizing the several district courts of the United States to appoint official stenographers and prescribing their duties and compensation; to the Committee on the Judiciary.

Mr. KENYON. A few days ago I introduced a bill with reference to prohibiting the use of the mails to employers of child labor. I now offer a substitute for that bill, and I ask that it go to the same committee.

By Mr. KENYON:

A bill (S. 4760) to deny the use of mails to persons or concerns employing child labor; to the Committee on Post Offices and Post Roads.

By Mr. WEEKS:

A bill (S. 4761) for the relief of William Rogers; to the Committee on Naval Affairs.

By Mr. SUTHERLAND:

A bill (S. 4764) granting an increase of pension to John W. Combs; to the Committee on Pensions.

CHILD LABOR.

Mr. POMERENE. I introduce two bills, both relating to the subject of child labor. One is based on the taxing power; the other invokes the principle involved in the Webb-Kenyon interstate shipment bill. I ask their reference to the Committee on Interstate Commerce.

By Mr. POMERENE:

A bill (S. 4762) to prevent the shipment of products of child labor into States in which the employment of child labor is made unlawful; and

A bill (S. 4763) providing for the taxation of articles and commodities in the production of which child labor is employed; to the Committee on Interstate Commerce.

Mr. SIMMONS subsequently said: Mr. President, the Senator from Ohio [Mr. POMERENE] has just introduced a bill with reference to taxation, and has asked its reference to the Committee on Interstate Commerce. I think it should go to the Committee on Finance.

Mr. POMERENE. Mr. President, I have introduced two bills relating to the subject of child labor. It is hoped that either one or the other, or perhaps both of them, will meet the constitutional objection to the recent legislation under the Supreme Court decision. One of them is based upon the taxing power; the other invokes the principles which was involved in the Webb-Kenyon bill. It is quite true that there is a taxing feature in one of the bills, but it seems to me that it relates to interstate commerce more than to the taxing power.

This subject has been very largely considered by the Committee on Interstate Commerce heretofore; they had very extensive hearings on the subject prior to the enactment of the recent child-labor law; and I think, in view of the time and attention that committee has given to the subject, this bill should be committed to its charge.

Mr. SIMMONS. Mr. President, undoubtedly that would be true if the bill dealt only with the question of regulating child labor by legislation; but, as I understand, it proposes to regulate child labor by the imposition of a tax; and I think, under all the rules and precedents, such bills are required to be referred to the Finance Committee.

The VICE PRESIDENT. They are subject to motion to be so referred.

Mr. SIMMONS. I move that the bill be referred to the Committee on Finance.

Mr. POMERENE. Mr. President, I hope the motion of the Senator from North Carolina will not prevail.

The VICE PRESIDENT. The motion is not subject to debate.

Mr. GALLINGER. It is not debatable under the rule.

Mr. POMERENE. I think that is true.

The VICE PRESIDENT. The question is, Shall the bill be referred to the Committee on Finance?

Mr. POMERENE. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KENYON. Mr. President, a parliamentary inquiry. Is a vote in the affirmative a vote to send the bill to the Finance Committee?

The VICE PRESIDENT. It is, the motion being to refer to the Finance Committee.

The Secretary proceeded to call the roll.

Mr. LEWIS (when the name of Mr. JAMES was called). I desire to announce the absence of the senior Senator from Kentucky [Mr. JAMES] occasioned by personal illness.

Mr. MYERS (when his name was called). I have a pair with the Senator from Connecticut [Mr. MCLEAN]. He is absent, and I therefore withhold my vote.

Mr. JONES of Washington (when Mr. TOWNSEND's name was called). The Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. While I think he would vote "nay" on this vote, I am not prepared to say positively how he would vote.

Mr. WALSH (when his name was called). I inquire if the Senator from New Jersey [Mr. FRELINGHUYSEN] has voted?

The VICE PRESIDENT. He has not.

Mr. WALSH. I have a pair with that Senator. In his absence I refrain from voting. If at liberty to vote I should vote "nay."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He being absent and not knowing how he would vote on this question, I withhold my vote.

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the senior Senator from Delaware [Mr. SAULSBURY] and vote "yea."

Mr. SIMMONS (after having voted in the affirmative). I have a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. He is not in the Chamber. I transfer that pair to the junior Senator from Missouri [Mr. WILFLEY] and will let my vote stand.

The result was announced—yeas 41, nays 42, as follows:

YEAS—41.

Ashurst	Goff	McCumber	Smith, S. C.
Baird	Gore	Martin	Smoot
Bankhead	Guion	Myers	Swanson
Brandegee	Hale	Overman	Tillman
Calder	Hardwick	Penrose	Trammell
Colt	Hitchcock	Ransdell	Underwood
Culberson	Jones, N. Mex.	Reed	Warren
Dillingham	King	Simmons	Williams
Fletcher	Kirby	Smith, Ariz.	
Gallinger	Knox	Smith, Ga.	
Gerry	Lodge	Smith, Mich.	

NAYS—42.

Beckham	Hollis	New	Sherman
Borah	Johnson, Cal.	Norris	Shields
Chamberlain	Johnson, S. Dak.	Nugent	Sterling
Cummins	Jones, Wash.	Owen	Sutherland
Curtis	Kendrick	Page	Thompson
Fall	Kenyon	Phelan	Vardaman
Fernald	Lenroot	Pittman	Wadsworth
France	Lewis	Poindexter	Watson
Gronna	McKellar	Pomerene	Wolcott
Harding	McNary	Shafroth	
Henderson	Nelson	Sheppard	

NOT VOTING—13.

Frelinghuysen	McLean	Thomas	Wilfley
James	Robinson	Townsend	
Kellogg	Saulsbury	Walsh	
La Follette	Smith, Md.	Weeks	

So the Senate refused to refer the bill to the Committee on Finance.

Mr. WATSON. Mr. President, a parliamentary inquiry. What is the status of the bill at this time?

The VICE PRESIDENT. The bill goes to the Committee on Interstate Commerce.

Mr. WATSON. Without a motion?

The VICE PRESIDENT. Without a motion, and at the request of the Senator from Ohio [Mr. POMERENE].

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on the 25th instant, approved and signed the act (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT.

Mr. SMITH of Maryland submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 16, 17, 18, 19, 24, 31, 33, 34, 40, 42, 52, 56, 57, 59, 60, 64, 65, 70, 72, 78, 151, 154, 155, 156, 157, 166, 168, 170, 171, 172, 173, 176, 177, 178, 179, 181, 190, 192, 212, 220, 228, 231, 238, 239, 245, 248, 259, 262, 264, 267, 269, 274, and 276.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 36, 38, 39, 41, 43, 44, 46, 47, 50, 51, 53, 54, 55, 58, 62, 63, 66, 68, 69, 73, 74, 80, 81, 82, 84, 85, 89, 90, 94, 95, 96, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 147, 150, 152, 153, 158, 159, 160, 163, 164, 174, 180, 182, 184, 185, 186, 193, 194, 195, 196, 197, 198, 199, 202, 203, 204, 205, 210, 213, 214, 217, 221, 222, 223, 226, 227, 230, 232, 236, 240, 241, 242, 243, 244, 246, 251, 252, 253, 255, 257, 261, 265, 268, 270, 271, 272, and 275, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "7 at $840 each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,200"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,460"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,800"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,200"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$62,400"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$275,800"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lines 10 and 11 of the matter inserted by said amendment strike out the following: "; in all, $275,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$720"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,120"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "4 at $840 each, 1 $720"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "10 at $600 each"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$540"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$54,115"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "years," in line 4; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "teachers," insert the words "and librarians and clerks"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "10 librarians in high and normal schools in class 5, at $840 each; 28 clerks in class 4, at $720 each; in all, $28,560"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eight"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "4 dental prophylactic operators"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$17,200"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the sum "$16,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$1,201,038.66"; and on page 53 of the bill, line 19, strike out the word "patrolman" and insert in lieu thereof the word "private"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$74,200"; and on page 56 of the bill, line 7, after the word "each," where it occurs the second time, insert the following: "janitor, $600"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$757,460"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,750"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$86,470"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", not exceeding $20,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "Kitchen" and before the comma, insert the following: "by the health officer of the District of Columbia"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$900"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$650"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$720"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$450"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,375"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 209, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "including an allowance to the superintendent of not exceeding $360 per annum for maintenance of vehicle for use in discharge of his official duties, $70,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$178,625"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$17,492"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$63,292"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 218, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$22,500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 219, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$34,980"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 225, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$67,640"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 235, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,200"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 237, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$171,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 247, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$53,040"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 249, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$95,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 250, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$197,040"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "five"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,080"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$25,660"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 260, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$117,660"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 266, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "transfer," insert the following: "for playground purposes the possession, use, and control of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 273, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$94,945"; and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 1, 61, and 83.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.

T. U. SISSON,
JAMES MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

The report was agreed to.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. I move that the Senate proceed to the consideration of House joint resolution 200, being Calendar No. 123.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, which was read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

Mr. POINDEXTER. Mr. President, the entire West is intensely interested in the outcome of the vote in the Senate on the amendment to the Constitution giving women the right to vote. The Western States have long since overcome the prejudices which heretofore have discriminated against women in the suffrage. The States themselves have long since recognized women as equal partners in the State as well as in business and in the home. With us it has ceased to be an experiment, and most of the antisuffrage arguments, based upon theory and dire prophecy, have no effect in the face of realities.

In the Western States women have the right to vote and do vote and exercise the most wholesome influence in public affairs. I think it is safe to say that many of the most excellent policies now in force in the Western States would not have been adopted without woman suffrage. Hard-headed

business men, immersed in material affairs, without much time or desire to give to political speculation, who bitterly opposed many of these new measures, simply because they were unaccustomed to them, are now just as strongly in favor of them. In other words, there is universal approval of measures which the good sense and sound feelings of women carried into effect.

It has been discovered, much to the surprise of ultraconservatives, that the suffrage has not in any respect changed the nature of women, although it has given them a new dignity and power. Women antisuffragists especially have argued that women would be spoiled by politics. Nothing of the kind has happened in the West. In the first place comparatively few women are in politics in any other sense than that of taking a keen and intelligent interest in public questions and voting their convictions upon them. To do this has not required any displacement of woman in her domestic or other relations. As a matter of fact, the wholesomest and best place for the formation of public opinion is the family circle. It is in truth the real foundation of our institutions. It is here that papers, magazines, and other sources of information are read and discussed in a sane and normal way under conditions which tend toward freedom of judgment and intelligent decision. Women, of course, as well as men, have various opportunities, as they always did, of meeting with their neighbors and exchanging views and so adding to their stock of information and to their ability to form a correct judgment. The further act of registering this judgment in a vote is after all, when one sees it in operation, not such a difficult, complicated affair and not at all the horrible bugaboo which has been pictured. Our polling places are decent places. They were so before women voted and they are more emphatically so since they have voted. Under the Australian ballot system the greatest care is taken to protect the independence and privacy of the voter. The exercise of the suffrage has been with us always a serious if not a solemn function. We appreciate its privileges and its importance, and this feeling is reflected in conditions at the polling places, which are orderly, quiet, and fit places for men to go with their wives, or for women to go together or alone and to retire to the booth for marking their ballots.

Suffice it to say that experience in many of the States of many years has confirmed our deep conviction not only of the justice but of the value not only to women but to the entire community of woman suffrage. We are intensely expectant and hopeful of a favorable result of the Senate vote on the national amendment.

Mr. THOMPSON. Mr. President, during the morning hour I offered to have printed in the RECORD an article which appeared in the Woman Citizen of June 22, 1918, entitled, "Who wants the suffrage Federal amendment?" but which was objected to. I desire now to read it as a part of my remarks on this resolution:

> Women of the allied countries of Europe, organized for democracy.
> The President of the United States.
> The House of Representatives—

At the time this article was written, 62 of the United States Senators, which, I think, will soon be increased to at least two-thirds of the membership—

> The Republican national committee.
> The Democratic national committee.

The most recent expression from the Democratic national committee was by resolution offered before that organization by Speaker CLARK, of the House of Representatives, as follows:

> *Resolved*, That the Democratic national congressional committee hereby places itself on record as being in favor of submitting the Federal woman suffrage amendment for ratification, and hopes that the Senate will vote to submit it at the present session.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. THOMPSON. I yield; certainly.

Mr. KING. The last expression of the representatives of the Democratic Party nationally who had the right to speak declared in favor of leaving the question of suffrage to the States, did it not?

Mr. THOMPSON. I think not. I think the last Democratic national convention stated its absolute belief, as a party, in extending the suffrage to all women throughout the country, but it followed the platform of the Republican Party in leaving it to the States to figure out the best way they saw fit. That is true; but when both of these great parties meet again in national conventiin, if this question is then presented there will be no doubt but that both of the great political parties of this country will include as a part of their national platform an indorsement of the Federal amendment, and in this connection I will say that while suffrage has not been heretofore considered a party question, it will be well for a Senator to ask himself and his colleagues the question: "How can my party stand against votes for women, and yet expect women with votes to support my party?"

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Kansas yield to the Senator from Montana?

Mr. THOMPSON. I yield to the Senator from Montana.

Mr. WALSH. The question addressed to the Senator from Kansas by the Senator from Utah, for information, I am sure, can be best answered by a reference to the declaration of the Democratic platform. It has been asserted in some quarters that that plank declared against and put the party on record against the Federal amendment. I will read the platform, and I undertake to assert that it is impossible of any such construction. It reads as follows:

> We recommend the extension of the franchise to the women of the country by the States upon the same terms as to men.

The Democratic convention recommended to the several States that they individually extend the right of suffrage to women. There was absolutely no declaration whatever in relation to the Federal amendment. Everyone was permitted, so far as the platform was concerned, to hold his own views and advocate his own ideas with respect to that particular matter.

Mr. President, this plank in the platform—and I had a small part in its preparation—met then, and meets now, my entire, hearty, and unqualified approval. I urge upon all appropriate occasions, and some that are inappropriate, the extension of suffrage to the women of the country by the individual action of the States; but at the same time I am just as earnest in my advocacy of the extension of suffrage to the women of the country by the action of the Federal Government.

In other words, Mr. President, there was no declaration whatever in the platform either for or against submitting to the people of the States a Federal amendment upon this subject.

Mr. THOMPSON. Mr. President, proceeding with reading the article, from which I have digressed temporarily, in addition to the favorable expression of the committees of the two great political parties of the country, who are supposed to represent their respective parties to a large extent, and the other parties and organizations I have read, the article is as follows:

> The 2,000,000 organized women of the National American Woman Suffrage Association, the 2,500,000 women of the General Federation of Women's Clubs, National Woman's Trades Union League, American Collegiate Alumnæ, American Nurses' Association, National Educational Association, National Convention of Business Women, Woman's Christian Temperance Union, various State legislatures, State political parties, organizations, churches, granges, labor organizations, business men and women, citizens, and political leaders.
>
> The American Federation of Labor recently passed the following resolution, also printed in this article:
>
> Whereas the American Federation of Labor and its affiliated bodies have repeatedly urged upon the lawmakers of this country the essential justice and economic need of equal suffrage for women and men; and
> Whereas the military needs of the country are taking millions of men out of industry and women are filling their places; and
> Whereas this substitution of voteless women for voting men inflicts upon the working people of the Nation an acute injustice by cutting down our voting strength and share in the control of our Government: Therefore be it
>
> *Resolved*, That the American Federation of Labor, in convention assembled, considers this injustice no longer tolerable, and demands on behalf of the working people of the United States that the United States Senate take immediate action to enfranchise the women of the Nation by passing the Federal suffrage amendment now pending in that body.
>
> SAMUEL GOMPERS, *President*.

Mr. President, from the beginning woman has played her part in the development of civilization. She has done her share toward maintaining the material welfare of mankind and more than her share in advancing the moral welfare of the people.

Yet ever since Adam and Eve dwelt together in the Garden of Eden woman has been fighting for her rights before the world. Even her helpmate, man, early deserted her in her struggles. In the midst of ignorance, superstition, and oppression she has been regarded as man's inferior. The darker the age, the more uncivilized the people, and the more autocratic the government the fewer rights and privileges she has enjoyed. As time has rolled on and the people have become more civilized and enlightened and the nations of the world more democratic the nearer she has come to be regarded as man's equal, and, indeed, in many things his superior.

In this terrible struggle for world democracy and political freedom this country is placed in a ridiculous and extremely embarrassing position, to say the least, in withholding complete democracy from the people of our own country. Withholding the vote from woman is a relic of barbarism and is an inheritance of feudalism. In the minds of all thoughtful people equal suffrage is an essential to democratic government. Let us bear witness that the women in this war have demonstrated that they are ready, able, and willing to perform their part in the awful struggle equal with that of the men, and, indeed,

women have shown themselves able even to do the work of the men, when necessary, in addition to that of their own. Remember that it was the women who made the last stand on the battle field for poor old Russia, and they would be defending her soil to-day if the men had followed their patriotic example. Who knows but what the women may yet be required to make the last stand for democracy and freedom? The indomitable courage, bravery, and patriotism shown by the "Legion of Death" will forever mark one of the most dramatic and heroic pages in all history. In the language of the poet:

The bravest battle that ever was fought,
Shall I tell you where and when?
On the maps of the world you will find it not;
It was fought by the mothers of men.

While women stand ready to forge cannon, make guns, and even to use them on the field of battle, and to do man's work wherever necessary for the good of the Nation, it is a gross injustice amounting to nothing less than an outrage to deny them the right of suffrage, or any other right that man may be entitled to or permitted to enjoy. If the people of this country had never before looked upon woman suffrage with favor they should do so now in recognition of woman's sacrifice in defense of our citizenship and the natural and inalienable rights of life, liberty, and the pursuit of happiness.

In the language of President Wilson in his last statement on the subject, when he expressed his earnest hope that the Senate would pass this amendment:

The services of women during this supreme crisis of the world's history have been of the most signal usefulness and distinction. The war could not have been fought without them, or its sacrifices endured. It is high time that some part of our debt of gratitude to them should be acknowledged and paid, and the only acknowledgment they ask is their admission to the suffrage. Can we justly refuse it?

While we boast of being the greatest democracy in the world, is it not a little strange, and somewhat humiliating, that we fail to keep pace with our less-democratic allies? England, although before the war looking with much less favor upon this question than we did, has taken the lead, and France and Italy have both promised to follow. Is it possible that the Government of the United States, with liberty and freedom forming the chief cornerstones of its foundation, shall remain in the rear when it comes to performing the most democratic act it is possible for any Government to perform? The women of America are rightly becoming more and more impatient at the continued postponement of justice, and this is not the time to increase unrest and discontent among the people by refusing to extend political freedom to one-half of our citizenship.

Bear in mind that the women of this country are far better prepared for the ballot than the men were when they usurped the power of using it to the exclusion of the women. The granting of suffrage to the twenty millions of women voters of the country will bring to the electorate more intelligence and patriotism than was ever brought to it before at any one time. It will purify the ballot as completely as running clear water into a muddy stream.

Woman suffrage is coming as certainly as the sun is sure to rise to-morrow. The struggle is almost over. The victory is about won. A story is told of one of our soldier boys returning to camp from an afternoon off and who was stopped by a sudden call of "Halt!" from a sentry. "Halt?" exclaimed the soldier. "Don't halt me; I am a half hour late as it is." So when Senators cry "Halt!" to the Federal amendment I reply, "Great heavens, our Nation is a half century late with this reform now!"

Everybody knows that with the women voting to the north of us in Canada, in most of our Western States, in Texas and Arkansas in the South, and in the big Empire State in the East, woman suffrage for the Nation can not long be postponed. In our national affairs it is a wrong and an injustice to the good women of the South and New England that the women of the West, North, and East shall enjoy the ballot and they be deprived of it.

Furthermore, it is high time that citizenship became a national affair, as the present crisis proves beyond the shadow of a doubt. Actual successful experience with woman suffrage in a dozen States stands as a conclusive argument against every objection which has been raised against it. When once granted and its beneficent results realized, no suffrage State has ever attempted to take the franchise away from women, and no State ever will. This record in the suffrage States is irrefutable. Not one of the evils or misgivings darkly pictured by the anti-suffragists has ever been borne out in actual experience, while practically every contention of the suffragists has been sustained. Forty States of the Union already permit woman suffrage in some form. Only 8 States may be described, in the language of the suffragists, as being black—where women are not permitted to vote upon any question at any time or place. In 12 States women have been granted complete equal suffrage and in 6 more States they have been granted presidential suffrage, making 18 States in all where women can now vote for candidates for the highest office in the land, in which States there is a population of about 10,000,000 women voters. So women may now vote for 193 presidential electors, 28 Senators, and 108 Representatives. In size the suffrage territory comprises an area larger than the Republic of France or the German Empire. Of the 3,616,485 square miles of territory in continental United States, 1,827,267 have been whitened with real democracy, so that more than one-half of the area of continental United States is already under the suffrage flag.

While suffrage has never been a party question, yet it would be well for every Senator to ask himself and his colleagues the question, "How can my party stand against votes for women and yet expect women with votes to support my party?"

As a member of the platform committee I had the privilege and honor of presenting a national suffrage plank to the Democratic national convention in 1916, but it was modified to express our belief as a party in extending suffrage to all the women of the whole country, but leaving it to the States to work out to suit themselves. This was a long step in the right direction. The Republican Party had also adopted a similar plank in their national platform.

The Democratic Party certainly has nothing to fear from woman suffrage. President Wilson, at the last presidential election, carried all but 2 of the then 13 suffrage States; and recently, in the special congressional election in New York to fill four vacancies, since the adoption of woman suffrage in that State, the Democrats elected all four Congressmen. If the amendment is now carried, every Democrat will in the future feel proud of the privilege to say that it was during a Democratic administration that the women of the entire country were granted political equality and freedom.

There is a practical political side to this question: Every Senator knows that if the amendment does not pass now woman suffrage will continue to be a live issue in the congressional and senatorial elections this year. He also knows that if the next Congress does not pass the amendment the question can not possibly be evaded or avoided longer than 1920, when the Federal amendment will have to be written into the platform of all political parties, or that party which fails to do it will go down to ignominious defeat. Realizing these facts, and desiring to avoid any further discussion or contention over the subject, I believe that most Senators want to meet the issue now and be done with it. It will then be out of Congress, out of politics, and simply up to the various States, where those who contend against it from a State-rights standpoint desire it to go.

He must be a clever inventor, with a genius for a distortion of the truth and with a profound disregard of it, who would attempt at this stage of the world's progress among women longer to deny the desire and necessity for wife, mother, sister, and daughter to possess this priceless privilege of citizenship.

Yes; the battle is as good as won. The wonder of posterity will be that there ever was any cause for a battle. It was the old, old battle, in which might dictated and dominated all, regardless of right. Opposition to it involves the same principle advocated by Germany in her present world war of conquest and oppression. Are we as Americans to stand with Germany or our allies on this vital proposition? For my part, I shall stand by the allies on this as well as every other important question involved in the conduct of the war.

Every great reform, every great institution marking an epochal advance in the amelioration of mankind, is seen by succeeding generations to be the "lengthening shadow of some one great man or woman." To-day it is the shadow of Susan B. Anthony demanding the vote for women. How that shadow has enlarged itself in the last 50 years! How the great heart of that wonderful woman would have swelled with exultation and emotions of joy if she might have lived to be present to witness the recent scenes in the House of Representatives and in this Senate to-day.

Her spirit is present with us to-day pleading the great cause, so long unjustly denied, to the nobler half of the human family. Like all martyrs, prophets, and seers, she not only had the vision but the faith and indomitable courage of her convictions, and toiled with almost ceaseless energy while she lived for the cause that to her was above every other cause. Clearly she was in advance of her time. Slowly all thinking and justly disposed peoples are moving up to her advanced position. Her dream has all but become a grand reality. What in her day was to all others but a few faithful followers of a hopeless cause has now risen, swollen-stream fashion, to such height that he must be brave to the point of foolhardiness who would

longer desire or seek to arrest the success of this greatest of world-reform movements.

Yes; posterity will marvel, and justly, if the Senate shall fail here and now to do its duty. Did I say duty? And let me add the word privilege, solemn and profound. Sirs, we stand in the spotlight! The eyes of the world are gazing full upon us! The world now waits on the Senate. Let us right these "immemorial wrongs, woman's otherwise immedicable woes."

Mr. WILLIAMS. Mr. President, two things said by the Senator from Kansas [Mr. THOMPSON] have struck me favorably. All of it, of course, has struck me eloquently, because what he read to the Senate was all eloquently indited. One of the things that strikes me is his reference to the female sex as the nobler part of the human race. I not only agree that women are the nobler part of the human race but the purer part of it, the prettier part of it, the most poetical part of it, and the best part of it in every way in the world.

The next thing that strikes me about the Senator's speech is his elaboration of the two words "white" and "black." He went on to draw a map, a part of which he painted white and a part of which he painted black. The people who agreed with him are placed on the white part of the map and the people who disagree with him are, of course, on the black part of the map. It struck me right there that I should offer an amendment to this joint resolution which could express something "white" sure enough, not merely "on the map" but really.

In a great Republic where there is a democracy and where people pretend, at any rate, that they are in favor of fraternity and equality and liberty you want a homogeneous population that can be virtually and really brothers with one another. You can not have that with a heterogeneous population where there is no possibility of blood relationship in lawful marriage. You can only have it where there is a potentiality of blood relationship in lawful marriage.

I have, therefore, made up my mind to give the Senator from Kansas something "sure enough white" to talk about, not merely on the map, but racially and otherwise. I think the amendment which I am going to offer can be understood by any white man or, as they say out West, by any man "who is white." That does not mean white racially, but who is soulfully white, temperamentally white, who is "white sure enough, down to his gizzard," you understand.

I shall therefore offer an amendment, and I do now offer it, in line 9, page 1, of the joint resolution, after the preposition "of," and before the noun "citizen," to insert the adjective "white," so that the joint resolution shall read:

SECTION 1. The right of white citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Mr. President, my wife is just as capable of voting as I am. Her purposes are just as honest, her life is much better, her conduct is much more worthy of human regard. My daughters are just as capable of voting as my sons in every possible way, mentally and morally, and even politically. Although they have not belonged to the school of modern women who have made a study of politics still their hearts and their instincts lead them right. But I come from a section of the country where we can not afford to do what this amendment would do, and I warn the people out west of the Rocky Mountains, in California and elsewhere, that they can not afford it either. Their day of trial and tribulation has not come right now, but it will come sometime. There will be a time in international and domestic relations when if they have not already "drawn the white line" they will regret not having done it.

Why, we find during this war that even the white race is not homogeneous enough to furnish a safe population for a patriotic people. We find that a lot of people who belong to the white race are by tribal instincts of one sort or another antagonistic to the American Republic. Are you going to arm all the Chinese and Japanese and negro women who come to the United States with the suffrage?

Do not ever forget this: In order that there may be liberty there must be equality. In order that there may be equality there must be fraternity, and no fraternity is possible except under at least the potentialities of blood relationship in lawful marriage. When you stand here and want to give suffrage to women whom you do not admit into that sacred circle—and none of you do; not a man of you, not a woman of you, up there in the galleries—you are doing something which from your own standpoint, nationally and internationally and socially, is stupid.

Now, Mr. President, I move after the preposition "of," and preceding the noun "citizen," in line 9, page 1, of the joint resolution, that there be inserted the adjective "white."

The VICE PRESIDENT. The question is on the amendment of the Senator from Mississippi [Mr. WILLIAMS].

Mr. BRANDEGEE. Mr. President, I do not care to discuss the amendment offered by the Senator from Mississippi [Mr. WILLIAMS]. The proposed so-called Susan B. Anthony amendment to the Constitution of the United States is as follows:

Resolved, etc., That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

I rise for the purpose of asking the Secretary to read in my time two letters which I have received from the American Constitutional League, one from its president, Mr. Fairchild, and the other from the chairman of its executive committee, Mr. Everett P. Wheeler, and also to read the tabulation of the States which have voted for woman suffrage and against woman suffrage. I send the letters to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

AMERICAN CONSTITUTIONAL LEAGUE,
Washington, D. C., June 25, 1918.

Senator FRANK B. BRANDEGEE,
Senate Office Building, Washington, D. C.

DEAR SIR: We are informed that you are one of the thinking statesmen who have reached mature convictions regarding the fundamental principles of our form of government; that you hold, with the present United States Constitution and the latest decision of the Supreme Court, that—

"The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government. * * * If Congress can regulate matters intrusted to local authority, the power of the States over local affairs will be eliminated and thus our system of government is practically destroyed."

You are aware that the most fundamental sovereign right of the people of your State is to decide, by popular vote, the qualifications for the exercise of the suffrage; that these qualifications have been placed in your State constitution, subject to amendment only by popular vote, to put them beyond interference, even by your own legislature.

It is now proposed, through the Susan B. Anthony suffrage force bill, not only to surrender to the General Government the most inherent power reserved to your State as a sovereign body, but to rob your people of the right they have reserved to themselves in your State constitution and to have a local question that your people will not trust even your own legislature to decide, decided by the members of 36 other State legislatures.

This Federal force bill, for instance, positively takes from the people of your State the right to say who shall vote for your State officers; absolutely disfranchises every voter in your State on this local question hitherto distinctly reserved to popular vote by your State constitution.

And while disfranchising your own people on a question of most vital local concern, this Federal force bill gives the Legislatures of Idaho, Wyoming, Nevada, and Utah, who know nothing about your local conditions and problems, exactly four times as much power to decide who shall vote in your State as your own legislature would have under this force bill.

This suffrage force bill gives some 4,000 members of 36 legislatures, regardless of local conditions, racial problems, or extra expense, the exclusive right to decide for the entire Nation a question which the people of your State do not allow even your legislature to decide for your State.

Such a revolutionary force bill can not possibly stop at the first step. As Elihu Root, who is no radical or devoted defender of "State rights," says:

"If you enable some parts of the country to coerce other parts of the country in their local affairs by the use of national power, you will destroy the whole system and ultimately break up the Union. This is precisely what this amendment undertakes to do."

This force bill is repugnant to every principle of democracy ever voiced in this country. The law of majority rule, called by Jefferson "the first principle of a Republic," is outraged when a Federal force bill undertakes to disfranchise the voters on a subject precisely because the majority of them have rejected it. Local self-government, "self-determination," is equally ignored when every State in the Union is compelled to submit its most vital local issue to the legislatures of other States rather than to its own citizens.

Furthermore, in a time of war and national crisis this amendment would not only start a stupendous political agitation for ratification in 48 States, but, upon ratification, would immediately renew the "reconstruction" and racial problems in the South, as well as double the Socialist and Bolshevist menace in the North. It would add to the expense of the Government $25,000,000 a year, wasting on a revolutionary political experiment an amount that would buy 500,000,000 rounds of ammunition for national defense, an amount sufficient to pay for every bullet our Army of a million men would use in a year.

Will you not, therefore, stand by the convictions which your own statesmanship and legal training must have given you and vote "No" on the Susan B. Anthony suffrage force bill next Thursday?

Respectfully,

THE AMERICAN CONSTITUTIONAL LEAGUE,
CHARLES S. FAIRCHILD, *President*.

—

AMERICAN CONSTITUTIONAL LEAGUE,
New York, June 25, 1918.

Hon. FRANK B. BRANDEGEE.

DEAR SIR: Allow me on behalf of this league to express our great satisfaction at the manly and courageous course you have taken in opposition to the resolution depriving each State of its present right to regulate political suffrage for itself. Such an amendment to the Constitution is subversible of the fundamental principle of our Union, which is to leave to each State the regulation of its own affairs. Under this system we have prospered. A contrary system in some other countries has led to discontent and failed.

This attempted compulsion of States opposed to political suffrage for women is not democratic. It is German. The Germans were as confident of the excellence of their kultur as suffragists are of their dogma. Instead of attempting to convince other States, they sought to compel. That is what the suffragists are trying to do with Maine, Massachusetts, New Jersey, Pennsylvania, Ohio, Nebraska—all of which have voted by large majorities against political suffrage for women.

We honor women for all they have done, not only in this war but in all time. We would reward them with honor, love, and protection, as American men have always done. But to enforce the responsibility of political activity upon them is not a reward but a burden. Let not the activity of jealous advocates conceal the truth that each State should decide this question for itself.

We urge, therefore, that you attend and vote against the resolution.

Yours, faithfully, EVERETT P. WHEELER,
Chairman.

—

Record of woman suffrage at the polls.

DEFEATS (18 IN 5 YEARS).	Majority against.	VICTORIES (11 IN 25 YEARS).	Majority for.
		1890.	
		Wyoming (indorsed with constitution when Territory became State).	
		1893.	
		Colorado	6,347
		1896.	
		Idaho	5,844
		Utah	23,618
		1898.	
South Dakota	3,286		
		1910.	
		Washington	22,623
		1911.	
		California	3,587
		1912.	
Ohio	87,455	Oregon	4,161
Wisconsin	91,478	Arizona	7,240
Michigan (November)	760	Kansas	16,049
		1913.	
Michigan (April)	96,144		
		1914.	
South Dakota	11,914	Nevada	3,678
Ohio	182,905	Montana	3,714
North Dakota	9,139		
Nebraska	10,104		
Missouri	140,206		
		1915.	
New Jersey (granted women the franchise in 1776, but withdrew the right in 1807)	51,108		
Massachusetts	133,447		
Pennsylvania	55,686		
New York	194,984		

DEFEATS—continued.	Majority against.	VICTORIES—continued.	Majority for.
	1916.		
Iowa	10,341		
South Dakota	5,219		
West Virginia	98,067		
	1917.		
Maine	18,234	New York (woman suffrage was imposed on New York State by the pacifist-socialist vote of New York City, aroused by Morris Hillquit and Dudley Field Malone. Outside of New York City, woman suffrage was defeated throughout the State)	102,353
Total majority number of ballots against	1,346,597	Total majority number of ballots for	199,214

Mr. BRANDEGEE. Mr. President, to the inquiry contained in the letter of Mr. Fairchild I answer that I will stand by my convictions and vote them. Now I ask the Secretary to read the article which I send to the desk, from the New York World, which I believe is considered to be a fairly good exponent of the principles of the Democratic Party.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

"If any old-fashioned Democrats remain, they must read with uneasiness the message sent by President Wilson to a member of the Louisiana Senate urging the legislature of that State to establish woman suffrage.

"This is a State measure, with which the President has nothing to do; but it will be recalled that last January he recommended favorable action by Congress upon the proposed constitutional amendment, with which also in his official capacity he has nothing to do. Although the House of Representatives has given the amendment the necessary two-thirds majority, the supporters of the project in the Senate have not yet been sure enough of their ground to risk a vote in that body. The Louisiana telegram may have been intended in a roundabout way to influence the decision of the United States Senate or the representatives of that State in the Senate. If not, it must be accepted as a startling interference by the Chief Magistrate in a matter always held by Democrats to be within the sovereign powers of the States.

"In the process amending the Federal Constitution no account is taken of the President. His approval is not necessary at any stage of the proceedings, and he has no power of veto. Since the makers of the Constitution were extremely careful to leave national amendments wholly in the hands of Congress and the State legislatures, it must be admitted that presidential recommendations for or against State amendments are as questionable in point of taste as unwarranted in law.

"Surprise in this instance, however, results not so much from what has been done as from the fact that the innovation must be attributed to the most illustrious Democrat of our time. A prohibition amendment submitted by a Democratic Congress and certain, if adopted, to make local self-government only a memory and cripple the police powers of the States is already before the various legislatures for approval. Woman suffrage by national amendment will deprive the States of control of the ballot, denied only once, in the case of the negro, and then disastrously. With a few more movements of this kind State lines must disappear, except as they may represent provinces goaded and guided by an all-powerful centralism at Washington.

"The tremendous demands that war is making upon the hearts and minds of the people are likely to confuse judgment as to the momentous political revolutions now going on almost unnoticed, but it is not difficult to see what they mean to the people and what they mean to the Democratic Party. The changes in our form of government are to be radical and permanent. The party which for more than a century has resisted these changes, usually with success, now, under one of the greatest of its leaders, submits to them and, some will say, encourages them.

"Even though the historic Democratic Party may thus decree its own death, democracy is unconquerable. Under other names and other banners it will endure, but in the new alignment many a so-called Democrat who has lost faith in the basic principle of his party is bound to perish."

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BRANDEGEE. With pleasure.

Mr. LEWIS. Mr. President, will the Senator from Connecticut give me his opinion as to a viewpoint expressed through the article tendered by him, I take it, from some bar association? It is this: Has the Senator from Connecticut any legal doubt but that the power in the State of Connecticut would still remain to prescribe qualifications and conditions under which suffrage could be exercised under this amendment to the same extent as they do now and as they have for the past 10 years?

Mr. BRANDEGEE. I have no doubt about it. It would utterly deprive the State of the power to determine the qualifications of its own electors.

Mr. LEWIS. I did not quite catch the Senator's reply.

Mr. BRANDEGEE. I say I have no doubt about it.

Mr. LEWIS. Well, which viewpoint does the Senator have?

Mr. BRANDEGEE. I have the viewpoint that, if the Constitution of the United States says the State of Connecticut can not prescribe the qualifications of its own electors, it can not do so.

Mr. LEWIS. Then I fear I did not make myself clear to the Senator. I meant to ask the Senator does he feel that this amendment, when adopted, would in any wise take from the State of Connecticut the same power to regulate by conditions and qualifications the enjoyment of the suffrage to the same extent that it has done heretofore under State law?

Mr. BRANDEGEE. I do not know whether it is an enjoyment or not; but I think it would absolutely deprive the State of the right to limit the suffrage to males. [Laughter.]

Mr. LEWIS. The Senator, of course, understands I recognize that it removes the limitation of sex; but as to conditions and qualifications in the enjoyment, such as education, such as protection of the ballot at the hands of those who should be enlightened enough to exercise it, does the Senator feel that this amendment in any wise would interfere with that indicated in the paper presented by him from some bar association?

Mr. BRANDEGEE. It was not from a bar association; it was from the Constitutional League of America.

Mr. LEWIS. I understood something of the kind. I want to know if the Senator's opinion agreed with their views as to that?

Mr. BRANDEGEE. My opinion is that a State at present has the right to confine the suffrage to the male sex, if it chooses to do so; but if this amendment is passed it can not do it.

Mr. LEWIS. Yes; I concur with the Senator, if this amendment is passed.

Mr. BRANDEGEE. As to any other qualifications, this amendment, of course, does not touch them at all.

Mr. LEWIS. The Senator from Mississippi [Mr. WILLIAMS] has led me to conclude that he had a different opinion. I accept the viewpoint of the Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Mississippi was not talking about the amendment before the Senate; he was talking about the amendment that he has offered to restrict the suffrage to white people. I am not discussing that question.

Mr. LEWIS. Since the Senator from Connecticut has been courteous enough to yield, does the Senator from Connecticut, apropos of the amendment suggested by the Senator from Mississippi, assume that the Congress of the United States could pass an act which would limit the suffrage to whites without having it declared invalid under the opinion of the Supreme Court of the United States lately delivered in connection with a case coming from Oklahoma under a provision of the constitution of that State?

Mr. BRANDEGEE. No; I do not; nor under any other decision of the Supreme Court of the United States. I do not think an act of Congress can touch that question at all.

Mr. LEWIS. I agree with the Senator.

Mr. BRANDEGEE. But that is not the proposal. It is proposed as an amendment to the Constitution of the United States and not as a United States statute at all.

Mr. THOMPSON. Mr. President, will the Senator yield for a question?

Mr. BRANDEGEE. I yield.

Mr. THOMPSON. The Senator states that he thinks the States have a right of course to limit suffrage to men. Does the Senator think that the States would have the right to limit it entirely to women if they saw fit?

Mr. BRANDEGEE. Absolutely; there is no doubt about that, or to put any other qualification on the privilege of voting. It is not a right, but is simply a privilege in the discretion of the Government of the country.

Mr. THOMPSON. There is no national constitutional inhibition against women voting, then, is there?

Mr. BRANDEGEE. Well, there is no national constitutional provision about it at all, except that the States shall have the rights which they did not delegate to the National Government.

Mr. President, the letters which I have sent to the desk and the editorial from the New York World represent my views upon this question. I think the Constitution of the United States was designed to be a broad charter defining the character of our Government. It divided the powers of Government into three parts—the legislative, the judicial, and the executive—and in broad outline it indicated the kind of government we were to have as a nation; but the Constitution was framed by delegates from the several States, and they carefully reserved to the States all the rights that they had not specifically delegated to the National Government or which were not necessarily implied from the specifically delegated powers. I do not think the Constitution was designed to be a criminal code nor a set of local ordinances nor a book of statutes. I do not think it was intended that we should put into the Constitution of the United States, at the behest of the legislatures of three-fourths of the States, without any submission whatever to the people of the States, provisions as to what we should eat and what we should drink and when we should go to bed and what should be our local customs in our home communities.

I think the framers of the Constitution were a very wise and learned set of men of great experience, and they intended to formulate the frame and kind of government that should exist in this country. They never intended, in my opinion, that Congress should attempt to say at what age a child shall work in Louisiana or in Mississippi, or whether or not the people of California shall raise grapes or shall make them into wine after they have raised them, or that three-quarters of the States should say that nothing produced by negro labor in the South should ever come north of Mason and Dixon's line. I do not think that they intended, when they made the Constitution of the United States, defining and limiting the powers of the National Government, to deprive the people in their respective home communities of the right of local self-government and home rule. To talk that way now may sound like an old fogy; it may be that the Congress now thinks that wherever there appears an insistent and persistent vocalization for a cause or a propaganda, Congress has no duty in the premises except to yield to it and pass the thing on to the legislatures of the States. That is not my view of our duty, Mr. President.

If I recall the language of the Constitution, it is in substance this: That whenever two-thirds of the Senate and two-thirds of the House of Representatives of the Congress think the United States Constitution should be amended, they shall pass a resolution to that effect and submit it to the legislatures of the several States—whenever two-thirds of each branch of Congress thinks it is *necessary* they shall submit it to the legislatures of the several States. I do not think this is *necessary*, and I have some doubt as to whether some gentlemen who are inclined to vote for this thing think it is *necessary*. I say that because I have heard Senators express in ordinary cloakroom conversation their notion that whenever there was a persistent demand for a thing they would vote to submit it to the several States.

Mr. President, the framers of the Constitution thought the people of this country would send to Congress men who had ideas of their own and did their own thinking; they did not think we were simply to be a funnel to pass on to the States whatever some newspaper or some propaganda should agitate sufficiently strenuously and sufficiently loudly. They intended the Constitution to be of such fundamental character that it could not be amended, except when the Congress thought it was *necessary* and the legislatures of three-quarters of the States thought it was *necessary*.

Now, I have a high enough opinion of the Congress of the United States to feel that the opinion of the Senate and the House of Representatives representing the 48 sovereign States of this country is of almost as much importance as that of the legislature of some State. I actually think that; and I think when the framers of the Constitution said that the Constitution should not be amended except two-thirds of the Senate and two-thirds of the House thought it was *necessary*, they meant exactly what they said. Under our oath of office I do not feel, and I do not think that any other Member of Congress ought to feel, that that duty should be regarded as a purely perfunctory one. I do not think that in the process of amending the Constitution, which is the process of making the Constitution, the Congress of the United States of America should simply be a conduit to shove things away from us onto the legislatures of the States.

I may be all wrong about that. I know the force and the intimidating effect of a persistent, well-financed minority in any propaganda that they start to conduct in this country. We all know it. Nobody here is fooled by it. The letters and telegrams and delegations and visitations that are inflicted upon us on subjects about which we have thought for years, from all sorts of societies and organizations, contribute

very little to the sum total of human information. Most Senators and Representatives have read and thought everything that has been printed and said upon this question, and upon both sides of it; and, in my opinion, any man who is a Senator of the United States or a Member of the House of Representatives who will change his vote on a fundamental matter of this kind until he has changed his mind and his honest conviction is not worthy to be a Member of Congress.

What do the proponents of this constitutional amendment say? They all try to utilize the war as a reason why they should have the privilege of voting. They call it a right. Of course it is not a right. They know that just as well as we do. Every court in the country has decided, wherever the question has been presented, that the suffrage was not a right but was a privilege conferred by the Government. There is no more reason in morals or nature why sex should constitute a natural right to the suffrage than there is why a boy 15 years old should not vote. The Government says he can not vote until he is 21. There is no inherent right whatever about it. There is no question of morals whatever about it. The only question is the honest, sane judgment of the men in charge of the Government of the United States and of the several States as to what is best for the Government of the United States and for the States in this matter.

I am not discussing the question of suffrage. I admit freely that each State can and ought to decide that question for itself, as the President of the United States himself said, and as both political platforms say. I am perfectly willing that each State should decide it for itself, and they are the proper tribunals to decide it, for they know their own local conditions; but we are asked here to use the Constitution of the United States as an instrument, by the vote not of the people but of the legislatures of three-quarters of the States, to impose this thing upon the other quarter of the States, whether they want it or not. Now, is that democracy? Is that home rule? Is that local self-government? Why, it can not be so, Mr. President. As the Supreme Court said in the child-labor case, such a theory is utterly subversive of every notion of democracy upon which this Government was founded and upon which the Constitution was founded.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oklahoma?

Mr. BRANDEGEE. Certainly.

Mr. OWEN. Did the Senator favor the fourteenth and fifteenth amendments?

Mr. BRANDEGEE. I was an infant when the fifteenth amendment was adopted, I will say to the Senator.

Mr. OWEN. Does the Senator favor it now?

Mr. BRANDEGEE. I do not know. Does the Senator from Oklahoma favor it?

Mr. OWEN. I do, and I have sworn to sustain it on this floor.

Mr. BRANDEGEE. I have sworn to sustain it, of course, but whether I would have enacted it or not it is a different thing. But, Mr. President, I want to say to the Senator that the fifteenth amendment, which gave the ballot to the black race in this country, was the product of force and of a war. There had been, from the foundation of this Government, the question of slavery impending, which finally rent the country and produced the great Civil War, and it was brute force that won the Civil War; and as a necessary corrollary of it the party in power at that time thought it was necessary to enfranchise the blacks in order that the fruits of the war should not be lost, and it was done. Now, whether it is a mistake or not, the Lord only knows. I do not.

Mr. OWEN. I merely call the attention of the Senator from Connecticut to the fourteenth and fifteenth amendments, which were advocated by the particular party to which he belongs, and which were the fruit of the Civil War, and the adoption of which was brought about by the fact that a moral question arose concerning human slavery, and the Constitution was amended by a vote of the States. The Senator, if he recognizes that principle in the case of enfranchising the negro race, can not, I think, consistently argue against the application of the same principle in amending the Constitution with regard to the white women of this country.

Mr. BRANDEGEE. I think I can; but I would omit the word "white."

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Mississippi?

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. In reply to the Senator from Oklahoma, I wish to say that there was no necessity at all, in order to liberate the negroes of this country forever, to adopt the fifteenth amendment. The Senator from Connecticut says that the Lord only knows whether or not a mistake was made when that amendment was adopted; but I want to say to the Senator that the southern people, in addition to the Lord, know that a great mistake was made, an unpardonable mistake.

Mr. BRANDEGEE. Mr. President, of course I assume that different people may have different views upon this question. I admit the experience of the Senator from Mississippi in that line, and I know that that is one of the questions in which he is deeply interested, but I am not discussing that question. The Senator from Oklahoma, however, can not accuse me of inconsistency. If I am in favor of the fifteenth amendment, or thought it was wise, it would have no relevancy whatever to my convictions or to my vote upon this question. As I say, that was absolutely a war measure, in the opinion of those who put it in the Constitution of the United States, just as much as the raising of the Army was a war measure; and it was thought necessary—whether mistakenly or not, I do not know—by those in charge of the Government at that time to put it in the Constitution, and they did it. Now, any Senator who is going to vote for this proposed constitutional amendment because he thinks the fifteenth amendment was a glorious success, in my opinion, had better take another think about it. We certainly have had time enough to reconsider that matter, about 50 or 60 years; and if any Senator thinks we were wrong in putting the fifteenth amendment into the Constitution, all I say to him is, "Do not do it again."

Mr. VARDAMAN. Mr. President, if the Senator will pardon me——

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. I should have very little objection to the fifteenth amendment if it provided only for the emancipation of the negro; but instead of giving him his freedom, instead of abolishing slavery, it gave him the right of suffrage, or the privilege of suffrage, which was, in my judgment, an egregious mistake.

Mr. BRANDEGEE. I am glad to see the Senator makes a distinction between the right and the privilege.

Now, Mr. President, I am not discussing whether any State ought to prescribe as one of the qualifications of the electors who are to choose its officers, and those who shall govern it, whether it shall have woman suffrage or not. That is its business and not mine. I do not want to attempt to say what the qualifications of the electors of the State of California shall be, and I am not qualified to do it. I do not want the Senator from Mississippi to say what the qualifications of electors in Connecticut shall be, and I do not think he wants me to try to attempt to say what shall be the qualifications of electors in Mississippi, and I am not qualified to do it.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut further yield to the Senator from Mississippi?

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. So far as Mississippi is concerned, all the damage has been done that can be done by the adoption of the fifteenth amendment.

Mr. BRANDEGEE. If the Senator feels that way, I suppose he will vote for the amendment and double the damage.

Mr. VARDAMAN. I do not think any possible damage could be done by investing woman with the privilege of suffrage.

Mr. BRANDEGEE. Mr. President, as I say, I am not arguing the merits of woman suffrage. I am not here to say that a woman is not a great deal better than a man. I am not here to say that they will not elevate and purify politics, though I doubt it very much, because I think that women are very much like men in this respect; that they are good, bad, and indifferent. I think where you find the men bad you will find the women bad, and where you find the men good you will find the women good, and where you find the men indifferent you will find the women indifferent.

Mr. VARDAMAN. Does not the Senator think that bad women are made so by some bad men?

Mr. BRANDEGEE. Well, I think there are some bad women. [Laughter in the galleries.]

The PRESIDING OFFICER. Demonstrations are not permitted under the rules of the Senate.

Mr. BRANDEGEE. Mr. President, in my opinion the granting of suffrage to women will not make a better government and will not make better laws for this country. I may be totally mistaken about that. Of course, it will double the number of voters and double the expense, and a lady has got to vote either against her husband or with him. If she votes with him the result will be the same, and if she votes against him the result will be the same, and if she does not vote at all the result will be just the same as it is now; and I can not perceive how the thing is going to purify politics very much.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BRANDEGEE. Certainly.

Mr. SHAFROTH. Does not the Senator believe that the just powers of government are derived from the consent of the governed?

Mr. BRANDEGEE. What does the Senator believe about the Philippine Islands?

Mr. SHAFROTH. I must say that I have always been in favor of giving independence to the Philippine Islands, and I fought upon the floor of the Senate for that very principle.

Mr. BRANDEGEE. Mr. President, all this talk about striking the manacles and the shackles off the limbs of the enslaved women of this country is perfect tommy-rot. [Laughter.] That is all there is to it.

Mr. SHAFROTH. If we are not to recognize that fundamental principle of government, which is the foundation stone of our Republic, what are we fighting for over in Europe?

Mr. BRANDEGEE. I think to make the world safe for the Democratic Party. [Laughter.]

Mr. SHAFROTH. The Senator will find it is making it safer for democracy, and you can not make it safer for democracy if you refuse to extend this "privilege" to women.

Mr. BRANDEGEE. That argument does not convince me, Mr. President.

Mr. OWEN. Mr. President, the term "privilege" seems now to be accepted as the proper vernacular in dealing with this right of suffrage, but I think that the Senator is not justified in calling it a privilege, because if there is a moral right it is for a human being who is of age to have a voice in the government by which his life and liberties are controlled.

Mr. BRANDEGEE. Mr. President, this question of moral rights is beyond me. Anybody can evolve out of his inner consciousness what he says is a moral right, and maintain it, and there is no way of disputing it or arguing about it. I do not consider it a question of morals at all as to the qualifications of electors. I consider it a practical matter, to be judged by practical men, as to what they think will be the best form of government for the people of the country. All this lingo about the women of America being enslaved is pure trumpery and foolishness. You can not get on a trolley car without having to take off your hat and give up your seat to every woman who gets aboard the car, and they are petted and flattered, and are the queen bees in this country, and there is no nation in the world where a woman's lot is so happy as it is in the United States of America.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator, if men were deprived of the right of suffrage, whether or not he would consider it of the character he has described?

Mr. BRANDEGEE. I do not think the men are going to deprive themselves of a function which they have always exercised.

Mr. SHAFROTH. But, as a matter of fact, the people regard deprivation of the right to vote as slavery.

Mr. BRANDEGEE. I do not admit that it is a right at all.

Mr. SHAFROTH. The Senator does not consider it a right?

Mr. BRANDEGEE. I do not. I deny it absolutely.

Mr. SHAFROTH. If it were taken away from the Senator I am inclined to think he would think it was a great right.

Mr. BRANDEGEE. I would not object, or if I did object I would be powerless. If the legislature of my State should decide that bachelors could not vote I would think that it was wrong, but I would submit to it.

Mr. GALLINGER. It would be rather hard on the Senator.

Mr. BRANDEGEE. It would be rather hard on the Senator from Pennsylvania and the Senator from Connecticut, but, Mr. President, this question ought to be looked at right in the face, without fear or favor, without any thought of political preferment, and I will say that anybody who thinks he is going to get any political profit out of voting for this constitutional amendment will be the most disappointed gentleman that has ever been in the Senate. The minute the ladies get the privilege of voting, if they do get it, they will forget all about the gentlemen who gave it to them, and they will vote just as they please.

Mr. OWEN. I hope so.

Mr. BRANDEGEE. And they are just as liable to vote against those who voted to give them the vote as they are to vote for them; I will tell them that. It was an ancient Latin poet who pronounced the phrase, "Varium et mutabile femina est," and they always reserve the right to change their minds upon proper occasions; so that you need not vote for it upon any ground of that kind. But, Mr. President, my fundamental objection to this amendment is that it is inherently wrong, according to my view, to prostitute the Constitution of the United States, which is the broad charter of our liberties and the definition of our form of government, to the use of sectional, local police regulations, ordinances, and statutes.

There is another feature about this, Mr. President, which occurs to me in passing, and that is this: The object of the framers of the Constitution is perfectly plain. It was intended to be, as nearly as possible, a fundamental and permanent document. It was to lie at the foundations and the corner stones of this great free Republic, and they did not want it to be amended by every passing breath and every whim that seemed to be popular at the time. Of course you hear from whoever is engaged in the propaganda of enacting some legislation. You do not hear much from those who are opposed to it or who are indifferent or do not understand it; but the noisy minority that absorb to themselves all the virtue and credit that the whole female sex is entitled to, get the ear of Congress and of the newspapers. The framers of the Constitution, when they said that before that instrument should be amended it should be deemed *necessary* by two-thirds of the Senate and two-thirds of the House and three-fourths of the legislatures of the States, meant to make it difficult to amend the Constitution, and it ought to be difficult to amend the Constitution.

Now, what happens in an instance like this? Suppose men generally regard their duty here as one to pass on this amendment, to dodge their responsibility, to have no opinion as to whether it is *necessary* or not, and to say, "We will abdicate; we will pass this thing up to the legislatures and turn the women over to the legislatures of the several States and get rid of them here."

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. BRANDEGEE. That is a very important bill, and I desire to speak on it. I shall finish in a few minutes.

Mr. CHAMBERLAIN. The Senator is going to continue?

Mr. BRANDEGEE. For about five minutes.

I say if three-quarters of the legislatures of the States do approve of this thing, if it is passed up to them by Congress, thinking it *necessary*, then suppose it does not work in the States? Suppose some States do not like it and the results are bad. What have they got to do? They are absolutely foreclosed for all time. What becomes of your majority rule? There may be a dozen States that think this thing is a failure and is working ruin upon them. They have got to start an agitation for a constitutional amendment to undo that constitutional amendment, and they have got to convince two-thirds of the Senate, two-thirds of the House, and three-quarters of the legislatures of all the States of the Union to put it out of the Constitution.

Mr. President, the mere suggestion of that shows, as Senator Elihu Root said in that letter I put into the RECORD, that it is perilous to use the Constitution of the United States to regulate the daily habits of the people and their domestic concerns. Is it so that the party which has for 75 years stood for the doctrine announced by its sainted leader, Thomas Jefferson, that "that government governs best which governs least" is here to-day to say that their own States and their own people have abandoned any idea of governing themselves and are now prepared to turn that function over to Washington?

I want to call attention to another thing, Mr. President. Of course, I admit this is a constitutional procedure. The proponents of this constitutional amendment are proceeding in the manner prescribed by the Constitution. I do not deny that. I simply claim that there ought to be a wise discretion as to what sort of thing should be put into the Constitution of the United States. But just think of this: There is not a constitution of a single State in the Union that can be amended without the legislature voting for the amendment and then submitting it to the electors of that State. And yet the Constitution of the United States, that is supreme and overwhelming and overpowering over all State constitutions, can be amended by two-thirds of Congress and the votes of the legislatures of three-quarters of the States without the approval of the people at all.

If there is anything in the world that touches the rights and habits of the people more intimately than the qualifications of their own electors, I should like to know what it is. The people of Kansas may be very wedded to the bone-dry prohibition theory. The people of the great State of New York, 10,000,000 people, may not be. If there are enough States like Kansas—if three-quarters of the States feel like Kansas does—the State of New York is to have bone-dry prohibition put upon it. The State of California, with all its investments and its vineyards, is to have bone-dry prohibition put upon it, not by the people, but by the Congress of the United States and three-quarters of the legislatures of the *other* States.

Mr. President, what sort of Government are we going to have when we get through with this "*ghost dance*" we are now indulging in? Ex-Senator Root foresees it and forecasts it. The New York World foresees it and forecasts it. A good many Democrats see it and forecast it, but they decline to stand up, and try to prevent it. When I say Democrats, I am not reflecting on them. A good many Republicans are doing the same thing. I simply instance Democrats because these things appear to me to be more in violation of the things that they have heretofore stood for and proclaimed should be fundamental.

Now, Mr. President, I have said all I care to say about this matter. I shall vote against the amendment if it comes to a vote, and then my State can do as it pleases through its legislature; but I have pending here an amendment to the Constitution of the United States, reported favorably by the Judiciary Committee, that the Congress can submit constitutional amendments in the future to the legislatures of the States or to conventions to be called in the same, as the present constitutional provision is, *or to the electors of the States*, so that the people themselves can have something to say about what concerns their daily life and their daily habits.

Mr. JONES of New Mexico. Mr. President, I recognize the fact that the unfinished business has been laid before the Senate, but it is very well known to all of us that a week ago notice was given that on to-day we would take up for consideration this joint resolution proposing an amendment to the Constitution of the United States. I should like to ask at this time the chairman of the committee having in charge the unfinished business if he would be willing that the unfinished business may be laid aside until we dispose of the joint resolution.

Mr. CHAMBERLAIN. Mr. President, I do not feel disposed to take the responsibility of laying aside a measure which appropriates money for successfully prosecuting this war. The Senator from New Mexico knows that I have always been an ardent supporter of this proposed amendment. I have supported the principle involved in it in my State since 1880. So I am speaking as one who is friendly to woman suffrage and to the constitutional amendment; but, Mr. President, this Army appropriation bill it was hoped by the War Department might have been passed on the 15th. It has dragged its weary length along until now we are on the 27th of June, and we are not near the end of it yet.

Of course, if the Senate takes the responsibility of laying the unfinished business aside they have that power, they will exercise that right; but they will do it, Mr. President, under the circumstances, over my protest, unless it can be agreed by unanimous consent here that within the hour or, if need be, within two hours a vote may be had upon this proposed amendment. If that agreement can not be reached, I shall insist upon proceeding with the Army appropriation bill.

Mr. FALL. Will my colleague yield to me?

Mr. JONES of New Mexico. I yield.

Mr. FALL. May I ask the Senator in charge of the Army appropriation bill if, in view of the statement yesterday that there is no necessity for any legislation whatsoever along this line except purely a ratification of the appropriation, that ratification could not be made in five minutes? I have not heard that there was any Senator here who was not inclined to vote for the appropriation. In view of the statement made yesterday both by Senators and by administrative officials that there was nothing that they wanted done and no amendment would be adopted to this bill, with no crisis of any kind necessitating legislative action but purely the passage of the appropriation, is it not apparent that those appropriations not meeting with objection can be ratified at any moment? Therefore would it not be perfectly feasible to go ahead and lay aside for a few minutes the consideration of the joint resolution?

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from North Dakota?

Mr. JONES of New Mexico. I yield.

Mr. McCUMBER. I should like to ask the senior Senator from New Mexico if he thinks for a single minute that this bill will go through without an attempt being made to amend it in many particulars, which will not only require two hours, but will probably require a couple of days?

Mr. FALL. Of course, I can not answer as to that. I was simply asking the chairman of the Committee on Military Affairs if it was not apparent to him that the appropriations may be passed in a very few minutes.

Mr. McCUMBER. The Senator may not have the same knowledge I have, but there will be an attempt to do something more than merely vote for the appropriation.

Mr. FALL. It is apparent that the attempt will be futile.

Mr. CHAMBERLAIN. Let me say to the Senator——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Oregon?

Mr. JONES of New Mexico. I yield.

Mr. CHAMBERLAIN. There is legislation in this bill that is very important aside from the items of appropriation. I imagine the Senator was speaking more particularly with reference to the proposed draft amendment, but there is affirmative legislation in the bill. There are a number of measures in it which passed the Senate at one time and went over to the House, but which the House has not acted on, and after consulting the members of the House committee we have put that affirmative legislation on the bill in the hope that the House may agree to the legislation.

Mr. FALL. But all the Senate committee amendments have been adopted.

Mr. CHAMBERLAIN. No; there are some other amendments to be proposed—four or five.

Mr. FALL. I was speaking of the bill as it stands. Of course, I have no knowledge of what may be proposed.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Mississippi?

Mr. JONES of New Mexico. I yield.

Mr. VARDAMAN. I hope the Senator from New Mexico will be willing, at the urgent request of the chairman of the Committee on Military Affairs, to let this bill pass and get it out of the way. I am very much in favor of the joint resolution for woman suffrage which the Senate has been considering, but I think that matter can wait with less detriment to the country than the postponement of the enactment of the legislation—the supply bills—presented by the Military Affairs Committee. The country will not, and ought not to, tolerate the postponement of these bills which carry appropriations for the conduct of the war.

Mr. GALLINGER. Will the Senator from New Mexico yield to me?

Mr. JONES of New Mexico. I yield.

Mr. GALLINGER. Mr. President, I have not been living in a "fool's paradise" so far as the matter that has been before the Senate this morning is concerned. I have on more than one occasion expressed the opinion that we ought to take a vote on the amendment, and, as I once expressed it, vote it up or vote it down. I foresaw the very condition that has developed to-day. Appropriation bills, important so far as getting supplies for the Government is concerned, always come in a little while before adjournment, and in this case but a few days before the recess. I do not believe that we will get a vote on this proposed constitutional amendment unless consent can be obtained to take a vote on a certain hour of a certain day, and I am going to appeal to the Senator from New Mexico to ask that the joint resolution may be voted on either on Saturday of the present week or on Monday of next week. I hope the Senator will do that and see if we can not get consent to have a vote. I make that suggestion for the reason that I am very sure that no vote can be secured to-day.

Mr. JONES of New Mexico. I will state to the Senator that while he was asking me a question I was interrupted and was unable to hear all he had to say. Will he please repeat it?

Mr. GALLINGER. My suggestion to the Senator was that, in my judgment, he ought to make a request that a vote should be taken on this amendment at a certain hour on Saturday of this week or on Monday of next week, and we could surely get a vote if we could get consent to take a vote at either of those times.

Mr. JONES of New Mexico. Mr. President, I have been informed that there are several Senators who are compelled for one reason or another to leave the city to-morrow certainly, and others day after to-morrow. It is my hope that we may continue the consideration of this joint resolution until it is brought to a vote to-day. I really can not see that there is any reason to prolong the discussion of it, and I do not believe that it will be done. Certainly, viewing the whole situation, I feel that it is for the best interests of the business of the Senate, of the appropriation bill which is now the unfinished business, that we shall proceed to the consideration of the joint resolution and keep it under consideration until finally disposed of.

Mr. GALLINGER. Mr. President, I yield to the superior judgment of the Senator from New Mexico, but when one Senator informed me a little while ago that he proposed to speak for three hours on this matter, that another Senator is going to speak for three or four hours, and that various other Senators are going to speak, it seemed to me that we could not get a vote to-day. But I will follow the Senator from New Mexico in any effort he may make to get a vote to-day or at any other time.

Mr. JONES of New Mexico. I certainly thank the Senator.

Mr. CHAMBERLAIN and Mr. UNDERWOOD addressed the Chair.

The PRESIDING OFFICER. Does the Senator from New Mexico yield; and if so, to whom?

Mr. JONES of New Mexico. I yield first to the chairman of the committee in charge of the unfinished business.

Mr. CHAMBERLAIN. I wish to say just a word, Mr. President. Senators will notice that in this bill there are a number of provisions making the appropriations immediately available. That was done in the hope that the bill might pass about the 15th of the month. Of course we shall probably not pass it until near the 1st of July. But still the moneys are due.

Mr. President, some of these appropriations are to feed and clothe and equip the boys at the front, and there is not any reason in the world why we should not take this bill up and finish it and supply the department with the sinews of war and the things that are necessary for the support of these young men. I am sure the ladies of the land are patriotic enough to see the necessity of clothing those young men over there and furnishing them with the ordnance and arms and ammunition necessary to bring this war to a successful issue.

That is my only reason, Mr. President, for insisting on this bill, unless the Senate will consent to a vote at a certain hour to-day upon the joint resolution.

Mr. JONES of New Mexico. I yield to the Senator from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. If the Senator will yield to me to make a short statement, I think it will give light on the situation among those who do not agree with him on this measure.

Mr. President, some weeks or months ago this joint resolution came before the Senate. Those who were opposed to the resolution were prepared to vote and willing for a vote to come at that time. The great business of the Nation was not pressing. The gentlemen in charge of the measure for their own reasons, and probably from their standpoint for good reasons, concluded not to press the joint resolution at that time and to withdraw it. Having the power to do so, they withdrew it.

Now, the situation which confronts the Senate and the country is this: Next Monday is the 1st day of July. Sunday is the end of this fiscal year. The great supply bills of the Nation expire on Sunday. New appropriation bills must be passed to take care of the Government in order that it may go on with its functions on Monday. Some of them might pass over a day or two without great injury, but there are bills that will, if not seriously injure the country, seriously injure the progress of the war, if they do not become a law in the next two or three days.

The bill before the Senate carries $15,000,000,000 to supply the Army and the Navy. There is a bill lying in the Appropriations Committee now awaiting its turn to come before the Senate appropriating over $5,000,000,000 to furnish the great guns, shrapnel shells, the very munitions of war that mean life or death to our boys on the battle lines of France, as to whether they shall receive sufficient supplies in regular order.

You can not tell me for a moment that the good women of America, knowing that this joint resolution can be voted on in July, August, or September and will reach the legislatures if it is passed just as soon as if it was voted on in June, because somebody has said it should be voted on to-day, will insist that this joint resolution shall stand between the necessary legislation that must go on the statute books by the 1st of July to protect our armies in the field and the mere desire to vote on this resolution at this day because somebody has said it should be voted on.

Now, I want to say to the gentlemen who are in charge of the joint resolution I am not in favor of it; I never have been; I do not expect to vote for it; if they have the necessary vote, they ought to have the right to vote at the proper time, and I do not think that anyone who is opposed to the joint resolution will deny them the right to a vote at the proper time in the proper way. But I want to call attention——

Mr. PITTMAN. Mr. President——

Mr. UNDERWOOD. If the Senator will not interrupt me for a moment, I want to finish this statement. I want to call attention to the fact that when this joint resolution was up before there was no pressing business as there is now. The opponents of the resolution were prepared to vote, and prepared to vote without debate, but the proponents of the resolution were not prepared. Now, the Senator in charge of the resolution asks that it be voted on at once, because some of the Senators who are in favor of it have urgent business to carry them away from here, and they want to get away in a day or two and they do not want to lose their votes. That may be a very good reason, but there are two sides to that question. I have a friend of long standing, a colleague in the Senate, who is sick, and desperately sick, in a hospital in Baltimore, and he has wired this:

I am confined here by illness and will be unable to be in the Senate, I fear, for some time. Be sure and pair me against the woman-suffrage amendment to the Constitution and all motions favorable to same. Surely some of my friends who may be situated some day as I am will pair with me. See Senator BECKHAM; he will, I am sure, aid you in getting me a pair.

(Signed) OLLIE M. JAMES.

Mr. President, this matter is of grave importance to us and to the country. It is of equal importance to the Senator from Kentucky [Mr. JAMES]. There is no reason why the Senate should not go on record squarely and fairly on this question. If the proponents of this measure want a fair and square test, they can get it; but if the idea is that one side or the other is going to take advantage of some opportunity to vote when the Senate is not fairly represented on one side or the other, it may be a long time before the Senate reaches a vote on this question.

Now, I wish to say to the gentlemen in charge of this joint resolution this telegram has been confirmed within the hour over the telephone from Senator JAMES that this is his position and he desires to be paired. If you will instruct your pair clerks to pair the absentees according to their expressed views and wishes, we will instruct our representatives to pair your men according to your wishes, and I think you can get a vote this afternoon without debate. But if you are not prepared for that, then you can not get a vote, and I hope you will not stand in the way of a great supply bill until after the 1st of July comes.

Mr. PITTMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Nevada?

Mr. JONES of New Mexico. I yield.

Mr. PITTMAN. Mr. President, I feel that the chairman of the committee in charge of the equal-suffrage resolution which is now under discussion should know my present attitude. I have for years been heartily in favor of this joint resolution. I am now in favor of it. I would do anything reasonable to secure its passage. It is apparent, however, from the statement of the Senator from Alabama [Mr. UNDERWOOD] that no vote will be permitted upon the joint resolution if it is within the power of the gentlemen opposed to it to prevent it.

Mr. UNDERWOOD. Unless pairs are arranged, as I suggested.

Mr. PITTMAN. In other words, unless the pairs are so arranged as to defeat the resolution, the resolution will not be permitted to come to a vote. That is the clear, distinct understanding now. The Senator from Alabama and those associated with him, under the rules of the Senate, have the power to prevent the joint resolution from coming to a vote for days, for weeks, possibly for months.

Mr. UNDERWOOD. I hope the Senator will yield to me just long enough to make this statement: Let it not be misunderstood what my position is and the position of those I may have the right to speak for. We have no desire to dictate what the pairs shall be. We have proof positive how our absentees stand. We will furnish that. You probably have proof positive how your absentees stand. Pair these men as they have announced themselves, and we are ready for a vote. I think the vote will be against you, but if it is not against you we will stand on the agreement.

Mr. PITTMAN. Mr. President, I am not aware as to how the vote has stood at particular times when efforts have been made to bring up the measure. I am perfectly satisfied now, without investigation and from the statement of the Senator from Alabama, what will be the result if the pairs he suggests are agreed to. Consequently it is unnecessary for me to go into a discussion of that. I am also satisfied, from his statement, that this matter will never come to a vote until it is forced to a vote by the physical endurance of a majority of this body who are in favor of the joint resolution.

Mr. UNDERWOOD. That is not my attitude. The Senator may be correct, but I wish to assure him that that is not my attitude.

Mr. PITTMAN. I do not understand what the attitude of the Senator is when he says that this joint resolution shall not come to a vote unless these pairs are made.

Mr. UNDERWOOD. I say at the present time; that is, between now and the 1st day of July.

Mr. PITTMAN. The present time; between now and the 1st day of July. Why does the Senator fix the 1st day of July?

Mr. UNDERWOOD. Because the supply bills, I hope, by that time may be out of the way.

Mr. PITTMAN. And after the supply bills are out of the way, will the Senator then insist upon bringing this joint resolution to a vote?

Mr. UNDERWOOD. I will not say that I will assist in bringing a measure to a vote that we are not in favor of. I will say,

though, that I think by that time we shall be prepared, whether you pair or do not pair—and if you do not want to pair to-day, we will be prepared for it. I think you could then get a vote if you wanted it. I do not know whether you want it then.

Mr. PITTMAN. I doubt if I misstated the Senator originally, when I said that unless these pairs were agreed to there would be no vote.

Mr. UNDERWOOD. Oh, no; that is not my attitude.

Mr. PITTMAN. There will be no vote permitted until the 1st of July, when the supply bills are all out of the way; and after the supply bills are out of the way, will the Senator assist in having the matter disposed of?

Mr. UNDERWOOD. I will not assist in pushing any measure through that I am not in favor of, but there is a vast difference between assisting and obstructing. I have no desire to obstruct when the right time comes for a vote.

Mr. PITTMAN. If I understand, the Senator will obstruct until the supply bills are out of the way?

Mr. UNDERWOOD. Oh, well, I intend to support the efforts of the chairman of the Military Committee to get the military appropriation bill before the Senate, and I think that will be accomplished.

Mr. PITTMAN. Would not the Senator like to get this joint resolution disposed of?

Mr. UNDERWOOD. Yes; and we will dispose of it this afternoon if you will make these pairs.

Mr. PITTMAN. Well, now, possibly some of us are just as anxious as is the Senator from Alabama to dispose of the big supply bills; and would the Senator be willing, when the supply bills are out of the way, then to assist us to get a vote?

Mr. UNDERWOOD. I think we can reach an agreement of that kind; but I am not going to stand on the floor here and make an agreement for my side with no corresponding agreement from the Senator's side. When the supply bills are out of the way, I think we can arrange an agreement. We were prepared to agree with you about a vote several months ago, and there is no desire to obstruct on my part. I have never been an obstructionist. The Senate can vote within an hour if you will pair the Senators who have indicated in black and white how they stand, and we will pair your Senators. If you do not want a vote, then you ought to get out of the way for the good of the Government until the Army supply bills shall have been passed.

Mr. PITTMAN. Would the Senator be willing to agree to vote on the 1st day of July in the event the pairs are made?

Mr. UNDERWOOD. When we get to the 1st of July we will make the agreement; but it is not necessary to make it until then. I do not think you would be willing to agree to the 1st of July as the time until you had consulted your own friends and your own side as to whether or not it met their convenience at that time.

Mr. PITTMAN. In other words, Mr. President, the Senator from Alabama and those who are with him are determined never to enter into any agreement as to a vote on this joint resolution, except it be assured to them by conditions then existing that they will defeat the resolution. Then it comes back to the exact proposition which I have laid down as my understanding, that there is not going to be a vote on this joint resolution until that side having the majority of votes and the determination and the physical endurance can through such force win out. Now, then, I am unwilling, no matter how ardently I support this measure, to set aside indefinitely this great appropriation bill, which is now pending as the unfinished business, or any of the other great appropriation bills for this measure. I should be willing to set it aside for two hours, or three hours, or five hours, or six hours, or for possibly a day; but I know that the time taken would be futile, so far as the passage of the joint resolution is concerned. I know that a week so used would be futile, so far as this joint resolution is concerned, and possibly a month; and I would not be willing to set aside this great appropriation bill that is so necessary for the carrying on of this war, or any other appropriation bill for any unreasonable length of time. Therefore I must vote, if the matter comes to a vote, against displacing the unfinished business. I would even oppose any unanimous-consent agreement to take up any undue length of time at the expense of this war measure or any other war measure.

The reason I was asking the Senator from Alabama the question was, if it is the intention, as I understand, of this body to recess for four or five weeks upon the completion of the great supply bills, to ascertain if at that time he would, with us, oppose a recess until the suffrage resolution is considered. I ask the Senator if he will join with us, after these great supply bills are disposed of, in attempting to dispose of this joint resolution?

Mr. UNDERWOOD. Mr. President, I have stated to the Senator from Nevada, and I think I ought to have made myself clear, that I am opposed to the joint resolution, and I am not going to do anything that will aid the Senator in its passage; but it is a different proposition about obstruction. When we fairly adjust this matter as to the pairs in the Senate, there will be no obstruction on my part or on the part of those, I think, who cooperate with me; but to say that we will help to take up a measure which we do not want passed is a different attitude, and one which we do not occupy.

Mr. GALLINGER. Mr. President, will the Senator from Nevada yield to me?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from New Hampshire?

Mr. PITTMAN. I yield.

Mr. GALLINGER. I want to call the attention of the Senator from Nevada to the fact that when the recess ends and Senators return to their duties here the great revenue bill will then be before the Senate, and no Senator is rash enough, I apprehend, to believe that the revenue bill will be disposed of short of several weeks' debate. It was for that reason that I suggested that if we could come to an agreement to vote on this measure on Monday next, which will be just precedent to the proposed recess, that would be a fair solution of the question.

Mr. PITTMAN. Mr. President, I thoroughly agree with the Senator from New Hampshire [Mr. GALLINGER]. It is apparent that after the recess we shall be in exactly the same condition with regard to vital legislation that we are now. There is but one chance during this session of Congress, in my opinion, to pass this joint resolution, and that is during the period of time when it is proposed to recess. The proponents of this resolution have a majority vote in the Senate; in fact, at this very moment they have a two-thirds vote in the Senate, I understand; and I believe it is the duty of the proponents of this resolution to vote against any recess until this resolution shall have been disposed of. I believe it is the duty of the majority, the proponents of this resolution, when the time comes that we may have a month's recess, to vote that there shall be no recess of this body until this joint resolution is voted on. I certainly will make such a fight. We shall have 30 days and 30 nights to test endurance with the Senator from Alabama and his cohorts.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. The Senator from New Mexico has the floor. Does he yield to the Senator from North Carolina?

Mr. JONES of New Mexico. I hope the Senator from North Carolina will excuse me from yielding just now, because I want to make a short statement.

Mr. SIMMONS. I simply wanted to answer a suggestion which has been made by the Senator from Nevada [Mr. PITTMAN].

Mr. JONES of New Mexico. I yield to the Senator.

Mr. SIMMONS. I have not risen for the purpose of making a speech.

The Senator from Nevada, Mr. President, and the Senator from New Hampshire have stated that when we meet after the recess there will be no time in which to act upon this joint resolution. On the contrary, there will be the most ample time for action, without interfering in the slightest with the revenue bill. When we meet on the 10th of August, should we adjourn to that date—and I assume that we shall—the Senate will have no business before it until the other House has passed the revenue bill. According to the most conservative estimate it will take the House of Representatives at least 10 days to pass that bill. Then it will come to the Senate, and it will not be before the Senate for action until it has been referred to the Finance Committee and until that committee has finally reported it back to the Senate. I assume, Mr. President, that if the Finance Committee is able to report that bill back to the Senate in three weeks, or even within a month after it is referred to them, it will be doing very good work. So the Senate will be here in a condition to act upon this joint resolution without any interference with the war-revenue bill for the 10 days that the other House will certainly be considering it and for the three weeks which the Senate Committee on Finance will certainly be considering it.

Mr. PITTMAN. Well, what does the Senator think of this suggestion, then: Suppose, after we get through with the supply bills, we defer our recess for 10 days until we, say, on the 20th of July, finish this joint resolution, and then take our recess for 10 days longer, until the 20th day of August? What does the Senator think of that suggestion?

Mr. SIMMONS. I am not attempting to answer the Senator's suggestion with reference to immediate action; I was sim-

ply addressing myself to the suggestion of the Senator from New Hampshire [Mr. GALLINGER], that after the recess we should not have an opportunity to act upon this joint resolution without interfering with the revenue bill.

Mr. PITTMAN. Then why not extend the recess later, complete our present business now, and then convene at a later date?

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Utah?

Mr. JONES of New Mexico. I should like to make a brief statement.

Mr. SMOOT. I will say to the Senator——

Mr. JONES of New Mexico. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, the junior Senator from Alabama [Mr. UNDERWOOD] has told what the advocates of the resolution can do and what they can not do by way of a vote to-day. I want to say to the junior Senator from Alabama that the friends of this joint resolution can prevent, and, in my opinion, will not permit, a recess of this Congress until the resolution is passed. A majority of the Senate can prevent a recess, and there will be nothing, after the supply bills are out of the way, which will prevent us acting upon the joint resolution.

Mr. SMITH of South Carolina. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from South Carolina?

Mr. SMITH of South Carolina. I merely want to make a statement.

Mr. JONES of New Mexico. I should like an opportunity to make a statement myself.

Mr. SMITH of South Carolina. I merely want to assure the Senator from Utah that we can stay here as long as he can; and that is no threat. We will be here to vote when the time comes, and we are simply asking you to allow us what has ordinarily been done as to the making of pairs; and we will vote now.

Mr. SMOOT. I am not speaking about "now," but what the proponents of this joint resolution can do and I believe will do. We are going to have a vote on this joint resolution before there is a recess.

Mr. JONES of New Mexico. I decline to yield any further. I have considered very carefully the suggestion——

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. JONES of New Mexico. Yes; I yield to the Senator from Minnesota.

Mr. NELSON. Why does not the Senator move to proceed to the consideration of the joint resolution?

The PRESIDING OFFICER. The Chair informs the Senator from New Mexico that if he proceeds to yield under the conditions which have developed here he will lose the floor. He has already exhausted his right to yield.

Mr. JONES of New Mexico. Very well; then I decline to yield further. I wish to say that the suggestion made by the Senator from Alabama did not come as a new suggestion to me. I have been made acquainted with the situation which he presented. The absent and the ill Senator from Kentucky [Mr. JAMES] has no dearer friend in this body than he has in me, and I know of no Senator whom I would more gladly favor or to whom I would grant a real favor than the Senator from Kentucky, but upon this question I would be unwilling to pair with anybody under any circumstances, and if I am unwilling to pair with anybody under any circumstances on this question, then I am unwilling to ask any of my colleagues in the Senate to do a thing which I would not myself do. That is the situation which confronts the Senate.

We do not know when the absent Senator will be here. I hope he may be here at an early date, restored to his usual vigorous health, but as to that I have no assurance, nor is there any assurance that unless he returns he can ever obtain a pair from anybody, and there is nothing of hope held out to us that delay will aid in settling the question of a pair. We have just as good hope of a pair now as we will have later. If a Senator to-day is unwilling to pair, he will be unwilling to-morrow; he will be unwilling next week; and so far as that question is concerned we might just as well take the vote now.

Now, Mr. President, as to the question of delay. We are told by the chairman of the committee having in charge the unfinished business that it is important that that business should pass. I accept that statement at its full value. It is important; it ought to pass; and I am willing to help pass it at any time that we are able to bring it to vote, but yesterday afternoon the Senate adjourned at 4 o'clock. Why did we not proceed with the bill then?

Mr. CHAMBERLAIN. Mr. President, may I answer that suggestion?

Mr. SHAFROTH rose.

The PRESIDING OFFICER. Does the Senator from New Mexico yield?

Mr. JONES of New Mexico. I yield.

Mr. SHAFROTH. I will suggest to the Senator that the Senate adjourned over last Friday and Saturday, not having anything to do.

Mr. CHAMBERLAIN. The Senator has assented to my interrupting him, Mr. President.

Mr. JONES of New Mexico. I certainly yield to the Senator for a question or to answer what I have said.

Mr. CHAMBERLAIN. The adjournment was taken yesterday afternoon because it was claimed, as I was informed, that two conference reports were to be presented, and that it would take the remainder of the time of the Senate to dispose of them. As a matter of fact, it did not take any time whatever, for there was no discussion of them, and the adjournment was in order that the woman-suffrage amendment might be discussed during the morning hour.

Mr. JONES of New Mexico. I am very glad to hear the statement made by the Senator. Now, upon the question of delay, the Senator from Alabama and others who have made statements indicating a disposition to prolong the discussion upon this joint resolution must realize the importance of the unfinished business just as much as the remainder of us, and I do not think that it is proper for me to suggest that the Senator from Alabama and other Senators, knowing the importance of the unfinished business, will prolong the discussion upon this joint resolution to an unseemly length. I can not believe it. I believe that they are just as patriotic as the rest of us, and that they will consent to a vote upon this joint resolution when a reasonable time for discussion has been given; but, Mr. President, if the debate should be so prolonged that the majority of the Senate should feel that those opposed to this joint resolution were willing to consume the time of the Senate to such an extent as to defeat the unfinished business or to defer it for an unusual period, we can then consider the question of laying aside the joint resolution. I do not believe, however, that time has come; and it seems to me that the thing for us to do is to consider the joint resolution now. Notice a week ago was given. Senators have come here from the four corners of the country for the express purpose of voting upon this proposed constitutional amendment, and they expect the vote to come now.

I remember being taunted by the Senator from Missouri [Mr. REED] when, a few weeks ago, we decided not to bring to a vote this joint resolution. The Senator wanted to know if when we again gave notice we would bring it to a vote in fact. I wish to say, Mr. President, there is nothing more important before the Senate to-day than this joint resolution proposing an amendment to the Constitution of the United States. I therefore move that the Senate proceed to the consideration of House joint resolution 200.

The PRESIDING OFFICER. The question is on the motion of the Senator from New Mexico that the Senate proceed to the considerartion of House joint resolution 200.

Mr. REED. Mr. President, is the question debatable?

The PRESIDING OFFICER. The Chair informs the Senator that it is.

Mr. REED addressed the Senate. [See Appendix.]

Mr. LEWIS and Mr. SHAFROTH addressed the Chair.

The VICE PRESIDENT. The Senator from Illinois.

Mr. LEWIS. Mr. President, I merely rise to submit a parliamentary inquiry. What is the order of parliamentary procedure at this time? Is it upon the motion of the Senator from New Mexico that we proceed to consider the joint resolution proposing an amendment to the Constitution extending the right of suffrage to women?

The VICE PRESIDENT. That is the only question before the Senate.

Mr. SHAFROTH. Mr. President, inasmuch as that is the only proposition that is before the Senate, I wish to say a few words with relation to it.

In the first place, as to the reflection which has been made upon about two-thirds of the Members of this body on account of their failure to agree to a pair, it seems to me that the matter of pairs is something that is dependent entirely upon the importance of the matter under consideration. I have not any doubt that there is not a Senator who has been objecting here who, if the question was whether we should take up a force bill, would pair with any other Senator, no matter who he might be or how much he is beloved. It is not a question of friendship or a lack of friendship. It is a matter purely as to how im-

portant Senators regard the matter that is presented to the Senate; and on that account a Senator should not be criticized for being firm in his convictions as to the necessity of the passage of the measure by refusing to pair with anyone.

Why, Mr. President, pairing is an individual affair; it is not a party arrangement. No Senator in charge of a bill can control pairs. If any Senator wants to pair with any other Senator upon any measure, he can do so without being subject to criticism. Because I think that this is a most important measure, because I think it towers over any other measure before the Senate, why should I be censured by anybody for failing to make a pair with some other Senator? Senator JAMES is loved and admired by all the Senators in this body, but no one deeply interested in any measure should be criticized if he insists on voting for the measure he thinks so important.

Mr. President, we had before this body about two months ago the question of setting a time for a vote upon this same joint resolution, and unanimous consent was asked to fix a time for the consideration of the measure; but there was strong objection made then. Notice was then given by the chairman of the committee that he would move for consideration at a certain day in May. However, when the other side seemed to find that we were not ready in the matter, then they turned the tables and tried to insist upon our taking the measure up for consideration immediately. Some Senators complained that they had traveled long distances to reach the Capital and it had greatly inconvenienced them to have the vote delayed. It was then insisted that we give a notice of some length, so that both sides could get their supporters here.

One week's notice was given in the Senate by the chairman of the committee that he would move consideration of the joint resolution to-day. Nearly all of our side are here and will be greatly inconvenienced if they have to return. Senator JAMES's illness, while not dangerous, is likely to confine him to his bed for a considerable time. The same condition will no doubt arise when the measure is called up again.

Mr. President, what is the situation with respect to the military bill? Every Senator is in favor of the military bill. It can be passed in 20 minutes, in my judgment, if necessary. It has been said that in 15 minutes a vote could be had upon the pending joint resolution if certain things were done.

Mr. President, I regard the joint resolution as unquestionably the most important measure before the Senate. If there is any truth in the Declaration of Independence that the just powers of government are derived from the consent of the governed, when we know that one-half of the people are deprived of their rights now, how can it be said that it is unimportant or that it is not a question that involves the very fundamental principle of our form of government? Are Senators who have strong convictions upon that question to be held up as not possessing a regard for the courtesies that should maintain in the good fellowship of the Senate of the United States?

Mr. President, we know that the Military Committee has reported a bill here. It has known that it would report that bill for a good many months; it has known for a year when that bill should be reported in order to be passed by the beginning of the next fiscal year. We know that, while it is important that the military bill should be passed, yet it is not imperative that it should be passed upon this identical day. We have seen many appropriation bill run over for a good deal longer time than two, three, four, or even five days beyond the fiscal year. If Senators are ready to vote upon this resolution within 15 minutes upon certain conditions proposed, it seems to me that when they do not it shows an intention to thwart a vote at all upon the joint resolution.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. SHAFROTH. I yield.

Mr. CHAMBERLAIN. I believe in the rule of the majority, and I ask the Senator to give those who favor displacing the military bill an opportunity to vote.

Mr. SHAFROTH. I am perfectly willing to do so.

Mr. CHAMBERLAIN. And, Mr. President, if the Senate wants to take the responsibility of displacing the great supply bill, so far as I am concerned, as chairman of the committee, I am willing that they shall assume that responsibility.

Mr. SHAFROTH. I am perfectly willing to do so, Mr. President. I am not making a two-hour-and-a-half speech; I have spoken only about five minutes, and I am content with what I have said.

Mr. UNDERWOOD. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	McKellar	Smith, Mich.
Baird	Guion	McNary	Smith, S. C.
Bankhead	Hale	Martin	Smoot
Beckham	Harding	Nelson	Sterling
Borah	Hardwick	New	Sutherland
Brandegee	Henderson	Norris	Swanson
Calder	Hitchcock	Nugent	Thompson
Chamberlain	Hollis	Overman	Tillman
Colt	Johnson, Cal.	Page	Trammell
Culberson	Johnson, S. Dak.	Penrose	Underwood
Cummins	Jones, N. Mex.	Phelan	Vardaman
Curtis	Jones, Wash.	Pittman	Wadsworth
Dillingham	Kellogg	Poindexter	Walsh
Fall	Kendrick	Pomerene	Warren
Fernald	Kenyon	Ransdell	Watson
Fletcher	King	Reed	Weeks
France	Kirby	Robinson	Wilfley
Frelinghuysen	Knox	Shafroth	Williams
Gallinger	Lenroot	Sheppard	Wolcott
Gerry	Lewis	Simmons	
Goff	Lodge	Smith, Ga.	
Gore	McCumber	Smith, Md.	

The VICE PRESIDENT. Eighty-five Senators have answered to the roll call. There is a quorum present.

Mr. JONES of New Mexico. Mr. President, I regret very much that the sentiment on the part of some of the Members of the Senate seems to indicate very strongly, and in a rather positive manner, that to press the motion which is now pending will unduly delay the consideration of the supply bills which are pending in the Senate. I regret that exceedingly. I think the sentiment of the country is that this joint resolution should come to a vote and that it should be passed.

I will state that I have just received a telegram from the Commonwealth of Connecticut which contains a copy of a resolution submitted by the committee on resolutions of the Democratic convention being held in that State:

> That the committee on resolutions of the Democratic Party in convention assembled do urgently call upon the Senate of the United States to pass the Federal woman suffrage amendment and send it to the several States for ratification.

We have, of course, heard from one representative of that great State to-day in opposition to the amendment; but I consider that it is at least encouraging to know that such a resolution as this is now pending in the State of Connecticut.

I want this joint resolution to pass. I believe it will pass; but it is evident from statements made here that if it is pressed now there will be great delay in its passage and in the passage of the supply bills. Therefore I am going to ask to withdraw the motion I have made, and which is now pending, to proceed to the consideration of the joint resolution, with the understanding that after the supply bills are out of the way this matter will be again brought before the Senate and will be kept before the Senate in the face of any attempt to recess for the summer.

I make that request, Mr. President.

The VICE PRESIDENT. The Senator has a right to withdraw his motion, and it is withdrawn.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. CHAMBERLAIN. Mr. President, I believe the pending amendment to the Army appropriation bill is the one in reference to the draft age. I ask that it may be called up.

The VICE PRESIDENT. The pending amendment is the amendment of the Senator from New Mexico [Mr. FALL].

Mr. GALLINGER. Let it be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. As modified by that Senator, the amendment reads as follows:

> *Provided*, That the age limit fixed in said act is hereby changed, and shall be and is hereby fixed at 20 and 40 years in lieu of 21 and 31.

Mr. LODGE. Mr. President, I suppose that as the War Department has expressed itself against any increase at the present time, the proposed amendment will fail; but I want to say a few words with regard to the draft age and the necessity of extending it.

The necessity of extending it does not rest upon the fact that the entire number of men between 21 and 31 is exhausted, because that, of course, is not the case, but upon the fact that we are approaching the exhaustion of the first class and that we do not desire to enter upon those classes that have dependents or that are retained for special industries, and it is therefore desirable to go among older men for the purpose of getting more unmarried men corresponding to class 1 of the present draft. It seems to me, Mr. President, that if we are not to go beyond class 1 in the present draft it is absolutely necessary to make some extension.

Now, Mr. President, I shall be very brief, but I want to say a word in regard to draft ages.

It is common to speak about 18 to 45 as if those ages rested upon some solid basis of reason. They do not. They are entirely haphazard. We use them for the Regular Army, the regular Navy, the regular Marine Corps, and the National Guard. I suppose they rested originally on the somewhat loose theory that a boy of 18 was sufficiently developed physically to go into military service, and that when you reached 45 you reached a point where there was a physical decline sufficient to make the man undesirable for the hardships of a soldier's life. But, Mr. President, both assumptions are unfounded. A boy of 18 is still in the growing stage. He is better material two years or three years later. The physical condition of men, if I am not mistaken, begins to turn the corner at 30 or 32. We are taking, under our draft, men of the very best age for military service. We have left the old limits of 18 to 45, as I have said, for the Regular Army, the regular Navy, the regular Marine Corps, and the National Guard, but those are all voluntary; and when you come to apply conscription, compulsory service, I think you ought to proceed as far as possible upon some scientific basis.

In the first place, you are calling the man to a duty which, as an American citizen of voting age and a taxpayer, is an additional duty which he ought to perform. Physically, you are taking him at a better age than 18; and I think we decided very wisely in fixing those limits. I have no objection if it is desired to make it 20; but I think to go below that would be a great mistake, and I shall be content to see it remain at 21. Now, when you come to the other end, the attainment of the age of 45 is not an indication of physical unfitness any more than the age of 35. The decline begins at an earlier time. It is slow in some men; it is more rapid in others—I mean, physiologically speaking, a decline from the highest physical condition. If you go 10 years, another decade, you bring in a large number, probably, of unmarried men; not as many as in the first decade you take; but a large number.

I think, if anyone will stop to consider it, that 40 is not a haphazard number. You can only approximate with any age you take, but 40 approximates very nearly to a division which seems to be an extremely important one to make. Below 40 the chances are all against a man's having a son in the Army. It would require an unusually early marriage to furnish a son of 21, or even of 18, when the father is below the age of 40. Of course, such cases occur, but they are very few. After you pass the age of 40 you begin to get among the class of men, and many of them, who have sons in the Army at this moment. If the son goes to the Army, very likely he leaves a young wife and child, and the father is the support of the entire family. In other words, you begin to invade a class which it is extremely desirable not to invade unless it becomes absolutely necessary to do so.

Of course we can imagine the war reaching such a point that, in the conventional phrase, we rob the cradle and the grave. If it is necessary, we will take them of all ages and any age, but we have not reached that point yet; and in fixing these ages it is important, in my opinion, to try to fix them in some way so as to conserve as far as possible the strength of the country. If you go below 21, still more if you go below 20 and take boys of 18, and fill your Army from them, there will be very few exemptions—practically none on account of dependents, or indispensability in any trade; but you take the boy before he is physically at his best, and you cut him off from all education. If we extend the draft down to 18 at this time, I do not hesitate to say it will close practically every college in the country. They are deprived now of more than half, and the half that remains is made up of the younger classes of boys under the draft age.

Harvard College had its commencement the other day. The senior class had entered 700. It graduated 173. They had all gone except the 173. But in the younger years the colleges take the men under the draft age; and we do not want, if we can help it—we may have to come to it, but we do not want deliberately by law, by compulsory service—to take those very young men, mere boys, and create a general illiteracy among the men in whose hands the future of the country rests.

It seems to me there are a great many very strong arguments against lowering the age, and in the same way I think it is unwise to go beyond 40, for the reasons which I have given.

I only desired to say these few words in regard to the matter, because it has seemed to me that we have talked very crudely about the limit, as if it were merely haphazard. There are good reasons, if we will take the trouble to study the question, for fixing certain limitations. Our effort at this moment, the desirability of adding to the men subject to the draft, is because we are discriminating, in the men subject to the present draft, between those who have no dependents and those who have. I think it is a wise discrimination. It may have to go down, like all discriminations; but in enlarging it I think we ought to continue a policy of discrimination, and take our men in such a way as to give the preference to the unmarried men without dependents who can be taken with the least injury to the community, and with the least injury to the community in point of age.

As to the amendment itself, I should be glad to see it adopted now, because the trouble in everything connected with the war since we entered it has been delay; and I think it would be better to determine now what we are going to do for an additional draft so that the work can begin at once upon it, and there need not be 60 or 90 days' delay later, so as to be ready when exhaustion comes of the first class in the present draft. I have heard different periods given as to when it will come; but it may come at any time in three, four, or six months. Why not make ready for it now? It seems to me it would tend to advance the war and save time. We have been prodigal of money; we are prodigal of men; but we have been prodigal of something else far more important than money. We have wasted time, and time is irredeemable. That is the reason why, it seems to me, it would be desirable, in order to have the next extension just as soon as possible, that we should adopt the amendment now. Of course, if the Executive and the administration are against it, I know it will not carry in the Senate.

Mr. CUMMINS addressed the Senate. After having spoken for some time,

Mr. MARTIN. If it is agreeable to the Senator to yield now, he can resume to-morrow.

Mr. CUMMINS. That is entirely agreeable to me.

Mr. McCUMBER. I offer an amendment to the pending bill, which I ask to have printed and lie on the table.

EXECUTIVE SESSION.

Mr. MARTIN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After four minutes spent in executive session the doors were reopened.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until to-morrow at 12 o'clock.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m., Thursday, June 27, 1918) the Senate took a recess until to-morrow, Friday, June 28, 1918, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate June 27, 1918.

BOARD OF CHARITIES, DISTRICT OF COLUMBIA.

John Joy Edson, for a term of three years from July 1, 1918.
George M. Kober, for a term of three years from July 1, 1918.

APPOINTMENT IN THE ARMY.

MEDICAL CORPS.

First Lieut. James Robert McVay, Medical Reserve Corps, to be first lieutenant in the Medical Corps with rank from June 5, 1918.

PROVISIONAL APPOINTMENTS IN THE ARMY.

CORPS OF ENGINEERS.

To be second lieutenants.

Lucian Platt, of Alaska.
John H. Chase, of California.
Horace D. Greenfield, of New York.
Lyon F. Terry, of Kentucky.
Edward W. Murray, of Texas.
Edwin R. Harrall, of Massachusetts.
Albert Haertlein, of Virginia.
John C. Arrowsmith, of Ohio.
Harold S. Hutton, of Kansas.
Edgar Marburg, jr., of Virginia.
Harry P. Hart, of California.
Samuel J. Callahan, of the Canal Zone.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 27, 1918.

COLLECTOR OF CUSTOMS.

George G. Davidson, jr., to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N. Y.

POSTMASTERS.

MASSACHUSETTS.

James F. Healy, Worcester.

PENNSYLVANIA.

Iva S. Martin, Masontown.

HOUSE OF REPRESENTATIVES.

THURSDAY, *June 27, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We bless Thee, Infinite Spirit, for the natural tendency in man, which, in spite of the enigmas and untoward circumstances of life, has ever led him onward to the civilization of our day.

The world is engaged in a mighty conflict; on the one side the forces of evil; on the other the forces of right. After the similitude of Thy servants of old, we stand at Armageddon to battle for the Lord, assured that His sympathy is with those who battle for the right.

Uphold our arms and give us a decisive victory which shall swell the song of the angels into a mighty chorus like the rushing of the floods: "Glory to God in the highest, and on earth peace, good will toward men"; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONFERENCE REPORT, MIGRATORY-BIRD BILL.

Mr. FLOOD. Mr. Speaker, I desire to submit a conference report on the bill S. 1553, the migratory-bird bill, for printing under the rule.

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

An act (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes.

The SPEAKER. Ordered printed under the rule.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On June 25, 1918:

S. 4482. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

On June 26, 1918:

H. R. 10297. An act to amend an act entitled "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto," approved February 17, 1911.

INTOXICATING LIQUORS.

Mr. CRAMTON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CRAMTON. To make a privileged motion to discharge the committee and pass the resolution which I send up.

The SPEAKER. Is this a privileged motion?

Mr. CRAMTON. It is.

The SPEAKER. The Clerk will report it, so that we can see.

The Clerk read as follows:

House resolution 399.

Resolved, That the President be requested to report to the House of Representatives, if not incompatible with the public interest, whether any order or ruling has been issued or made by the United States Railroad Administration, the War Trade Board, or the War Industries Board with reference to the supply and transportation of materials, products, machinery, or equipment to be used in the manufacture of intoxicating liquors, or of building material to be used in the erection of buildings and plants for the manufacture of such liquors, or with reference to the export of malt, brewed, vinous, distilled, or other intoxicating liquors, or with reference to the transportation of such liquors by common carriers within the United States or in shipping from ports of the United States.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield for a moment?

Mr. CRAMTON. I will.

Mr. STAFFORD. Mr. Speaker, I wish to have a point of order reserved——

The SPEAKER. Both gentlemen will suspend for a moment. What was it the gentleman from Tennessee said? There was so much noise the Chair did not hear him.

Mr. GARRETT of Tennessee. I desire to ask the gentleman if he knows whether any such order has been made.

Mr. CRAMTON. I am frank to say I do not, and that is the purpose of the resolution. I do understand, however, if the gentleman will permit——

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. Is it understood the point of order is reserved?

The SPEAKER. Yes.

Mr. CRAMTON. Mr. Speaker, I do understand consideration has been and I hope it is being given to that subject as pertaining to industries generally, but as to this particular industry I am not informed, and hence the resolution.

Mr. ASWELL. Will the gentleman yield for a question?

Mr. CRAMTON. Of course, I do not understand that the matter is subject to debate, but I am willing to be entirely courteous.

Mr. GARRETT of Tennessee. It is subject to the point of order, of course, in that it asks for information as to how this is to be used, and the point of order is probably well taken if the gentleman insists upon it.

Mr. CRAMTON. I will yield to the gentleman from Louisiana if I may.

Mr. ASWELL. I merely wanted to ask the gentleman if he has made an effort, either by letter or personal visit, to ascertain these facts?

Mr. CRAMTON. Not fully. I think it is a matter comprehensive enough to make it preferable to have the request come from the House.

Mr. ASWELL. Does the gentleman think he could get that information by letter?

Mr. CRAMTON. I do not.

The SPEAKER. Does the gentleman from Wisconsin intend to make the point of order?

Mr. STAFFORD. I think, Mr. Speaker, we should have a ruling by the Chair on the question whether any Member of this House is privileged to call upon the President in an endeavor to ascertain something that he states that he does not know whether it is in existence or not.

The SPEAKER. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order and ask the privilege of just speaking one or two minutes.

The SPEAKER. What is the point of order?

Mr. STAFFORD. The point of order is the resolution is not privileged.

The SPEAKER. The Chair will hear the gentleman.

Mr. STAFFORD. It is not privileged in that it calls, in effect, for something in the nature of an opinion from the President. Now, it is well established that these resolutions of inquiries, in order to be privileged, must call for facts or information.

The SPEAKER. Now, where does this one call for an opinion?

Mr. STAFFORD. I direct your attention, Mr. Speaker, to the fact that, first, the gentleman has admitted there is not to his knowledge any order in existence. It is in the nature of a fishing expedition.

The SPEAKER. That does not go to this resolution, no difference what he admits.

Mr. STAFFORD. It goes to the fact that the resolution on its face shows there is no order in existence. He does not ask for an order of a certain date, but he makes an inquiry as to whether there is such an order.

Mr. CRAMTON. I have not admitted there is none. I admitted that I do not know whether there is one or not.

Mr. STAFFORD. Supporting the position that it is based upon opinion, I wish to direct the Speaker's attention to the language in line 7 of the resolution as to whether a ruling has been issued with reference to the supply and transportation of materials, products, machinery, or equipment to be used in the manufacture of intoxicating liquors. "To be used" requires an expression of opinion on the part of the Executive as to whether the order is to be issued for that purpose or not?

Mr. CRAMTON. Will the gentleman yield?

Mr. STAFFORD. I will be glad to yield.

Mr. CRAMTON. It is not an opinion. It is whether the order relates itself to materials to be used for a certain purpose. The order will specify its own terms if it has been issued. It is a matter of fact as to whether a certain order has been issued.

Mr. STAFFORD. The gentleman does not state in his resolution, upon his right as a Representative, that an order has been issued.

Mr. CRAMTON. I will say to the gentleman, if he wants me to, that I think an order ought to be issued.

Mr. STAFFORD. That is it. It is proposed, Mr. Speaker, that the time of the House should be taken up with these privileged resolutions when the committee declines to report them, based on fishing expeditions. The resolution should clearly bring itself within the right to have it privileged in that it calls for facts or information. I contend that when a resolution upon its face makes an inquiry without stating definitely that the order has been issued it is not calling for a fact or

information. Why, we could be occupied always with these privileged resolutions, for instance, as to whether the Secretary of the Treasury has issued an order granting free transportation to the soldiers, and so forth.

The SPEAKER. The very gist of this resolution is to find out whether such an order has been issued. Of course all the Chair can go by is what is on this sheet of paper. He does not know what the gentleman from Michigan [Mr. CRAMTON] is up to.

Mr. DYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DYER. Could not the gentleman obtain this information very readily from the President himself?

The SPEAKER. I do not know whether he could or could not.

Mr. GARRETT of Tennessee. Does the Chair overrule the point of order?

The SPEAKER. He has not overruled it yet.

Mr. GARRETT of Tennessee. I do not care to be heard on it.

The SPEAKER. The Chair does overrule the point of order.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to lay the resolution on the table.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. CRAMTON. Mr. Speaker, I make the point that there is not a quorum present.

The SPEAKER. The gentleman from Michigan makes the point that there is no quorum present. The Chair will count. [After counting.] One hundred and fifty-four Members are present, not a quorum.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. COOPER of Wisconsin. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Would it be in order at this point to ask unanimous consent to have the resolution read?

Mr. DYER. I object.

The SPEAKER. The Chair thinks it ought to be read, if the gentleman does not know what is in it. The Clerk will read it.

The resolution was again read.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of tabling this resolution will, as their names are called, answer "yea," and those opposed will answer "nay."

The question was taken, and there were—yeas 142, nays 160, answered "present" 3, not voting 125, as follows:

YEAS—142.

Alexander	Denton	Kennedy, R. I.	Ramsey
Almon	Dixon	Key, Ohio	Rayburn
Ashbrook	Doolittle	Kitchin	Rodenberg
Aswell	Doughton	Larsen	Rouse
Bankhead	Drane	Lazaro	Sanders, La.
Barnhart	Dupré	Lea, Cal.	Sanford
Beakes	Dyer	Lee, Ga.	Sears
Black	Eagan	Lehlbach	Sherley
Blackmon	Edmonds	Lesher	Siegel
Booher	Evans	Lever	Sims
Borland	Fisher	Linthicum	Sisson
Brand	Flood	Lobeck	Small
Brodbeck	Flynn	McAndrews	Smith, T. F.
Buchanan	Foster	McArthur	Snyder
Burnett	Francis	McLaughlin, Pa.	Stafford
Byrnes, S. C.	Gallagher	Maher	Stedman
Byrns, Tenn.	Garner	Mansfield	Steele
Campbell, Pa.	Garrett, Tenn.	Meeker	Stephens, Nebr.
Candler, Miss.	Garrett, Tex.	Merritt	Stevenson
Cannon	Glynn	Montague	Sullivan
Cantrill	Godwin, N. C.	Moon	Swift
Carew	Gordon	Moore, Pa.	Tague
Carlin	Gray, Ala.	Mudd	Tinkham
Cary	Gray, N. J.	Nicholls, S. C.	Van Dyke
Chandler, N. Y.	Griffin	Nolan	Vinson
Classon	Harrison, Miss.	Oliver, Ala.	Voigt
Claypool	Haskell	Oliver, N. Y.	Watson, Pa.
Coady	Heflin	Overstreet	Webb
Collier	Helm	Padgett	Welling
Connally, Tex.	Holland	Park	Welty
Crago	Huddleston	Parker, N. J.	Wilson, La.
Crisp	Hull, Iowa	Phelan	Wilson, Tex.
Crosser	Hull, Tenn.	Pou	Wright
Davis	Humphreys	Quin	Young, Tex.
Delaney	Igoe	Rainey, H. T.	
Dent	Keating	Rainey, J. W.	

NAYS—160.

Anderson	Bowers	Clark, Fla.	Cramton
Anthony	Browne	Clark, Pa.	Currie, Mich.
Austin	Burroughs	Cleary	Dale, Vt.
Ayres	Butler	Cooper, W. Va.	Decker
Barkley	Campbell, Kans.	Cooper, Wis.	Dempsey
Beshlin	Chandler, Okla.	Copley	Denison
Blanton	Church	Cox	Dickinson
Dill	Hollingsworth	Morgan	Sloan
Dillon	Hutchinson	Mott	Smith, Idaho
Dominick	Ireland	Neely	Smith, Mich.
Doolittle	Johnson, Ky.	Nichols, Mich.	Snell
Dowell	Johnson, Wash.	Oldfield	Snook
Elliott	Jones	Osborne	Steagall
Ellsworth	Kearns	Parker, N. Y.	Steenerson
Elston	Kennedy, Iowa	Peters	Sterling, Ill.
Esch	Kettner	Platt	Stiness
Fairchild, B. L.	Kincheloe	Purnell	Strong
Fairfield	King	Ragsdale	Sweet
Farr	Kinkaid	Raker	Taylor, Ark.
Fess	Knutson	Ramseyer	Taylor, Colo.
Fields	Kraus	Randall	Temple
French	La Follette	Rankin	Thomas
Fuller, Mass.	Little	Reed	Thompson
Gandy	Longworth	Robbins	Tillman
Gillett	Lufkin	Roberts	Timberlake
Good	McClintic	Rogers	Towner
Goodwin, Ark.	McCulloch	Romjue	Treadway
Graham, Ill.	McFadden	Rose	Vestal
Green, Iowa	McKenzie	Rowe	Volstead
Greene, Mass.	McKeown	Rowland	Waldow
Greene, Vt.	McLaughlin, Mich.	Rubey	Walsh
Hadley	Madden	Sanders, Ind.	Walton
Hamilton, Mich.	Magee	Sanders, N. Y.	Wason
Hamlin	Mapes	Saunders, Va.	Watkins
Harrison, Va.	Mason	Scott, Mich.	Wheeler
Hastings	Mays	Sells	Williams
Hawley	Miller, Minn.	Shallenberger	Wilson, Ill.
Helvering	Miller, Wash.	Shouse	Winslow
Hersey	Mondell	Sinnott	Wood, Ind.
Hilliard	Moores, Ind.	Slemp	Woods, Iowa

ANSWERED "PRESENT"—3.

Browning	Hardy	Sumners

NOT VOTING—125.

Bacharach	Frear	Kelly, Pa.	Sabath
Baer	Freeman	Kiess, Pa.	Schall
Bell	Fuller, Ill.	Kreider	Scott, Iowa
Bland	Gallivan	LaGuardia	Scott, Pa.
Britten	Gard	Langley	Scully
Brumbaugh	Garland	Littlepage	Shackleford
Caldwell	Glass	London	Sherwood
Caraway	Goodall	Lonergan	Slayden
Carter, Mass.	Gould	Lundeen	Smith, C. B.
Carter, Okla.	Graham, Pa.	Lunn	Stephens, Miss.
Connelly, Kans.	Gregg	McCormick	Sterling, Pa.
Cooper, Ohio	Griest	McKinley	Switzer
Costello	Hamill	McLemore	Talbott
Curry, Cal.	Hamilton, N. Y.	Mann	Templeton
Dale, N. Y.	Haugen	Martin	Tilson
Dallinger	Hayden	Morin	Vare
Darrow	Hayes	Nelson	Venable
Davidson	Heaton	Norton	Walker
Dewalt	Heintz	Olney	Ward
Dies	Hensley	O'Shaunessy	Watson, Va.
Donovan	Hicks	Overmyer	Weaver
Doremus	Hood	Paige	Whaley
Drukker	Houston	Polk	White, Me.
Dunn	Howard	Porter	White, Ohio
Eagle	Husted	Powers	Wingo
Emerson	Jacoway	Pratt	Wise
Estopinal	James	Price	Woodyard
Fairchild, G. W.	Johnson, S. Dak.	Reavis	Young, N. Dak.
Ferris	Juul	Riordan	Zihlman
Focht	Kahn	Robinson	
Fordney	Kehoe	Rucker	
Foss	Kelley, Mich.	Russell	

So the motion to table the resolution was rejected.

The Clerk announced the following pairs:

On the vote:

Mr. MARTIN (for) with Mr. CONNELLY of Kansas (against).

Until further notice:

Mr. HARDY with Mr. GRAHAM of Pennsylvania.

Mr. OLNEY with Mr. HICKS.

Mr. TALBOTT with Mr. BROWNING.

Mr. GREGG with Mr. WHITE of Maine.

Mr. DIES with Mr. CARTER of Massachusetts.

Mr. HOUSTON with Mr. DRUKKER.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. SHERWOOD with Mr. DUNN.

Mr. ESTOPINAL with Mr. HUSTED.

Mr. HOOD with Mr. FOSS.

Mr. WATSON of Virginia with Mr. CURRY of California.

Mr. SUMNERS with Mr. REAVIS.

Mr. BELL with Mr. DALLINGER.

Mr. CALDWELL with Mr. DARROW.

Mr. BRUMBAUGH with Mr. BACHARACH.

Mr. DALE of New York with Mr. COOPER of Ohio.

Mr. DOREMUS with Mr. COSTELLO.

Mr. CARAWAY with Mr. BLAND.

Mr. DEWALT with Mr. DAVIDSON.

Mr. DONOVAN with Mr. EMERSON.

Mr. EAGLE with Mr. BRITTEN.

Mr. CARTER of Oklahoma with Mr. GEORGE W. FAIRCHILD.

Mr. FERRIS with Mr. FOCHT.

Mr. GALLIVAN with Mr. FORDNEY.

Mr. GARD with Mr. FREEMAN.

Mr. GLASS with Mr. GARLAND.

Mr. HAMILL with Mr. FREAR.

Mr. HAYDEN with Mr. FULLER of Illinois.
Mr. HENSLEY with Mr. GOODALL.
Mr. HOWARD with Mr. GOULD.
Mr. JACOWAY with Mr. GRIEST.
Mr. KEHOE with Mr. HAMILTON of New York.
Mr. LITTLEPAGE with Mr. HAUGEN.
Mr. LONDON with Mr. HAYES.
Mr. LONERGAN with Mr. HEATON.
Mr. KELLY of Pennsylvania with Mr. JAMES.
Mr. LUNN with Mr. JUUL.
Mr. MCLEMORE with Mr. KAHN.
Mr. O'SHAUNESSY with Mr. KELLEY of Michigan.
Mr. OVERMYER with Mr. KIESS of Pennsylvania.
Mr. POLK with Mr. KREIDER.
Mr. PRICE with Mr. LANGLEY.
Mr. RIORDAN with Mr. LUNDEEN.
Mr. ROBINSON with Mr. MORIN.
Mr. RUCKER with Mr. NORTON.
Mr. RUSSELL with Mr. PAIGE.
Mr. SABATH with Mr. PORTER.
Mr. SCHALL with Mr. PRATT.
Mr. SCULLY with Mr. SWITZER.
Mr. SHACKLEFORD with Mr. TILSON.
Mr. VENABLE with Mr. TEMPLETON.
Mr. WALKER with Mr. VARE.
Mr. CHARLES B. SMITH with Mr. WARD.
Mr. STEPHENS of Mississippi with Mr. WOODYARD.
Mr. WEAVER with Mr. YOUNG of North Dakota.
Mr. WHALEY with Mr. ZIHLMAN.
Mr. WHITE of Ohio with Mr. JOHNSON of South Dakota.
Mr. WINGO with Mr. MCCORMICK.
Mr. STERLING of Pennsylvania with Mr. NELSON.
Mr. WISE with Mr. SCOTT of Iowa.

Mr. BROWNING. Mr. Speaker, I have a pair with the gentleman from Maryland, Mr. TALBOTT. I voted "nay." I wish to withdraw the vote and be recorded as "present."

Mr. HARDY. Mr. Speaker, how am I recorded?

The SPEAKER. In the affirmative.

Mr. HARDY. I voted "yea," but I am paired, and I therefore ask to withdraw that vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The question is on the motion to discharge the committee and agree to the resolution.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. GARRETT of Tennessee. A division, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee demands a division. Those in favor of the motion to discharge the committee and pass the resolution will rise and stand until they are counted. [After counting.] One hundred and twelve gentlemen have risen in the affirmative. Those opposed will rise and stand until they are counted. [After counting.] Ninety-two gentlemen have risen in the negative. On this vote the ayes are 112, the noes are 92, and the resolution is agreed to.

LEAVE TO ADDRESS THE HOUSE.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to address the House for a short time.

The SPEAKER. For how long?

Mr. JOHNSON of Kentucky. For 15 or 20 minutes, more or less.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to address the House for 20 minutes. Is there objection?

Mr. GILLETT. Mr. Speaker, I do not consider it the duty of this side of the House to decide on how important time is at present, but I ask unanimous consent that there be coupled with that request that the gentleman from Nevada [Mr. ROBERTS] be allowed to address the House for an equal amount of time.

The SPEAKER. The gentleman from Massachusetts couples with the request of the gentleman from Kentucky the request that the gentleman from Nevada [Mr. ROBERTS] have 20 minutes. Is there objection?

Mr. GARNER. Reserving the right to object, Mr. Speaker, if we are going to take a recess, as contemplated by the statement of the gentleman from North Carolina [Mr. KITCHIN] yesterday, by Saturday evening, we have got to utilize the time between now and then in considering conference reports on appropriation bills. There are three of these reports now waiting. Three gentlemen are sitting in the Hall now, waiting to call up conference reports—the gentleman from Tennessee [Mr. PADGETT] with the naval appropriation bill, the gentleman from North Carolina [Mr. SMALL] with the river and harbor bill, and the gentleman from Tennessee [Mr. MOON] with the Post Office appropriation bill. I wish these other gentlemen would defer their remarks until we get through with these conference reports. Then if we have time I shall not object.

The SPEAKER. Is the gentleman objecting?

Mr. GARNER. I will object for the present.

Mr. JOHNSON of Kentucky. Mr. Speaker, there are peculiar personal reasons why I should be accorded this consent, and I would be very glad if no gentleman would couple with my request a proposition that would bring forth an objection.

The SPEAKER. The gentleman from Texas objects.

Mr. GARNER. I objected, Mr. Speaker, because the request was coupled with another.

The SPEAKER. It is not debatable.

Mr. JOHNSON of Kentucky. Mr. Speaker, I renew my request.

The SPEAKER. The gentleman from Kentucky renews his request to address the House for 20 minutes. Is there objection?

Mr. GILLETT. I renew my coupling the other request with it.

Mr. GRAY of New Jersey. I object.

The SPEAKER. The gentleman from Massachusetts renews his request.

M POU. Mr. Speaker, I ask unanimous consent that these two gentlemen respectively may have 10 minutes each.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that these two gentlemen shall have leave to address the House for 10 minutes each. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Kentucky is recognized for 10 minutes.

ANTIPROFITEERING RENT BILL.

Mr. JOHNSON of Kentucky. Mr. Speaker, I assume that this entire membership is familiar with the status of the antiprofiteering rent bill (H. R. 9248) passed by the House March 12 last. I likewise assume that all are familiar also with the present barnacled condition of the bill. Therefore I deem it not to be necessary at this time to speak of the bill itself in extenso, but rather of the resolution which was offered by Senator POMERENE, of Ohio, and which is now pending before the committee.

The resolution—somewhat lengthy in "whereases"—advises the House that the Senate conferees have been "excused from further service as such conferees until otherwise ordered by the Senate." "Further service" is good, since none had been rendered, and none seemingly contemplated.

However, prior to this I had been advised through the news columns of the local press that senatorial passports were to be handed me and diplomatic relations severed with the House because—

First. I had made some remarks on the floor of the House which were accepted as reflections on a part of the Senate membership; and

Second. That I had violated precedent by submitting to each of the Senate conferees a list of questions indicating the probable points of disagreement which would arise when the conferees on the part of the two Houses met; and

Third. That I had written two letters to the conferees which, later, the author of the resolution stated, one gentleman would not write to another gentleman.

Concerning the first—my remarks on the floor of the House—I shall only say that I confined myself to a statement of facts without in any way attempting any conclusions; and I disclaim having said that any Member of the Senate had been paid any of the money which Mr. Worthington, by letter, told his "fellow realtors" had been spent by the National Association of Real Estate Brokers to aid the local association of real estate brokers in its fight in Congress.

As to the author of the resolution now before us, of him particularly, I wish to say that I have never thought for a moment that he got any of the money.

My reason for singling him out for this disclaimer is not because he, in his remarks before the Senate, read from my speech in the House what I said about the money paid by the real estate brokers in their local fight in Congress, nor because he seemed to construe my remarks to mean that he had been paid a part of that money. My reason for singling out this particular Senator for my disclaimer is because it is my opinion that he is not enthusiastically, at least, in sympathy with the tenant class in the legislative controversy now going on. This Senator enjoys the reputation of being capable of thinking intricately and accurately; and, at the same time, his reputation for being able to express his thoughts in writing is just as enviable. In fact, he is conceded to be a man of very much ability.

Mr. SWIFT. Mr. Speaker, I make the point of order that the gentleman in his argument is violating the rules of the House, in that he continues to criticize the Senator.

Mr. JOHNSON of Kentucky. I am complimenting him.

The SPEAKER. The Chair can not hear a single word. The Chair does not know whether the gentleman is discussing the court or the Senate or the House.

Mr. JOHNSON of Kentucky. I say, Mr. Speaker, the Senator enjoys the reputation of being capable of thinking intricately and accurately, and at the same time his reputation for being able to express his thoughts in writing is just as enviable. In fact, he is conceded to be a man of very much ability.

The SPEAKER. The Chair will state what the fact about the rule is. The rule is that a Member of the House can not discuss a Senator at all, not even compliment him, because if you do compliment him somebody might jump up and say he was the grandest rascal in the country, and you would then have on your hands a debate of a very acrimonious nature. [Laughter.]

Mr. JOHNSON of Kentucky. I do not think there is any danger of that.

Therefore, when I express the opinion that his sympathies are not with the tenant class I do so from as careful and as thoughtful a digestion of what he has written on the subject as, by comparison, my poor abilities will permit. Broadly stated, not sympathizing with the tenant class when in controversy with the landlord class, is no legal offense. For that lack of sympathy with the tenant class which I accord or impute to him he has perfect right. My right not to be in sympathy with the landlord class is no greater than is his to be with them.

Mr. MEEKER. Mr. Speaker, a question of order.

The SPEAKER. The gentleman will state it.

Mr. MEEKER. Does this refer to a Senator?

The SPEAKER. The Chair can not hear.

Mr. MEEKER. Something is being said about some man.

The SPEAKER. The Chair just stated the rule.

Mr. MEEKER. I am going to object.

The SPEAKER. You have a perfect right to object if the gentleman is exceeding the rule.

Mr. MEEKER. I make the point of order that he is out of order.

The SPEAKER. What word does the gentleman refer to?

Mr. MEEKER. He is referring to the Senator from Ohio.

The SPEAKER. The Chair will state the rule over again. Under the rule a Member of the House can not discuss the action of a Senator in the Senate; but what he does outside of the Senate a Member of the House has just as much right to discuss as he has to discuss the action of any other citizen of the Republic; and the gentleman from Kentucky will please keep himself within the lines of the rule.

Mr. JOHNSON of Kentucky. I freely admit that under present conditions I am a partisan in the cause of the tenant. If I were to say that he is a partisan on the other side of the question, I would impute to him nothing that I do not assume for myself. With all of a plentiful energy I have enlisted with the tenant in the fight of which Mr. Worthington wrote his "fellow realtors."

In drafting a bill for the relief of the tenant in his present extremity I gave it all the effort and thought of which I am capable. If what I wrote will not accomplish that end, neither the tenant nor I have yet discovered the failure.

On the other hand, if the amendment known as the Pomerene bill protects the tenant from extortion, the discovery has been made only by the landlords and its author.

Since the appearance of the Pomerene bill I have been constrained to believe that in the exercise of my legislative efforts in behalf of the tenant class in the District of Columbia I had to meet the opposition of the able author of that paper, because his seeming sympathies have been for the landlord class. I use the expression "seeming" sympathies; while if his attitude is to be determined by the bill bearing his name, I may safely omit that word.

Mr. MEEKER. Will the gentleman state who is the author of that?

Mr. JOHNSON of Kentucky. I do not think any gentleman has the right to inject himself into the middle of my remarks when I am strictly within parliamentary bounds.

The SPEAKER. The only right the gentleman from Missouri has is to raise a point of order that the gentleman from Kentucky is not proceeding in order.

Mr. MEEKER. I make that point.

The SPEAKER. What are the words objected to?

Mr. MEEKER. That the author of this instrument, introduced in another body, was in sympathy with the landlord class.

The SPEAKER. The Chair is inclined to think that is out of order.

Mr. JOHNSON of Kentucky. Heretofore I have said, and I now repeat my opinion, that another can express himself on paper most accurately, indeed. In doing it he has written that to which the tenant class and their friends object, and that which the landlords and their supporters approve. But that is his right, just as it is mine to write that which is to the interest of the tenant class.

The distinguished personage of whom I speak will agree, I am sure, that the landlords gave me none of the money of which Mr. Worthington wrote his "fellow realtors"; and, just as readily and without any sort of qualification, I shall agree with him that they gave him none. The attitude of each of us toward the bill, as a matter of course, was known to those who had the money to spend in the local fight in Congress. If both he and I got some of the money—and each of us is a good witness, one for the other, that neither got any of it—it did not alter or change the views of either.

The SPEAKER. The time of the gentleman has expired.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask 10 minutes more.

Mr. MEEKER. I object.

The SPEAKER. The gentleman from Missouri objects.

Mr. JOHNSON of Kentucky. Then I ask leave to extend my remarks.

Mr. MEEKER. I object.

The SPEAKER. The gentleman from Kentucky asks leave to extend his remarks, and the gentleman from Missouri objects. The gentleman from Nevada is recognized for 10 minutes. [Applause.]

WORLD-WIDE WAR FOR DEMOCRACY.

Mr. ROBERTS. Mr. Speaker, little did we dream that the sparks from the pistol of that Serbian fanatic, fired at Bosnia on June 28, 1914, had started a conflagration that was soon to envelop the so-called civilized world, and that now, lest we, too, be consumed, can only be quenched with blood, the precious blood of our sons and brothers. When Austria, for reasons of her own, on July 23 of that fateful year sent an ultimatum to the Government at Belgrade, the world for the first time began to realize something of the awful consequences likely to follow. From that time on in quick succession event followed event and nation after nation joined in the conflict. The world was aflame and war mad. Week after week, month after month, and year after year, the war raged and spread. America, the land of promise and the leader of all democracies, to whom the peoples of all nations had come to enjoy the blessings of liberty, dreamed tranquilly on, enjoying hours of sunshine undarkened by the smoke of battle, and sipping the sweet wine of life not yet embittered by the salt of tears. The lowering clouds of war rolled nearer and nearer, but she refused to see, refused to believe, until the clouds had blotted out the sunshine. Peace-loving, proud of her institutions, fearful of becoming involved in entangling foreign alliances, wholly unprepared for modern warfare, and startled from her peaceful calm, through tears she looked to us who make her laws to shape her destiny. Each man of us took counsel with himself before his Maker, earnestly, thoughtfully, prayerfully, and acted as his mind and heart told him to act. We realized on that memorable day that we were all placed in a position where a vote of yea or nay might seal her fate forever. What seemed to be the proper course for one man to pursue seemed to be the wrong course to another. That most vital of all questions was to be decided promptly and without a referendum, and so we looked back at the arguments used during the last general election, the results of which were the only semblance of an index we had to the feelings of our people.

Since the world began no two men have thought exactly alike, and so there never have been two ideas or opinions on great public questions exactly alike. A state of fact exists, but by the time it is strained through the consciousness of two persons it has become two opinions, and nobody knows the why or wherefore of the change. All men recognize the existence of this nebulous "no man's land" called opinion, but, oddly enough, they can not learn to tolerate the mote in their brother's eye, and to them the unpardonable sin is a difference of opinion.

To justify themselves in the eyes of the world some people claim that the only way to be safe in political life is to hold tenaciously to the opinion that happens to be popular, to forsake that opinion when it comes into disfavor, and to stifle the promptings of one's own conscience and heart when those promptings happen to conflict with expediency. We all know men in high places who are prone to adopt an opinion or policy in much the same manner as a woman adopts a new hat—because it happens to be the fashion—and these same men are ever ready to discard that opinion clumsily or adroitly, according to the degree of their cleverness, the very minute it becomes unfashionable. How many times we have seen this done! It is an easy trick to perform, this camouflaging of an idea so that its own father would never recognize it, and we all know that it has saved more elections than all other tricks put together;

but there are occasions more serious than elections when a man can not resort to it. There are times when a man has to stand firmly to his convictions even though he is in a lonely minority and runs the risk of being called "willful." [Applause.]

Made up, as we are, of people from every country on the face of the globe, it is but natural that prior to our entrance into this war there were strong divisions of sentiment as to the best course to pursue in order to maintain our rights and our neutrality, safeguard our citizens, and perpetuate our institutions with the aim best to serve the general interests of mankind. Questions of great national and international policy in both Houses of Congress during the past four years have been presented and debated pro and con. And so they should be in a democracy like ours. Men should voice and vote their convictions, and, in addition to their individual opinions, they should not forget that they are only the Representatives of the people who have sent them here. There should be no recriminations, no casting of aspersions at each other, for patriotism is not confined to any one man or any one party, and no man and no party has the right to claim a monopoly of that virtue. [Applause.]

When a man wraps the Stars and Stripes about him for political purposes on every slightest pretext and loudly proclaims that he is the only 100 per cent patriot it is a pretty safe proposition that he is as bogus as a wooden Indian [applause], for in a matter like this there is deep and honest conviction and sincerity on both sides. The great leader of the Democratic majority in this House, the gentleman from North Carolina [Mr. KITCHIN], than whom no man in this membership is more dearly enshrined in our hearts, the late Senator Stone, Democratic chairman of the Committee on Foreign Relations in that other legislative branch of Congress, who for his devotion to his duty now sleeps the sleep that knows no waking, as well as that patriotic and loyal Republican, the gentleman from Wisconsin [Mr. COOPER], who now holds the position as ranking member on the Committee on Foreign Affairs in this House, differed honestly, loyally, and patriotically with the Commander in Chief of the Army and Navy and of this Republic. The Speaker of this House, Hon. CHAMP CLARK, whose Americanism, common-sense judgment, and blunt expressions of honest convictions make him the idol of the American people, has at times voiced his opposition to some of the policies advocated by the Chief Executive. It is such men as these who make the spirit of democracy what it is, and we must not forget that it is for this spirit that we are fighting. [Applause.]

War is now on. The earth is shaken with the tramp, tramp, tramp of our boys in khaki, those smiling boys who come from every corner of the land and go as one man to uphold the honor of their country. Behind them our differences are forgotten, and we join hands as we wish them Godspeed. It is no time or place longer to debate the question as to whether we should have declared war against Germany when Belgium was invaded and made the "cockpit" of Europe or whether the world would sooner have been made safe for democracy had we promptly declared war when the *Lusitania*, laden with men, women, and children, was ruthlessly torpedoed and sunk.

Let high administration officials stick to their posts of duty instead of going around the country at the Government's expense, politically applying the acid test to loyalty and patriotism. Let the dead past bury its dead. "Act, act in the living present, heart within and God overhead." In a democracy such as ours some one must lead, and the President of the United States is our leader. Let us get behind him. Let us refrain from idly criticizing his motives, and at the same time let him refrain from criticizing ours. [Applause.] Let all criticism, if criticize we must, be constructive and not destructive. I have never during my four terms of service in this House questioned the motives or patriotism of any Member of Congress because he differed with me on public policy or public questions, and I would rather resign from this body than to do so. I do not believe that there is a Member of either of the legislative branches of Congress who would not give up all that life holds near and dear to him if the time should come when his country needs it. Let us quit fighting among ourselves and fall in line behind the boys who are fighting to protect, uphold, and preserve our country in the great cause in which we are engaged. It is no longer merely a question of the lives and happiness of individuals, but it has become a question of the life or death of this Republic. As for me, although I did everything within my power to avert this war, even to the extent of voting against it, I am in favor of fighting for an honorable and lasting peace if it costs the last dollar of American money and takes the last drop of American blood. I would rather lay down my life on the blood-soaked fields of France than to have my constituents, my children, and my children's children misunderstand my motives. [Applause.]

DEPARTMENTAL EMPLOYEES LIABLE TO MILITARY SERVICE.

The SPEAKER. The Chair lays before the House a communication in response to the resolution of the gentleman from Illinois [Mr. MADDEN], which, with the accompanying document, is ordered to be printed in the RECORD and lie on the Speaker's table.

The document is as follows:

OFFICE OF THE SECRETARY,
TREASURY DEPARTMENT,
Washington, June 22, 1918.

The SPEAKER,
The House of Representatives.

SIR: In compliance with House resolution 381, dated June 3, 1918, I transmit herewith a list of employees in the service of the Treasury Department who were, on June 5, 1917, between the ages of 21 and 31 years for whom requests for exemption from military duty or deferred classification have been asked and allowed. There are approximately 42,400 employees in the service of the Treasury Department. Exemptions or deferred classifications have been requested and allowed in the cases of 595. Of these 268 are in the departmental service and 327 are in the various field services of the department throughout the country. It will be noted that of those in the departmental service 225 are plate printers, plate cleaners, and transferrers in the Bureau of Engraving and Printing. On account of the scarcity of men qualified as plate printers, plate cleaners, and transferrers it has been necessary to ask for the exemption or deferred classification of all the men in the bureau of draft age so qualified. Otherwise it would have been impossible to execute the great volume of work in connection with the liberty bonds and other Government securities incident to the war. Exemptions in the field services were handled by officials designated for the respective States and Territories in accordance with the regulations of the Provost Marshal General.

Respectfully,

L. S. ROWE,
Acting Secretary.

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed.

DEPARTMENTAL SERVICE.

Name.	Home address.	Character of work.	Office.	In office since—
M. B. Clagett	Linden, Md	Private secretary to the Secretary of the Treasury	Secretary of the Treasury	May 7, 1917
		Transferred to private secretary to Director General of Railroads.	Director General of Railroads	June 16, 1918
Joseph M. Shaffer	Boston, Mass	Stenographer to the Secretary of the Treasury	Secretary of the Treasury	July 25, 1917
		Transferred to assistant private secretary to Director General of Railroads.	Director General of Railroads	Mar. 7, 1918
Paul F. Myers	Princeton, N. J	Chief clerk and superintendent	Treasury Department	Oct. 17, 1913
W. N. Thompson	Washington, D. C	Executive clerk to the Assistant Secretary in Charge of Fiscal Bureaus.	Assistant Secretary of the Treasury.	Nov. 2, 1910
L. D. Neumann	Bloomington, Ill	Private secretary and expert stenographer on duty in the war zone with Hon. Oscar T. Crosby, Assistant Secretary of the Treasury and president of the Inter-Ally Council.	do	May 28, 1917
Walter L. Eddy	Newport, R. I	Clerk	Division of Public Moneys	Nov. 27, 1911
		Transferred to private secretary to member, War Finance Corporation.	War Finance Corporation	May 22, 1918
Albert W. Brand	Cincinnati, Ohio	Accountant	Division of Loans and Currency.	Aug. 17, 1917
Ila O. Rogers	Louisiana, Mo	Clerk, assigned as assistant custodian	do	Oct. 8, 1912
Charles R. Schoeneman	Newport, R. I	Supervisory clerk	do	Dec. 6, 1905
Merrill B. Davis	Boonton, N. J	Stenographer and secretary to chief of division	do	Dec. 10, 1917
Walter G. Ferguson	Quincy, Mass	Operative	Secret Service Division	May 4, 1917
H. M. Reitzel	Des Moines, Iowa	Clerk, assigned as assistant chief of section	Section Surety Bonds	Jan. 6, 1913
Daniel W. Bell	Kinderbrook, Ill	Bookkeeper and clerk	Supervising Architect	Oct. 16, 1911
Stuart B. Tulloss	Haymarket, Va	Acting law clerk	Auditor for War Department	Jan. 2, 1914
William M. Armstrong	Waterloo, Iowa	Accountant and secretary to Commissioner Internal Revenue	Bureau of Internal Revenue	Mar. 7, 1914
William H. Lawder	Washington, D. C	General correspondence clerk	do	Mar. 12, 1914
Raymond J. Morman	Wyoming, Pa	Acting chief, Claims Division	do	Dec. 9, 1912
Glenn R. Eudaley	Arkansas City, Ark	Assistant head of Estate Tax Division	do	Feb. 1, 1917

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed—Continued.

DEPARTMENTAL SERVICE—continued.

Name.	Home address.	Character of work.	Office.	In office since—
Lester S. Scott	Sandstone, Minn	Clerk	Bureau of Internal Revenue.	Aug. 10, 1914
Charles B. Allen	East Pittston, Me	Chief of files and statistics, Income Tax Division	do	Jan. 25, 1917
James C. Peacock	Philadelphia, Pa	Expert draftsman, internal-revenue regulations, etc	do	Oct. 17, 1917
H. E. Benedict	Brooklyn, N. Y	Secretary, National War Savings Committee	National War Savings Committee.	Oct. 3, 1917
Donald M. Earll	Chevy Chase, Md	Assistant chief Bond Division, acting as chief when deferred classification was asked, promoted to chief Bond Division.	Federal Farm Loan Bureau.	Dec. 7, 1916 May 1, 1918
Clay L. Jennison	Binghamton, N. Y	Skilled ship draftsman	United States Coast Guard.	Oct. 20, 1914
Albert L. Thuras	Minneapolis, Minn	Scientific observer	do	Apr. 2, 1917
La Grande Jenks Arnold	Chicago, Ill	Assistant actuary	Bureau of War-Risk Insurance.	Mar. 1, 1918
Isaac F. Becker	New York, N. Y	Insurance expert	do	Nov. 3, 1917
De Roy Braumberg	Brooklyn, N. Y	Claims examiner	do	Nov. 30, 1917
James M. Brown	Missoula, Mont	Law clerk	do	Jan. 16, 1918
Carey P. Buchanan	Charlotte, N. C	Insurance expert and attorney	do	Mar. 1, 1918
Peter B. Cadigan	Superior, Wis	Insurance expert	do	Dec. 11, 1917
Elliott F. Cameron	Beverly, Mass	Chief field adjuster	do	Dec. 11, 1917
Letcher B. Connell	Davidson, Tenn	Assistant superintendent insurance claims	do	Oct. 29, 1917
Declan W. Corcoran	Brighton, Mass	Insurance expert	do	Feb. 4, 1918
Nathaniel I. S. Goldman	Philadelphia, Pa	Assistant to Maj. S. H. Wolfe	do	Mar. 4, 1918
Hiram C. Griffin	Towson, Md	Insurance expert	do	Dec. 10, 1917
H. C. Houlihan	Boston, Mass	Superintendent of compensation	do	Nov. 12, 1917
George P. Hughes	Worcester, Mass	Claims examiner	do	Dec. 18, 1917
Morris P. Schaffer	New York, N. Y	Insurance expert	do	Nov. 2, 1917
Edward T. Schlott	Brooklyn, N. Y	do	do	Dec. 3, 1917
I. E. Tanenbaum	New York, N. Y	Chief, Seamen Section	do	Nov. 8, 1917
Thomas Adamson	Chicago, Ill	Plate printer	Bureau of Engraving and Printing.	May 28, 1917
William E. Anderson	Washington, D. C	do	do	Sept. 28, 1907
Carl B. Auth	do	do	do	Nov. 6, 1911
George P. Barnes	Philadelphia, Pa	do	do	July 8, 1912
Thomas J. Barnes, jr	do	do	do	July 6, 1911
Henry P. Batch	Washington, D. C	do	do	Oct. 26, 1905
James E. Benton	do	do	do	Nov. 4, 1911
George H. Birch	do	do	do	Aug. 8, 1905
Thomas W. Blumenauer	Frederick, Md	do	do	Aug. 16, 1909
E. A. Bohlayer	Alexandria, Va	do	do	Nov. 2, 1914
Bernard L. Borger	Washington, D. C	do	do	Feb. 25, 1907
Wilton W. Boteler	do	do	do	May 25, 1909
Allie R. Bowers	do	do	do	Mar. 25, 1911
John A. Boyce, jr	do	do	do	May 17, 1912
Frederick E. Bradley	do	do	do	Feb. 11, 1905
Otto C. J. Brahler	do	do	do	Dec. 4, 1911
Frederick C. Branan	do	do	do	Nov. 24, 1911
John F. Brazerol	do	do	do	July 10, 1918
Joseph R. Brewer	do	do	do	Feb. 10, 1911
Ernest B. Brooks	do	do	do	Feb. 12, 1907
Earl H. Brown	do	do	do	July 6, 1911
William B. Brown	Seat Pleasant, Md	do	do	Feb. 9, 1917
William R. Bullough	Brooklyn, N. Y	do	do	Mar. 20, 1907
Vernon C. Buppert	Baltimore, Md	do	do	July 28, 1910
C. F. Burrichter	St. Louis, Mo	do	do	July 21, 1917
Joseph P. Butler	Boston, Mass	do	do	May 14, 1917
Hugh P. Caherty	Philadelphia, Pa	do	do	May 3, 1917
John A. Callahan	Washington, D. C	do	do	Nov. 6, 1911
Chester W. Callbeck	Ashmont, Mass	do	do	Mar. 31, 1917
Theodore E. Cameron	Bethesda, Md	do	do	Feb. 24, 1910
John J. Carow	Glendale, Md	do	do	Dec. 13, 1909
Henry S. Chick	Washington, D. C	do	do	July 5, 1905
S. A. Clements	do	do	do	Nov. 2, 1911
Edward L. B. Conley	Camden, N. J	do	do	May 15, 1917
Aloys. W. Conway	St. Louis, Mo	do	do	Sept. 17, 1917
Charles E. Cornell, jr	Washington, D. C	do	do	Feb. 8, 1917
George F. Cranston	do	do	do	Dec. 4, 1905
Aloysius J. Cunningham	Philadelphia, Pa	do	do	May 16, 1917
Bernard A. Daly	Washington, D. C	do	do	Oct. 5, 1906
John M. Daly	do	do	do	Feb. 3, 1909
Samuel Davis	New York, N. Y	do	do	Jan. 21, 1918
Herbert C. Dean	Washington, D. C	do	do	Apr. 27, 1911
Henry V. D'Iorio	Philadelphia, Pa	do	do	Jan. 16, 1918
M. H. Dennison	Washington, D. C	do	do	Sept. 28, 1910
George Donaldson	Philadelphia, Pa	do	do	Aug. 1, 1910
E. J. Dowling	Washington, D. C	do	do	Feb. 5, 1912
Eugene A. Doyle	do	do	do	May 25, 1910
Joseph E. Draley	do	do	do	July 5, 1905
Charles A. Drew	Philadelphia, Pa	do	do	Aug. 21, 1911
Alex. Duchesne	Washington, D. C	do	do	Oct. 23, 1917
John E. Duffy	South Norwalk, Conn	do	do	Apr. 22, 1910
C. B. Dugan	Chester, Pa	do	do	July 31, 1912
Robert Dyer	Washington, D. C	do	do	Jan. 17, 1906
James W. Egan	New York, N. Y	do	do	Jan. 28, 1918
John L. Elliott	Washington, D. C	do	do	Apr. 15, 1909
H. A. Fairall	do	do	do	Sept. 29, 1905
Martin J. Fallon	Chicago, Ill	do	do	Aug. 7, 1917
Thomas A. Fallon	do	do	do	May 12, 1911
John E. Fisher	Washington, D. C	do	do	Feb. 5, 1912
G. Fitzgerald	do	do	do	Nov. 4, 1911
C. J. Fitzpatrick	Philadelphia, Pa	do	do	July 12, 1911
George W. Foley	Washington, D. C	do	do	Jan. 30, 1907
Robert W. Foster	Upper Sandusky, Ohio	do	do	Feb. 2, 1906
Joseph E. Garvey	Washington, D. C	do	do	July 20, 1917
John E. Gasser	Chicago, Ill	do	do	Apr. 24, 1911
George Germever	Pittsburgh, Pa	do	do	May 12, 1917
Herbert Gimbel		do	do	Oct. 23, 1917
Thomas A. Glennon	Philadelphia, Pa	do	do	May 21, 1917
George A. Goldsmith	Washington, D. C	do	do	Nov. 21, 1910
Frederick M. Graebner	Philadelphia, Pa	do	do	Nov. 9, 1911
John F. Grindle	do	do	do	Jan. 12, 1910
John A. Hall	Washington, D. C	do	do	Apr. 26, 1905
Edward R. Hangliter	Philadelphia, Pa	do	do	Apr. 26, 1911
William L. Harvey	Washington, D. C	do	do	Dec. 13, 1909
Clyde E. Haught	Cleveland, Ohio	do	do	Jan. 14, 1918
Edmond B. Haynie	Washington, D. C	do	do	Apr. 15, 1909
Thomas J. Heany	do	do	do	Mar. 20, 1902

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed—Continued.

DEPARTMENTAL SERVICE—continued.

Name.	Home address.	Character of work.	Office.	In office since—
Carl E. Herberger	Washington, D. C.	Plate printer	Bureau of Engraving and Printing.	June 6, 1911
Waugh P. Heygster	do	do	do	July 30, 1906
Arthur V. Hillyard	do	do	do	Feb. 23, 1910
William F. Hines	do	do	do	Apr. 13, 1911
Harry C. Howell	New York, N. Y.	do	do	Nov. 8, 1911
Joseph A. Hunter	Philadelphia, Pa.	do	do	Jan. 21, 1918
John H. Ireland	Detroit, Mich.	do	do	July 10, 1908
George W. Jenkins	Washington, D. C.	do	do	Feb. 11, 1907
Joseph W. Johnson	do	do	do	Jan. 29, 1907
Elmer S. Jordan	Ballston, Va.	do	do	Oct. 30, 1914
Robert B. Kaiser	Washington, D. C.	do	do	Nov. 13, 1911
Joseph W. Keating	do	do	do	Dec. 4, 1906
Joseph M. Keenan	Philadelphia, Pa.	do	do	July 18, 1917
Bertram C. Kelsey	Washington, D. C.	do	do	Oct. 4, 1911
Albert Kiernan	do	do	do	July 31, 1912
Lee D. King	do	do	do	Sept. 27, 1911
Charles L. Knox	Philadelphia, Pa.	do	do	Jan. 17, 1912
Charles R. Krener	Washington, D. C.	do	do	May 3, 1906
Raymond Kyle	do	do	do	May 5, 1911
James M. Lanigan, jr	do	do	do	May 11, 1910
William J. Loveless	do	do	do	Dec. 13, 1909
Martin J. Lynch, jr	do	do	do	Do.
Christopher Marr	Chicago, Ill.	do	do	Aug. 6, 1917
Elwood D. May	Philadelphia, Pa.	do	do	May 15, 1917
Anthony L. Mayhew	Washington, D. C.	do	do	Feb. 5, 1912
Frank J. McCarthy	do	do	do	Aug. 9, 1906
Edward J. McCloskey	Darby, Pa.	do	do	June 21, 1917
Thomas F. McCormick	Washington, D. C.	do	do	Mar. 21, 1917
George M. McCulloch, jr	do	do	do	Oct. 26, 1906
Frederick A. McGrath	Boston, Mass.	do	do	May 24, 1917
Patrick J. McGrath	Washington, D. C.	do	do	Feb. 17, 1917
Edward H. McKinley	do	do	do	July 29, 1908
William C. McKinnon	New York, N. Y.	do	do	Oct. 26, 1906
Thomas A. McLarney	Washington, D. C.	do	do	Feb. 12, 1907
Edward W. McRae, jr	Jersey City, N. J.	do	do	July 27, 1914
James H. McVey	Boston, Mass.	do	do	Feb. 2, 1909
Francis J. Meehan	Philadelphia, Pa.	do	do	Oct. 18, 1909
William B. Middleton	do	do	do	May 7, 1917
John R. Miller	Washington, D. C.	do	do	Feb. 23, 1907
Francis S. Milovich	do	do	do	July 2, 1903
Louis J. Milovich	do	do	do	July 19, 1906
Philip S. Mitchell	Prince Georges County, Md.	do	do	Aug. 4, 1914
George F. Mohler	Washington, D. C.	do	do	Feb. 5, 1912
Alex. Monroe	do	do	do	Mar. 2, 1917
Milton M. Morris	Jamaica Plain, Mass.	do	do	Mar. 15, 1917
James F. Mowatt	Mt. Rainer, Md.	do	do	Nov. 1, 1911
Buddie P. Myer	T. B., Md.	do	do	Aug. 16, 1909
Daniel J. Noonan	Washington, D. C.	do	do	Mar. 15, 1917
Anthony T. Panchelle	Philadelphia, Pa.	do	do	Apr. 23, 1917
Arthur F. Payne	Washington, D. C.	do	do	Sept. 29, 1905
Edward R. Perry	do	do	do	Sept. 28, 1910
Harry W. Phillips	Chicago, Ill.	do	do	June 30, 1917
Merrill I. Pitcher	Washington, D. C.	do	do	Sept. 28, 1910
Harry J. Platt	do	do	do	Feb. 23, 1907
Louis A. Ploettner	Philadelphia, Pa.	do	do	Oct. 2, 1917
Louis W. Poore, jr	Washington, D. C.	do	do	Apr. 20, 1910
William Rapee	do	do	do	July 28, 1911
Joseph Reedy	Cambridge, Mass.	do	do	June 7, 1917
James C. Reeves	Washington, D. C.	do	do	Aug. 12, 1904
Frank Reh	do	do	do	June 6, 1911
Theodore H. Reier	Baltimore, Md.	do	do	Mar. 30, 1911
Ralph E. Robey	Washington, D. C.	do	do	Sept. 27, 1911
Irvin B. Robinson	do	do	do	Feb. 14, 1910
Joseph Robson	do	do	do	Feb. 25, 1905
Roscoe Rothschild	do	do	do	Aug. 14, 1909
Alfred G. Schmidt	Hanover, Pa.	do	do	Sept. 14, 1905
Edward H. Schmidt	Washington, D. C.	do	do	July 6, 1911
John M. Schulze	Pittsburgh, Pa.	do	do	May 19, 1917
William H. Scott	Washington, D. C.	do	do	Aug. 9, 1906
Thomas A. Shehan	Baltimore, Md.	do	do	Aug. 6, 1917
Sylvan A. Sheridan	Washington, D. C.	do	do	July 27, 1917
Schuyler Small	Friendship Heights, Md.	do	do	Aug. 9, 1906
Paul C. Smith	Washington, D. C.	do	do	Apr. 9, 1904
John D. Stanton, jr	Brooklyn, N. Y.	do	do	May 4, 1917
Howard R. Stewart	Washington, D. C.	do	do	Apr. 13, 1906
Joseph C. Stoner	do	do	do	May 26, 1909
Harry A. Sullivan	do	do	do	July 26, 1911
James N. Thompson	do	do	do	Oct. 26, 1906
Thomas B. Thornett	do	do	do	Aug. 4, 1914
Joseph B. Tisinger	do	do	do	Feb. 23, 1907
William J. Tobin	do	do	do	Aug. 3, 1904
Harry I. Tonneman	Chicago, Ill.	do	do	July 1, 1912
Edward D. Waldron	Washington, D. C.	do	do	Oct. 18, 1906
Thomas G. Walsh	do	do	do	June 6, 19[illegible]
Ralph B. Warner	do	do	do	Feb. 5, 1912
Joseph L. Weyrich	do	do	do	Jan. 18, 1912
Earl K. Wheeler	do	do	do	June 5, 1911
Joseph D. Wilson	do	do	do	Feb. 5, 1912
Edwin O. Wood	do	do	do	July 30, 1905
Harold J. Yauchler	Philadelphia, Pa.	do	do	Aug. 11, 1914
Harry J. Yost	do	do	do	July 12, 1911
Frank M. Young	Washington, D. C.	do	do	Apr. 25, 1905
Charles J. Zoerner	Philadelphia, Pa.	do	do	Oct. 10, 1914
Fred C. W. Schulze	Washington, D. C.	do	do	May 16, 1912
Isadore L. Berkowitz	Philadelphia, Pa.	do	do	May 14, 1917
Jesse G. Carron	St. Louis, Mo.	do	do	Sept. 19, 1917
Edward A. Green	Washington, D. C.	do	do	Jan. 17, 1906
Arthur J. Kelley	Chicago, Ill.	do	do	Aug. 20, 1917
Alfred A. Kelly	Boston, Mass.	do	do	July 22, 1912
Victor B. Newton	Washington, D. C.	do	do	May 2, 1917
George H. Schick	Chicago, Ill.	do	do	Jan. 25, 1909
William L. Smith	New York, N. Y.	do	do	Aug. 16, 1917
George L. Yauchler	Philadelphia, Pa.	do	do	Aug. 11, 1914

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed—Continued.

DEPARTMENTAL SERVICE—continued.

Name.	Home address.	Character of work.	Office.	In office since—
Charles Backora	New York, N. Y.	Plate printer	Bureau of Engraving and Printing.	Jan. 28, 1918
August H. L. Bernhard	Chicago, Ill.	do	do	Sept. 28, 1917
Ralph E. Bihlman	Pittsburgh, Pa.	do	do	July 24, 1911
John J. Bonner	Philadelphia, Pa.	do	do	July 10, 1911
George T. Clayton	Collingdale, Pa.	do	do	Dec. 26, 1901
Robert J. Fitzgerald	Washington, D. C.	do	do	Nov. 1, 1911
Leo L. Graeves	Asten, Md.	do	do	July 17, 1911
Frederick J. Hofmann	Philadelphia, Pa.	do	do	Sept. 5, 1917
George Klinker	do	do	do	June 26, 1912
Charles P. C. Kraemer	Washington, D. C.	do	do	Sept. 14, 1906
Bernard F. Morris	do	do	do	July 10, 1908
Bernard C. O. O'Leary	do	do	do	Apr. 15, 1909
Edward R. Perry	do	do	do	Sept. 28, 1910
William P. Rehbein	New York, N. Y.	do	do	July 29, 1911
William R. Roberts	Washington, D. C.	do	do	Dec. 4, 1906
Charles J. G. Schalda	New York, N. Y.	do	do	July 20, 1917
George J. Shimek	Baltimore, Md.	do	do	Oct. 2, 1917
Frederick J. Southgate	New York, N. Y.	do	do	Aug. 8, 1917
Cornelius A. Sullivan	Washington, D. C.	do	do	Mar. 13, 1917
George E. Thornton	——, Ill.	do	do	May 21, 1917
Thomas A. Walsh	Washington, D. C.	do	do	Aug. 12, 1914
Fred J. Walker	Brooklyn, N. Y.	do	do	July 2, 1917
Bernhard C. Weisner	Chicago, Ill.	do	do	May 28, 1917
Benedict A. Widmer, jr	Philadelphia, Pa.	do	do	May 7, 1917
Charles A. H. Winter	Washington, D. C.	do	do	July 27, 1910
Leonard S. Wilmot	South Norwalk, Conn.	do	do	July 19, 1911
Charles E. Wood	Washington, D. C.	do	do	Aug. 4, 1914
Edward Towers	do	do	do	May 16, 1912
Edward F. I. McCarthy	do	do	do	Jan. 17, 1905
John F. Rockett	do	do	do	Jan. 31, 1918
Andrew S. Wright	do	do	do	Feb. 25, 1910
Harry L. Hauser	do	do	do	Sept. 14, 1906
Joseph P. Carley	do	do	do	Mar. 12, 1911
William J. Lawler	do	do	do	Jan. 3, 1914
Albert R. J. Lynch	do	do	do	Aug. 9, 1905
Robert L. Mulhall	do	do	do	May 27, 1904
William J. Manning	St. Louis, Mo.	do	do	Mar. 11, 1913
Edward Young	Brooklyn, N. Y.	do	do	Jan. 15, 1918
George W. Barber	Philadelphia, Pa.	Transferer	do	Sept. 4, 1917
Aloysius A. Baldus	Washington, D. C.	Plate cleaner	do	July 5, 1899
James W. Gessford	do	do	do	Oct. 18, 1909
Robert Dailey	do	do	do	Mar. 2, 1912
Edward Hein	Chicago, Ill.	do	do	Dec. 14, 1908
Thomas Jones	Washington, D. C.	do	do	Feb. 13, 1914
Joseph W. MacFate	Chester, Pa.	do	do	Jan. 4, 1910

FIELD SERVICE.

Name.	Home address.	Character of work.	Service.	In office since—
Leon E. Griset	Nogales, Ariz.	Statistical clerk and stenographer	Customs	Dec. 7, 1914
Don C. Buel	Van Buren, Ark.	Deputy collector	Internal-Revenue	Dec. 20, 1907
James F. Shofner	Little Rock, Ark.	do	do	Dec. 18, 1917
Edmond C. Groves	Los Angeles, Cal.	do	do	Jan. 12, 1916
Howard B. Westover	Denver, Colo.	Counter clerk	do	Feb. 15, 1915
Thomas B. Lynch	do	Deputy collector	do	Dec. 24, 1917
George H. Morris	do	do	do	Jan. 9, 1918
Thomas F. Flanigan	East Hartford, Conn.	do	do	Mar. 23, 1914
J. L. Lester	Key West, Fla.	do	do	Nov. 1, 1915
W. S. McGuirk	Carrollton, Ga.	do	do	Apr. 22, 1916
Joseph Craig, jr	Savannah, Ga.	Deputy collector and examiner	Customs	Sept. 21, 1912
M. L. Cox	Ellijay, Ga.	Deputy collector	Internal-Revenue	Oct. 27, 1913
Frank Ramback	Chicago, Ill.	Electrician	Custodian	Nov. 6, 1915
Edward F. Nuetzel	do	Clerk	Customs	July 10, 1912
Charles T. Leighton	Chillicothe, Ill.	Deputy collector	Internal-Revenue	Feb. 15, 1915
T. J. Cavanaugh	Rock Island, Ill.	do	do	Jan. 1, 1916
Thomas J. Ganey	East St. Louis, Ill.	Inspector of narcotics	do	Apr. 5, 1915
Don E. Karr	Peoria, Ill.	Deputy collector	do	Apr. 12, 1916
Milton Sebastian	Chicago, Ill.	Clerk	Customs	Sept. 19, 1912
Paul A. Hankins	Kewanee, Ill.	do	Internal-Revenue	Jan. 1, 1917
Edward Wopinsky	Chicago, Ill.	do	Customs	Sept. 19, 1912
Harry W. Mager	do	Income-tax agent	Internal-Revenue	Apr. 1, 1915
Clarence R. Clendenin	Springfield, Ill.	Income-tax inspector	do	Jan. 5, 1914
Edward J. Quinn	Chicago, Ill.	do	do	Sept. 10, 1917
Ernest E. Lloyd	Assumption, Ill.	do	do	Do.
John G. Weisbach	Lafayette, Ind.	do	do	Nov. 24, 1914
Clarence L. Eaton	Dubuque, Iowa	Deputy collector	do	Apr. 9, 1913
Joseph D. Doyle	do	do	do	Apr. 1, 1917
John C. Palmer	do	do	do	Mar. 29, 1915
Carl P. Spahn	do	do	do	May 16, 1917
James F. Ryan	do	Clerk	do	Apr. 28, 1914
A. C. Krakow	do	Income-tax inspector	do	Dec. 16, 1914
Joseph L. Grenn	do	Deputy collector and inspector	Customs (resigned May 14, 1918).	Sept. 15, 1913
Frank E. Brennan	Topeka, Kans.	Engineer	Custodian	June 29, 1915
Alexander Hart	Mount Sterling, Ky.	Deputy collector	Internal-Revenue	Dec. 13, 1916
Wallace B. Camp	Perryville, Ky.	Storekeeper-gauger	do	Feb. 1, 1915
E. H. Cocke	Owensboro, Ky.	Deputy collector	do	Dec. 17, 1913
J. J. Burke	do	do	do	Dec. 8, 1915
James I. Peter	Louisville, Ky.	do	do	Oct. 6, 1915
Hoke Camp Smith	do	do	do	Dec. 26, 1917
M. J. Schiavone	Baltimore, Md.	Clerk	Customs	Oct. 26, 1915
George W. Hill	do	do	do	June 9, 1909
Leslie S. Morton	do	do	do	June 15, 1912
Louis L. McLanahan	do	do	do	Oct. 30, 1909
Irvin B. Geidt	do	Stenographer and typist	do	Aug. 26, 1913
Biscoe L. Gray	Mutual, Md.	Deputy collector	Internal-Revenue	June 1, 1915
William B. Lucas	Baltimore, Md.	do	do	Dec. 28, 1917
George E. Brown	Somerset County, Md.	do	do	Aug. 1, 1914

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed—Continued.

FIELD SERVICE—continued.

Name.	Home address.	Character of work.	Service.	In office since—
Ward P. Burdine	Takoma Park, Md	Deputy collector	Internal-Revenue	Jan. 11, 1917
Joseph M. Bransky	Boyd, Md	Narcotic inspector	do	Sept. 20, 1917
Wilson L. Baker, jr	Baltimore, Md	Income-tax inspector	do	Oct. 1, 1917
Benjamin C. Chesney	do	Clerk	Subtreasury	Oct. 27, 1917
John L. O'Neil	Roslindale, Mass	do	Public Health	Oct. 28, 1909
Maurice Gertlin	Dorchester, Mass	do	do	May 1, 1917
Andrew F. Tarpey	New Bedford, Mass	Engineer-janitor	Custodian	Aug. 23, 1915
John A. Ryan	Lynn, Mass	Deputy collector	Internal-Revenue	Oct. 19, 1917
Thomas A. McCluskey	do	do	do	Feb. 23, 1915
George A. O'Donohue	Sharon, Mass	do	do	Sept. 25, 1916
James R. Watts	Detroit, Mich	do	do	Oct. 2, 1916
Elmer F. Schoenith	do	Assistant deputy collector	do	Oct. 19, 1917
Edward W. McIntosh	do	Deputy collector	do	Jan. 12, 1918
Basil R. Atchison	Jackson, Mich	do	do	Do.
Harold G. McLee	Battle Creek, Mich	do	do	Do.
Lawrence D. Flory	Grand Rapids, Mich	do	do	Oct. 19, 1917
Urban E. Gross	Kalamazoo, Mich	do	do	Feb. 5, 1917
Arthur R. Knox	St. Paul, Minn	Assistant cashier	do	Dec. 4, 1914
John L. Connolly	do	Deputy collector	do	Feb. 1, 1915
Arthur R. Barrett	Minneapolis, Minn	do	do	Oct. 25, 1917
Harold W. Greenwood	do	do	do	Dec. 18, 1917
Arthur H. Remole	do	do	do	June 28, 1915
Leland S. Mead	St. Peter, Minn	do	do	Dec. 18, 1917
William M. Lowe	Casper, Minn	do	do	Do.
C. L. Englebert	Bronson, Minn	do	do	Oct. 10, 1917
Ernest W. Beaton	Duluth, Minn	Deputy collector and inspector	Customs	Apr. 11, 1913
B. Clyde Scott	Gainesville, Fla	Deputy collector	do	June 6, 1917
Victor P. Herbert	Helena, Mont	Clerk	Internal-Revenue	Nov. 7, 1917
Chester E. Pool	Townsend, Mont	Deputy collector	do	Jan. 7, 1918
Leo P. Pogreba	Great Falls, Mont	Clerk	Customs	Feb. 1, 1905
Raymond D. Kinsey	Washington, D. C	Pharmacist	Public Health	Aug. 31, 1914
P. Sargent Florence	New York, N. Y	Scientific assistant	do	July 10, 1917
Charles May	Buffalo, N. Y	Fireman-laborer	Custodian, resigned Apr. 8, 1918.	Jan. 1, 1918
Stanley D. Winderman	Centerville, N. Y	Income-tax agent	Internal-Revenue	Oct. 29, 1917
Henry A. Tucker	Lorraine, N. Y	Deputy collector	do	Mar. 28, 1918
Otto Graber	Buffalo, N. Y	do	do	May 4, 1914
Michael F. Buckley	Utica, N. Y	do	do	Apr. 10, 1917
John E. Caufield	Rochester, N. Y	Deputy collector and inspector	Customs	June 14, 1912
Samuel C. Littell	New York, N. Y	Income-tax inspector	Internal-Revenue	Sept. 20, 1917
Harry Hersko vitz	do	do	do	Apr. 9, 1917
Irving Batkin	do	do	do	Sept. 1, 1917
Joseph G. De Souza	Brooklyn, N. Y	Clerk	do	Feb. 3, 1917
Frank J. Corbin	do	Income-tax inspector	do	Mar. 23, 1917
Clarence W. Nutt	Kankakee, Ill	Special employee	do	May 1, 1915
Benjamin Mahler	Brooklyn, N. Y	Income-tax inspector	do	Dec. 11, 1912
Morris Metz	New York, N. Y	do	do	Mar. 26, 1917
James J. Ryan	do	do	do	Sept. 20, 1917
Joseph B. Deutsch	do	do	do	Do.
Harry C. Errion	Woodhaven, N. Y	Skilled workman	Mint and Assay	May 25, 1914
Thomas F. McNamara	Brooklyn, N. Y	Melter	do	Aug. 23, 1916
Edward A. Curran	do	do	do	Oct. 2, 1913
Joseph S. Buford, jr	New York, N. Y	Weigher	do	Feb. 16, 1912
Samuel W. Lowenberg	Brooklyn, N. Y	Clerk	do	Mar. 16, 1912
Milton Sklarz	New York, N. Y	Private secretary to the superintendent of assay office	do	Apr. 6, 1914
Martin Mendel	Brooklyn, N. Y	Technical assistant	do	Apr. 15, 1916
Murray M. Scholer	New York, N. Y	Clerk	do	May 1, 1912
James F. Brodie	Brooklyn, N. Y	Helper	do	Nov. 29, 1915
William Margolis	Passaic, N. J	Statistician	do	Sept. 30, 1913
Frank E. O'Leary	Brooklyn, N. Y	Deputy collector (assistant head of income tax)	Internal-Revenue	June 25, 1915
Frank D. Roach	do	Deputy collector (head cashier)	do	Aug. 23, 1915
Walter L. Daly	Astoria, Long Island, N. Y	Income-tax clerk	do	Dec. 24, 1917
Lawrence Elperin	Brooklyn, N. Y	Deputy collector	do	Nov. 6, 1915
Louis F. Auger	do	Private secretary to appraiser of merchandise	Customs	Dec. 15, 1917
George M. Barron	New York, N. Y	Customs guard	do	May 23, 1910
Thomas W. Campbell	Brooklyn, N. Y	do	do	July 19, 1917
Nathan Bernstein	do	do	do	Do.
Samuel Cooke	do	Clerk	do	June 6, 1907
Lewis Demby	do	Customs guard	do	Mar. 3, 1910
George Disch	New York, N. Y	Clerk	do	Nov. 16, 1911
Max Frank	Brooklyn, N. Y	do	do	Oct. 14, 1909
Arthur L. Perry	Irvington, N. J	do	do	Apr. 18, 1917
Isidore Ginsberg	New York, N. Y	do	do	Jan. 25, 1911
John R. Heslin	Brooklyn, N. Y	do	do	Nov. 17, 1905
Thomas J. Hogue	Jersey City, N. J	Ship searcher	do	Aug. 7, 1909
Samuel J. Katzberg	Brooklyn, N. Y	Clerk with board of anchorages, Washington, D. C	do	Oct. 25, 1911
John C. Knowles	do	Clerk	do	June 24, 1909
Morris Kraus	New York, N. Y	Messenger	do	Dec. 28, 1911
Isaac Lewis	do	do	do	Dec. 11, 1905
John J. Mahon	do	Clerk	do	Mar. 9, 1910
Charles G. Nagle	Brooklyn, N. Y	do	do	July 14, 1909
John Nial	do	Customs guard	do	July 19, 1917
John T. Nolan	New York, N. Y	Messenger	do	June 6, 1910
Milton Raphael	do	Clerk	do	July 17, 1914
Edward J. Savage	Elmhurst, L. I., N. Y	do	do	Aug. 19, 1908
Nathaniel R. Scheidlaur	New York, N. Y	do	do	June 24, 1903
Joseph Schnall	Brooklyn, N. Y	do	do	Dec. 22, 1910
Daniel V. Wrenn	do	do	do	Dec. 7, 1907
Albert A. Maguire	New York, N. Y	do	do	July 9, 1912
Simon Ammer	do	Messenger	do	Mar. 29, 1910
Domenico Yoselli	Cleveland, Ohio	Income-tax inspector, New York	Internal-Revenue	Jan. 15, 1917
Thomas J. Charles	New York, N. Y	Deputy collector (chief, income tax department)	do	May 1, 1913
Charles B. Steiner	do	Income-tax employee	do	Dec. 29, 1917
Alfred Cercco	Washington, D. C	Income-tax employee, New York	do	Dec. 5, 1916
Isidor J. Greenberg	New York, N. Y	Income-tax employee	do	Dec. 31, 1917
Ralph A. Kohn	do	do	do	Dec. 24, 1917
Murray W. Stand	do	do	do	June 15, 1915
James W. Kayser	do	Deputy collector (chief, opium tax department)	do	Nov. 11, 1915
Joseph F. Prendergast	do	Chief, deputy collector	do	June 26, 1916
George S. Mitchell	Brooklyn, N. Y	Income-tax employee	do	Oct. 14, 1915
Samuel M. Levy	New York, N. Y	do	do	Dec. 18, 1917
Samuel Koffler	do	do	do	June 13, 1916
George A. Larkin	do	Capital-stock-tax employee	do	Mar. 23, 1915
Leonard S. Myers	do	Income-tax employee	do	Apr. 26, 1915
John F Baile	do	do	do	Oct. 1, 1916

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed—Continued.

FIELD SERVICE—continued.

Name.	Home address.	Character of work.	Service.	In office since—
John L. Brownell	Portsmouth, N. H.	Income-tax employee	Internal-revenue	Dec. 29, 1912
William T. Call	do	Income-tax inspector	do	May 11, 1914
Peter A. Pauze	Lebanon, N. H.	Deputy collector (in charge assessment lists)	do	Feb. 17, 1915
Fred S. Brock	Rochester, N. H.	Deputy collector	do	May 19, 1914
John A. Conlin	Belleville, N. J.	do	do	Aug. 12, 1914
Edward J. Hart	Jersey City, N. J.	do	do	Dec. 17, 1917
Thomas C. McLaughlin	Paterson, N. J.	Stenographer (deputy collector)	do	Sept. 1, 1914
Adolph J. Rettig	Newark, N. J.	Deputy collector	do	Dec. 18, 1917
Victor Ghesquire	Paterson, N. J.	do	do	Feb. 19, 1917
Edward J. Boylan	Jersey City, N. J.	do	do	Dec. 18, 1917
Joseph A. Kirlin	do	Income-tax inspector	do	Sept. 1, 1917
Irving Chamberlain	Suffern, N. Y.	Engineer, post office, Jersey City	Custodian	Nov. 19, 1913
Charles Parker	Albuquerque, N. Mex.	Assistant examiner Federal Farm Loan Board	Farm Loan	Apr. 15, 1918
Allen L. Mills	Statesville, N. C.	Stenographer	Internal-Revenue	Aug. 25, 1913
Horace H. Stikeleather	do	Messenger	do	Aug. 2, 1915
Eugene G. Smith	Mount Airy, N. C.	Deputy collector	do	June 1, 1917
Byron Conley	Marion, N. C.	do	do	Sept. 21, 1917
William A. Lovitt	Ashboro, N. C.	do	do	Dec. 22, 1917
Carl S. Cashion	Cornelius, N. C.	do	do	Apr. 23, 1918
Webster Croom	Goldsboro, N. C.	Fireman-laborer	Custodian	May 31, 1911
J. J. Cassidy	Cincinnati, Ohio	Deputy collector	Internal-Revenue	Mar. 1, 1915
P. J. Boylan	Cleveland, Ohio	Income-tax examiner	do	Sept. 18, 1916
J. P. Wagner	do	do	do	Feb. 21, 1915
N. H. Allman	Dayton, Ohio	Excess-profits-tax examiner	do	Sept. 10, 1918
J. C. Horton	do	Income-tax examiner	do	Do.
R. C. Palicki	Toledo, Ohio	Deputy collector	Internal-Revenue	Feb. 11, 1916
C. T. McNerny	do	do	do	Jan. 21, 1914
F. J. Eble	do	Income-tax examiner	do	Jan. 15, 1915
A. H. Schmid	Dayton, Ohio	Clerk	Customs	Nov. 8, 1912
William R. Wood	Portland, Oreg.	Deputy collector	Internal-Revenue	Feb. 9, 1916
Stewart F. Lamb	do	do	do	Dec. 5, 1917
Robert T. Jacob	do	do	do	Nov. 25, 1914
C. B. Montague	do	do	do	June 1, 1914
Ira E. Pitts	East Pittsburgh, Pa.	do	do	Feb. 20, 1915
Thomas F. Sheehan	Pittsburgh, Pa.	do	do	Apr. 1, 1915
John Finnerty	do	Clerk and deputy collector	do	June 4, 1917
Wendell S. Howard	do	do	do	Mar. 9, 1917
Isaac Hurst	do	Cashier	do	Dec. 1, 1916
James C. Fewess	Pittsville, Pa.	Deputy collector	do	Dec. 28, 1914
Herman C. Hipple	Spring City, Pa.	do	do	Jan. 16, 1917
John F. McEvoy	Willowgrove, Pa.	do	do	Mar. 2, 1916
James L. Shields	Melrose, Pa.	Income-tax agent	do	Jan. 4, 1915
Edward J. Maloney	Scranton, Pa.	Income-tax inspector	do	Sept. 11, 1916
John R. Sinnock	Philadelphia, Pa.	Assistant medallist	Mint and Assay	Aug. 25, 1917
John W. Rogers	do	Customs guard	Customs	Jan. 31, 1914
Harry A. Wampole	Norristown, Pa.	Inspector	do	June 14, 1909
J. Raymond Lynch	Philadelphia	Deputy collector	Internal-Revenue	Dec. 26, 1917
Harrison Barker	Newport, R. I.	Income-tax inspector	do	June 12, 1917
Thomas F. Donahue, jr.	Providence, R. I.	Excess-profits inspector	do	June 22, 1914
Thomas H. Donahue, jr.	do	do	do	Sept. 13, 1915
Johnson C. Gouge	Kona, S. C.	Scientific assistant	Public Health	Feb. 24, 1917
Wade V. Hoffman	Spartanburg, S. C.	do	do	May 21, 1917
Ralph Walden	Fair Forest, S. C.	do	do	Sept. 21, 1916
Henry B. McCown	Spartanburg, S. C.	Clerk	do	Feb. 1, 1917
Ralph E. Porter	Scottsboro, Ala.	Scientific assistant	do	Jan. 9, 1916
W. H. Ross	Columbia, S. C.	Deputy collector	Internal-Revenue	Dec. 15, 1913
John W. Bell	do	do	do	Sept. 11, 1915
E. A. Thackaberry	Aberdeen, S. Dak.	do	do	Dec. 1, 1913
Noel F. Wiley	Knoxville, Tenn.	do	do	Nov. 19, 1914
William P. Bauer	Nashville, Tenn.	do	do	Dec. 22, 1914
Cecil K. Noel	do	do	do	Aug. 20, 1914
Charles P. Harris	do	do	do	Mar. 18, 1915
Holt Bean	Fayetteville, Tenn.	Income-tax inspector	do	Aug. 20, 1917
G. L. Peterson	Austin, Tex.	Deputy collector-clerk	do	Mar. 1, 1916
William C. Barnard	Port Arthur, Tex.	Deputy collector and inspector	Customs	Feb. 12, 1914
S. J. Montgomery	Lacrosse, Va.	Deputy collector	do	Dec. 4, 1913
R. E. Hargrave	Norfolk, Va.	do	do	Apr. 1, 1916
J. C. Gilliam	do	do	do	Aug. 16, 1917
J. A. Kendler	do	do	do	Sept. 10, 1915
C. J. Affleck	do	do	do	Oct. 1, 1917
Lulon W. Mann	do	Engineer cutter Pocahontas	do	Dec. 3, 1917
Lynn W. Stevenson	Cape Charles, Va.	Deputy collector in charge	do	July 1, 1913
E. L. Beasley	Norfolk, Va.	Deputy collector	do	Feb. 13, 1913
Lemuel Bowden	do	do	do	July 20, 1910
J. G. Lindsey	Newport News, Va.	Deputy collector, now acting United States Shipping Board commissioner.	do	Nov. 2, 1916
Henry G. Stultz	Roanoke, Va.	Deputy collector	Internal-Revenue	Sept. 15, 1914
George W. Wickham	Richmond, Va.	Chief clerk and revenue agent	do	July 10, 1915
Victor H. Friend	Roanoke, Va.	Deputy collector in charge	do	Sept. 15, 1916
John H. Crank	Frederick Hall, Va.	Deputy collector income tax	do	Apr. 16, 1915
Marcus Isaacson	Milwaukee, Wis.	Deputy collector	do	July 1, 1911
Charles J. Elmer	do	do	do	Oct. 1, 1912
Andrew A. Zache	do	do	do	Apr. 1, 1911
Ralph M. Bodden	do	do	do	June 12, 1916
Joseph T. Johnson, jr.	Spartanburg, S. C.	Deputy collector, Milwaukee	do	Apr. 19, 1915
Julius A. Voss	Oshkosh, Wis.	Income-tax inspector	do	Sept. 10, 1917
Earl R. Sweet	do	do	do	Do.
Joseph W. Mountain	Hartford, Wis.	Scientific assistant	Public Health	Sept. 4, 1917
Edward J. Hopkins	Madison, Wis.	Deputy collector	Internal-Revenue	Apr. 13, 1917
S. L. Layter	Omaha, Nebr.	Income-tax inspector	do	Sept. 15, 1916
L. C. Smith	Columbus, Nebr.	do	do	Do.
W. N. Noble	Sioux City, Iowa	do	do	Sept. 20, 1917
R. L. Schlotter	Selma, Iowa	do	do	Do.
A. C. Krakow	Dubuque, Iowa	do	do	Do.
C. B. Peery	Auburn, Nebr.	do	do	Oct. 1, 1917
W. V. Dreimen	Kansas City, Kans.	Narcotic inspector	do	Do.
Harry O. Palmer	Omaha, Nebr.	Executive secretary, W. S. S.	do	
Guy C. Kiddoo	do	Assistant State director	do	
James B. Tanney	Wheeling, W. Va.	Deputy collector	do	Nov. 20, 1913
M. E. Hays	Parkersburg, W. Va.	do	Died May 29, 1918	Dec. 8, 1913
M. H. Pearcy	do	do	Internal-Revenue	Nov. 27, 1914
David H. Leasure	do	Stenographer-typewriter	do	Feb. 19, 1914
Reynor White	Charleston, W. Va.	Deputy collector	do	Apr. 2, 1917
Charles E. Arnold	Parkersburg, W. Va.	do	do	Apr. 12, 1915
G. A. Barrett	Elkins, W. Va.	do	do	Aug. 1, 1913

List of employees in the Treasury Department whose exemption from military duty or deferred classification has been asked by the department and allowed.—Continued.

FIELD SERVICE—continued.

Name.	Home address.	Character of work.	Service.	In office since—
M. F. Wetzel	Parkersburg, W. Va.	Deputy Collector	Internal-revenue	Dec. 4, 1914
Jackson V. Blair	West Union, W. Va.	do	do	June 30, 1914
Howard L. Robinson	Clarksburg, W. Va.	do	do	Dec. 18, 1917
J. H. Miller	Hinton, W. Va.	do	do	Do.
Thomas Hunt	Tunnelton, W. Va.	do	do	Do.
S. C. Littlepage	Charleston, W. Va.	do	do	Jan. 15, 1918
G. A. Kempf	Cleveland, Ohio	Passed assistant surgeon	Public Health	Aug. 16, 1912
W. H. Slaughter	Tensaw, Ala.	do	do	May 6, 1913
F. A. Carmelia	Rogersford, Pa.	do	do	May 19, 1913
R. E. Dyer	Martin, Tex.	Assistant surgeon	do	Oct. 31, 1914
W. C. Witte	Chicago, Ill.	do	do	Sept. 22, 1914
W. F. Fox	Pasadena, Cal.	do	do	Sept. 1, 1913
R. C. Williams	Washington, D. C.	do	do	Mar. 12, 1917
V. B. Murray	San Francisco, Cal.	do	do	Mar. 20, 1916
C. W. Mitchell	Washington, D. C.	Acting assistant surgeon	do	Oct. 1, 1917
Sol Fineus	New York, N. Y.	Assistant sanitary engineer in extra-cantonment sanitation	do	Jan. 3, 1918
A. W. Fuchs		do	do	Oct. 9, 1918
C. C. Applewhite	Winona, Miss.	Assistant epidemiologist in extra-cantonment sanitation	do	May 1, 1917
L. P. Geer	Lynn, Mass.	Sanitary bacteriologist in extra-cantonment sanitation	do	Oct. 22, 1917
C. H. Spaulding	Kansas City, Mo.	do	do	July 11, 1917
R. E. Porter	Scottsboro, Ala.	Scientific assistant in extra-cantonment sanitation	do	July 5, 1917
H. P. Calmes	Memphis, Tenn.	Acting assistant surgeon in extra-cantonment sanitation	do	Mar. 25, 1918
V. V. Wood	El Paso, Tex.	do	do	Jan. 28, 1918
Clifford L. Pfau		Bacteriologist in extra-cantonment sanitation	do	Nov. 1, 1917
H. D. Kinsey	Washington, D. C.	Pharmacist, general service	do	Sept. 3, 1914
P. Sargent Florence	New York, N. Y.	Physiological chemist, protecting health of workers in war industrial plants.	do	July 10, 1917
Ernest G. Martin	Palo Alto, Cal.	do	do	Do.
C. H. Jacobson	Waterbury, Conn.	Scientific assistant, protecting health of workers in war industrial plants.	do	Nov. 3, 1917
A. B. Hastings		Assistant sanitary chemist, protecting health of workers in war industrial plants.	do	Nov. 1, 1917
Morris A. Raines	Ithaca, N. Y.	Scientific assistant, protecting health of workers in war industrial plants.	Public Health (Resigned Feb. 22, 1918).	July 27, 1917
C. M. Stowell		do	Public Health	Nov. 1, 1917
H. J. Zeigler	Manchester, Mass.	do	do	Sept. 1, 1917
F. M. Prehodin	Pittsburgh, Pa.	do	do	Apr. 6, 1918
Leonard Greenburg	New Haven, Conn.	do	do	Apr. 15, 1918
H. C. Angermyer	Pittsburgh, Pa.	do	do	Apr. 9, 1918
C. J. Casselman	Forest Glen, Md.	Assistant chemist, protecting health of workers in war industrial plants.	do	Apr. 5, 1918
G. H. Schun	Hammond, Ind.	do	do	[illegible]
Lester S. Kelso	Houlton, Me.	Deputy collector and inspector	Customs	[illegible]
Arthur J. Gauthier	Van Buren, Me.	do	do	Feb. 15, 1917
Daniel T. Pusey	St. Louis, Mo.	Stenographer	Internal-Revenue	Oct. 3, 1917
John J. Dwyer	do	Cashier	do	June 1, 1917
B. T. Cooper	do	Deputy collector	do	July 19, 1913
Arthur J. Brady	do	do	do	Nov. 24, 1914
Ambrose W. Lavin	do	Stenographer and typewriter	do	Apr. 30, 1915
Frank M. Murphy	do	Inspector	do	Sept. 15, 1917
John W. Schoolfield	do	do	do	Do.
Albert L. Raithel	do	do	do	Oct. 1, 1917
W. A. Gleaddin	do	Deputy collector	do	May 1, 1917
Emert Akes	Albany, Mo.	Bookkeeper	do	Nov. 3, 1915
Dan Applegate	Kansas City, Mo.	Deputy collector	do	Nov. 26, 1914
G. P. Bourk	do	do	do	Apr. 25, 1917
Ed E. Payne	Milan, Mo.	do	do	May 22, 1915
Ivy E. Russel	Tuscumbia, Mo.	Assistant bookkeeper	do	Oct. 19, 1917
Mae E. Anderson	Kansas City, Mo.	Deputy collector	Customs	May 1, 1914
Harold E. Whiteley	do	do	do	Sept. 25, 1917
James A. Savage	do	Secret-Service agent	Secret Service	Oct. 15, 1917
Harry W. Saunders	St. Joseph, Mo.	Deputy collector	Customs	Mar. 18, 1914
C. M. Beasley	Kennedy, Ala.	Income-tax inspector	Internal-Revenue	Sept. 1, 1913
Walter K. Smith	Mobile, Ala.	do	do	July 25, 1917
Joseph P. Ellis	Yazoo City, Miss.	do	do	Aug. 6, 1915
Bert Quinn	do	Deputy collector	do	Jan. 1, 1915
Joseph Orlenstein	Honolulu, Hawaii	Clerk	Customs	Dec. 14, 1909
E. D. Ferreira	do	do	do	Dec. 6, 1913
William A. Cottrell	do	Night inspector	do	Sept. 2, 1910
John A. Akana	do	Messenger	do	Feb. 25, 1916
Richard W. Gaskell	do	Inspector	do	July 7, 1917
Clarence A. Hills	do	Clerk and sampler	do	Nov. 5, 1916
Joseph K. Cockett	do	Inspector	do	Nov. 4, 1910
Clarence A. Whitten	do	Night inspector	do	Aug. 4, 1917
Andrew P. Helbush	Hilo, Hawaii	Deputy collector	Internal-Revenue	June 19, 1917
August S. Costa	Kaiwiki, Hawaii	do	do	Apr. 20, 1914

LEAVE TO EXTEND REMARKS.

Mr. HARDY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill we passed yesterday.

The SPEAKER. The gentleman from Texas asks unanimous consent to extend his remarks on the bill passed yesterday. Is there objection?

Mr. WALSH. The gentleman already has that privilege under leave procured by the chairman of the committee.

Mr. HARDY. I did not know that.

The SPEAKER. The gentleman already has that privilege.

RIVER AND HARBOR APPROPRIATIONS.

Mr. PADGETT. Mr. Speaker, I want to call up the conference report on the naval appropriation bill, but pending that the gentleman from North Carolina [Mr. SMALL], chairman of the Committee on Rivers and Harbors, wants to ask to take from the Speaker's table a bill, with Senate amendments, and ask for a conference, and I will yield to him not exceeding five minutes to do that by unanimous consent.

The SPEAKER. The gentleman from Tennessee notifies the House that the gentleman from North Carolina may proceed for five minutes.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the river and harbor appropriation bill (H. R. 10653) and agree to the request of the Senate for a further conference.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House further insist on its disagreement to the Senate amendment to the river and harbor appropriation bill (H. R. 10653) and agree to the request of the Senate for a further conference. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. SMALL, Mr. BOOHER, and Mr. KENNEDY of Iowa.

PENSIONS.

Mr. KEY of Ohio rose.

The SPEAKER. Is the gentleman from Tennessee [Mr. PADGETT] willing to give way to the gentleman from Ohio for a similar purpose and under similar conditions?

Mr. PADGETT. Five minutes.

Mr. KEY of Ohio. Mr. Speaker, I ask unanimous consent to take from the Speaker's table an omnibus pension bill (S. 3798), to insist on the House amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table a bill, which the Clerk will report by title.

The Clerk read the title of the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. The gentleman from Ohio asks unanimous consent to insist on the House amendments and agree to the conference asked by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS.

Mr. KEY of Ohio. I ask a similar order on S. 4193 and S. 4542.

The SPEAKER. The gentleman asks a similar order on the two bills, which the Clerk will report by title.

The Clerk read the title of the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, and the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection; and the Speaker appointed as conferees on each bill Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10358. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 4127. An act to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia.

CONFERENCE REPORT (NO. 696) ON THE NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I call up the conference report on the bill H. R. 10854, the naval appropriation bill, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee calls up the conference report on the naval appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. STAFFORD. Mr. Speaker, I think the report is more illuminating than the statement, and therefore I object.

The SPEAKER. The gentleman from Wisconsin objects, and the Clerk will read the report.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5 and 53.

That the House recede from its disagreement to the amendments of the Senate numbered 34, 35, 38, 39, 41, 42, 102, and 115, and agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of said amendment and in lieu thereof insert the following:

"That the act approved August 29, 1916, entitled 'An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes' (Stats. L., vol. 39, ch. 417, pp. 573, 574), be, and the same is hereby, amended by striking out all of said act following the caption 'Naval Dental Corps' on page 573, but preceding the caption 'Dental Reserve Corps,' on page 574, and by substituting therefor the following:

"'That the President of the United States is hereby authorized to appoint and commission, by and with the advice and consent of the Senate, dental officers in the Navy at the rate of one for each thousand of the total authorized number of officers and enlisted men of the Navy and Marine Corps, in the grades of assistant dental surgeon, passed assistant dental surgeon, and dental surgeon, who shall constitute the Naval Dental Corps, and shall be a part of the Medical Department of the Navy. Original appointments to the Naval Dental Corps shall be made in the grade of assistant dental surgeon with the rank of lieutenant (junior grade), and all dental officers now in the Dental Corps appointed under the provisions of the act of Congress approved August 22, 1912 (Stats. L., vol. 36, p. 345), or under the provisions of the act of Congress approved August 29, 1916 (Stats. L., vol. 39, p. 573), or who may hereafter be appointed, shall take rank and precedence with officers of the Naval Medical Corps of the same rank according to the dates of their respective commissions or original appointments, and all such dental officers shall be eligible for advancement in grade and rank in the same manner and under the same conditions as officers of the Naval Medical Corps with or next after whom they take precedence, and shall receive the same pay and allowances as officers of corresponding rank and length of service in the Naval Medical Corps up to and including the rank of lieutenant commander: *Provided*, That dental surgeons shall be eligible for advancement in pay and allowances, but not in rank, to and including the pay and allowances of commander and captain, subject to such examinations as the Secretary of the Navy may prescribe, except that the number of dental surgeons with the pay and allowances of captain shall not exceed 4½ per cent and the number of dental surgeons with the pay and allowances of commander shall not exceed 8 per cent of the total authorized number of dental officers: *Provided further*, That dental surgeons shall be eligible for advancement to the pay and allowances of commander and captain when their total active service as dental officers in the Navy is such that if rendered as officers of the Naval Medical Corps, it would place them in the list of medical officers with the pay and allowances of commander or captain, as the case may be. *And provided further*, That dental officers who shall have gained or lost numbers on the Navy list shall be considered to have gained or lost service accordingly; and the time served by dental officers on active duty as acting assistant dental surgeons and assistant dental surgeons under provisions of law existing prior to the passage of this act shall be reckoned in computing the increased service pay and service for precedence and promotion of dental officers herein authorized or heretofore appointed.'

"All appointees authorized by this act shall be citizens of the United States between 21 and 32 years of age, and shall be graduates of standard medical or dental colleges and trained in the several branches of dentistry, and shall, before appointment, have successfully passed mental, moral, physical and professional examinations before medical and professional examining boards appointed by the Secretary of the Navy, and have been recommended for appointment by such boards: *Provided*, That hereafter no person shall be appointed as assistant dental surgeon in the Navy who is not a graduate of a standard medical or dental college.

"Officers of the Naval Dental Corps shall become eligible for retirement in the same manner and under the same conditions as now prescribed by law for officers of the Naval Medical Corps,

except that section 1445 of the Revised Statutes of the United States shall not be applicable to dental officers, and they shall no be entitled to rank above lieutenant commander on the retired list, or to retired pay above that of captain.

"All dental officers now serving under probationary appointments shall become immediately eligible for permanent appointment under the provisions of this act, subject to the examinations prescribed by the Secretary of the Navy for original appointment as dental officers, and may be appointed assistant dental surgeon with the rank of lieutenant (junior grade) to rank from the date of their probationary appointments: *Provided*, That the senior dental officer now at the United States Naval Academy shall not be displaced by the provisions of this act, and he shall hereafter have the grade of dental surgeon and the rank, pay, and allowances of lieutenant commander, and he shall not be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in the line of duty: *Provided further*, That no dental officer in the Navy who on original appointment as dental officer was over 40 years of age shall be eligible for retirement before he has reached the age of 70 years, except for physical disability incurred in line of duty.

"All acts or parts of acts inconsistent with the provisions of this act relating to the Dental Corps of the Navy are hereby repealed: *Provided*, That nothing herein contained shall be construed to legislate out of the service any officer now in the Medical Department of the Navy or to reduce the rank, pay, or allowances now authorized by law for any officer of the Navy."

And the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: Strike out "$2,500,000" and insert "$1,000,000" and add the following proviso: "*Provided*, That the Secretary of the Navy is authorized to enter into contracts or otherwise to incur obligations for this purpose not to exceed $1,500,000 in addition to the appropriations herein made." Strike out "$2,525,000" and in lieu thereof insert "$1,025,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In line 6 of said amendment, after the word "condemnation," insert the words "or acquisition." Strike out "$550,000" and in lieu thereof insert "$850,000"; and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: Strike out "49,999,375" and in lieu thereof insert "$46,694,375"; and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: Strike out all of said amendment and in lieu thereof insert the following:

"That the President of the United States be, and he is hereby, authorized during the period of the present war to promote temporarily, with the advice and consent of the Senate, commissioned line officers and engineer officers of the United States Coast Guard below the rank and grades of captain and captain of engineers to the ranks and grades of the Coast Guard not above captain and captain of engineers, respectively, without regard to number or length of service in rank or grade: *Provided*, That such temporary promotions may be to such rank and grade in the Coast Guard not above captain or captain of engineers as correspond to the rank and grade that may be attained in accordance with law, either permanently or temporarily, by line officers of the Regular Navy of the same length of total service: *Provided further*, That constructors of the Coast Guard now authorized by law who shall have had as much total service in the Coast Guard as the officer of the Construction Corps of the Navy at the foot of the permanent or temporary list of those with the rank of lieutenant commanders may be temporarily promoted to the rank of captain of the Coast Guard: *And provided further*, That for the purposes of this act service in the Coast Guard to be counted must have been continuous: *And provided further*, That nothing contained in this paragraph shall operate to disturb the relative position of officers in the Coast Guard with reference to precedence or promotion, but all such officers otherwise qualified shall be advanced in rank with or ahead of officers in the Coast Guard who were their juniors on the date of this act.

"That the President be, and he is hereby, authorized during the period of the present war to promote temporarily, with the advice and consent of the Senate, the captain commandant of the Coast Guard to the rank of commodore in the Navy and brigadier general in the Army, and the engineer in chief of the Coast Guard to the rank of captain in the Navy and colonel in the Army, officers of the Coast Guard holding permanent commissions above the rank and grade of first lieutenant and first lieutenant of engineers as follows: Not to exceed two-fifths of the captains authorized by law, and not to exceed one-third of the captains of engineers authorized by law, to have the rank of senior captain in the Coast Guard; and not to exceed one-third the senior captains authorized by law, to have the rank of captain in the Navy and colonel in the Army: *Provided*, That the senior captains, captains, and captains of engineers to be temporarily promoted as herein provided, shall be selected as provided by law for promotion by selection in the Navy.

"That during the period of the present war, the senior district superintendent, the three district superintendents next in order of seniority, the four district superintendents next below these three in order of seniority, and the junior five district superintendents shall have the rank, pay, and allowances of captain, first lieutenant, second lieutenant, and third lieutenant in the Coast Guard, respectively.

"That the permanent and probationary commissions of officers of the Coast Guard shall not be vacated by reason of the temporary promotions and advancements authorized by this act, nor shall said officers be prejudiced in their relative lineal rank in regard to their promotion as provided for in existing law: *Provided*, That no officer who shall receive a temporary promotion or advancement under this act shall be entitled to pay or allowances except under such promotion or advancement: *Provided further*, That upon the temination of the temporary promotions and advancements authorized by this act, the officers so promoted and advanced shall revert to the rank and grade from which temporarily promoted or advanced, unless such officers in the meantime, in accordance with law, become entitled to promotion to a higher grade or rank in the permanent Coast Guard, in which case they shall revert to said higher grade or rank, and shall, after passing the prescribed examinations, be commissioned accordingly.

"That all temporary promotions and advancements authorized by this act shall continue in force only until otherwise directed by the President, and not later than six months after the termination of the present war.

"That any officer of the Coast Guard temporarily promoted or advanced in grade or rank in accordance with the provisions of this act who shall be retired from active service under his permanent commission while holding such temporary grade or rank, except for physical disability incurred in line of duty, shall be placed on the retired list with the grade or rank to which his position in the permanent Coast Guard at the date of his retirement would entitle him.

"That officers of the United States Coast Guard on sea duty or on shore duty beyond the continental limits of the United States during the period of the present war shall receive the same increase of pay and allowances in all respects as are now or may hereafter be provided by law for officers of the Navy of corresponding rank.

"That nothing contained in this act relating to the Coast Guard shall operate to reduce the rank, pay, or allowances that would have been received by any person in the Coast Guard except for the passage of this act."

And the Senate agree to the same.

On amendments of the Senate numbered 37, 47, 52, and 170 the committee of conference have been unable to agree.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

B. R. TILLMAN,
CLAUDE A. SWANSON,
BOIES PENROSE,
H. C. LODGE,
JOHN WALTER SMITH,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and submitted by the accompanying report on the amendments of the Senate, namely:

The Senate recedes on amendments Nos. 5 and 53.

The House recedes on amendments Nos. 34, 35, 38, 39, 41, 42, 102, and 115.

The House recedes with an amendment on amendments 23, 93, 100, 112, and 120.

Of the amendments upon which the House recedes, Nos. 34, 35, 38, 39, 41, 42, and 115 were dependent upon Senate amendment numbered 33, which the House had agreed to, and these amendments were simply in conformity with and perfecting the amendment numbered 33.

On amendments Nos. 102 and 112: Simply change totals.

On amendment No. 23: Relates to the Dental Corps, and the conferees agreed to the same with amendments limiting the rank to lieutenant commander instead of commander, as provided in the Senate amendment, and striking out the provision requiring confirmation by the Senate, and making verbal changes to conform to the amendment limiting the rank to lieutenant commander. While the rank is limited to lieutenant commander, provision is made for pay and allowances to the rank of commander and captain.

On amendment No. 93: Is for the development of a submarine base at Key West, Fla. As agreed to by the conferees, it reduces the appropriation from $2,500,000 to $1,000,000, with an additional authorization for $1,500,000.

On amendment No. 100: Provides for the construction of a railroad to connect with the Indianhead proving ground and powder factory to afford rail communication with the proving ground and powder factory, and increases the appropriation as authorized by the House from $550,000 to $850,000.

On amendment No. 120: Is legislation providing for the temporary promotion during the war of the officers of the Coast Guard which under existing law during the period of the war are operating with and under the Navy. This amendment provides temporary promotion so as to give needed and just recognition and promotion for their service in the Navy.

On amendments Nos. 37, 47, 52, and 170: Are still in disagreement.

L. P. PADGETT,
J. FRED. C. TALBOTT,
D. J. RIORDAN,
THOMAS S. BUTLER,
WM. J. BROWNING,
Managers on the part of the House.

Mr. STAFFORD. Mr. Speaker, I would like to have the chairman of the committee kindly inform the House before he moves the previous question as to what additional cost will be levied on the Treasury of the United States by reason of the promotions in the Dental Corps authorized under the amendment that has been agreed to, and also the increased cost by reason of the promotion in the rank and pay in the Coast Guard Service.

Mr. PADGETT. Speaking first of the Dental Corps, it would be impossible to give that accurately because it will increase from time to time as the naval personnel increases.

Mr. STAFFORD. Assuming, for the purpose of the gentleman's estimate, that there is one dental surgeon for every 1,000 enlisted men, as the amendment provides and as the existing law provides, what additional charge will be levied on the Treasury by reason of these promotions? As I understand, under the existing law the assistant dental surgeon goes in at the grade of junior lieutenant and has to remain five years and then he is advanced to the full grade of lieutenant and has to remain there 15 years before further promotion.

Mr. PADGETT. No; there is no limitation of law as to 15 years; that was simply a slow promotion that was existing, but there was no limit to the law fixing it at 15 years.

Mr. STAFFORD. As I remember reading the law to the House when the matter was last under consideration, it expressly provided that before a person could be advanced to the grade next to lieutenant he had to be in the corps a further 15 years. My memory may not be accurate about it; it may have been 20 years, but it was certainly, as I recollect, not less than 15 years.

Mr. PADGETT. I would not say for sure, but I was under the impression that after he was advanced in the junior grade there was no number of years fixed.

Mr. STAFFORD. The law provides that the assistant dental surgeon should go into the junior-lieutenant grade and remain five years, and then be promoted to full lieutenant and remain 15 or 20 years, certainly 15 years, before he was advanced to a higher grade, and that there could only be 4 per cent advanced to the grade of commander in the Dental Corps.

Mr. PADGETT. The Dental Corps does not go up to commander under existing law.

Mr. STAFFORD. Well, 4 per cent to the next grade above lieutenant.

Mr. PADGETT. Lieutenant commander.

Mr. STAFFORD. Very well, lieutenant commander.

Mr. PADGETT. And the amendment agreed to by the Senate conferees and as reported here limits the rank to lieutenant commander, but does not limit the pay, but allows the pay of commander or captain.

Mr. STAFFORD. How long will the assistant dental surgeon be in the grade of junior lieutenant before he is advanced to full lieutenant, and then from full lieutenant to lieutenant commander, and then commander, under the provisions as agreed to by the conferees?

Mr. DYER. He does not get to be commander.

Mr. PADGETT. That will depend on the flow of promotions. There is no limit to the number of years in the different grades. The Navy is expanding so largely that they have to take care of these men and have promotions to maintain the proper organization in the Dental Corps.

Mr. STAFFORD. That is what I am seeking information upon. What determines the number of dental surgeons in the respective grades?

Mr. PADGETT. That is fixed by the amendment.

Mr. STAFFORD. There is nothing in the amendment saying how long they shall remain in the grade of junior lieutenant or full lieutenant before they are advanced.

Mr. PADGETT. Nothing as to the length of time, but the proportion is fixed; they only get promotion by seniority as the vacancies occur or as the Navy is expanded. The total number is increased here; it is the percentage of the increase, the number in such a grade, and if that number did not exist in the highest grade there would be promotions from the next lower to fill it up, and then there would be promotions from below to fill up those vacancies.

Mr. STAFFORD. Will the gentleman point out the phraseology that limits the number of men in the respective grades of lieutenants in this Dental Surgeons' Corps?

Mr. PADGETT. The Clerk read it just a moment ago:

> Except that the number of dental surgeons with the pay and allowances of captain shall not exceed 4½ per cent, and the number of dental surgeons with the pay and allowances of commander shall not exceed 8 per cent of the total authorized number of dental officers.

Mr. STAFFORD. Mr. Speaker, I was fully acquainted with that limitation before I asked the question. I now wish the gentleman to direct my attention to the language which shows any limitation upon the number that may be in the grade of junior lieutenant or full lieutenant or lieutenant commander. I am seeking to ascertain how many promotions there will be and how much additional charge this amendment will be on the Treasury of the United States.

Mr. PADGETT. I can not tell the gentleman how rapidly the promotions will take place, and I can not tell the gentleman the aggregate cost it will be to the Treasury. That will depend, as I stated, upon the number of men that go into the service and the increases as they are made and distributed in the various ranks.

Mr. ANTHONY. Mr. Speaker, if the gentleman will permit me to interrupt, I think the legislation states that the dental surgeons shall be eligible for advancement according to length of service, the same as the naval medical officers.

Mr. PADGETT. Yes.

Mr. ANTHONY. How are they advanced?

Mr. PADGETT. Under the act of August 29, 1916, they are distributed in various grades in certain percentages, and they have the running-mate provision here that carries these men along with the Medical Corps.

Mr. ANTHONY. Is it not the fact that in the medical branch of the naval service, after service of a certain length of time, they are arbitrarily advanced a certain grade?

Mr. PADGETT. Yes.

Mr. ANTHONY. And you propose to carry these dental surgeons in the same way?

Mr. PADGETT. Up to the rank of lieutenant commander.

Mr. ANTHONY. So that the promotions do not depend upon vacancies at the top, but you are going to arbitrarily promote them.

Mr. PADGETT. They go with the running mate in the Medical Corps.

Mr. ANTHONY. Does that not make a rather rapid flow of promotions?

Mr. PADGETT. It will for the present; yes.

Mr. STAFFORD. Mr. Speaker, the gentleman from Kansas has furnished me the information that I was seeking to get from the gentleman from Tennessee. It merely shows that there is going to be very rapid promotions of these men to the grade of lieutenant commander, no matter what length of service they may have had, whereas under existing law they could not

get into that grade unless they had 20 years of service in the Navy.

Mr. PADGETT. Oh, yes; it will be a much shorter time than that.

Mr. STAFFORD. Surely.

Mr. PADGETT. For instance, the act of August 29, 1916, provides that the distribution shall be one-half medical director with the rank of rear admiral, to four medical directors with the rank of captain, to eight medical inspectors with the rank of commander, to eighty-seven and a half in the grades below medical inspector. That is the distribution that would take place. When these men go into the Dental Corps, they have the date of their commissions; and in the Medical Corps an officer that has the same date of commission would be his running mate, and as the man in the Medical Corps is advanced this man would be advanced in the Dental Corps, and as he is retarded he will be held back. In the expansion of the Medical Corps that has already been authorized it is very great, because the enlargement is necessary for the exigencies of the war, and these men will go along with them in the permanent corps.

Mr. ANTHONY. Will the gentleman from Tennessee state the reason for providing such a large number of dental surgeons with the high rank and high pay and allowances of captain? As I understand it, under this bill there will be about 12.

Mr. PADGETT. Yes.

Mr. ANTHONY. That would be entitled to that rank, which is equivalent to that of a colonel in the Army. What is the necessity for that?

Mr. PADGETT. Not the rank, but the pay.

Mr. ANTHONY. They have the rank of lieutenant commander and the pay and allowances of a captain, which is equivalent to that of a colonel in the Army. Why should you have 12 men of that rank and pay?

Mr. PADGETT. That is a very small number when you take into consideration the number of men in the Dental Corps in the Medical Corps of the Navy.

Mr. ANTHONY. Is it not true that the dentists will be widely scattered in their service?

Mr. PADGETT. Yes.

Mr. ANTHONY. Where is the need for the exercise of command of men of the rank of lieutenant commander?

Mr. PADGETT. It is not command. In the Staff Corps they do not exercise command.

Mr. ANTHONY. What is the object of having 12 men of that high pay? What do any of these men do that they should get it?

Mr. PADGETT. Those men get it as opportunity for advancement and promotion in pay—compensattion for their length of service and for their ability.

Mr. ANTHONY. Let me call the gentleman's attention to another thing. He provides that 4½ per cent of the total number of dental officers shall be eligible to this high rank and pay.

Mr. PADGETT. Yes.

Mr. ANTHONY. My recollection is that the percentage in the Army in the dental service is 3 per cent. Why make this high rank in the Navy 4½ per cent?

Mr. PADGETT. I do not know what the Army percentage is.

Mr. ANTHONY. It is 3 per cent.

Mr. PADGETT. The Army gives them the actual rank of colonel and the pay of colonel.

Mr. ANTHONY. You give them the pay.

Mr. PADGETT. We give them the pay, but do not give them the rank.

Mr. ANTHONY. Yes.

Mr. PADGETT. We do not give the rank of commander, which is the relative rank of lieutenant colonel. You are giving in the Army two ranks above what we are giving in the Navy.

Mr. ANTHONY. What is the argument for providing this larger number or greater percentage than the Army does?

Mr. PADGETT. In the Army, on the basis of a million and a half or two million men, 3 per cent affords an opportunity for a very large number, and with 131 dentists 4½ per cent is a very small number.

Mr. ANTHONY. I will call the gentleman's attention to this fact: In the Navy of 300,000 you are going to give 12 men here the pay and allowance of a colonel. In the Army, with 3,000,000, we are going to give a very much less comparative number.

Mr. PADGETT. Of course, the difference is between 3 and 4½ per cent, but in the aggregate it is much greater. I did not know, I am frank to say to the gentleman—I did not know that your Army was limited to that, but we put this because we thought in this service there ought to be an opportunity for men who have had long service to reach that compensation.

Mr. ANTHONY. I called attention to this, because I am confident from past experience that following the enactment of this legislation fixing 4½ per cent the Army dental surgeons will demand the same thing.

Mr. STAFFORD. That is the warrant for this legislation. Last year in the closing days of the session, through the influence of some outside source, they tacked on in the Senate an insignificant little bill that had passed the House months before this provision providing for an increase of the Dental Corps of the Army. It was brought over here within two hours of adjournment. It had never been considered by the Committee on Military Affairs. Members of the Committee on Military Affairs protested. No one knew anything about the relative merits of it. An attempt was made by a few to have the conference report disagreed to, but in the closing hours you know how difficult that it. Now, here again we are having a matter considered on a naval bill that has never been considered by the Committee on Naval Affairs of the House. Ten minutes of time was given to it in a hearing before the House conferees, nothing further.

Mr. PADGETT. We had very careful consideration in the conference.

Mr. STAFFORD. Ten minutes hearings before the House committee on conference.

Mr. PADGETT. No; the conferees considered it, and personally I went and talked with the Surgeon General. I talked with the Secretary of the Navy, and I went to some of the higher officers in the Army to find out about the operation of rank in the Army, and it was looked into pretty thoroughly.

Mr. DYER. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. DYER. I just want to refer to the remark of the gentleman from Wisconsin that there had been no effort made by anybody to secure legislation for the Dental Corps of the Army.

Mr. STAFFORD. Oh, I did not make that remark. I made no such remark. I made the remark that the Committee on Naval Affairs had not considered this legislation.

Mr. DYER. The gentleman said that an item in reference to the Dental Corps of the Army——

Mr. STAFFORD. I say that again.

Mr. DYER (continuing). Was put on in the last few minutes here without any consideration. The fact the committee did not report that bill does not make it unnecessary to have legislation. The Senate saw fit to pass that and everybody knows that it is very much needed. Now, this matter has been considered most carefully not only by the Senate committee but by the conferees of the House. They had hearings; they went into this matter very carefully largely at the request of the gentleman from Wisconsin.

Mr. STAFFORD. Hearings of 10 minutes, when the Secretary of the Navy stated that the demand did not come from him and did not have his approval.

Mr. DYER. The gentleman is mistaken about that.

Mr. STAFFORD. I am not mistaken. I read the hearings, and the gentleman from Missouri has not read the hearings, I dare say.

Mr. DYER. I have read the hearings, and I know a good deal about this legislation. This bill with reference to the Dental Corps has been carefully considered by the Secretary of the Navy—that is, the Naval Department—and they recommend the legislation. They sent down here a draft of the bill. It was introduced in the Senate by the chairman of the Committee on Naval Affairs and was introduced in the House by myself, and that is substantially——

The SPEAKER. Does the gentleman from Tennessee yield to these two gentlemen?

Mr. DYER. That is substantially the legislation that is——

Mr. PADGETT. I am letting the debate run for the present.

Mr. STAFFORD. Mr. Speaker, I would like to make another inquiry for the purpose of obtaining information. The total number of these dental surgeons is based upon the total authorized number of enlisted men of the Navy and Marine Corps. Does that mean the permanent enlisted force or rather the total force that may be enlisted in time of emergency and during the war?

Mr. PADGETT. No; it is the permanent authorized strength, not the war-emergency strength.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. STAFFORD. I will yield.

Mr. GRAHAM of Illinois. I want to know something about the same thing. As I understand it, this calls for one dental surgeon for every 1,000 men in the Navy and Marine Corps?

Mr. PADGETT. Yes.

Mr. GRAHAM of Illinois. Does that include the Naval Reserves?

Mr. PADGETT. No, sir.

Mr. GRAHAM of Illinois. If there were 400,000 men, there would be 400 of these dental surgeons?

Mr. PADGETT. No, sir. The authorized strength of the Navy is fixed in this bill, increasing it from 87,000 to 131,485, and then the permanent strength of the Marine Corps is 17,400. That would make 149,000, in round numbers, and that would give 149 dentists.

Mr. GRAHAM of Illinois. In other words, the personnel of this particular corps of officers would be fixed on the normal ordinary strength of the Navy and Marine Corps and not on the war strength?

Mr. PADGETT. It is fixed on the authorized strength, which is the normal strength.

Mr. STAFFORD. May I direct the attention of the chairman to the amendment providing for increased rank and promotion to the members of the Coast Guard, and inquire what additional charge the giving of additional pay to those in that service will be levied on the Treasury?

Mr. PADGETT. The senior district superintendent, the three district superintendents next in order, the four district superintendents next below these, and the five junior district superintendents, as set out in the tabulated statements, would make a total increased cost per annum of $6,493.50.

Mr. STAFFORD. Is that the only increased charge on the Treasury resulting from the adoption of this amendment that the conferees have agreed to?

Mr. PADGETT. No, sir; it is not, by any means. Under section 1 of the bill, as I stated when the bill was before the House at the time of the adoption of the other partial conference report, a number of these men will be promoted from lieutenant to captain, and others will be promoted from second lieutenant to lieutenant, and some will be promoted from third lieutenant to second lieutenant.

Mr. STAFFORD. If I understand the amendment, it provides for a wholesale promotion of all the officers of the Coast Guard Service, whether on the high seas, on the inland waters, or wherever they may be?

Mr. PADGETT. Yes, sir; it does provide for a very general promotion. And you will bear in mind that in a former debate I stated that the matter was discussed and the committee at first hesitated about reporting it, for the reason that it appeared to be giving a "Salvador army"—all up at the top. I called attention to the fact that we had now 31 captains and it would promote to 78 captains, but I called attention at the same time to the hearing that we had with Admiral Palmer, of the Navy, in which he stated that these were valuable men; that they were no longer acting and operating as Coast Guard units, but they were distributed in the Navy; and that they possessed the qualifications for this promotion by their length of sea service; and that during the war they would have the temporary promotion to captains and lieutenants, as I explained.

Mr. STAFFORD. What additional charge will those promotions make upon the Treasury each year?

Mr. PADGETT. I do not know; but it will be a considerable charge.

Mr. STAFFORD. One hundred thousand dollars or more?

Mr. PADGETT. I suppose from $50,000 to $100,000.

Mr. ALEXANDER. I understand that these promotions are temporary and only for the period of the war?

Mr. PADGETT. Yes, sir.

Mr. ALEXANDER. And then the officers will revert to their former rank?

Mr. PADGETT. Yes.

The SPEAKER. The question is on agreeing to the conference report on the amendment.

The conference report was agreed to.

Mr. PADGETT. Mr. Speaker, I call up amendment No. 37.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Page 32, after line 6, strike out the following:

"The rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate, and, by and with the advice and consent of the Senate, to appoint one major general, who shall at all times be junior in rank to the major general commandant, and also one temporary major general in the Marine Corps, who shall at all times be junior to the permanent major general."

And insert the following:

During the period of the present war the commandant of the Marine Corps shall have the rank and title of lieutenant general commandant and shall receive the pay and allowances of a lieutenant general in the Army, and the rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint one permanent and one temporary major general: *Provided*, That the major generals of the Marine Corps, both line and staff, shall at all times be junior in rank to the commandant.

Mr. PADGETT. Mr. Speaker, I move to recede and concur with the following amendment.

Mr. MILLER of Minnesota. Mr. Speaker——

The SPEAKER. The gentleman from Tennessee moves to recede and concur with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. PADGETT moves that the House recede from its disagreement with the amendment of the Senate No. 37 and concur in the same with an amendment as follows: Strike out all of the Senate amendment and in lieu thereof insert the following:

"That the President be, and he is hereby, in his decretion, if he deems it for the good of the service, authorized, by and with the advice and consent of the Senate, temporarily to promote and commission, during the period of the present war, the commandant of the Marine Corps to the rank and title of lieutenant general commandant, who shall receive, during such temporary promotion, the pay and allowances of a lieutenant general in the Army, and the rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint one permanent and one temporary major general: *Provided*, That the major generals of the Marine Corps, both line and staff, shall at all times be junior in rank to the commandant."

Mr. MILLER of Minnesota. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The gentleman from Minnesota makes the point of order there is not a quorum present.

Mr. PADGETT. Mr. Speaker, I move a call of the House.

The SPEAKER. Evidently there is no quorum present.

EXTENSION OF REMARKS.

Mr. JOHNSON of Kentucky. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, I wish to state in the presence of the gentleman that I have no objection to the gentleman addressing the House all he pleases, but his remarks this morning obviously tended to create ill feeling between this House and the Senate, which the rules do not permit. I am perfectly willing he should extend his remarks in the RECORD if before they are extended the Speaker passes on whether or not they are parliamentary.

Mr. MEEKER. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects.

CALL OF THE HOUSE.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT] moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Fairchild, G. W.	Kelley, Mich.	Russell
Bacharach	Farr	Kless, Pa.	Sabath
Baer	Ferris	Kreider	Saunders, Va.
Bell	Fordney	LaGuardia	Schall
Bland	Foss	Littlepage	Scott, Iowa
Britten	Freeman	Lobeck	Scott, Pa.
Caldwell	French	Lonergan	Scully
Cannon	Fuller, Ill.	Longworth	Shackleford
Cantrill	Gallivan	Lundeen	Sherwood
Carter, Mass.	Gard	McCormick	Sims
Cleary	Glass	McFadden	Slayden
Collier	Goodall	McKeown	Slemp
Connally, Tex.	Gregg	McKinley	Smith, C. B.
Cooper, Ohio	Griest	McLemore	Snyder
Copley	Hamill	Mann	Stedman
Costello	Hamilton, N. Y.	Martin	Sterling, Pa.
Curry, Cal.	Haugen	Mays	Strong
Dale, N. Y.	Hayes	Moores, Ind.	Switzer
Dallinger	Heaton	Nelson	Talbott
Darrow	Heintz	Norton	Templeton
Davidson	Helvering	Olney	Tilson
Denison	Hensley	O'Shaunessy	Vare
Dent	Hicks	Paige	Voigt
Dewalt	Hood	Polk	Walker
Dies	Houston	Pou	Watson, Va.
Donovan	Howard	Powers	Welling
Doremus	Humphreys	Pratt	Whaley
Drukker	Husted	Price	White, Ohio
Dunn	James	Ragsdale	Wingo
Dupré	Johnson, S. Dak.	Rainey, H. T.	Wise
Eagle	Juul	Reavis	Zihlman
Elston	Kahn	Roberts	
Emerson	Keating	Robinson	
Estopinal	Kehoe	Rowland	

The SPEAKER. On this roll call 298 Members, a quorum, have answered to their names. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DRANE, for one day, on account of important business; and

To Mr. HAUGEN (at the request of Mr. TOWNER), for three days, on account of important business.

CONFERENCE REPORT ON NAVAL APPROPRIATION BILL.

The SPEAKER. The gentleman from Tennessee [Mr. PADGETT] moves that the House recede from its disagreement to Senate amendment No. 37 and concur in the amendment. The question is on agreeing to that amendment.

The affirmative side of the question was taken.

Mr. MILLER of Minnesota rose.

The SPEAKER. For what purpose does the gentleman from Minnesota rise?

Mr. MILLER of Minnesota. I understood that there was to be debate on that amendment.

Mr. PADGETT. Does the gentleman desire some time?

Mr. MILLER of Minnesota. I do not know that I am entitled to time.

Mr. GARRETT of Texas. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. GARRETT of Texas. The point of order is that the Chair had put the question and one side had voted.

The SPEAKER. Has the gentleman from Tennessee any proposition to make?

Mr. PADGETT. Mr. Speaker, I have the floor. Does the gentleman from Minnesota want some time?

Mr. MILLER of Minnesota. I would like to have some time. I think the time should be equally divided between those favoring and those opposing this amendment.

Mr. PADGETT. No one has asked for time on this side. I asked if the gentleman from Minnesota desires some time?

Mr. MILLER of Minnesota. I would like to have 10 minutes.

Mr. KEATING. I would like to have some time when you get down to it.

Mr. NOLAN. Mr. Speaker, I ask that the amendment be again reported.

The SPEAKER. Without objection, the amendment will again be reported.

The Clerk read as follows:

Mr. PADGETT moves that the House recede from its disagreement with the amendment of the Senate No. 37, and concur in the same with an amendment as follows: Strike out all of the Senate amendment and in lieu thereof insert the following:

"That the President be, and he is hereby, in his discretion, if he deems it for the good of the service, authorized, by and with the advice and consent of the Senate, temporarily to promote and commission, during the period of the present war, the commandant of the Marine Corps to the rank and title of lieutenant general commandant, who shall receive, during such temporary promotion, the pay and allowances of a lieutenant general in the Army; and the rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate and, by and with the advice and consent of the Senate, to appoint one permanent and one temporary major general: *Provided*, That the major generals of the Marine Corps, both line and staff, shall at all times be junior in rank to the commandant."

Mr. PADGETT. Mr. Speaker, that is a reincorporation of the House provision.

The SPEAKER. Does the gentleman from Tennessee want to debate it or not? If not, the Chair will put the question.

Mr. PADGETT. Does the gentleman from Minnesota want 10 minutes' time?

Mr. MILLER of Minnesota. I would like the gentleman to explain to the House why he asks that. Otherwise I will be glad to proceed.

Mr. BUTLER. Mr. Speaker, will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. BUTLER. Will the gentleman from Tennessee permit me to ask him a question?

Mr. PADGETT. Yes.

Mr. BUTLER. The amendment says: "*Provided*, That the major generals of the Marine Corps, both line and staff." There is no major general of the Marine Corps, line or staff. There is not any there. That is the question that occasions the trouble here. The language to which I have called attention is this: "*Provided*, That the major generals of the Marine Corps, both line and staff."

Mr. PADGETT. I ask unanimous consent to strike out "both line and staff."

Mr. BUTLER. Yes; that ought to go out. If that stays in there, there is no use in this discussion.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to modify the amendment by striking out the words "both line and staff." Is there objection?

There was no objection.

Mr. PADGETT. I yield 10 minutes to the gentleman from Minnesota.

The SPEAKER. The gentleman from Minnesota is recognized for 10 minutes.

Mr. MILLER of Minnesota. Mr. Speaker and gentlemen of the House, this is the identical proposition that was before the House last week and was defeated after full discussion by a vote of almost 2 to 1.

Those of us who objected to this unheard-of and unprecedented proceeding expected that it would reappear, and probably in a new form. Our expectation has been realized. It is here in a new form, in a subtle form, in a form that it is expected will perhaps deceive the House and go through. I do not mean to say that in an obnoxious sense. The purpose of the lobby back of this is to get it through anyhow, and they are in hopes that no discussion would occur on this amendment and that the House might agree to it. The new form—and that which we may call the sugar-coated pill—is that the buck is passed up to the President.

Now, gentlemen, pause for a moment and see the idiocy of it—and I use no less a term to describe the proceeding. The President of the United States is the Commander in Chief of the Army and Navy. He has not been slow in exercising the duties of that position. He is perfectly competent to act whenever he sees that action is necessary. The President has not asked for this legislation. The responsible head of the Navy, upon whose judgment the President would naturally rely before he asked Congress to pass this legislation, is on record as opposed to it, saying that it serves no military purpose. Therefore the President has not seen fit to recommend this legislation to Congress or to ask for it. And it is proposed to turn this over to the President with the suggestion that the President carry it out. The initiative of such a military move should come from the President or from some military source. This does not; rather is it opposed by the Secretary of the Navy, the responsible military head of the Marine Corps. The Secretary rightly says the passage of this can serve no military purpose. Then, I ask, what purpose is in mind to serve? Any other purpose must be an improper purpose. This does not spring from military sources, and will serve no military purpose. Then Congress should not pass it; emphatically not. For us to dodge the matter by passing it up to the President in this way is ridiculous. It is a piece of monumental cowardice on the part of the House to attempt such a proceeding. This thing is either right or it is wrong. If it is right, let Congress do it. If it is wrong, let Congress squarely defeat it; and let me submit again that it is wrong. Its passage in this form would subject the President to the importunities of the lobby that is at work for this law. We should save the President from that annoyance and that embarrassment. The other day I outlined quite fully my objections to this law. I am not going to repeat them here. Let me, however, refresh your recollection of one or two of the vital points that are concerned. It is proposed by this to make two major generals in the Marine Corps——

Mr. PADGETT. Will the gentleman permit me right there just to eliminate that? There is nothing involved here except the promotion of Gen. Barnett from major general to lieutenant general during the period of the war, and to authorize the President to do it. The House has already passed the two major generals.

Mr. MILLER of Minnesota. When did the House do that?

Mr. PADGETT. It passed it when it passed the bill on the 21st of May.

Mr. MILLER of Minnesota. They are all in the same paragraph. The gentleman has got them in this proposed amendment.

Mr. PADGETT. I know it, but the Senate amended by striking out the House provision. The House passed the following:

The rank and title of major general is hereby created in the Marine Corps, and the President is authorized to nominate, and, by and with the advice and consent of the Senate, to appoint one major general, who shall at all times be junior in rank to the major general commandant, and also one temporary major general in the Marine Corps, who shall at all times be junior to the permanent major general.

The House passed that. The Senate struck that out and inserted a clause including the commandant for lieutenant general and reinserting the language passed by the House.

Mr. MILLER of Minnesota. I see where the parliamentary situation is. We then have three major generals in the Marine Corps to-day, and not one of them with troops in the field, but every one of them in a post here in Washington.

Mr. PADGETT. Will the gentleman permit?

Mr. MILLER of Minnesota. Not now. The gentleman may refute that later on, if he can.

Mr. PADGETT. I want to say that there is not a single major general except the commandant.

Mr. MILLER of Minnesota. There is not a major general of marines in the field?

Mr. PADGETT. There is no major general of marines except Gen. Barnett. The others are brigadier generals.

Mr. MILLER of Minnesota. Yes; and it is proposed that these three major generals, to be created by this bill, shall remain here in Washington and not one go with troops to France. There may be but one now, but when this bill is passed there will be three.

Mr. PADGETT. No; that is not intended, either.

Mr. MILLER of Minnesota. Then everything I have heard about the subject coming from the Committee on Naval Affairs is wrong.

Mr. KEATING. If the gentleman will permit, there are two amendments. This first amendment deals with the question of making the commandant a lieutenant general. I take it the gentleman proposes later to offer another amendment along the same lines, creating three major generals of these staff officers down at the War Department. Is not that true?

Mr. PADGETT. During the continuance of the war.

The SPEAKER. The gentleman from Minnesota has the floor.

Mr. MILLER of Minnesota. I am very glad to have this colloquy straighten out and clarify the atmosphere. It simply discloses how much, or rather how little, we really know of what we are asked here to do at this time, and how much the atmosphere is befogged, and how careful we ought to be before we move. This, to my mind, is the most sinister thing that has crept into the halls of Congress since the declaration of war against the mighty Empire of Germany more than a year ago. Are we to begin to establish the precedent of elevating to high rank here in Washington staff officers who have performed no important service in this great struggle, while we have no reward at hand to give to the men on the battle fields, in the danger and in the strife, who are adding glory to the flag and new luster to its stars?

Mr. CHANDLER of Oklahoma. Are there any lieutenant generals in the Army?

Mr. MILLER of Minnesota. There are none. Now let me reafirm. There has never been a lieutenant general of our Army in the history of our Government in a time of war except just once, and that was when Gen. Grant was raised from a major general to a lieutenant general in March, 1864, and then he was made commander in chief of all the forces of the Union. He demanded that position before he would take command of the Army of the Potomac. That was a condition precedent to his entering upon the discharge of the duties of commander of the Army of the Potomac. He demanded that he be put in that highest position, so that his word would be law throughout the military world of the Union. That is the only instance in our history. The gentleman from Oklahoma [Mr. CHANDLER] asks if we now have a lieutenant general in the Army. No; we have none.

Mr. FLOOD. The gentleman knows that we have generals of higher rank than lieutenant general in the Army.

Mr. MILLER of Minnesota. True; and I am glad to come to that. I happen to have some first-hand information on that subject. We would have no general in the Army to-day if it were not for one thing. The men who have fought the battles of this Republic have always been major generals, with the one exception of Gen. Grant, and they would be major generals in this war if it were not for one thing. We are one of many nations fighting a common enemy. There is no need for secrecy. When Gen. Pershing went to France a major general of the Army, he found that his rank was not such as to put him on an equal footing with the higher command of the British and French Armies; and because of that, and only because of that, it was recommended to the President that the rank of the man in command of our expeditionary force should be elevated to the supreme rank of general in order that he might have a rank commensurate with that of the commanders in chief of the armies of our allies, so that when he met them in conference he would meet them on an equal footing. It was for that reason only that Gen. Pershing was given the rank of general.

Mr. FLOOD. The gentleman is aware of the fact that he is not the only general we have in the service?

Mr. MILLER of Minnesota. I am very glad the gentleman has said that. He has anticipated my next sentence. Having a general in the field, our staff then presented an anomaly. Our Chief of Staff was a major general. The Chief of Staff must give orders to the men in the field.

The SPEAKER. The time of the gentleman has expired.

Mr. MILLER of Minnesota. I have been interrupted so much I will ask the gentleman from Tennessee [Mr. PADGETT] if he will let me have 10 minutes more? I do not think I will use that much more time.

Mr. PADGETT. I can not give the gentleman 10 minutes, as I have promised the time to others, but I will give the gentleman 5 minutes.

Mr. MILLER of Minnesota. I thank the gentleman.

Mr. BUTLER. Will the gentleman from Tennessee permit me to ask a question?

The SPEAKER. The gentleman from Tennessee has yielded five minutes more to the gentleman from Minnesota.

Mr. BUTLER. I suggest to the gentleman from Tennessee that we do not hasten the conclusion of this matter; the House wants to know what we are doing.

Mr. PADGETT. I think within the hour the House can understand everything about it. I have yielded five minutes more to the gentleman from Minnesota.

Mr. MILLER of Minnesota. Mr. Speaker, finding it was necessary to have one general in the field in France, the Chief of Staff here, who must issue orders, being only a major general, the consequence was that the Chief of Staff had to be raised to the rank of general. For the reason that we had created the rank of general in France, therefore the Chief of Staff here, Gen. Bliss, was raised to the rank of general.

Now, for reasons we do not need to discuss here to-day, Gen. Bliss ceased to be the head of the General Staff and was sent to France, where he forms a part of the council in Paris. A man was selected as acting Chief of Staff for the reasons that many of us know, and I think all of us, and I am glad to say a splendid man has been selected, none better could be found in our Army, and the same situation was repeated. He as acting Chief of Staff had of necessity to be raised to the rank of general in order that he might issue orders.

Mr. FLOOD. May I ask the gentleman another question?

Mr. MILLER of Minnesota. Yes.

Mr. FLOOD. Is it not a fact that we have a statute now authorizing the President to appoint lieutenant generals in the Army, just as this law will authorize him to appoint the lieutenant general in the Marine Corps?

Mr. MILLER of Minnesota. I have not the time to fully answer that now, but the gentleman is entirely mistaken. There is a statute, as there ought to be, authorizing the President to appoint a lieutenant general in the Army, but he has appointed none and he will not appoint one for the present. When he does appoint a lieutenant general, if he does—and I have great doubt whether we will see one appointed—if he does, he will be commander of a million men; he will be commander of an army.

Mr. FLOOD. Commander of a corps.

Mr. MILLER of Minnesota. The gentleman is incorrectly advised. From the time our history started corps commanders in this Government have been major generals. The Marine Corps has been expanded to its utmost limits and they will have seventy-five or eighty thousand men, not half of an army corps. It is not one-tenth of an army, and yet it is proposed here to make a man in Washington a lieutenant general in this corps. Why, you make me think of the armies in Central and South America, where they have 1 private and 40 generals. Stop it, my brethren, for God's sake, and think of the men fighting the battles of the Republic in France. I have seen these men under fire and I know what they are thinking of. Let us not betray them here. I have said many a time if we lose this war it will be behind the line and not on the line. These boys on the line in rank and file will deliver the goods, but it is such things as this that betray the fatal weakness. Out with it. Down with it. Hit it a last killing blow, one that will sound across the seas to the boys that are fighting our battles, and it may be our last fight. A message to them that while we ask them to be true there we will be true here, and when the rewards are handed out for service in this war they will go to the men that have earned them, and not to those who may, perchance, be favored by certain beautiful social surroundings in the Capital of the United States. [Applause.]

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. PADGETT. Yes.

Mr. BUTLER. Does the gentleman intend to close the debate within the hour?

Mr. PADGETT. I hope to; we have debated it heretofore.

Mr. BUTLER. I have debated it before. I would like to have 5 or 10 minutes, and I would like to have some other gentlemen have time.

Mr. PADGETT. I have agreed to yield to the gentleman from Wyoming [Mr. MONDELL] and to the gentleman from Colorado [Mr. KEATING]. I will yield to the gentleman from Pennsylvania 10 minutes.

Mr. BUTLER. Mr. Speaker, no living man ever was more greatly embarrassed than I am, because I am conscious of having yielded to what is wrong. For two months nearly have I stood

against doing what is proposed here to be done. I am not telling anything that I ought not to tell, but I took this position after talking with the chairman of the committee and talking with the Secretary of the Navy about it. I know it is absolutely wrong to advance this man to this great rank. I will go further and say I talked with my chairman about writing into this bill something that would enable us to have a law—I want the gentlemen of the House to understand that this is not my contest except as I make it as the one individual. I wanted to see legislation that would enable us to go ahead and fight the enemy and not quarrel over it and quarrel over it for weeks, as we have, and as yet we have no bill. It contains a provision which authorizes the enlistment of many thousand marines. I confess to you that I am a poor conferee, and I now make the vow that never again will I serve on a conference committee. I am done, and the Chair need never appoint me to a conference committee on anything. I made an effort to get a law, and in doing that, my friends, I weakened myself. The compromise is not right, and the gentleman from Minnesota is right. But in my anxiety and my zeal to obtain a law by which this Navy could be increased in size, I did sit with the gentleman, and he read to me what he had written, and I said, "If this is the best that we can do, let us do it."

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. KEARNS. Does the gentleman mean to tell the House that this bill can not be passed unless this one man receives this promotion?

Mr. BUTLER. Let me answer the question—upon my honor, I believe that to be so.

Mr. KEARNS. Then I think it is time for the House to vote down such a proposition. [Applause.] If this man is more interested in his promotion than he is winning the war, it is time for the House to act.

Mr. FLOOD. Mr. Speaker, I do not think that statement ought to go into the RECORD.

Mr. GARNER. That is what he said.

Mr. PADGETT. No such condition has been presented.

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. LINTHICUM. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. I can not yield. Give me 20 minutes and I will be glad to yield.

The SPEAKER. The gentleman declines to yield.

Mr. BUTLER. Mr. Speaker——

Mr. LINTHICUM rose.

The SPEAKER. The gentleman declines to yield. If the gentleman from Pennsylvania wants the Chair to protect him from interruption, the Chair will do it.

Mr. BUTLER. Mr. Speaker, the Chair has saved me from trouble before, and if they would give me more time I would be very glad to try to take care of myself, but I do not care to be interrupted. The gentleman from Ohio [Mr. KEARNS] asked me a question. The chairman of the committee says that no such situation arose. Upon my honor it does arise when men sit stubbornly and shake their heads, when they compromise as to other things that involve the Coast Guards. No! Never again will I serve on a conference and compromise by doing what I think is not right in order to reach a conclusion. I agree with my chairman, and I shall stand by and endeavor to assist. Further than that, my chairman is fair. It was I who suggested to him that in order to get this bill passed so that it might become a law, so that we could recruit these marines and send them abroad, so that we could pay the expenses of this Navy, that we in part surrender. That is the reason that I feel that on this I have not done perhaps what is right. Now, again, let gentlemen listen to me a bit. I compacted with my chairman that I would vote for this amendment. I know I made a mistake there. I feel myself obliged not to desert my chairman, but if the House decides to turn this down, if the House sees fit to send me back as one of its conferees, then I shall go, and if need be bear the burden alone, and I will sit until Hell becomes a place for saints before I surrender. [Applause.]

Mr. McKENZIE rose.

The SPEAKER. The gentleman from Pennsylvania has declined to yield.

Mr. McKENZIE. I merely wanted to know whether the gentleman had surrendered the rest of us or not.

Mr. BUTLER. I surrender the whole of the House. The House by 35 majority decided what it did. No, sir; we brought this back, as instructed by the House. This is not in the conference report. It is here for the House to pass upon. Now, let me go back a minute. I can not deal with men who simply shake their heads against a decent argument. I thought it was the business of the conferees, if possible, to obtain an agreement, and while I propose to vote for this resolution, it is against my judgment. Do you want it plainly? That is where it is. You may accuse me of cowardice, if you please, in talking one way and voting another. What is the business of a conferee? Is it not to obtain an agreement? Do we not have to give and take? I know my chairman does not agree with me, but it is my judgment that unless you put this up to the President of the United States we will have no bill. The chairman disagrees with me upon that. He is used to conferences; he is used to the ways of conferees. I am not. I want the game played on top of the table. [Applause and laughter.] Mr. Speaker, it is true that it is provided that the President may appoint a lieutenant general in the Army or more than one. My friend from Illinois [Mr. McKENZIE] understands; but it is also provided that he shall command an army or a corps, and a corps consists, for I asked the question myself, of 175,000 men. Whether the President of the United States will do this I do not know, and if I had anticipated he would I never would have suggested it, because I have confidence in the President of the United States and in the Secretary of the Navy. I do not think, as some man said to me, that we are passing the buck up to the President of the United States and that the same influence will reach there that has been reaching here. I know nothing of that. I am through. I have attempted, in a weak way, to show my weakness, to show you my efforts, and I do not want any man here who has been sharing the same view with me to say that I have abandoned him. It is only in an effort to get a law that I have done this. I repeat what I said—if the House sees fit to turn this down, there will be no more compromise from me. [Applause.]

The SPEAKER. The gentleman yields back two minutes.

Mr. BUTLER. Mr. Speaker, before I close, I find that I have done a colleague of mine a great injustice, my Republican colleague on this conference, the gentleman from New Jersey [Mr. BROWNING]. That gentleman did stay with me in the effort to obey the instructions of this House, and I will say for the chairman also that he made no attempt whatever to disobey the instructions. As shown, he has played perfectly fair with the House.

Mr. FLOOD. Well, who did disobey the instructions?

Mr. BUTLER. The gentleman asks a question. The Senate of the United States did. The Senate of the United States understood when this amendment was offered that the House was opposed to it, but it will not withdraw. There you are.

Mr. PADGETT. Mr. Speaker, this presents in some respects a very peculiar situation. I want to say that when the conferees were in session, the House conferees stated plainly and emphatically to the Senate conferees that there was only one proposition that the conferees would submit to them, and that was that the Senate conferees must yield; that we would not discuss with them any compromise of the matter; that the House had voted upon it, and, as representing the House, it is our plain duty to tell them that the Senate must yield. That is the only question that we discussed on this amendment with the Senate conferees. They stated positively they would not yield. As we returned from the conference, my good friend and coconferee, Mr. BUTLER, went with me into my office and himself suggested this very amendment that I have offered, and asked me if I would not offer it, and stated that if I would he would support it. And we together in my office prepared this amendment, the wording and verbiage of it which he read to me, with the statement that he would make a few remarks in support of it, and that he would come upon the floor and talk with the Members and urge the acceptance of this amendment. I think, with this statement of the facts, it explains my position in this matter.

Mr. BUTLER. Mr. Speaker, will the gentleman yield to me for just one question?

Mr. PADGETT. Yes, sir.

Mr. BUTLER. Now, think again. The gentleman asked me to offer this, and then said, "I will do it"——

Mr. PADGETT. The gentleman said he would do it, and then asked me to offer it later.

Mr. BUTLER. The gentleman said he would do it, and neither of us wanted it. [Laughter and applause.] Are not we both ashamed of such childish play, to be perfectly candid, I ask of my chairman?

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. PADGETT. This with me is not childish play. The gentleman did offer to make the motion himself and later he suggested that I make the motion, and I told him I would, and I have; and I have made it in good faith——

Mr. BUTLER. That is true; that is right.

Mr. PADGETT. And as an adjustment of this situation. Now, what is the situation, gentlemen? A great deal of pas-

sion and excitement seems to have arisen. Now, let us take the situation calmly, deliberately, patriotically, and wisely. I have no personal interest and feeling in this matter. I want to submit all the facts to the House, and in the future I will carry out the will of the House as I have in the past. When I was asked by others why we did not propose this to the conferees, I stated because I was going to submit it to the House for the House to reach an adjustment and not the conferees.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. PADGETT. Not now; let me go ahead; I do not desire to be interrupted. Now, in the Army we have the rank of general and in the Navy we have the corresponding rank of admiral. There are four in the Navy with rank of admiral. There are three in the Army with the rank of general. Some of them in the Army are abroad and one of them is here. In the Navy three of them are abroad or at sea and one is here in the department. Now, next below the rank of general is lieutenant general, and the act of Congress which was pased last fall authorized the President to appoint lieutenant generals by and with the advice and consent of the Senate. He has not yet exercised that authority. In the Navy the corresponding rank of lieutenant general is vice admiral. We have three vice admirals in the Navy. Now, the next rank below in the Army is major general. The corresponding rank in the Navy is rear admiral of the upper nine. There is no corresponding rank to that in the Marine Corps. The highest rank in the Marine Corps is in line with brigadier general, and we did not have that until the act of August 29, 1916, when they were given the rank of brigadier general, the highest up to that time being colonel. Now, the major general commandant has a rank of major general pertaining to his office. It is not his rank in the line, because he is a brigadier general. He was a colonel when appointed, because that was the highest rank at that time; but since August, 1916, we have a brigadier general. He has been promoted in the line as a brigadier general, but by virtue of his office when he holds that office he has the rank of major general. We have given in this bill the rank of major general to all of your bureau chiefs in the Navy. In the bill which was passed last October it was given to all bureau chiefs of the Army, and this present session of Congress there was a bill passed with a provision for major general rank for the chiefs of bureaus to put them upon an equality with the Army that was provided at the last session of Congress. Now, my friends, we come to the Marine Corps. I stated to you that the highest rank we had in the line was brigadier general. The House passed a provision, which both Houses have agreed to, that there should be one permanent major general and that there should be during the war a temporary major general. These men were needed because of the increase in the Marine Corps. You bear in mind that in August, 1916, the Marine Corps was less than 10,000. By that act we increased it to 17,400 permanently. We then, in May, 1917, increased it to 30,000 temporarily; and in this bill we have provided for a temporary increase to 75,500.

Mr. MEEKER. Will the gentleman yield?

Mr. PADGETT. I can not; let me proceed to make a consecutive statement. Now, the Senate put on an amendment by legislation promoting during the war the major general commandant to lieutenant general. It was temporary, it was legislation; but in the Army it is done by the President, by and with the advice and consent of the Senate. In the Navy the admirals and vice admirals and the other officers are nominated by the President and confirmed by the Senate. In the other legislation in this bill in reference to the Coast Guard and other provisions here we have provided that the promotions should be made by the President, by and with the advice and consent of the Senate.

Mr. LINTHICUM. Will the gentleman yield?

Mr. PADGETT. Not now.

The SPEAKER. The gentleman declines to yield.

Mr. LINTHICUM. I think the gentleman ought to yield.

Mr. PADGETT. Now, when the Senate conferees declined to yield, and under the circumstances which I detailed to you, I have offered this amendment to promote the commandant of the Marine Corps upon exactly the same basis and under the same provision and the same procedure as is followed in the case of the Army and the Navy and all the other officers of the Army, the Navy, and the Marine Corps. Now, that is the whole fact. It leaves it to the President, and yet they come here now and say we are passing the buck.

Why do they say that we are "passing the buck," when we do not by legislation promote or create a single major general or general or lieutenant general in the Army, or a single admiral or vice admiral or rear admiral in the Navy, or a brigadier general in the Marine Corps?

Mr. MONDELL. Will the gentleman yield?

Mr. PADGETT. No; I will yield you five minutes later on.

Mr. BUTLER. Will the gentleman yield to me for a question?

Mr. PADGETT. Mr. Speaker, I do not want to run over my time. I want to stop within 15 minutes.

Mr. BUTLER. The chairman and I have been telling the House here of our conversations back and forth quite freely, and it will do us good to make our confessions. Did not the chairman tell me he was unalterably opposed to this?

Mr. PADGETT. Not unalterably opposed. I said I was opposed to it, and I so stated in the House. I did not use the word "unalterably."

Mr. BUTLER. Did not he tell Mr. BRITTEN——

Mr. PADGETT. I told the House when the matter was up before that I saw no military necessity. But as we leave it to the President, there may be a military justice in it as distinguished from a military necessity. They will fight just as well.

Mr. BUTLER. Yes; they will fight just as well. I am a great believer in the corporal and sergeant. They do good fighting. Now, we will not argue here any favor in those promotions. It is only, as I understand, in favor of the amendment turning it over to the President. I do not understand the chairman is advocating this promotion.

Mr. PADGETT. I am leaving it with the President, and I put in here such guarded language as has never been put in before. I want to read it:

That the President be, and he is hereby, in his discretion, if he deems it for the good of the service.

Now, then, my friends, if it is for the good of the service under the judgment and opinion of the President of the United States, who is responsible for the conduct of this war, can not we intrust him with the duty and the responsibility of saying whether or not this man shall have this rank? I do not think it is fair, either to the House or to the custom of legislation or to the President, to say that we are "passing the buck" to him when we are pursuing the identical course in this that has always been pursued, to give the President the power and authority to make these promotions by and with the advice and consent of the Senate.

Now, Mr. Speaker, I will reserve the remainder of my time.

The SPEAKER. The gentleman reserves two minutes.

Mr. PADGETT. Mr. Speaker, I promised to yield to the gentleman from Wyoming, if he wants the time.

The SPEAKER. The gentleman from Wyoming is recognized for five minutes.

Mr. MONDELL. The gentleman from Tennessee promised me 8 minutes. Can he not make it 10?

Mr. PADGETT. No.

Mr. MONDELL. I know, Mr. Speaker, that we are anxious to vote, but this is a rather important matter and will, I think, stand a little more discussion. On all the seven seas the American Navy is fighting to make the world safe for democracy, and a branch of the Congress is holding up a bill carrying $1,600,000,000 necessary for the maintenance of that great arm of a free people unless the people's Representatives agree to give rank and titles, that heretofore we have reserved for fighting men, to men who never planned a campaign, never directed or led a hostile movement, and never smelt the smoke of battle. That is the proposition. Are we going to do it?

We are told that the Navy of the Republic, now making the greatest record of all its glorious history, is going to be denied its appropriations unless the Congress makes major generals of the leaders of Washington's cotillions. [Applause.] I have no criticism of staff officers who do their duty. I realize the importance of the duty of sending men here and there when ordered to do it. I realize the importance of sending muskets and blankets and supplies to the marines here, there, and elsewhere. It is a useful and an honorable employment. But it is not an employment which makes a man worthy of the honors which the Republic has always held jealously to be conferred only on the men who showed themselves masters of the art of war and skillful leaders of armies. [Applause.] What is proposed in this and the following amendment is that we shall have one lieutenant general and five major generals in a corps of 75,000 men, and only one of whom is likely, under any circumstances, to ever reach the firing line or have to do with the planning or development of campaigns, great or small. Why, on that basis we should have at least 12 lieutenant generals in the line of the Army to-day and 24 within the year, and as many more in the staff. On a similar basis we would have 150 major generals for the Army that we now have and 300 a year hence.

If there were no other argument against this preposterous proposal than the personal effort in their own behalf and the use of social influence by the men who are seeking promotions, that in itself ought to condemn the proposition in toto. The men

who should be rewarded are the men who have proved their worth in the field and in real war service, and not those who seek through personal and social influence to obtain the highest rewards of the Republic. We know that the men who would be the recipients of these favors, to which they are not entitled, have themselves and through their personal friends been using every influence and pulling every string in order to secure these promotions.

Over yonder on the firing line are the boys that are maintaining the honor of the flag, many of them in the Marine Corps. Among them are those who some day the Republic will be delighted to honor by making them lieutenant generals. Let us reserve those honors for those fighting men. [Applause.] Let us not give them to the swivel-chair warriors who are lingering here safely behind the lines. Gentlemen may not think this is important, but it is tremendously so; for here it is that we establish the fact whether we stand by our guns and prove this is a war for democracy and not one to reward favorites and build up a nonfighting military aristocracy. [Applause.]

The SPEAKER. The gentleman from Wyoming yields back two minutes.

Mr. PADGETT. Mr. Speaker, I will detain the House but a moment, and then I shall move the previous question.

Gentlemen have made the statement here that this bill can not pass without the House agreeing to this amendment. I speak it respectfully, but that is the merest nonsense and poppycock. There is no such position presented. The new year does not begin and the operation of this bill does not begin until the next fiscal year.

Mr. MEEKER. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Missouri?

Mr. PADGETT. I can not yield.

Mr. MEEKER. Just for one question.

Mr. PADGETT. Yes.

Mr. MEEKER. Can the gentleman explain why it is that all opposition, except from one, is from gentlemen who voted against the war and against preparedness?

Mr. PADGETT. I am not questioning the motives of any man. I am conceding to everyone the same honesty and sincerity of purpose that I claim for myself. [Applause.]

Now, dismiss that. Let this matter be settled upon its merits. If you are opposed to it upon its merits, vote against it. If you are in favor of it, support it. The bill will be passed, whatever action may be taken by the House. I want to make that statement plain and clear. [Applause.]

Now, some criticism has been made of Gen. Barnett. I have refrained from taking any part in this matter on the personal side. I have dealt with it from the service side. But I do want to say that the Marine Corps is, in my judgment, the best trained and the best organized and the best fighting force under the shining sun. [Applause.] I do not care who they are or whose people they are; and these men have been under the control and under the management and under the training of Gen. Barnett. [Applause.]

Gentlemen, if you are for it, support it on its merits. If you are against it, vote against it upon principle and upon its merits. But in God's name and in the name of the men who are under him, who praise him, who love him, and who would follow him into the very jaws of death, for God's sake and country's sake, do not asperse his character. [Applause.] Do not impugn the integrity and the patriotism of a man who is as brave and as chivalrous as any man who was ever in the military service of the United States. [Applause.]

Now, my friends, the Marine Corps has reached a stage where I believe it has merited and should receive recognition. Let us remember that this increased rank is not alone for Gen. Barnett. It is recognition for the corps, and I believe sincerely that when I mention "Marine Corps" it causes a heartbeat of patriotism and admiration in every man who is interested in the success of this war and in the preservation of the democracy for the world to be made fit to live in. And also, my friends, you are interested in fair play as well as democracy. Let us be fair and let us be just. Do not let us cast aspersions upon and belittle the men who with all of the zeal and the earnestness of sincere, honest officers have contributed every particle of effort, energy, integrity, and intelligence that they possess to the success of the training and the development of these men. [Applause.]

Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman moves the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recede from the House disagreemnt to Senate amendment 37 and to concur in the same with an amendment.

The question being taken, on a division (demanded by Mr. PADGETT) there were—ayes 69, noes 111.

Accordingly the motion of Mr. PADGETT was rejected.

Mr. BUTLER. Mr. Speaker, I move that the——

Mr. PADGETT. There is no necessity of making any motion. The vote just taken is equivalent to a disagreement.

Mr. BUTLER. I move that the House conferees adhere to the wishes of this House.

Mr. PADGETT. I hope the gentleman will not offer a motion of that kind. The House conferees know the will of the House.

Mr. BUTLER. Out of respect for my chairman, I withdraw the motion.

The SPEAKER. The gentleman withdraws it.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. The gentleman from Tennessee [Mr. PADGETT] stated that the vote just taken was equivalent to a vote of disagreement. That vote was on a motion to recede and concur with an amendment. I do not think that is equivalent to a motion to concur in the Senate amendment.

The SPEAKER. The Chair agrees with the gentleman from Wisconsin. If it had been a flat motion to concur, then it would have been.

Mr. PADGETT. I move that the House still further insist upon its disagreement to amendment numbered 37.

The SPEAKER. The gentleman moves that the House still further insist on its disagreement to Senate amendment 37.

The question was taken; and on a division (demanded by Mr. MONDELL), there were—ayes 171, noes 0.

The SPEAKER. Not a soul rises in the negative, and the motion is carried by a vote of 171 ayes.

Mr. PADGETT. Mr. Speaker, I move that the House still further insist upon its disagreement to Senate amendment 47.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment 47: Page 38, lines 17 and 18, insert the following: "And the heads of existing staff corps of the Marine Corps."

The SPEAKER. The gentleman moves that the House further insist on its disagreement to Senate amendment 47.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I call up Senate amendment No. 52.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Senate amendment 52: Page, 41, beginning with line 11 and ending with line 15, on page 42, insert the following:

That the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, is hereby amended as follows:

Strike out the whole of the fifth paragraph under the subcaption, "Pay, Marine Corps," and substitute the following:

"That prior to January 1, 1920, any officer holding a permanent appointment in any staff department may, upon his own application, with the approval of the President, be reappointed in the line of the Marine Corps in the grade and with the rank he would hold on the date of his reappointment if he had remained continuously in the line: *Provided*, That such officers as shall be so reappointed shall take rank and precedence next after those officers of the line of the Marine Corps in the grades so augmented at the time of the passage of this act, and they shall thereafter be carried as additional numbers to the numbers of the grade to which they may be appointed or to which they may at any time be promoted, and each such officer shall thereafter be promoted contemporaneously and to take rank next after the officer immediately above him: *Provided further*, That such staff officer shall, before being reappointed in the line of the Marine Corps as above provided, perform line duties for one year, at the expiration of which time he shall as a prerequisite to reappointment in the line be required to establish to the satisfaction of an examining board consisting of line officers of the Marine Corps his physical, mental, and professional fitness for the performance of line duty."

Mr. PADGETT. Mr. Speaker, I move to recede and concur with an amendment.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. PADGETT moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur in the same with an amendment as follows: Page 16, line 9 of the Senate engrossed amendment, after the word "President," insert the following: "If the President deems it for the good of the service."

Mr. BUTLER. Mr. Speaker, I hope the gentleman will not press this.

Mr. PADGETT. I think there is merit in this proposition, and the gentleman agreed with me about it.

Mr. BUTLER. The House voted down the other, and I hope the House will vote this down.

Mr. PADGETT. The gentleman agreed with me on this amendment yesterday, and I put it in the very language that he asked me to.

Mr. BUTLER. I know; but I did on the other, too, and the House voted it down.

Mr. PADGETT. Mr. Speaker, if I may have the attention of the House for a moment, I want to make an explanation of what this is. We have in the Marine Corps the line and we have also the staff. The line are the fighting men and the staff corps are the men who do the supplying and the furnishing of equipment, and so forth. They were two separate organizations. In the act of August 29, 1916, the House passed a provision amalgamating the staff into the line, to become effective as the men retire and get out of service, so that ultimately we will have only the line, and the duties that are now performed by staff officers permanently will be performed by line officers detailed for limited terms, a year or two years or three years or four years, as they may be detailed, and not staff officers for life. It incorporates and amalgamates the staff into the line and becomes effective when the men who were in the staff pass out.

Another part of that legislation provided that the staff officers up to and including the majors might, by examination and qualification, go into the line and take the place in the line that they would have had if they had remained in the line from the beginning; in other words, come in not as extra numbers, but might come in ahead of some others. There was opposition to officers above the grade and rank of major coming in, and an adjustment was made in 1916, in the act then passed, allowing the officers of the rank of major and below, by examination and qualification, to come out of the Staff Corps into the line in the regular place in which they would be, but not as extra numbers. It was denied to the officers above the rank and grade of major. This amendment simply amends the act of August 29, 1916, by permitting the officers above the grade and rank of major upon examination and qualification, upon the approval of the President, to stand an examination, and after one year's trial come into the line and pass out of the staff. That is all that it does. But they come in this time as extra numbers, so as not to go in above somebody and displace him. There are only eight such officers. We are needing officers. Now, the suggestion has been made that staff officers do not do any fighting, that they sit around here in swivel chairs, that they do not go into the fighting lines and the trenches. Under the organization as it is now they can not. But here is the proposition, you permit them to go into the fighting line and permit them to go to the trenches and to exercise the fighting privileges. Strange to say, the very class who are fighting most vigorously and criticizing the staff officers because they did not fight are now opposing this proposition to allow them to fight.

Mr. KEATING. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. KEATING. Will the adoption of the gentleman's amendment enable a man who has gained his promotion while serving in a staff position to displace a man who won his promotion in active duty on the field of battle?

Mr. PADGETT. It does not, because he goes in as an extra number. He would go in as a corresponding number in the line, and he would take his place in the fighting line corresponding to what he had in the staff. He does not displace anybody, because he comes in as an extra number.

Mr. MONDELL. Will the gentleman yield?

Mr. PADGETT. Certainly.

Mr. MONDELL. This is true, that when he comes into the line he takes the same place in the line that he would have occupied if he had remained in the line all the time. So the gentleman's answer to the question of the gentleman from Colorado should be "yes."

Mr. PADGETT. No; it should be "no." Suppose you have a colonel in the line and this man came in as No. 1, 2, 3, or 4, or whatever the number might be, he would not displace a single one, because he comes in as No. 4 and he would be the second to go alongside of the regular No. 4. He does not displace No. 4. If he came in as No. 10 he would be a second to No. 10 alongside of him. He would not displace anybody in the line; he would not displace No. 11 or No. 9.

Mr. MONDELL. But he takes the same position that he would have occupied had he remained in the line all the time.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SHALLENBERGER. Does it not prevent the promotion of another man in the line?

Mr. PADGETT. No; it does not. If he is No. 6, you promote the two number sixes. If he is No. 5, you promote both number fives. He is an extra number and goes up with the man that is his running mate.

Mr. MONDELL. But suppose there is only one vacancy?

Mr. PADGETT. Then that would be filled by promoting the man that is his running mate in the line. If he is No. 6 the only one that is promoted is his running mate, and under the law he would go next after his running mate.

Mr. MONDELL. In that case he would displace the next man.

Mr. PADGETT. No; he would not.

Mr. FIELDS. The regular man would displace him.

Mr. PADGETT. Yes. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. Mr. Speaker, to my way of looking, this is the most obnoxious thing that could happen, far more obnoxious than the making of a lieutenant general or promoting major generals on the staff. This amendment is written for one man.

Mr. FLOOD. Name him.

Mr. BUTLER. If you take eight officers out of the staff, have you not got to take eight officers out of the line to put in their places? This is intended for one man, and if there is an investigation I will name him.

Mr. MONDELL. Can not the gentleman name him now?

Mr. BUTLER. Yes; I can name him; I know him. I will name him at the proper time.

Mr. MONDELL. A man important enough to have a Senate amendment is important enough to be named.

Mr. BUTLER. The chairman of the committee says that this authorizes men to be put back among the fighting men and command them. It does. Men who have been here 18, 20, and 25 years and who have reached a certain grade. Now, in this bill colonels and brigadier generals are authorized to go back in the line after they have lived in town 15 or 25 years. It is unfair, and, furthermore, the Secretary of the Navy protests against it. He protests that these men who have been away from the fighting men for years ought not to be now placed in command of them.

Mr. McKENZIE. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. McKENZIE. I would like to ask a question for information. Of course, in the Marine Corps, the line is now officered from the top to the bottom.

Mr. BUTLER. Yes.

Mr. McKENZIE. Would it be possible under this amendment to transfer or take a man that has retired from the staff, give him a commission in the line, promote him and then transfer him back to the staff, and in that way prevent the promotion of a marine officer in the line?

Mr. BUTLER. By taking the men off the staff and putting them in the line in high places. There are men who are in command having the rank of lieutenant colonel and major who, going back to the line, will be a colonel. Why? Because the act authorizes them to be put in the line where they would have been if they had remained in the line.

Mr. McKENZIE. If a man had been on the staff for 15 years he could be put back into the line, given promotion and a commission, and displace a man who had been in the line all the time for promotion.

Mr. BUTLER. He can displace him.

Mr. McKENZIE. Does the gentleman from Pennsylvania stand for that?

Mr. BUTLER. I do not. Wait a bit. This is one of the measures. I will be perfectly candid. I hoped that the chairman would not press this on the House. I hoped he would treat this as he did amendment No. 47. I did agree with him that this amendment might be offered, but the great majority that this House cast against the proposition in the matter of the promotion of Gen. Barnett convinces me of the feeling of the House, and now I ask him not to press it. I stand here for the line. I stand for the men who yet will be received at the hands of Providence. Ah, my old friend, these men will not be with us always. Why? You take from these men the right to command their own men by giving them strangers? Never! Are you going to place colonels in the line to command these men in the trenches in France? Never! That is not intended perhaps. There are convenient places where these men can suddenly be promoted from majors and lieutenant-colonels to colonels and perhaps brigadiers. No; do not do it. I ask the chairman not to press this, but let it go back to conference along with the others. I thought the chairman and I understood it. I thought his views upon this amendment were the same as mine.

Mr. PADGETT. Mr. Speaker, will the gentleman yield?

Mr. BUTLER. Yes. Let this go back.

Mr. PADGETT. The gentleman came to me yesterday——

Mr. BUTLER. I know I did.

Mr. PADGETT. And asked me to agree to this amendment.

Mr. BUTLER. Yes.

Mr. PADGETT. And I put in the very language that he agreed to, and he asked me to make this motion.

Mr. BUTLER. I did so.

Mr. PADGETT. The gentleman will remember that in the conference——

Mr. BUTLER. I will admit it.

Mr. PADGETT. I told him this was good legislation.
Mr. BUTLER. I admit it.
Mr. PADGETT. But I would not press it in conference out of regard for him.
Mr. BUTLER. Mr. Speaker, the gentleman would win his case by assailing me. All right; do it. Why do you not take the part of the fighting men? Why do you not speak for them? Every line man in this corps, and I know 400 of them, is opposed to this. I will give you a bit of history.
Mr. MADDEN. Mr. Speaker, will the gentleman yield?
Mr. BUTLER. Yes.
Mr. MADDEN. If there are any promotions to be made, ought they not to be made from the men in the fighting line?
Mr. BUTLER. That is what I am arguing for.
Mr. MADDEN. And this would interfere with that?
Mr. BUTLER. Yes.
Mr. MADDEN. Then it ought not to be done.
Mr. BUTLER. It will interfere with it in this way: That men now lieutenant colonels and majors will become colonels, and there are only so many to be appointed colonels. Keep them out. I will give you a bit of history before I close. This has always been a point of contention between the line and the staff. The staff has sat here in this town and has endeavored to impose on the line, because it has been far, far away, thousands of miles on the other side of the sea; and permit me to say that I have been one man that has stood for the line and against this terrible influence surrounding us all of the time to pinch these poor fellows. Listen. One year and a half ago we wrote in the law a personnel bill. It was then that the staff asked for this very thing. I stood against it, and I had the names of 170 line officers away from home who asked me not to have this done. They said, "Do not allow these men to come in here and crowd us; we do not want them to command us."
Mr. MADDEN. Mr. Speaker, will the gentleman yield?
Mr. BUTLER. Yes.
Mr. MADDEN. There ought not to be any need for a line man to ask any Member of Congress to protect his rights. His rights ought to be sacred, and it is our duty to stand by the men who do the fighting and not permit any other man, no matter who he is or where he comes from, to get in the way of the other fellow's promotion.
Mr. MONDELL. Mr. Speaker, will the gentleman yield?
Mr. BUTLER. Let me reply to my friend, so that I may be absolutely well warned and well told. I asked to have these men sounded. It was done at my request. They protested against it. It was then agreed between the line and the staff that this thing would not be done, and harmony was secured. The staff agreed with me, standing over in that committee room, that if they were made brigadier generals they would not ask to go back in the line, and, therefore, we wrote that into the bill.
Mr. SHALLENBERGER. Mr. Speaker, will the gentleman yield?
Mr. BUTLER. Yes.
Mr. SHALLENBERGER. It is the gentleman's opinion that this amendment will take away from men in the line the promotion that would come to them if the amendment were defeated?
Mr. BUTLER. Yes; in this way: Say there are 20 colonels. If you are going into this staff and pick out majors and lieutenant colonels, they will then drift into these places and, of course, it will interfere with promotion.
Mr. KEARNS. Mr. Speaker, will the gentleman yield?
Mr. BUTLER. Yes.
Mr. KEARNS. I understood the gentleman to say a while ago that the Secretary of the Navy, and presumably the President, were opposed to this amendment.
Mr. BUTLER. Yes.
Mr. KEARNS. That is true, is it?
Mr. BUTLER. Let me reply to my friend. I have this statement.
Mr. KEARNS. Is that true?
Mr. BUTLER. Yes. That is, the Secretary of the Navy is opposed to it.
Mr. KEARNS. And presumably the President?
Mr. BUTLER. I should think so. I do not know anything about it, and I must not commit the President.
Mr. KEARNS. In discussing this amendment a few days ago the gentleman made a statement that there was a most insidious and powerful lobby being maintained here in Congress for the insertion of these two amendments. Does the gentleman not think this proves it, because it is the only time that Congress has ever attempted since I have been a Member of it to do something over the head of the Secretary of the Navy and the President?
Mr. BUTLER. Mr. Speaker, let me reply upon the question of discipline. I have never gone against the Commander in Chief, the Secretary of the Navy, and I will not do it. I went down and consulted him about this, and he came out and made a statement, and in that he says that he protests, and he gives his reasons for it—that these men ought not to be in command of these fighting men because of their long, long absence from the fighting ranks.
Mr. KEARNS. But there is an attempt on the part of the House now to do that same thing that the Secretary of the Navy said he did not want.
Mr. BUTLER. I agree with my chairman that I did—in a weak moment I did. The House has repudiated one, and I ask that this be sent back to conference.
Mr. MONDELL. Will the gentleman yield?
Mr. BUTLER. Yes.
Mr. MONDELL. These men who would be injuriously affected by this legislation are on the fighting line?
Mr. BUTLER. They are.
Mr. MONDELL. The men who would be benefited are right here?
Mr. BUTLER. They are; every one of them.
The SPEAKER. The time of the gentleman has expired.
Mr. BUTLER. I ask that this be sent back to conference.
Mr. PADGETT. Mr. Speaker, I will detain the House but a few moments. I want again to state and disabuse the mind of anyone who considers that this interferes in the least with the fighting men. It does not. As I stated before, there are only eight. There is no great horde of men going in. I want to explain again that in August, 1916, when we had the other legislation, there was a proposal to put them in ahead of the men in the line. This is to put them in as extra numbers alongside of the men in the line, so that they do not in any way interfere with the men in the line.
Mr. KEARNS. Will the gentleman yield? What will be the good of that? Where will the good come to the service? I know where the good would come to those men, but where will it come to the service?
Mr. PADGETT. I can tell where it comes. You convert men who are now in the staff into the line, where they can fight. Now, I want to call attention to another thing. The gentleman said something about they come in now and get it. It takes a year for them to come in. They can not be appointed in the line until they have served one year. Let me read:

Provided further, That such staff officer shall, before being reappointed in the line of the Marine Corps as above provided, perform line duties for one year, at the expiration of which time he shall as a prerequisite to reappointment in the line be required to establish to the satisfaction of an examining board consisting of line officers of the Marine Corps his physical, mental, and professional fitness for the performance of line duty.

So he must for one year perform line duties and then be examined by a board composed wholly of line officers, and must demonstrate his fitness and qualifications after one year's trial, and then he would come in the line as a fighting man. Now, he is carrying out the plan which was adopted to amalgamate the staff into the line and get rid of a staff corps that is called "swivel chairs" and to have line officers only, and to detail line officers to perform these staff duties at short intervals or short details, and not have lifelong staff officers outside the fighting line.
Mr. BUTLER. Will the gentleman yield?
Mr. PADGETT. In a minute. In 1916 there was objection because then the proposal was to bring them back into the line and distribute them in the line where they would have been if they had remained in the line. That would be before a man or above a man or distributed in the line, but this proposal is different. It does not propose to put them in the line with the others, but put them in as extra numbers, as I explained a moment ago. If a man goes back as No. 6, he is by the side of No. 6 in the regular line. If he goes back as No. 5, he is opposite No. 5. When No. 5 is promoted, he goes up with No. 5, and moves up alongside and does not interfere with anybody. The others below move right up behind No. 5 just as they would if there were no extra numbers. Now, if there is only one promotion, the extra number is behind the regular number.
Mr. MONDELL. Will the gentleman yield?
Mr. PADGETT. I will.
Mr. MONDELL. Does not that retard promotion of the next line officer, necessarily?
Mr. PADGETT. No.
Mr. MONDELL. Why?
Mr. PADGETT. Because when he comes up his running mate has been promoted and he is put alongside and the next number moves right up and is alongside of him. Now, I want to call attention to another thing. Conditions have changed from what they were before the war. Now we are in the war. These men want to perform line duty; they want to go into the fighting

force, and this is simply a provision allowing the President, if he deems it for the good of the service, to give these men opportunities to demonstrate their fitness, their ability, and their qualification to fight in the line, and after one year's trial, training, and practice, after an examining board of line officers have said they were qualified, to put them in the line, not to interfere with anybody else.

Mr. HARDY. Will the gentleman yield to me?

Mr. BUTLER. I would like the gentleman to yield me long enough time to read the argument of the Secretary of the Navy in opposing this very amendment.

The SPEAKER. What does the gentleman from Tennessee say?

Mr. PADGETT. How much time does the gentleman want?

Mr. BUTLER. Give me three minutes.

Mr. PADGETT. I will yield the gentleman three minutes. I do not want to keep anything back.

Mr. HARDY. Before the gentleman reads, will he allow me to ask the chairman a question?

Mr. BUTLER. Yes.

Mr. HARDY. I desire to obtain some information.

Mr. PADGETT. I will be glad to give it if I can.

Mr. HARDY. Is it absolutely necessary that good Army men shall some of them be stationed here to perform the duties that these staff officers are performing?

Mr. PADGETT. Certainly it is.

Mr. HARDY. What right have you to take a good man and place him here and deny all opportunity of preferment?

Mr. PADGETT. That is a question that the gentleman can answer as well as I can.

Mr. HARDY. What I want to know is, is it not just as important to have good military men here during this time of war, like Gen. Barnett, directing the energies of the forces of the Government here, as it is to have them on the line?

Mr. PADGETT. Of course it is. How could you maintain an army unless you had the force at home to send them the guns and the powder and the bullets and the clothing and all the equipment that is necessary to maintain life and to supply the fighting man?

Mr. HARDY. Do you not need just as good men here now as you do there?

Mr. PADGETT. Of course. But gentlemen have been making criticism here in the House of swivel-chair officers, and here are the men coming and asking for an opportunity to go into the fighting line and not to interfere with anybody else as to extra numbers, and the fight is made against it by the very men that criticize them.

Mr. BUTLER. Will the gentleman from Tennessee yield to me five minutes?

Mr. PADGETT. Yes.

Mr. BUTLER. The gentlemen of the House will understand that when they asked to come back, they did not ask to come back at the grade they held in the staff, but at grades they would be entitled to have if they stayed in the line. It is for the purpose of getting promotion. These men can all fight if they want to do so. The grand old officer, George Elliott, when commandant of this corps, went down and commanded his men in the field at the time of the insurrection at Panama. These men could all go if they wanted to go. So do not let it be said that they can not go to war. But they have asked to come back into the line for the purpose of advancement and promotion. It is not fair to these men. Let me read what the Secretary of the Navy says about it. The question was asked of him by Mr. PADGETT:

I will ask you, Mr. Secretary, what have you to say about amendment No. 52?

The chairman of the committee, Mr. PADGETT, then read to him the act of Congress of August 29, 1916. And he said:

This is a provision removing that restriction and allowing men above the rank of major to qualify—

Above the rank of major. These fellows have never commanded men, many of them. And what did Secretary Daniels say? He said:

I did not recommend this legislation, and I do not.

The CHAIRMAN. I will be glad if you will insert in the hearing a full statement of the reasons for your action in this matter.

Secretary DANIELS. Very well.

Now, here is the reason:

Ordinarily a staff officer of the Marine Corps lacks the practical training and experience necessary to direct or conduct military operations in the broad sense. He is as a rule essentially a paymaster or a quartermaster and particularly so after long service in his staff pursuits. Under the act of August 29, 1916, staff officers of and below the rank of major were made eligible for transfer to the line under certain conditions, but it is my opinion that to extend the privilege to officers of greater rank would be a step too far. They are of greater value to the Marine Corps and the country in their present callings. The highest officers of the line should be men of long training in the art of war. I think this is brought home to us more forcefully each day of the present war.

And that is what I followed—the instructions of the Secretary of the Navy.

Mr. PADGETT. Just one word, and I will move the previous question.

I follow the Secretary and try to cooperate with him whenever his reasons appeal to my judgment. I do not always follow him just because it is the judgment of the Secretary. I reserve the right to think for myself. The Secretary gave as his reason why these men should not be transferred that they would not have the qualifications. But this legislation provides:

Provided further, That such staff officer shall, before being reappointed in the line of the Marine Corps as above provided, perform line duties for one year, at the expiration of which time he shall, as a prerequisite to reappointment in the line, be required to establish to the satisfaction of an examining board consisting of line officers of the Marine Corps his physical, mental, and professional fitness for the performance of line duty."

Now, then, if he is qualified to fight in the line, why should he not have the opportunity to do so?

Mr. ALEXANDER. Was the Secretary of the Navy speaking with reference to this amendment in its present form and condemning it?

Mr. BUTLER. Yes, sir.

Mr. ALEXANDER. This amendment makes provision that he shall serve one year in the line before he is entitled to promotion.

Mr. BUTLER. That is the amendment he condemns.

Mr. PADGETT. He gave a reason for his opposition that is met in the amendment.

Mr. ALEXANDER. Has this amendment been written in since?

Mr. PADGETT. No. I asked him to give his reasons, and the reason he gave is met specifically in the terms of the amendment.

Mr. BUTLER. Just one question and I am through. I want the House to listen. Will these staff corps officers be willing to go back into the line at the grades they held in the staff corps?

Mr. PADGETT. I do not know.

Mr. BUTLER. They will not. I will answer for you.

Mr. PADGETT. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Tennessee moves the previous question on his motion to recede from the House disagreement to Senate amendment 52, and concur with an amendment.

The question was taken, and the motion was rejected.

Mr. PADGETT. Mr. Speaker, I move that the House further insist on its disagreement to Senate amendment No. 52.

The SPEAKER. The gentleman moves that the House further insist on its disagreement to Senate amendment No. 52.

Mr. GOOD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. GOOD. I desire to get a little time from the gentleman on this amendment. [Cries of "Vote!" "Vote!"]

Mr. PADGETT. Amendment No. 170 has not come up yet.

Mr. GOOD. I understood it was amendment No. 170 that was to come up now.

The SPEAKER. This is on amendment No. 52, that the House do further insist on its disagreement to that amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 170: Page 100, line 5, strike out the following: "nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

Mr. PADGETT. Mr. Speaker, I move that the House still further insist on its disagreement to that amendment.

The SPEAKER. The gentleman from Tennessee moves that the House still further insist on its disagreement to that amendment.

Mr. GOOD rose.

The SPEAKER. Does the gentleman from Iowa desire time?

Mr. GOOD. Yes.

Mr. PADGETT. How much does the gentleman want?

Mr. GOOD. Five minutes.

Mr. PADGETT. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Iowa is recognized for five minutes.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was granted leave of absence for the day, on account of illness in his family.

CONFERENCE REPORT ON NAVAL APPROPRIATION BILL.

The SPEAKER. The gentleman from Iowa is recognized for five minutes.

Mr. GOOD. Mr. Speaker, I think amendment No. 170 perhaps has more significance, so far as carrying this war to a success is concerned, than any other amendment that has come before the House as presented by this bill.

Amendment No. 170 provides that if the Secretary of the Navy desires to use some of this money to pay bonuses for speeding up, if it is necessary to do that to win the war, he can do it. The House has taken the position that he can not do this. The Senate has taken the position that he can pay the bonus.

We have passed four measures containing this proposition. One was the Army bill, one was the fortification bill, and the other was the sundry civil bill. In the sundry civil bill we did not tie the hands of the Emergency Fleet Corporation, but gave this great organization, having $2,000,000,000 at its command, the right to pay bonuses if necessary. In the fortification bill, appropriating over $5,400,000,000, the Secretary of War can use any part of that for the payment of bonuses or cash rewards, if it is necessary to speed up in order to win the war.

Now, think of the position that this House has taken. Without a dissenting vote you appropriated over $5,400,000,000 for war purposes, and any part of it can be used for the payment of bonuses. But when it comes to the Navy you say, "We do not want to speed up." You say to the Secretary of War, "Pay bonuses to labor if it is necessary to win the war." But you say to the Secretary of the Navy, "If it is necessary in order to win the war to pay bonuses, then let the war be a failure. We will not speed up." That position can not be defended here or anywhere else, but that is the attitude of this House. Now, I do not agree with the editorial that appears in the Washington Post of June 21, headed, "An effective threat." I read:

AN EFFECTIVE THREAT.

Two hundred and five Members of the House of Representatives bowed their heads in submission to the threat of two mechanics employed in navy yards and voted against a Senate provision in the naval appropriation bill permitting the payment of bonuses and premiums. The provision was inserted as the means which might be employed by the Secretary of the Navy in stimulating work and speeding up war activities. It was rejected by the House after two threatening telegrams were read into the RECORD by Chairman PADGETT, of the Naval Committee, to whom they were addressed. Both purport to come from officers or members of a labor union at Portsmouth, Va.

So 205 Members of the House voted against the Senate provision, thereby robbing the Secretary of the Navy of the only possible means within his power of speeding up work on the destroyers and battleships and other Navy craft so urgently needed to win the war. It is pleasant to record that 87 Members stood up undaunted before the threat and supported the proposition.

Why should not the employees of the navy yards be paid bonuses and premiums to stimulate them to their best efforts? Why should they not put forward their highest exertions for the winning of the war? What excuse can there be for them working a normal day at normal production when the whole Nation is straining every nerve and muscle to make extraordinary records, when fellow workmen in private industries in the same line are doing two times, three times, or even four times as much work in the same number of hours?

"Hurry up, hurry up! For God's sake, hurry up!" is the cry uttered by Joseph H. Choate, which rang throughout the Nation and stirred every patriot to greater endeavor. President Wilson, on May 27, standing in the presence of the Congress, said: "The consideration that dominates every other now and makes every other seem trivial and negligible is the winning of the war. * * * There can be no pause or intermission. The great enterprise must, on the contrary, be pushed with greater and greater energy."

In his address to Congress on February 11 the President said: "Our resources are in part mobilized now, and we shall not pause until they are mobilized in their entirety. Our armies are rapidly going to the fighting front and will go more and more rapidly. Our whole strength will be put into this war of emancipation—emancipation from the threat and attempted mastery of selfish groups of autocratic rulers—whatever the difficulties and present partial delays."

On January 4, addressing Congress in joint session, the President uttered these words: "I am sure that I am speaking the mind of all thoughtful Americans when I say that it is our duty as the representatives of the Nation to do everything that it is necessary to do to secure the complete mobilization of the whole resources of America by as rapid and effective means as can be found."

And yet the clarion call to service from the Commander in Chief is stilled by the empty threat of a strike by two employees of the navy yard. The telegrams were intended solely to frighten Congress upon the eve of a general election. Had the bonus provision been retained there would have been no strike, because the great majority of men employed in the navy yards are loyal, patriotic citizens, proud of their country and as eager to help win the war as other Americans. No selfish leader could have seduced them from their important tasks in this crisis. No personal advantage could tempt them from their posts of duty.

The roll call containing the names of the 205 should be framed and hung in the House lobby to commemorate the rout of the House before the gas attack of two walking delegates.

I think that 205 Members voted that way largely because the Secretary of the Navy made some statements before the Committee on Naval Affairs that were not supported by the evidence, and it was on the unsupported statements of the Secretary of the Navy that the House acted.

When this matter was before the House a few days ago it was repeatedly urged that the House should refuse to accept the Senate amendment permitting the Secretary of the Navy to pay bonuses, because the Secretary of the Navy was opposed to the bonus system. The Secretary of the Navy was quoted in this regard. But I want to point out the fact that he stands alone in his contention that labor produces more since the bonus system has been discontinued. I shall place in the RECORD in parallel columns, first, the statement of Secretary Daniels in one column and in the opposite column the statements of Admiral Earle, Chief of Ordnance, and of Admiral Parks, Chief of the Bureau of Yards and Docks. It is the business of Admiral Earle, as Chief of Ordnance, and of Admiral Parks, as Chief of Yards and Docks, to keep in close touch with the labor in the navy yards. They are responsible for the quantity production. The Secretary really knows nothing about this situation at first hand, although he speaks with great positiveness. The statements are as follows:

SECRETARY DANIELS.

The workers in Government establishments have done better work than they have ever done. * * * Everything is coming along finely, and they are showing a spirit toward the war that is splendid. You put this thing in (payment of bonuses) and immediately they say you are going to put the Taylor system back, and it is going to reopen an old controversy that will not do us any good.

ADMIRAL EARLE.

The CHAIRMAN. You say that labor at $2 produced as much labor result as $4.40 now produces; that is, 8 hours' labor at $2 a day then produced as much product or result as a 10-hour day now produces at $4.40 a day?

Admiral EARLE. Yes.

Admiral PARKS. In many cases it produced more than the 10-hour day now produces. The efficiency is low.

The CHAIRMAN. That is certainly a sad comment.

Admiral PARKS. It is a terrible business, Mr. Chairman. It is the most serious thing in the war or anything else.

The CHAIRMAN. On the question of labor, how does the product as the result of the 10 hours of labor, which costs you $4.40, compare with the 8 hours of labor, for which you paid $1.60 before the war?

ADMIRAL PARKS.

Admiral PARKS. All the information I have indicates that less useful work is secured for the $4.40 than was formerly secured for $1.60, and some have placed it as low as 65 per cent.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. GOOD. Mr. Speaker, I ask for two minutes more.

Mr. PADGETT. I yield to the gentleman two minutes.

The SPEAKER. The gentleman from Iowa is recognized for two minutes more.

Mr. GOOD. Mr. Speaker, we have already written into the fortifications bill a provision giving the Secretary of War the power to speed up. Of all places, we should speed up in the Navy. I understand that in one instance ships taking our boys across the sea were convoyed by seven armed ships, and only one of them belonged to the United States. Four of them were English vessels and two were French vessels. If this is true, it certainly appears that we should speed up. And yet we stand here and say that the Secretary of the Navy shall not speed up in the production of these vessels.

Why, in Great Britain the labor unions have entered into an agreement by which the trade-unions waive all their demands, rules, and so forth, during the war. They have agreed to bring in unskilled labor in competition with skilled labor, female labor in competition with male labor, in all cases where it was thought necessary to win the war.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. GOOD. Yes.

Mr. KEATING. The gentleman does not want that statement to go into the RECORD, that the British labor unions had dissolved their unions?

Mr. GOOD. They have agreed to a program that amounts to a dissolution during the war, and I will put in the RECORD an analysis of said agreement.

Mr. KEATING. I do not think the gentleman wants to put in the RECORD the statement that the American Navy is not capable of convoying our boys.

Mr. GOOD. I am stating merely what I am informed is the fact.

The SPEAKER. The time of the gentleman from Iowa has again expired.

Mr. GOOD. To show that the trade-unions of Great Britain have waived practically all their rules and regulations, so far as labor employed in the production of war material is concerned, I quote the following from page 995 of Senate document 114, entitled "British Industrial Experience During the War."

After the conclusion of Mr. Lloyd-George's speech a committee of seven representatives of labor were appointed to draft a plan along the lines suggested by him and to report back to the conference. This committee made a formal report in the form of an agreement which was assented to by all the representatives of the labor organizations present with the exception of the Society of Amalgamated Engineers.

The parties contemplated as of the agreement were (a) the Government, (b) all trade-unions which might subsequently subscribe to the agreement, and (c) employers in whose establishments the trade-unions sanctioned the agreement. The arrangement was to be effective for the duration of the war. Its terms, briefly analyzed, were as follows:

I. PREVENTION OF STRIKES.

A. During the war period there shall in no case be any stoppage of work upon munitions and equipments of war or other work required for a satisfactory completion of the war.

B. To prevent friction and keep differences from arising, all changes of working conditions shall be preceded by notice to the men and an opportunity for conference.

C. Differences as to wages or conditions of employment arising out of the war shall be settled—

1. If possible, by conference between the parties.

2. Failing that, by mutual agreement on one of the three following agencies:

(a) The committee on production.

(b) A single arbitrator, either agreed upon by the parties or, in default of agreement, appointed by the board of trade.

(c) A court of arbitration on which labor and capital are equally represented.

3. Failing all those means, by the board of trade.

D. Questions not arising out of the war should not be made the cause of stoppage during the war period.

II. REMOVAL OF RESTRICTIONS ON OUTPUT.

A. In general, all trade-unions shall submit to changes necessary for accelerating the output of war munitions or equipment.

B. In particular, they shall permit—

1. Unrestricted individual production.

2. Dilution of skilled labor by the introduction of female, semiskilled, or unskilled labor.

III. CONCESSIONS TO THE TRADE-UNIONS.

As a reciprocal measure of protection to the workmen the consent of the trade-unions to the removal of restrictions on output shall be made contingent upon the following terms:

A. The giving of undertakings by the employers to the Government that the removal of restrictions on output shall only be for the period of the war, and that prewar conditions will be restored after the war.

B. Keeping of a record of departures from prewar conditions, which record "shall be open for inspection by the authorized representative of the Government."

C. The payment of the customary district rates for the work to female, semiskilled, or unskilled labor used to dilute the labor supply.

D. Priority in postwar readjustments to men now in the employments or to men who have left the employments to join the military or naval forces.

Mr. BUTLER rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. BUTLER. Will the gentleman from Tennessee yield me time?

Mr. PADGETT. I yield to the gentleman one minute.

The SPEAKER. The gentleman from Pennsylvania is recognized for one minute.

Mr. BUTLER. Mr. Speaker, I want to say that the men who travel the sea all the winter long, through snow and ice, with two suits of clothing, are our children, are American citizens, and they have never lost a pound of anything. I want to say to my friend from Iowa that he must be misinformed. It is true that at times some of the ships in those convoys belong to foreign fleets. It is done, as the Secretary of the Navy has said; and I want now, as a strong party man, here in this place, to express my entire confidence in the ability of Josephus Daniels, the Secretary of the Navy. [Applause.]

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. PADGETT. I yield to the gentleman one minute more.

Mr. BUTLER. As I told my friend, we can not always have American boats in these fleets because of the absolute necessity to move promptly, but they are always under the command of an American naval officer, and he has not lost a man or a pound of ammunition or a pound of food since last August, and I think he ought to be commended. [Applause.]

Mr. PADGETT. I ask for a vote.

Mr. GOOD. Mr. Speaker, I offer a preferential motion, that the House recede from its disagreement to amendment of the Senate numbered 170 and agree to the same.

Mr. PADGETT. We have voted that down once on a record vote, by 207 to 86.

The SPEAKER. Does the gentleman refer to any vote taken to-day?

Mr. PADGETT. No; the other day.

The SPEAKER. The gentleman from Iowa makes a preferential motion, that the House recede from its disagreement to amendment of the Senate numbered 170 and concur in the same.

The question being taken, on a division (demanded by Mr. MEEKER) there were—ayes 31, noes 46.

Mr. MEEKER. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. PADGETT. Will not the gentleman withdraw that?

Mr. MEEKER. I will not withdraw it.

The SPEAKER. The gentleman from Missouri makes the point of order that there is no quorum present. Evidently there is not.

SEVERAL MEMBERS. Withdraw the point.

Mr. MEEKER. I withdraw it.

The SPEAKER. It can not be done now. It is too late. The Doorkeeper will lock the doors, the Sergeant at Arms will notify absentees. Those in favor of the motion of the gentleman from Iowa [Mr. GOOD] will, when their names are called, answer "yea," those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 99, nays 200, answered "present" 2, not voting 129, as follows:

YEAS—99.

Black	Francis	McKenzie	Sanford
Borland	Frear	McLaughlin, Mich.	Saunders, Va.
Browne	French	McLaughlin, Pa.	Scott, Mich.
Browning	Garland	Madden	Shouse
Burroughs	Garner	Magee	Sisson
Campbell, Kans.	Garrett, Tenn.	Mason	Sloan
Cannon	Gillett	Mecker	Snyder
Clark, Pa.	Glynn	Merritt	Stafford
Connally, Tex.	Good	Miller, Minn.	Sterling, Ill.
Cooper, W. Va.	Goodall	Moore, Pa.	Sterling, Pa.
Cox	Gordon	Moores, Ind.	Stiness
Crago	Gray, N. J.	Mott	Strong
Cramton	Greene, Vt.	Osborne	Temple
Currie, Mich.	Harrison, Va.	Parker, N. J.	Timberlake
Dale, Vt.	Haugen	Parker, N. Y.	Tinkham
Doolittle	Hutchinson	Peters	Treadway
Dupré	Ireland	Platt	Vestal
Edmonds	Kearns	Ramsey	Volstead
Ellsworth	Kraus	Rayburn	Walsh
Fairchild, G. W.	Lehlbach	Reed	Ward
Fairfield	Lobeck	Robbins	Wason
Fess	Longworth	Rogers	Watson, Pa.
Flood	Lufkin	Rose	Winslow
Focht	McArthur	Rowe	Wood, Ind.
Fordney	McFadden	Sanders, Ind.	

NAYS—200.

Alexander	Dillon	Kelly, Pa.	Rankin
Almon	Dixon	Kennedy, Iowa	Riordan
Anderson	Dominick	Kennedy, R. I.	Roberts
Ashbrook	Dooling	Kettner	Rodenberg
Aswell	Doughton	Key, Ohio	Romjue
Austin	Dowell	Kincheloe	Rouse
Ayres	Dyer	King	Rubey
Bankhead	Eagan	Kitchin	Rucker
Barkley	Elston	Knutson	Sanders, La.
Barnhart	Esch	La Follette	Sears
Beakes	Evans	Langley	Shallenberger
Beshlin	Fairchild, B. L.	Larsen	Siegel
Blackmon	Farr	Lazaro	Sims
Blanton	Fields	Lee, Ga.	Sinnott
Booher	Fisher	Lesher	Smith, Idaho
Bowers	Flynn	Lever	Smith, Mich.
Brand	Foster	Linthicum	Smith, T. F.
Brodbeck	Fuller, Mass.	Little	Snook
Burnett	Gallagher	London	Steagall
Butler	Gandy	Lunn	Steele
Byrnes, S. C.	Garrett, Tex.	McAndrews	Steenerson
Byrns, Tenn.	Godwin, N. C.	McClintic	Stephens, Miss.
Campbell, Pa.	Goodwin, Ark.	McKeown	Stephens, Nebr.
Candler, Miss.	Graham, Ill.	Maher	Stevenson
Cantrill	Gray, Ala.	Mansfield	Sullivan
Carew	Griffin	Mapes	Sweet
Carlin	Hadley	Mays	Swift
Carter, Okla.	Hamilton, Mich.	Miller, Wash.	Tague
Cary	Hamlin	Montague	Talbott
Chandler, N. Y.	Harrison, Miss.	Moon	Taylor, Ark.
Chandler, Okla.	Haskell	Morgan	Taylor, Colo.
Church	Hastings	Mudd	Thomas
Claypool	Hayden	Neely	Thompson
Cleary	Heflin	Nelson	Tillman
Coady	Helm	Nicholls, S. C.	Towner
Collier	Helvering	Nolan	Van Dyke
Connelly, Kans.	Hersey	Oldfield	Venable
Cooper, Wis.	Hilliard	Oliver, Ala.	Vinson
Crisp	Holland	Oliver, N. Y.	Waldow
Crosser	Hollingsworth	Overstreet	Walton
Curry, Cal.	Huddleston	Padgett	Watkins
Davis	Hull, Iowa	Park	Weaver
Decker	Hull, Tenn.	Phelan	Welty
Delaney	Humphreys	Price	Wheeler
Dempsey	Igoe	Quin	Williams
Denison	Jacoway	Ragsdale	Wilson, La.
Dent	Johnson, Ky.	Rainey, J. W.	Wilson, Tex.
Denton	Johnson, Wash.	Raker	Wright
Dickinson	Jones	Ramseyer	Young, N. Dak.
Dill	Keating	Randall	Young, Tex.

ANSWERED "PRESENT"—2.

Hardy	Sumners

NOT VOTING—129.

Anthony	Caldwell	Dale, N. Y.	Drane
Bacharach	Caraway	Dallinger	Drukker
Baer	Carter, Mass.	Darrow	Dunn
Bell	Clark, Fla.	Davidson	Eagle
Bland	Classon	Dewalt	Elliott
Britten	Cooper, Ohio	Dies	Emerson
Brumbaugh	Copley	Donovan	Estopinal
Buchanan	Costello	Doremus	Ferris

Foss	Johnson, S. Dak.	Overmyer	Small
Freeman	Juul	Paige	Smith, C. B.
Fuller, Ill.	Kahn	Polk	Snell
Gallivan	Kehoe	Porter	Stedman
Gard	Kelley, Mich.	Pou	Switzer
Glass	Kless, Pa.	Powers	Templeton
Gould	Kinkaid	Pratt	Tilson
Graham, Pa.	Kreider	Purnell	Vare
Green, Iowa	LaGuardia	Rainey, H. T.	Voigt
Greene, Mass.	Lea, Cal.	Reavis	Walker
Gregg	Littlepage	Robinson	Watson, Va.
Griest	Lonergan	Rowland	Webb
Hamill	Lundeen	Russell	Welling
Hamilton, N. Y.	McCormick	Sabath	Whaley
Hawley	McCulloch	Sanders, N. Y.	White, Me.
Hayes	McKinley	Schall	White, Ohio
Heaton	McLemore	Scott, Iowa	Wilson, Ill.
Heintz	Mann	Scott, Pa.	Wingo
Hensley	Martin	Scully	Wise
Hicks	Mondell	Sells	Woods, Iowa
Hood	Morin	Shackleford	Woodyard
Houston	Nichols, Mich.	Sherley	Zihlman
Howard	Norton	Sherwood	
Husted	Olney	Slayden	
James	O'Shaunessy	Slemp	

So the motion of Mr. GOOD to concur was lost.

The following additional pairs were announced:

Mr. MARTIN with Mr. MCCULLOCH.

Mr. WATSON of Virginia with Mr. FULLER of Illinois.

Mr. FERRIS with Mr. GRIEST.

Mr. GALLIVAN with Mr. HAYES.

Mr. GLASS with Mr. JAMES.

Mr. HAMILL with Mr. JUUL.

Mr. LITTLEPAGE with Mr. NORTON.

Mr. CHARLES B. SMITH with Mr. WOODYARD.

Mr. BUCHANAN with Mr. ELLIOTT.

Mr. DRANE with Mr. HAWLEY.

Mr. LEA of California with Mr. ANTHONY.

Mr. CLARK of Florida with Mr. KINKAID.

Mr. POU with Mr. GREENE of Massachusetts.

Mr. HENRY T. RAINEY with Mr. MONDELL.

Mr. SHERLEY with Mr. COPLEY.

Mr. SMALL with Mr. NICHOLS of Michigan.

Mr. STEDMAN with Mr. PURNELL.

Mr. WEBB with Mr. SANDERS of New York.

Mr. WELLING with Mr. SELLS.

Mr. HENSLEY with Mr. VOIGT.

Mr. WINGO with Mr. WILSON of Illinois.

Mr. WHITE of Maine. Mr. Speaker, did the gentleman from Texas [Mr. GREGG] vote?

The SPEAKER. He did not.

Mr. WHITE of Maine. I have a general pair with him, and so I refrain from voting.

The result of the vote was then announced as above recorded.

On motion of Mr. PADGETT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

Mr. PADGETT. Mr. Speaker, I move that the House agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING.

LEAVE OF ABSENCE.

Mr. STEVENSON, by unanimous consent, was given leave of absence for one week, on account of engagements of a political nature.

AURELIO COLLAZO.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take up Senate joint resolution 86, authorizing the Secretary of War to receive for instruction in the United States Military Academy at West Point Aurelio Collazo, a citizen of Cuba.

The Clerk read the joint resolution, as follows:

Senate joint resolution 86.

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to permit Mr. Aurelio Collazo, a citizen of Cuba, to receive instruction at the United States Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby, and that the said Aurelio Collazo shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the course in the various departments of instruction, and that the said Aurelio Collazo shall not be admitted to the academy until he shall have passed the mental and physical examinations prescribed for candidates from the United States, and that he shall be immediately withdrawn if deficient in studies or conduct and so recommended by the academic board: *Provided further*, That in the case of the said Aurelio Collazo the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Reserving the right to object, what is the pressing necessity for the passage of this resolution?

Mr. FLOOD. Unless it is passed by the 1st of July the young man can not get here to begin the first year at the academy.

Mr. STAFFORD. Has the Cuban Republic at the present time any representative at the Military Academy?

Mr. FLOOD. It has not.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

PENSIONS.

Mr. COX. Mr. Speaker, I call up the bill H. R. 12000, the pension appropriation bill, and I ask unanimous consent to consider the bill and the Senate amendment.

Mr. MADDEN. I reserve the right to object if it is to take any time.

Mr. COX. I do not think it will take a minute.

The Senate amendment was read.

The SPEAKER. Is there objection to the present consideration? [After a pause.] The Chair hears none.

Mr. COX. I move to concur in the Senate amendment.

The Senate amendment was agreed to.

Mr. COX. Mr. Speaker, I ask unanimous consent to insert in the RECORD a document from the Secretary of the Interior showing how much this bill will cost.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The statement is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 15, 1918.

The CHAIRMAN COMMITTEE ON PENSIONS,
United States Senate.

MY DEAR SENATOR: I have the letter of the clerk of your committee to the Commissioner of Pensions, dated the 7th instant, transmitting a copy of Senate bill 3330, to amend the act of May 11, 1912, granting pensions to survivors of the Civil War and the War with Mexico, with request for a report supplemental to that of the 26th ultimo, showing the number of pensioners in each class and the probable cost of the bill if enacted into law, with the age of 72 years substituted for the age of 75 years.

The bill thus amended proposes a rate of $30 per month to persons who served 90 days or more in the military or naval service of the United States during the Civil War, and to such persons reaching the age of 72 years who served six months a rate of $32 per month; one year, $35 per month; one and one-half years, $38 per month; two years or more, $40 per month.

The roll carries no class of survivors rated upon attained age of 72 years. It was ascertained, by running through several thousand roll cards, that about 75 per cent of the survivors pensioned upon the basis of attained age of 70 years were now between the ages of 72 and 75 years. The results of addition of this percentage of the 70-year class on the roll at the close of the last fiscal year to the 75-year class then on the roll by periods of service, and computation of the difference in annual rates at that time and the rates proposed by the bill, are shown in the following tabulation:

Age and length of service	Number	Increased cost per year.
Less than 72 years and served 90 days and over and 72 years and over and served less than 6 months	82,171	$10,670,202
72 years and over and served 6 months and less than 1 year	39,193	5,099,178
72 years and over and served 1 year and less than 1½ years	42,083	6,209,772
72 years and over and served 1½ years and less than 2 years	24,785	4,165,842
72 years and over and served 2 years and over	111,739	15,959,268
Total	299,941	42,104,262

The average annual increase is about $140. Allowance for death losses and other changes may be accepted to reduce the above total to $40,000,000 as representing the approximate cost of the bill for the first year, should it become a law.

Cordially, yours, FRANKLIN K. LANE,
Secretary.

On motion of Mr. COX, a motion to reconsider the vote whereby the Senate amendment to the pension appropriation bill was agreed to was laid on the table.

CONFERENCE REPORT (NO. 689) ON THE POST OFFICE APPROPRIATION BILL.

Mr. MOON. Mr. Speaker, I call up the conference report on the bill H. R. 7237, the Post Office appropriation bill.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment numbered 23 of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and

agree to the same with an amendment as follows: Strike out the amendment proposed by the Senate and insert in lieu thereof the following:

"For the transmission of mail by pneumatic tubes or other similar devices, $665,000: *Provided*, That the Postmaster General is hereby authorized and directed to extend existing contracts for pneumatic-tube service until March 4, 1919, and the Postmaster General is directed to expend this appropriation for the sole purpose of continuing the existing pneumatic mail tube service, and no part thereof shall be expended for the transportation of mails in any other manner than herein authorized: *Provided further*, That the Interstate Commerce Commission is hereby authorized and directed to investigate and report to Congress not later than the 1st day of December, 1918, (1) whether or not the present pneumatic mail tube service in the cities of New York, N. Y.; Brooklyn, N. Y.; Boston, Mass.; Philadelphia, Pa.; Chicago, Ill.; and St. Louis, Mo., is a valuable and efficient postal facility, whether or not it expedites the delivery of first-class mail, and should be retained or discontinued; (2) to investigate and report whether or not the present pneumatic-tube mail system is suited for the purpose of expediting the delivery of first-class mail, or whether tubes of a different kind or size should be employed; (3) if the said commission should recommend the retention of the present system, should the properties be purchased or leased by the Government and at what price and upon what terms; (4) if said commission should recommend a rental, as at present operated, what compensation should be paid therefor: *Provided further*, That the Interstate Commerce Commission shall permit hearings to all parties at interest, and the expense for such investigation shall be paid out of any available funds appropriated for the use of the Interstate Commerce Commission."

And the House agree to the same.

THOS. M. BELL,
HALVOR STEENERSON,
MARTIN B. MADDEN,
Managers on the part of the House.

J. H. BANKHEAD,
THOS. W. HARDWICK,
CHAS. E. TOWNSEND,
Managers on the part of the Senate.

We do not concur in the above report.

JOHN A. MOON,
A. B. ROUSE,
Of the managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the Speaker announced that the noes had it.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum, and I move that the House do now adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

The question was taken, and the motion to adjourn was lost.

Mr. MADDEN. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point that no quorum is present, and the Chair will count. [After counting.] One hundred and twenty-seven Members present, not a quorum.

Mr. MADDEN. I withdraw the point of no quorum.

The SPEAKER. The gentleman is too late.

Mr. MADDEN. Mr. Speaker, will the vote be taken on the motion to adjourn or on concurring in the conference report?

The SPEAKER. The House has just voted down the motion to adjourn.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. The original question as proposed by the gentleman from Tennessee [Mr. MOON] was on the motion to concur. The viva voce vote was taken, and the Speaker declared the noes had it. Then the gentleman from Illinois [Mr. MADDEN] moved to adjourn.

Mr. GILLETT. He first made the point of no quorum.

Mr. CAMPBELL of Kansas. The gentleman from Illinois made the point of no quorum immediately upon the announcement of the vote by the Speaker.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Wisconsin is just submitting one.

Mr. STAFFORD. Then the gentleman from Illinois [Mr. MADDEN] moved to adjourn, which motion was defeated. Then he made the point of no quorum. A subsequent motion intervened, following the declaration by the Speaker that the motion to concur had been defeated. My query is whether the point of no quorum is merely one that there is no quorum present, and therefore that there should be a call of the House, or does it revert back to the original question, which is on concurring or not concurring?

Mr. MOORE of Pennsylvania. Mr. Speaker, I submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. The Speaker having gone no further when the question was put than to say that the noes seemed to have it, will it not be in order now to ask for a division?

The SPEAKER. No; the Chair said that the noes had it.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

Mr. MOORE of Pennsylvania. I think the Speaker went only so far as to say the noes seemed to have it.

The SPEAKER. It was such a pronounced vote that the Chair said that the noes had it.

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania would have demanded a division immediately had not the Chair given recognition to the gentleman from Illinois, who is on the committee and who made the motion to adjourn. The question was clearly subject to a division.

The SPEAKER. That is true; but no gentleman availed himself of the opportunity.

Mr. MOORE of Pennsylvania. Because the Chair recognized the gentleman from Illinois immediately.

The SPEAKER. The gentleman from Illinois was the only gentleman upon his feet making any motion.

Mr. MOORE of Pennsylvania. Is not the effect of the position now taken by the Chair to practically deny those who desire a division the right to ask for it?

The SPEAKER. It is simply a question of who will be the quickest on the trigger. The gentleman from Illinois was on his feet and made the motion. The motion was perfectly in order, and there was no reason on earth why the Chair should look about for some one to do something else.

Mr. MOORE of Pennsylvania. The Chair intends to give the House a fair show. I want to ask the Speaker if it is not a fact that ordinarily in stating the result of a vote, after a viva voce vote has been taken, the Chair says the ayes or the noes, as the case may be, seem to have it.

The SPEAKER. Ordinarily the Chair does that, but where the vote one way or the other is overwhelming the Chair simply eliminates that intermediate step.

Mr. MOORE of Pennsylvania. I respectfully submit that the vote was not so overwhelming that if the chance to divide had been given we could have shown that it was not.

The SPEAKER. No one asked for a division.

Mr. MOORE of Pennsylvania. Because the Chair did not give the opportunity to the House.

The SPEAKER. In any event, the motion to adjourn would take precedence.

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. Mr. Speaker, before the conference report was called up by the chairman of the committee I had made an arrangement with him that when he was recognized he would yield half of his time, one-half hour, to me in favor of the conference report. The situation is this: The chairman of the committee is opposed to the conference report. The majority of these conferees, I think, are entitled to some time, and I did not suppose that the gentleman would immediately yield the floor.

The SPEAKER. The gentleman from Tennessee is not responsible. No one made any effort to indicate that he wanted to make a speech, and the Chair put the question quickly because we want to get away from here.

Mr. STEENERSON. Then I desire to make a motion to reconsider. I think it is a mistake.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. If I understand the parliamentary situation in reference to this conference committee report it is this, that the Chair put the question whether or not the report should be adopted and the noes had it.

The SPEAKER. Yes.

Mr. GARNER. And then the gentleman from Illinois [Mr. MADDEN] rose to his feet and made the motion to adjourn.

The SPEAKER. Yes.

Mr. GARNER. Then a division was had, and the noes had that, and the gentleman from Illinois then made the point of no quorum.

The SPEAKER. Yes.

Mr. GARNER. Now, if the House should adjourn at this point the status of the conference committee report would be that the House had rejected it. That is the parliamentary status. The House having voted in the first instance to reject the report, after that proceeding, then the gentleman from Illinois made a motion to adjourn. That proceeding having gone by, the point of order was made, and it was discovered that there was no quorum present, and if the House should adjourn now the Journal to-morrow would show that the conference committee report had been rejected.

Mr. GILLETT. But a motion to reconsider could be made.

Mr. GARNER. Yes.

Mr. STAFFORD. I question the right of the gentleman to make a motion to reconsider——

Mr. CRISP. Mr. Speaker, allow me to present this thought to the Speaker. I was in the Hall and listening, and the question was put to the House on the adoption of the conference report. A vote was taken viva voce. The Speaker announced that the noes had it. Then some gentleman, I think it was the gentleman from Illinois, made the point of order that no quorum was present. Immediately following that some gentleman, I can not recall who it was, made a motion that the House adjourn.

Mr. FLOOD. It was the same gentleman.

Mr. CRISP. The House then voted on the motion to adjourn and refused to adjourn. Therefore the question recurred as to whether it was a bona fide or legal vote on the adoption of the conference report. In my opinion when the House is dividing by a viva voce vote it is the same as if the House is dividing on a rising vote. When the Chair announced that the noes had it, and the point of no quorum was lodged, if that point was good, it vitiates any legal action of the House.

Mr. FLOOD. He withdrew it. Let me ask the gentleman a question.

Mr. CRISP. Let me finish this statement. If the Chair determined there was not a quorum here that point would be good and there would be no vote and the automatic call of the House would apply, and the roll would be called on the adoption or rejection of the conference report. That is my understanding of the situation.

Mr. FLOOD. I think the gentleman is wrong.

Mr. CAMPBELL of Kansas. Mr. Speaker, my recollection of what transpired was exactly that of the gentleman from Georgia. I asked for the notes of the official reporter and here they are:

> The SPEAKER. The question is on the conference report.
> The question was taken, and the Speaker announced the noes had it.
> Mr. MADDEN. I make the point of order that no quorum is present, and move that the House do now adjourn.

Then follows——

The SPEAKER. The part that the Chair paid attention to, as far as the gentleman from Illinois was concerned, was the motion to adjourn.

Mr. MADDEN. Mr. Speaker, I did not withdraw the motion of no quorum.

The SPEAKER. Afterwards the gentleman made the point again, and the Chair counted and ascertained that there was not a quorum present.

Mr. MADDEN. Now, Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. If there is a vote to be taken on the question of no quorum, will it be on the adoption or rejection of the report of the conferees?

Mr. GARNER. That has been settled.

Mr. MADDEN. It has not.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. I again appeal to the fairness of the Chair in making this statement.

Mr. MADDEN. Mr. Speaker, I maintain, if I may be allowed, that when the question of no quorum was raised that that left the vote on the question of the adoption or rejection of the conference report incomplete.

The SPEAKER. That would have been true if the gentleman had not moved to adjourn.

Mr. MADDEN. But I did not withdraw the motion.

The SPEAKER. I know, but you can not do those two things at one time.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. May I suggest to the gentleman from Illinois that there is a way to determine this vote. If the gentleman will move to reconsider the vote by which the conference report was rejected, we will get the direct vote on the question.

The SPEAKER. The gentleman from Minnesota [Mr. STEENERSON] wants to make that motion, and the Chair is going to recognize him.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. Suppose the gentleman from Illinois [Mr. MADDEN] made the point of no quorum, and then suppose some other gentleman really made the motion to adjourn; in that case it would be very clear that the motion to adjourn being defeated, the roll call on the point of no quorum would occur on the question pending.

Mr. GARNER. On the question of adjournment?

Mr. CRAMTON. On the mere fact that the gentleman from Illinois [Mr. MADDEN] made the point of no quorum and also made the motion to adjourn, with sufficient time elapsing here for certain gentlemen to confer with him——

The SPEAKER. When the Chair announced that the conference report was defeated nobody demanded a division.

Mr. CRAMTON. But the gentleman from Illinois immediately made the point of no quorum.

The SPEAKER. Immediately moved to adjourn.

Mr. CRAMTON. If the Speaker will pardon me, he did not do it immediately. He first made the point of no quorum, and then when certain gentlemen conferred with him, at their solicitation he made the motion to adjourn, and the record will bear out that statement.

Mr. FLOOD. It was a withdrawal of the point of no quorum.

The SPEAKER. The Chair recognized the gentleman on the motion to adjourn, which he had absolutely the right to do and which was his duty to do, because that is the supreme motion in the House. That was voted down. Then the gentleman made the point of order that there was no quorum present, and the Chair counted and found there was not any.

Mr. CRAMTON. But he had previously made the same point.

The SPEAKER. I know.

Mr. FLOOD. He did not insist on it.

The SPEAKER. He superseded that himself by making a motion to adjourn.

Mr. CAMPBELL of Kansas. Will the Speaker indulge me just a moment?

The SPEAKER. Yes.

Mr. CAMPBELL of Kansas. The point of order made by the gentleman from Illinois [Mr. MADDEN] immediately following the announcement of the Chair that the noes had it was upon a question that requires a quorum of the House to carry or to defeat. The motion to adjourn does not require a quorum. Therefore the motion to adjourn did not withdraw the point of no quorum, and that point was made immediately following the announcement of the Chair.

The SPEAKER. One gentleman at one time can not make those two points. Now, the gentleman from Minnesota [Mr. STEENERSON] moves to reconsider the vote by which this conference report was agreed to.

Mr. FOSTER. How are you going to do that without a quorum?

Mr. MOON. Mr. Speaker, I will ask how the gentleman from Minnesota [Mr. STEENERSON] voted, in order to see whether or not he can make the motion.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] made the point of no quorum, and the truth of it is you can not turn a wheel until you get a quorum.

Mr. HELM. Mr. Speaker, I move a call of the House.

Mr. GARNER. The question is on adjournment.

Mr. TALBOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TALBOTT. Suppose we adjourn now, what would be the status of this?

The SPEAKER. The conference report is rejected if you adjourn now.

Mr. GILLETT. Would not a motion to reconsider be pending to-morrow?

The SPEAKER. Yes; but the Chair is going to inquire if the gentleman from Minnesota [Mr. STEENERSON] had the right to make the motion. Which side did the gentleman vote on?

Mr. STEENERSON. I was present and was engaged in reading the conference report when the vote was had.

The SPEAKER. The gentleman from Minnesota did not vote. The gentleman from Kentucky [Mr. HELM] moves a call of the House because there is no quorum here.

Mr. GILLETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GILLETT. It seems to me we want to meet the wishes of the House, and I suspect the House would like to adjourn and

have this pending. If we adjourn now, would not the motion to reconsider be pending to-morrow morning?

Mr. FOSTER. Not without a quorum.

The SPEAKER. The motion to reconsider could be made to-morrow morning, and it does not take a quorum to adjourn; and if anybody wants to move to adjourn, the Chair will entertain the motion.

Mr. FIELDS. Mr. Speaker, I move that the House do now adjourn.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. Suppose the House should decline to adjourn, and a quorum should come, and a motion to reconsider were made. It would bring the direct question before the House?

The SPEAKER. Of course it would.

Mr. HELM. Mr. Speaker, if the Chair has decided that there is no quorum present, is any motion in order except a call of the House? I move a call of the House.

Mr. MADDEN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MADDEN. Is it not competent, where a viva voce was taken, for any Member of the House to make a motion to reconsider?

The SPEAKER. Yes; that is right. The gentleman from Kentucky [Mr. FIELDS] moves to adjourn.

Mr. FIELDS. I withdraw that motion, Mr. Speaker.

The SPEAKER. The gentleman from Kentucky withdraws his motion to adjourn. Those in favor of a call of the House will say "aye"; those opposed will say "no."

Mr. GARNER. Mr. Speaker, the motion of adjournment was made by the gentleman from Illinois [Mr. MADDEN], was it not?

The SPEAKER. It was.

Mr. WALSH. A point of no quorum was made on it.

The SPEAKER. The gentleman from Kentucky [Mr. HELM] moves a call of the House. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. GARNER. A division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division.

The House divided; and there were—ayes 108, noes 31.

So the motion was agreed to.

The SPEAKER. A call of the House is ordered. The Clerk will call the roll, the Doorkeeper will close the doors, and the Sergeant at Arms will notify the absentees.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Emerson	Kelley, Mich.	Sabath
Austin	Estopinal	Kiess, Pa.	Sanders, La.
Bacharach	Evans	Kreider	Schall
Baer	Ferris	LaGuardia	Scott, Iowa
Bell	Foss	Lever	Scott, Pa.
Bland	Frear	Linthicum	Scully
Britten	Freeman	Little	Sells
Brumbaugh	Fuller, Ill.	Littlepage	Shackleford
Caldwell	Gallagher	Lonergan	Sherwood
Campbell, Pa.	Gallivan	Longworth	Slayden
Cantrill	Glass	Lundeen	Slemp
Carter, Mass.	Godwin, N. C.	McCormick	Smith, C. B.
Chandler, Okla.	Gould	McCulloch	Snell
Clark, Fla.	Graham, Pa.	McFadden	Stedman
Claypool	Greene, Vt.	McKinley	Stephens, Nebr.
Cooper, Ohio	Gregg	McLaughlin, Mich.	Stiness
Copley	Griest	McLemore	Switzer
Costello	Hamill	Maher	Templeton
Curry, Cal.	Hamilton, N. Y.	Mann	Towner
Dale, N. Y.	Hayes	Martin	Treadway
Dallinger	Heaton	Mudd	Vare
Darrow	Heintz	Nicholls, S. C.	Voigt
Davidson	Hensley	Norton	Walker
Dewalt	Hicks	Olney	Watson, Va.
Dies	Hood	O'Shaunessy	Webb
Donovan	Houston	Paige	Whaley
Doremus	Howard	Polk	White, Ohio
Drane	Husted	Pou	Wilson, Ill.
Drukker	James	Powers	Wingo
Dunn	Johnson, S. Dak.	Reavis	Wise
Dyer	Juul	Robinson	Young, N. Dak.
Eagle	Kahn	Rowland	Young, Tex.
Elston	Kehoe	Russell	Zihlman.

The SPEAKER. On this roll call 297 Members, a quorum, have answered to their names. The Doorkeeper will unlock the doors.

Mr. FOSTER. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER. The gentleman from Illinois moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. STEENERSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STEENERSON. As I understand the rule, when a motion to reconsider has been made, as mine has been made, it has the same privilege as the matter to which it relates, and it may be called up at any time, and therefore I would have the right to call up this motion to reconsider on to-morrow or at some later time?

The SPEAKER. If the motion to reconsider is made, anybody has the right to call it up after it is made.

Mr. STEENERSON. I made the motion.

The SPEAKER. The gentleman has not made the motion yet.

Mr. STEENERSON. Oh, yes.

The SPEAKER. But there was no quorum present, and in the absence of a quorum the gentleman could not make the motion.

Mr. STEENERSON. Then I move to reconsider the vote whereby the conference report was rejected.

The SPEAKER. The gentleman moves to reconsider the vote by which the conference report was rejected.

Mr. GARNER. Mr. Speaker, in order to get a direct vote on that proposition, I move to lay that motion on the table.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the vote be regarded as reconsidered, and that a direct vote be taken by the House upon agreeing to the conference report without debate. I understand that is satisfactory to gentlemen on both sides.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the vote by which the conference report was rejected be considered as reconsidered, and that a direct vote be taken on the conference report without debate. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, will the gentleman incorporate with his request another request for the reading of the amendment, so that it can be clearly understood?

Mr. KITCHIN. It has already been read. Let us have a vote on it directly.

Mr. MOORE of Pennsylvania. I would like to have the gentleman make it clear that this is going to be a direct vote on the adoption of the conference report, and that those who vote in favor of the conference report will vote for the retention of pneumatic tubes until the Interstate Commerce Commission reports, and those who vote against the conference report will vote against the retention of the tubes.

Mr. KITCHIN. That is correct.

The SPEAKER. Does the gentleman request that the motion be read again?

Mr. KITCHIN. No; that has just been explained.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MOORE of Pennsylvania. I ask the gentleman to permit the amendment to be read, since it incorporates an entirely new proposition—that of referring the whole matter to the Interstate Commerce Commission——

Mr. MOON. Mr. Speaker, if this is going to be argued in this insidious way, let us talk it out.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HELM. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. HELM. Reserving the right to object to the proposition made by the gentleman from North Carolina, when is this vote to be taken?

Mr. GARNER. Now.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the vote by which the conference report be rejected be considered as reconsidered, and that a direct vote be taken on the conference report without debate?

There was no objection.

Mr. MADDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The question is on agreeing to the conference report. Those in favor of agreeing to the conference report will, when their names are called, vote "yea," those opposed will vote "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 150, nays 149, answered "present" 2, not voting 130, as follows:

YEAS—150.

Bankhead	Chandler, Okla.	Davis	Ellsworth
Beakes	Clark, Pa.	Delaney	Esch
Bowers	Classon	Dempsey	Fairchild, B. L.
Browning	Cleary	Denison	Fairfield
Burroughs	Cooper, W. Va.	Dooling	Farr
Butler	Crago	Dupré	Fess
Campbell, Kans.	Cramton	Dyer	Flynn
Carew	Currie, Mich.	Edmonds	Fordney
Chandler, N. Y.	Dale, Vt.	Elliott	Francis

French	Kinkaid	Oliver, N. Y.	Snyder
Fuller, Mass.	Knutson	Osborne	Steenerson
Gallagher	Kraus	Parker, N. Y.	Strong
Garland	Lehlbach	Peters	Sullivan
Gillett	Little	Phelan	Sweet
Glynn	London	Platt	Swift
Good	Lufkin	Pratt	Tague
Goodall	Lunn	Purnell	Temple
Graham, Ill.	McAndrews	Rainey, J. W.	Tilson
Gray, N. J.	McArthur	Ramsey	Timberlake
Green, Iowa	McFadden	Rankin	Tinkham
Greene, Mass.	McKenzie	Reed	Treadway
Greene, Vt.	McLaughlin, Pa.	Riordan	Vestal
Griffin	Madden	Robbins	Volstead
Hadley	Magee	Roberts	Waldow
Hamilton, Mich.	Maher	Rodenberg	Walsh
Haskell	Mapes	Rogers	Wason
Hawley	Mason	Rose	Watson, Pa.
Hersey	Mecker	Rowe	Wheeler
Hollingsworth	Merritt	Sanders, Ind.	White, Me.
Hutchinson	Miller, Minn.	Sanders, N. Y.	Williams
Igoe	Miller, Wash.	Sanford	Winslow
Ireland	Mondell	Scott, Mich.	Wood, Ind.
Johnson, Wash.	Moore, Pa.	Siegel	Woods, Iowa
Kearns	Moores, Ind.	Sinnott	Woodyard
Kelly, Pa.	Morgan	Sloan	Young, N. Dak.
Kennedy, Iowa	Morin	Smith, Idaho	The Speaker
Kennedy, R. I.	Mott	Smith, Mich.	
King	Nolan	Smith, T. F.	

NAYS—149.

Alexander	Dickinson	Key, Ohio	Sanders, La.
Almon	Dill	Kincheloe	Saunders, Va.
Ashbrook	Dillon	Kitchin	Sears
Aswell	Dixon	Langley	Sells
Ayres	Dominick	Larsen	Shallenberger
Barkley	Doolittle	Lazaro	Sherley
Barnhart	Doughton	Lea, Cal.	Shouse
Beshlin	Dowell	Lee, Ga.	Sims
Black	Fisher	Lesher	Sisson
Blackmon	Flood	Lobeck	Small
Blanton	Foster	McClintic	Snook
Booher	Gandy	Mansfield	Stafford
Borland	Gard	Mays	Steagall
Brand	Garner	Montague	Steele
Broilbeck	Garrett, Tenn.	Moon	Stephens, Miss.
Browne	Garrett, Tex.	Neely	Sterling, Ill.
Buchanan	Godwin, N. C.	Nelson	Sterling, Pa.
Burnett	Goodwin, Ark.	Nicholls, S. C.	Stevenson
Byrnes, S. C.	Gray, Ala.	Nichols, Mich.	Sumners
Byrns, Tenn.	Hamlin	Oldfield	Taylor, Ark.
Campbell, Pa.	Harrison, Miss.	Oliver, Ala.	Taylor, Colo.
Candler, Miss.	Hastings	Overmyer	Thomas
Cantrill	Haugen	Overstreet	Thompson
Caraway	Hayden	Padgett	Tillman
Carlin	Heflin	Park	Venable
Carter, Okla.	Helm	Parker, N. J.	Vinson
Cary	Helvering	Porter	Walton
Church	Hilliard	Price	Watkins
Collier	Holland	Quin	Weaver
Connally, Tex.	Huddleston	Ragsdale	Welling
Connelly, Kans.	Hull, Iowa	Rainey, H. T.	Welty
Cooper, Wis.	Hull, Tenn.	Raker	Wilson, La.
Cox	Humphreys	Ramseyer	Wilson, Tex.
Crisp	Jacoway	Randall	Wright
Crosser	Johnson, Ky.	Romjue	Young, Tex.
Decker	Jones	Rouse	
Dent	Keating	Rubey	
Denton	Kettner	Rucker	

ANSWERED "PRESENT"—2.

Fields	McKeown

NOT VOTING—130.

Anderson	Emerson	Kahn	Sabath
Anthony	Estopinal	Kehoe	Schall
Austin	Evans	Kelley, Mich.	Scott, Iowa
Bacharach	Fairchild, G. W.	Kiess, Pa.	Scott, Pa.
Baer	Ferris	Kreider	Scully
Bell	Focht	La Follette	Shackleford
Bland	Foss	LaGuardia	Sherwood
Britten	Frear	Lever	Slayden
Brumbaugh	Freeman	Linthicum	Slemp
Caldwell	Fuller, Ill.	Littlepage	Smith, C. B.
Cannon	Gallivan	Lonergan	Snell
Carter, Mass.	Glass	Longworth	Stedman
Clark, Fla.	Gordon	Lundeen	Stephens, Nebr.
Claypool	Gould	McCormick	Stiness
Coady	Graham, Pa.	McCulloch	Switzer
Cooper, Ohio	Gregg	McKinley	Talbott
Copley	Griest	McLaughlin, Mich.	Templeton
Costello	Hamill	McLemore	Towner
Curry, Cal.	Hamilton, N. Y.	Mann	Van Dyke
Dale, N. Y.	Hardy	Martin	Vare
Dallinger	Harrison, Va.	Mudd	Voigt
Darrow	Hayes	Norton	Walker
Davidson	Heaton	Olney	Ward
Dewalt	Heintz	O'Shaunessy	Watson, Va.
Dies	Hensley	Paige	Webb
Donovan	Hicks	Polk	Whaley
Doremus	Hood	Pou	White, Ohio
Drane	Houston	Powers	Wilson, Ill.
Drukker	Howard	Rayburn	Wingo
Dunn	Husted	Reavis	Wise
Eagan	James	Robinson	Zihlman
Eagle	Johnson, S. Dak.	Rowland	
Elston	Juul	Russell	

So the conference report was agreed to.

The following additional pairs were announced:

On this vote:

Mr. EAGAN (for tubes) with Mr. MARTIN (against).

Mr. DUNN (for tubes) with Mr. RUSSELL (against).

Mr. PAIGE (for tubes) with Mr. REAVIS (against).

Mr. SCULLY (for tubes) with Mr. HOWARD (against).

Mr. GRIEST (for tubes) with Mr. HEATON (against).

Mr. GRAHAM of Pennsylvania (for tubes) with Mr. HARDY (against).

Mr. OLNEY (for tubes) with Mr. HARRISON of Virginia (against).

Mr. DONOVAN (for tubes) with Mr. MCKEOWN (against).

Mr. KAHN (for tubes) with Mr. FIELDS (against).

Until further notice:

Mr. VAN DYKE with Mr. ANDERSON.

Mr. BRUMBAUGH with Mr. CANNON.

Mr. CALDWELL with Mr. ANTHONY.

Mr. CLARK of Florida with Mr. AUSTIN.

Mr. BELL with Mr. BACHARACH.

Mr. CLAYPOOL with Mr. BRITTEN.

Mr. COADY with Mr. BLAND.

Mr. DALE of New York with Mr. CARTER of Massachusetts.

Mr. DEWALT with Mr. COOPER of Ohio.

Mr. DIES with Mr. COPLEY.

Mr. DOREMUS with Mr. COSTELLO.

Mr. DRANE with Mr. CURRY of California.

Mr. EAGAN with Mr. DALLINGER.

Mr. EAGLE with Mr. DAVIDSON.

Mr. ESTOPINAL with Mr. DRUKKER.

Mr. EVANS with Mr. ELSTON.

Mr. FERRIS with Mr. EMERSON.

Mr. GALLIVAN with Mr. GEORGE W. FAIRCHILD.

Mr. GLASS with Mr. FOCHT.

Mr. GREGG with Mr. FOSS.

Mr. HAMILL with Mr. FREAR.

Mr. HENSLEY with Mr. FREEMAN.

Mr. HOOD with Mr. FULLER of Illinois.

Mr. HOUSTON with Mr. GOULD.

Mr. HOWARD with Mr. HAMILTON of New York.

Mr. KEHOE with Mr. HAYES.

Mr. LEVER with Mr. HICKS.

Mr. LINTHICUM with Mr. HUSTED.

Mr. LITTLEPAGE with Mr. JAMES.

Mr. LONERGAN with Mr. JUUL.

Mr. MCLEMORE with Mr. KIESS of Pennsylvania.

Mr. O'SHAUNESSEY with Mr. KREIDER.

Mr. POLK with Mr. LONGWORTH.

Mr. POU with Mr. MCCULLOCH.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. RAYBURN with Mr. MCLAUGHLIN of Michigan.

Mr. ROBINSON with Mr. MUDD.

Mr. SABATH with Mr. SLEMP.

Mr. SCHALL with Mr. STINESS.

Mr. SHACKLEFORD with Mr. SWITZER.

Mr. SHERWOOD with Mr. MCCORMICK.

Mr. CHARLES B. SMITH with Mr. LAGUARDIA.

Mr. STEDMAN with Mr. HEINTZ.

Mr. STEPHENS of Nebraska with Mr. TOWNER.

Mr. TALBOTT with Mr. VOIGT.

Mr. WALKER with Mr. KELLY of Michigan.

Mr. WATSON of Virginia with Mr. WILSON of Illinois.

Mr. WEBB with Mr. JOHNSON of South Dakota.

Mr. WHALEY with Mr. ZIHLMAN.

Mr. WHITE of Ohio with Mr. LUNDEEN.

Mr. WINGO with Mr. LA FOLLETTE.

Mr. WISE with Mr. NORTON.

Mr. McKEOWN. Mr. Speaker, did the gentleman from New York, Mr. DONOVAN, vote?

The SPEAKER. He did not.

Mr. McKEOWN. I withdraw my vote of "nay" and answer "present."

Mr. GORDON. Mr. Speaker, I wish to vote "nay."

The SPEAKER. Was the gentleman in the Hall, listening, when his name should have been called?

Mr. GORDON. I was in the smoking room. I heard my name called, but I did not get in in time to answer.

Mr. DYER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. DYER. Does the rule apply to those who were in the Chamber or those who were out in the lobby?

The SPEAKER. In the Chamber. Nobody can vote who was outside of the Hall when his name was called.

Mr. GORDON. I heard my name called, but I did not get in in time to answer.

Mr. MOORE of Pennsylvania. The gentleman made the statement that he was in the smoking room.

Mr. GORDON. That is true.

The SPEAKER. If the gentleman was in the smoking room, he can not vote.

Mr. GORDON. I heard my name called, but did not get in in time.

The SPEAKER. The gentleman must be present and listening. He might be in the gallery listening, but that would not be sufficient. On this vote there are 149 yeas and 149 nays. The Clerk will call my name.

The Clerk called the name of Mr. CLARK of Missouri, and he voted "yea."

Mr. COX. Mr. Speaker, I demand a recapitulation of the vote.

The SPEAKER. The gentleman from Indiana asks for a recapitulation and the Clerk will recapitulate the vote. Gentlemen will take their seats and give attention, for there is no sense in recapitulating the vote unless Members can hear their names.

The vote was recapitulated.

Mr. STAFFORD. Mr. Speaker, I wish to inquire whether the tabulation that has been made is correct as first announced by the tally clerk? I make that inquiry because upon calculation made by myself, which I do not claim to be accurate, it shows 149 yeas and 151 nays.

The SPEAKER. The Clerk informs the Chair that in taking the recapitulation he left out the name of the gentleman from Pennsylvania [Mr. ROSE].

The Clerk read as follows:

Additional affirmative votes: Mr. ROSE and Mr. Speaker CLARK.

Mr. GOOD rose.

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. GOOD. Mr. Speaker, I desire to make a correction. I voted "present" when my name was called, but subsequently changed the vote from "present" to "yea." It has not been so announced by the Clerk.

The SPEAKER. That was changed in the recapitulation.

Mr. WALSH. It was not read. The Clerk read the gentleman from Iowa as being among those who voted "present."

The SPEAKER. The Clerk informs the Chair that he read it where it was recorded "yea" and where it was recorded "present."

Mr. ROSE. Mr. Speaker, am I recorded as voting?

The SPEAKER. Yes. The Clerk informs the Speaker that he did not read the name of the gentleman from Pennsylvania first, but he has just now added it to the names of those voting in the affirmative.

Mr. MOON. Mr. Speaker, I do not like the way that count is going on. I want to make this suggestion also: The Speaker ruled out the vote of the gentleman from Ohio [Mr. GORDON], and the fact is that he was standing in that door. That is a part of this room. He heard his name called. [Cries of "Regular order!"]

The SPEAKER. The gentleman from Tennessee has a right to make a statement.

Mr. MOON. Mr. Speaker, before the gentleman from Ohio could answer the Clerk called another name, and I think under those circumstances the gentleman ought to be allowed to vote.

The SPEAKER. Here is what the gentleman from Ohio said when the Chair interrogated him: The Chair asked if the gentleman was in the Hall listening, and the Chair's recollection is that the gentleman from Ohio said that he was in the cloakroom. The Chair will ask the gentleman from Ohio if that is not correct?

Mr. GORDON. Yes, Mr. Speaker; although I said that I was in the smoking room.

The SPEAKER. It is commonly called the cloakroom. If he was in the cloakroom, he is not allowed to vote under the rules.

Mr. MOON. Mr. Speaker, he was where he heard his name.

The SPEAKER. That is true; but he might have been up in the gallery and heard his name.

Mr. MOON. He ought to have voted if he did hear it.

The SPEAKER. The rules do not permit it.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman was entirely satisfied with the ruling of the Chair.

Mr. THOMAS. Mr. Speaker, I move that the roll be called on this vote.

The SPEAKER. You can not do that.

Mr. THOMAS. Mr. Speaker, I can make the motion to that effect, can I not?

The SPEAKER. On this vote, according to the recapitulation, the yeas are 149 and the nays are 150. The nays have it.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. There is evidently confusion at the desk with regard to this vote. I desire to ask whether, upon the recapitulation, the yeas did not gain one vote rather than lose one?

The SPEAKER. Well, that was the conclusion the Chair drew about the vote of the gentleman from Iowa, but the tally clerks handed the count up for recapitulation and the yeas were 149 and nays 150.

Mr. MOORE of Pennsylvania. Mr. Speaker, if the Chair will bear with me a minute, when the Speaker voted and broke the tie it made the vote 149 and 150. Now, upon the recapitulation there was a gain of 1 vote, which would have made a net gain of 2——

Mr. MOON. Mr. Speaker, does that vote reject the conference report?

The SPEAKER. This vote as handed up to the Speaker by the tally clerks stands 149 yeas and 150 nays.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to ask a recapitulation of that vote.

Mr. NOLAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NOLAN. Due to the confusion regarding this vote, is it not possible to get another recapitulation?

Mr. MOORE of Pennsylvania. Mr. Speaker, in view of the fact that the Speaker has announced three separate votes, I ask for a recapitulation of the vote.

Mr. HEFLIN. Mr. Speaker, I move to reconsider the vote by which the conference report was rejected and to lay that motion on the table.

The SPEAKER. The Chair has never announced the vote. The yeas are 149, the nays are 150, and the conference report is rejected.

Mr. MOON. Mr. Speaker, I move that the House do now adjourn.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask for a recapitulation of that vote.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. MOORE of Pennsylvania, Mr. DYER, and Mr. MCARTHUR. Division, Mr. Speaker.

The House divided; and there were—ayes 65, noes 72.

Mr. MOORE of Pennsylvania. Mr. Speaker, I demand the yeas and nays.

Mr. GARNER. Mr. Speaker, I ask for the yeas and nays.

Mr. MOORE of Pennsylvania. Mr. Speaker, I demand a recapitulation of that vote.

Mr. GARNER. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Texas demands the yeas and nays. Fifty-six gentlemen have arisen, a sufficient number, and the Clerk will call the roll.

The question was taken; and there were—yeas 93, nays 110, answered "present" 5, not voting 222, as follows:

YEAS—93.

Alexander	Dickinson	Keating	Saunders, Va.
Almon	Dill	Kettner	Sears
Ashbrook	Dillon	Key, Ohio	Shallenberger
Aswell	Dominick	Kincheloe	Sisson
Ayres	Doughton	Kitchin	Snook
Barnhart	Drane	Larsen	Stafford
Beshlin	Fisher	Lazaro	Stephens, Miss.
Blackmon	Flood	Lea, Cal.	Stevenson
Brand	Foster	Lesher	Taylor, Ark.
Buchanan	Garner	Lobeck	Taylor, Colo.
Byrnes, S. C.	Goodwin, Ark.	Mays	Thomas
Byrns, Tenn.	Gordon	Moon	Tillman
Campbell, Pa.	Gray, Ala.	Neely	Venable
Candler, Miss.	Harrison, Miss.	Nicholls, S. C.	Vinson
Caraway	Hastings	Park	Watkins
Carlin	Heflin	Quin	Weaver
Carter, Okla.	Helm	Ragsdale	Welling
Cary	Hilliard	Rainey, H. T.	Welty
Connally, Tex.	Huddleston	Raker	Wilson, La.
Connelly, Kans.	Hull, Iowa	Randall	Wilson, Tex.
Cox	Hull, Tenn.	Romjue	Wright
Crisp	Jacoway	Rouse	
Crosser	Johnson, Ky.	Rubey	
Denton	Jones	Rucker	

NAYS—110.

Bankhead	Dempsey	Fuller, Mass.	Hutchinson
Beakes	Denison	Gallagher	Ireland
Bowers	Dooling	Garland	Kearns
Browning	Dowell	Glynn	Kelly, Pa.
Carew	Dyer	Good	Kennedy, Iowa
Chandler, N. Y.	Edmonds	Graham, Ill.	Kennedy, R. I.
Chandler, Okla.	Ellsworth	Gray, N. J.	King
Clark, Pa.	Esch	Green, Iowa	Kinkaid
Classon	Fairchild, B. L.	Greene, Mass.	Kraus
Crago	Farr	Greene, Vt.	Lehlbach
Cramton	Fess	Hadley	Little
Currie, Mich.	Flynn	Hawley	London
Delaney	Francis	Hollingsworth	Lufkin

McAndrews	Parker, N. J.	Siegel	Treadway
McArthur	Parker, N. Y.	Sinnott	Waldow
McFadden	Phelan	Smith, Idaho	Walsh
McLaughlin, Pa.	Platt	Smith, Mich.	Wason
Madden	Pratt	Smith, T. F.	Watson, Pa.
Maher	Rainey, J. W.	Steenerson	White, Me.
Meeker	Ramsey	Sterling, Ill.	Williams
Miller, Minn.	Ramseyer	Sullivan	Wilson, Ill.
Miller, Wash.	Reed	Sweet	Winslow
Moore, Pa.	Riordan	Swift	Wood, Ind.
Moores, Ind.	Rodenberg	Tague	Woods, Iowa
Morgan	Rose	Temple	Woodyard
Nolan	Rowe	Tilson	Young, N. Dak.
Oliver, N. Y.	Sanders, Ind.	Timberlake	
Osborne	Sanders, N. Y.	Tinkham	

ANSWERED "PRESENT"—5.

Black	Dixon	Hayden	McKeown
Blanton			

NOT VOTING—222.

Anderson	Evans	Knutson	Rogers
Anthony	Fairchild, G. W.	Kreider	Rowland
Austin	Fairfield	La Follette	Russell
Bacharach	Ferris	LaGuardia	Sabath
Baer	Fields	Langley	Sanders, La.
Barkley	Focht	Lee, Ga.	Sanford
Bell	Fordney	Lever	Schall
Bland	Foss	Linthicum	Scott, Iowa
Booher	Frear	Littlepage	Scott, Mich.
Borland	Freeman	Lonergan	Scott, Pa.
Britten	French	Longworth	Scully
Brodbeck	Fuller, Ill.	Lundeen	Sells
Browne	Gallivan	Lunn	Shackleford
Brumbaugh	Gandy	McClintic	Sherley
Burnett	Gard	McCormick	Sherwood
Burroughs	Garrett, Tenn.	McCulloch	Shouse
Butler	Garrett, Tex.	McKenzie	Sims
Caldwell	Gillett	McKinley	Slayden
Campbell, Kans.	Glass	McLaughlin, Mich.	Slemp
Cannon	Godwin, N. C.	McLemore	Sloan
Cantrill	Goodall	Magee	Small
Carter, Mass.	Gould	Mann	Smith, C. B.
Church	Graham, Pa.	Mansfield	Snell
Clark, Fla.	Gregg	Mapes	Snyder
Claypool	Griest	Martin	Steagall
Cleary	Griffin	Mason	Stedman
Coady	Hamill	Merritt	Steele
Collier	Hamilton, Mich.	Mondell	Stephens, Nebr.
Cooper, Ohio	Hamilton, N. Y.	Montague	Sterling, Pa.
Cooper, W. Va.	Hamlin	Morin	Stiness
Cooper, Wis.	Hardy	Mott	Strong
Copley	Harrison, Va.	Mudd	Sumners
Costello	Haskell	Nelson	Switzer
Curry, Cal.	Haugen	Nichols, Mich.	Talbott
Dale, N. Y.	Hayes	Norton	Templeton
Dale, Vt.	Heaton	Oldfield	Thompson
Dallinger	Heintz	Oliver, Ala.	Towner
Darrow	Helvering	Olney	Van Dyke
Davidson	Hensley	O'Shaunessy	Vare
Davis	Hersey	Overmyer	Vestal
Decker	Hicks	Overstreet	Voigt
Dent	Holland	Padgett	Volstead
Dewalt	Hood	Paige	Walker
Dies	Houston	Peters	Walton
Donovan	Howard	Polk	Ward
Doolittle	Humphreys	Porter	Watson, Va.
Doremus	Husted	Pou	Webb
Drukker	Igoe	Powers	Whaley
Dunn	James	Price	Wheeler
Dupré	Johnson, S. Dak.	Purnell	White, Ohio
Eagan	Johnson, Wash.	Rankin	Wingo
Eagle	Juul	Rayburn	Wise
Elliott	Kahn	Reavis	Young, Tex.
Elston	Kehoe	Robbins	Zihlman
Emerson	Kelley, Mich.	Roberts	
Estopinal	Kiess, Pa.	Robinson	

So the motion was rejected.

The Clerk announced the following additional pairs:

Additional until further notice:

Mr. BARKLEY with Mr. BROWNE.
Mr. BOOHER with Mr. BURROUGHS.
Mr. BORLAND with Mr. CAMPBELL of Kansas.
Mr. BURNETT with Mr. COOPER of West Virginia.
Mr. STEELE with Mr. BUTLER.
Mr. CANTRILL with Mr. COOPER of Wisconsin.
Mr. CHURCH with Mr. DALE of Vermont.
Mr. CLEARY with Mr. DARROW.
Mr. COLLIER with Mr. ELLIOTT.
Mr. DECKER with Mr. FAIRFIELD.
Mr. DENT with Mr. FRENCH.
Mr. DOOLITTLE with Mr. GOODALL.
Mr. DUPRÉ with Mr. HAMILTON of Michigan.
Mr. GANDY with Mr. HASKELL.
Mr. GARRETT of Tennessee with Mr. GILLETT.
Mr. GARRETT of Texas with Mr. HERSEY.
Mr. HOLLAND with Mr. JOHNSON of Washington.
Mr. GODWIN of North Carolina with Mr. KNUTSON.
Mr. HUMPHREYS with Mr. LANGLEY.
Mr. IGOE with Mr. MCKENZIE.
Mr. HAMLIN with Mr. MAGEE.
Mr. HELVERING with Mr. MAPES.
Mr. LEE of Georgia with Mr. MASON.
Mr. LUNN with Mr. MERRITT.
Mr. MCCLINTIC with Mr. MONDELL.
Mr. MANSFIELD with Mr. MORIN.
Mr. MONTAGUE with Mr. MOTT.
Mr. OLDFIELD with Mr. NICHOLS of Michigan.
Mr. OLIVER of Alabama with Mr. PETERS.
Mr. OVERSTREET with Mr. PURNELL.
Mr. PADGETT with Miss RANKIN.
Mr. SANDERS of Louisiana with Mr. ROBBINS.
Mr. SHERLEY with Mr. ROBERTS.
Mr. SHOUSE with Mr. ROGERS.
Mr. SIMS with Mr. SANFORD.
Mr. SMALL with Mr. SCOTT of Michigan.
Mr. STERLING of Pennsylvania with Mr. SLOAN.
Mr. SUMNERS with Mr. SNELL.
Mr. THOMPSON with Mr. SNYDER.
Mr. WALTON with Mr. STRONG.
Mr. YOUNG of Texas with Mr. WHEELER.

On this vote:

Mr. MARTIN (for) with Mr. EAGAN (against).
Mr. RUSSELL (for) with Mr. DUNN (against).
Mr. REAVIS (for) with Mr. PAIGE (against).
Mr. HOWARD (for) with Mr. SCULLY (against).
Mr. HEATON (for) with Mr. GRIEST (against).
Mr. HARDY (for) with Mr. GRAHAM of Pennsylvania (against).
Mr. HARRISON of Virginia (for) with Mr. OLNEY (against).
Mr. MCKEOWN (for) with Mr. DONOVAN (against).
Mr. FIELDS (for) with Mr. KAHN (against).

Mr. STEENERSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. STEENERSON. To a question of personal privilege.

The SPEAKER. The gentleman will wait until we get through with this vote.

Mr. BLANTON. Mr. Speaker, I was not in the Hall, but I desire to be recorded as "present."

Mr. WHEELER. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman in the Hall and listening when his name was called?

Mr. WHEELER. I was not.

The SPEAKER. The gentleman does not bring himself within the rules then.

Mr. MEEKER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MEEKER. The gentleman from Texas [Mr. BLANTON] stated that he was not in the Hall, but asked to be marked as "present." Is that permissible?

The SPEAKER. That is what has been the practice here for some time. I do not know for how long. He did not vote "yea," and did not vote "nay," and asked to be marked "present."

Mr. STEENERSON. Mr. Speaker, I rise to a question of the highest privilege of the House.

The SPEAKER. The first thing to do is to decide this vote.

Mr. STEENERSON. I do not want the announcement of adjournment——

Mr. GARNER. The gentleman can not interfere with the announcement of this vote.

Mr. WALSH. You can not interrupt an announcement of the vote by a parliamentary inquiry.

Mr. STAFFORD. The gentleman can not interrupt the announcement of the vote.

The SPEAKER. The "yeas" are 93 and the "nays" are 110 and answered "present" 5, and the House declines to adjourn.

Mr. MEEKER. Mr. Speaker, a parliamentary inquiry.

Mr. STEENERSON. Mr. Speaker, I rise to a question of privilege of the House.

Mr. GARNER. Mr. Speaker, a point of order, and the point of order is that there is not a quorum of the House, and therefor I move a call of the House. There can be no proceedings, as there is not a quorum in the House.

Mr. DYER. I make the point that the vote shows there is a quorum present.

The SPEAKER. The vote shows that there is no quorum here. The gentleman from Texas [Mr. GARNER] makes the point of order there is no quorum present, and therefore no business can be transacted.

Mr. GARNER. Mr. Speaker, I move a call of the House.

Mr. MOORE of Pennsylvania. Mr. Speaker, pending that——

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House do now adjourn.

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. I desire to know whether the Speaker is prepared to make an announcement in regard to changes of vote?

The SPEAKER. The Speaker announced the vote half an hour ago.

Mr. MOORE of Pennsylvania. May I ask if the Speaker has had any additional report from the tally clerk?

The SPEAKER. The last report from the tellers confirms the announcement the Speaker made.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to make an inquiry.

The SPEAKER. The gentleman can make it.

Mr. GARRETT of Tennessee. It is not a parliamentary inquiry, but it is an inquiry. The matter of the conference report is settled, is it not?

The SPEAKER. Yes.

Mr. GARRETT of Tennessee. I move that the House do now adjourn.

Mr. STEENERSON. Mr. Speaker, I was on my feet and announced that as a matter of privilege——

The SPEAKER. I know, but the gentleman can not address himself to a question of personal privilege without a quorum, and the point is made by the gentleman from Texas [Mr. GARNER] that there is no quorum present, and the roll call showed there was not. So you are stock-still.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent——

Mr. GARRETT of Tennessee. Mr. Speaker, I move that the House adjourn.

The SPEAKER. The gentleman from Tennessee moves that the House do now adjourn.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Speaker.

The House divided; and there were—ayes 87, noes 91.

So the motion to adjourn was rejected.

Mr. GARRETT of Tennessee. Mr. Speaker, I demand the regular order.

Mr. MOORE of Pennsylvania. Mr. Speaker, a question of privilege.

Mr. GARRETT of Tennessee. I demand the regular order—the call of committees.

The SPEAKER. There is no quorum present. You can not have a call of committees with no quorum present.

Mr. GARRETT of Tennessee. You could if no one made the point of no quorum.

Mr. McARTHUR. I make it, then.

Mr. SISSON. Mr. Speaker, I desire to present the conference report on the District of Columbia appropriation bill.

The SPEAKER. The Chair would be delighted to recognize the gentleman from Mississippi to file his conference report if he could. But the gentleman from Oregon [Mr. McARTHUR] made a point of no quorum.

Mr. MOORE of Pennsylvania. Mr. Speaker, I rise to a question affecting the dignity of the House.

Mr. McARTHUR. I withdraw it, Mr. Speaker.

Mr. HEFLIN. I renew the point, Mr. Speaker.

The SPEAKER. The conference report can not be filed by the gentleman from Mississippi with no quorum present. The Chair will ascertain if there is a quorum present. [After counting.] One hundred and ninety-two gentlemen are present, not a quorum.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

Mr. GARNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Two gentlemen move that the House adjourn. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. STEENERSON and Mr. MOORE of Pennsylvania demanded a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 101, noes 91.

Mr. DYER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Missouri asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of adjourning will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 125, nays 89, answered "present" 1, not voting 215, as follows:

YEAS—125.

Alexander	Black	Burnett	Carlin
Almon	Blackmon	Byrnes, S. C.	Carter, Okla.
Ashbrook	Blanton	Byrns, Tenn.	Cary
Aswell	Booher	Campbell, Pa.	Connally, Tex.
Ayres	Brand	Candler, Miss.	Connelly, Kans.
Barnhart	Brodbeck	Cantrill	Cox
Beshlin	Buchanan	Caraway	Crosser
Denton	Heflin	Moon	Stephens, Miss.
Dickinson	Helm	Moore, Pa.	Sterling, Ill.
Dill	Helvering	Morgan	Stevenson
Dillon	Hilliard	Neely	Taylor, Ark
Dixon	Huddleston	Nicholls, S. C.	Thomas
Dominick	Hull, Iowa	Overstreet	Tillman
Doughton	Hull, Tenn.	Park	Tilson
Drane	Hutchinson	Quin	Treadway
Elliott	Jacoway	Ragsdale	Venable
Farr	Johnson, Ky.	Raker	Vinson
Fisher	Jones	Ramseyer	Walsh
Flood	Kearns	Randall	Watkins
Foster	Keating	Romjue	Watson, Pa.
Francis	Kettner	Rose	Weaver
Garner	Key, Ohio	Rouse	Welling
Garrett, Tenn.	Kinkaid	Rowe	Welty
Godwin, N. C.	Kitchin	Rubey	White, Me.
Good	Larsen	Rucker	Williams
Goodwin, Ark.	Lazaro	Saunders, Va.	Wilson, La.
Gordon	Lea, Cal.	Sears	Wilson, Tex.
Gray, Ala.	Lesher	Shallenberger	Woodyard
Harrison, Miss.	Lobeck	Sisson	Wright
Harrison, Va.	McArthur	Snook	
Hastings	McClintic	Stafford	
Hayden	Madden	Steenerson	

NAYS—89.

Bankhead	Fuller, Mass.	McFadden	Sanders, N. Y.
Beakes	Gallagher	McLaughlin, Pa.	Siegel
Bowers	Garland	Maher	Smith, Idaho
Browning	Glynn	Mason	Smith, Mich.
Carew	Graham, Ill.	Meeker	Smith, T. F.
Chandler, N. Y.	Gray, N. J.	Miller, Minn.	Sullivan
Chandler, Okla.	Green, Iowa	Miller, Wash.	Sweet
Clark, Pa.	Greene, Mass.	Moores, Ind.	Swift
Classon	Greene, Vt.	Nolan	Tague
Crago	Griffin	Oliver, N. Y.	Temple
Cramton	Hadley	Olney	Timberlake
Currie, Mich.	Hawley	Osborne	Tinkham
Delaney	Hollingsworth	Parker, N. J.	Waldow
Dempsey	Ireland	Parker, N. Y.	Wason
Dooling	Kelly, Pa.	Phelan	Wheeler
Dowell	Kennedy, Iowa	Platt	Wilson, Ill.
Dyer	Kennedy, R. I.	Pratt	Winslow
Edmonds	King	Rainey, J. W.	Wood, Ind.
Ellsworth	Kraus	Ramsey	Woods, Iowa
Esch	Lehlbach	Reed	Young, N. Dak.
Fairchild, B. L.	Little	Riordan	
Fess	Lufkin	Rodenberg	
Flynn	McAndrews	Sanders, Ind.	

ANSWERED "PRESENT"—1.

McKeown

NOT VOTING—215.

Anderson	Fairchild, G. W.	LaGuardia	Russell
Anthony	Fairfield	Langley	Sabath
Austin	Ferris	Lee, Ga.	Sanders, La.
Bacharach	Fields	Lever	Sanford
Baer	Focht	Linthicum	Schall
Barkley	Fordney	Littlepage	Scott, Iowa
Bell	Foss	London	Scott, Mich.
Bland	Frear	Lonergan	Scott, Pa.
Borland	Freeman	Longworth	Scully
Britten	French	Lundeen	Sells
Browne	Fuller, Ill.	Lunn	Shackleford
Brumbaugh	Gallivan	McCormick	Sherley
Burroughs	Gandy	McCulloch	Sherwood
Butler	Gard	McKenzie	Shouse
Caldwell	Garrett, Tex.	McKinley	Sims
Campbell, Kans.	Gillett	McLaughlin, Mich.	Sinnott
Cannon	Glass	McLemore	Slayden
Carter, Mass.	Goodall	Magee	Slemp
Church	Gould	Mann	Sloan
Clark, Fla.	Graham, Pa.	Mansfield	Small
Claypool	Gregg	Mapes	Smith, C. B.
Cleary	Griest	Martin	Snell
Condy	Hamill	Mays	Snyder
Collier	Hamilton, Mich.	Merritt	Steagall
Cooper, Ohio	Hamilton, N. Y.	Mondell	Stedman
Cooper, W. Va.	Hamlin	Montague	Steele
Cooper, Wis.	Hardy	Morin	Stephens, Nebr.
Copley	Haskell	Mott	Sterling, Pa.
Costello	Haugen	Mudd	Stiness
Crisp	Hayes	Nelson	Strong
Curry, Cal.	Heaton	Nichols, Mich.	Sumners
Dale, N. Y.	Heintz	Norton	Switzer
Dale, Vt.	Hensley	Oldfield	Talbott
Dallinger	Hersey	Oliver, Ala.	Taylor, Colo.
Darrow	Hicks	O'Shaunessy	Templeton
Davidson	Holland	Overmyer	Thompson
Davis	Hood	Padgett	Towner
Decker	Houston	Paige	Van Dyke
Denison	Howard	Peters	Vare
Dent	Humphreys	Polk	Vestal
Dewalt	Husted	Porter	Voigt
Dies	Igoe	Pou	Volstead
Donovan	James	Powers	Walker
Doolittle	Johnson, S. Dak.	Price	Walton
Doremus	Johnson, Wash.	Purnell	Ward
Drukker	Juul	Rainey, H. T.	Watson, Va.
Dunn	Kahn	Rankin	Webb
Dupré	Kehoe	Rayburn	Whaley
Eagan	Kelley, Mich.	Reavis	White, Ohio
Eagle	Kiess, Pa.	Robbins	Wingo
Elston	Kincheloe	Roberts	Wise
Emerson	Knutson	Robinson	Young, Tex.
Estopinal	Kreider	Rogers	Zihlman
Evans	La Follette	Rowland	

So the motion to adjourn was agreed to.

During the roll call the following occurred:

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask unanimous consent to interrupt the proceedings for a moment.

The SPEAKER. You can not interrupt a roll call.

Mr. MOORE of Pennsylvania. I think we might facilitate proceedings if that were done.

The SPEAKER. You can not interrupt the roll call.

Mr. MOORE of Pennsylvania. Not with a parliamentary inquiry?

The SPEAKER. No; with nothing.

The Clerk announced the following additional pairs:

On this vote:

Mr. DONOVAN (for) with Mr. MCKEOWN (against).
Mr. MARTIN (for) with Mr. EAGAN (against).
Mr. RUSSELL (for) with Mr. DUNN (against).
Mr. REAVIS (for) with Mr. PAIGE (against).
Mr. HOWARD (for) with Mr. SCULLY (against).
Mr. HEATON (for) with Mr. GRIEST (against).
Mr. HARDY (for) with Mr. GRAHAM of Pennsylvania (against).
Mr. FIELDS (for) with Mr. KAHN (against).

Until further notice:

Mr. OLNEY with Mr. BURROUGHS.
Mr. CRISP with Mr. COOPER of West Virginia.
Mr. COLLIER with Mr. COOPER of Wisconsin.
Mr. KINCHELOE with Mr. BRITTEN.
Mr. MAYS with Mr. GILLETT.
Mr. PRICE with Mr. PURNELL.
Mr. HENRY T. RAINEY with Mr. SINNOTT.
Mr. STEAGALL with Mr. CLASSON.
Mr. TAYLOR of Colorado with Mr. VOLSTEAD.
Mr. YOUNG of Texas with Mr. TEMPLETON.

The result of the vote was announced as above recorded.

Accordingly (at 7 o'clock and 45 minutes p. m.) the House adjourned until to-morrow, Friday, June 28, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Acting Secretary of the Treasury, transmitting copy of a communication of the Secretary of War submitting a supplemental estimate of appropriation required by the Ordnance Department of the Army for the fiscal year 1919 (H. Doc. No. 1194); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Acting Secretary of the Treasury, transmitting a record of a judgment rendered by the Court of Claims in the case of Helen C. Sheckels, surviving executrix of Theodore Sheckels *v.* The District of Columbia, which judgment was affirmed by the Supreme Court of the United States on March 18, 1918 (H. Doc. No. 1195); to the Committee on Appropriations and ordered to be printed.

3. Letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the Engineer Department, fiscal year 1919 (H. Doc. No. 1196); to the Committee on Appropriations and ordered to be printed.

4. Letter from the Acting Secretary of the Treasury, transmitting estimates of appropriation required by the Treasury Department for the fiscal year 1919 (H. Doc. No. 1197); to the Committee on Appropriations and ordered to be printed.

5. Letter from the Acting Secretary of the Treasury, transmitting estimate of appropriation for inclusion in general deficiency bill for the Bureau of Engraving and Printing (H. Doc. No. 1198); to the Committee on Appropriations and ordered to be printed.

6. Letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of War submitting a supplemental estimate of appropriation required by the department for rent of buildings in the District of Columbia (H. Doc. No. 1199); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (S. 4451) to provide for allowances for, and minimum pay of, Army field clerks; to provide for increased pay to Army field clerks for service beyond the continental limits of the United States; and to provide quarters or commutation thereof to Army field clerks in certain cases, reported the same with amendment, accompanied by a report (No. 708), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KITCHIN, from the Committee on Ways and Means, to which was referred the bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign Governments, and for other purposes, reported the same without amendment, accompanied by a report (No. 709), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 12429) to authorize the health officer of the District of Columbia to permit the disinterment of the bodies of Eliza Hill Bowles, Bernice Worthen Bowles, and Bessie Vivian Bowles, reported the same with amendment, accompanied by a report (No. 710), which said bill and report were referred to the House Calendar.

Mr. DENT, from the Committee on Military Affairs, to which was referred the resolution (H. Res. 402) requesting the Secretary of War to furnish certain information regarding the taking of pictures of the American Expeditionary Forces, reported the same without amendment, accompanied by a report (No. 711), which said resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (S. 2719) to permit the enlistment of Omer G. Paquet in the United States Army, reported the same without amendment, accompanied by a report (No. 713), which said bill and report were referred to the Private Calendar.

Mr. HULL of Iowa, from the Committee on Military Affairs, to which was referred the bill (S. 3945) to authorize the President of the United States to appoint Fred H. Gallup major of Field Artillery in the United States Army, reported the same without amendment, accompanied by a report (No. 712), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the resolution (S. Res. 266) excusing the conferees on the part of the Senate on the bill (H. R. 9248) to prevent extortion, to impose taxes upon certain incomes in the District of Columbia, and for other purposes, from further service until otherwise ordered by the Senate, reported the same adversely, accompanied by a report (No. 707), which said resolution and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SINNOTT: A bill (H. R. 12579) to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.; to the Committee on the Public Lands.

By Mr. KITCHIN: A bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. ASWELL: A joint resolution (H. J. Res. 309) to insure the continuous operation of electrical communicating systems, to guard the secrecy of war dispatches, and prevent communications between public enemies; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLARK of Missouri: A bill (H. R. 12581) granting an increase of pension to Annie Dougherty; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12582) granting a pension to Burns Johnson; to the Committee on Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 12583) granting a pension to B. F. Russell; to the Committee on Invalid Pensions.

By Mr. JOHN W. RAINEY: A bill (H. R. 12584) granting a pension to Ann Casey; to the Committee on Pensions.

By Mr. SCULLY: A bill (H. R. 12585) granting an increase of pension to John W. Merriman; to the Committee on Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 12586) granting a pension to William Merritt; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODBECK: Evidence to accompany H. R. 12570, granting a pension to Eleanor Sharp; to the Committee on Pensions.

By Mr. CAREW: Resolution of the National Metal Trades Association, urging partial payments for income and excess-profits taxes; to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Petition of members of the First Congregational Church, Genoa Junction; United Presbyterian Church, Rock Prairie; and of the Methodist Episcopal Church, Milton; all in the State of Wisconsin, urging that Congress immediately enact legislation to provide for war-time prohibition; to the Committee on the Judiciary.

By Mr. DARROW: Memorial of the Philadelphia Board of Trade, opposing the passage of S. 4426, providing for a guaranty fund for payment of certain deposits; to the Committee on Banking and Currency.

By Mr. DILLON: Resolutions of the Retail Merchants' Association of South Dakota; of the Fourth District Federation Women's Clubs; and the petition of citizens of South Dakota, urging war-time prohibition; to the Committee on the Judiciary.

Also, resolution of the Fourth District Federation of Women's Clubs, asking for the submission of the suffrage amendment; to the Committee on Woman Suffrage.

Also, petition of sundry citizens of South Dakota, urging the immediate passage of the Barkley bill; to the Committee on the Judiciary.

By Mr. DOOLITTLE: Petition of the United Presbyterian Church of Emporia, Kans., for the enactment of war prohibition; to the Committee on the Judiciary.

By Mr. ELSTON: Memorial of the Woman's Christian Temperance Union of Alameda, Cal., favoring immediate war prohibition; to the Committee on the Judiciary.

By Mr. ESCH: Petition of sundry citizens of Wisconsin, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. GLYNN: Resolutions adopted by the Connecticut Bankers' Association, opposing Government guaranty of bank deposits; to the Committee on Banking and Currency.

By Mr. HAMILTON of New York: Petition of members of the First Congregational Church of Jamestown and of the Woman's Christian Temperance Union of Salamanca, N. Y., favoring the passage of war-time prohibition legislation; also, a petition signed at a public meeting held at Portville, N. Y., favoring the adoption of an amendment to the Constitution prohibiting the practice of polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. MERRITT: Resolution adopted by the Connecticut Bankers' Association, in opposition to a Federal guaranty of bank deposits; to the Committee on Banking and Currency.

By Mr. RANDALL: Memorial of Baptist Ministers' Conference of Los Angeles, against the use of food products in manufacture of beer and wine; to the Committee on the Judiciary.

By Mr. SNELL: Petition of citizens of Westville Center, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of members of the Woman's Christian Temperance Union, De Kalb, N. Y., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. TAGUE: Memorial of Massachusetts Bankers' Association and of the New England Bankers' Association, opposing Senate bill 4426; to the Committee on Banking and Currency.

By Mr. TOWNER: Petitions of the Woman's Christian Temperance Union; Presbyterian, Christian, Methodist Episcopal, Swedish Lutheran, Swedish Mission, United Presbyterian, United Brethren, and Nazarene Churches, of Chariton, Iowa, for national prohibition as a war measure; also, petition of Rev. Carl Critchett and others, of Allerton, Iowa, for amendment prohibiting polygamy; to the Committee on the Judiciary.

Also, petition of Rev. Guy J. Winslow and many other citizens of Garden Grove, Iowa, for national prohibition; also, a petition of the same import by citizens of High Point, Iowa; to the Committee on the Judiciary.

By Mr. VARE: Memorial of the Philadelphia Board of Trade, protesting against the passage of S. 4426; to the Committee on Banking and Currency.

By Mr. WASON: Petition of Morton A. Wadleigh and 85 other residents of Hill, N. H., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Mrs. Cora B. Foster and 40 other residents of Hill, N. H., favoring war-time prohibition; to the Committee on the Judiciary.

Also, petition of Rev. E. H. Wright and 48 other residents of Hill, N. H., favoring war-time prohibition; to the Committee on the Judiciary.

By Mr. ZIHLMAN: Petition of the Sandy Spring Monthly Meeting of Friends, Sandy Spring, Md., asking for the enactment of a national bone-dry law; to the Committee on the Judiciary.

SENATE.

FRIDAY, *June 28, 1918.*

(Legislative day of Thursday, June 27, 1918.)

The Senate met at 12 o'clock noon.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	Myers	Smith, S. C.
Baird	Hale	Nelson	Smoot
Bankhead	Hardwick	New	Sterling
Beckham	Hitchcock	Norris	Sutherland
Calder	Johnson, Cal.	Nugent	Swanson
Chamberlain	Johnson, S. Dak.	Overman	Thomas
Colt	Jones, N. Mex.	Penrose	Thompson
Culberson	Kellogg	Phelan	Trammell
Cummins	Kendrick	Pittman	Vardaman
Curtis	King	Poindexter	Wadsworth
Dillingham	Kirby	Pomerene	Walsh
Fall	Lenroot	Ransdell	Watson
Fletcher	Lewis	Robinson	Weeks
France	Lodge	Shafroth	Williams
Frelinghuysen	McCumber	Sheppard	Wolcott
Gallinger	McKellar	Shields	
Gerry	McNary	Simmons	
Gore	Martin	Smith, Mich.	

Mr. SUTHERLAND. I wish to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

Mr. BECKHAM. My colleague, the senior Senator from Kentucky [Mr. JAMES], is detained by illness.

The VICE PRESIDENT. Sixty-nine Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the joint resolution (S. J. Res. 86) authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Aurelio Collazo, a citizen of Cuba.

The message also announced that the House insists upon its amendments to the bill (S. 3798) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House agrees to the amendment of the Senate to the bill (H. R. 12000) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House insists upon its amendments to the bill (S. 4193) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEAT-

ING, and Mr. SELLS managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 4542) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. KEY of Ohio, Mr. KEATING, and Mr. SELLS managers at the conference on the part of the House.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House further insists upon its disagreement to the amendments of the Senate numbered 37, 47, 52, and 170 to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING managers at the further conference on the part of the House.

The message further announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMALL, Mr. BOOHER, and Mr. KENNEDY of Iowa managers at the further conference on the part of the House.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7237) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 4127. An act to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River, and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia;

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10358. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 12000. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes.

PETITIONS.

Mr. WARREN presented resolutions adopted at a meeting of sundry citizens of Wyoming, favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. FRELINGHUYSEN presented a petition of sundry Red Cross nurses in the State of New Jersey, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. ASHURST presented a petition of the Twentieth Century Club, of Bisbee, Ariz., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Finance, to which were referred the following bills, reported them each without amendment:

A bill (S. 108) to authorize the Secretary of the Treasury to use at his discretion surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States (Rept. No. 527); and

A bill (S. 110) for the relief of the Eldredge Bros. Live Stock Co., a corporation (Rept. No. 528).

Mr. HARDWICK, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 2898) to provide for the erection of a public building at Knoxville, Knox County, Tenn., reported it without amendment and submitted a report (No. 529) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3995) to amend section 224 of the Revised Statutes of the United States relating to certificates of discharge, reported it with an amendment and submitted a report (No. 531) thereon.

He also, from the same committee, to which was referred the bill (S. 1661) for the relief of Albert H. Campbell, reported it without amendment and submitted a report (No. 530) thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 4765) to provide for the construction of a tunnel under the Hudson River between the States of New York and New Jersey; to the Committee on Interstate Commerce.

By Mr. JOHNSON of California:

A bill (S. 4766) to restore Murray Baldwin to the rank of major of Infantry in the Army; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 4767) for the relief of John L. Williams, alias John L. Scranage (with accompanying papers); to the Committee on Military Affairs.

By Mr. FRELINGHUYSEN:

A bill (S. 4768) for the relief of Clotilda Freund; to the Committee on Claims.

A bill (S. 4769) for the relief of George Wingate;

A bill (S. 4770) to correct the military record of Edward Johnson; and

A bill (S. 4771) providing for the advancement of retired Army officers detailed for active duty; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 4772) extending the provisions for the regulation of steam vessels to vessels owned or operated by the United States Shipping Board, and for other purposes; to the Committee on Commerce.

By Mr. SHEPPARD:

A bill (S. 4773) for the relief of D. C. Darroch; to the Committee on Military Affairs.

By Mr. GALLINGER:

A joint resolution (S. J. Res. 162) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to Jeanne D'Arc; to the Committee on the Library.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. ASHURST submitted an amendment providing that the pay of all printers, printer linotype operators, printer monotype-keyboard operators, proof readers, makers-up, pressmen, bookbinders, and bookbinder-machine operators employed in the Government Printing Office shall be at the rate of 70 cents per hour for the time actually employed, etc., intended to be proposed by him to the general deficiency appropriation bill, which

was referred to the Committee on Appropriations and ordered to be printed.

EMPLOYMENT OF STENOGRAPHER.

Mr. KENYON submitted the following resolution (S. Res. 270), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Standards, Weights, and Measures be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers, to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on June 27, 1918, approved and signed the following acts:

S. 4557. An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes; and

S. 3391. An act to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

ARMY APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. CHAMBERLAIN. I believe the Senator from Iowa [Mr. CUMMINS] had not concluded his address to the Senate when we took a recess.

June 27, 1918.

Mr. CUMMINS. Mr. President, I desire to consume a brief time in presenting a view of this matter which I think has not been sufficiently emphasized.

First, in order to keep history fairly straight, I must be permitted to say that on the 16th day of May, a month and a half ago, I introduced a resolution calling for certain information, which had immediate relation to the proper operation of the draft law, from the Secretary of War, the Secretary of the Navy, the Secretaries of Agriculture and of Commerce and of Labor, and the Provost Marshal General. If this resolution had been adopted, in my opinion, we would have had information that would have made it imperative for the Senate to have enlarged the ages within which the draft could operate; but on the pretense—I call it "pretense"; I do not mean that in a harsh sense—that it was necessary for the Military Affairs Committee to examine it, it was referred, after some remarks upon my part, to the Committee on Military Affairs, and, in so far as I know, the committee took no action upon it. I regret it very much, because if the resolution had passed, as I think it ought to have passed, immediately and without reference to the committee, we would have had official and somewhat authentic information upon this subject. It has not been difficult to acquire. A little industry would have enabled any one to collect the information necessary; but it would have been of vast use to the Senate if we could have had directly from these sources the information upon which, eventually, these questions must be determined.

I want it remembered also that on the 2d day of June, being the day after the military bill was reported from the House, I offered an amendment which was referred to the Committee on Military Affairs, which directly brought to the attention of the committee the propriety of both increasing and decreasing the draft ages.

I mention these things without the least intention of reflecting upon the committee or any member of the committee, but we at least have had the subject before the Senate sufficiently to have become fairly familiar with it and long enough to enable us to reach a just conclusion upon it.

Mr. President, the chief question is not one of securing an army. That must be apparent to anyone. We have an abundance of men between 21 and 30 to compose an army much greater than we could by any possibility maintain in Europe. The chief question, the most important question, is to maintain a proper balance between the military forces of the United States and the industrial forces of the United States. It is a balance which must be maintained if we would make either our productive capacity sufficient to maintain the Army or make our Army effectual. Everybody must realize that. There can be no controversy whatever about it. We have a very great shortage of labor. It will be with immense difficulty that we can maintain the Army which must be maintained in Europe if our arms are to be victorious. I think it is for Congress to determine the balance between the civil and the military forces. I think it is directly devolved upon Congress by the Constitution, and, moreover, the highest considerations require Congress to perform this fundamental duty.

Of what value is it to give to the President of the United States the power or authority to raise an indefinite army unless we at the same time make some definite provision through which, and by which, he can maintain the necessary balance between production and fighting?

I hoped that Congress would assume its proper function and discharge its real responsibility, but I do not intend to make any opposition whatever to the unlimited power given to the President to raise an army of any proportions which he deems requisite. However, I do want to give him the opportunity, if we are not going to exercise it ourselves, of maintaining between the forces of production and the military forces of the country that relation which will enable us to support the army which we create. It is beyond my comprehension, it is utterly inexplicable to me, that any influence in the United States from any Government official should oppose the widest and the greatest opportunity to enable us to maintain the largest army of which we are capable, because there is another limitation upon the size of our Army. It does not rest alone or even chiefly in the appropriations which we make from time to time. There is just one limitation which must be observed from which we can not by any possibility escape. It is the limitation put by nature and circumstance upon the people of this country that forbids the raising of a larger army than we can maintain in Europe or on the fighting front of France. But we are so obviously short of man power that it ought to shock and alarm us every time we look upon it. We have not enough men to properly operate our war factories. We have not enough men to operate our transportation system. We have not enough men to work upon our farms; and my prediction is that a very considerable part of the harvest with which we are about to be blessed will be lost because we will not be able to secure the labor with which to reap the harvest.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the Chair). Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I yield.

Mr. McCUMBER. Can the Senator explain to me why it is that in a country having all the raw material that we have we can not put into the field a number proportionate to our population compared with that of England or Scotland or any of those countries?

Mr. CUMMINS. The reason, Mr. President, is that we are attempting to supply Great Britain and France and Italy and other countries with a very large proportion of the things which they consume, and whether explicable or not the fact remains that we have not enough productive labor to accomplish the purpose we have in view.

Mr. McCUMBER. Are we doing any more in providing for the necessities of our allies than Great Britain is doing to supply the necessities of her allies?

Mr. CUMMINS. A great deal more, in my opinion. But it does not make any difference what the reasons are, the fact remains. We lack men upon railroads, we lack men on the farms, we lack men in the shipyards, we lack men in the munitions factories, and in the various activities of industrial life.

Mr. McCUMBER. I think an explanation can be given, but I will not take the time now.

Mr. CUMMINS. Possibly it may be so, and I hope the Senator will be able to give it.

Mr. McCUMBER. I will.

Mr. CUMMINS. We shall have to coerce in some fashion or other the influences which lead to productive labor. We must assign in some way or other men to the places where they will be most useful. We must in some degree so arrange our affairs that each man will not only be productive but can reach the maximum of his producing capacity.

Mr. President, these are our imperative obligations. We must first create an army. We must be able to supply that army at long distance with all which it requires to make it effective. We are assuming the most difficult and onerous obligation that ever existed, because we are using our energy at such long range. That is unavoidable, and it simply requires that much more diligence, that much more organization, that much more assignment that much more intelligent supervision over the affairs of the country.

We must in the next place produce enough to feed our civil population. We have about 100,000,000 people here who must be fed, who must be clothed, who must be supplied with all the

necessaries of life, for if we fail in that respect our Nation falls into discontent and our arms become ineffective.

Third, we must supply the actual, positive necessities of our allies. If we were to fail for a single month in this respect, the arms of Great Britain and of France and of Italy would become "as idle as a painted ship upon a painted ocean."

These are our obligations. If the Senator from North Dakota can point out how this labor can be secured without enlarging the draft age, I think the country will be greatly indebted to him. I suppose if we had men and women who were entirely unselfish, who would voluntarily devote every energy which they have to necessary production as distinguished from nonessential production, it would go a great way toward accomplishing the purposes.

I come now to the point of considering how we can best distribute our man power. As you know, we have withdrawn from the ordinary channels of business—that is, the business in which people had formerly been engaged—not only the men whom we have enlisted in the Army, not only the great civil forces which we have gathered for the purpose of discharging the duties of government, but we have dislocated our system by pouring into necessary channels—I agree that they are necessary, shipbuilding, munition factories, and the like—so many of our men that other industries and other useful occupations languish and suffer.

Our man power is not utilized. I venture to say, and I believe it can be established, that there are at least 1,200,000 men between 30 and 40 who had far better have been assigned to military duty instead of a similar number of men between the ages of 21 and 30. It would not have been necessary to have assigned all of them, but they could have borne their proportion. There are nearly 1,000,000 between 30 and 40 who have no gainful occupation whatever, and even if these men had been classified with the men between 21 and 30, it would have relieved many hundred thousand men engaged in useful and necessary occupation between 21 and 30. We would in that way have actually added to our man power, in my judgment—it is, of course, in part an estimate—we would have added before class 1 had been exhausted a million men to our effective working useful laborers, and that without the slightest infraction upon the right of a workingman to choose his own occupation, and without the least infringement upon their privilege against the conscription of labor.

Let us see. For the moment I disregard the men above 45, although I think there should be an assimilation and an assignment of men above 45, just as I think there should be imperatively one below 45. There were registered of men between 21 and 30, in round numbers, 9,500,000. There are between the ages of 18 and 45 in the country, omitting the men between 21 and 30, 13,998,049 men. I am using the percentage of increase since the census of 1910 that has been adopted by the Provost Marshal General's office—that is to say, I have added 15 per cent over the census of 1910 in order to take in the growth of the last 8 years.

Mr. WARREN. Taking them by States separately?

Mr. CUMMINS. All together; all the returns from the States.

Mr. WARREN. The sum of them, all together?

Mr. CUMMINS. Yes; the entire man power between the ages of 18 and 45 will be found to be 23,498,049 men. You will remark that the provision made by the Provost Marshal General's office is not just the division made by the Census Bureau—that is, the Census Bureau classifies men as engaged in gainful pursuits and otherwise. There were engaged in gainful pursuits men of 18 and over, and I am estimating the men between 16 and 20, giving to each a half, because those are the periods taken by the Census Bureau—30,970,203 men. These include all ages without limit above 18 years. Engaged in gainful pursuits from 18 to 45, 22,500,520 men, about 1,000,000 men fewer than the population of men between 18 and 45. Not only so, but there are a great many men between the ages of 30 and 40 or 45 who are engaged in gainful pursuits who are not engaged in any productive or necessary or essential pursuit.

I commend to the chairman of the committee that problem. Why will you not give to the President or to the Provost Marshal General or to the Secretary of War the authority to call some of these men above 31 years of age into the service of the country who are vastly less valuable to the industries of the country than many of the men between 21 and 31? Remember that our Army is absolutely limited in number by the production of the country, by its power not only to produce arms and munitions of war, but to produce ships and crops and every other thing that is necessary in order to enable the American people to live; that is the real crux of the difficulty; and there is no other limit, for if we could produce enough to maintain an army of 10,000,000 men we could send them to France as rapidly as we could build ships for them and train them; but unless the labor of this country is reorganized in some way or other, so that every energy we have will be utilized to its highest degree, unless we take measures immediately for this mobilization of our labor we shall not be able to send to France above three millions or three and a half millions of men, and I doubt whether we shall be able to send even as large a number as that.

You can not escape from that limitation. Neither the Secretary of War nor the President, assuming they have prevision at all, would dare to put in France an army which they can not sustain. They would not dare to put into France an army which they can not sustain, together with the sustenance that must be given to our allies.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Oregon?

Mr. CUMMINS. I yield.

Mr. CHAMBERLAIN. That is just one suggestion that has induced me to abandon my position—the opinion along the lines that the Senator is now arguing—and to accept the suggestion of the Secretary of War and the Chief of Staff; that is the danger of having more troops here than we can get over with the shipping facilities that we have, and then getting over more than we can support.

Mr. CUMMINS. Precisely; but, Mr. President, we are not required to draw a single man into the Army who can not be equipped, who can not be transported; there is no suggestion that the President ought to call any man who can not be and who will not be within the capacity of the country to equip.

My objection, however, is as against a moment's delay. The difficulty is you are calling in every day men who ought to be left at home and you are failing to call the men who can be spared without injury to the industries or the production of the country, and the longer you delay the more injury will you do. It is idle, it seems to me, even to suggest that class 1 should be entirely exhausted, if there are men above 30 who can enter the Army, or any branch of the military service, and render the same efficient work for their country and leave a better and a higer effectiveness in labor.

Mr. SMITH of Georgia rose.

Mr. CUMMINS. I yield to the Senator from Georgia.

Mr. SMITH of Georgia. As I understand it, they have placed in class 1 those who can best be taken first.

Mr. CUMMINS. No.

Mr. SMITH of Georgia. If the Senator will allow me, I merely desire to make one statement. The Secretary of War and Gen. March advise us that they could make no speed by the adoption of this increase of age and decrease of age, because in ample time for those that they would be ready to call we could pass that legislation, together with still further provisions which might be necessary for the call immediately upon our reassembling, and that at that time they would be able to give us information growing out of conditions in Europe and negotiations with foreign countries that would be necessary to determine how fast we could put the soldiers in France and how best we could keep them there.

Mr. CUMMINS. Mr. President, there is a part of the suggestion of the Senator from Georgia which I think is material to the inquiry, and part of it, if I may say so without offense, which is not. The part of the inquiry which relates to the transportation of men to France is, in my judgment, utterly immaterial, because the plan proposed in the amendment of the Senator from New Mexico [Mr. FALL]—which is the equivalent of the amendment which I offered about two weeks ago—does not relate to the increase of men actually taken from the ranks of the people, except in so far as the President may see fit to take them. The part of it which is material—and I beg the attention of the Senator from Georgia to this point—is, as he says, that we may yet have time to change the law before the men in class 1 are taken. I have seen the evils of procrastination so often; I have seen this country approach emergencies so frequently, and emergencies without being able adequately to meet them, that I am afraid of delay. But that is not all.

It is a false theory to say that all the men in class 1 ought to be taken before anybody else is taken; it is entirely erroneous. If the Provost Marshal General had had the latitude which he ought to have had from the very beginning, class 1 would not have been precisely as it is; there would have been another classification, and many of the men who are now in class 1 would have remained at home at work producing something for their country, and many of the men who are above 31 or 30 would have gone into the Army. In that way we would have raised the numbers with entire ease and have very largely added to the effective labor of the country.

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. SMITH of Georgia. Has not the Provost Marshal General classified the drafted men now in class 1 according to the law as it stands?

Mr. CUMMINS. It is entirely a matter of regulation. He can put anybody in class 1 that he likes. The law did not classify men into classes 1, 2, 3, 4, and 5.

Mr. SMITH of Georgia. Has he not eliminated the needed men to whom the Senator refers, who are required in the industries? Has he not very carefully restricted the calling of men so as to avoid invading that class?

Mr. CUMMINS. I have no doubt that the Provost Marshal General did the very best he could with the limited number of men within his control. He could control only the men between 21 and 31. Here is John Smith, who is engaged in some useful occupation; he is unmarried and has no dependents; he is in class 1, the preferred class. Here is John Jones, 31 years of age, who has no occupation at all, who is producing nothing that is useful and necessary for his country. Now, who ought to go first?

Mr. SMITH of Georgia. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield further to the Senator from Georgia?

Mr. CUMMINS. I yield.

Mr. SMITH of Georgia. Is it not true that in the classification even a single man who is especially needed is carried lower down in the classification, and that the very principle to which the Senator refers is invoked in making the various classifications?

Mr. CUMMINS. Of course there is great latitude in the classifications; but that is not true and can not be true. I do not remember just how many, but originally something like three or four million men were in class 1——

Mr. SMITH of Georgia. I do not understand that there were that many.

Mr. CUMMINS. They were not classified in just that way when the first draft was made; but in the same classification there were originally, I am sure, three or four million men. Now, the Senator from Georgia does not think that some of those men were not at work?

Mr. SMITH of Georgia. Yes; they were at work, but they were largely unskilled labor.

Mr. CUMMINS. Well, unskilled labor is just as necessary for this country as skilled labor, although possibly we may not need quite so much of it.

Mr. SMITH of Georgia. There are vastly more of that class, and all of them of the draft age could not be exempted.

Mr. CUMMINS. I agree to that.

Mr. SMITH of Georgia. I should like to ask the Senator another question. Is it proposed, by increasing the age limit and lowering it, to change the men in class 1, and not to draw those men in the category to which the Senator has referred?

Mr. CUMMINS. There is no provision of that sort. The President has complete power to classify these men in any way that he sees fit; there is no limitation upon that. All that I ask is that the man who is not doing anything shall be called to the colors before the man who is doing something.

Mr. SMITH of Georgia. But, Mr. President, will it not require additional legislation applicable to our draft system to make such further classifications, and if we were to agree to this amendment and it were put into force, would they not at once fall into class 1 just as they do now? Why, then, increase or lower the age limit?

Mr. CUMMINS. They would; but does the Senator understand that the law made the classifications?

Mr. SMITH of Georgia. I understand that they have been made under the interpretation by the department of the requirements of the law.

Mr. CUMMINS. Oh, no; the——

Mr. SMITH of Georgia. If the Senator will pardon me, I am very desirous of taking this up a little later, when we can go further by statute and regulate the plan of classification.

Mr. CUMMINS. We will at least save some time and secure some men for the Army who can be better spared than the men who are now in it if we proceed now, and if we desire to make a change later we can do so. There are no classifications in the law except for semimilitary service and for exemptions. The President can classify them in any way that he sees fit. The President could have put all in the same class if he had wanted to do so. His only obligation was to except certain men who were absolutely necessary for certain service.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from North Dakota?

Mr. CUMMINS. I yield.

Mr. McCUMBER. I should like to ask the Senator if he has made any estimate of the number of men between 18 and 45 who are engaged in no gainful occupation whatever?

Mr. CUMMINS. Yes; I have.

Mr. McCUMBER. Will the Senator give us the number of those men who might well be called into the new Army?

Mr. CUMMINS. Of course, it is only an estimate to the extent that the divisions made by the Census Bureau are of men between 16 and 20, 20 and 40, and so on. I must therefore indulge in an estimate, although I think it is fairly accurate. The total number of men engaged in gainful pursuits between the ages of 18 and 45 is 22,500,520; the total number of men between the ages of 18 and 45, as I estimate it, is 23,998,049.

Mr. McCUMBER. Leaving a difference of what?

Mr. CUMMINS. Leaving a difference of about 1,500,000 men.

Mr. McCUMBER. I wish to say to the Senator that I made a similar computation, including men between the ages of 18 and 62, taking as the basis the figures of the Census Bureau of 1910 and adding 15 per cent, the same as the Senator has done. That is, of course, before the war. That left about 6,000,000 men in the United States who were not engaged in gainful occupations. If I would reduce it down to men of 45 years, taking out the difference, it would leave, I think, nearly 4,000,000 men.

Mr. CUMMINS. I did not arrive at those results; I did not go higher than 45 years, and naturally the number of idle men, or men without any gainful occupation, increases very rapidly after 45.

Mr. McCUMBER. I simply wish to say that I think the Senator's estimates are exceedingly conservative.

Mr. CUMMINS. I regard them as quite below the real figures rather than above. They are enough to emphasize the absolute necessity of immediate legislation upon this question if we intend to do anything to preserve our industrial power, and without our industrial power our Army is so limited that we will not be able to accomplish the best results.

[At this point Mr. CUMMINS yielded the floor for the day.]

Friday, June 28, 1918.

Mr. CUMMINS. Mr. President, I shall occupy very little time this morning, I hope, but I can not close what I have to say without bringing to the attention of the Senate what I regard as one of the most comprehensive articles which has yet appeared touching the very subject that we are now discussing—the man power of the United States. It is an article by Mark Sullivan, appearing in one of the recent numbers of Collier's. I quote from this article:

> Now, let us see just what has happened to this 35,000,000 since the war began.

He assumes that the man power of the United States is 35,000,000—

> The first thing to bear in mind is that with the beginning of the European war the greatest source of increase for our man power was cut off. We used to get an increase of a million man power a year through immigration. We now get substantially nothing. Few people recognize the significance, in a business and economic sense, of this cutting off of immigration. The immigrant was almost the only source of what we call "day labor," the men who do the building and repairing of railroads, the mending of streets and roads, mining, and the rough work of steel mills and other factories. We have gone on as if this source of our labor were a perpetual fountain. We have not stopped to consider the business and economic and social changes which must come about when the fountain runs dry, and we are compelled to adapt ourselves to a condition very strange to us. Moreover, an immigrant raised to maturity, with all the expense of his nurture and training paid by his own country, delivered at our gates free of charge as a working unit of man power, was a valuable asset. Valued even in the way that slaves were valued before the Civil War, and taking into account the change of standards, he was worth at least $2,000. A million immigrants a year were worth $2,000,000,000. That is, roughly, equal to the value of our wheat crop and our corn crop added together. If our entire wheat crop and our entire corn crop were complete failures in any one year, we should hear a great deal about it. As a matter of fact, the cutting off of our immigration of a million man power a year was a more serious matter than the loss of our wheat and corn crops. For the cessation of immigration was not for one year merely but for as long as the war lasts—and it may very well be for always.

Again:

> After the cessation of the accustomed increase, the most obvious thing that has happened to our man power is that 2,000,000 of it between the ages of 21 and 31 have gone into the Army and are no longer at their accustomed posts in factories, mines, offices, and farms. This 2,000,000 is the best of our man power. It was at the age of greatest vitality. The loss of it to our industries is greater than the mere figures indicate. Two million man power (a year from now it will be 3,000,000; two years from now it will be 5,000,000) out of our total 35,000,000 have ceased completely to be normal producers of goods. (Incidentally, these millions have not only ceased to be normal producers; in addition, as soldiers, they have become larger consumers than they were before of food, clothes, and other materials.)
>
> Here, then, is the first subtraction: 2,000,000 from 35,000,000 leaves 33,000,000. But this is only the first, and not the largest, of many subtractions.

Subtract another half million for the Navy.

Subtract another half million for shipbuilding.

At this point it might be appropriate to ask some of the "business as usual" advocates just how business can be as usual, just how 32,000,000 man power can do the amount of work and business usually done by 35,000,000. As a matter of fact, we do not have even 32,000,000 man power left available for business as usual. For the deductions just pointed out are not by any means all the deductions that have occurred. They are not even the largest deductions. I have set them down first merely because they are the most obvious. They are the best ones for illustrating the thing that is happening. They involve actual dislocations of man power, men who go away, not only from their accustomed pursuits, but also from their accustomed homes. But it must be remembered that man power can be diverted without being dislocated. A man may continue to live in the same house, and use the same pick, and work in the same mine, and get his wages from the same boss; but if the ton of ore he digs finds its ultimate destination in rifles instead of piano wires, he is a unit of man power subtracted from its normal uses. And these diversions are enormous.

Again:

The sum of it is pretty accurately known to those whose business it is to form expert judgment on such subjects. For example, Mr. Frank Vanderlip, president of the National City Bank of New York, has found an ingenious and convincing way of arriving at the number of our man power which has been diverted from normal pursuits into war work. He first points out that the total amount of production that all our man power can do in a year is about $30,000,000,000. Then he sets down alongside this fact the other fact that the appropriations made by the United States Government for the present year are $19,000,000,000. That is to say, the Government is going to buy for war purposes (allowing for some millions for duplications) about one-half of the entire productive capacity of the country. In other words, the Government is going to hire for war work, and take away from normal pursuits, about one-half the entire man power of the country. That would be between 17,000,000 and 18,000,000 of our man power. Others estimate the number, for the present, as somewhat lower. They say that, although it is true that the country, in an industrial way, is now more than 50 per cent at war, various considerations reduce the total of man power diverted. A little later on, they say, the diversion will amount to 50 per cent.

Another brief extract and I shall have finished:

Out of all the mass of figures, exact and estimated, the one net fact, the "red-ink" fact, as the accountants express it, is this: As compared with normal peace-time production, there is a labor shortage in the United States of at least 15,000,000 man power. What this means is that if we attempt to carry on the war, and at the same time continue "business as usual," we shall lack 15,000,000 man power. We can not do both.

Again:

The farms of the United States, this year and so long as the war lasts, must supply food not only for the population which normally depends on our farm products, but, in addition, for large portions of the population of France, England, Italy, Belgium, and some neutral countries. They must do this or some of our allies must starve. Now, farming is at all times our biggest consumer of man power. In peace times the number of man power engaged in it is about 12,000,000—about 6,000,000 farm owners and 6,000,000 farm laborers. Whether this number of man power engaged in farming has been increased during the war I do not know. It is a fact that the quantity of farm products has been enlarged. The farmers of the United States planted and harvested last year the largest acreage on record. Secretary Houston believes that in the present year even that record will be increased. It is worth while to pause for a moment and consider what the American farmer accomplished last year; he increased the number of horses in the country, in spite of the shipments abroad for war purposes; he raised more cows; he raised more beef cattle; he raised more pigs.

From this it may fairly be argued that the portion of our man power engaged in farming must have increased. But assume that it remains at the normal 12,000,000. Then we have this condition: About 18,000,000 of our man power either has been or soon will be diverted for war; out of the remaining 18,000,000, 12,000,000 are engaged in farming. Seen in this cold statistical light, the prospects of "business as usual" do not look very up and coming.

Of the 18,000,000 man power required for war, none can be taken from farming. They must come from somewhere else.

Now, there is one other of our great occupations which must be kept up to the normal man power. It must be kept up to normal; it ought to be increased. The railroads are a most essential war industry. And they are in a bad way. We had a transportation failure last winter which caused us much inconvenience and held back our war work. (The coal famine was really a transportation failure. Those who are competent to know say it was almost wholly a lack of cars. They say there was never a day when a car remained empty at the mine mouth. The coal was always there; the lack was cars to carry it away.) And the transportation failure is really just as serious to-day as it was last winter. If you doubt this, try to get a carload of coal or a carload of bricks. This transportation failure is going to continue to grow worse for a long time to come. Just how and why it will express itself would be easy to tell if there were room. But we are only concerned with its relation to man power. The man power normally engaged in railroad work is about 2,500,000. The late James J. Hill, before he died, and before the war began, said the railroads ought to have a billion dollars a year spent on them for five years to bring them up to good condition. That is the same as saying that even in peace times the railroads needed a million more man power. And it is not only the railroads. It is the same in every branch of the transportation industry.

Mr. President, there can be no more graphic statement of the industrial situation than is contained in this article. Its conclusions are obvious: We must husband, we must direct, we must in some way or other secure the very maximum of our man power in industry if we are to carry on the war successfully.

I desire also to call attention to an editorial in one of the leading agricultural newspapers of the country, a paper whose editor is one of the most thoughtful and far-seeing men of our times. I will read but briefly from it:

[From Wallace's Farmer of June 28, 1918.]

It is said that the last call for troops—which is just being made—will practically exhaust class 1. Our boys are being rushed to France very rapidly. It was semiofficially stated last week that up to that time 900,000 of our troops were in France or on the water. Evidently the Government plans contemplate the raising of an army of about 3,000,000 men as quickly as possible—

In fact, it is about 3,400,000 men—

This last call for class 1 men will take many hundreds of thousands of men from the farms just at a time when they are most needed. Because of the exceptionally favorable conditions for work during March and April, a large acreage of crops has been put in, and there is every promise of an abundant yield; but the steady draft upon the farm boys will make it exceedingly difficult to harvest these crops in good season.

The "work or fight" order which is just now being put in force will tend to relieve the situation somewhat. Large numbers of men in the cities who are engaged in what are considered nonproductive industries are now seeking employment in the essential industries, and some of these will go to the farms. There will not be enough of them, however, to relieve the farm labor situation sufficiently, and by another year it will be extremely difficult for the farmers of the country to maintain the necessary acreage of cultivated crops.

As we have already pointed out, it is perfectly clear that the farm boy is not going to be exempted from military service simply because he is a farmer. In fact, he has not been exempted. The first National Army had 26 per cent of its men and boys from the farms, a greater number both actually and in proportion to the numbers registered than from any other class. Neither is it going to be practical to furlough boys to help grow and harvest the crops. We might as well understand that this war must be won by fighting men, and when our young men are called to the Army their most important job is to learn how to fight vigorously. They can not do this if their training is interrupted.

As we see it, about the only practical way to relieve this steady drain upon farm labor, as we have heretofore pointed out, is to enlarge the draft upward and take in men up to at least the age of 45. The towns and cities are full of men between the age of 32 and 45, who could be spared for army service without seriously dislocating the essential industries.

Finally the editorial concludes:

Let us take in the men between 32 and 45 during the next six months, and then see where we stand. One of the difficulties of the situation is—

I hesitate to read this because it depicts a condition so well known here, and so little known elsewhere, that it comes as a revelation—

that our Representatives in Congress seem to have lost their initiative, and are simply following the wishes of the administration. There are not many people connected with the administration who have adequate knowledge of agricultural conditions, and it is time for those who do have such knowledge to make their voices heard. For to win the war we must have food as well as fighting men and guns. In the interests of the common good, therefore, we hope that our readers will write very plain letters to their Senators and Representatives, and urge the amendment of the draft law as we have suggested.

Mr. President, it is one of the strange situations that substantially every Member of the Senate, without regard to division—for there are no divisions in the prosecution of the war—substantially every Member of the Senate is in favor of increasing the draft age to 40 or 45 years. Every Member of the Senate recognizes that it is not only wise to do it, but that it is imperative that it shall be done if we are to maintain our Army and our industries at the highest possible point. Then, may I ask, why do we not do it? It will not disturb a single regulation. It will repose the whole power in the hands of the President. He will have no fetters upon him. It will simply open for him a larger repository of man power. It is to me utterly inexplicable that there should be the least hesitation with regard to the matter.

I believe that if we had done what we ought to have done in the beginning of the war, assuming that it was wise to resort to the conscript system—and I am not protesting against that—if we had put within the draft age the men between 20 or 21 and 45, we would have just as large an Army, or a larger and more effective Army, and we would have, in addition, more than a million men who could be employed in industrial pursuits and in essential production that are not and can not be so employed at this time.

Senators may look upon that with complacency; Senators may think it is a little thing that we are a million men short now of the number that would have been at our command for effective and essential labor and for an Army as large or larger than we now have, but the more we can increase our labor in raising crops, in building ships, and in carrying on munition factories, the more rapidly will we be able to transport soldiers to the field of battle.

Mr. President, this is peculiarly, indeed solely, a subject for Congress. It is in no wise a subject for the War Department. I fear that we are about to remit it to the War Department; but if we do, we will make just the same mistake that we have made heretofore.

I do not like to criticize the progress of industry and the utilization of our man power by the Secretary of War, and I do not do so. I desire to say that, so far as Gen. Crowder is concerned, I believe that he has done everything within his power to bring together the largest number of fighting men

consistent with the maintenance of industry, but he has opportunity only to mobilize and control the men under 31. You have shorn him of the power, you have deprived him of the opportunity to do the thing that he would have done, and ought to have done, and we are going forward to commit the very same mistake that has inhered in all our preparations. The Secretary of War and the Chief of Staff understand, I assume, perfectly the movements of armies; they know where soldiers ought to gather; they know how they ought to fight; but they do not know this problem as well as you know it, and they can not know it as well as you know it. The responsibility will be yours; it will not be that of the Secretary of War; and I shudder when I think of the apparent inclination on the part of the Senate to shirk its duty and to postpone for some future consideration the vital matter of increasing the number of men who can be brought within the draft, in order that we may increase the industrial force of the Nation.

Mr. President, the man—and I hesitate to speak of him, because I fear constantly that I may bring him into collision with his superiors, and I do not want to do that—but the man who understands the subject better than anyone else under the sun, the man whose wisdom and ingenuity have developed probably the best system for the draft, so far as we can bring men within the draft, is Gen. Crowder. He believes, he knows, that this draft age ought to be increased; he makes no concealment of it. He has given hours of study to it, where others have given moments of study to it. It is no secret that he regards the enlargement of the draft age as vital if the business of the country is to be adjusted and properly adjusted as between fighting men and working men. Why will you not listen to him rather than to others who, however earnest they may be in their efforts to reach a proper conclusion, have not had the opportunity to do it, and who are not as well prepared to do it, as the Members of the Senate, for they, looking at the problem as a war problem entirely, absorbed with the movement of troops and the infinite intricacies of that phase of our affairs, can not reflect upon this question as you reflect upon it. I believe you all are convinced that the draft age must be increased. Every moment that is allowed to pass sends some men into the Army who ought not to enter the Army, and holds some men from the Army who ought to be in the Army, if we are to use to the best effect our entire resources.

Mr. KING. Mr. President, will the Senator permit a question for information?

Mr. CUMMINS. Certainly.

Mr. KING. Has Gen. Crowder suggested in any of his testimony the maximum age of those who should be subject to purely military service?

Mr. CUMMINS. I think he has. I do not know whether I am at liberty to disclose it or not, but I have read his testimony, and I am familiar with it.

I assume that we may speak of it with some freedom, and if I gather his view of the matter correctly it is that he is doubtful about the propriety of reducing the age, but he has no question whatever about the wisdom of an increase in the age.

Mr. President, if this war lags, if we are not able to do all that we ought to do in the building of ships, in the manufacture of munitions of war, in the production of food, somebody must suffer; and I think the boys who lie or will lie under the sod in France will pay the penalty for our failure to utilize to the best advantage our man power. I shrink from the thought, and I can not believe that if the Members of the Senate are convinced that the draft age should be enlarged, so as to bring within its scope many men who are not now subject to its control, they will reflect their deliberate judgment in the vote which they will cast. It is too heavy a responsibility to bear. We can not avoid the decision. It is for us to say what men shall be brought within the draft. It will not disturb a single regulation; it will not arrest the progress of selection and distribution a single moment, but we will be able to bring into the Army a million and a half men—and we ought to have them there now—who do not contribute substantially to the production of the country.

I intend to offer an amendment to the amendment proposed by the Senator from New Mexico [Mr. FALL]. I shall not discuss it at this time. It is the only material respect in which the amendment which I offered weeks ago differs from the amendment proposed by the Senator from New Mexico, and when the time comes I shall propose this amendment:

Provided, That the regulations relating to classification and exemption shall be so framed that there shall at all times be in civil employments a number of persons sufficient to produce enough to maintain, equip, and transport our military forces, support our civil population, and furnish to the countries cooperating with us in the war the supplies which their necessities demand; and all said regulations shall enforce, in so far as practicable, the duty of every qualified citizen either to labor in a useful way or to bear arms in the defense of his country.

This is a regulation which ought to be legislatively declared. It ought to receive all the power, all the influence, of which it is capable. It ought to sink so deeply into the hearts of the people of this country that it can not be effaced. It ought to stand as a guide, as well as an inspiration, to the War Department as to all the people of the country.

I do not know whether or not the Senator from New Mexico will object to the amendment I intend to offer; but, however that may be, I look upon it as so necessary, so essential, that I shall ask that it be added to the amendment which he has proposed. I may say, in passing, that I want to narrow the differences within the smallest possible compass, and while I believe that the draft ought to include men of 45, or even more, and while I believe that under certain conditions the draft age ought to be decreased or lowered, yet I do not intend, so anxious am I to secure some results, to offer the amendment enlarging the age to 45 or lowering the age under any circumstances below 20.

Mr. President, I submit these suggestions in the very earnest hope that we will not delay a single moment this vital, overwhelmingly important change in our legislative policy.

Mr. McCUMBER. Mr. President, the arguments have been so voluminous and so forceful concerning the matter of increasing the field from which the Commander in Chief shall draw an additional army that I shall not venture to suggest a single additional argument on that phase of the question; but I do wish to express one other reason which has not yet been discussed on the floor, at least at any length, why I believe that the draft age should begin at 18 and end at not less than 45 years.

Mr. President, we had before us at the very beginning of the raising of this army the alternative of the selective draft or the volunteer system. I think I voice the sentiment of every Senator on the floor when I say that one of the most important factors that affected our decision upon that subject was this: Under the volunteer system we allowed those young boys from 18 up to 30 to volunteer and become soldiers in the American Army. We allowed those in whose hearts the stirring impulses of patriotism were the most resonant to do the fighting, while the others could go into the battle or not, as they saw fit; and my conviction was that I did not want the patriotic boys to do the dying for the country and those whose patriotism was less keen to secure the advantages of a victory secured by their deaths.

Mr. GALLINGER. Mr. President——

Mr. McCUMBER. I yield to the Senator.

Mr. GALLINGER. I want to corroborate what the Senator has just said. I was an advocate of the other view; but I was greatly impressed by the forceful manner in which the view was placed before the Senate that if we did not resort to a draft the young men, the patriotic men, and the best men of the country would voluntarily enlist, and that another class, less patriotic and of less value to the Nation, would escape. That was the argument that was made, and I think it was the argument that carried the Senate to the conclusion it reached.

Mr. McCUMBER. And that less patriotic class would be the class of American citizens whose progeny would make up our population in the future.

Mr. GALLINGER. I agree to that. I know that while I did entertain the opposite view in the beginning the arguments which were so forcefully and eloquently presented to the Senate, if they did not fully convert me to the other view, certainly carried me a long way in that direction.

Mr. McCUMBER. Not only that, Mr. President, but, as bearing upon the same proposition, we knew that there would be some sections of the country where every boy above 18 years of age would flock to the colors, while there would be other sections of the country where perhaps no one would enlist.

We followed that system. I think it has worked splendidly. In every section of the country where there was a degree of reluctance to get into the war, now, when the families see their sons and brothers there, it is creating a wave of patriotism that is taking hold of the hearts and consciences of all the people of that section.

What has that to do with the present proposition of increasing the age limit from 18 to 45? It has this to do with it: Under the law as it now stands you accept the boy of 18 if he will volunteer in the Regular Army; you accept him if he will join the Navy; you accept him if he will enter the Marine Corps; and thousands and tens of thousands and possibly hundreds of thousands of the boys between 18 and 21 years of age, impelled by the impulses of patriotism, are being

taken into the Army at 18. Now, Mr. President, if we will take them at that age into the Regular Army, if we will take them at that age into the Navy, if we will take them at that age into the Marine Corps, then I insist that we ought to bring the draft age down to 18. Either place 21 years of age as the limit for volunteers or else place an age for the selective draft that will be the same as the age for volunteers.

Mr. KING. Mr. President——

Mr. McCUMBER. I yield to the Senator from Utah.

Mr. KING. In line with what the Senator has said as to the imperfection of the present limits, I have received a number of letters, one of which is illustrative of the point I am about to make.

I received a letter yesterday from a widow who stated that she has three sons. One is 24, and he was drafted. One is 20, just below the draft age, and he volunteered. The other boy, her only remaining son, as soon as he reached 18, volunteered in the Navy. So that that widow has three sons, all of whom are now in the Army or Navy. If the draft system or some other system had been applied by which the Government took jurisdiction of those over 18 for training, if not for fighting, the younger boy could have been held back for a reasonable time, and not sent to do military duty.

Mr. McCUMBER. Mr. President, I do not care so much what the age is, provided it is within the limits of reason, and provided that the age of volunteering corresponds with the age of drafting, so that we may have equality of treatment, so that the most patriotic of our population shall not be the first to suffer and the first to die for their country's welfare.

Mr. President, I want at this time to talk a little with the chairman of the Committee on Military Affairs.

The Senator is conversant with the declaration made by ex-President Taft several months ago that the United States Army ought to be 5,000,000 men. The Senator is conversant with the declaration by ex-President Roosevelt, made but a very few months ago, that we ought to have 5,000,000 men in France at the earliest possible time, and that we ought to have them there now if we could get them there. The chairman of the committee listened yesterday to one of the most forceful, one of the most patriotic and truthful, addresses that have been made in the Senate. I refer to the address made by the Senator from Missouri [Mr. REED] upon the comparative strength and power of the contending armies upon the battle front. The Senator listened to his eloquent declaration in favor of raising our Army at the earliest possible moment to at least 5,000,000 fighting men. The Senator listened also to a declaration of the Senator from New York [Mr. WADSWORTH], in which he stated, in substance: "I want to go on record as favoring an army now of 5,000,000 men." I want to ask the Senator if he believes we ought to have 5,000,000 men in France at the earliest possible moment?

Mr. CHAMBERLAIN. If the Senator has paid any attention to my position on the subject, he will know that some months ago I made a public statement advocating beginning at 2,500,000 men and having 2,500,000 men in training for that purpose, and I am in accord with the views of the Senator.

Mr. McCUMBER. I am glad of that, Mr. President. I know the position of the Senator, but I wanted it on record here, because I want to meet the Senator upon that level ground of agreement and base my argument upon that agreement. If we need 5,000,000 men, if the conditions demand 5,000,000 men, and if we can produce the material, equipment, and the shipping to transport those 5,000,000 men, then I know the Senator will agree with me that we ought to bring the Army up to that number. I have therefore prepared an amendment that will correspond with every argument which has been made upon the floor of the Senate, an amendment which declares that we will, at least we will attempt to, do it, and that declaration will operate as an incentive to realize the purpose.

Mr. CHAMBERLAIN. May I interrupt the Senator for just a moment?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. The Senator will remember that when the first draft army was raised the Government was not prepared to take care of the young men who were called into the cantonments and camps. It was the result of the lack of preparation, let the responsibility be where it may. I do not undertake to say now where that responsibility was; but the Senator will remember that those young men were taken down there without their winter clothing, without hospital facilities, without the sanitary conveniences which would protect the health of the young men. The result was that about eight in every thousand, probably a little larger per cent, died.

I am influenced, as I said yesterday, by the statement of the Secretary of War and the Chief of Staff that if we were to arrange to organize an army of 5,000,000 men to-day we would send them into these cantonments unprepared again, and they would suffer the same inconveniences, and there would be the same number of deaths that happened in the last draft.

Now, then, if we were prepared to-day to raise 5,000,000 men I would act upon my own judgment rather than upon the judgment of anybody else, but I assume that the Secretary of War and the Chief of Staff know how many men we can care for.

Mr. McCUMBER. Mr. President, if I were advocating the raising of an army of 5,000,000 men without attempting to support the argument which goes with it that we must produce the equipment and the shipping to take care of those 5,000,000 men I would consider my argument as of no avail and a waste of time.

Mr. CHAMBERLAIN. If the Senator can show that I know it will be gratifying to the country, but the Senator knows that having undertaken to mobilize the industrial life of this country as fast as it has been possible to mobilize it, extending the plants at the expense of immense appropriations, we are still unable and will not be able, as the Senator from Missouri [Mr. REED] said yesterday, to equip our fighting forces with the ordnance necessary on the front, and we are not able now, I will say to the Senator, to equip 5,000,000 men with the necessary clothing and other things and put the men in cantonments and keep them in a good, healthy condition.

Mr. McCUMBER. I can show how it can be done.

Mr. CHAMBERLAIN. I should like to hear it.

Mr. McCUMBER. Whether or not we will take hold and do it is another proposition. That brings me right up to the principal thing that I want to talk about. So far the raising of an army has been conducted solely by the executive department. The Constitution of the United States imposes upon Congress the duty to raise and equip armies and to provide for a navy. I want the Senator to help me get the Senate back into its own clothes. I want him to assist in the resumption of the legislative functions of this body. I know of no one to whom I can better appeal than to the Senator from Oregon, the chairman of this war committee.

Mr. President, the report of the House Committee on Military Affairs adopted by the Senate committee in this bill declares that this appropriation provides during the next fiscal year for an army of practically 3,000,000 men. To-day? No. Six months from now? No; but more than a year from now we are to have 3,000,000 men; it may be a million and a half in France and another million and a half training. Does the Senator mean to tell me that after one year or more this great Nation of 105,000,000 industrious people can not put over a million and a half into France? Is it therefore to be published to the American people and to the world that we propose to have an army of only 3,000,000 men in France by July 1, 1919? No; not 3,000,000 fighting men; 3,000,000 men, 66 per cent of whom only are fighting men. That does not mean 3,000,000 fighting men by that time, but that we expect to have in training in the United States and in France, including noncombatants, July 1, 1919, 3,000,000 men, perhaps one-half of whom will be in the United States.

Mr. President, how many people in the United States know just what fighting force on the western line this bill contemplates? Let us analyze it. The last public utterance made by the Secretary of War on the subject was that we have transported 800,000 troops. That was about a week ago. I think Gen. March in his testimony says that that is now increased to about 900,000. The testimony before the Military Committee declares that but 58 per cent of the 800,000 men belong to the fighting units. Therefore—and this, I think, will startle the American people, who are reading headlines about a million soldiers in France—instead of having 800,000 we had at that time 464,000 fighting soldiers in France. There is a vast difference between that and a million. The other units were composed of mechanics, foresters, lumbermen, railway contractors, laborers, and so forth.

Now, I join most earnestly with the Senator from Missouri [Mr. REED] in his declaration that we ought to give the truth in all its ugliness to the American people. If we had at that time but 464,000 fighting men in France, we ought to say so and not publish that we have about a million soldiers in France.

Mr. President, it being admitted, both officially and unofficially, that our allies are outnumbered on the European battle line, vastly outnumbered on the northern section of that line, and that the ability to recoup losses, because of the far greater population of the enemy, is greater than that of our allies, it must be apparent to everyone that we must look entirely to this country to maintain the equilibrium and if possible to throw the weight of numbers on our side. Are we doing our part?

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. I believe the Senator has given more attention to the subject of our shipping than any other Senator in this body. I will ask the Senator, based upon the knowledge he has as to shipping, assuming we had 5,000,000 men now in training and wanted to transport them to France, does he think for a moment that we could transport even half of them? Particularly if Great Britain on the 31st day of July and France on the 31st day of July, when their shipping arrangement ceases with the Government, withdrew their assistance, does the Senator think, in the condition in which our shipping is now, we could get them over there?

Mr. McCUMBER. Mr. President, Great Britain and France are going to afford every possible assistance to this Government in getting our troops over to France. If they could give us the requisite shipping during the next two or three months, so that with our combined shipping we could send 200,000 a month across the ocean to France, then, based on the department's assertion, made over and over again, that by August 1 the production of ships will be greater than the destruction of ships, there is every presumption in the world that we should be able to continue putting our soldiers across the Atlantic at the rate of 200,000 a month. That is not all.

Mr. CHAMBERLAIN rose.

Mr. McCUMBER. Let me answer further. You are assuming that with the present program of shipping you can take care of 3,000,000 soldiers. All right. Then there will be 2,000,000 more to take care of if you increase the number from 3,000,000 to 5,000,000. Two million more soldiers would, according to my estimate, take not less than 10,000,000 more tons of shipping. That 10,000,000 tons can be produced this year in concrete ships in addition to the ships that we are producing and will produce of steel and wood, and we can have them ready if we can overcome the everlasting conspiracy now afloat in this country to prevent the construction of concrete ships.

Mr. GALLINGER. Mr. President, will the Senator permit me?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. I have not kept in very close touch with the concrete-shipping question, but I have noticed that one concrete ship has made a successful voyage, and I had supposed that that would probably settle the question of the advisability of building those ships. I will ask the Senator if we have not made an appropriation of $50,000,000, or something like that, for concrete ships?

Mr. McCUMBER. No; concrete shipping is hedged about, and the Shipping Board will not take hold of it on a large scale unless Congress especially authorizes it and directs it. The House committee refuse to direct it because they say that the Shipping Board can go ahead if they want to. The Shipping Board says, "We know we can, but we want instruction to go ahead," and the House committee says, "We will not give you any instruction." Now, I am not blind to what is back of that "you first."

Mr. GALLINGER. I am, and for that reason I asked the question. I supposed, having made the appropriation, we had discharged our duty, and I presumed that an executive department would not hold up a matter of that kind after Congress had legislated.

Mr. McCUMBER. Congress has not made specific legislation on the subject.

Mr. GALLINGER. Has it not made an appropriation?

Mr. McCUMBER. It has not.

Mr. GALLINGER. I beg the Senator's pardon.

Mr. McCUMBER. Congress made an appropriation generally last year for shipping, and will make another appropriation; but the Shipping Board says, "We want you to speak specifically; tell us to go ahead and do so and so in reference to concrete ships." The committee, through its chairman, answered, and I have the letter. "We gave you enough money, now take the responsibility." The Shipping Board says, "We will not take it," and there we are hung up between the two propositions—"You have the general authority" and "We want specific authority."

Mr. GALLINGER. I confess I have been laboring under a misapprehension. I had an impression that a direct appropriation had been made for the construction of concrete ships.

Mr. McCUMBER. It has not.

Mr. GALLINGER. If it has not, I was laboring under a wrong impression. Now, concerning the matter of ships, which the Senator has been discussing——

Mr. JONES of Washington, Mr. SMOOT, and Mr. KING addressed the Chair.

The PRESIDING OFFICER (Mr. GUION in the chair). To whom does the Senator from North Dakota yield?

Mr. McCUMBER. I am yielding first to the Senator from New Hampshire, who has the floor.

Mr. GALLINGER. I very decidedly sympathize with that view. I notice in this morning's paper that notwithstanding the destruction of ships by submarines is very greatly lessened, yet for the last week more ships were destroyed than had been added to the tonnage of the world, and I think the situation is a very serious one.

Mr. McCUMBER. It certainly is, Mr. President; and it certainly calls for every possible effort on our part to secure as great a tonnage as possible. I yield to the Senator from Washington.

Mr. JONES of Washington. I did not hear all the Senator's suggestion with reference to the concrete-ship situation, but I want to call his attention to a fact with which he may be familiar. Since the House refused to provide a specific appropriation for concrete-ship building, the Shipping Board or the Emergency Fleet Corporation has decided to establish five concrete-ship yards in the United States and to carry on the construction of concrete ships out of the general appropriation in those five yards.

Mr. McCUMBER. Yes; but does the Senator stop to think what tonnage those five yards will produce?

Mr. JONES of Washington. I am not saying anything of that kind. I think they ought to be enlarged myself.

Mr. McCUMBER. I make the point that it is not a drop in the bucket.

Mr. JONES of Washington. I appreciate that, but I wanted to bring out the fact that the Shipping Board or the Emergency Fleet Corporation seems now to realize it, and are ready to use that money for the building of concrete ships.

Mr. McCUMBER. To use a little of it. They say, "We will use a little in experimentation, but we do not want to go to work on a large scale unless Congress tells us to do so."

Mr. JONES of Washington. I do not know whether they have taken that position now or not, but they are taking the position that they will not establish more than five yards. I know that because I tried to get them to establish another one and they say they will not do it.

Mr. McCUMBER. They ought to establish at least 20 yards instead of 5.

Mr. JONES of Washington. The Senator and I agree on that proposition.

Mr. KING. I should like to ask the Senator from Washington if he knows whether Mr. Hurley has changed his views in respect to the building of concrete ships. The reason why I inquire is this: A short time ago I saw a publication to the effect that he is unalterably opposed to embarking upon the building of concrete ships. I was wondering if he had changed his mind and had reached the conclusion that there is merit in ships of that character.

Mr. JONES of Washington. I can not, of course, speak for Mr. Hurley, although I have had some talk with him that I would not repeat. I do not think Mr. Hurley himself has changed his mind, but the Shipping Board or the Emergency Fleet Corporation, of which he is chairman at present and only one member, has decided to locate five yards, under a suggestion probably from outside sources.

Mr. McCUMBER. Mr. President, I will if I have time this afternoon go in detail into the concrete-shipping proposition, but I had not intended to deal with it except generally. However, before we adjourn or take a recess I think I shall take occasion to lay the situation before the Senate.

Mr. President, our Military Establishment points with pride to the fact that with the assistance of British and French shipping we have been able to transport 200,000 men per month. And, considering the shortage in world shipping and the extraordinary burden borne by British maritime resources, it is a wonderful achievement. But this number, great as it is, is less than the monthly loss of our allies. They lose more than 200,000 a month.

From March 21, the beginning of the German drive against the British, to June 21, the close of the German drive against the French and Italian lines, our allies lost in prisoners alone about 225,000, and these were all from the fighting units, not from the noncombatants.

And, Mr. President, after the subsidence of the first exhilaration inhaled from exaggerated statements of enemy losses, and we began to count the losses of our allies, we are reluctantly forced to the conclusion that, exclusive of prisoners, their losses have been about equal to those which they inflicted upon the enemy.

That is nothing strange, but is a condition which we might very naturally expect when our allies are subjected to the

deadly fire of superior artillery, the deadlier fumes of more poisonous gases, and the onrush of overwhelming numbers.

Therefore it is fair to assume that the disparity of numbers, great as it was prior to March 21, has not been materially changed by our addition of about 120,000 fighting men per month, and the advantages of war, notwithstanding the cheerful news of the failure of the Austrian drive, are still with the enemy.

We should do better than is contemplated in this bill, and I say this with all earnestness and sincerity to the chairman of the Committee on Military Affairs. I do not mean to say that if we do not do more it necessarily spells disaster to our cause, but our failure to do so will unquestionably prolong the war for many months, if not years, with ever greater slaughter and added horrors. To preserve these lives, to diminish these horrors, to bring this war to a close in the shortest possible time, it is our moral duty to do more if we can do it. And, Mr. President, we can do it.

We are continually asserting that the American people have not yet begun to realize that we are in actual war. But why should this tardiness of the American mind elicit comment, when neither the Congress itself as a whole, nor the War Department, nor the Shipping Board, nor other kindred boards have yet fully awakened to that realization? Certainly Congress must admit either that it does not realize the full importance of this war or that while conscious of its gravity and immensity it has nevertheless transferred congressional functions and responsibilities pertaining to the war to another branch of the Government.

I wish to plead with the chairman of the Committee on Military Affairs to recall the constitutional functions and to exercise the war powers of Congress. Is he in the least degree uncertain as to where rests the authority to conduct and direct this war, whether in the legislative or in the executive department?

The Constitution creating this Government imposes on the Congress the duty to declare war, to raise and support armies, to provide and maintain a navy. And, Mr. President, the sole authority to declare war, to raise and support armies, and to provide and maintain a navy, per se, imposes upon Congress the sole duty to determine the size and character of any army or navy created by it.

Certainly the chairman of this war committee will agree with me upon that declaration. Therefore it is for Congress to exercise legislative judgment as to the number of fighting men necessary to achieve a victory. Congress has no right, legal or moral, to relieve itself of or to shift that burden upon the shoulders of another, whether he be the Secretary of War or the President of the United States.

Mr. President, so far—and I think the chairman of this war committee will agree with me—Congress has wholly failed to assume that duty or to exercise any judgment whatever in relation to it. So far all Congress has done has been to enact whatever revenue measures or other legislation the executive departments have seen fit to recommend; to make appropriations as per executive schedule; and has exercised only a moiety of its judgment, even upon these subjects.

Congress, upon whom is laid the duty to raise armies—and I want the attention of the Senator from Oregon——

Mr. CHAMBERLAIN. I am trying to follow the Senator.

Mr. McCUMBER. I know the Senator is, and I am pausing while his attention is being diverted.

I want to say that Congress—let me repeat it to the Senator—upon whom is laid the duty to raise armies, has not once asked itself, How large an army do we need to make a success of this war; what tonnage of ships will it require to support that army? Congress has not once asked itself those questions since we entered this war.

I appreciate the fact, Mr. President, that the chairman of the Committee on Military Affairs is a very busy man at this moment——

Mr. CHAMBERLAIN. I hope the Senator from North Dakota will not undertake to get it into the RECORD that I am inattentive to his speech or inattentive to my duty.

Mr. McCUMBER. No, sir; I am referring entirely to many Senators who are engaging the attention of the chairman of the committee while I am trying to engage his attention at the same time. I know that he is so courteous that he tries to listen to three or four Senators at the same time.

Mr. CHAMBERLAIN. As the Senator from North Dakota has acted as chairman of committees, he knows how many questions are put to a chairman in the course of the day, and I try to answer all such questions.

Mr. McCUMBER. I appreciate fully the situation.

I now ask these questions of the Committee on Military Affairs, and if the judgment of that committee is that we really should have 5,000,000 men on the battle front by July 1, 1919, then why should we not so declare, that the executive branch of the Government may begin now to carry that legislative judgment into effect?

To expedite and better digest needed legislation on these subjects the Senate has constituted the Committee on Military Affairs and the Committee on Commerce. So far what have these great committees done to enlighten the Senate on these subjects—that is, the subjects of war—or to initiate any legislation intended to carry the war powers of Congress into effect?

The Committee on Military Affairs does a little scolding now and then, I admit, because we have not any aeroplanes, but has that august committee ever exercised any judgment as to how many such machines we need? It has evidenced some displeasure, Mr. President, that some $640,000,000 of appropriations for aeroplanes have shown no concrete results, but has it ever suggested to any department when and how those machines could be secured?

It was the right and the duty of that committee to direct—and that is the point I want to make to the chairman of the committee—it was the right under the Constitution and the duty of that committee to direct, and not be the mere recipient of a direction. Like other committees, it has been the servant and not the master; instead of giving orders, like other committees it has simply obeyed orders.

Mr. President, had this committee recognized and upheld the constitutional authority and duty of Congress in the conduct of war, and then proceeded to perform the functions of a war committee, the skeleton of our aeroplane scandal would not now be grinning at the American people from its darkened closet. Had the chairman of the Committee on Military Affairs, with his great experience as a legislator and his vast fund of information upon the subject, directed the construction of aeroplanes, taken charge, and assumed the responsibility, we never would have had the aeroplane farce that is now shaming us.

Mr. CHAMBERLAIN. Mr. President, the Senator insists upon my remaining and listening to a lecture being delivered to the chairman of the Committee on Military Affairs for his inefficiency and inattention to business——

Mr. McCUMBER. Mr. President, the Senator can not accuse me of that. I am referring to the committees of the Senate, including the Committee on Military Affairs, and the only criticism that I will urge is a criticism against Congress and not against the committees, because they are the creatures of Congress, and Congress abdicated its authority and left nothing for the committees to do.

Mr. CHAMBERLAIN. If the Senator will permit me for a moment, the Military Affairs Committee of the Senate, which, as the Senator says, is but the servant of the Senate, has been vigilant and attentive to its business ever since the war began. I will say to the Senator, further, that the chairman of that committee prepared a universal military-training bill in advance of the action of the Senate, and insisted upon its passage three years ago. Was the Senator himself active in undertaking to get that bill before the committee? That bill is pending now. And not only that, Mr. President, but every war measure that has been introduced in the Senate and every war measure that has been adopted for the purpose of strengthening the Army of the United States has gone to the Military Committee and been promptly reported out. If there is delay somewhere, the Senator ought rather to blame Congress than the Military Affairs Committee.

Mr. McCUMBER. If the Senator will listen to me through, he will see where the blame lies. That is why I am saying, Mr. President, that if the Senator from Oregon could have control of the situation we would have had a different result. It is not his fault because Congress has surrendered its authority.

Mr. CHAMBERLAIN. I am glad to have the Senator say that, because I rather construed what the Senator said as a criticism upon the chairman of the committee.

Mr. McCUMBER. On the contrary, I was paying the committee the highest compliment for their ability to do things, if Congress had allowed them to do them and had insisted that the power should rest in those committees, and had followed the advice of those committees, rather than some clerk in an executive department. I say had the committee—and this is another committee—had the Committee on Commerce been active in the performance of war functions which Congress of itself took away from them, had it enacted its judgment into positive legislation with direct and certain purpose, we would not have been a year or two years behind time in meeting the submarine

ravages; we would not have lost six or eight months before we did anything toward improving our shipping situation.

I repeat, Mr. President, that these are not criticisms aimed at either of these committees, but rather at Congress itself, which, by its own legislation, has seemed overwilling to surrender its functions and delegate its authority, and thereby escape its responsibilities. There is where the fault lies.

Mr. President, in the light of our dereliction and of our total failure to shoulder our great constitutional obligations in this war, would it be impertinent for me to ask the Senate, even to plead with the Senate, to return to its ancient functions, to exercise its old rights and obligations given it in trust by our fathers? Would it be possible for me to secure the earnest attention of this body on the subject of what can we—the Congress, not the Executive—do and what ought we to do to win this war and to win it speedily?

I know that some of my colleagues, and I am afraid that most of them, will say, "We must leave that to the Secretary of War." Why leave it to the Secretary of War, may I ask? Admitting that he is a splendid lawyer, admitting that he is a splendid man, as we all will admit, is he a military genius? Has he had any military training whatsoever? Has he had any experience superior to that of the majority of Senators on the Committee on Military Affairs? Has he had the military training and the military information that is now in the possession of the chairman of the Committee on Military Affairs? Has he ever demonstrated a special aptitude on military needs and strategy that would make his judgment as to the force necessary to secure a victory on the western front superior to that of the committee and superior to that of all the Congress? Has he in his possession any knowledge that can not equally be obtained by the Committee on Military Affairs? If not, then why should we neglect our official duty? Why should we delegate our constitutional authority?

Other Senators say: "We must leave all this to the judgment of the President of the United States."

Mr. FALL. Mr. President, would it interrupt the Senator for me to ask him a question?

Mr. McCUMBER. Not at all. I am glad to be interrupted.

Mr. FALL. In listening to the Senator's remarks I was reminded of a letter written by Abraham Lincoln to Gen. McClellan during a crisis in the history of this country, in which Lincoln stated, with reference to certain military matters connected with the organization of the Army, that he had consulted every military man in the service in Washington before taking his action and that he had read every book on military tactics which he was able to obtain. Has the Senator any information leading him to believe that the Secretary of War or the Commander in Chief has pursued such a course with reference to this matter?

Mr. McCUMBER. I think it would be impossible, with the many other duties imposed upon the administration at this time, so much greater than in those days, it would be impossible for any one human mind to understand everything on every subject; and therefore I have more confidence in 435 Congressmen and 96 Senators than I have in any one man in the whole world, or any 10 men.

But, you say, we must leave all this to the judgment of the President of the United States. Through what process of reasoning do you arrive at that conclusion? Certainly not from anything contained in the Constitution. The Constitution makes the President the Commander in Chief of the Army and Navy. Is there not a clear distinction between the military and strategic judgment of a commander in governing and directing whatever force may be at his disposal in the field and the legislative judgment of Congress, which measures the importance and strength of the several warring nations, their man power, their resources, their territorial, industrial, or commercial advantages, and upon those data determines what force must be raised to meet the situation?

What are the duties of the Commander in Chief? They are to direct the movement of troops and to control the appointment of all underofficers. The commander is the soldier to execute the war. He is not made the legislator to declare war or to create and support armies. Had it been otherwise intended, our fathers would have created an autocracy and not a Republic.

Under the Constitution what is the clear duty of Congress in this war? Why, Mr. President, it is simple. It is to obey the Constitution; it is to assume the obligation imposed upon it by the Constitution; it is to exercise the war functions imposed upon it; it is to perform those duties in conjunction with the duties of the President of the United States, in harmony with him as Commander in Chief of the Army and Navy; it is to furnish the Commander in Chief with an army sufficient in number to make short work of this war; and on the question of the number required it is for Congress to exercise its own legislative judgment.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. McCUMBER. Certainly.

Mr. CHAMBERLAIN. There is not any question about the position that the Senator takes now. I do not differ from him at all in regard to any of the principles that he is laying down, but let me ask the Senator this question:

Take the Department of the Interior. Whenever a matter affecting the public domain is before Congress does not the Senator think it is very proper and very appropriate to call the officials there who have come in touch with the subject and to be governed measurably at least by their statement as to the facts?

Mr. McCUMBER. Certainly. It is expert testimony, and I will give it all the weight of expert testimony; but when it came down to the question of exercising judgment I would exercise my judgment as a legislator, and right here let me call the attention of the Senator to the difference. On the question of how to move these armies, how to perform the functions of the Executive, we have no right to have anything to say. But does not the Senator know just as much about the population and resources of the German and Austrian and Bulgarian and Turkish Empires as the Secretary of War could possibly know? Therefore in measuring the strength of the armies of the enemy, in determining what we must oppose against these armies, is not our judgment as good as his?

Mr. CHAMBERLAIN. Yes; but I was leading up to this question that I wanted to ask the Senator. Let me further illustrate it: When the Secretary of War and the Chief of Staff, who is supposed to be an expert, and other men connected with the War Department who are supposed to be experts and who are supposed to know the actual situation in this country as to their ability to handle and transport troops, come before the committee and testify, does not the Senator think that they ought to be treated as any other witnesses, and that the committee, in forming its judgment, ought to give some attention to the statements they make?

Mr. McCUMBER. I think they should be treated with greater concern than other witnesses.

Mr. CHAMBERLAIN. Let me say to the Senator that I have not surrendered my judgment, and I do not think any member of the committee has surrendered his judgment. The fact is, I believe I can safely say that the majority of the committee believe in a very much larger army; but the committee, after hearing the testimony that was given before it, without surrendering its judgment at all, felt that under the circumstances and facts as stated we would not be able at this time in this country to handle the men that it is now insisted we should have.

Mr. McCUMBER. On at least a dozen bills I have voted to surrender my own judgment to the judgment of executive departments, as the Senator has and everyone has; and I think that, in many respects—not in all—we have made great errors in so doing.

Now, Mr. President, I say upon the question of the required number that the thoughtful conclusion of 500 representatives of the United States rather than the conclusion of a single man, though that man be the Secretary of War or the Commander himself, ought to govern. If we believe that the Commander needs at his disposal more than he asks for, more than this bill provides for, we should be honest enough with ourselves to say so.

If we believe that we need 5,000,000 soldiers, 5,000,000 fighting men in France to win the war, we ought to say that we believe it now. If the bill provides for only about a million and a half in France in over a year from now, we ought to say to the country that our legislative judgment is that it is not sufficient. That is what I am pleading for. We ought to tell the people the truth, and then we ought to begin immediately to raise the required number and equip them in the shortest possible time. We can not do impossibilities, of course, but we can do our utmost; and when I say 5,000,000 soldiers I do not mean 5,000,000 men, only 60 per cent of whom are soldiers and the other 40 per cent are foresters or lumbermen or railroad builders or laborers. This battle is going to be won by blood and steel upon the battle front, in the trenches, and over the trenches, and there is where we need our force; and, Mr. President, the men who think we can win this war with less than 5,000,000 fighting men in the field have failed entirely to recognize the man power, the resources, the physical advantages of our enemies and the many disadvantages which we, as well as our allies, must overcome.

The Senator from Missouri [Mr. REED] presented in strong terms these advantages of our enemies and disadvantages of our allies, but he did not cover them all. May I briefly reiterate a few of these important ones? Here are some of the most important advantages of our enemies:

As suggested by the Senator from Missouri and as given by me on the 16th day of January, the population of Germany, Austria-Hungary, Bulgaria, and Turkey are very much greater than the populations of France, Great Britain, Italy, and Ireland. Other things being equal, the central powers can place and maintain in the field from their excess of population about 5,000,000 more men than the entente powers of Europe can possibly put into the field.

Again, the populations of all the territories invaded by the central powers—Belgium, Roumania, Serbia, a large portion of Russia, and northern France—men, women, and children, are all made slaves, and under the military lash of the war lord are now producing to the last limit of physical strength for the central powers.

Again, between four and five million prisoners, now treated worse than slaves, are laboring in Germany to produce war material to destroy their own brothers.

Again, this compulsory service by civilians and prisoners alike releases other milions to bear arms for the German cause, thereby further increasing the superior number of the fighting forces of the common enemy.

Again, the physical and financial resources of the countries invaded, all of their property, all of their banks, have been seized and utilized by the central powers.

Again, the territory occupied by the central powers is vastly superior in productivity, acre for acre, to that of the entente powers.

Again, the central powers are in possession of all of the important oil fields, all of the important coal fields, all of the important iron fields, and now all of the important wheat fields, of Europe.

The Senator from Missouri yesterday gave in square miles the area of each one of these great contending countries, and showed the vast superiority of the central powers in extent of territory, and he might well have added that, acre for acre, the productivity of the central powers is far in excess of the productivity of the other powers unless it be France.

Again, not a foot of the territory of the central powers has been devastated or is under enemy control. Their industries have been untouched; and those industries, Mr. President, are organized as those of no other country.

Again, the central powers are one solid, contiguous territory, with both flanks of their battle line resting against inviolate neutral territory—Holland on the north and Switzerland on the south. Their transportation facilities are such as to enable them to throw a preponderating force, and, if they choose, an overwhelming force, against any point in this line in a few hours, while it would take days to move a like force from one section of the allied line to another to meet the thrust.

Again, in addition to the imposition of slavery on all the inhabitants of conquered territories, the central powers are exacting a tribute from those unhappy peoples more cruel than was ever imposed during the darkest periods of medieval warfare. I am informed that the per capita levy upon the Belgian people amounts to-day to $500 per annum.

Again, every product necessary to support the armies of the central powers is being produced but a short distance back of the lines.

Without any sea commerce to defend, the central powers, with their vast schools of submarines, are threatening the lives of opposing nations which must depend upon sea commerce for their existence.

Again, the cost of maintaining the central forces is extremely light compared with the expense of maintaining an equivalent force against them.

These are but a few of the enormous advantages of our enemies. As against these advantages, which in the aggregate become enormous in favor of the enemy, let us place some of the disadvantages against which our allies must labor. What are they?

First, the great bulk of all the food for all our allies must be transported from all portions of the earth, across seas infested by the cowardly and treacherous submarine.

Again, all material for clothing, drugs, medicines, munitions, oils, and lumber must for the most part traverse equally long and dangerous routes.

Again, immense numbers of warships, torpedo destroyers, submarine chasers, must be utilized to convoy merchant ships.

Great Britain must use a very large proportion of her man power in manning ships, both war and merchant, and in producing munitions for her allies, which places her at a further disadvantage in man power.

Again, the cost of maintaining the war on the part of the allies is not only much more but many times greater than the expense of maintaining an equally efficient war by the central powers, and the allies just to that extent are weighted down, overburdened in the conflict.

Mr. President, it has been declared on this floor that to put an army into the field in France will cost the United States $12 to where it costs Germany $1 per man.

Again, the heavy losses sustained by the allies on the western front in the March and May drives by the Germans evidences the inability of the allies, which I have already mentioned, to bring up reenforcements to meet the overwhelming numbers which the central powers can hurl against any given point; and what is more, possibly the saddest of all, in the invention of marvelous guns and of insidious gases, and in the utilization of new and more deadly instruments of war, the allies, including ourselves, are but tardy, inefficient followers, and never, I regret to say, originators.

Mr. President, in the face of these enormous advantages held by our enemy, in the face of these undisputed disadvantages of our allies, can any thoughtful, patriotic student of this war fail to comprehend that we can not hope to balance the inequalities with less than 5,000,000 fighting men or throw the balance of power in our favor with less than 7,000,000?

Mr. President, in an address on the 16th day of January of this year, I had the temerity to suggest that we ought to put 5,000,000 men into the field in the shortest possible time; that it would require at least 5,000,000 on the western battle front to balance the opposing forces and hold the enemy in check, and that we should need 7,000,000 before we could force that enemy out of the territory now held by him; in other words, before we could become the successful aggressors.

The New York World, ever alert with its white enamel to cover our war delinquencies and to call to task those who dare call for greater war endeavor, spoke of this suggestion of 5,000,000 men as a huge joke. The fact that two ex-Presidents shortly thereafter declared their conviction along the same line did not seem to convince this journal of the seriousness of the assertion, and I asume the ludicrous view of such a suggestion remained impressed upon that great journal, at least, until the President of the United States himself in one of his speeches asked, "Why stop at 5,000,000?" This huge joke then began to materialize into a real thing and the press of the country began to awaken to the fact that it had been dreaming. The western drive, which had already given the enemy nearly 200,000 prisoners, about 2,000 great guns, and 4,000 or 5,000 machine guns, besides hundreds of millions of dollars' worth of army equipment, the immense trains after trains of such equipment, which forced the allied lines to retreat more than 30 miles, has emphasized the demand for at least 5,000,000 men, and demonstrated its necessity.

I hope that that great journal to-day, if it shall see fit to give publication to the utterances of the Senator from New York [Mr. WADSWORTH] and the Senator from Missouri [Mr. REED] quoted here in favor of the five-million policy, will not put it under the heading of "Gloomy Reed" or "Gloomy Wadsworth."

I, however, confess, Mr. President, that I do not know just what the President of the United States meant when he said, "Why stop at 5,000,000?" If I had made that declaration, it would signify that I did not deem 5,000,000 sufficient. And so when I ask the President or the Secretary of War or whoever is responsible for the 3,000,000 Army program of this bill, Why do you stop at 3,000,000 men, not more than two-thirds or three-fourths of whom are to be fighting men, as evidenced by the bill which the House has reported and which I assume represents your views, I mean to convey a conviction that this bill ought to provide for more than 3,000,000 men. I know what I mean when I say that any budget which contemplates less than 5,000,000 before June 30, 1919, is playing at war and not making war.

Mr. President, I can not understand the absolute complacency of the Secretary of War in the face of recent disaster after disaster on the western front. Prior to May 21, 1918, the press of the country was loud in its braggadocio that the western line of the allies could never be moved or broken. I did my bit, however feeble in results, to demonstrate that our allies were vastly outnumbered on the western front and that on account of the advantages in geographical situation of the enemy they could throw an overwhelming mass against any sector and crush it before reenforcements from other sections of the allied lines could be had, and, Mr. President,

that is just what did happen. Therefore if I am asked why do you exercise your judgment for 5,000,000 when the Secretary of War suggests only 3,000,000 I will answer that my prophecy of the disaster that happened upon the western front has come true and his prophecy has failed.

Notwithstanding the fact that some of our optimistic Senators who had visited the front declared that the British line could never be broken, that line was broken and forced back about 30 miles in three days. And so successful was the assault, so overwhelming the number of assailants, so superior in artillery and in new gas shells, that the allies lost more than 250,000, including nearly 100,000 prisoners, in three days, and more than 1,000 heavy guns and more than 2,500 field guns, with an immense store of supplies, supply trains, ammunition, and equipment.

Our Secretary of War then visited the front, and upon his return, with complacent smile, he reported that all was well and perfectly safe. It really seems strange to me that the press and the Secretary of War seem to be the only ones imbued with these optimistic ideas of the invulnerability of the allied lines. Every other man who studies the situation feels that this line without substantial assistance from us can not possibly withstand the German pressure now that they are able to withdraw all their soldiers that were used upon the Russian front.

This complacent attitude of the Secretary of War had its immediate influence on the press of the country. That press began again to declare that the allies could not be driven back any farther. It declared the appointment of Gen. Foch assured allied victory. No one could give any special reason why Gen. Foch could do any more or any better than Gen. Haig was able to do. But forgetting the ancient rule of success, "Say little and do much," we resumed our boasting and continued our leisurely habits. We read fairy stories of the wonderful reserve forces which the allies had in the rear, and each day the press of the country predicted a counterstroke which would crush the enemy. No one who had given thought to the situation believed in this counterstroke except the press and possibly the complacent Secretary of War. As a matter of fact, there have been no considerable number of reserves.

Every man acquainted with the facts knows it, and what is the use of attempting to dupe the American people upon that reserve proposition?

No one believes that Gen. Haig would have lost 90,000 prisoners, a thousand large guns, and 2,500 field guns, with hundreds of millions of dollars' worth of equipment, in three days, if he had had a reserve force or any force that he could have defended them with. No one in his right mind can still think that Gen. Foch has a reserve force that can strike back when he loses in prisoners alone more than 75,000 in about five days and an equipment almost as great as that of the British loss.

No, Mr. President; the reserve force lies in the soldiery of the United States, and we might as well recognize it now and prepare to place it where it can make the promised counterstroke.

Mr. President, criticism for criticism's sake only is in itself a sort of disloyalty. Constructive criticism is patriotic. I seek by this argument and the amendment to construct an army sufficient to accomplish our war aims—victory and an honorable peace—and to accomplish this in the least possible time, with the least possible sacrifice in lives which is dependent upon that time, and I feel that I ought to have the support of the committee and of the Senate.

Now, Mr. President, I am pleading that Congress shall no longer stand idly by and allow this exaggerated halo of optimism to blind its eyes or the eyes of the allies; I am pleading that Congress shall now resume its constitutional function, that of raising and equipping an army; that Congress should go on record as saying it is not satisfied that 3,000,000 men are sufficient; that Congress should say: "We have investigated this subject and we are certain that the situation demands before the close of the fiscal year 1919 an army of at least 5,000,000 men in France." Is there a single Senator who will now deny that we shall need that force in France before we get through with this war?

But I hear Senators here say, "We haven't the ships, we haven't the equipment, to transport and support 5,000,000 men by that time." It is true we have not the ships to-day. It is, furthermore, true that if we continue in the inefficient, dilatory manner which has characterized our proceeding thus far we can not produce the ships. But it is equally true that we have the material, we have the man power, we have the mills, we have the ability to meet this ship requirement, and more than meet it, if we just will to meet it.

So, Mr. President, a day or two ago I quoted for the Senate a statement from Amsterdam to the effect that the German submarines in the month of May had accounted for 614,000 gross tons of the world's tonnage. The next day the Senator from Kentucky [Mr. BECKHAM] called my attention to this statement and stated to the Senate that he was surprised at the statement; that he had submitted the matter to our Navy Department and that they had given him the figures for all of May up to the 28th, and that the actual sinkings at that time were 233,639 gross tons, and, carrying the estimate for the other three days, it would make a total of about 258,671 tons; and we were assured that this, coming from the Navy Department, was the last word upon the subject and was actually accurate and we could depend upon it.

Mr. BRANDEGEE. Will the Senator give me the name of the official who furnished that information from the Navy Department? Was it the Secretary or Assistant Secretary or who was the man?

Mr. McCUMBER. The Senator from Kentucky does not state. He says:

> I took occasion to inquire this morning at the Navy Department, and was informed that the total losses for the month of May, with the exception of the last three days, for which figures had not yet been compiled, were 233,639 gross tons. Now, if the average for those 28 days in May was carried out for the last three days, that would make a total of about 258,671 tons.

He does not say from what one in the Navy Department it came, but I naturally assume that it came from the one having charge of that investigation.

Mr. BRANDEGEE. If there is a discrepancy of that magnitude between two hundred and odd thousand tons and six hundred and odd thousand tons and the Senator from Kentucky has had information from the Navy Department, the Senator from Kentucky will be asked to give the information later.

Mr. McCUMBER. I think I can partially explain a part of the discrepancy.

The report from Amsterdam which was quoted gives gross tons. It gives the sinkings at 614,000 gross tons. My opinion is that that was a mistake, and inasmuch as the German authorities always report in dead-weight tonnage the use of the word "gross" tons was a misnomer, and it really means dead-weight tonnage. If we reduce that to dead-weight tonnage and then take the last available figures upon the same subject we will find that the discrepancy is practically wiped out.

But what I want to call attention to is that it was declared that these figures were authentic, and yet two days later we get the publication from the British Admiralty showing the losses during the month of May, and this is what they say: They say that during the month of May the British losses were 224,735 tons, or almost up to what was declared to be the total tonnage by our Navy Department according to the statement made by the Senator from Kentucky. They also stated that the allied shipping sunk—and this, of course, means not only by submarines but by the ordinary marine disasters in the shape of mines, collisions, and so forth, was 130,950 tons. That was the allied and neutral shipping sunk, or a total of 355,694 tons. We have our Navy report with three days of the month estimated at 258,671 gross tonnage, and the British reported 355,694 gross tonnage, an increase of almost 50 per cent more than our own Navy Department placed it at. It goes to verify what I have stated right along that we seem to persist in the habit of minimizing our disasters and magnifying our successes. Of course, the Navy Department intend to be accurate, but the information somehow seems to get colored before it reaches the department.

Mr. JONES of Washington. Has the Senator figured what would be that amount in dead-weight tonnage?

Mr. McCUMBER. Multiply gross tonnage by 1.60 you get it dead-weight tonnage. Some multiply gross tonnage by 1.50.

Mr. JONES of Washington. It makes nearly 600,000 tons for the month of May?

Mr. McCUMBER. Yes; and that will compare very closely, you will see, with the German estimates if we substitute gross tonnage for the dead-weight tonnage in this report.

Mr. JONES of Washington. We must consider that in the reports of what we are getting out ourselves our figures are given in dead-weight tons.

Mr. McCUMBER. Yes; but in this instance they are given in gross tons. The figures quoted by the Senator from Kentucky are given in gross tons, and not in dead-weight tons, as we are in the habit of doing.

Mr. JONES of Washington. Upon the output?

Mr. McCUMBER. No; he was discussing the sinkings.

Mr. JONES of Washington. I wish to call the attention of the Senator and the country to the fact that when we talk about the great output we are having that is given in dead-weight tons, and we must compare that with the 600,000 tons lost instead of 350,000 tons.

Mr. McCUMBER. When we speak of sinkings we always speak in gross tons.

Mr. JONES of Washington. That is right.

Mr. McCUMBER. And when we speak of construction we speak in dead-weight tonnage, and that misleads the American people.

Mr. JONES of Washington. That is what I want to emphasize.

Mr. POMERENE. Mr. President——

Mr. McCUMBER. I yield to the Senator from Ohio.

Mr. POMERENE. Is the Senator able to advise as to whether or not the German military authorities usually give these losses in dead-weight tons or in gross tons?

Mr. McCUMBER. They give it in dead-weight tons, and that is the reason, as I stated, why I think the dispatch which gave 614,000 tons as the German sinkings, according to their claim, in gross tons was a mistake, and it should have read dead-weight tons. Then, if you use dead-weight tons and take the British Admiralty report, you will find there is very little difference between them, so that in reality when we talk of producing 3,000,000 dead-weight tons by January we have accounted for nearly 1,000,000 of it in the month of May in losses.

Mr. President, I do not know whether I ought to go into the subject as to where we can get our ships. I have taken so much of the time of Senators that I would prefer to give that in another address, because I want to go quite thoroughly into it. But I want to say right here, and I want to say it with all the earnestness in my power, that we can produce 10,000,000 tons dead-weight between this day and the 1st day of January next in concrete ships that will take our soldiers safely across the ocean if we have a mind to do it. I can go ahead and show that we will produce it.

I know there are a great many Senators who have more or less prejudice against this matter of concrete ships, who seem to think that some one who has some Portland cement to sell is wanting to find a market for it. The cost of Portland cement would not be a drop in the bucket in the matter of the construction of a concrete ship. It is not worthy of consideration at all.

I know also that a great many other Senators look at our sidewalks with their many cracks and say, "How can you build a ship out of material of that kind?" They do not stop to think that these sidewalks are built under a contract system and with lack of a sufficient quantity of Portland cement. They do not stop to think that the greatest piers to-day in the world are concrete piers. They do not stop to consider that after the great earthquake in San Francisco, when they began to consider the safest kind of a structure, they concluded that the structure which would stand vibration better than anything else would be a concrete structure. They forget that all the great buildings which are now constructed throughout the United States are either partially or wholly concrete. They forget that the longest railroad bridges in the United States and in the world are now constructed of concrete.

Mr. President, as from the very beginning of this war the vital question was ship production, so to-day the great, the vital, question remains ship production.

Can we with some assistance from Great Britain put afloat sufficient tonnage to enable us to maintain an army of 5,000,000 men by June 30, 1919? We can if we will it.

Mr. President, I leave the question of the production of steel and wooden ships to the constructive ability and energy of Mr. Schwab and his Shipping Board associates. I know about what tonnage will be produced by this board, and I know when the results are measured by the imperative needs of the country we shall be greatly in arrears.

I feel confident that had this country on the 7th day of April, 1917, said to any American with the ability and experience of Mr. Schwab, as it said to Mr. Goethals when he began the construction of the Panama Canal, "Here is all the money you can use; proceed immediately to construct the greatest amount of tonnage the country is capable of producing in 1917 and 1918," we would have had sufficient tonnage to maintain an army of 5,000,000 in France before January 1, 1919.

But we failed to grasp the seriousness of the U-boat ravages or the demand that would be made upon us for more men at the front. So to-day, while we all recognize the necessity at this very moment of an army of 5,000,000 men, we have provided in this bill for an army of but 3,000,000, and that not by January 1, but by July, 1919, probably not more than one-half of whom are to be upon the fighting line in France by that date, more than a year hence.

Without question we could increase the Army to 5,000,000 by July 1, 1919, and these 2,000,000 more than this bill provides for could be placed on the battle line if we could secure the shipping. What shipping in addition to the present program would be required? My estimate, which is somewhat above the War Department estimate, is that it would require at least 10,000,000 additional gross tons of shipping to maintain these 2,000,000 additional soldiers. These 10,000,000 tons additional can easily be constructed if we will proceed to construct concrete ships on a large scale, on a scale commensurate with the needs of the country.

Mr. President, I am in doubt whether or not I ought now to take the time, when I believe that the Senate is in a hurry to get a vote upon this measure, to go into the details of what we can do in the direction of constructing concrete ships. I will ask that the Senate accept my word, so far as my judgment is accurate, that I can point out to the Senate unquestionably where we can get 10,000,000 extra tons of shipping; and that will be sufficient. I want to quote the first declaration made, after one year's close study of this subject by the Shipping Board, upon the statement made to them by their chief engineer, who had given all his time to this investigation. He starts out with this declaration:

(1) The reinforced concrete ship can be built structurally equal to any steel ship.

Now, I leave you to dream over that for a little while.

Mr. KING. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. GRONNA in the chair). Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. I yield.

Mr. KING. Has the Senator from North Dakota any recent information as to the serviceability of the ship known as *Faith*, which is, as I understand, a concrete vessel?

Mr. McCUMBER. Let me give the second finding:

(2) The available information—

And this declaration was made before certain ships which were then under construction had been put to the test—

The available information assures with all the certainty possible, short of actual experience under service conditions, that the concrete ship will be durable for several years, assuring satisfactory service throughout the probable duration of the war.

And that is what we want.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. McCUMBER. I yield to the Senator.

Mr. KING. Does the Senator from North Dakota know whether or not the manufacturers and producers of steel, whether in the fabricated or in the unfinished form, or any other agencies are opposed to the use of concrete for the building of ships?

Mr. McCUMBER. I know some are. Do not let me be understood as saying that the great steel companies, and so forth, are opposed to the use of concrete in the building of ships; no one has yet made one single statement contrary to the declaration made in this report that the concrete ship can be made a success, and that while the steel hull costs us from $140 to $200 per ton, the ship *Faith*, including its ways, cost but $28 per ton.

Mr. KING. Then, does the Senator know what is the objection urged to the construction of additional ships of the character which he is describing?

Mr. McCUMBER. I think there are certain propagandists in the United States to-day that do not wish to see this country go extensively into the construction of concrete ships; they hope that we shall somehow worry through this war without calling extensively upon our ability to construct concrete ships, and that when the war is over we shall have a sufficient number of steel and wooden ships to supply the shipping demand and shall not need the others. I will furnish some evidence along that line, I think, at some future time.

Now, Mr. President, I want to quote but one thing further on this line. I got this telegram concerning the *Faith*, which was a ship of something over 5,000 dead-weight tons, constructed in San Francisco by private parties, upon their faith in concrete. It was not built as strongly as the Government engineer thinks such ships should be built; but, nevertheless, here is the telegram:

Concrete steamer *Faith*, six days out of San Francisco with full cargo, reached Seattle yesterday afternoon on her way to Vancouver after one of roughest coast voyages recorded; 80-mile gale; waves 35 feet high; everything in perfect condition. Captain and Government officials aboard expressed themselves as follows: "*Faith* acted as any other good ship of wood or steel, and with absolutely no vibration."

Vibration becomes an important feature.

But, Mr. President, it is urged that if we put 5,000,000 men in the field immediately we should draw so heavily upon our industrial army that we shall not be able to supply the fighting army.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. I yield to the Senator from Ohio.

Mr. POMERENE. Am I rightly informed when I say that the United States Shipping Board has already let contracts for a certain number of concrete ships?

Mr. McCUMBER. Yes; for a very few.

Mr. POMERENE. For how many?

Mr. McCUMBER. Oh, I think 30 or 40, probably. Most of them are little ships, to be used to bring oil up from Mexico to the United States for the use of our ships.

Mr. POMERENE. The concrete ship *Faith*, about which the Senator from North Dakota told us a minute ago, was launched only a few weeks ago, as I understand?

Mr. McCUMBER. Yes.

Mr. POMERENE. And it is the first concrete ship which has been built and launched, as I understand?

Mr. McCUMBER. Well, others have been built by other countries.

Mr. POMERENE. But it is the first large ship of that kind which has been built in this country, in any event?

Mr. McCUMBER. Yes; one was launched a short time before that—I think in Montreal—which was found to meet every requirement.

Mr. POMERENE. I have every faith that such ships will prove satisfactory; but I think the Shipping Board may be excused for not giving very large contracts until a little later.

Mr. McCUMBER. Well, I want the ships to get our men over. War is a gamble; we have got to take some chances. Every engineer in the United States says he can see no reason why concrete ships shall not be a success. We have tried them and they have proven a success. Then, why hesitate longer? It is vital to the interest of our cause that we get our men over. It will save thousands and thousands of lives of our brave boys if we get them over in time. We owe it to our soldiers upon the battle front that we allow no mercenary motives of any class of people in the United States to influence us against the performance of this most sacred duty.

Mr. President, the idea that we shall not be able to supply a fighting army, to me, is nonsensical and can only be predicated upon the assumption that the industrial army will not or can not be made to perform its duty, an assumption which I shall not consider for a single moment. Scotland, with a population of about 5,000,000, has put into the field since the beginning of the war about 900,000 men. At the same ratio this country could put into the field 18,900,000. Scotland maintains her quota at about 700,000. At the same ratio we could maintain 14,700,000. England proper, with a population of about 35,000,000, maintains 4,530,000 in the field. At the same ratio the United States could maintain an army of 13,590,000, or nearly 14,000,000. In other words, to maintain an army of 5,000,000 we would have to withdraw from our industrial force only one-third the proportion that England is compelled to withdraw from her industrial force to secure the same result; and England must import her raw material and must utilize her industrial force in the importation.

Mr. President, England does this while laboring under the additional handicap of furnishing all the shipping for her allies, much of the ammunition, all the warships necessary to control the surface of the seas, and even troopships and convoys for the United States.

Mr. President, with our man power we are not to-day accomplishing one-half of what we could accomplish industrially. The waste of man power along every line of war work is shockingly prodigal. The CONGRESSIONAL RECORD is loaded with illustrations of our reckless extravagance of man power.

But, Mr. President, in addition to this criminal waste, there are millions upon millions of men in the United States capable of performing some character of service who to-day are consuming the products of American industry without performing a stroke of work to replenish the stock.

I have never had a very high regard for the Ku-Klux Klan of the South, but I must confess a degree of admiration for them when I read of their parading through the streets bearing standards reading, "Get into the workshops or into the trenches."

Now, let Congress say to all of the manhood of this country, "Get into the workshops or on the farms and do a man's work or get into the trenches," and we shall have no difficulty in supplying our Army.

Mr. President, from the very beginning of this war we have been flirting, and are still flirting, with slackers. France was compelled to put her own citizens, every man who could bear arms, into the field. That left her without farm labor. Germany and the other central powers did the same, but Germany secures her labor and maintains her industrial equilibrium we may need their labor. Provision could be made for the reritories. France was compelled to provide for oriental laborers, and I am informed that she has given employment to more than 250,000 Chinese laborers. We should put 5,000,000 men into the Army at once, and if that is found to draw too heavily upon our industrial force we should supplement it by 500,000 or 1,000,000 orientals, if necessary, to labor in our fields and factories. They would come only as hired individuals to do work that is necessary.

To-day we say, "You can not come in," no matter how badly we may need their labor. Provision could be made for the return of everyone to his native country at the close of this war, so that labor conditions would not be disturbed. That would be conducting war on a business basis and not playing with it as we are doing now. Victory, complete and overwhelming victory, is so vitally important to the world and to this country that sentiment against alien labor or yellow labor ought to be thrown to the winds. We need the men in the field and at the battle front, and if that would weaken our supply in the productive field, then we should get the supply force from whatever available source. If China had 5,000,000 tons of shipping and we could purchase it to-day would we not do so? If China has 5,000,000 tons of energy which can be utilized for our benefit in carrying on this war, should we not purchase that also? Of course, we would not want to keep these Orientals in this country after the war. We can not assimilate the yellow race, and we do not want another color problem on our hands. But it is just as legitimate, just as practicable, and just as patriotic that we should purchase the labor of China during this war to be employed in our fields or factories as it would be to purchase the product of that labor in China. If, as I say, we need more men on the battle line than can be spared from our industrial requirements there is left to us but one patriotic duty—put the necessary men in the field and supply the deficit from whatever source obtainable.

Mr. President, Mr. Harry A. Wise Wood, in a little pamphlet entitled "Trifling with the War," has presented this feature of our weakness so tersely and so emphatically that I shall quote his words. I ask the Secretary to read them for me.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

> Our people are not organized for a successful war. Labor, capital, and fighting men are three essentials of victory. Fighting men and capital are being conscripted; the latter by means of taxation, the regulation of prices, transportation, and fuel, and the taking over of many of capital's chief properties. But labor is not being conscripted.
>
> In making and operating a war machine, capital furnishes the plant, fighting men the cutting edge, and labor, whether of mind or hand, its motive power. But of these essentials we compel only two to serve, while labor—an absolutely indispensable element—remains upon a purely voluntary basis.
>
> This is a wrong against military efficiency and justice. To leave the functioning of any necessary part of the war machine of a nation, in the hour of its peril, subject solely to the inclination or whim of any body of its citizens is to endanger the working of the whole machine, and to lay open to defeat the very cause for which it exists.
>
> Of two brothers, one within and the other beyond the draft age, the younger very properly is compelled to leave his home and associates, to give up his comforts and his career, and to risk his life for his country. But the other is compelled to make no such sacrifice, nor any sacrifice whatever, notwithstanding that his work may be as essential as is his brother's to the safety of the Nation. He may enter a shipyard or munition factory and get double wages, and there be free to lay off or to work as he pleases, or to quit if he likes. He may strike for higher wages, or with impunity play off one employer on Government work against another for higher pay. Such a man may serve his country or not as he wishes, in the way he wishes, at what price he wishes, and with such privileges as please him, and no one may lay a hand upon his shoulder and compel him to do a stroke of work for his brother whose life is in jeopardy, or for his country whose liberties are at stake. Still, for practicing any one of the derelictions of duty which are this man's daily privilege, his brother could and should be imprisoned or shot.
>
> Here we see clearly our greatest single weakness, a weakness for which there is no remedy save one—to register every male of industrial age under a compulsory industrial service act, and to draft and uniform those who are needed to fill the ranks, executive, technical, clerical, or labor, of the industrial portion of our Military Establishment.

Mr. McCUMBER. Mr. President, yesterday the Senator from Iowa stated to me that he would like to have me point out the way wherein we could increase our industrial efficiency to meet the demands that would be occasioned by increasing our Army to 5,000,000 men. I regret that the Senator is not present to hear read the statement of Mr. Wood; but, Mr. President, I wish to read into the RECORD here a portion of a letter from the Ridgway Brick Co. to the conference committee on national preparedness, which shows in a clear, concise way the real labor conditions to-day in many of our industries. It does not apply all over this country, but it does apply to many sections.

I called attention the other day to the fact that the Government, through the Post Office Department, was sending out all over the agricultural sections of the country notices which were to be posted and which invited laborers to come to the cities and get $4.40 per day, and that, too, for the lowest character of labor—unskilled labor. At the same time other notices were sent out asking the farmers to produce all the wheat they could

possibly produce; in other words, calling the laborer from the farm to secure these extraordinary wages, so that the farmer could not produce, and then asking him to go ahead and produce for the benefit of the country and to save the Nation in this war. That labor policy has been followed out from the very beginning of this contest.

Mr. President, let me quote a little from this letter from Ridgway, Pa. It seeks of this conference committee on national preparedness a solution of a great labor problem. It says:

At Milton, Pa., there is a large plant making shells for both the United States Government and the allies. There are also at Milton two other large plants that are making material necessary for the prosecution of the war. Just above Milton there is a large brick plant making chemical brick which is necessary for the various acid plants, and 3 miles above this we are attempting to run a clay-working plant where we are making a material used in the Government warehouses, hospitals, and, in fact, numerous buildings that are being erected directly for war-purpose work.

All of these plants are bidding against each other for labor, with the result that the wage scale goes up, but there is no more labor in the community as the result of the high wage scale; but inefficiency does result, for the reason that a man will quit one plant to-day and loaf two or three days before going to work at the other plant, and his reply is, invariably, that "he is making so much money that he can afford to loaf a few days."

Again, he says:

A similar trouble exists in the mining operations throughout the bituminous region. The miners throughout the western part of Pennsylvania are making so much money that they feel that four days a week are enough to work, and there seems to be no patriotism in the proposition whatever.

That possibly needs to be answered to some extent. I do not think many of the American people realize that a large part of this class of labor that is being discussed here are not Americans at all. Probably 50 per cent of them can not speak English and probably 90 per cent of them are foreign born. So we are not dealing in this instance with the old American laborer, and it is not surprising that, being foreigners, they do not have the same active, earnest interest in our war that you and I naturally would have, and that we would expect of an American citizen.

Again, the letter says:

Operators are compelled, in order to run their mines at all, to either grant bonuses or pay wages greatly in excess of the prices established at Washington. A man will decide that he is tired of working in one mine and wants to go to another, but in the meantime he thinks he will take a week or 10 days off, and when he does this he persuades his cronies, whether they leave the place they are working or not, to take two or three days off with him, and this naturally reduces the production materially.

This is a condition which can be corrected, and eventually must be corrected as our labor becomes more and more curtailed; but it seems to me the time for action is now, not after we find ourselves so seriously handicapped that it will take us months to make up for our shortsightedness.

We delayed three years getting ready for the war, and if we delay six months in finding some solution to the above-named troubles we are going to handicap the Nation very seriously indeed.

I sometimes fear that while these conditions are recognized they are not recognized to their full value, for the reason that they are not directly under the noses of the officials at Washington, and they only see in a small way the effect of these conditions.

A very wise move would be to have some broad-minded business men investigate conditions such as named above and report on them for the purpose of getting some definite action.

Now, remember that this is addressed to the conference committee on national preparedness. That committee then sent out an investigator, and this is his report:

Mr. Owens is interested in a coal mine in the Brockway district. He tells me that miners employed by his company—the Brockway Mining Co.—work only from 7 a. m. to 2.30 or 3 p. m. and then cease work for the day. They do not work at all on Saturday afternoon, and, largely on account of excessive drinking, mine operators expect little, if any, work to be performed on Monday, many of the miners not going to their work at all on that day. In consequence mine operators have come to look for only four working days per week—Tuesday, Wednesday, Thursday, and Friday, the work on those days ending at 2.30 or 3 p. m., as stated. Working even at this rate the miners receive from $40 to $57 per week, as was indicated by the company's pay roll.

The coal miners are paid at the rate of $1.75 per ton and are able to earn easily, in the hours mentioned, enough money to satisfy them. It appears from my inquiries that they have little interest in the war and no adequate interest in the welfare of those who have gone from their communities to serve in the Army or the Navy.

I was informed also that miners stay away from their work for trivial reasons—that recently in the Brockway district there was a christening attended by feasting, which took the time and attention of so many men that the production of that district fell off at least 500 tons during the week of the christening.

To summarize my conclusions:

Important war work is expected from the district under consideration.

There is a shortage of labor in the district.

The shortage of labor has given rise to profiteering by the workmen, who let themselves out to the highest bidder, thus artificially raising wages out of all proportion to the value of the work done.

This artificial wage scale reduces the number of days and hours that the men are willing to work and lessens the care and intensity of their labor, thus depreciating the quality of their effort while lessening its output.

The situation, so far as the Nation is concerned, is harmed by the auctioning of labor, which permits one employer to take men from another employer, and its consequences of inefficiency, loss of time, and unwarranted increase of wages, which latter merely adds to the power of thoughtless men to put money and energy that are needed for the war into nonessential and luxurious things, which in turn absorb other effort and capital that should be exclusively devoted to war work.

So it appears that in these districts the Nation itself, in its method of dealing with labor, has demoralized the labor market and labor wages, so that only about four days' service is secured in a week, which means a loss of 33⅓ per cent of production capacity; and that 33⅓ per cent, if utilized, would take care of our munitions, would build our ships, and would provide for our Army of 5,000,000 men.

Mr. JONES of Washington. Mr. President——

Mr. McCUMBER. I yield.

Mr. JONES of Washington. I did not catch the name of the author of the statement or report from which the Senator was reading.

Mr. McCUMBER. The report comes from the Conference Committee on National Preparedness. That is an incorporated company. It is signed by James E. Clark, secretary of the committee.

Mr. JONES of Washington. I was very much struck by the reason given for the failure of the workmen to report on Monday.

Mr. McCUMBER. Mr. President, there it is in a nutshell. We have the material, we have the mills, we have the men. All you have to do is to combine them in six honest days of labor a week, and you have solved your problem. Is that a national matter? You take your boy and put him on the front, and you say: "You have got to work for $30 a month, and put your life at stake, and you have got to work 24 hours in the day, in mud up to your neck, if we demand it." And yet the Nation is afraid to say to these men, receiving these enormous wages: "You shall work six days a week, and you shall work eight hours a day, for what you receive."

Let them have the $4.40 a day for unskilled labor and from $7 to $10 per day for skilled labor; but, for Heaven's sake, exact an honest day's work in return. Exact it for the honor of your country, for the success of this war, for the lives of our soldiers. Conscript the manhood of the United States. Conscript the womanhood of the United States. Great Britain was as unprepared as this country for any character of a military campaign when she entered this war. She brought all her raw materials from abroad, and she accomplished wonders in less than a year.

We have a population three times as great as England. We have resources ten times as great. We have the energy. We have the men. Let us utilize them, and we will not be lagging in this war. It is not a conscription of labor; it is a conscription of the manhood of the country—a manhood that ought, by every principle of patriotism, to conscript itself.

Mr. President, I can not close this argument without a short presentation of another element of our weakness in this war which we ought to proceed immediately to overcome. The Washington Post of Sunday, June 2, gives an account of the war view of Gen. March, expressed to members of the Senate Committee on Military Affairs. I especially quote these words from the statement of Gen. March:

"There was no effort here to disguise the fact that the success of the German blow up to this time has been a surprise. Apparently new elements of strategy have been employed which forced the withdrawal of the French on an unexpected scale."

Gen. March explained to the Senators that long-range fire with gas shells had played a part in the German strategy. The French positions miles in the rear of their front lines were repeatedly drenched with toxic shells of large caliber and rendered untenable even before the enemy infantry had approached them, necessitating wide retirements.

Mr. CHAMBERLAIN. Mr. President——

Mr. McCUMBER. I yield to the Senator from Oregon.

Mr. CHAMBERLAIN. Is that an interview with Gen. March after he left the committee room?

Mr. McCUMBER. The last that I am quoting is from the paper itself.

Mr. CHAMBERLAIN. I do not remember any of that testimony before the committee. That is the reason why I am asking the question.

Mr. McCUMBER. I think the Senator will find it there—not in the same words, of course.

Mr. CHAMBERLAIN. I am speaking now of the hearing that we had with him a few days ago before the Military Affairs Committee of the Senate.

Mr. McCUMBER. This was in the Washington Post of June 2, so it was long before that.

Mr. CHAMBERLAIN. Very well; I misapprehended the Senator.

Mr. McCUMBER. Now, Mr. President, why is it that these surprises are all on the side of the allies? It comes from British

military authorities that the great success of the enemy drive which began March 21 was due to the fact that the British were taken by surprise. In the second great drive the French are taken by surprise. Why is it that the Germans are never surprised? The answer is not a difficult one. They are the aggressors. They strike when and where they will. It is the Germans who always evolve new elements of strategy. It is the Germans who always take advance steps in the production of more effective artillery. It is the Germans who always invent more deadly gases. Are they more intelligent than Americans? They certainly are not. They may be more thorough and methodical, but for real inventive genius they are far behind the American people. In times of peace we are the inventors, and the Germans have utilized our inventions for the most effective war weapons. Why is it, then, in this contest of annihilating the enemy or being annihilated that we are followers and not leaders?

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New Hampshire?

Mr. McCUMBER. I yield.

Mr. GALLINGER. With reference to the use of deadly gases, I read the other day a mere newspaper statement that the allies had recently invented a gas that was much more deadly than anything that had been used during the war by any of the armies. I do not know whether that has escaped the Senator's attention or not, and it may not be a fact.

Mr. McCUMBER. I read in 1914 that the allies had discovered a means of capturing every U-boat, and that the U-boat menace would be a thing of the past. I have read it every month ever since, but it has not happened. I am afraid the same result will follow in this case. If we have invented it, we have not seen the effect of it. We have not used it. That is dead certain.

Now, why are we simply following our enemies in the line of new instrumentalities and new ideas, and not leading them? If it is possible to create a gas that will destroy all life in its path, the Germans will soonor or later discover it. If Germany were as near the wheat fields of Great Britain or the United States as we are able to get to her own grain fields, she would find gases that would burn up every acre of grain. If, so far, Germany has not used gases that would destroy every living thing in the great cities over which her Zeppelins and her flying squadrons range, it has been because, so far, she has failed to produce the deadly gas. Certainly it is not because of any sentiment of humanity or of lack of industry. She may produce it before this war is over. I do not know. And by the time she wipes out every living thing in Paris and London and other large cities by this necromancy of chemistry, we will begin to imitate her, but it will be too late. The reason we are mere followers and not the advance guard in new elements of warfare is the old reluctance of both Army and Navy for new ideas and the determination to keep out anything that is not evolved by themselves. The following excerpt from the press of a few days ago is exceedingly pertinent. It reads:

> Why do you read that Germany has developed and is using a gun that fires nearly a hundred miles?
>
> The answer is that when a German approaches his Government with the idea that he can make a gun to fire a hundred miles the Government shows an interest in him. He is not told by an office boy to see another office boy. In Germany the man came along, as probably 20 men have come along in the United States, and suggested a plan for building a new kind of cannon. The Government tried it, and Paris, unfortunately, sees the result. You will say that this is the greatest country for inventions and new ideas. Quite true. It is also the greatest country for Government indifference toward inventions and new ideas.

Why are not all of the great chemists of this country called together to-day, and why are they not studying this great problem with a view to securing the greatest possible instruments of destruction by gas or fire or anything that will meet the enemy on something like equal grounds? The Senator from New Hampshire, in his suggestion, indicates that they probably are. I think they have not been at work very long, because I have wonderful confidence in the American genius, and in the inventive power of our American people, and their ability to meet any situation.

Mr. President, in closing let me say that the Senator from Oregon [Mr. CHAMBERLAIN] seemed to take my earnestness and zeal for an amendment to this bill, and my plea that we should resume our governmental functions, as a criticism upon him and upon his great committee. I hope the Senator from Oregon will not so construe my words, because I know of no Senator in the United States in whom I have greater confidence than the Senator from Oregon. I have seen his spirit of independence exemplified; I have seen his industry; I have confidence in his judgment. All I want is that the Congress shall join with him in resuming senatorial functions in the conduct of the war—and I do not mean executive functions, but our functions—take a greater interest and exercise a greater control over what is being done to raise an army. I hope that the Senator will allow this amendment to be adopted, which says to the American people, "We are looking with determined hope toward that period in the near future when we shall have 5,000,000 fighting men upon the battle front." Let us set our stake for this great endeavor, and with eye fixed and soul girded we shall not fail.

Mr. CURTIS, Mr. LEWIS, and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. CURTIS. It is my purpose to detain the Senate for only about seven or eight minutes, and I hope the Senator from Illinois can wait until that time. Of course, if he has to go away, I will defer to him.

Mr. LEWIS. Mr. President, of course I am very glad to defer to the Senator from Kansas, in view of the preliminary arrangement.

Mr. CHAMBERLAIN. Mr. President, before the Senator from Kansas proceeds with his address, may I express the hope to the Senator that we may dispose of this bill this afternoon and evening? The necessities of the War Department are extremely great; and unless we can finish it this afternoon, and have it submitted to the House to-morrow, it will postpone it beyond next week.

Mr. CURTIS. Mr. President, I will yield the floor, for the purpose of expediting the vote on this amendment, and take advantage of some other occasion to make the remarks I have in mind.

Mr. CHAMBERLAIN. No; I hope the Senator will finish.

Mr. CURTIS. I yield the floor, and I will take the 10 minutes on some other measure.

Mr. CHAMBERLAIN. I hope the Senator will not do that, because I understand he is only going to occupy a few minutes. I am only expressing the hope that after the Senator finishes we may be able to dispose of the bill to-day.

Mr. WILLIAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. CHAMBERLAIN. Mr. President, I hope the Senator from Kansas will proceed with his remarks.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. WILLIAMS. Mr. President, there is hardly a man in this Chamber for whom I have a higher personal regard than the Senator from North Dakota [Mr. McCUMBER]. I like him in every way except politically, and I would like him in that way if it were possible for a hidebound Mississippi Democrat to like a western Republican politically. But there are some things he has just said that I think I ought to resent as an American, as a southerner, as a descendant of people who fought for this country when this country's fate was at stake.

The Senator tells us that the Germans always surprise us. He unconsciously subscribes to the idea that the Germans are supermen of some sort or other. They have not surprised us at all. We have surprised them at every inch of the game. They were surprised to death because that hero, King Albert of Belgium, fought instead of letting their armies pass through. They were surprised to death that Great Britain was not a nation of shopkeepers, as Napoleon had said and as they had repeated, and that Great Britain went to the front in order to defend Belgian neutrality. They were surprised to death when Serbia fought, and when Serbia by herself whipped Austria by herself; and they were surprised to death when they found out that they could not kick America the fourth time without her fighting back. They did think they had surprised us when they sank the *Lusitania* and we did not fight. They thought, a little bit later on, that they had surprised us when six or seven men in this body voted against a declaration of the existence of a state of war which Germany had been carrying on for God knows how long. They thought they had surprised us when we did not dare expel those men from this body, but they did not surprise us anywhere.

Great Britain has her men in the field. Canada has hers. Australia has hers. The South Colonies have theirs. The United States have theirs. I am not afraid of these "supermen," because I know them here and abroad. They never were supermen and they are not supermen now. I have known them in Mississippi when they were fellow citizens of mine in Mississippi and have always found that they were slower and stupider than I was. I have known them in Germany as a student at Heidelberg, and I always found that they were slower and stupider than I was.

Why is the Senator trying to persuade us that we are guilty of being surprised by the Germans all the time? Why, if any

race ever made an absolute ass of itself, the German race has, from the beginning of this war. They first thought that the Belgians were cowards and dared not resist a march across their territory.

Before that even the Serbians they thought would lie down like cravens and let the Austrians pass over them. Then, in the next place, they thought the Britons were going to do the same thing, and in the next place they thought that Canada and Australia and South Africa would not stand by Great Britain, but, on the contrary, would revolt. The only thing they have not been surprised about is the Irish or the Sinn Feiners in Galway. They can have all the credit they deserve for that. They even made a mistake about the real Irish in America and Great Britain and in Connaught and in Ulster. They can have the few fellows in Galway who are members of the Sinn Feiners and who are contending that they can see nothing but Ireland and think they are fighting for Irish liberty while they are fighting against the world's liberty.

How have the Germans proven that they have surprised anybody about anything? Oh, you say they went out with a great big gun that shot seventy-odd miles. I will tell you right now we have one that will shoot farther and shoot better, and shoot almost as accurately as a pistol.

Now and then they attach to themselves what the French or the English or the Americans or the Italians have discovered, like railroads and spinning jennies and locomotives and telegraphs and wireless, which everybody else discovered before they ever thought of them. Now and then they attach that to some sort of a war-making industry, because they are always thinking about killing, and we are civilized men and thinking about something else. But outside of their attachment to the inventions of the world for war-like and brutal and inhuman practices they stand nowhere.

I have not any particular use for any voice in America that even by innuendo admits that the German is a superman of some sort. I know him. I have known him in his own country, and I know him here. He is slow; he is stupid. It takes him a long time to catch on. After he catches on, of course, in accordance with his education of the last 40 years, he applies his knowledge to man-killing purposes. I do not apply mine to that, and you do not apply yours to that. That is the only excellence he has in the world; and, as sure as there is a God in heaven, who is the God of fatherhood, with an equality of brotherhood somewhere under Him, we are going to whip those Huns and those Goths and those Vandals, who are yet even worshiping the god of their forefathers and not worshiping the God of Christianity. Woden and Thor and Frei are their gods yet. I have no sympathy for any man who has stood in America as a critic of what we are trying to do.

"Oh," you say, "we did not do everything we could have done." Of course we did not. How could we when we believed in the humanity and fatherhood of God and the brotherhood of man and civilization? Our minds were not running upon the idea of killing one another. How could we? All these little fellows who come into the Senate and into the House and out of the Senate and out of the House and in the country and the newspapers, here and elsewhere, who tell us how many specks there are upon the bright American sun—what have they got to do with it? What have we done?

Out of 100,000,000 people who knew no ideal except peace, who knew no ambition except to further peace, who knew no sentiment except love for mankind, we have, upon the necessity at the demand of brutes, made ourselves an Army and a Navy. We have a Navy which not only is the second best in the world but is very nearly first best right now, and which without the assistance of Great Britain could whip Germany on the seas to-morrow, and we have made of ourselves an Army which while it can not whip them to-morrow on land will be able to do it in six months.

It has not been many years ago since my forefathers fought this flag, but when they fought it they fought it for ideals that they thought were superior to the flag itself. They fought it for the very ideals we are now fighting for on the arena of the entire world.

I know Germans, I know Austrians, I know Hungarians. I know them here, and I know them abroad, and I tell you I have no patience with the infernal superstition that rather regards those as supermen whom we have got to kill. It reminds me of the state of public opinion which Lord Macaulay described as existing in Great Britain against the Spaniards in the fifteenth century. He said every Englishman's idea of a Spaniard was that he was part terrier and part demigod, but all they had to do was to meet the Spaniards, and when they met them, everywhere and every time, the Spaniards were overcome.

Does not the Senator from Oregon know Germans in his State? I know them in Mississippi. Does not the Senator from North Dakota know them out there? Have we ever found anything superior about them either in intellect or in courage or in moral character?

Now, I am not contending that we are supermen. We are not. We never have contended that we were. But I am tired of this constant talk about the Germans taking us by surprise. The only people in God's world they have ever taken by surprise were themselves. They were surprised when Belgium fought and surprised when Serbia fought. They were surprised when Britain came in. They were surprised when Ireland did not prove traitor instead of Galway. They were surprised when India did not revolt. They were surprised when Canada came to the front. They were surprised when Australia and New Zealand came to the front. They were surprised finally, to our humiliation, when we dared fight.

I pin my faith to Woodrow Wilson and to David Lloyd George. I do not believe that in the entire German Empire, produced by the science and provocative German education of 30 years, they have produced anyone who can claim to be of God's chosen race or is anywhere near the equal of either one of those two men.

Mr. BRANDEGEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The Senator from Connecticut suggests the absence of a quorum, and the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gulon	Martin	Smith, S. C.
Brandegee	Hale	Nelson	Smoot
Calder	Henderson	New	Sterling
Chamberlain	Johnson, Cal.	Norris	Sutherland
Colt	Johnson, S. Dak.	Nugent	Thomas
Culberson	Jones, Wash.	Overman	Thompson
Cummins	Kendrick	Penrose	Trammell
Curtis	Kenyon	Poindexter	Underwood
Dillingham	King	Ransdell	Vardaman
Fall	Kirby	Robinson	Wadsworth
Fernald	Knox	Shafroth	Warren
Fletcher	Lenroot	Sheppard	Watson
France	Lewis	Shields	Weeks
Frelinghuysen	McCumber	Simmons	Williams
Gallinger	McKellar	Smith, Ariz.	
Gronna	McNary	Smith, Md.	

Mr. JONES of Washington. The junior Senator from Michigan [Mr. TOWNSEND] is necessarily absent on account of illness in his family. I will let this announcement stand for the day.

Mr. LEWIS. I rise to announce the absence of the Senator from Kentucky [Mr. JAMES], occasioned by his personal illness. I ask to have this remain as an announcement for the day.

The VICE PRESIDENT. Sixty-two Senators have answered to the roll call. There is a quorum present.

Mr. CHAMBERLAIN. I think the question before the Senate now is the amendment of the Senator from New Mexico [Mr. FALL], and I ask for a vote upon it.

Mr. FRANCE. I have submitted an amendment and I ask if it is not now in order?

The VICE PRESIDENT. The Chair understands that this is the parliamentary situation. Originally the Senator from New Mexico [Mr. FALL] introduced an amendment fixing the age limit at 18 to 45. To that the Senator from Maryland offered an amendment. Subsequently the Senator from New Mexico changed his amendment to the ages of 20 and 40 to agree with the amendment offered by the Senator from Mississippi [Mr. WILLIAMS]. That leaves the amendment of the Senator from Maryland wholly inapplicable to the amendment now pending.

Mr. FRANCE. I think the Chair is in error about my amendment, because I subsequently offered the amendment in a modified form.

The VICE PRESIDENT. When did the Senator offer it?

Mr. FRANCE. Immediately after the Senator from New Mexico perfected his amendment, at the very close of the session on the calendar day of the 25th.

The VICE PRESIDENT. The Secretary will state the amendment of the Senator from Maryland to the amendment.

The SECRETARY. After the word "thirty-one," the last word in the proposed amendment of the Senator from New Mexico [Mr. FALL], insert: "but those between the ages of 19 and 21, exclusive, shall be called for education or training, nonmilitary, military, or both, or for other forms of noncombatant national service during a portion or all of each year."

Mr. BRANDEGEE. Let me ask the Senator from Maryland if he has not inadvertently used the wrong word there? As the Secretary read it, it reads "between the ages of 19 and 21, exclusive."

The VICE PRESIDENT. That is the way it reads. The question is on the amendment to the amendment.

Mr. WILLIAMS. A parliamentary inquiry for information. Is the amendment now a proposal to amend the law by fixing the draft age between 20 and 40?

The VICE PRESIDENT. It is as modified.

Mr. WILLIAMS. Very well.

The VICE PRESIDENT. The question is on the amendment of the Senator from Maryland to the amendment.

Mr. FRANCE. There must be some misunderstanding as to the ages which I have mentioned. I have used the term "19 and 21, exclusive," which, of course, means that at the age of 20 years the registrant shall be liable for military training. So the amendment does not carry the extension of the age below the age of 20.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Mexico.

Mr. HARDWICK. I move to amend the amendment of the Senator from New Mexico by striking out the word "twenty" where it occurs therein and substituting in lieu thereof the word "twenty-one."

The VICE PRESIDENT. The question is on the amendment of the Senator from Georgia to strike out "20" and insert "21."

Mr. HARDWICK. Mr. President, I wish to say just a word or two in support of the amendment. I have been very much impressed with the argument made on the proposition of the Senator from New Mexico, and personally I shall be very glad to vote for it if the age is not, for the present at least, carried below the limit of 21. I think we ought to stop for a while—and I am inclined to think forever—at 21, the age when manhood's responsibilities and rights begin. I do think, however, that the age limit ought to be raised, and shall vote for 45 years or 40 years or whatever other figure is proposed.

Mr. WEEKS. Mr. President, I have not taken any time to discuss this question because so much has been taken by other Senators, and I know the desirability of passing the bill in the shortest possible time; but the amendment offered by the Senator from Georgia is, in my judgment, directly contrary to what is best for the military service. What we should do is to create as efficient an army as possible, and we should reduce the age limit for taking men into the service instead of increasing it. There is no military man who will not say that a man between 20 and 21 is a better soldier or will make a better soldier than a man between 21 and 31, and infinitely better than a man at 35, and so much better than a man at 40 that there is no comparison between them. As has been frequently said, the Civil War was fought by very young men—very largely by men under 21. We have five veterans in this Chamber, whose average age when they went into the service was 18, and they all performed distinguished service during the war.

If we are going to make any change in the age limit, we should certainly go down one or two years rather than increase the age to any material extent. If it were considered desirable to reduce the age to 20 and increase it to 35, I do not think we would greatly weaken the average value of the men in the service, but if we increase the age over 30 to 40 or from 30 to 45 we are certainly going to weaken the strength of our service, based on the number of men in it.

I hope that the step will not be taken until it is very carefully considered and we have all the evidence the War Department can furnish on the subject.

Mr. WILLIAMS. Mr. President, I suppose it will be generally admitted that I have never been engaged in any general criticism of the War Department or of the administration or of America during this war. I suppose it will be very generally admitted that I have tried to do the very best I could to keep in accord with departmental and administrative ideas, because I thought as a rule they knew more about it than I did. But upon this particular matter I am sorry to say that what has been lately said by the Secretary of War, and if I understand properly by the President and by Gen. Crowder, does not meet with my approval. Of course that is no slur upon the administration. It may, upon the contrary, be quite a slur upon me.

But when I hear men say we have got men enough to fight a great war all over the world, my reply is you never have men enough unless you have all the men you can get. I remember how the South was fooled by the Battle of Bull Run. Everybody thought, of course, the Yankees had gone anyhow; that we did not need any more men; and even the Confederate administration took the view and recommended to the Confederate congress that we should not enact a new draft law just at that time, and they did not. As a consequence we found that that temporary victory at Bull Run became an ultimate defeat by its retroactive effect upon the South.

And that is not all. The North had exactly the same experience in various places and at various times. I want to say right now that you never have man power enough to win a great world war until you have got all the man power that you can decently and properly arrive at. I say that you can draft men down to 20 and up to 40 without doing any harm to American industries, American agriculture, or American social life, and that we ought to do it now instead of waiting until later.

I am awfully sorry to differ with the President and with the Secretary of War and with the other men, but now and then, you know, a fellow has to do that even when he does not want to do it. I think we ought to concentrate all our energies upon winning this war, and we ought to do everything necessary to win it, and I believe that this is, if not necessary, at least advisable in order to win it.

Mr. FALL. Mr. President, as I understand the practical effect of the amendment, it leaves it entirely discretionary with the President as to whether these men shall be trained or not. In other words, when a man is in school I presume the President would take that into consideration and possibly have him trained during the recess or for three months prior to his reaching the age of 21, when automatically he would become subject to draft. That is the purpose of the amendment in leaving it at 20 years.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Georgia [Mr. HARDWICK] to the amendment of the Senator from New Mexico.

Mr. HARDWICK. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SIMMONS (when his name was called). I transfer my pair with the junior Senator from Minnesota [Mr. KELLOGG] to the Senator from Oklahoma [Mr. OWEN] and vote "yea."

Mr. SMITH of Michigan (when Mr. TOWNSEND'S name was called). I desire the RECORD to show that my colleague [Mr. TOWNSEND] is absent from the Senate on account of illness in his family.

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the junior Senator from Virginia [Mr. SWANSON] and vote "yea."

Mr. WATSON (when his name was called). I transfer my pair with the Senator from Delaware [Mr. WOLCOTT] to the Senator from Vermont and vote "nay."

Mr. WEEKS (when his name was called). I transfer my general pair with the senior Senator from Kentucky [Mr. JAMES] to the junior Senator from New Jersey [Mr. BAIRD] and vote "nay."

The roll call was concluded.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. MCLEAN] with the Senator from Montana [Mr. MYERS]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from South Carolina [Mr. TILLMAN].

Mr. LODGE. I will ask if the senior Senator from Georgia [Mr. SMITH] has voted?

The VICE PRESIDENT. He has not voted.

Mr. LODGE. I have a general pair with that Senator, and I therefore withhold my vote.

Mr. FRELINGHUYSEN. I have a pair with the junior Senator from Montana [Mr. WALSH]. I transfer that pair to the junior Senator from Michigan [Mr. TOWNSEND] and vote "nay."

Mr. COLT. Although I have a general pair with the senior Senator from Delaware [Mr. SAULSBURY], I am at liberty to vote, and I vote "nay."

Mr. CALDER. I have a general pair with the junior Senator from Rhode Island [Mr. GERRY]. In his absence I withhold my vote.

Mr. SMITH of Maryland (after having voted in the negative). In view of the fact that my vote in the negative on the pending question might be construed to the effect that I prefer the draft age of 20 to 21, I change my vote to "yea." I prefer the age of 21 to 20.

The result was announced—yeas 33, nays 41, as follows:

YEAS—33.

Ashurst	Johnson, S. Dak.	Robinson	Thomas
Bankhead	Jones, Wash.	Shafroth	Thompson
Borah	Kendrick	Sheppard	Trammell
Culberson	King	Shields	Underwood
Curtis	Kirby	Simmons	Vardaman
Gore	McKellar	Smith, Ariz.	Willey
Gronna	Martin	Smith, Md.	
Hardwick	Norris	Smith, S. C.	
Hollis	Pomerene	Sterling	

NAYS—41.

Beckham	Gallinger	McNary	Smith, Mich.
Brandegee	Gulon	Nelson	Smoot
Chamberlain	Hale	New	Sutherland
Colt	Henderson	Nugent	Wadsworth
Cummins	Hitchcock	Overman	Warren
Dillingham	Johnson, Cal.	Penrose	Watson
Fall	Kenyon	Phelan	Weeks
Fernald	Knox	Pittman	Williams
Fletcher	Lenroot	Poindexter	
France	Lewis	Ransdell	
Frelinghuysen	McCumber	Sherman	

NOT VOTING—22.

Baird	Jones, N. Mex.	Owen	Tillman
Calder	Kellogg	Page	Townsend
Gerry	La Follette	Reed	Walsh
Goff	Lodge	Saulsbury	Wolcott
Harding	McLean	Smith, Ga.	
James	Myers	Swanson	

So Mr. HARDWICK's amendment to Mr. FALL's amendment was rejected.

Mr. WEEKS. I move to amend the amendment of the Senator from New Mexico by substituting the word "thirty-five" for the word "forty," where it occurs.

The VICE PRESIDENT. The question is on the amendment of the Senator from Massachusetts to the amendment of the Senator from New Mexico.

The amendment to the amendment was rejected.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk to the amendment of the Senator from New Mexico by way of a proviso.

The VICE PRESIDENT. The amendment to the amendment which is proposed by the Senator from South Dakota will be stated.

The SECRETARY. It is proposed to add at the end of the amendment submitted by Mr. FALL the following proviso:

Provided, That those under the age of 21 years shall not be called for other than training service for such period or periods as the President shall prescribe until they have reached the age of 21.

Mr. STERLING. Mr. President, just a word in regard to this proposed amendment. I very well remember the discussion on the selective-draft law and the sentiment that then seemed to prevail in the Senate. I think it was a very general sentiment to the effect that, while boys under 21 years of age might volunteer and enlist in the Army through volunteering, yet it was unnecessary, and it was somewhat against a general sentiment throughout the country, that boys under 21 should be drafted into the military service. I think that that sentiment controlled when we passed the selective-service law. I confess that for one I share in that sentiment now.

I wish, Mr. President, that we might provide for every possible emergency or exigency; and I think we shall be fully able to do so by raising the age to 40 and without taking boys under 21 years of age to the firing line. There will be the one year between the time they are 20 and 21 in which they may have a period or periods of training as may be prescribed by the President. Those periods of training can be so fixed and prescribed by the President that the important and material industries of the country will not be seriously interfered with. They may be fixed, for example, so that the work on the farm will not seriously suffer. I think that we ought now to provide that those under 21 years of age shall not be taken into active military service. Some training must be had in any event before they are fit for active service.

The Senator from New Mexico [Mr. FALL] has stated that it is within the discretion of the President to provide periods of training. I would rather this should not rest in the discretion of the Executive, but that Congress should here expressly provide that boys under 21 years of age shall be called into the service for training purposes only.

Mr. WILLIAMS. Mr. President, the amendment offered by the Senator from South Dakota is partly unnecessary and partly not so. It is partly unnecessary because during the necessary training periods, if a boy should be called only at 20, he would be in training, anyway, before he is sent to the front. That training may take three months, it may take six months, or it may take nine months, or whatever other time it may take. We have made very good lieutenants and captains out of many boys in the training camps in three months. Now, in so far as the amendment provides that the boys shall not go into active service until they have reached the age of 21, in view of the fact that they must have a training time, the amendment is useless. In so far as it goes beyond that, it is absolutely harmless.

We never would have won the American Revolution with that sort of a law. The South could not have fought two years with it. Of course, many of you think that would have been an immense advantage, but the North could not have fought to a finish with it either. The boys that are best fitted to fight, because they are most ambitious, are the boys who go into the service below that age—from 18 up to 21. Pretty nearly a plurality of the southern army during the late war was 16 years of age and a little bit above, and the northern army averaged, if I remember correctly, about 18 years, was it not, I will ask the Senator from Wyoming?

Mr. WARREN. From 18 to 22.

Mr. WILLIAMS. That is a rather broad margin, but the Southern Army was filled with boys from 16 to 17, and more gallant soldiers never stood anywhere on this earth while they fought against the immense material resources and equal courage of the North.

Mr. NELSON. Mr. President——

Mr. WILLIAMS. One second, Senator. Why not make the minimum age the same here as in Great Britain? That would avoid many embarrassing questions both here and in Great Britain. We have a treaty with Great Britain in connection with our citizens there and her subjects here, who are to serve here according to our draft age and our citizens there who are to serve there according to their draft age. If we make the draft age identical, we dispose of all those doubtful questions, and there can be no trouble about the service. Now I yield to the Senator from Minnesota.

Mr. NELSON. Mr. President, I desire to say to the Senator from Mississippi that three-fourths of the Army of the North during the Civil War were young men of from 18 to 19 years of age when they enlisted. Everybody who has had experience in war knows that a boy from 18 to 21 years of age can render better service, will be a better soldier, and can stand more hardships than one above that age, especially one above the age of 30.

Mr. WILLIAMS. Mr. President, that is not only true, and has not only been settled by the military authorities to be true, but it is also true that it is more to the interest of the Government to have those men before they are permanently entered into agriculture or into manufacture or into factories or into mining or into other such positions. A great many of them are schoolboys, and do not, therefore, have to give up any useful pursuit in life in order to become soldiers. That is not all. It is still more to the interest of the Government, because, as a rule, they have no dependents.

The cheaper you can fight a war, of course, the better for the Republic. You are not hunting around for the man who has a wife and four or five children; but, if possible, you are hunting for the man who has neither wife nor children, and that is generally the case with a boy under 21. Down South they frequently marry before they are 21, but up in the North and the East they very seldom do; and out in the West they less frequently do it than they do down South, so that there is every reason in the world why they should be subject to military duty.

I rather resent the idea that a boy owes nothing to his country until he has a right to vote. That seems to be upon a sort of equal footing with the idea that a woman owes nothing to her country unless she has a right to vote. I think that when the laws take care of a fellow personally and protect him in his property, in his liberty, in his limb, in his right to exist, and in his pursuit of happiness, even if he is only 20 years of age, he owes as much to the American Republic as if he were pretty nearly as old as I am. Of course, a fellow pretty nearly as old as I am owes more to the Republic, because he has been protected longer, but he can render less service. That is the God's honest truth. The boy can render more; so that when you want an intelligent, able soldier, with initiative, who is ready to go in and bear his part, and bear it nobly and well, the boy answers every condition of the problem much better than men of the age of the Senator from Minnesota and myself, because we have lost a good many of our illusions and ambitions and a good deal of our poetry, if not our patriotism, and neither of us would be quite as good a soldier as my boy who might respond at the age of 20, or your boy, or the boy of some one else. So I think we had just better keep the proposition as it now is.

The VICE PRESIDENT. The question is on the amendment of the Senator from South Dakota [Mr. STERLING] to the amendment of the Senator from New Mexico [Mr. FALL].

The amendment to the amendment was rejected.

Mr. NEW. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the amendment offered by Mr. FALL, it is proposed to add the following proviso:

Provided, That all male persons who have attained the age of 20 years shall be registered and shall be subject to military training for a portion of the year in accordance with regulations to be prescribed by the President, but shall not be called for active service until they have attained the age of 21 years.

Mr. NEW. Mr. President, just a word on that amendment. Of course, all young men at 21 are subject to immediate call. The adoption of this amendment would simply prepare for service men 20 years of age before being called. That is all there is to it.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Indiana [Mr. NEW] to the amendment of the Senator from New Mexico [Mr. FALL].

Mr. WARREN. Mr. President, I am afraid we are trifling with this whole matter. We are in a world war, but seem to be handling it with gloves instead of barehanded. If we are going to enlarge our forces, if we are going to bring this war to a close as fast as we can get the men across and equip them, we want the best army we can get; and the best army we can get is an army made up of men starting at 18 years old up to 35, or possibly 40 or even 45 years old.

It matters not if we provide to-day for the drafting of men between the ages of 20 and 35—we will get a handful of men—but after deducting those who must remain in the productive industries we will not get an army. If, however, we will start out right in the first place, we will have for the Army the young men to give the enthusiasm, the punch, and the go, and with them some of the older men at the same time, to give judgment and steadiness. Everybody knows that in every army, our own armies and the armies of other countries, the boys from 18 years up to 20 and 22 and 25 make the bravest and best soldiers. They are best of any to endure the tug of war.

So far as the amendment to the amendment is concerned, I shall vote against it, and so far as the amendment itself is concerned I shall vote against that, too, because, in my judgment, neither goes far enough. I shall be glad to vote for a bill that will provide for taking into the service men from 18 to 40 or 45; but to take a few men now and very soon have to enact another law is, in my opinion, not a good plan to follow.

As for putting an amendment on this bill amending the draft act and authorizing different ages, nothing shows better than the difference of opinion expressed in the Senate the past two days that we are not ready to meet this problem now. We may be ready soon.

We have got to consider the question of transportation—of shipping—which will soon be very short, probably. Unless we can renew existing contracts, as I understand, with our allies and others, on the first of the coming month, more than half of the shipping allotted to us will be out of commission, so far as we are concerned, for, as I understand, we have borrowed the shipping of other countries, which they need in providing support for their armies, food and other supplies, and to transport them. They are running down their reserves, and we are running on very light reserves in our Army over there, in order to push our men over as fast as possible. The movement of troops, I believe, has been at the rate of approximately, or nearly, 300,000 a month.

Now, if we are crippled in shipping, the question is whether it would be wise immediately to put in force another draft and go through the same unfortunate experience we did in the start. To undertake to put men in training where we have neither sufficient shelter nor clothing nor arms for them will make us no headway. We are proceeding each month now on a regular schedule for taking in new men. We have men enough in class 1 to carry us into January next. We shall be in session here either continuously or shall meet here again as early as September. We will know then about what shipping we will have; we will know how many men we will be able to transport; we will have an inventory in regard to our cantonments and posts; we will know how many men we can shelter, and we will by that time know how many we can clothe and fit out.

It seems to me that it is just as well to let this whole matter go over and let the committee take it up and later lay before the Senate a better digested and better thought out—or, at least, a later thought out—plan than that which has been presented.

Mr. BRANDEGEE and Mr. NEW addressed the Chair.

The VICE PRESIDENT. The Senator from Connecticut.

Mr. BRANDEGEE. Mr. President, I wish to ask the Senator from Wyoming if he believes that the age limit of the men to be drafted should be from 18 to 40, why does he not prepare such an amendment and present it? I agree with his idea about that. I think men between 18 and 40 should be subject to draft. Now, why is it that, if such legislation were passed, it would be any detriment to carrying on the war? Why wait to know about shipping and other contingencies and uncertainties? Why not make it optional with the President, as the emergencies may develop overnight or from minute to minute, and put into operation such law as the Senator has indicated at the discretion of the President?

Mr. WARREN. I have not presented such a proposal myself because, upon the latest information we have received regarding supplies and so forth, I have thought it was fully as well to wait two or three months; and I have thought that this debate, which has all been for the best, and which has brought the question before the Members of the Senate and before the people of the country, would stabilize, if I may use that term, the situation, so that we may know what we want to enable us finally to arrive at victory. I have proposed to make the limit as low as 18 and as high, perhaps, as 45——

Mr. BRANDEGEE. My question to the Senator is——

Mr. WARREN. Excuse me a moment—because the earnestness of the nations engaged in this war and the reports that we are going to get and, in fact, are getting show that this is a real war; it is not a mere distant commotion that is likely to subside very soon. We are a long way further from the finish of this war than we are from its beginning, and I have felt we would lose no time whatever by allowing this supply bill, that must go through or should go through by the 1st of July, to go through unencumbered by this proposal, and then take up this matter later on, debate it, and thrash it out to a finish.

Mr. BRANDEGEE. Mr. President, I am just as much in favor of stabilizing——

Mr. WARREN. I will say to the Senator that, if he would offer such an amendment as he has indicated, I would support it now or at any time.

Mr. BRANDEGEE. Yes; I agree with the Senator that that is what ought to be done; that is my opinion about it; but the Senator is a member of the Committee on Military Affairs, and I am not; I pretend to no technical knowledge upon the subject at all, and I take the judgment of the Senator from Wyoming [Mr. WARREN], who has been chairman of the Committee on Military Affairs, and who has been a soldier, and the judgment of the Senator from Minnesota [Mr. NELSON], who has been a soldier, and the judgment of other military authorities upon that subject. I think that men as young as 18 make the best soldiers, and I think the draft age should be from 18 to at least 40, and I would have it higher if men past 40 were fit to render the kind of service that the country needs.

I am just as much in favor of stabilizing this question as is the Senator from Wyoming, and I think it can be stabilized right here and now if Senators are willing to stabilize it and fix it.

The Senator from Wyoming says, on the basis of the debate already had, we shall vote next September or October. Why not vote this afternoon? If the Senate thinks that 18 to 40 is the right age, that will stabilize the matter. The pending proposal does no compel the President or Gen. Crowder or the General Staff or the War Council or anybody else who has authority to withdraw these men at that age unless they want to do so. They can reclassify the whole body of men subject to draft; but it is for us to fix the age.

I disagree entirely with the statement, if I understood it correctly, made by the Senator from Alabama [Mr. UNDERWOOD] a day or two ago, that it was an Executive function to say how many men should be drawn or how large the Army should be. The Constitution of the United States says that the Congress of the United States shall raise and maintain armies. It is for us to fix the size of the Army, and the size of the Army should be based upon the great body of men subject to service, and then the President can draw to the limit. There are so many men in this country between the ages of 18 and 40, and if they are all subject to the draft that means that Congress decides that the Army may be the whole body of those men. Of course, no more will be drawn than the military emergencies demand.

Why can we not settle it this afternoon? What is the use of procrastinating about it? We have had all the debate on this question that can give any knowledge to anybody. The Committee on Military Affairs, or its subcommittee, has had the Provost Marshal General before it. We have had the views of the Secretary of War and the views of the President. I agree entirely with the views expressed by the Senator from Wyoming [Mr. WARREN] and the Senator from Massachusetts [Mr. WEEKS], who know something about this subject; but I do not see why we can not vote on this question within half an hour.

I do not care to make any further speech about the matter. I am satisfied that all the information that the Senate will get on this subject it now has in hand. I think the country would be much better satisfied—and I am sure I would—if we knew now what the draft age was to be; and I think the country is sa-

titled to know, so as to make its preparations as far in advance as possible. If men are going to be drafted into the service of the United States and sent abroad, they are entitled to all the time they can have to arrange their affairs—family affairs and financial affairs and business affairs—and I do not see how any harm can come from the body whose constitutional duty it is to fix the size of the Army and the draft age fixing it now, stabilizing it, as the Senator from Wyoming says. It seems to me that now is the time to stabilize it. To flirt with it, to leave it uncertain, to take a recess for several months, on the theory that later on we will know something else that we do not know now, and leave the country in ignorance of its liabilities and obligations during our recess, is not wise policy.

Mr. NEW. Mr. President, the Senator from Connecticut [Mr. BRANDEGEE] has said most of what I had expected to say when I first asked for recognition, but I should like to add that I do not quite understand what the Senator from Wyoming [Mr. WARREN] means when he says that he thinks we are trifling with this subject. This amendment of mine was certainly offered in as good faith as any amendment ever was offered.

The Senator from Wyoming says that he is in favor of taking men from 18 years up, because he thinks the soldier from 18 to 23, if I understood him correctly, is the best soldier in the world. I agree with that, and I certainly would vote for an amendment that would take the boys from 18 to 21, who are now excluded, believing, as he does, that they would make the best soldiers that are available.

Mr. WARREN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. NEW. Certainly.

Mr. WARREN. I am sure the Senator and I are not at variance in our opinions as to this matter. I did not address my remarks especially to the Senator's amendment, but more to the general subject; and the Senator's amendment, in my opinion, like the others, does not go far enough.

Mr. NEW. I understand that; but, Mr. President, the effect of this amendment would be simply this: It would put in condition to be soldiers the boys who are now approaching the time when they must be soldiers, in or out of condition. Nobody knows just how badly we may need half a million or more extra men next year, but we will need them badly enough. This amendment, after allowance is made for all exemptions on account of physical disability, for dependency, or for other causes, would give us at least half a million men that we can not get under any other circumstances or from any other source.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the Senator from New Mexico [Mr. FALL].

The amendment to the amendment was rejected.

Mr. CUMMINS. I offer the amendment which I send to the desk, to be added to the amendment offered by the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from Iowa offers an amendment to the amendment, which will be stated by the Secretary.

The SECRETARY. At the end of the proposed amendment it is proposed to add the following proviso:

Provided, That the regulations relating to classifications and exemptions shall be so framed that there shall at all times be in civil employments a number of persons sufficient to produce enough to maintain, equip, and transport our military forces, support our civil population, and furnish to the countries cooperating with us in the war the supplies which their necessities demand. And all said regulations shall enforce, in so far as practicable, the duty of every qualified citizen either to labor in a useful way or bear arms in the defense of his country.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa to the amendment of the Senator from New Mexico.

The amendment to the amendment was rejected.

Mr. BRANDEGEE. Mr. President, I move to amend the amendment of the Senator from New Mexico. As he has it now, as I understand, the draft age is fixed at from 20 to 40 years. I propose to strike out "20" and insert "18" as the minimum, and to leave 40 as it is, so that the draft age will be from 18 to 40.

The PRESIDING OFFICER. The Senator from Connecticut offers an amendment to the amendment, which will be stated by the Secretary.

The SECRETARY. On line 2 of the proposed amendment it is proposed to strike out "20" and insert "18."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut to the amendment of the Senator from New Mexico.

Mr. POMERENE. Mr. President, I have occupied very little of the time of the Senate in discussing this measure, but I am unalterably opposed to a reduction of the age at this particular time. If the hour arrives when it becomes necessary, I shall vote for it.

The Senator from Massachusetts [Mr. LODGE] spoke the other day with respect to the effect that the reduction of the age was going to have on the colleges. It would have the same effect upon every other young man in the country. We are not only interested in this war but we are interested in the things which are going to occur after the war, and we are particularly interested in having these young men given the opportunity to learn their trades and to get their education. The time when they can do this is between 18 and 21 rather than any other period.

I do not propose to take the time of the Senate further, but I wanted to make my position upon that question perfectly clear.

Mr. McCUMBER. Mr. President, I hope we shall have a yea-and-nay vote upon this proposition to change the age to 18. There are a great many Senators who have expressed their conviction that the draft ought to include the boys 18 years of age. That is my conviction. I think that ought to be the standard for the beginning of enlistment, as well as the beginning of any kind of compulsory service, and I should like to have a yea-and-nay vote upon the amendment of the Senator from Connecticut.

Mr. KING. Mr. President, I should like to ask the Senator a question, with his permission.

Mr. McCUMBER. Certainly.

Mr. KING. The Senator will understand that there are many, perhaps, who will agree with his position that the minimum age of enlistment should be 18, but who, in the light of the attitude of the Secretary of War, the Chief of Staff, and the Military Affairs Committee, will feel constrained to vote the other way. Does the Senator think that a yea-and-nay vote would truly reflect the views of the Senators upon that question?

Mr. McCUMBER. It might not. I hoped I would get the judgment of the Senate and not the judgment of anyone in the War Department. That is what I have been trying to talk about all day—the duty of the Congress to exercise its judgment upon that subject—and I wanted a conscientious vote upon the subject of the age.

Mr. BRANDEGEE. Does not the Senator think we ought to have the opinion of George Creel on this matter before we can vote? [Laughter.]

Mr. McCUMBER. I think we should have our own good judgment and the judgment of Senators who have spoken on it.

Mr. GRONNA. Mr. President, in view of the statement made by my colleague that he would like to have a record vote upon this amendment, I wish to say that while I am in favor of increasing the age limit, I am opposed to reducing it. For fear that some one might think there was something selfish in my attitude on this matter I will say that my boys who were below 21 have gone to the war, but I have another boy who is more than 30 years old. I am willing to raise the age limit, but I am opposed to lowering it below the age of 21.

If it were not for the fact that I know the Senate is anxious to take a vote this afternoon I should like to have something more to say upon this matter, but just in explanation of my vote on this amendment, I can not vote for it because I am opposed to reducing the age below 21, although I would be in favor of increasing it up to 40 or 45, and I so voted the last time this matter was before the Senate, a year ago.

Mr FALL. Mr. President, in view of the statement of the Senator from North Dakota [Mr. McCUMBER] that various Senators have expressed themselves as in favor of fixing the age at 18, I wish to say that I so expressed myself. Since that time I have perfected the amendment, after consultation with many of my colleagues, and have agreed to support the age of 20. I think the Senator will have ample opportunity to come to a vote on the question of fixing the age at 18 before we get through with this war.

Mr. McCUMBER. Allow me to say, Mr. President, that I do not think this amendment will be adopted; but I do think the vote on it ought to express the real views of Senators. I hope that those who believe it ought to be adopted will vote for it, and then, if it is not adopted, of course we will vote for the other.

Mr. FALL. I am not going to vote for it, Mr. President, and I make this statement as to the reason why I shall not.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Connecticut [Mr. BRANDEGEE] to the amendment of the Senator from New Mexico [Mr. FALL].

Mr. McCUMBER. On that I call for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALDER (when his name was called). I have a general pair with the junior Senator from Rhode Island [Mr. GERRY]. As he is absent I withhold my vote. Were I at liberty to vote, I should vote "nay."

Mr. COLT (when his name was called). Making the same announcement that I made before, I vote "nay."

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before, I vote "nay."

Mr. JONES of Washington (when his name was called). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent for the day. I am paired with him for the day. Some transfers were made on the other votes, but not on this; so I refrain from voting.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Georgia [Mr. SMITH]. The Senator from North Carolina [Mr. SIMMONS] has a general pair with the junior Senator from Minnesota [Mr. KELLOGG]. By arrangement we have transferred our pairs, so that the Senator from Georgia stands paired with the Senator from Minnesota, and the Senator from North Carolina and I are at liberty to vote. I vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Oklahoma [Mr. OWEN] and vote "nay."

Mr. UNDERWOOD (when his name was called). I transfer my general pair with the junior Senator from Ohio [Mr. HARDING] to the senior Senator from Delaware [Mr. SAULSBURY] and vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT.] In his absence, I withhold my vote.

Mr. WEEKS (when his name was called). Making the same transfer as on the last roll call, I vote "yea."

The roll call was concluded.

Mr. CALDER. I transfer my pair with the junior Senator from Rhode Island [Mr. GERRY] to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

The result was announced—yeas 9, nays 64, as follows:

YEAS—9.

Brandegee	New	Sherman	Warren
McCumber	Penrose	Wadsworth	Weeks
Nelson			

NAYS—64.

Ashurst	Gore	Lodge	Shields
Bankhead	Gronna	McKellar	Simmons
Beckham	Guion	McNary	Smith, Ariz.
Borah	Hale	Martin	Smith, Md.
Calder	Hardwick	Myers	Smith, Mich.
Chamberlain	Henderson	Norris	Smith, S. C.
Colt	Hitchcock	Nugent	Smoot
Cummins	Hollis	Overman	Sterling
Curtis	Johnson, Cal.	Phelan	Sutherland
Dillingham	Johnson, S. Dak.	Pittman	Thomas
Fall	Kendrick	Poindexter	Thompson
Fernald	Kenyon	Pomerene	Trammell
Fletcher	King	Ransdell	Underwood
France	Kirby	Robinson	Vardaman
Frelinghuysen	Knox	Shafroth	Willey
Gallinger	Lenroot	Sheppard	Williams

NOT VOTING—23.

Baird	Jones, N. Mex.	Owen	Tillman
Culberson	Jones, Wash.	Page	Townsend
Gerry	Kellogg	Reed	Walsh
Goff	La Follette	Saulsbury	Watson
Harding	Lewis	Smith, Ga.	Wolcott
James	McLean	Swanson	

So Mr. BRANDEGEE's amendment to the amendment of Mr. FALL was rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from New Mexico [Mr. FALL].

Mr. FALL. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. POMERENE. Mr. President, this amendment now involves two propositions—one, the reduction of the age; the other, the increase of the age. I ask for a division of the question in order that we may have an expression of the Senate upon the two matters.

Mr. WADSWORTH. Mr. President, a parliamentary inquiry. Is such a division in order, in view of the fact that the Senate, as I recollect, has already voted against an amendment of the Senator from Georgia [Mr. HARDWICK] increasing the minimum age from 20 to 21?

The PRESIDING OFFICER. The Chair thinks it is not in order, the Senate having voted upon one of the provisions already.

Mr. NORRIS. Mr. President, before the Chair decides the matter, I should like to call his attention, if he will permit me, to the fact that there is a distinction that still exists that has not been passed on by the Senate. Unless the question is allowed to be divided, we are now going to vote on two propositions. It is true that there has been a motion made to change one of them; but there is no way to tell how many Senators, by reason of the failure of that motion, might vote against the motion as it now stands who would like to vote for the proposition to raise the age; so there has been no opportunity so far for a direct vote on each proposition.

I submit to the Chair, therefore, that every reason still exists for the allowance of a division of the question.

The PRESIDING OFFICER. Under the parliamentary status the Chair thinks this question is not divisible, and so holds. The question is on the amendment of the Senator from New Mexico [Mr. FALL], on which the yeas and nays have been ordered. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called). As I announced awhile ago, I have a pair for the day with the junior Senator from Virginia [Mr. SWANSON]. If he were present, and I were at liberty to vote, I should vote "yea."

Mr. LODGE (when his name was called). Making the same announcement as before of the transfer of my pair and that of the Senator from North Carolina [Mr. SIMMONS], I vote "yea."

Mr. MYERS (when his name was called). I announce the same transfer of my pair as on the prior roll call, and vote "nay."

Mr. UNDERWOOD (when his name was called). Making the same announcement as on the last roll call with reference to my pair, I vote "nay."

Mr. WATSON (when his name was called). Making the same announcement as on the last roll call with reference to my pair, I withhold my vote. If at liberty to vote, I should vote "yea."

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. Therefore, I withhold my vote.

The roll call was concluded.

Mr. SMITH of Michigan (after having voted in the negative). I understand that the senior Senator from Missouri [Mr. REED] has not voted. I have a pair with that Senator. I transfer the pair to the junior Senator from New Jersey [Mr. BAIRD], and will allow my vote to stand.

Mr. FRELINGHUYSEN. Making the same announcement as before, I vote "yea."

Mr. CURTIS. I have been requested to announce that the junior Senator from Minnesota [Mr. KELLOGG] if present would vote in favor of the amendment of the Senator from New Mexico.

The result was announced—yeas 25, nays 49, as follows:

YEAS—25.

Brandegee	France	Lodge	Smoot
Calder	Frelinghuysen	McCumber	Sterling
Colt	Gallinger	Nelson	Wadsworth
Cummins	Hale	New	Williams
Curtis	Johnson, S. Dak.	Norris	
Dillingham	Kenyon	Poindexter	
Fall	Lenroot	Sherman	

NAYS—49.

Ashurst	Hitchcock	Overman	Smith, Mich.
Bankhead	Hollis	Penrose	Smith, S. C.
Beckham	Johnson, Cal.	Phelan	Sutherland
Borah	Kendrick	Pittman	Thomas
Chamberlain	King	Pomerene	Thompson
Fernald	Kirby	Ransdell	Trammell
Fletcher	Knox	Robinson	Underwood
Gerry	Lewis	Shafroth	Vardaman
Gore	McKellar	Sheppard	Warren
Gronna	McNary	Shields	Willey
Guion	Martin	Simmons	
Hardwick	Myers	Smith, Ariz.	
Henderson	Nugent	Smith, Md.	

NOT VOTING—22.

Baird	Jones, Wash.	Reed	Walsh
Culberson	Kellogg	Saulsbury	Watson
Goff	La Follette	Smith, Ga.	Weeks
Harding	McLean	Swanson	Wolcott
James	Owen	Tillman	
Jones, N. Mex.	Page	Townsend	

So Mr. FALL's amendment was rejected.

Mr. HITCHCOCK. I offer the following amendment.

Mr. CHAMBERLAIN. May I say to the Senator that there are one or two committee amendments that have been passed over and there are a number of other committee amendments which I should like to dispose of before general amendments are considered? I think that is the usual rule.

The PRESIDING OFFICER. The Chair informs the Senator from Nebraska that by the agreement under which the bill is being considered committee amendments are first in order. The Secretary will report the next committee amendment.

The SECRETARY. The first committee amendment passed over is, on page 106, to insert, "Chapter XI, Method of determining quotas for military service."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. JONES of Washington. What amendment is that? I should like to have the amendment read.

The PRESIDING OFFICER. It has just been stated. Does the Senator desire to have the language of the amendment read?

Mr. JONES of Washington. I understand it refers to some title as it was reported.

The PRESIDING OFFICER. The Secretary will again state the pending amendment.

The SECRETARY. On page 106 the committee proposes to insert a new chapter, to be known as "Chapter XI, Method of determining quotas for military service."

The PRESIDING OFFICER. This amendment was agreed to and reconsidered and passed over.

Mr. CHAMBERLAIN. I think the amendment was once agreed to and then reconsidered at the request of one of the Senators, and it was passed over.

Mr. JOHNSON of California. Mr. President, to this particular part of the bill I presented an amendment proposing that "credit shall be given on its quotas to any State, Territory, District, or subdivision thereof, for the number of men who have entered the military or naval service of the United States from any such State, Territory, District, or subdivision thereof since May 1, 1917, including members of the National Guard who were in Federal service on that date"; but after hearing the testimony to which we have recently listened I do not desire at this time to press the amendment, but will leave it for ultimate determination when within the next 90 days we shall amend the draft law. I shall then, if it be appropriate, take it up with the committee.

Mr. JONES of Washington. I withdraw my request for the reading of the amendment.

The VICE PRESIDENT. The request is withdrawn, and the question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The VICE PRESIDENT. The next amendment passed over will be stated.

The SECRETARY. Chapter XVI, page 117, "Aircraft Production Corporation."

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. There are a number of other committee amendments, which I send to the desk.

The VICE PRESIDENT. They will be stated in their order.

The SECRETARY. On page 13, line 7, strike out the period and substitute a colon and add:

Provided further, That no person otherwise qualified for service as a cadet, pilot, military aviator, or other officer in the aviation service, shall be barred from such service by reason of not being equipped with a college education.

The VICE PRESIDENT. The amendment has already been agreed to. It will be reconsidered.

Mr. CHAMBERLAIN. I ask that it be reconsidered in order that this proviso may be added.

The VICE PRESIDENT. Without objection, it is reconsidered. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CHAMBERLAIN. I desire to offer the following amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 64, after line 17, insert:

Drafted or enlisted men detailed for work: All drafted or enlisted men who have been or may be detailed or assigned to work at their respective trades or callings in factories, shops, or establishments, engaged in production of material for the Government, shall be paid by the proprietors or operators of such factories, shops, or establishments the same compensation or wages paid by them to their other employees engaged in the same service. During the period of such service the statutory pay of such men as soldiers shall be suspended.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHAMBERLAIN. I have another amendment to offer.

The VICE PRESIDENT. It will be read.

The SECRETARY. On page 29, line 8, in the heading, strike out the words "Supplies, services, and transportation" and insert in lieu thereof "General appropriations."

The amendment was agreed to.

Mr. CHAMBERLAIN. I desire to offer the following amendment.

The SECRETARY. Add as a new chapter, after chapter 11:

That the second clause of section 2 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917, be, and the same is hereby, amended to read as follows:

"Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive, except citizens or subjects of countries neutral in the present war, and shall take place and be maintained under such regulations as the President may prescribe, not inconsistent with the terms of this act."

Mr. CHAMBERLAIN. That amendment was reported out as a committee amendment, but in view of the fact that the Senator from Nebraska [Mr. HITCHCOCK], who is a member of the committee, was not present and is understood to have a substitute to offer for it, it was done with the understanding that it would be considered in connection with the amendment to be proposed by the Senator from Nebraska.

Mr. HITCHCOCK. I send to the desk the substitute which I propose.

The SECRETARY. As a substitute for the proposed amendment just read:

At the end of the second sentence of section 2 of an act entitled "An act to amend an act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917," add the following proviso:

"*Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration to become an American citizen."

Mr. HITCHCOCK. Mr. President, I much regret that I was not present when the committee considered the amendment. The amendment approved by the committee is entirely inconsistent with the substitute which I offer. Both have been considered by the State Department. While the State Department prefers the one adopted by the committee, it is not opposed to the one which I propose.

The present law is that the draft includes declarants—that is, men who declare their intention to become citizens of the United States and have taken out their first papers. As far as our cobelligerents are concerned, that makes no difference; but when it comes to neutral countries, it interferes with treaty obligations, and it also interferes with the rule of international comity.

The State Department, therefore, desires that the War Department shall relieve declarants from enforced military service. Heretofore the War Department has refused to do it because it has construed the act of Congress as superseding a treaty, even superseding international comity. The State Department proposes—or at least this committee amendment proposes—absolutely to exclude declarants of neutral countries, and if that is carried out we shall lose tens of thousands of soldiers.

I propose in my proviso to leave the law as it is now and provide that when the declarant of a neutral country, through himself or through his ambassador or minister, asserts his immunity, he shall be relieved, but his act in appealing to his country shall serve to withdraw his application for American citizenship. I think that ought to be done.

Mr. McCUMBER. Mr. President——

Mr. LODGE. May I ask the Senator a question?

Mr. HITCHCOCK. I yield to the Senator from North Dakota, who rose first.

Mr. McCUMBER. I wish to know why the Senator has pulled the teeth out of his amendment. A great many of us favor this very strongly as it was introduced, believing that under the comity of nations we had no right to insist that one who had merely declared his intention and had not become a citizen should join our Military Establishment, but we were in hearty accord with the view that, after having declared his intention to become a citizen, if he then refused to perform the duties of a citizen and become a soldier he should forever be debarred from the right to become a citizen. I am sorry to have the Senator leave that out of his amendment.

Mr. HITCHCOCK. It was because I learned through the State Department that we have a number of treaties with countries with which that might seem to be in conflict. I do not agree with the State Department on that interpretation, but after all it is not a matter of great importance to brand a man as incapable of ever becoming an American citizen. The important thing is this: When the declarant is excused from service in the Army through the interposition of the ambassador or minister of his country he is, in many States of the Union, still able to vote at the American elections. I want to deprive him of that right, so that when his American neighbor is drafted and goes to the war he can not use his immunity as a foreign

citizen and still exercise the right of suffrage in this country. I yield to the Senator from Massachusetts.

Mr. LODGE. I am entirely in sympathy with the Senator's amendment in what he seeks to accomplish, but does he accomplish it? Under the wording of the amendment after a man has pleaded exemption because he is a subject or citizen of another country, which he undoubtedly is, he forfeits his declaration of intention that he has already made. What is there to prevent him from going around the corner and taking out another one the next day and securing all the political rights which it brings with it in certain States? Ought there not to be an inhibition on his taking out another declaration, at least until the conclusion of the war?

Mr. HITCHCOCK. I think if the Senator from Massachusetts will reflect a moment he will see that it is within the discretion of our courts to grant or to refuse these applications, and while if I had thought of that idea I would have incorporated it in my amendment, I hardly think it is necessary.

It was suggested to me by a colleague just now that this amendment of mine will be welcomed by the foreign representatives of many of our neutral countries. They are at the present time burdened with thousands of applications from declarants who appeal to them for protection, and they would be glad to be relieved of that burden; they would be glad to have these declarants either remain as they have asserted and pledged themselves to be—American citizens—or be deprived of the right of American citizens. The result of it will be, in my opinion, that thousands of declarants who now appeal to neutral diplomatic representatives will go and serve the country they have already sworn to become citizens of; that they will not appeal to their ambassadors and their ministers in those neutral countries, and we think the Army will receive their service. If they do not, they certainly will not be allowed to remain in this country and vote when their American neighbors, native and naturalized, have been forced to go to the war.

I was very anxious to offer my amendment first, because it is a proviso added at the end of the second sentence of the existing law. If the amendment presented by the committee is adopted, it will amend the existing law so as to make my proviso a dead letter; that is, it will absolutely exempt all citizens of neutral countries in the United States who have declared their intention to become citizens of the United States. I would therefore like to offer my amendment first or offer it as a substitute, if that is a parliamentary possibility.

The VICE PRESIDENT. It is in order.

Mr. HITCHCOCK. I will offer it as a substitute.

Mr. WILLIAMS. Mr. President, there is a great American principle which this Government adopted when Thomas Jefferson was Secretary of State and George Washington was President. It had already been adopted by the Commonwealth of Virginia prior to that time, when the Commonwealth was an independent State. It was the act of expatriation. It has always been a contention of this Government that any man has a right to move to a new country and declare his intention to become a citizen of that country, and with that declaration his citizenship in the old country ceases. This country has never admitted any dual citizenship. We have contended that when a man who came to us with a declaration in his mouth he was telling the truth. We have contended that he was not self-evidently a liar, and with his declaration he became an American by his own intent and by his own right to choose his own country.

Now, the amendment which is proposed here would leave things in this condition, if I understand it. A Turk or a Bulgarian, because his country is not at war with the United States, because he went into a court of justice and solemnly told a solemn lie to the effect that it was his intention to become a citizen of the United States, would be left free in the enjoyment of every privilege here, and when he wished to cancel what he solemnly said in solemn deed and go back and be a Turk or a Bulgarian he could go; or, at any rate, he need not fight for the United States, and if he could get away he could fight for Bulgaria.

Mr. President, we had better leave the law as it is.

There is some confusion in international law as to what the present law is, but at any rate America has never given up her contention, and I do not propose, for one, to stand for her giving it up in the slightest degree.

Even Turkey and Austria have never recognized a dual nationality. They have contended that the Turks or the Austrians could remain exclusively Turkish or Austrian subjects. We have only gone to the point of saying that wherever he declared his intention to become an American citizen, according to the laws of a State of the American Union, or became naturalized under the Federal law—either one—then he became an American, and we deny that he could be a citizen of any other country after that. Neither country has even contended for a dual nationality or has contended for an exclusive nationality of its own nationals.

Mr. President, I do not want to be caught here in this haphazard way with surrendering to the principle which the Old Dominion threw out on its flag to the world about 1787 or 1789 and which the United States Government under its first national administration, under the Father of the Country and the Father of Democracy both, indorsed as a sacred and solemn principle of this American Republic.

A man has a right to come up and declare his intention of becoming a citizen of the United States or of a State, and when he declares his intention of becoming a citizen of a State he is a citizen of one of these United States, and therefore a citizen of the United States—which, by the way, is a plural and not a singular term, and this "e pluribus unum" business and "these United States" constitute this country. When he does that, I am going to take it for granted that he is telling the truth, and that he is not a liar. I am not going to put anything upon the statute books that enables him to come up and confess solemnly that he is a liar, that when he said it was his intention to become a citizen of the United States he meant it only in "piping times of peace" and not if there happened to be a war.

Mr. CHAMBERLAIN. Mr. President, the amendment the committee suggests, and not the one which is proposed as a substitute, does the very thing which the Senator from Mississippi is contending for. Now, let me call the attention of the Senate to the law as it is now contained in the draft act of 1917; and then I will call attention to the brief change that is proposed. The language of the act is:

> Such draft as herein provided shall be based upon liability to military service of all male citizens, or male persons not alien enemies who have declared their intention to become citizens, between the ages of 21 and 30 years, both inclusive.

That is as much as it is necessary to read to call the attention of the Senate to the fact. Now, the Senate will know, I think, that the draft act provision that all male citizens or male persons who have declared their intention to become citizens are subject to the draft inadvertently violated treaties that we have with several countries. I will call attention to them.

Mr. WILLIAMS. May I ask the chairman of the committee a question there?

Mr. CHAMBERLAIN. I hope the Senator will let me finish this answer. That provision in the draft act violated the treaties which the United States has with Spain, Switzerland, Norway, Sweden, Denmark, and Great Britain. Those are the principal countries with which we have such treaties. But we have taken out of the provisions of that law Great Britain, and, I believe, possibly we are negotiating with reference to France and Italy. So, by the adoption of that provision in the draft act, we subjected to the draft nationals of countries that were absolutely protected by treaty stipulations.

Now, Mr. President, under decisions of the courts and under the rules of international law, the declarants for citizenship, those who have taken out their first papers, are still the nationals of their native country; they are not citizens of the United States. The proposal of the Senator from Nebraska [Mr. HITCHCOCK] is to meet a condition which exists in his State and which probably exists in some other States of the Union, where, in violation of what seems to me to be good sense and good conscience, laws have been enacted allowing the nationals of other countries to vote. In other words——

Mr. WILLIAMS. Mr. President——

Mr. CHAMBERLAIN. I hope the Senator from Mississippi will let me finish.

Those States have allowed the nationals of other countries—the Turks and the Bulgars, if you please—who have taken out their citizenship papers, to vote. Then, under the decisions of the courts, those people are not citizens of the United States and, therefore, can not be citizens of the particular States. The proposal of this bill is to relieve a situation which is pressing. Here the United States has impressed into the service subjects of Sweden, for instance—a neutral country—they have impressed into the service the neutrals of other countries who are either protected by treaty or who are asserting their right to be exempt from it. Notwithstanding that, the United States has gone ahead and sent them to the front. We find the ambassadors of these neutral countries protesting against the drafting of their nationals into the service, and the United States is going to have a heavy bill for damages to pay after a while.

The only purpose of the amendment which is suggested by the committee is to protect the nationals of such countries from the draft, in order to save the United States from the payment of damages because their citizens are being sent to

the front. The amendment has met the approval of the Secretary of State; it has met the approval of the War Department. Both of those Secretaries, and particularly the Secretary of State, is here insisting that it should be adopted, because he is harassed all the time by claims for exemption from the draft, and the Solicitor for the State Department says that all of his time is taken up with trying to adjust the differences between our own country and other countries because the nationals of those countries have been impressed into the service.

Mr. LODGE. Does this apply to neutral countries?

Mr. CHAMBERLAIN. Yes, sir.

Mr. WARREN. I wish, if he will allow me, to ask the Senator from Oregon a question. I want to ask him whether any treaty would be violated if we should provide by statute that those men—declarants, we may say—declare their intention to become citizens, and whether we might by law provide that they might complete their citizenship and then do their duty under the citizenship of America or go out and relinquish any rights that they have in this country and again become the aliens that they formerly were?

Mr. CHAMBERLAIN. A declarant does not become a citizen of the United States until he takes out his final papers, and that is at the end of five years. We have passed a law, however, which permits those who have served our country in time of war to take out their citizenship papers earlier.

Mr. WARREN. Exactly; and would it not therefore be well to provide by legislation now if necessary that such a declarant may at once complete his papers and become a citizen or else relinquish his intention?

Mr. CHAMBERLAIN. That could be done.

Mr. WARREN. Would such legislation violate our treaties?

Mr. CHAMBERLAIN. I think not.

Mr. WILLIAMS. Mr. President, a voter in a State is a citizen of the United States. There is no such thing as an abstract citizenship of the United States regardless of a State, whether it be Illinois or Oregon or Mississippi or California. A man comes up and declares his intention to become a citizen of the United States and thereby becomes a voter in Oregon——

Mr. CHAMBERLAIN. No; he does not.

Mr. WILLIAMS. Then the Senator from Oregon tells me that we impress that man into duty under the draft. We have done nothing of the sort. He has declared his own intention and willingness to become a volunteer, and what the Senator now desires is to let him impress himself upon the laws of the country as a voluntary liar.

Mr. CHAMBERLAIN. May I interrupt the Senator for just a moment?

Mr. WILLIAMS. Yes.

Mr. CHAMBERLAIN. That is not the purpose of the proposed legislation. When a man declares his intention to become a citizen, he simply says, "I am going to become a citizen," and the United States imposes the condition on him, "You can not become a citizen until the end of five years."

Mr. WILLIAMS. Mr. President, a man comes up in the State of Oregon—he could not do it in Mississippi, thank God——

Mr. CHAMBERLAIN. They do not go there.

Mr. WILLIAMS. But he comes up in the State of Oregon, for instance, and declares his intention to become a citizen of the United States, and thereby becomes a voter in the State of Oregon and obtains all the privileges and immunities of citizenship of the United States under the fourteenth amendment, which is the only citizenship of the United States known to our law; but whether or not he does that—that question might be disputed and argued—he does become a citizen of the State of Oregon or of Illinois or of whatever other States this law applies to; I do not know just what the States are, but he gets all the immunities and privileges of citizenship, and now he wants to relieve himself of the burdens and the duties. Our draft law says that the men who have declared their intention to become citizens of the United States, and by consequence of that declaration have become citizens of particular States, are subject to the draft. That is all it says. You can not subject a man in Mississippi to the draft because he has declared his intention to become a citizen, because under the laws of Mississippi he could not be a voter if he declared his intention 40 times to become a citizen; but when he goes to the State of Illinois—if that be the law there; I am not certain as to that, but I think it is—and declares his intention there, he becomes a citizen of the State of Illinois.

Mr. LODGE. The law is general; it applies to all declarants, whether they have rights in a State or not.

Mr. WILLIAMS. I understand that; but in States where they are not made voters there are no declarants.

Mr. LODGE. There are plenty of them in my State and the Senator's, too, who have no civil rights whatever.

Mr. WILLIAMS. Then, this amendment ought to be made to apply to them and to nobody else——

Mr. LODGE. Oh, no.

Mr. WILLIAMS. But it ought not to apply to men who obtain the right of voting and rights of property and protection and immunity in a State by getting the suffrage.

Mr. LODGE. They do not obtain those rights in my State; but they are liable to the draft as declarants.

Mr. WILLIAMS. But they get them in many other States.

Mr. LODGE. They do.

Mr. WILLIAMS. Then, if we want to make this amendment right, let it apply only to those who have declared their intention to become citizens in States where they can not become voters.

Now, Mr. President, another thing. The Senator from Oregon talks about the sacredness of certain treaties with Sweden, Norway, and other countries. If the Supreme Court has ever settled anything at all, it has settled this, that whichever of the two is the latest in date, whether a treaty or a law of the United States, repeals the other.

Mr. NELSON. Mr. President, will the Senator yield to me?

Mr. WILLIAMS. Yes.

Mr. NELSON. I want to call the attention of the Senator from Mississippi and of other Senators to the fact that, although by this amendment it is proposed to cancel what we call "first papers," the intention papers, and they are canceled, there is nothing to prevent an alien from going to the clerk of a court after he has obtained immunity from the draft and taking out new intention papers. He has got to do that to become a citizen anyway; and he can, under this amendment, take that step after he has been excused.

Mr. WILLIAMS. I have never looked into that.

Mr. NELSON. The mere fact that the declaration of intention which he has made before seeking immunity is canceled does not debar him from making a new declaration after he has obtained his immunity.

Mr. WILLIAMS. There is no doubt about that as an abstract question. I take it he could go ahead and make a new declaration, of course, but still he can escape his duties under the old one by canceling it after he has had all the privileges and immunities of a citizen of Minnesota, of Massachusetts, or of Wisconsin.

Mr. McCUMBER. In other words, Mr. President, if I may have the attention of the Senator, as supplemental to what he has said, if this committee amendment is adopted the declarant can by his vote force us into war and then escape any service in war.

Mr. WILLIAMS. And that is not all, Mr. President; the declarant can not only force us into war by his vote and then escape military service, which is a thing that would seem incredible if it were not a fact, but after we ourselves have been forced into war with a foreign country he can stand here as a miserable traitor and vote in 11 or 12 States of this Union, and while voting to elect governors, Senators, and Representatives he can beat honest men from electing loyal men. That is what he can do.

What I contend for is that if a man by his own word has declared his intention to make an American citizen of himself, make him one. I am not pressing him into service; I am not making an American out of him by law; I am simply standing by a law which admits that he has told the truth and does not set up that he is a liar.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. HITCHCOCK] to the amendment of the committee. [Putting the question.] The noes seem to have it.

Mr. HITCHCOCK. I ask for a roll call on the amendment.

Mr. WARREN. Would it be in order to have the amendment to the amendment again stated? I think there is some misunderstanding about it.

Mr. HITCHCOCK. I ask that the proviso be read.

The VICE PRESIDENT. The Secretary will read as requested.

The SECRETARY. In lieu of the amendment proposed by the committee it is proposed to insert:

At the end of the second sentence of section 2 of an act entitled "An act to amend an act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917," add the following proviso:

"*Provided*, That a citizen or subject of a country neutral in the present war who has declared his intention to become a citizen of the United States shall be relieved from liability to military service upon his making a declaration, in accordance with such regulations as the President may prescribe, withdrawing his intention to become a citizen of the United States, which shall operate and be held to cancel his declaration to become an American citizen."

Mr. FALL and Mr. LODGE rose.

Mr. WILLIAMS. He withdraws his previous declaration, as I understand.

The VICE PRESIDENT. The rule of the Senate is that a Senator shall arise and address the Chair. When five Senators are standing, it is difficult for the Chair to know who is entitled to the floor.

Mr. FALL. I am only one of the five, not the whole five.

The VICE PRESIDENT. The Chair thinks the Senator from New Mexico did rise, and the Senator from New Mexico is recognized.

Mr. FALL. Mr. President, in the Martin Koszta case the United States faced Austria in arms over this question. Koszta was a declarant, and nothing more. He was in Smyrna, and was arrested by the Austrian authorities upon the ground that he was a deserter or had evaded military service in Austria. The American consul demanded that he be released; but, instead of releasing him, he was turned over to the commander of an Austrian ship of war. Capt. Ingraham, commanding an American ship of war in the harbor, demanded his release on the ground that he was entitled to the protection of the United States as a declarant. He had not taken out his final papers. The release of Koszta was refused. Ingraham cleared his decks, trained his guns upon the Austrian ship, and demanded and secured the release of Koszta. He was sustained by the political department of this Government, which refused the demand of Austria for reparation or that Koszta be returned to them, and the Congress of the United States by a resolution sustained the action of the political authorities and voted a medal of honor to Ingraham.

Mr. WILLIAMS. And established the principle, if the Senator will pardon me, of asserting that that carried with it the immunities and privileges of American citizenship, though it might not carry the privilege of voting in the State of Mississippi.

Mr. LODGE. Mr. President, I shall not argue the venerable Martin Koszta case, with which everybody is familiar. I merely wish to suggest that the amendment as it now stands seems to me futile. I think we have got to add to it a prohibition against the alien receiving further first papers until at least the end of the war. That will give it effect.

Mr. HITCHCOCK. Mr. President, I have already indicated to the Senator from Wisconsin [Mr. LENROOT] that I shall be glad to perfect my amendment by accepting such a change.

Mr. LODGE. I should be glad to see citizenship refused altogether.

Mr. FLETCHER. Mr. President, I should like to inquire whether that would not be covered by the regulations which the President might prescribe? The amendment provides that this proceeding may take place under certain regulations to be prescribed by the President.

Mr. LODGE. No; it gives the President no power to prevent the alien taking out new papers. The next day he may take them out.

Mr. HARDWICK. Mr. President, if the Senator from Massachusetts will permit me, not only is that true, but under the law the man would have a perfect right again to go to a court, and the court could not deny him the opportunity of filing his first papers again unless, as is suggested, a prohibition is put in the statute.

Mr. LODGE. Of course, it would be a useless thing to deprive him of his first papers if he could take them out again.

Mr. LENROOT. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. The Senator from Wisconsin proposes to add, at the end of the proposed substitute of the Senator from Nebraska, the following words:

> And he shall not be entitled to make a new declaration during the existence of the war in which the United States is now engaged.

The VICE PRESIDENT. Does the Senator from Nebraska accept that change?

Mr. HITCHCOCK. I do.

The VICE PRESIDENT. Then the question is on the amendment of the Senator from Nebraska, as modified, to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN], on which question the yeas and nays have been requested.

Mr. McCUMBER. Mr. President, I ask the Senator from Nebraska if he is not willing to make a part of his amendment the previous declaration that a person who has declared his intention to become a citizen and then, in order to escape military service in the United States, withdraws that declaration, shall be forever prohibited from becoming a citizen of the United States?

Mr. HITCHCOCK. Mr. President, I am endeavoring to get this amendment in such shape that it will be adopted; and while my judgment concurs with that of the Senator from North Dakota, I am confronted with the serious objection of the State Department. As it is now, the State Department has no objection to it.

Mr. LODGE. Mr. President, in that connection I should like to ask the Senator in what treaty ever made by us was there an agreement as to whom we should admit to citizenship or whom the other nation should admit to citizenship?

Mr. CHAMBERLAIN. Mr. President——

Mr. HITCHCOCK. I have not the names of the countries.

Mr. LODGE. As to naturalization, do I understand that the State Department says that in any treaty we agree to admit certain people to naturalization?

Mr. CHAMBERLAIN. Oh, no. The contention of the State Department, let me say to the Senator, is that it is a question of drafting into the service.

Mr. LODGE. Oh, I understand that; but the objection the Senator from Nebraska makes is to what he originally had in his amendment, which prevented these men who had declared their intention of becoming American citizens from then claiming—as I think they had a legal right to do—that they were subjects of a foreign power, and therefore could not be drafted. The Senator from Nebraska met that with a proposition that if they made that claim of exemption, and received it, they should be forever ineligible to become citizens of the United States, with which I am in entire sympathy. The Senator now says, however, that the State Department objects to that provision on the ground that it interferes with treaties; and I am anxious to know what treaty there is in which we guarantee to admit anybody to citizenship or to first papers or anything else?

Mr. HITCHCOCK. Mr. President, I perhaps went too far when I said "the State Department." I should have said "an official of the State Department," because he has represented the matter to me in the following language:

> This amendment violates treaties with several neutral countries, in that it prevents neutral declarants from becoming citizens of the United States. The United States has treaties for reciprocal naturalization with Norway, Sweden, Denmark, Costa Rica, Haiti, Nicaragua, Peru, Salvador, Honduras, and Uruguay.

I must confess that that was a surprise to me.

Mr. LODGE. It is a surprise to me. I should like to know the terms of those reciprocal naturalization treaties.

Mr. HITCHCOCK. I will withdraw the statement that the State Department objected to it. Only one official of the State Department has called my attention to these treaties, and thought that while it is all right to withdraw their declaration of intention it might be questionable whether we should say that they are forever prevented from becoming citizens of the United States. I believe that what we really want to accomplish is to let these declarants know that if they appeal to the foreign countries they will have to give up the papers they now hold. That will result in keeping many more men in our Army, it will result in relieving the ministers from a great many appeals, and it will relieve the State Department from a great deal of work.

Mr. LODGE. I did not know that there were any treaties that interfered with our right of saying who should be citizens of the United States, and I should like to inquire into it. But, Mr. President, the thing we want to meet at this time is to prevent these men who have claimed exemption because they are subjects or citizens of another power, after they have taken out their first papers, from going around the corner and taking out another set of papers, and, in many States, exercising all of the rights of citizens, all the privileges of electing men to office, and everything of that kind, while they send the native-born Americans or the naturalized Americans across the water.

Mr. HITCHCOCK. I agree with the Senator fully, and for that reason I have accepted the change proposed by the Senator from Wisconsin.

Mr. FALL. Mr. President, I shall oppose the amendment. I do not agree at all with the legal conclusions of this official of the State Department. We have naturalization treaties with certain countries, it is true. They are referred to here, if the Senate desires to hear them; but there is nothing in any one of those treaties which prevents our classifying or in any way providing the conditions upon which we will admit citizens. That is the prerogative of this great Government of the United States.

Mr. LODGE. It is the prerogative of every sovereign state.

Mr. FALL. We can pass a law repealing in a moment all of our naturalization laws, despite our treaties, and we do not violate a treaty with a single country with which we have a treaty. We can repeal them absolutely. Why, sir, that is a prerogative of the Government.

Mr. LODGE. And, if the Senator will allow me, we have recently entirely revised and changed our naturalization laws and imposed new conditions.

Mr. FALL. Why, certainly; but, Mr. President, to say that even under any treaty of any kind or character the United States Government can not at any time pass just such legislation as was indicated in the first amendment of the Senator without violating a treaty is ridiculous. We can create a class of those citizens of neutral countries who refuse their military duty here, and say that they shall never become citizens, if we so desire.

Mr. LODGE. Of course we can.

Mr. FALL. It is a classification which is permissible, as the Supreme Court has decided in the Terry case, and time and time again.

Mr. CHAMBERLAIN. Mr. President, may I ask the Senator a question?

Mr. FALL. I yield to the Senator.

Mr. CHAMBERLAIN. The proposition involved here, Mr. President, is not the question of treaties with respect to naturalization laws, but the question as to those treaties which provide that the nationals of a country shall not be impressed into the military service.

Mr. FALL. Certainly; but, Mr. President, there is no court which does not hold that the status of full-fledged citizenship may not be bestowed until after final papers are taken out. There never has been a court that has not held that the status has been changed by a declaration of intention to become a citizen.

Mr. CHAMBERLAIN. I hope the Senator is right; but that is not the position which either the War Department or the State Department takes. Gen. Crowder took the position that the nationals of other countries who have come here and taken out their first papers could be impressed into the service, and the original draft law was drawn on that theory.

Mr. FALL. Gen. Crowder was right then.

Mr. CHAMBERLAIN. Now, later, for some reason—and I do not know why—they have changed their front on that question, and now hold that where the ambassador of a neutral country protests against the impressment of a declarant we have no right to impress him into our service.

Mr. FALL. From what has been said I should judge that Gen. Crowder has been influenced by pressure brought to bear by some official of the State Department, and has revised his decision. I have in my hand the treaty with Norway. I have not read it, but I am satisfied that there is nothing in that treaty or in any other naturalization treaty which would be to the contrary of the position which has been announced by the Senator from Mississippi and the Senator from Massachusetts.

Mr. LENROOT. Mr. President, if the treaty with Norway, for instance, should provide that their nationals should be entitled to the same rights of citizenship that other nationals had, then this would be a violation of the treaty, because it applies only to neutrals. We unquestionably would have a right to make a uniform rule as to all nationals, but if we should confine it to the neutrals it might be a violation of a treaty, might it not?

Mr. FALL. I do not think so, under the theory that belligerents have an entirely different status than neutrals; and therefore we might leave out of consideration entirely the citizens of belligerents in dealing with citizens of neutral countries. I will read the provision of the treaty with Norway, for example, as that has been referred to:

> Citizens of the United States of America who have resided in Sweden or Norway for a continuous period of at least five years, and during such residence have become and are lawfully recognized as citizens of Sweden or Norway, shall be held by the Government of the United States to be Swedish or Norwegian citizens and shall be treated as such.

In other words, if our citizens choose to take advantage of the Swedish or Norwegian naturalization laws, we simply recognize their right of expatriation; that is all.

Mr. LODGE. Absolutely; that is all.

Mr. FALL (reading)—

> Reciprocally, citizens of Sweden or Norway who have resided in the United States of America for a continuous period of at least five years, and during such residence have become naturalized citizens of the United States, shall be held by the Government of Sweden and Norway to be American citizens, and shall be treated as such.

Why, Mr. President, all that this is and all that these treaties are is a recognition of the right of expatriation, which some of the countries have never agreed to recognize.

Mr. LODGE. For which we have fought for years.

Mr. FALL. For which we have fought, and which Germany to-day denies.

Mr. LODGE. And the condemnation of the doctrine of indefeasible allegiance.

Mr. FALL. That is all.

Mr. LODGE. They joined with us in recognizing the right of expatriation. I thought that was all.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. HITCHCOCK] to the amendment of the Senator from Oregon [Mr. CHAMBERLAIN], on which the yeas and nays have been demanded.

Mr. LODGE. Before that question is put I just want to say that I hope that amendment will be adopted; and I shall reserve the right when the bill gets into the Senate to try to restore to it the original phraseology of the Senator from Nebraska.

The VICE PRESIDENT. Is the request for the yeas and nays seconded?

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement as before, I vote "yea."

Mr. JONES of Washington (when his name was called). Announcing the pair which I have heretofore announced with reference to the junior Senator from Virginia [Mr. SWANSON], I refrain from voting.

Mr. LODGE (when his name was called). I have a general pair with the Senator from Georgia [Mr. SMITH]. The Senator from Pennsylvania [Mr. KNOX] is paired with the Senator from Oregon [Mr. CHAMBERLAIN]. We will exchange our pairs so that the Senator from Pennsylvania will stand paired with the Senator from Georgia. I vote "yea."

Mr. UNDERWOOD (when his name was called). I have a general pair with the Senator from Ohio [Mr. HARDING]. I therefore withhold my vote.

Mr. WEEKS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. JAMES]. He being absent, I withhold my vote.

The roll call was concluded.

Mr. KING. The senior Senator from Maryland [Mr. SMITH] has been called from the Chamber on official business. He is paired with the senior Senator from Vermont [Mr. DILLINGHAM].

Mr. SIMMONS. I transfer my pair with the Senator from Minnesota [Mr. KELLOGG] to the Senator from New Mexico [Mr. JONES] and vote "yea."

Mr. THOMPSON (after having voted in the affirmative). I observe that the Senator from Illinois [Mr. SHERMAN] is not present. I have a general pair with that Senator. In his absence I transfer that pair to the Senator from Oklahoma [Mr. OWEN], and will let my vote stand.

Mr. SMITH of Michigan (after having voted in the affirmative). I observe that the senior Senator from Missouri [Mr. REED] did not vote. As I am paired with that Senator, I transfer the pair to the junior Senator from Vermont [Mr. PAGE] and will let my vote stand.

The result was announced—yeas 43, nays 16, as follows:

YEAS—43.

Ashurst	Gronna	Nelson	Smith, Mich.
Bankhead	Guion	New	Smith, S. C.
Calder	Hardwick	Nugent	Smoot
Colt	Hitchcock	Penrose	Sterling
Cummins	Johnson, Cal.	Phelan	Sutherland
Fletcher	Johnson, S. Dak.	Pittman	Thomas
France	King	Poindexter	Thompson
Frelinghuysen	Lenroot	Pomerene	Vardaman
Gallinger	Lewis	Robinson	Wadsworth
Gerry	Lodge	Sheppard	Warren
Gore	McCumber	Simmons	

NAYS—16.

Chamberlain	Kenyon	Norris	Shields
Curtis	Kirby	Overman	Trammell
Fall	McKellar	Ransdell	Wilfley
Henderson	Martin	Shafroth	Williams

NOT VOTING—37.

Baird	Hollis	Myers	Tillman
Beckham	James	Owen	Townsend
Borah	Jones, N. Mex.	Page	Underwood
Brandegee	Jones, Wash.	Reed	Walsh
Culberson	Kellogg	Saulsbury	Watson
Dillingham	Kendrick	Sherman	Weeks
Fernald	Knox	Smith, Ariz.	Wolcott
Goff	La Follette	Smith, Ga.	
Hale	McLean	Smith, Md.	
Harding	McNary	Swanson	

So Mr. HITCHCOCK's amendment to the amendment of Mr. CHAMBERLAIN was agreed to.

The VICE PRESIDENT. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. FRANCE obtained the floor.

Mr. CHAMBERLAIN. Will the Senator from Maryland excuse me? Unless the Senator wishes to address the Senate this

afternoon, I was going to move to take a recess until to-morrow at 11 o'clock.

Mr. FRANCE. That is agreeable to me.

SALARIES OF STEAMBOAT INSPECTORS.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2104) to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States, which were, on page 2, after line 8, to insert: "The Secretary of Commerce may appoint a Deputy Supervising Inspector General, who shall be the chief clerk of the bureau and in the absence of the Supervising Inspector General have power to act in his stead, and who shall be entitled to a salary of $3,000 per year"; on page 3, line 25, to strike out "$2,900" and insert "$2,950"; on page 5, line 9, to strike out "Chicago, Ill., and insert "Providence, R. I."; on page 6, after line 6, to insert: "That all officers and employees provided for in this act shall not receive the additional compensation authorized by section 6 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919."

Mr. FLETCHER. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

Mr. FLETCHER. I present a letter from the Secretary of Commerce sustaining the amendments, which I ask may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, June 28, 1918.

MY DEAR SENATOR FLETCHER: On Wednesday, June 26, 1918, the House of Representatives passed S. 2104, "to amend sections 4402, 4404, and 4414 of the Revised Statutes of the United States," with certain amendments adopted on the floor when the bill was under consideration. Those amendments were as follows:

A new paragraph was inserted and made the last paragraph of section 4402 of the bill:

"The Secretary of Commerce may appoint a deputy supervising inspector general, who shall be the chief clerk of the bureau and, in the absence of the supervising inspector general, have power to act in his stead, and who shall be entitled to a salary of $3,000 per year."

This amendment was submitted by the Committee on the Merchant Marine and Fisheries and agreed to by the House.

The figures "2,900," in the sixth line, page 4 of the bill, were stricken out and the figures "2,950" were inserted in lieu thereof. This amendment was also submitted by the Committee on the Merchant Marine and Fisheries.

The words "Chicago, Ill.," in the fourteenth line, page 5 of the bill, were stricken out, and the words "Providence, R. I.," were inserted in lieu thereof. This amendment was made on the floor of the House by one of the Members.

The following paragraph was inserted next to the last paragraph of the bill:

"That all officers and employees provided for in this act shall not receive the additional compensation authorized by section 6 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919."

This amendment was offered by a member of the Committee on Appropriations and was agreed to.

The fact that amendments were made to the bill in the House necessitates, of course, that it go to a conference committee. The amendments adopted by the House have the approval of this department, and I earnestly hope that they will meet with the approval of the Senate, and that the conferees of the Senate will agree to the bill as enacted by the House.

Very truly, yours, WILLIAM C. REDFIELD,
Secretary.

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate took a recess until to-morrow, Saturday, June 29, 1918, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June 28, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, as we pass this way but once, help us to leave in our wake some thought or deed worthy of emulation, if it be only to plant a tree or flower, dig a well, or lift some forlorn soul into a higher altitude.

If there be jealousy, malice, hate, or revenge in our hearts, remove them far from us, that love and good will may grow and strengthen us.

If the energy expended by Germany in the awful war they have thrust upon the world with malice aforethought, hate, and revenge could have been consecrated to worthy deeds of liberty and justice, what a happy world this might be to dwell in under the leadership of the world's great Exemplar! Amen.

THE JOURNAL.

The Journal of the proceedings of yesterday was read.

Mr. MOON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOON. Does the Journal show that the conference report on the Post Office appropriation bill (H. R. 7237) was agreed to or rejected?

The SPEAKER. It shows that it was rejected.

Mr. MOON. That is all right.

Mr. STEENERSON. Mr. Speaker, I desire to move to have the Journal corrected so as to show that the conference report on the Post Office appropriation bill was agreed to. That is the fact, and a count of the list of names that the Clerk did not read in full will demonstrate it. It is a fact from the RECORD that the conference report was agreed to.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MOORE of Pennsylvania. To correct the Journal and the RECORD.

Mr. STEENERSON. I can demonstrate the fact, and a count of the list will show it.

The SPEAKER. The gentleman from Minnesota has stated that twice.

Mr. KITCHIN. Mr. Speaker, as everybody in the House knows, I am very much opposed to the conference report. I voted against it. In the quiet discussion, after the vote was taken and the decision announced by the Chair as to whether the figures of the tally clerk were correct as he announced it to the Speaker after the recapitulation of the vote, I went myself and examined the original sheets of the roll call. I found there were 150 votes for the conference report and 149 votes against it. The Chair, upon the tally clerk's figures, announced that there were 149 votes for the conference report and 150 votes against, and declared the report was rejected.

The Constitution requires that upon demand a yea-and-nay vote shall be recorded in the Journal. The Journal shows, according to the record of the vote, that there were 150 votes for the conference report and 149 votes against it, and that therefore the tabulation or addition of the tally clerk was wrong. I think the Journal and RECORD ought to be corrected to show the actual fact that the conference report was adopted and not rejected. Any court in the world would correct its own judgment under the circumstances. It is not fair, it is not right, for us who opposed the conference report to insist that the report was rejected.

Mr. MOON. May I interrupt the gentleman?

Mr. KITCHIN. Yes.

Mr. MOON. The gentleman is mistaken in his facts. The gentleman is kind to others, but he is not kind to our own side.

Mr. KITCHIN. I say that we must go by the RECORD; that is, the actual yea-and-nay vote.

Mr. MOON. The RECORD does not sustain the gentleman. The RECORD shows that there were 149 votes for the conference report and 149 votes against it, and that loses the conference report.

Mr. KITCHIN. The gentleman refers to the CONGRESSIONAL RECORD, by the Journal, and the actual vote by the yeas and nays. Of course, if there were only 149 votes for the conference report and 149 against it, the report would be rejected, and the Journal should so show.

Mr. MOON. The gentleman from Georgia called my attention to it, and we counted it over three times; and the vote as recorded shows 149 votes for and 149 against.

Mr. MADDEN. Mr. Speaker, the gentleman from Pennsylvania, Mr. ROSE, voted in the affirmative and he is not recorded in the CONGRESSIONAL RECORD among those who voted, though his vote is counted in the number 150.

Mr. MOON. Then we will have to have another vote.

The SPEAKER. That mistake in the RECORD was a mistake at the Printing Office.

Mr. KITCHIN. The gentleman from Pennsylvania [Mr. ROSE] did vote. The tally sheet shows that he did. His name appears on the yea-and-nay roll as voting aye. I went over it very carefully yesterday, because there was much concern about it, and there were 150 for the report and 149 against it.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. KITCHIN. Not now. If Mr. ROSE is not recorded in the CONGRESSIONAL RECORD, from which the gentleman from Tennessee is reading, as being in favor of the report, the record as to that ought to be corrected, as the Journal shows it. Everybody in the House saw and heard him vote. On the recapitulation Mr. ROSE arose in his seat and asked if he was recorded, and the Speaker replied, "Yes," that he was recorded in the affirmative.

The SPEAKER. The Journal does show that Mr. ROSE voted "yea."

Mr. KITCHIN. I do not think, then, that the gentleman from Tennessee would dispute that proposition. If Mr. ROSE actually voted yea, and the Journal shows it, the record ought to be corrected to show that he did, and the vote for the report must be admitted to be 150 and against it 149.

Mr. ROSE. Mr. Speaker, on the roll call on page 8387 of the RECORD of yesterday I am recorded as not voting.

The SPEAKER. Is that the roll call we are now talking about?

Mr. ROSE. Yes.

The SPEAKER. But the Journal shows that the gentleman did vote "yea."

Mr. ROSE. It may be that the Journal is correct, but I ask to have that correction made in the RECORD.

The SPEAKER. It will be made in the RECORD. The Journal is always correct.

Mr. KITCHIN. Mr. Speaker, if that be true, and the Journal attests its truth, I am sure that the gentleman from Tennessee will not dispute the proposition, nor will any opponent of the conference report, that it is just and right that the decision should be rendered correctly, according to the actual yea-and-nay vote. The House can not afford to do otherwise.

Mr. MOON. Mr. Speaker, I acquiesce very cheerfully as a Democrat, for it is the fundamental principle of the party, in the proposition that we should abide by the will of the majority, honestly expressed, but that will must be expressed fairly and honestly, and no doubt must be left, nor must there be any suspicion of fraud. Let us look at the facts of the case. There was a roll call announcement made by the tellers that the conference report had been agreed to. There was a recapitulation of that vote, and upon the recapitulation of that vote, counted and counted over twice again, the Speaker of this House announced that the vote rejected the conference report, that a majority had voted against the confirmation of that report, and for an hour here the parties contended as to whether the House should remain in session for the purpose of making a motion to reconsider—a second action sought, by the way, on this question—and finally the motion to adjourn prevailed. There is no man on the floor of the House, the Speaker included, who will say for a moment that this House adjourned with any other understanding than that expressed in this RECORD by the Speaker, that the conference report had been rejected. [Applause.] We left here with that understanding. The final announcement was that way by the Speaker.

Mr. DENISON. Mr. Speaker, will the gentleman yield?

Mr. MOON. Not now.

Mr. MILLER of Minnesota. Mr. Speaker, under what rule of the House is the gentleman from Tennessee addressing the House? I rise to a parliamentary inquiry.

Mr. GARNER. Mr. Speaker, the gentleman from Minnesota can not take the gentleman from Tennessee off his feet by a parliamentary inquiry.

The SPEAKER. He has not been taken off his feet.

Mr. MEEKER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MEEKER. Mr. Speaker, the gentleman says that no man left here without the understanding that the conference report had been rejected——

The SPEAKER. Oh, gentlemen can not deny every statement a man makes on the floor of the House.

Mr. MOON. Mr. Speaker, I assert again there would have been no sense in the contest on the question of adjournment but for the fact that it was so understood. You would have been making fools of yourselves if you had not been here for the purpose of moving to reconsider. You finally lost, and adjournment came. It was with the understanding that the conference report had been rejected. I want to say this, if, as a matter of fact, the conference report was agreed to, I would have nothing more to say, but the final announcement was that it was rejected. If that announcement had been the other way, there would have been a movement upon this side to have corrected the condition last evening, but it was not so made. What happened? Overnight you find a change. I am not here to say that anyone has acted dishonorably or dishonestly in any way in connection with this matter. Mistakes may have been made and probably were made about this, but let me ask this of the House: When you recapitulated that vote there were over a hundred men who had voted, who were not here to ascertain whether they had voted and been recorded correctly or not. There was room for a possible 100 mistakes on that question. you do not know to-day from what the record shows whether they are correctly recorded or not. It went overnight with the understanding that it was the other way. The question comes up this morning, with a change in the attitude as to the vote. Whether there was fraud in that or not is not for me to say, but I do say that you do yourselves great discredit when you open the doors to fraud and do not take the way to close it. If you want to settle this thing honestly and thoroughly, there is but one thing to do, and that is to vacate these proceedings.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask that the gentleman permit me to ask him a question.

Mr. MOON. Not now. Just let the gentleman take his seat. I have the floor for the present. What I want to say is this, if you want to get a fair expression of the House, one that does not lie under the suspicion of fraud by a change overnight in the vote, then vacate the proceedings down to the point of submitting this question to a vote of the House again. [Applause.]

If you get by a majority, you can have it. I undertake to say that no honest man will disagree to that proposition.

Mr. MOORE of Pennsylvania. Mr. Speaker, I desire to speak in answer to the gentleman from Tennessee.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from Tennessee [Mr. MOON] talks about fraud and makes intimations which are very unfair to a large body of the membership who favor the retention of the pneumatic-tube service. What the gentleman from Tennessee wants to do now, apparently, is to avoid the vote taken yesterday. I want him to stand by that vote. The gentleman now wants a reconsideration. I want the record made yesterday to stand, without any juggling and without any gags. The gentleman might as well know that we stand on the record, stand on it just as it was made yesterday. [Applause.]

Mr. Speaker, I watched the proceedings yesterday with great care. I believed an error was made in the count and that it would have to be corrected this morning. I wish the Speaker and the gentlemen of the House would now take up the CONGRESSIONAL RECORD and turn to page 8386.

Examine the roll call on the adoption of the Post Office appropriation bill conference report, page 8386, CONGRESSIONAL RECORD, June 27, 1918. As recorded it shows yeas 150, nays 149. On that showing, according to the RECORD, page 8387, "the conference report was agreed to." On page 8388 of the same RECORD, a discussion of the vote having intervened, the following appears:

> The SPEAKER. The Chair has never announced the vote. The yeas are 149, the nays are 150, and the conference report is rejected.

The RECORD then shows repeated demands for a recapitulation of the vote, but on page 8390 appears the following:

> Mr. MOORE of Pennsylvania. May I ask if the Speaker has had any additional report from the tally clerk?
> The SPEAKER. The last report from the tellers confirms the announcement the Speaker made.

Mind you, there had been discussion. It had been declared that the conference report was adopted by a vote of 150 to 149, and then came the Speaker's announcement, due to report of the tally clerks, that the report was rejected. Look further. The RECORD speaks for itself.

Mr. ALEXANDER. Will the gentleman yield at that point? Was that after the recapitulation?

Mr. MOORE of Pennsylvania. It was after the tally clerk had reported to the Speaker that the Speaker reported this reversal of judgment, which I constantly challenged from the floor, demanding a recapitulation.

Mr. ALEXANDER. It was after the recapitulation when it was found the vote for was 149 and against 150 that Mr. ROSE called attention to the fact that he had voted "Present" and afterwards had voted "Aye" and should be recorded.

Mr. MOORE of Pennsylvania. The RECORD will show that the gentleman is in error. The gentleman will find, if he will read the RECORD, that Mr. ROSE qualified in the regular way, that he voted "Yea," but is left out of the "Yea" list. The RECORD shows there were repeated demands for a recapitulation of the vote.

Mr. FLOOD. Will the gentleman yield for a question?

Mr. MOORE of Pennsylvania. Yes.

Mr. FLOOD. How does the vote stand if Mr. ROSE's vote is counted?

Mr. MOORE of Pennsylvania. A hundred and fifty in favor of the adoption of the report and 149 against.

Mr. BENJAMIN L. FAIRCHILD. No——

Mr. MOORE of Pennsylvania. I am absolutely right. In view of the resulting confusion over the vote up to the time of adjournment, and in order that the RECORD may now be

clarified and corrected, I recur to the roll call as it is officially recorded. It is evident from a count of the yeas and nays as recorded that there are but 149 names entered in the "yea" column, although the tally clerks reported 150, and that there are 149 names recorded in the "nay" column. That would present a tie vote, including that of Mr. GOOD, of Iowa, about which there was discussion, and that of the Speaker, who broke the tie originally reported. But the name of Mr. ROSE, of Pennsylvania, who duly qualified, does not appear in the "yea" column of the roll call. When the RECORD is corrected, however, to include in the yea column the name of Mr. ROSE, of Pennsylvania, the total vote will be 150 yeas (for the adoption of the conference report) and 149 nays. That is the way it stands—150 yeas on the adoption of the conference report to 149 nays, just as the Speaker originally announced. There can be no mistake about it. The conference report was not rejected, and those who favored its adoption win. [Applause.]

The SPEAKER. The Chair would like to inquire of the gentleman from North Carolina if he desires to make a motion?

Mr. KITCHIN. Mr. Speaker, I want to make this further statement. The question before the House is not one as to whether the conference report shall be adopted or whether it was right or wrong. The only thing before this House is, shall the action of the House, the yea-and-nay vote of the membership of this House, recorded under the requirements of the Constitution, control, or shall the erroneous addition of two tally clerks control? [Applause.] The Constitution requires a yea-and-nay vote when demanded to be entered in the Journal. That is to be the finality of the matter, unless some error is made in the Journal. Now, a yea-and-nay vote was taken; it was entered in the Journal. The Journal shows 150 for the report and 149 against the report, and unless some gentleman contends and shows that the Journal is incorrect as to the yea-and-nay vote, that it erroneously records the vote of some Member or Members, then the House, in the name of its own self-respect, and in the name of its integrity and the integrity of its legislation, can not do other than render its verdict and decision in exact accordance with that yea-and-nay vote. [Applause.] And the RECORD and the Journal ought to be corrected so as to speak the truth and make the announcement of the Speaker instead of reading "the conference report is rejected," to read "the conference report is agreed to."

If the gentleman from Tennessee [Mr. MOON], or the gentleman from Alabama [Mr. HEFLIN], or any other gentleman who thinks that the action I suggest is wrong can show that the Journal is wrong as to the yea-and-nay vote, that some man voted "yea" that really did vote "nay," or that some man is recorded voting "yea" who was not present, then, of course, the Journal should be corrected and the judgment of the House recorded accordingly. But there is no insistence upon that. No man makes that claim. The real yea-and-nay original sheet shows the vote just as it was cast.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. KITCHIN. I move, Mr. Speaker, that the Journal and the RECORD be corrected in conformity with the action of the House.

Mr. HEFLIN. Mr. Speaker, I make a point of order.

The SPEAKER. What point of order?

Mr. HEFLIN. On yesterday Mr. ROSE claimed——

The SPEAKER. But the Chair would like to know what the point of order is.

Mr. HEFLIN. I make the point of order that Mr. ROSE claims that he voted in the affirmative on yesterday, but that his vote was not recorded on that side. I want to state that Mr. GORDON was present and wanted to vote in the negative, but was not permitted to do so, and that if he had voted in the negative his vote would have tied the vote and defeated the conference report, which compelled the Government to continue the use of the pneumatic-tube service. In view of that fact, I want to move that the proceedings be vacated, so that this House may now have the opportunity to express itself upon this pneumatic-tube service provision.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent that I may proceed for two minutes just to read an excerpt from the CONGRESSIONAL RECORD of yesterday on this vote.

The SPEAKER. The gentleman from Wisconsin——

Mr. HEFLIN. I object, unless I have two minutes in which to state the situation to the House.

The SPEAKER. Objection is made. The gentleman from North Carolina [Mr. KITCHIN] moves that the Journal be amended so as to show 150 votes for the report and 149 against it, and that the Speaker is authorized to announce a decision contrary to that announced yesterday.

Mr. TOWNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOWNER. Is it not a fact that the Speaker ought himself, in view of the fact that he now knows that the RECORD which was made yesterday, in so far as it shows his statement, was incorrect, and is it not all that is necessary for the Speaker to do, to correct the RECORD, as he has undoubtedly examined it, in accordance with the facts as he now knows them?

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] made a perfectly proper motion.

Mr. KITCHIN. I said to correct the Journal. The Journal, I understand, is correct; but I mean to correct the RECORD to conform to the Journal.

The SPEAKER. The question is on the motion of the gentleman from North Carolina. Those in favor of the motion will vote "aye."

The affirmative vote was taken.

Mr. HEFLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HEFLIN. Last night this House adjourned with the understanding that the negative had won. [Cries of "Vote! Vote!"] But for that we would have made a motion to reconsider the vote last night.

The SPEAKER. It is in order to make that motion now.

Mr. HEFLIN. Then, Mr. Speaker, I make that motion.

The SPEAKER. You can not do it until we have gotten rid of the motion of the gentleman from North Carolina [Mr. KITCHIN].

Mr. MOORE of Pennsylvania. Regular order, Mr. Speaker.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask that the motion of the gentleman from North Carolina may be stated again.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] moves——

Mr. KITCHIN. That the RECORD be corrected to conform with the Journal.

The SPEAKER. Will the gentleman from North Carolina state the motion?

Mr. KITCHIN. Anyway, if the Journal shows that the conference report was rejected, then I move that the Journal and the RECORD be corrected in conformity with the action of the House, showing the vote to be 150 for the conference report and 149 against the conference report.

The SPEAKER. The question is on the motion of the gentleman from North Carolina [Mr. KITCHIN].

The motion was agreed to.

The SPEAKER. The Chair, with the consent of the House, would like to make a few remarks about this matter.

This is the first time for a long while that this has been done, and perhaps not a dozen men in the House ever saw the thing done before. But it is not unprecedented. I am going to take that up in half a minute.

Now, the way the Chair arrives at a yea-and-nay vote in the House is by these tally clerks handing up the figures. Of course the Chair can not go down there and count the votes, and would not know how to do it if he did go down there. They have some system of their own whereby when they get through with the roll they know the number of the yeas and nays and those present. And then these clerks over here at the desk take that tally sheet out and go over it, one of them a Democrat and one a Republican, and I never heard of anybody that disputed the integrity of either.

Everybody will recollect that yesterday was a very hard, disagreeable day in this House. It began early in the morning and ran clear to supper time—bedtime, nearly. [Laughter.] Everybody was worn out and frazzled out, and it is not the first time in the history of this House that clerks have made a mistake in arithmetic. I know of a good many that Members never hear of at all in the counting, and there is nothing unreasonable about it. The clerks are not perfect.

Now, it has so turned out, I suppose, a dozen times since I have been Speaker. I do not read the RECORD every morning unless there is something particular about it that I want to see. At least a dozen times since I have been Speaker I have happened to remember the vote taken here, and then I would see it next morning showing a difference of two or three; but it did not make any difference, because the corrections they made did not change the result. It is only when it changes the result that the "tug of war" comes.

Now, about Mr. GORDON'S vote. The Chair can not afford to make a ruling in one case that he is not willing to stick to in all cases. It does not make any difference whether he likes what the man is doing or does not. As a matter of fact, the Chair did not know how the gentleman was going to vote and did not care. But I interrogated him, just as I interrogate everybody who comes down before the desk, and he answered posi-

tively that he was in the cloakroom, or smoking room, as he called it. The rule is that Members must be in the Hall of the House and listening when their names are called. It may be a bad rule. I do not know whether it is a bad or good one. I am not going to pronounce upon it. But, anyhow, Mr. GORDON, being a truthful man, put himself out. That is exactly what he did. [Applause.] If he had been willing to stretch the truth a little, he could have voted. He did not do it. So much for that. One time it will help one side of a question and at another time another side.

Now, I want to show you a sample of what happened here. I cite a case on page 566, section 6085, of Hinds' Precedents, volume 5:

Where, by an error of the Clerk in reporting the yeas and nays, the Speaker announces a result different from that shown by the roll the status of the question must be determined by the vote as actually recorded.

Now, here is Speaker Carlisle's opinion, and nobody will dispute about his intellectual endowments. I read:

On July 26, 1886, Mr. William C. Oates, of Alabama, rising immediately after the reading of the Journal, said:

"Mr. Speaker, I desire to correct the Journal wherein it states that on the last bill under consideration at the evening session on Saturday, on the motion of the gentleman from Indiana [Mr. Cobb] for the previous question on the bill and pending amendments, it was announced that no quorum voted thereon. That point was made, and the House, under a misapprehension, supposed it was so. In fact, a quorum had voted, and the previous question was ordered. The RECORD shows there were 128 yeas and 37 nays, making 165 votes. That was the fact; but the House, on the suggestion of the gentleman from Pennsylvania [Mr. Boyle] that no quorum had voted, accepted that as correct, although in fact a quorum had voted and the previous question was ordered."

Now, I will read Speaker Carlisle's opinion. It is short. The Speaker said:

The Journal will be corrected in accordance with the statement of the gentleman from Alabama. The Chair desires to state, as a matter of justice to the tally clerk, that in recording the affirmative vote in the column assigned for that purpose upon the sheet, when that vote had reached 49 he put down the figures 49 and called two or three more names before there was any other vote in the affirmative. When the next gentleman voted in the affirmative the tally clerk, looking back to his previous figures, took the 9 for a 4—and it looks very much like a 4, as the gentleman from Alabama will see if he examines it—and therefore recorded the next vote as 45, when it should have been 50—

That is five times as bad as these clerks did. [Laughter.]

and that error was continued until the close of the roll call, and the footings were made accordingly. It was a mistake made simply by the tally clerk on account of mistaking the figure. The Chair, therefore, thinks the Journal should be corrected to show the previous question was ordered.

In conformity with Mr. KITCHIN'S motion, the Chair announces that the vote stood 150 yeas, 149 nays, and the conference report is agreed to.

Mr. GORDON rose.

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. GORDON. Under the status I had, as the Chair announced, would it be in order for me to move a reconsideration of the vote by which the conference report was adopted?

Mr. BLANTON. Mr. Speaker, I move——

The SPEAKER. Wait until the Chair can get a chance to answer.

Mr. WALSH. Mr. Speaker, I make a point of order that——

The SPEAKER. What is the point?

Mr. WALSH. That the motion to reconsider is not now in order, having already been made.

The SPEAKER. When was it made?

Mr. WALSH. The Journal shows that on motion of Mr. KITCHIN, the vote whereby the conference report was declared lost was considered as reconsidered.

The SPEAKER. That was a prior vote.

Mr. WALSH. That was the vote whereby the Speaker declared the conference report rejected on the viva voce vote. It is on the same question.

Mr. FOSTER. That could not be good in that case.

Mr. WALSH. It is the same question. You can not have half a dozen motions.

The SPEAKER. The Chair will clear that up in a second. A motion to reconsider is in order, but it must be made by somebody who voted in the affirmative.

Mr. STAFFORD. Mr. Speaker, a question of order.

The SPEAKER. The gentleman will state it. For what purpose does the gentleman rise?

Mr. STAFFORD. To raise the question of order, that at this time it is not in order to enter a motion to reconsider; and if the Chair will hear me——

The SPEAKER. The House will be in order. All gentlemen will take their seats. Now, what is the gentleman's point of order?

Mr. STAFFORD. I misunderstood the ruling of the Chair, and therefore I will not press the point of order. I understood the Chair to hold that you could enter a motion to reconsider, and therefore I was going to maintain that you could not.

The SPEAKER. The Chair did not get quite through with his statement. The motion to reconsider is in order if made by any gentleman who voted in the affirmative.

Mr. STAFFORD. It is that position that I wish to take issue with and will the Chair grant me deference, based on the precedents?

The SPEAKER. Will the gentleman wait until the Chair finishes his statement—but the gentleman from Ohio [Mr. GORDON] can not make the motion to reconsider, because he never voted at all.

Mr. STAFFORD. I do not care to take exception to that decision unless some person who is qualified to make the point makes the motion. I have the precedents here.

The SPEAKER. That is what the Chair was going to suggest.

Mr. HEFLIN. Mr. Speaker——

Mr. MOORE of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To call the attention of the Speaker to the request for unanimous consent by the gentleman from North Carolina.

The SPEAKER. The Chair has already passed on that.

Mr. HEFLIN. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. HEFLIN. To prefer a request for unanimous consent. In view of the fact that a majority of the Members of this House, and a majority of those present this morning, will vote against this conference report if an opportunity is given, I ask unanimous consent to vacate all proceedings had upon that matter and that we now proceed to vote upon the question.

Mr. MEEKER. I object.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. COOPER of Wisconsin. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. I desire to make a parliamentary inquiry that may be of importance in settling this whole dispute.

Mr. MADDEN. It is settled already.

Mr. COOPER of Wisconsin. I understood that the gentleman on the other side of the aisle had just made a motion.

SEVERAL MEMBERS. No!

The SPEAKER. He tried to make one, but somebody objected.

Mr. FESS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. FESS. For the sake of the integrity of the rules I want to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FESS. When an error appears on the RECORD does it take a vote of the House to correct it?

The SPEAKER. The Chair does not think it does, and the Chair thinks the gentleman from Iowa made a correct point; but the gentleman from North Carolina had already made his motion, and the Chair thought the House would be better satisfied to settle the matter itself.

Mr. COOPER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COOPER of Wisconsin. Inasmuch as I voted in the negative yesterday, but am convinced from an examination of the RECORD that the affirmative was entitled to the decision, I desire first to read a few lines from the CONGRESSIONAL RECORD, page 8388, and to suggest that they are decisive of this controversy.

Mr. ROSE. Mr. Speaker, am I recorded as voting?

The SPEAKER. Yes. The Clerk informs the Speaker that he did not read the name of the gentleman from Pennsylvania first, but he has just now added it to the names of those voting in the affirmative.

But he did not add Mr. ROSE'S name to the affirmative list in so far as the RECORD shows.

The SPEAKER. That is corrected in the Journal.

Mr. COOPER of Wisconsin. I understand. But, if the Chair please, if the name of Mr. ROSE had appeared in the RECORD as voting in the affirmative, as the Speaker announced that the Clerk had just told him it would appear, that would have made 150 yeas by the RECORD also, and entirely justified the Chair in announcing as he did that the conference report was agreed to.

The SPEAKER. Without objection, the Journal as amended will stand approved.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATIONS.

Mr. SISSON. Mr. Speaker, I want to call up a conference report on the District of Columbia appropriation bill (H. R. 11692).

The SPEAKER. The Chair wants to recognize the gentleman from Mississippi to file his conference report. He was carrying it around here all day yesterday, trying to get a chance to present it.

Mr. SISSON. I ask unanimous consent that this conference report on the District of Columbia appropriation bill be taken up out of order. I made an effort yesterday to get it printed under the rule, but was unable to do so.

The SPEAKER. The gentleman from Mississippi [Mr. SISSON] asks unanimous consent that the conference report on the District of Columbia appropriation bill be taken up for consideration now.

Mr. WALSH. I object

Mr. STAFFORD. Will the gentleman withhold his objection?

Mr. WALSH. I will withhold it.

Mr. STAFFORD. I ask unanimous consent to proceed for two minutes in connection with the request of the gentleman.

Mr. WALSH. I am going to object, unless we can have order, so that we can hear what is going on.

The SPEAKER. All gentlemen will take their seats. We can not transact business in a bedlam.

Mr. SISSON. Mr. Speaker, I want to say to the gentleman from Massachusetts that we present a complete agreement except upon three items. One item is the half-and-half provision, the second item involves the half-and-half question, and the third is the Keller item, which has been rejected by the House so many times. With those exceptions we have a complete agreement. The conferees reported back these items involving the half-and-half for the instruction of the House. The Keller item is one which the conferees on the part of the House have repeatedly rejected, and the House has never accepted it. We can discuss these items in a very few minutes and then take a vote upon that. In a general way your conferees did not agree to any of the major Senate amendments. We did agree to a great many increases in the smaller salaries of clerks in the District government. We did agree to an increase in the appropriation for the Gallinger Hospital. With that exception the agreement, and the one in reference to the emergency war fund, where the Senate asked for something like $300,000 and your conferees compromised that matter, the Senate receded. I am stating this so that the gentleman from Massachusetts may be informed about what we have done that he may determine whether he will give unanimous consent or not.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent to proceed for three minutes in support of the request of the gentleman from Mississippi.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for three minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Speaker, we are within two days of the close of the fiscal year. There are five of the general appropriation bills still in conference. One of these five is the District appropriation bill. It is not a complete report. It is absolutely necessary, as the older Members know, that the enrolling clerks should have time in order to enroll these bills before midnight of Sunday if they are to be passed before the close of the fiscal year. There is a tentative agreement that we are to take a recess. If the resolution was in force that we should adjourn by a certain day, then, under the rules of the House, within the last six days of the adjournment it would not be necessary to print conference reports in the RECORD, but on presentation they could be taken up for consideration.

There is an exigent reason, which we must recognize, that in these two closing days before the close of the fiscal year, if we are going to have enrolled these general appropriation bills, which are necessary to be passed before midnight of the coming Sunday, that these bills should be passed expeditiously.

The bill offered by the gentleman from Mississippi is a bill of considerable importance. It consists of over 100 pages. It will take considerable time to have that enrolled, even if it was a complete report, which it is not. The sundry civil bill contains over 200 pages, which will take the enrolling clerks more than a day, working day and night, to enroll. The military appropriation bill is a large bill. The naval appropriation bill is a lengthy bill. All of these bills are still in disagreement. I only rise to impress upon the House the advisability of granting consent, in these closing days, unless there is some real reason why the report should be printed in the RECORD, to have the conference report taken up for immediate consideration.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the conference report on the District of Columbia bill, the rule to the contrary notwithstanding.

Mr. WALSH. Mr. Speaker, reserving the right to object, we have already considered one conference report without an accompanying statement, namely, the report on the Post Office appropriation bill, in accordance with the rule. This conference report contains action on something like 270 amendments, several of which are of considerable importance. They have been receded from by one branch or the other and certainly we ought to have some statement in the RECORD as to the changes that have been made. The gentleman from Wisconsin has been here a goodly number of years and he understands, of course, that there is another branch of this legislative machinery, and he is very credulous indeed if he thinks that by our agreeing to this unanimous consent it is going to facilitate matters, especially in view of what took place in another body yesterday. I think the report ought to be printed under the rule, and for the present I object.

Mr. SISSON. Mr. Speaker, I present the conference report under the rule for printing in the RECORD.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 717).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 16, 17, 18, 19, 24, 31, 33, 34, 40, 42, 52, 56, 57, 59, 60, 64, 65, 70, 72, 78, 151, 154, 155, 156, 157, 166, 168, 170, 171, 172, 173, 176, 177, 178, 179, 181, 190, 192, 212, 220, 228, 231, 238, 239, 245, 248, 259, 262, 264, 267, 269, 274, and 276.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 36, 38, 39, 41, 43, 44, 46, 47, 50, 51, 53, 54, 55, 58, 62, 63, 66, 68, 69, 73, 74, 80, 81, 82, 84, 85, 89, 90, 94, 95, 96, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 147, 150, 152, 153, 158, 159, 160, 163, 164, 174, 180, 182, 184, 185, 186, 193, 194, 195, 196, 197, 198, 199, 202, 203, 204, 205, 210, 213, 214, 217, 221, 222, 223, 226, 227, 230, 232, 236, 240, 241, 242, 243, 244, 246, 251, 252, 253, 255, 257, 261, 265, 268, 270, 271, 272, and 275, and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ", seven at $840 each"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,200"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,460"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,800'; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,200"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$62,400"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,500"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67,

and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$275,800"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment as follows: In lines 10 and 11 of the matter inserted by said amendment strike out the following: " ; in all, $275,000"; and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 75, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$720"; and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 76, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$4,000"; and the Senate agree to the same.

Amendment numbered 79: That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$7,120"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "4 at $840 each, 1 $720"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "10 at $600 each"; and the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$540"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$54,115"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the word "years" in line 4; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In line 2 of the matter inserted by said amendment, after the word "teachers," insert the words "and librarians and clerks"; and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Ten librarians in high and normal schools, in class 5, at $840 each; 28 clerks in class 4, at $720 each; in all, $28,560.

And the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the number proposed insert "eight"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "4 dental prophylactic operators"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$17,200"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment after the sum "$16,000"; and the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$1,201,038.66"; and on page 53 of the bill, line 19, strike out the word "patrolman" and insert in lieu thereof the word "private"; and the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,000"; and the Senate agree to the same.

Amendment numbered 165: That the House recede from its disagreement to the amendment of the Senate numbered 165, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$74,200"; and on page 56 of the bill, line 7, after the word "each," where it occurs the second time, insert the following: "janitor, $600"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$3,500"; and the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,500"; and the Senate agree to the same.

Amendment numbered 175: That the House recede from its disagreement to the amendment of the Senate numbered 175, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$757,460"; and the Senate agree to the same.

Amendment numbered 183: That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,750"; and the Senate agree to the same.

Amendment numbered 187: That the House recede from its disagreement to the amendment of the Senate numbered 187, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$86,470"; and the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ", not exceeding $20,000"; and the Senate agree to the same.

Amendment numbered 189: That the House recede from its disagreement to the amendment of the Senate numbered 189, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000"; and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In line 3 of the matter inserted by said amendment, after the word "Kitchen" and before the comma, insert the following: "by the health officer of the District of Columbia"; and the Senate agree to the same.

Amendment numbered 200: That the House recede from its disagreement to the amendment of the Senate numbered 200, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$900"; and the Senate agree to the same.

Amendment numbered 201: That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$650"; and the Senate agree to the same.

Amendment numbered 206: That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$720"; and the Senate agree to the same.

Amendment numbered 207: That the House recede from its disagreement to the amendment of the Senate numbered 207, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$450"; and the Senate agree to the same.

Amendment numbered 208: That the House recede from its disagreement to the amendment of the Senate numbered 208, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$32,375"; and the Senate agree to the same.

Amendment numbered 209: That the House recede from its disagreement to the amendment of the Senate numbered 209, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "including an allowance to the superintendent of not exceeding $360 per annum for maintenance of vehicle for use in discharge of his official duties, $70,000"; and the Senate agree to the same.

Amendment numbered 211: That the House recede from its disagreement to the amendment of the Senate numbered 211, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$178,625"; and the Senate agree to the same.

Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "$17,492"; and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$63,292"; and the Senate agree to the same.

Amendment numbered 218: That the House recede from its disagreement to the amendment of the Senate numbered 218, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$22,500"; and the Senate agree to the same.

Amendment numbered 219: That the House recede from its disagreement to the amendment of the Senate numbered 219, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$34,980"; and the Senate agree to the same.

Amendment numbered 224: That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

Amendment numbered 225: That the House recede from its disagreement to the amendment of the Senate numbered 225, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000"; and the Senate agree to the same.

Amendment numbered 229: That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$67,640"; and the Senate agree to the same.

Amendment numbered 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$500"; and the Senate agree to the same.

Amendment numbered 235: That the House recede from its disagreement to the amendment of the Senate numbered 235, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$18,200"; and the Senate agree to the same.

Amendment numbered 237: That the House recede from its disagreement to the amendment of the Senate numbered 237, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$171,700"; and the Senate agree to the same.

Amendment numbered 247: That the House recede from its disagreement to the amendment of the Senate numbered 247, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$53,040"; and the Senate agree to the same.

Amendment numbered 249: That the House recede from its disagreement to the amendment of the Senate numbered 249, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$95,000"; and the Senate agree to the same.

Amendment numbered 250: That the House recede from its disagreement to the amendment of the Senate numbered 250, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$197,040"; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the number proposed insert "five"; and the Senate agree to the same.

Amendment numbered 256: That the House recede from its disagreement to the amendment of the Senate numbered 256, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,080"; and the Senate agree to the same.

Amendment numbered 258: That the House recede from its disagreement to the amendment of the Senate numbered 258, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$25,660"; and the Senate agree to the same.

Amendment numbered 260: That the House recede from its disagreement to the amendment of the Senate numbered 260, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$117,660"; and the Senate agree to the same.

Amendment numbered 263: That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 266: That the House recede from its disagreement to the amendment of the Senate numbered 266, and agree to the same with an amendment as follows: In line 1 of the matter inserted by said amendment, after the word "transfer," insert the following: "for playground purposes the possession, use, and control of"; and the Senate agree to the same.

Amendment numbered 273: That the House recede from its disagreement to the amendment of the Senate numbered 273, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$94,945"; and the Senate agree to the same.

The committee of conference have been unable to agree on amendments numbered 1, 61, and 83.

T. U. SISSON,
JAS. MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

JOHN WALTER SMITH,
JOE T. ROBINSON,
J. H. GALLINGER,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1, relative to the half-and-half arrangement for payment of expenses of the District of Columbia, the committee of conference have been unable to agree.

On Nos. 2, 3, 4, 5, and 6, relating to the purchasing division: Appropriates for a deputy purchasing officer at $1,800, as proposed by the Senate, instead of $1,600, as proposed by the House; increases 7 clerks from $720 to $840 each, instead of $900 each, as proposed by the Senate; strikes out the increase proposed by the Senate in the pay of 1 clerk from $900 to $1,000; and increases, as proposed by the Senate, the pay of an inspector of materials from $1,200 to $1,400.

On No. 7: Increases the pay of the chief clerk of the building-inspection division from $1,500 to $1,800, as proposed by the Senate.

On No. 8: Appropriates $3,000, as proposed by the Senate, instead of $2,400, as proposed by the House, for the temporary employment of assistant inspectors of plumbing.

On No. 9: Corrects a total in the bill.

On Nos. 10, 11, 12, and 13, relating to the care of the District Building: Increases the pay of the chief engineer from $1,400 to $1,600, the electrician from $1,200 to $1,400, and 3 firemen from $720 to $840 each, as proposed by the Senate.

On Nos. 14 and 15: Appropriates, as proposed by the Senate, for an additional clerk at $1,200 for the personal-tax board.

On Nos. 16 and 17: Strikes out the increase of $250, proposed by the Senate, in the pay of the chief clerk in the auditor's office.

On Nos. 18 and 19: Strikes out the increase of $250, proposed by the Senate, in the pay of the first assistant corporation counsel.

On Nos. 20, 21, 22, 23, and 24, relating to the weights, measures, and markets office: Provides for an additional laborer at $600; increases two inspectors from $1,000 to $1,200 each, as proposed by the Senate; and strikes out the increase of $100 for the purchase of small quantities of commodities for inspection purposes.

On Nos. 25, 26, 27, 28, 29, and 30, relating to the Engineer Commissioner's office: Increases, as proposed by the Senate, the pay of the following employees:

4 rodmen, from $780 to $900 each	$480
6 chainmen, from $650 to $720 each	420
2 clerks, from $750 to $840 each	180
12	1,180

On Nos. 31, 32, 33, 34, and 35, relating to the municipal architect's office: Increases the pay of the assistant superintendent of repairs from $1,200 to $1,350, as proposed by the Senate; strikes out the increase of $200, proposed by the Senate, in the pay of chief draftsman; and strikes out the increase of $150 each, proposed by the Senate, in the pay of six bosses and a machinist.

On No. 36: Increases the pay of an assistant inspector of gas and meters for the Public Utilities Commission from $1,000 to $1,200, as proposed by the Senate.

On Nos. 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49, relating to the public libraries: Appropriates $1,800 for the assistant librarian instead of $1,500, as proposed by the House, and $2,000, as proposed by the Senate; increases the pay of the chief of the circulating department from $1,200 to $1,500, as proposed by the Senate; provides for a supervisor of school work at $1,200, as proposed by the Senate, instead of an assistant in charge of school work at $1,000, as proposed by the House; strikes out the increase of $200, proposed by the Senate, in the pay of librarian's secretary; increases the pay of the reference librarian from $1,000 to $1,200, as proposed by the Senate; strikes out the provision for a director of library training class at $1,500; increases the pay of three assistants from $540 to $600 each, one copyist from $540 to $600, one collator from $540 to $600, and three janitors from $480 to $600, as proposed by the Senate; appropriates $1,200 for a chief of the catalogue department instead of $1,500, as proposed by the Senate; appropriates $2,500 instead of $2,000, as proposed by the House, and $3,000, as proposed by the Senate, for pay of substitutes and temporary services.

On No. 50: Appropriates for a superintendent at $1,500, and two mechanics at $1,000 each, for the central garage, as proposed by the Senate.

On No. 51: Appropriates $45,000, as proposed by the Senate, instead of $40,000, as proposed by the House, for contingent expenses of District offices.

On Nos. 52, 53, and 54: Inserts the authority, proposed by the Senate, for the installation of telephones at public expense in the residences of the inspector of plumbing and the assistant health officer; and strikes out the authority, inserted by the Senate, for a telephone for the assistant superintendent of the street-cleaning division.

On No. 55: Appropriates $600, as proposed by the Senate, for repairs to the courtyard in the Western Market.

On Nos. 56 and 57: Strikes out the increase of $12,000, proposed by the Senate, in the appropriation for work on streets and avenues.

On No. 58: Appropriates $30,000, as proposed by the Senate, for the extension of water mains in connection with new government office buildings.

On Nos. 59 and 60: Strikes out the appropriations inserted by the Senate for repaving Eleventh Street SE. from Potomac Avenue to the bridge.

On No. 61: The committee of conference have been unable to agree on the amendment of the Senate proposing to pay to Thomas W. and Alice N. Keller the sum of $3,820.

On Nos. 62, 63, 64, 65, 66, and 67, relating to suburban roads: Appropriates, as proposed by the Senate, $20,000 for New Hampshire Avenue from Georgia Avenue to Park Road; $6,300 for Whittier Street from Georgia Avenue to Piney Branch Road; and $32,100 for Kalorama Road from Champlain Street to Sixteenth Street and from Seventeenth Street to Sixteenth Street; and strikes out the appropriations, proposed by the Senate, of $45,000 for New York Avenue and U Street and $25,100 for Minnesota Avenue.

On No. 68: Inserts the paragraph, proposed by the Senate, authorizing the commissioners to abandon part of Piney Branch Road and restore title to the land to the abutting property owners.

On Nos. 69, 70, and 71: Appropriates $25,000, proposed by the Senate, as an emergency fund to be used by the commissioners for emergency repairs and improvements during the existing war; strikes out the appropriation of $150,000, proposed by the Senate, for emergency construction, maintenance, and repair work; and appropriates $100,000, proposed by the Senate, as an emergency fund, to be used upon the approval of the President, for temporary or permanent improvements in connection with the war.

On No. 72: Strikes out the paragraph, inserted by the Senate, reappropriating unexpended balances of appropriations for street improvements and repairs.

On No. 73: Increases the appropriation for cleaning streets from $320,000 to $340,000, as proposed by the Senate.

On No. 74: Inserts the paragraph, proposed by the Senate, prohibiting the use of appropriations for collecting ashes or miscellaneous refuse from hotels, places of business, large apartment or boarding houses.

On Nos. 75, 76, 77, 78, and 79, relating to the bathing beach: Appropriates $720 instead of $840, as proposed by the Senate, and $600, as proposed by the House, for the pay of the superintendent; appropriates $500 each for two watchmen instead of $480, as proposed by the House, and $600, as proposed by the Senate; appropriates $4,000 for temporary services, supplies, and maintenance instead of $2,500, as proposed by the House, and $5,000, as proposed by the Senate; and strikes out the increase of $600, proposed by the Senate, in the appropriation for the repairs to buildings and pools.

On Nos. 80, 81, 82, and 83: Increases the pay of 20 directors of playgrounds from $65 to $75 a month and the pay of 20 assistant directors from $45 to $50 a month, as proposed by the Senate; the conferees have not been able to agree on the proposal of the Senate that playgrounds appropriations shall be payable half and half.

On Nos. 84 and 85: Transfers, as proposed by the Senate, reservation No. 126 to the jurisdiction of the commissioners for playground purposes, and makes the appropriations for 1917 and 1918 for swimming pools, shower baths, etc., available for the fiscal year 1919.

On Nos. 86, 87, 88, 89, 90, and 91, relating to the electrical department: Provides, as proposed by the Senate, for two telephone operators at $840 each; increases the pay of two telephone operators from $720 to $840 each; increases the pay of five telephone operators from $540 to $600, as proposed by the House, instead of from $540 to $660, as proposed by the Senate; increases one telephone operator from $450 to $540 instead of from $450 to $600, as proposed by the Senate; appropriates for five additional telephone operators at $600, as proposed by the House, instead of $660, as proposed by the Senate; and strikes out one assistant repairman at $620, two assistant repairmen at $540 each, and one laborer at $600, as proposed by the Senate.

On No. 92: Appropriates for an assistant principal for the Central High School, at $1,800 per annum.

On No. 93: Provides, as proposed by the Senate, that teachers, librarians, and clerks in the schools shall be entitled to the $120 increase, regardless of salaries made in the bill.

On No. 94: Provides, as proposed by the Senate, that the appropriations for teachers and the purchase of books shall not be used for giving instruction in the German language.

On No. 95: Provides, as proposed by the Senate, that teachers in classes 1, 2, and 3, whose salaries are increased by the bill, shall receive their accumulated longevity increase in addition to such increases.

On No. 96: Increases, as proposed by the Senate, from $7,000 to $12,000 the appropriation for vacation schools and playgrounds.

On No. 97: Appropriates for 10 librarians at $840 each instead of $950, as proposed by the Senate; 28 clerks at $720 each instead of $800, as proposed by the Senate; and strikes out the provision, proposed by the House, for librarians and clerks.

On Nos. 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, and 142, relating to janitors and laborers for

the care of school buildings and grounds: Increases the pay of the following employees, as proposed by the Senate:

1 electrician from $1,000 to $1,200		$200
6 firemen from $600 to $720 each		720
2 firemen from $480 to $720 each		480
3 night watchmen from $600 to $720 each		360
10 janitors from $480 to $600 each		1,200
3 janitors from $150 to $250 each		300
19 laborers from $480 to $500 each		380
9 laborers from $420 to $500 each		720
65 laborers from $400 to $500 each		6,500
118		10,860

On Nos. 143, 144, 145, and 146, relating to free dental clinics in the public schools: Appropriates for 8 dental operators instead of 6, as proposed by the House, and 12, as proposed by the Senate; 4 dental prophylactic operators instead of 3, as proposed by the House, and 6, as proposed by the Senate; and $8,000 instead of $6,000, as proposed by the House, and $11,000, as proposed by the Senate, for equipment and supplies.

On No. 147: Appropriates $175,000, as proposed by the Senate, instead of $150,000, as proposed by the House, for repairs and improvements to school buildings.

On No. 148: Appropriates $40,000, instead of $35,000 as proposed by the House and $42,500 as proposed by the Senate for school furniture.

On No. 149: Appropriates $13,000, as proposed by the Senate, for typewriters and typewriter tables for the Business High School, and omits the provision proposed by the Senate exempting the purchase of such typewriters from the operation of the price fixed by law.

On Nos. 150 and 151, relating to school playgrounds: Increases, as proposed by the Senate, the amount for equipment of playgrounds from $900 to $1,200; strikes out the increase of $1,000 proposed by the Senate for the maintenance and repair of school playgrounds.

On No. 152: Increases the appropriation for school gardens from $3,000 to $4,000, as proposed by the Senate.

On No. 153: Increases the appropriation for community forums and civic centers from $10,000 to $15,000, as proposed by the Senate.

On Nos. 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, and 165, relating to the Metropolitan Police: Strikes out the additional captain, lieutenant, and three sergeants proposed by the Senate; increases the pay of privates of class 3 from $1,200 to $1,320; class 2, from $1,080 to $1,200; class 1 from $1,000 to $1,080, as proposed by the Senate; appropriates $8,000 instead of $7,000, as proposed by the House, and $10,000, as proposed by the Senate, for repairs to police stations; increases the appropriation for miscellaneous and contingent expenses from $35,000 to $40,000, as proposed by the Senate, and the appropriation for flags from $100 to $200, as proposed by the Senate; and provides for a janitor, at $600, for the House of Detention.

On No. 166: Strikes out the appropriation of $22,500 proposed by the Senate, for the purchase of the property now rented for the House of Detention.

On Nos. 167, 168, and 169, relating to the harbor patrol: Appropriates $3,500, instead of $3,000 as proposed by the House and $4,000 as proposed by the Senate, for maintenance, and strikes out the appropriation of $7,500 proposed by the Senate for a new gasoline launch.

On Nos. 170, 171, 172, 173, 174, 175, 176, and 177, relating to the fire department: Strikes out the following: "2 additional inspectors at $1,140 each; 1 clerk at $1,200; increase in pay of 2 inspectors from $1,080 to $1,140 each; increase in pay of superintendent of machinery from $2,000 to $2,250; increase in pay of assistant superintendent of machinery from $1,200 to $1,500"; increases the pay of two marine firemen from $720 to $840, as proposed by the Senate, and strikes out the appropriation of $5,760 proposed by the Senate for concrete and frame drill tower.

On Nos. 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, and 192 relating to the health department: Strikes out the increases of compensation proposed by the Senate for the health officer, the assistant health officer, and the chemist; provides for an additional sanitary inspector at $1,200 and a laboratory assistant at $840, as proposed by the Senate; increases the pay of the assistant chemist from $1,200 to $1,500, as proposed by the Senate; provides for a chief of bureau of preventable diseases at $2,750, instead of $3,000 as proposed by the Senate, and omits a skilled laborer at $720, as proposed by the Senate; increases the pay of two chauffeurs from $600 to $720 each; appropriates $40,000, instead of $35,000 as proposed by the House and $45,000 as proposed by the Senate, for the contagious-disease service, and authorizes the use of $20,000, instead of $17,000 as proposed by the House and an unlimited amount as proposed by the Senate, for personal services in connection with contagious diseases; strikes out the appropriation of $2,800 proposed by the Senate for a motor ambulance; appropriates $15,000, as proposed by the Senate, for care of children by the Washington Diet Kitchen; and strikes out the appropriation of $15,000 proposed by the Senate for maintenance of dispensaries.

On Nos. 193 and 194: Increases the pay of a stenographer and typewriter in the probation system of the Supreme Court from $800 to $900, as proposed by the Senate.

On Nos. 195, 196, and 197, relating to the police court: Increases the pay of the deputy clerk from $1,200 to $1,500, as proposed by the Senate.

On Nos. 198 and 199: Provides for an assistant secretary and stenographer at $1,600, as proposed by the Senate, instead of stenographer at $1,400, as proposed by the House, for the Board of Charities.

On Nos. 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, and 211, relating to the Washington Asylum and Jail: Increases the pay of 10 orderlies from $300 to $400 each and 21 pupil nurses from $120 to $200 each; appropriates $900 for a clerk instead of $840, as proposed by the House, and $1,000, as proposed by the Senate; appropriates $650 for a hospital cook instead of $600, as proposed by the House, and $720, as proposed by the Senate; appropriates $720 for a laundryman instead of $600, as proposed by the House, and $800, as proposed by the Senate; appropriates $450 for an assistant laundryman instead of $365, as proposed by the House, and $500, as proposed by the Senate; provides an allowance of $360, as proposed by the Senate, for the maintenance of a vehicle for the use of the superintendent; appropriates $70,000, as proposed by the House, instead of $75,000, as proposed by the Senate, for maintenance of the hospital; increases the appropriation for maintenance of jail prisoners from $60,000 to $65,000 and inserts authority for expenses incurred in returning escaped prisoners and repairing and improving jail building, as proposed by the Senate.

On Nos. 212, 213, 214, 215, 216, and 217, relating to the Home for the Aged and Infirm: Strikes out the increase of $300, proposed by the Senate, in the pay of the superintendent; increases, as proposed by the Senate, the foreman of construction from $720 to $840 and the farmer from $540 to $720; inserts the paragraph, proposed by the Senate, authorizing the sale of surplus products and the depositing of moneys in the Treasury, one-half to the credit of the United States and one-half to the credit of the District of Columbia.

On Nos. 218 and 219: Appropriates $22,500 instead of $20,000, as proposed by the House, and $25,000, as proposed by the Senate, for maintenance of National Training Schools for Girls.

On No. 220: Strikes out the paragraph, proposed by the Senate, authorizing the Board of Charities to use the appropriation for care of patients in the National Homeopathic Hospital for the care of patients in other hospitals if the Homeopathic Hospital is unable to care for such patients.

On Nos. 221 and 222: Increases the appropriation for the Eastern Dispensary from $15,000 to $25,000, as proposed by the Senate.

On No. 223: Inserts the appropriation of $10,000, proposed by the Senate, for the payments of certain obligations in rebuilding Eastern Dispensary.

On No. 224: Appropriates $6,000 instead of $5,000, as proposed by the House, and $7,500, as proposed by the Senate, for the care of Georgetown University Hospital.

On No. 225: Appropriates $6,000 instead of $5,000, as proposed by the House, and $6,500, as proposed by the Senate, for the care of patients in the George Washington University Hospital.

On Nos. 226, 227, 228, and 229, relating to the Tuberculosis Hospital: Increases the pay of an assistant engineer from $480 to $600, as proposed by the Senate, and strikes out the appropriation of $200,000, proposed by the Senate, for the construction of additional buildings.

On No. 230: Increases, as proposed by the Senate, from $150,000 to $353,590 the appropriation for the Gallinger Municipal Hospital.

On Nos. 231, 232, 233, 234, 235, 236, and 237, relating to the Board of Children's Guardians: Strikes out the increase of $200, proposed by the Senate, in the pay of the agent; provides for an additional placing officer at $900, as proposed by the Senate; appropriates $500 for the pay of a messenger instead of $480, as proposed by the House, and $600, as proposed by the Senate; appropriates $500 for the pay of a laborer instead of $480, as proposed by the House, and $600, as proposed by the Senate; appropriates $120,000 for the board and care of children, as proposed by the Senate, instead of $100,000, as proposed by the House.

On Nos. 238 and 239: Strikes out the appropriation of $40,000, proposed by the Senate, for the purchase of a new site for the Industrial Home School.

On No. 240: Appropriates $5,000, proposed by the Senate, for the National Library for the Blind.

On No. 241: Appropriates $1,500, as proposed by the Senate, for the Columbia Polytechnic Institute.

On Nos. 242, 243, and 244, relating to the supervisory force of the workhouse and reformatory: Provides for an electrician at $1,200, as proposed by the Senate, and strikes out the requirement, proposed by the House, that the chief engineer should act as electrician.

On Nos. 245, 246, 247, 248, 249, and 250, relating to the workhouse: Appropriates for an assistant superintendent at $1,680, as proposed by the House, instead of $1,800, as proposed by the Senate; provides for a head matron at $900, as proposed by the Senate; appropriates $95,000 for maintenance instead of $90,000, as proposed by the House, and $100,000, as proposed by the Senate.

On Nos. 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, and 261, relating to the reformatory: Provides for an assistant superintendent, at $1,800, as proposed by the Senate, instead of $1,680 as proposed by the House; provides for an assistant clerk and stenographer, at $1,000, as proposed by the Senate, instead of a stenographer, at $720, as proposed by the House; increases the pay of the steward from $900 to $1,500, as proposed by the Senate; provides for five instructors, at $1,200 each, instead of four, as proposed by the House, and six, as proposed by the Senate; increases the pay of 10 day officers from $720 to $900, as proposed by the Senate; appropriates $1,080 for the captain of the night force, instead of $900, as proposed by the House, and $1,200 as proposed by the Senate; increases the pay of 4 night officers from $600 to $720, as proposed by the Senate; inserts the paragraph proposed by the Senate authorizing the commissioners to sell surplus products of the workhouse and reformatory and depositing the moneys in the Treasury, one-half to the credit of the United States and the other half to the credit of the District of Columbia.

On No. 262: Strikes out the paragraph inserted by the Senate making the unexpended balances for the militia for the fiscal year 1918 available for the fiscal year 1919.

On No. 263: Appropriates $75,000, instead of $272,000, as proposed by the Senate, for the Anacostia River Flats.

On Nos. 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, and 274: Provides that the Washington Aqueduct and water service shall be maintained from the revenues of the water department, as proposed by the House, instead of supporting the Washington Aqueduct half and half and the water department from the water revenues, as proposed by the Senate; appropriates $32,000, as proposed by the Senate, for the installation of water meters in public buildings and reservations; inserts the paragraph proposed by the Senate transferring to the commissioners' jurisdiction a plot of ground adjacent to the Champlain Avenue pumping station; provides for an additional meter computer, at $1,000; increases 2 steam engineers from $1,100 to $1,200, 4 oilers from $610 to $720, and 3 firemen from $875 to $900, all as proposed by the Senate; strikes out the increase of $250 in the pay of the master mechanic; provides, as proposed by the House, that $420,685 of the water fund shall be used for extension of the water service, instead of an unlimited amount from the water revenues, as proposed by the Senate.

On No. 275: Increases the amount that may be used for services of draftsmen and other employees upon sewers, streets, and other construction work from $80,000 to $90,000, as proposed by the Senate.

On No. 276: Restores the language stricken out by the Senate providing for the payment of street railway crossing policemen from funds deposited for their payment by the street railways.

T. U. SISSON,
JAS. MCANDREWS,
C. R. DAVIS,
Managers on the part of the House.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4274. An act providing for the establishment of the Port of San Juan, customs district of Porto Rico, as a port of entry for immediate transportation without appraisement of dutiable merchandise.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11692) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1919, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes; and

H. R. 12000. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed joint resolution and bills of the following titles:

On June 27, 1918:

H. J. Res. 70. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a statue of James Buchanan, a former President of the United States;

H. R. 11185. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

S. 4557. An act to provide for vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes; and

S. 3391. An act to authorize the Secretary of the Interior to issue a deed to G. H. Beckwith for certain land within the Flathead Indian Reservation, Mont.

On June 28, 1918:

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7237. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 9506. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10358. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1919, and for other purposes;

H. R. 9641. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 11658. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 12000. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes.

RELINQUISHMENT OF LONG AND SHORT LINE RAILROADS.

Mr. SIMS. Mr. Speaker, I wish to make a request for unanimous consent. Under the railroad control bill the President has until the 1st day of July, 1918, to relinquish any railroad line, long or short line, without the consent of the owners. That time will elapse on Sunday night next. The Railroad Administration has sent up a joint resolution to extend the time for relinquishment of all railroads until January 1, 1919, and the committee has reported the resolution with an amendment. Unless it is adopted to-morrow it will be too late to be available. I ask unanimous consent that it be in order to take up and consider this resolution after the reading and approval of the Journal to-morrow. It will only take a few minutes to act on it.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that House joint resolution 303 may be taken up to-morrow after the reading of the Journal and disposition of business on the Speaker's table and the conference reports. Is there objection?

Mr. NOLAN. I object.

ADDITIONAL CLERKS, COMMITTEE ON ENROLLED BILLS.

Mr. PARK. Mr. Speaker, I present the following privileged report (No. 720) from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 403.

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to employ such additional assistant clerks as may be necessary during the 10 days next following the passage of this resolution, the payment of services not to exceed the sum of $250, to be paid out of the contingent fund of the House.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

HOUSE POST-OFFICE MESSENGERS.

Mr. PARK. Mr. Speaker, I present the following privileged resolution (H. Rept. No. 719) from the Committee on Accounts, which I send to the desk and ask to have read.

The Clerk read as follows:

House resolution 404.

Resolved, That the postmaster of the House be, and he is hereby, authorized to continue the employment of 18 messengers, who shall be paid out of the contingent fund of the House, until otherwise provided by law, at the rate of $160 per month each from and after the 1st day of July, 1918, during the remainder of the second session of the Sixty-fifth Congress.

The SPEAKER. The question is on agreeing to the resolution.

Mr. PARK. Mr. Speaker, this is simply the continuation of the employment of the session messengers of the House post office.

Mr. STAFFORD. Mr. Speaker, I think some explanation should be given by the gentleman in respect to this resolution, which gives continuous employment to session employees of the House post office.

Mr. PARK. Mr. Speaker, the fiscal year ends on the 30th of June, and they are provided with pay only until that time. The Committee on Accounts must provide for them out of the contingent fund until the Committee on Appropriations can look after the matter.

Mr. STAFFORD. I may not have caught the full import of the reading of the resolution, but, as I understand it, it is to continue these session employees on the roll under further order by the House.

Mr. PARK. No; only during the session.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the resolution may be again reported.

The SPEAKER. Without objection, the resolution will be again reported.

There was no objection, and the Clerk again reported the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. EAGAN, for two days, on account of important business;

To Mr. LANGLEY, for two days, on account of sickness.

The SPEAKER. The request of Mr. EAGAN should be dated as of yesterday.

The SPEAKER laid before the House the following communication:

Mr. SPEAKER: I was sick in bed Wednesday, June 26, and therefore was not present in the House that day. I ask unanimous consent to be excused for my absence on that date.

E. S. CANDLER.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

MIGRATORY BIRDS—CONFERENCE REPORT (NO. 669).

Mr. FLOOD. Mr. Speaker, I call up the conference report upon the bill S. 1553, to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Virginia calls up the conference report upon the migratory-bird bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 5, and agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "*Provided*, That no person who is subject to the draft for service in the Army or Navy shall be exempted or excused from such service by reason of his employment under this act"; and the House agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 12. Nothing in this act shall be construed to prevent the breeding of migratory game birds on farms and preserves and the sale of birds so bred under proper regulation for the purpose of increasing the food supply."

And the House agree to the same.

H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,
Managers on the part of the House.

M. A. SMITH,
JOHN K. SHIELDS,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, submit the following written statement explaining the effect of the action agreed upon:

The Senate receded from its disagreement to House amendments Nos. 1, 2, and 5.

The Senate receded from its disagreement to No. 3 with an amendment. The first proviso of No. 3 prohibited the expenditure of appropriation for the publication purposes. The amendment agreed upon was the second proviso, which prohibits the employment or exemption of any person under the provisions of this act who is subject to draft by the Army or Navy.

The Senate receded from its disagreement to amendment No. 4 with an amendment. The amendment No. 4 was a new section and stated that one of the objects of the bill was to foster the breeding of migratory game birds for food purposes. The amendment agreed upon is a new section providing that nothing in this act shall be construed to prevent the breeding of migratory game birds or sale of birds so bred for food purposes.

H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,
Managers on the part of the House.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. Yes.

Mr. WALSH. I am not just clear as to the action of the Senate upon amendment No. 3. The statement says that the Senate recedes from its disagreement to amendment No. 3 with an amendment. The first proviso prohibited the expenditure for publications, bulletins, and magazines. That is stricken out?

Mr. FLOOD. That portion is stricken out.

Mr. WALSH. And the only prohibition is against the employment of persons within the draft age?

Mr. FLOOD. Yes. And the language of that was changed so as to prohibit the employment or exemption of any person under the provisions of this act who is subject to the draft by the Army or Navy.

Mr. WALSH. Then, as I understand it, this department can publish a weekly bulletin of its activities, if it so desires, under the provisions of this act.

Mr. FLOOD. It has not done so, and the Senators insisted that it never would do so and that it was useless restriction.

The SPEAKER pro tempore (Mr. BURNETT). The question is on agreeing to the conference report.

The conference report was agreed to.

FOURTH LIBERTY LOAN.

Mr. KITCHIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12580, with Mr. SAUNDERS of Virginia in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. KITCHIN. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

Mr. STAFFORD. Mr. Chairman, the bill is very short, and I think it ought to be reported.

Mr. KITCHIN. Very well.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$12,000,000,000" and inserting in lieu thereof the figures "$20,000,000,000."

SEC. 2. That section 2 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$5,500,000,000" and inserting in lieu thereof the figures "$7,000,000,000."

SEC. 3. That notwithstanding the provisions of the second liberty bond act, as amended by the third liberty bond act, or of the War Finance Corporation act, bonds and certificates of indebtedness of the United States payable in any foreign money or foreign moneys, and bonds of the War Finance Corporation payable in any foreign money or foreign moneys exclusively or in the alternative, shall, if and to the extent expressed in such bonds at the time of their issue, with the approval of the Secretary of the Treasury, while beneficially owned by a nonresident alien individual, or by a foreign corporation, partnership, or association, not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

SEC. 4. That any incorporated bank or trust company designated as a depositary by the Secretary of the Treasury under the authority conferred by section 8 of the second liberty bond act, as amended by the third liberty bond act, which gives security for such deposits as, and to amounts, by him prescribed, may, upon and subject to such terms and conditions as the Secretary of the Treasury may prescribe, act as a fiscal agent of the United States in connection with the operations of selling and delivering any bonds, certificates of indebtedness, or war savings certificates of the United States.

SEC. 5. That the short title of this act shall be "Fourth liberty bond act."

Mr. KITCHIN. Mr. Chairman, this is the fourth liberty bond act. As I said, when we presented the third liberty bond act, we need not discuss the necessity or the wisdom for the further authorization of bonds. We all recognize the absolute necesssity. This bill provides for increasing the bond authorization of the second liberty bond act as amended by the third liberty bond act from $12,000,000,000 to $20,000,000,000. It simply strikes out the figures "$12,000,000,000" and inserts the figures "$20,000,000,000." It increases the appropriation for loans to the allies provided in the second liberty bond act as amended by the third liberty bond act from $5,500,000,000 to $7,000,000,000.

The estimates of expenditures for the next fiscal year ending June 30, 1919, are $24,000,000,000. If we grant that the revenue yield from the new revenue act, together with the revenues received from existing laws, will amount to $8,000,000,000, we have then $16,000,000,000 that must be financed for the next fiscal year by bonds. We have now authorized and available to be issued and sold $4,000,000,000 of bonds under the third liberty bond act. Taxes will be $8,000,000,000, providing we raise that much from the new revenue bill and existing law, and it is going to be difficult to get that amount; but granting we get it, it still leaves $12,000,000,000 to be provided for. Then there must be, in order to finance the war expenditures and current expenditures for the fiscal year ending June 30, 1919, $12,000,000,000 of bonds additional to the bonds now authorized. In this bill we only authorize $8,000,000,000 additional, and no doubt the first of next session or next year we will have to come to you for another authorization of bonds.

Section 3 simply provides that the bonds we issue payable in foreign money, if owned by nonresident alien individuals or by foreign corporations not engaged in business in the United States, shall be exempt from all taxes, State and Federal. That is evidently what we must do; every other country in the world does it in order to sell their bonds in foreign countries.

Mr. CLARK of Missouri. Will the gentleman yield for one question?

Mr. KITCHIN. I will yield to the gentleman.

Mr. CLARK of Missouri. Now, if this bill passes, which it will, of course, and you get $8,000,000,000 out of this new revenue bill, then what proportion of the sum total is going to be bonds?

Mr. KITCHIN. Thirty-three and a third per cent will be from taxes and 66⅔ from bonds.

Mr. GARNER. What the Speaker had in mind was probably at the end of the fiscal year 1919, what would then be the proportion of money raised by taxation and money borrowed by the Government expended in the war, and that would be greater than 33⅓ per cent, because up to the present time it has been more than 40 per cent.

Mr. KITCHIN. We have issued so far $10,000,000,000 of bonds, in round numbers, and we expect to raise $4,000,000,000 in taxes during the fiscal year ending June 30, 1918.

Mr. TILSON. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. TILSON. Does this change in any wise the rate of interest?

Mr. KITCHIN. Not at all. No change is made in the rate of interest, no change is made in the existing bond acts, except in the amount of authorization of bonds and the appropriations to the allies except in the particular which I have just mentioned in section 3 with reference to the purchase in a foreign country by nonresident alien individuals or by foreign corporations who do not do business here.

Mr. TILSON. We have seen statements in the papers——

Mr. KITCHIN. Such bonds while beneficially owned by those foreign corporations or nonresident alien individuals will not be subject to any State or Federal tax.

Mr. TILSON. There has been some statement in financial papers that probably the next issue would require 4½ per cent in order to float them. The gentleman does not anticipate any such difficulty?

Mr. KITCHIN. It will be the same rate of interest, 4¼. It is thought by the Treasury Department there will be no difficulty in making the sale on those terms.

Mr. KEARNS. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. KEARNS. After this bill is passed, then what will be the aggregate amount of money authorized from the sale of bonds?

Mr. KITCHIN. The gentleman means sold and authorized together?

Mr. KEARNS. Yes.

Mr. KITCHIN. Twenty-two billion dollars of bonds and, in addition, $2,000,000,000 of war-savings certificates.

Mr. KEARNS. Is this $7,000,000,000 mentioned in this bill to be taken out of the $24,000,000,000?

Mr. KITCHIN. Yes; that is taken out. The $7,000,000,000 to which the gentleman refers simply increases the authority to loan the allies one and a half billion dollars, from $5,500,000,000 up to $7,000,000,000. I will say to the House that up to yesterday we had loaned our allies $5,594,000,000.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. GOODWIN of Arkansas. What collateral do we receive from the allies—their bonds in exchange?

Mr. KITCHIN. In exchange on the same terms and tenure that our bonds are.

Mr. FESS. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. FESS. Is that fixed in the law, or is that left to the Secretary of the Treasury?

Mr. KITCHIN. No; the rate is 4¼ per cent; that is fixed in the original law, and this bill is simply an amendment to the second liberty bond act as amended by the third liberty bond act.

Mr. FESS. So the rate of interest is not left to the latitude of the Secretary of the Treasury?

Mr. KITCHIN. No.

Mr. SLOAN. Will the gentleman yield for one question?

Mr. KITCHIN. I yield to the gentleman from Nebraska.

Mr. SLOAN. The statement the gentleman made as to the same rate and tenor of our obligations——

Mr. KITCHIN. The same terms.

Mr. SLOAN. It is the same as to the interest——

Mr. KITCHIN. And the same as to when payable and the convertibility.

Mr. SLOAN. I call attention to what the representative of the Treasury Department said; are not they carrying entirely short-term obligations from these other countries instead of——

Mr. KITCHIN. It was contemplated that these short-term bonds, and it was agreed by the foreign governments that these short-term bonds, would be converted into long-time bonds, conforming to the terms of our bonds.

Mr. SLOAN. And none of that has been done yet?
Mr. KITCHIN. I do not know.
Mr. SLOAN. Now, one other question, so as to develop this: The element of convertibility is in no wise to be in this issue?
Mr. KITCHIN. No; because this is an amendment of the third liberty bond act.
Mr. KEARNS. Will the gentleman yield?
Mr. KITCHIN. Yes, sir.
Mr. KEARNS. Of the $24,000,000,000 of bonds and war-savings certificates that will be authorized if this bill becomes a law, what amount has been already sold?
Mr. KITCHIN. About $10,000,000,000 of bonds and $291,000,000 of war-savings and thrift stamps.
Mr. BANKHEAD. If it is a proper question, I would like to inquire the total amount of the loans to the Russian Government.
Mr. MOORE of Pennsylvania. On page 2 of the report the gentleman will find it.
Mr. KITCHIN. The total loans to Russia are $187,729,750. Now, the papers have stated that it is $325,000,000; but that was a credit established to that amount, and according to this report we have loaned Russia $187,729,750.
Mr. BANKHEAD. What is the period of these bonds, 30 or 40 years, for which this issue is authorized?
Mr. KITCHIN. I do not think we put a limit in the bond issue in that respect. But the foreign bonds are going to have the same limit of time and other terms as our own.
Mr. BANKHEAD. That is left to the Secretary of the Treasury?
Mr. KITCHIN. Yes; but the law requires they must be the same terms as to interest and time as provided in our bonds.
Mr. KEARNS. Do not the bonds always have a limit as to time of payment?
Mr. KITCHIN. Yes; but in the bond act we left it to the discretion of the Secretary of the Treasury.
Mr. FOSTER. Now, as to section 3, does this provision apply to bonds already issued and purchased by residents of foreign countries?
Mr. KITCHIN. Yes; if they are beneficially owned by a nonresident alien individual or a foreign corporation not doing business in this country. If an alien individual lives here or a foreign corporation does business here, bonds held by them are subject to taxes just as bonds held by a citizen of the United States.
Mr. FOSTER. It would apply to the bonds already bought?
Mr. KITCHIN. Yes; it applies only to those bonds payable in foreign money——
Mr. GOODWIN of Arkansas. Will the chairman of the committee please state now or later on the amount of money thus far loaned to various governments and the amount proposed in this bill to loan to the same governments?
Mr. KITCHIN. We have appropriated $8,500,000,000 under the three war-bond acts for the purpose of extending credit to our allies, and to date we have extended credits to them amounting to $5,594,000,000. We authorize in this bill an additional appropriation of $1,500,000,000 to extend additional credits to our allies.
Mr. GOODWIN of Arkansas. The nature of my question was the amount loaned to the several foreign governments.
Mr. KITCHIN. Up to now we have loaned Belgium $114,100,000; Cuba, $5,000,000; France, $1,645,000,000; Great Britain, $3,055,000,000; Italy, $580,000,000; Russia, $187,729,750; Serbia, $7,605,000.
Mr. GOODWIN of Arkansas. Now, will the gentleman state, please, the amount proposed in this issue to loan to the several governments?
Mr. KITCHIN. This bill authorizes an additional loan of $1,500,000,000 to the allies.
Mr. GOODWIN of Arkansas. To the several governments individually, not the total?
Mr. KITCHIN. We leave that in the discretion of the President and the Secretary.
Mr. GORDON. Are we obligated to loan Russia any more money than that $187,000,000 that the gentleman spoke about?
Mr. KITCHIN. That is in the discretion of the President and the Secretary of the Treasury, and I presume if they think it better for the war situation they will loan them, but they have not loaned them any money lately.
Mr. GILLETT. Will the gentleman yield?
Mr. KITCHIN. I will.
Mr. GILLETT. Will the gentleman tell us what form of securities of these foreign governments we have taken in exchange for the loans we have made to them?
Mr. KITCHIN. No security except their obligation.
Mr. GILLETT. Have they given us regular bonds?
Mr. KITCHIN. I thought they were now converting those short-time notes or obligations into bonds, the long-time bonds, conformable to our bonds, which the statutes require. But the gentleman from Nebraska [Mr. SLOAN] says they have not done that yet, but still have the short-time obligations. But it is agreed that all the governments will convert them into these long-time bonds upon demand, so far as I know. I may be mistaken.
Mr. GILLETT. You may be mistaken?
Mr. HULL of Tennessee. The reason is that they may have to adjust more satisfactory rates later on.
Mr. GILLETT. Do you mean that we have just the notes signed by the ambassadors?
Mr. KITCHIN. I think so, authorized by their governments.
Mr. GILLETT. I understand those were temporary, but that the Government was going to give us something more formal.
Mr. KITCHIN. That is what the statute requires, and I think they are going to do that.
Mr. MILLER of Washington. Can the gentleman state what Government of Russia has given us these securities?
Mr. KITCHIN. What Government?
Mr. MILLER of Washington. Yes.
Mr. KITCHIN. They change the government so often and so quickly over there that I do not know, but this was loaned several months ago.
Mr. FOSTER. Was not that loan made when the old government of the Czar was in power?
Mr. KITCHIN. Yes; some months ago.
Mr. MILLER of Washington. Then no loans have been made to Russia since the fall of the Empire?
Mr. KITCHIN. No, sir. That is my understanding.
Mr. PLATT. Mr. Chairman, may I interrupt the gentleman?
Mr. KITCHIN. Certainly.
Mr. PLATT. I want to ask the gentleman a question of an entirely different kind, not on bonds, but on war savings stamps. Under the first liberty bond act, or whichever one it was which authorized the sale of war savings stamps, there was a prohibition of the sale of more than $100 worth to one person at one time.
Mr. KITCHIN. I think the limit was a thousand dollars.
Mr. PLATT. No. No person could buy more than $1,000 worth in all, but it provided that no person could buy more than $100 worth at one time. I understand that has not been adhered to. I understand that the President bought $1,000 worth at one time. If that is so, why not take it out of the act?
Mr. KITCHIN. If the law so provides, and the President of the United States bought more than $100 worth at a time, then he violated the law, and he ought not to have done it. [Laughter.] If I had a chance I would advise him not to do it.
Mr. PLATT. Then he violated the law. [Laughter.]
Mr. GILLETT. Will the gentleman yield?
Mr. KITCHIN. Yes.
Mr. GILLETT. I suppose this leaves the law the same as it now exists as to the amount that the Secretary of the Treasury is given for expenses in the floating of the bonds?
Mr. KITCHIN. Exactly. There is no increase.
Mr. GILLETT. Has the Secretary of the Treasury yet given to Congress any detailed account of those expenses in connection with the last bond sale?
Mr. KITCHIN. I really do not recall, but I have an indistinct recollection that after the little discussion here in the House in the last presentation of the bond issue a report was filed, but I really do not recall.
Mr. GILLETT. I have not been able to find it.
Mr. HULL of Tennessee. I think they have a report about ready to be filed.
Mr. GILLETT. About to be filed?
Mr. HULL of Tennessee. Yes.
Mr. GILLETT. May I ask the gentleman another question?
Mr. KITCHIN. Yes.
Mr. GILLETT. Can the gentleman foresee, or has the administration informed him, when this next sale will probably take place?
Mr. KITCHIN. I understand it will take place some time in October.
Mr. GILLETT. Just at election time?
Mr. KITCHIN. Yes; when everybody is rich and able to buy bonds. [Laughter.]
Mr. GILLETT. Does not the gentleman think it would be better to wait until the campaign is over?
Mr. KITCHIN. Really, if you want my views about it, I will say that if Congress could get out on the 1st of October, when the Members could be in their districts and talk about bonds and about the war we could sell probably 50 per cent

more bonds than we could at any other time in the year. I hope the gentleman and the Congress and the President of the United States will cooperate so as to allow us to get out and float liberty bonds in October.

Mr. GILLETT. And say a word for ourselves at the same time?

Mr. KITCHIN. I think we should sink ourselves at such a time as this. [Applause.]

Mr. FOSTER. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FOSTER. Referring again to the sale of thrift stamps, the law permits any one individual to buy $1,000 worth of war-savings stamps at one time, but only $100 worth of thrift stamps, so that if the President bought $1,000 worth of war-savings stamps he had the right to do so.

Mr. KITCHIN. I think by that statement the gentleman has explained it satisfactorily to the gentleman from New York [Mr. PLATT].

Mr. WATSON of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. WATSON of Pennsylvania. Can the gentleman tell me what percentage of the loans made to foreign countries has actually remained here, and what percentage has been sent over?

Mr. KITCHIN. I understand that substantially all remained here.

Mr. WATSON of Pennsylvania. Substantially all?

Mr. KITCHIN. Yes.

Mr. WATSON of Pennsylvania. It has remained here?

Mr. KITCHIN. Substantially all.

Mr. WATSON of Pennsylvania. Not all?

Mr. KITCHIN. I would say substantially all.

Mr. SNOOK. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNOOK. Can the gentleman give me any figures as to the amount of bonds that are likely under this provision to be sold to foreign people? Has there been a considerable amount of bonds so sold?

Mr. KITCHIN. No. One reason why they could not sell them is that they would be subject to taxation, and if we were to issue them subject to taxation the foreigners might consider that Congress would put a tax on them, an income tax or an excess-profit tax or a surtax, so that there might be little profit in them and no investment for them.

Mr. SNOOK. Does the department think that with this provision in the bill they can be sold more readily?

Mr. KITCHIN. Yes. The department thinks they can sell them better.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FESS. Referring to the Russian loan, is it not true that of the $187,000,000 loaned, most of that fund, if not all of it, was used in the purchase of supplies, and that most of the supplies were stopped because of the fall of the Government?

Mr. KITCHIN. I did not quite catch that.

Mr. FESS. I understand that this loan to Russia was utilized in the purchase of supplies, and they were shipped to Vladivostok, and on the fall of the Government those supplies were estopped, so that the United States has possession of most of them yet.

Mr. KITCHIN. I do not know; but some of them were stopped in transit. The Government held up the contracts that were being performed.

Mr. FESS. It is not a total loss?

Mr. KITCHIN. No; not a total loss at all.

Now, the fourth section provides that the depositaries of the Treasury Department are made fiscal agents in the sale and delivery of Government obligations.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. NOLAN. Can the gentleman state as to whether or not the Treasury Department has taken any steps to stabilize the bonds and prevent their being driven down below cost?

Mr. KITCHIN. They have taken some steps. I think when the War Finance Corporation is fully organized and begins operation seriously it will have some effect; yes.

Mr. NOLAN. Have they the power to step in?

Mr. KITCHIN. Yes; but I doubt if they have done that yet.

Mr. FORDNEY. Mr. Chairman, will the gentleman give me leave to correct him?

Mr. KITCHIN. Yes.

Mr. FORDNEY. Mr. Leffingwell says they have taken steps.

Mr. NOLAN. I wanted to find out what the Treasury Department has done to stop the depreciation of bonds that might be undertaken by the people.

Mr. KITCHIN. You mean under the last bond act?

Mr. NOLAN. Yes.

Mr. FORDNEY. Mr. Leffingwell stated that they have purchased some of the bonds, which had a tendency, in his opinion, to stabilize the market.

Mr. NOLAN. I had this in mind, that in going out among the people the Government desires to make these bond issues as popular as possible and have people buy them in small amounts. Sometimes people might buy them with the best intentions in the world and then be unable fully to pay for them, and in cases where they wanted to get rid of them, if they could show good and sufficient reasons for the need of that cash, and still get $500 or $1,000 worth of bonds, the sales could be made more readily.

Mr. KITCHIN. As I said, the listed price of these bonds does not represent their full value. Just a few bonds can be put on the market and listed and manipulated for that purpose. I have not known of a man yet who got his bonds below par.

Mr. NOLAN. I do not think anybody who would give the thing any thought would be influenced by that, but in going out in our liberty loan campaigns it will be harder to induce the man who has a small amount of money to invest in the new issue if the first, second, and third liberty loan bonds are selling on the market below par.

Mr. KITCHIN. It will be more difficult to sell them.

Mr. NOLAN. And if in some way the small investor could be assured that in case of necessity he could secure the par value of his bonds it would obviate that difficulty.

Mr. KITCHIN. We have a provision now that the Government may buy so many a year. I am sure the people will be convinced that they can get par value for their bonds. I think whenever a man really needs the money, and is not putting his bonds on the market for the purpose of bearing the price, he can get his money dollar for dollar from the Government.

Mr. LONGWORTH. I asked that question of Mr. Leffingwell, and he asked that his reply be not printed in the record of the committee hearings.

Mr. KITCHIN. Yes. That is the reason I did not make any statement about that. I will leave that to the gentleman from Michigan.

Mr. LONGWORTH. Under the war-finance corporation act they have bought some bonds, and Mr. Leffingwell stated that he believed that had a tendency to stabilize their value.

Mr. KITCHIN. Now I yield to the gentleman from Kentucky [Mr. HELM].

Mr. HELM. My purpose in rising was to ask a question in line with the questions that have just been asked. I have observed that the price of the liberty bonds has fluctuated anywhere from par down to 93 and a fraction; some days they are 94, and the next day 95.

Mr. KITCHIN. They were 96 yesterday.

Mr. HELM. They are 96 now, but they have been as low as 93. Is there not some way of preventing these bonds from being listed on the Stock Exchange? It seems to me that if they are to be treated like copper stocks and steel stocks and railroad stocks, if they are to be manipulated by bull and bear movements, it will have an unwholesome effect on bond buyers; and it does seem to me that there ought to be some way of preventing these bonds from being listed on the New York Stock Exchange. I think some stocks are prohibited from being listed in such a way; and if there is any way that this can be done, it seems to me of vital importance. I should like to know whether the gentleman has ever considered that matter.

Mr. KITCHIN. That has been one of the difficult problems before the Treasury Department. They are considering the matter along the lines that the gentleman suggests, but they have not come to any conclusion as to what is the best policy to be pursued with respect to keeping these bonds at par, or as near to par as possible.

Mr. HELM. Is it not the opinion of the committee that if the governors of the New York Stock Exchange are requested by the proper officials not to permit these bonds to be listed on the exchange, that they are patriotic enough to comply with the request of the representatives of the Government?

Mr. KITCHIN. I hope so. I think the governors of the Stock Exchange would in all probability conduct themselves with respect to the matter as the Treasury Department desired if the department concluded that a certain policy should be adopted.

Mr. HELM. Is it the opinion of the gentleman that these wide fluctuations are due to manipulation;

Mr. KITCHIN. I assure the gentleman that the department is looking into that matter now.

Mr. REED. Along that same line, I have had suggestions from good citizens whether it would not be advisable to have a penalty attached to vicious profiteering in these bonds. Has that been considered?

Mr. KITCHIN. We considered that on the last bond bill. Of course, it would be hard to tell what was vicious profiteering; but, as I said, the officials of the Treasury Department are now trying to work out some tangible proposition with respect to that matter.

Mr. REED. A man who profiteers in the grocery business now is called to account for it. Could not a man who pays a lower price for these bonds be put in that same category?

Mr. KITCHIN. I am confident that the department is considering that question fully.

Mr. ROBBINS. Do these bonds carry the circulating privilege?

Mr. KITCHIN. No.

Mr. ROBBINS. They are just like the others in that regard?

Mr. KITCHIN. Yes.

Mr. ROBBINS. But they are received as deposits?

Mr. KITCHIN. Yes.

Mr. ROBBINS. And for taxes?

Mr. KITCHIN. Yes. Certificates of indebtedness are accepted in payment of taxes; in payment of estate or inheritance taxes. Now, I am going to ask Judge HULL to take charge of the bill from now on, because at 2 o'clock I shall have to be at a committee hearing.

Mr. LONGWORTH. Will the gentleman yield two or three minutes to me?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Mr. Chairman, I simply want to make this observation: With the enactment into law of this bill, which is about to pass this House unanimously, we will have authorized a public debt of $24,000,000,000. It is interesting to note that the total public debt of Germany to-day is only about $1,000,000,000 more than that, or about $25,000,000,000. In other words, this Government in 15 months has authorized the creation of a public debt within $1,000,000,000 of the amount that Germany has authorized in 47 months. Since the beginning of the war the American people have authorized the expenditure of almost the amount of money that it has taken Germany to get by loans in three times that length of time. The first liberty loan was subscribed for by about 4,500,000 people, the second by about 9,500,000 people, this last loan by over 17,000,000 people. I venture to predict that the coming loan will be subscribed for by 30,000,000 people; and we are going on to issue more and more bonds, and American citizens in increasing numbers are going to buy them until we have conquered Germany. [Applause.] May I suggest that a good subtitle to this bill would be "Huns, take notice!" [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That section 2 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$5,500,000,000" and inserting in lieu thereof the figures "$7,000,000,000."

Mr. KEATING. Mr. Chairman, I will vote for this bill, as will every Member of the House. I think it is extremely gratifying to know that following this bill we will have an opportunity to vote on another bill that will have to do with raising the money necessary to prosecute the war. The latter bill will provide for raising $4,000,000,000 by taxation levied on incomes and excess profits. This is in addition to the four billions now raised by taxation.

In common with every other Member of this House I have voted for all the bills which have been presented to the House authorizing liberty loans. My recollection is that on most of those bills we have not had a roll call, and my colleagues will bear witness to the fact that not a single vote has been cast against a bill authorizing a liberty loan.

I was therefore somewhat surprised to have my attention called to a statement that appeared in a newspaper in my district to the effect that I had opposed all of these liberty loans. As a rule, having been connected with the newspaper business all my life, I am not "thinskinned" in the matter of newspaper attacks, but this last charge was so flagrantly untrue that I felt justified in making a statement at this time, because every man within the sound of my voice is in a position to testify that the charge is totally false. [Applause.]

I have not only supported every liberty-loan bill but I have worked and voted for all other measures calculated to hasten the winning of the war.

Mr. Chairman, the newspaper which contained the libel to which I have referred is the Star-Journal, a daily newspaper published in my home city, Pueblo, Colo.

In its issue of June 2, 1918, it printed an alleged petition addressed to a citizen of Pueblo urging him to become a candidate for the seat I have the honor to occupy.

There were no names attached to the petition and the Star-Journal was careful to conceal the identity of the author.

I have it on good authority that the petition was circulated by Frank S. Hoag, editor and part owner of the Star-Journal, and that he pleaded for signatures, but with little success.

The petition contains what purports to be a review of my record as a Member of this House since the European war began, in August, 1914.

Of the many counts in this long indictment, just one is founded on fact. That has to do with my vote against war. Some of the others may be described as "half truths" and the remainder are lies manufactured out of whole cloth.

As an example of the latter, I will quote one paragraph from Mr. Hoag's petition as it appeared in the Star-Journal:

"He [referring to myself] opposed the liberty loans necessary to the prosecution of the war."

"He [referring to myself] opposed the liberty loan necessary

The fact is I voted for all three of the liberty loans, subscribed to the same to the extent of my financial ability, and while in Colorado last October actively participated in the second liberty loan campaign.

Of course Hoag and those associated with him were familiar with these facts. Yet they chose to deliberately and maliciously lie about me in the hope that their statements would be accepted as true by those of my constituents who are not in touch with the work of Congress.

As I have said, I had not intended to notice this canard, but I was informed yesterday that the more unscrupulous of my opponents were circulating the story and citing as evidence of its truth the fact that I had not publicly replied to the Star-Journal charge; hence this statement, which the House has been good enough to permit me to make.

Mr. Chairman, without taking more time of the House, I deside unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read as follows:

SEC. 3. That notwithstanding the provisions of the second liberty bond act, as amended by the third liberty bond act, or of the War Finance Corporation act, bonds and certificates of indebtedness of the United States payable in any foreign money or foreign moneys, and bonds of the War Finance Corporation payable in any foreign money or foreign moneys exclusively or in the alternative, shall, if and to the extent expressed in such bonds at the time of their issue, with the approval of the Secretary of the Treasury, while beneficially owned by a nonresident alien individual, or by a foreign corporation, partnership, or association, not engaged in business in the United States, be exempt both as to principal and interest from any and all taxation now or hereafter imposed by the United States, any State, or any of the possessions of the United States, or by any local taxing authority.

Mr. CHURCH. Mr. Chairman, I am in favor of this bill. In fact, I have been in favor of every measure that has been passed by this House which I thought was calculated to bring us victory in the great struggle in which we are now engaged.

It is a very significant fact, and one that should be disheartening to the enemy, that all Members here, whether they were in favor of the original war resolution or not, are now, since the war is on, anxious to prosecute it with all vigor to a successful conclusion.

Mr. Chairman, in this Chamber there is not a dissenting voice to this bill; and it will not take one hour all told to pass it through this House by unanimous consent. Why this harmony of purpose and speed of action? Is it because the matter with which it deals is of little or no importance? No; it is because the teeth of the American people are set, and having once started they are willing to make any sacrifice in order to win. This measure authorizes the selling of $8,000,000,000 more of Government bonds. Have you ever stopped to consider how much this is? If this sum were all in one dollar bills attached end to end and side to side, it would constitute a band over 9 feet in width that would reach around the earth, and it would amount to more than $8 for every minute since the birth of Jesus Christ.

It has been said by some that the American people are a money-loving people. Be that as it may, we have shown in this crisis that there are considerations that we place above gold. Since we entered this war we have sold—or, at least, authorized to be sold—$22,000,000,000 worth of Government bonds. In addition to this, we raised for war purposes last year by the internal-revenue law $3,000,000,000, and this fiscal year, through our new internal-revenue law, we will raise eight billion more, thus making in all at least $32,000,000,000 pledged. Were this vast sum of money in $1 bills attached end to end and side by side it would produce a band over 36 feet in width that would

reach over sea and land around the earth—a band of dollar bills wide enough and long enough for a public highway around the world, on which three automobiles could run abreast with ease. If this world is but 6,000 years old, as many claim, $32,000,000,000 is a sum so ponderous that it would amount to a little more than $10 for every minute of time since the great Creator, standing upon this new-created earth, breathed into man's nostrils his first breath of life.

Mr. Chairman, we have not been doing things in a half-hearted manner here in Washington; neither have the people been exhibiting anything but intense interest at home. Fervent speech and patriotic actions are everywhere in evidence. You all well know what the far West has been doing in the way of furnishing men and means with which to carry on the war, and as a sample of the public utterances out there which have encouraged our people to action, I wish to here quote and include as my own remarks a few extracts from the speech of M. G. Gallaher, of Fresno, Cal., delivered at the dedication of the Liberty Cemetery at Fresno, May 30, 1918:

"It is indeed a pleasure and an honor to participate in the exercises of this occasion. A most fitting time and a most fitting day is this, a day set apart for the commemoration of the achievements of the soldiers of the great war that established forever the United States of America an inseparable union, a fitting day on which to do this deed of charity and of patriotism that we have met to perform.

"Fidelity of the citizen to his own country has ever been a marked virtue. Patriotic devotion to the principles of our American institutions is in these stressful times a special virtue. Our country has had a matchless history. Born of the fight of our forefathers for freedom and the struggles and sacrifices of brave men and women; reunited and its union cemented with the blood of patriots in a great civil war; rededicated 20 years ago to the proposition that all men are equal, and its principles carried to a distressed and oppressed people; with a history of progress and development unequaled in any country in any age, it is but natural that we at this time of the world's greatest crisis feel a solemn and deep sense of patriotism that impels us to make every sacrifice that may be necessary to carry our flag to another triumph.

A YEAR AGO.

"But little more than one year ago our country was at peace; all Europe was engaged in a great struggle between the principle of the equality of men and the right on the one hand, and special privilege, might, and tyranny on the other. The representative officers of our great Nation believed that it was possible for our country to pass through this age of transformation, revolution, and reconstruction without the sacrifice of our treasure, of our blood, and of our men. The American people going forward in the march of progress and material development believed and prayed that we might be saved from our part in the great struggle for humanity, but 'There is a Divinity that shapes our ends.'

"Without recounting the causes that impelled us to go to war, the American people now believe that it was our destiny to carry our flag of freedom on to the battle fields of Europe in the cause of mankind. Since that time there has been a transformation in the sentiments, in the hopes, and in the aspirations and in the patriotism of the people of the United States of America. Turning from the all-absorbing business of accumulating money, creating property, and providing for the material welfare of our people, we have engaged in the altruistic business of devoting the God-given resources of our country, our money, our property, and our man power to this great cause. Without murmur or complaint, the great captains of industry of our country have mobilized their instrumentalities of production into the service of the country; the railroad magnates have cheerfully turned over to the common cause the means of transportation of the country so essential to the successful prosecution of the one great business in which we are engaged. More important still, the great army of laborers of the United States of America who toil with their hands to provide for themselves and their families are giving of their earnings in large proportion patriotically and devotedly to the great common cause of our country and to the cause of humanity. More beautiful, if not, indeed, more important, patriotic women of the country have organized themselves into a great mobilized force of labor, of production, and of charity, and through the Red Cross, the Y. W. C. A., and the various women of the civilian war organizations of the country they stand behind the men who have gone forward to serve, to do battle, if need be to die, that our country may live. But most important and beyond all these evidences of devotion, 10,000,000 of our young men between the ages of 21 and 31 years have uncomplainingly and courageously submitted to their country's command and are giving their services, their blood, their limbs, and their lives in this holy cause.

NO LOOKING BACK.

"America has put her hand to the plow; she will not look back. Ever forward, until victory shall have crowned our devotion and our sacrifices, shall be the watchword of America. Taxes must be raised and the people will cheerfully pay them. Money must be loaned to the Government, and three times have we gone over the top, and we shall go over the top at every call of our country. The sick and the wounded and dying must be cared for and the ministrations of the Red Cross and of kindred societies will not cease so long as the American Army stands at the front as a barrier against the onslaught of the hordes of the Hun. Three million fathers and mothers have already pressed the hand of the patriotic son who marched away to fight for us; 2,000,000 strong, stalwart Americans have already gone forward into training. Sixteen cities of devoted patriots have been builded in the United States of America. From these have already gone forth more than a million men across the ocean to make, if necessary, the utmost sacrifice for us. Just now thousands are upon the submarine-infested seas, going forth to face the dangers, the disasters, of cruel and barbarous war; just now in once beautiful, but now devastated, France more than a million Americans stand facing the guns of the enemy; just now, with all the accumulated preparation and determination of the past 50 years concentrated on the battle line in Europe, stand the millions of the minions of the house of Hohenzollern and the house of Hapsburg; just now the last titanic struggle of autocracy for perpetual supremacy over democracy is on; just now out on 'no man's land' American soldiers lie wounded and dying; just now millions of mothers in the United States wait and watch, amidst work in the cause, to know what has been the fate of a dear son; just now all America waits breathless the tidings that shall tell whether that line of men who have stood like a stone wall between civilization and barbarous militarism for three years past shall be broken and destroyed or whether the matchless bravery and fearful fighting qualities of the Briton, the Australian, the Canadian, the valiant Frenchman, and the matchless American shall bring victory at this time and once for all stay the iron hand of tyranny in its ruthless destruction of all that is dear and all that is of value in the world.

THE UNRETURNING.

"We know that thousands and tens of thousands of those who go forth to fight will return with empty sleeve, on crutches, with blinded eye, and diseased body. We know that thousands and tens of thousands of those who have gone forth to battle for our country and for us will never return. We know that on 'no man's land,' in the trenches, on the once vine-clad hills but now barren wastes of western France will sleep the heroes of our flag. We know that beneath the rolling waves of the ocean now sleep those who have gone down to an untimely death by the ruthless, barbarous warfare of the Hun. We know that some time the sacred bodies of those who lay down their lives in France will be taken up from the graves that are now cared for by the loving hands of the devoted women of France, and returned to the sacred soil of their native land. Time was when love had no place in the councils of war, but this is a holy war; it is a war for humanity and all that men and women hold dear; and in the midst of preparation, in the midst of our sacrifices, we do not forget the tender cords of love that bind father and mother to son and friend to friend; we do not forget that greater and grander love that goes out to all of our soldiers and to those who die for us. How fitting, then, the exercises of this day; how, then, in harmony with the spirit, the sentiment, of patriotism and altruism it is that the B'nai B'rith has given this beautiful ground for the last resting place of those who lay down their lives in their country's defense; how fitting that the city of Fresno accepts this ground to be dedicated as the place that our soldiers in that war shall rest and sleep the long, long sleep of the dead. How sweet the thought that those who go from our city and county and give their lives for us shall sometime mingle their dust with the loved soil of their own Edenic California.

THE TOLL OF BATTLE.

"We wish that all those who have gone and all those who will yet go from our midst might return, yet we know that lives must be sacrificed and that our boys with the innumerable hosts from other parts of our loved land must make their share of the last sacrifice. If among them there be those that the sea will not give up, or whose last resting place shall be found in the barren waste of the battle fields of a far-off country, they shall have their place here and a stone will tell the story; and after a while,

to the fathers and mothers, the brothers and sisters and loved ones who have given their treasure, the life of the dear one, in this great cause, in the solemn moments when the vacant place at the table shall bring back in tremendous force the memories of their kindliness at home and their devotion to their country's cause, this will be a sacred and solemn retreat—solemn, indeed, but a place of joy. Under the shade of the trees planted by loving hands, midst the blooming flowers of our own California, to the quiet walks and drives in this sacred place, they will come—and what a place for meditation this will be! Aged mothers here will again hear the prattle of the child who once twined its arms about her neck, that she so often sang to sleep with her lullaby songs; here in memory's ear she will again hear the first formed words of her child; here the playful pranks and childish mischief of her loved one will come back to her with the force of reality; here she will again, with her boy, in memory, recount his joys, his sorrows, his disappointments, and his triumphs of each day; here the aged father and mother will again, with memory's eye, see the buoyant youth—the treasure of their hearts, the hope of their life—grown to manhood, stalwart and strong, with set jaw and determined face, press their hands and take his place in the line of march with the stream of young American manhood, going forth to the great battle fields of Europe; here again the hopes and aspirations of a father's and mother's love will wonder at the fortune of the son; here again in memory's ear they will hear the call of their country and the answer of their son; and here they will live again the anxious hours, days, weeks, and months of waiting for tidings from the son; and here again they will hear the story that he has given his life that his country and ours might live.

"This will be a place at once of sadness and of solemn joy—sadness that their hopes for an ambitious son were blighted by his death—joy that he once lived and that they could give and he could give a precious life in a holy cause. Here they will again witness the transformation and reconstruction of the principles of government and of nations. Here, contemplating the triumph of right through the sacrifice of a son, and the millions of sons, who were sacrificed in this titanic struggle, what seemed but cruel loss will be a solemn joy. Here fathers and mothers and young men and women and children as well will drink from the fountains of patriotism and dedicate themselves to the principles for which our heroes died.

CONSECRATED GROUND.

"We honor the mayor of our city for the plan that culminates in this dedication; we thank the Liberty Cemetery committee and its chairman for the execution in so fine fashion of the plan; we thank the patriotic benevolent society that donated this ground to be beautified and dedicated to this holy purpose; we thank the labor unions of Fresno for the labor that beautifies the sacred spot; we honor all those Americans who patriotically devoted their energies to the great cause in which we are engaged; we honor the fathers and mothers who are giving their sons for the defense of our country; we honor our heroes in the camp and on the ocean and in France, who fight our battles. We give our cheers, our gratitude and tears to the soldiers who have given their lives and those who will yet give their lives for our flag, for what it represents and for humanity. To them we dedicate this Liberty Cemetery. To us they consecrate this ground."

Mr. Chairman, in conclusion let me say, with such unity on the part of the members of the American Congress, and with such sentiments as above expressed on the part of the people at home, I submit that the evil days of oppression and of the oppressor are numbered, and soon a new and glorious dawn will lighten the horizon of mankind.

Mr. FORDNEY. Mr. Chairman, I move to strike out the last word. I have not and will not oppose any revenue measure necessary to raise sufficient money to enable our Government to properly and efficiently conduct this war. It is estimated by the Secretary of the Treasury our expenditures this coming year will be $24,000,000,000. However, included in that sum are loans that we expect to make to our allies, in round numbers $6,000,000,000. Our loans may exceed $6,000,000,000 within the next year to our allies, or it may not quite reach that sum.

I differ with a great many gentlemen here as to the amount of money that should be raised by direct taxes; that is to say, I differ as to the amount in proportion to our total expenditures. We anticipate that foreign governments to whom we are loaning money, which are engaged on the same side of the war we are, will pay back to the United States Government all the money that we are loaning to them, together with a rate of interest equal to the rate that we pay on our Government bonds that we are disposing of to get the money to loan to them. Therefore it is my understanding that the foreign nations will take care of the amount of money we are loaning them. It is my candid opinion that we should not raise by taxation any money which we are loaning to the allies. We should obtain that money from the sale of Government bonds which, under the law, must be of the exact length of time that foreign government bonds issued to our country for these loans will run.

Therefore, let me repeat: We expect foreign governments to pay back the $6,000,000,000 we are loaning them the coming fiscal year, and I do not believe at a time when prices are abnormally high all over the world we should tax our people now for that money, but should raise a reasonable amount of money necessary for our own Government to carry on this war. Therefore it is estimated that our expenditures, not including any portion of our loans, will be $18,000,000,000.

Now, it is proposed that we raise by taxation this coming year $8,000,000,000. That is more than 40 per cent of the estimated total expenditures. No country in the world ever raised such a sum or percentage by taxation during the time of war. No country in the world to-day is raising 30 per cent of their expenditures. Great Britain this year estimates that she will receive from taxation 28 per cent of her expenditures; from the beginning of the war to the end of the last fiscal year she raised by taxes 25.7 per cent. Canada has raised by taxation 18.5 per cent of her expenditures. France has raised 11 per cent and Italy 9 per cent, and we are proposing to raise by taxation about 45 per cent of our expenditures. When there is but $60,000,000,000 in the United States, for us to raise $8,000,000,000 by taxation, I want to say to you that it is a question of great seriousness as to what the industrial interests of the country are going to do for money when that great volume of money is to be called into the Treasury of the United States in taxes.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FORDNEY. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FORDNEY. If this war is for anything, it is for the future peace of the world. Therefore, the future generations are going to enjoy what we are fighting for to-day. To send our men to the trenches to fight this great war and offer up their lives, if necessary, and at the same time call upon the people of this country to pay as we go for this war is more than any other government in any country in the world ever asked of their people. During the Civil War for every dollar raised by taxation we borrowed $5.09.

Mr. NOLAN. Mr. Chairman, will the gentleman from Michigan give us some idea of what he thinks we ought to raise by direct taxation and by bond issue to meet our own actual war expenses?

Mr. FORDNEY. Yes. I believe that one-third would be the maximum amount that we should raise—one-third of the money that it will require for us to meet our war expenses and other governmental expenditures.

Mr. LINTHICUM. The gentleman would eliminate the money that we loaned to our allies?

Mr. FORDNEY. Oh, absolutely, from the taxes. I believe, as I have said, perhaps before the gentleman came into the Chamber, that we should not raise by taxation one cent that we are loaning to these foreign governments, because they are going to take care of that, we expect, and meet the payment of interest upon that sum. Therefore it is not proper now—there is no justification now—for taxing our people for money we are loaning to foreign governments that we expect them to pay in 20 or 30 years from now.

Mr. MOORE of Pennsylvania. Is it not a part of the administration's program to raise $2 by taxation for the year ending June 30, 1919, for every $1 raised during the present year?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. In other words, taxation is to be doubled.

Mr. FORDNEY. It is proposed in this new tax law that we are now working on that we shall double up the income of the Government this coming year over our present year.

Mr. MOORE of Pennsylvania. By taxation.

Mr. FORDNEY. Yes; in round numbers we shall raise $8,000,000,000 of taxes, whereas it is estimated that we will collect this fiscal year, just about closing, a little more than $4,000,000,000.

Mr. LINTHICUM. The gentleman perhaps heard the gentleman from Ohio [Mr. LONGWORTH] state that we had raised by bond issue $24,000,000,000 and England had raised twenty-five billion. Does the gentleman think that is a fair comparison, because we have loaned England three and one-half billion dollars, and she would naturally have had twenty-eight billion dollars and a half?

Mr. FORDNEY. Those figures are incorrect. Great Britain's total expenditure from the beginning of the war until the end of their last fiscal year, the 31st of March, is $33,000,000,000; but that runs over a period of three and a half years, while we have been in the war only 15 months.

Mr. WALDOW. Mr. Chairman, for the purpose of having the RECORD correct, the gentleman from Ohio [Mr. LONGWORTH] did not make that statement with reference to Great Britain, but with reference to Germany.

Mr. LINTHICUM. I thought he said Great Britain.

Mr. FORDNEY. Germany's expenditures in this war are almost equal to those of Great Britain, I believe.

Mr. LINTHICUM. The comparison of what we can do for a dollar with what Germany can do for a dollar would be unfair. It takes $11 for us to do what Germany can do with $1.

Mr. FORDNEY. I do not know anything about the correctness of figures in respect to Germany, and I do not believe anyone knows what is happening behind the German lines.

Mr. ALEXANDER. As I understood the gentleman's statement, Mr. LONGWORTH stated that Germany's indebtedness was $25,000,000,000, but that was not her total expenditure. That was her indebtedness represented by bond issues.

Mr. FORDNEY. Thank you. I received a letter written by the American ambassador in London, England, dated April 25, and he states that Great Britain's cost of this war to that date was $33,000,000,000. He gives the amount in pounds.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Clerk read as follows:

SEC. 4. That any incorporated bank or trust company designated as a depositary by the Secretary of the Treasury under the authority conferred by section 8 of the second liberty-bond act, as amended by the third liberty-bond act, which gives security for such deposits as, and to amounts, by him prescribed, may, upon and subject to such terms and conditions as the Secretary of the Treasury may prescribe, act as a fiscal agent of the United States in connection with the operations of selling and delivering any bonds, certificates of indebtedness, or war-savings certificates of the United States.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word, and I wish to inquire of some gentleman upon the committee as to the purpose of this section 4. I notice that authorization was granted to the Secretary of the Treasury in section 8 of the second liberty bond act, referred to in this bill, to designate certain banks as depositories. What is the purpose of this amendment to that section?

Mr. HULL of Tennessee. This simply gives the Treasury the right to impose certain restrictions on these banking concerns with respect to the selling and delivering of bonds. Under the law as it is operated some concerns have taken the money and have undertaken to conduct these operations for individual purchasers, and in the meantime they have gotten in a bad way financially, with the result that the purchasers suffered losses. The Government does not want anything of that kind to come between the purchaser and the Government, so far as this class of business institutions is concerned, and it only seeks to impose certain safeguards or requirements that will avoid that in the future.

Mr. STAFFORD. I notice in the morning paper it is stated that the flotation of the next liberty loan would be exclusively through banks and trust companies. Was that a correct statement of the position of the Treasury Department?

Mr. HULL of Tennessee. Oh, no; not at all. It must have had reference to the placing of some of these certificates of indebtedness in anticipation of the bond loan.

Mr. STAFFORD. It had reference to this section 4 in seeking to give some explanation as to its import.

Mr. HULL of Tennessee. It must have been a misapprehension, because I have stated the situation.

Mr. MOORE of Pennsylvania. Does not the section mean a little more than the gentleman from Tennessee has stated? Does it not mean that the Secretary of the Treasury can require any bank which has deposits to act as a selling agent?

Mr. HULL of Tennessee. Well, the word "shall" was stricken out and the word "may" inserted, if the gentleman remembers on that point.

Mr. MOORE of Pennsylvania. Well, as the gentleman from Wisconsin said, section 8 covers the matter of the power of the Secretary to make deposits, but this goes a little further. I think it fair to say this, so that the banks might understand the situation. This goes a little further, in that if a bank does not cheerfully and cordially act as a selling agent and does not come up to the Secretary's standard in that regard he may withdraw the deposits.

Mr. HULL of Tennessee. Well, the original language undoubtedly went further than the present language, because the word "shall" was stricken out in line 24 and the word "may" inserted.

Mr. MOORE of Pennsylvania. In other words, this gives the Secretary a little more authority over the banks than he has had heretofore.

Mr. HULL of Tennessee. To safeguard the purchases through the bank.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word for the purpose of asking the gentleman a question. Why is the bank and trust company limited to one that is already designated as a Government depository by the Secretary of the Treasury? Now, there are a large number of national banks and trust companies which are in the Federal Reserve System that are not Government depositories. Why should not the Secretary of the Treasury be authorized to use the banks which are not Government depositories if they desire to act as the fiscal agent of the Government in the sale of these bonds?

Mr. HULL of Tennessee. If they desire to act, they can qualify and become depositories of the Government. This is only intended to deal with that class of institutions which the Government has relations with as depositories under section 8 of the second liberty bond act.

Mr. ROBBINS. Of course, to become a Government depository the bank must acquire and must have Government bonds as a guaranty of the safe-keeping of the funds deposited of the Government and their return at the proper time when demanded.

Mr. HULL of Tennessee. Yes; the Government would prefer that banks qualify in this way before undertaking to deal with them in connection with the provisions of section 4 that we are considering.

Mr. STAFFORD. If the gentleman will permit, I may say that in the operation of the last liberty loan the Treasury Department designated many banks and trust companies other than those in the Federal Reserve System. Any bank that would assume the obligation of selling bonds would have the privilege of having the moneys deposited in its vaults until demanded by the Treasury Department, and would be designated as a United States depository. This section does not intend to limit the privilege to those banks only in the Federal Reserve System.

Mr. ROBBINS. No; but it does intend to limit it to those that are Government depositories.

Mr. STAFFORD. The Treasury Department has designated all these banks as United States depositories that took part in the flotation of the last liberty loan and will designate additional banks as United States depositories that assume that obligation in future flotations.

Mr. ROBBINS. If they acquire Government bonds as a guaranty——

Mr. STAFFORD. If they would act as an agent of the Government in the sale of subsequent liberty loans.

Mr. CANNON. Will the gentleman yield?

Mr. HULL of Tennessee. Yes.

Mr. CANNON. I have been out of the House on committee duty, and this is my first appearance while this bill has been considered. Section 2 says:

That section 2 of the second liberty bond act, as amended by the third liberty bond act, is hereby further amended by striking out the figures "$5,500,000,000" and inserting in lieu thereof the figures "$7,000,000,000."

Now, as I understand it, speaking hastily in glancing over it, touching the question of the taxes of the proposed fourth liberty loan act, it leaves them without change.

Mr. HULL of Tennessee. It leaves the present law intact.

Mr. CANNON. With no change whatever?

Mr. HULL of Tennessee. Not from the former liberty loan act.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FOCHT] asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOCHT. Mr. Chairman, I assume that it requires no averment on the part of any Member of the House to have it well understood that we are all standing sturdily in support of any and all measures that will aid in bringing a successful conclusion to this great conflict. But in the midst of this debate it occurred to me that it might be well, if possible, to arouse some consideration of an outstanding feature of this bond issue and of the sale of war-savings stamps by the Government. The gentleman from Ohio [Mr. LONGWORTH] says that we have issued securities or obligated ourselves for $24,000,000,000. That might seem a staggering sum if we were now called upon to expend an additional $24,000,000,000 without results from the first $24,000,000,000; but, as I believe, that is merely an authorization and not an expenditure, and that the war situation has not

fully felt the momentum of that $24,000,000,000; in fact, only in small part. We are only now beginning to assemble the strength of the Nation, and later on the effect, we are sure, will overwhelm our enemies. But what I really wished to speak of at this moment was that while at my home county—Union County, Pa.—I found with pardonable pride that this county held the country's record for the sale of war-savings stamps, and the record was made without any great expense to the Government. But I wish to call the attention of the House to what I found in an interior village during a recent canvass before the primary election. I saw there a man's cellar packed with literature which had been sent him from here or from Philadelphia, wherever the headquarters of the savings stamps campaign is located. His parlor and back porch were also filled with literature sufficient to give a thousand pieces to every individual in that part of the country where he was to sell these stamps. Such an absurdity, such a grave wastefulness, I think, gentlemen, is worthy of your consideration, and there should be in some manner a check put upon this orgy of expenditure and something done about it. Since we are all eating black bread, paying war taxes, and doing all we can to conserve the resources of the country and win the war, we should not start out with this great wastefulness. [Applause.]

It is a fact that in the purchase of a liberty bond, where an individual gives Uncle Sam a dollar and gets a dollar back, to my mind, gentlemen, that is no particular mark of patriotism. It is but transferring and converting a citizen's dollar into good security, and the best in the world. Therefore, if the officials of this Government were as familiar as they might be with the resources of corporations and individuals, all subjects of taxation, I believe there should be some curtailment; that there really is not the necessity for running up and down and all over the country with special trains and exciting the people about the great necessity for this money when they have the means of taking it, since they know where it is, and thus save all this expense. In other words, if a corporation or an individual is known to have a certain amount of money—and the record is there under oath of every man's resources and every corporation's earnings—why not then let the Government through constituted authority say, "Mr. So-and-so, so many bonds are yours. Walk up to the counter and pay for them." In that way there would be saved this awful expenditure for costly lithographs and literature, as well as relieve the congestion of the mail service, which is so frightfully disorganized. And we regret to say that an impression is abroad that much of this literature seems to have been issued rather to boost Democratic aspirants and the Democratic Party than to accomplish anything practical toward "bringing Germany to terms and ending the war." I am in the printing business and have some comprehension of what all this must cost the Government, and I would like to see that expense account, which I am sure would appal the country. Extravagance and wastefulness of every description should be discouraged in every division of public service, and right here is a good place to begin. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The Clerk will read.

The Clerk resumed and completed the reading of the bill.

Mr. FESS and Mr. HULL of Tennessee rose.

The CHAIRMAN. The gentleman from Ohio [Mr. FESS] is recognized.

Mr. FESS. Mr. Chairman, I move to strike out the last word in order to make this observation: Some time before 1912 the Government of Austria, taking advantage of an unsettled condition in the Balkans, extended her military authority over the two Provinces of Herzegovinia and Bosnia, which led to a very bitter feeling against the Austrian Government. Just four years ago to-day the heir of the throne of Austria was in the city of Sarrejevo, the capital of Bosnia, and by a half-witted citizen, who had been stirred by the injury to the people by Austria, the archduke was assassinated. That started this world on fire.

At that time Great Britain had an indebtedness of $3,500,000,000. To-day, according to Bonar Law in his last statement in Parliament, it is $37,000,000,000. The United States had an indebtedness of less than $1,000,000,000—to be accurate, $973,000,000. To-day we will have an indebtedness of between $17,000,000,000 and $18,000,000,000, if you omit our loans to the foreign countries. If these are included, it will reach $24,000,000,000. France had an indebtedness at the time of nearly $6,500,000,000. Her indebtedness now is approaching $30,000,000,000. Germany's situation is somewhat different, because she finances the war by enforced loans instead of taxation. No one can state accurately what her debt is at the present time; but in proportion it is not less than her great antagonists. The comparative debts, as estimated, are as follows:

Public debt of the principal belligerent countries.
[In millions of dollars.]
[Federal Reserve Bulletin, Apr. 1, 1918.]

	Before entering war.		At most recent date.		Increase.
	Date.	Amount.	Date.	Amount.	
A. ALLIED POWERS.					
Great Britain	Aug. 1, 1914	3,458	Feb. 16, 1918	27,636	24,178
Australia	June 30, 1914	93	Mar. —, 1918	942	849
Canada	Mar. 31, 1914	336	Feb. 28, 1918	1,011	675
New Zealand	....do....	446	Mar. 31, 1917	611	165
Union of South Africa	....do....	579	Mar. 31, 1916	734	155
France	July 31, 1914	6,598	Dec. 31, 1917	22,227	15,629
Italy	June 30, 1914	2,792	....do....	6,676	3,884
Russia	Jan. 1, 1914	5,092	Sept. 1, 1917	25,383	20,291
United States	Mar. 31, 1917	1,208	Jan. 31, 1918	7,758	6,550
Total		20,603		92,978	72,376
B. CENTRAL POWERS.					
Germany	Oct. 1, 1913	1,165	Dec. —, 1917	[1] 25,408	24,243
Austria	July 1, 1914	2,640	Dec. —, 1917	[1] 13,314	10,674
Hungary	July 1, 1913	1,345	Dec. —, 1917	[1] 5,704	4,359
Total		5,150		44,426	39,276
Grand total		25,752		137,404	111,652

[1] Partial estimates. All other statistics are official.

Therefore, I have just made this observation on this anniversary day, that an incident in the capital of Bosnia four years ago to-day was seized upon as the occasion for the interruption, if not total disruption, of the entire world and is a comment upon the civilization of the world.

Of course, we are going to pass this $8,000,000,000 of a loan without opposition and in a very few minutes. While it is bewildering to those of us who see in figures, because the world is rapidly reaching the place where the interest on the debt totally consumes the income, yet we will not hesitate to do all that is necessary to win this war; hence the unanimous vote to-day.

Mr. HULL of Tennessee. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12580) to authorize an additional issue of bonds to meet expenditures for the national security and defense, and, for the purpose of assisting in the prosecution of the war, to extend additional credit to foreign governments, and for other purposes, and had directed him to report the same to the House with a recommendation that it do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

The SPEAKER. The bill has passed unanimously.

On motion of Mr. HULL of Tennessee, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was granted leave of absence indefinitely, on account of illness in his family.

EXTENSION OF REMARKS.

Mr. TILSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting two speeches, both on the subject of the war, that I made during my absence in Connecticut the last few days.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CONNELLY of Kansas. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 5712.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks in the RECORD on the bill

H. R. 5712. Is there objection? [After a pause.] The Chair hears none.

Mr. FOCHT. Mr. Speaker, I desire to extend my remarks and make a historical correction in reference to the James Buchanan monument discussion and debate.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

ORDER OF BUSINESS.

Mr. SISSON. Mr. Speaker, I ask unanimous consent to take up the conference report on the District of Columbia appropriation bill.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to take up the conference report on the District of Columbia appropriation bill, the rule about printing to the contrary notwithstanding.

Mr. LARSEN. Mr. Speaker, I entertain a high regard for the gentleman from Mississippi and have a high regard for anything he desires, but I am constrained to object.

Mr. STAFFORD. Will the gentleman from Georgia withhold his objection for a moment? I am asking the gentleman from Georgia if he will withhold his objection for a moment.

The SPEAKER. The gentleman from Georgia will give heed.

Mr. LARSEN. I think we should proceed with business.

Mr. HELM rose.

Mr. STAFFORD. I think the most pressing thing for consideration is the consideration of these conference reports.

The SPEAKER. The gentleman from Georgia objects, and the gentleman from Kentucky [Mr. HELM] is recognized.

Mr. STAFFORD. I think we ought to have a quorum here. I make the point of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin makes the point of no quorum. The Chair will count. [After counting.] Evidently there is no quorum present.

CALL OF THE HOUSE.

Mr. GARRETT of Tennessee. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from Tennessee moves a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Austin	Fuller, Ill.	LaGuardia	Sells
Bacharach	Gallivan	Langley	Shackleford
Baer	Gandy	Lehlbach	Sherwood
Bell	Garner	Littlepage	Shouse
Blackmon	Glass	McCormick	Sims
Bland	Gould	McKinley	Slayden
Britten	Graham, Pa.	McLemore	Slemp
Campbell, Pa.	Gray, Ala.	Mann	Small
Cantrill	Gray, N. J.	Martin	Smith, Mich.
Carter, Mass.	Greene, Vt.	Mason	Smith, C. B.
Chandler, N. Y.	Gregg	Meeker	Snell
Chandler, Okla.	Griest	Montague	Snyder
Clark, Fla.	Hamill	Morin	Stedman
Clark, Pa.	Hamilton, N. Y.	Mott	Sterling, Ill.
Collier	Hastings	Mudd	Stevenson
Copley	Hawley	Norton	Strong
Costello	Hayes	Olney	Sullivan
Crago	Heaton	O'Shaunessy	Sumners
Curry, Cal.	Heintz	Paige	Switzer
Dale, N. Y.	Hensley	Parker, N. J.	Talbott
Davidson	Hicks	Polk	Templeton
Dent	Hood	Porter	Van Dyke
Dickinson	Houston	Powers	Vare
Dies	Howard	Price	Vestal
Drukker	Husted	Ragsdale	Walker
Dunn	Hutchinson	Rainey, H. T.	Walton
Eagan	James	Reavis	Ward
Emerson	Johnson, S. Dak.	Roberts	Watson, Va.
Estopinal	Juul	Robinson	Whaley
Fairchild, G. W.	Kahn	Rowland	White, Ohio
Ferris	Kearns	Russell	Wingo
Fields	Kehoe	Schall	Wise
Fordney	Kelley, Mich.	Scott, Iowa	Zihlman
Foss	Kitchin	Scott, Pa.	
Freeman	Kreider	Scully	

The SPEAKER. On this roll call 294 Members, a quorum, have answered to their names. The Doorkeeper will open the doors.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHERLEY. Mr. Speaker, if the gentleman will withhold his motion for a moment, I would like to make a statement to the House.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent to address the House for three minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Speaker, we are within two days of the close of the fiscal year. It is perfectly impossible for the enrolling clerks to enroll all the bills that they are going to have to enroll if we postpone much longer the consideration of conference reports, and I trust my colleague, the gentleman from Kentucky [Mr. HELM], will not insist upon pressing his motion, and will give way in order that the gentleman from Mississippi [Mr. SISSON] may present for the consideration of the House the conference report on the District of Columbia appropriation bill.

Mr. HELM. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. SHERLEY. I understand they have been.

The SPEAKER. The gentleman from Kentucky moves that further proceedings under the call be dispensed with.

The motion was agreed to.

Mr. HELM. Mr. Speaker, in response to the statement of my colleague [Mr. SHERLEY], I wish to say that before I rose to address the House for the purpose of moving to go into Committee of the Whole for the further consideration of the Census bill I did not believe it was interfering with any other arrangement. I have manifested too agreeable a disposition in this House with certain gentlemen who are disposed and who are attempting to postpone the passage of this bill until after the recess. There is a perfectly obvious and manifest intention on the part of certain gentlemen to delay the passage of this bill. I have stated before—and my conduct on the floor has demonstrated the fact—that I am reasonable, and I do not want to stand in opposition or obstruction to these appropriation bills. The bill of the gentleman from Mississippi [Mr. SISSON] has not been printed under the rule. My bill is a privileged bill. I was within my rights, and I did not consider that I was interfering with anyone else.

Mr. SHERLEY. If the gentleman will permit——

Mr. HELM. On the contrary, the gentleman from Wisconsin [Mr. STAFFORD], out of a feeling of ill will and pique, made the point of no quorum for the purpose of obstructing business, and I am disposed to insist upon my position before the House.

Mr. SHERLEY. If the gentleman will permit——

Mr. HELM. If the gentleman from Mississippi thinks it will not consume a very considerable time, and that I can have an opportunity this afternoon to proceed with this bill, I am perfectly willing to stand aside once more and let this bill be considered.

Mr. SISSON. Mr. Speaker, in response to the request of the gentleman from Kentucky [Mr. HELM], I will state that there are only three items of disagreement in the District of Columbia appropriation bill. One item is the half-and-half proposition. I am going to ask that the House insist on its disagreement to these three amendments, and if the House wants to take a vote on them I shall be very glad for the House to take the vote. I do not know just how long, nor could anyone tell what the debate will amount to. I hope it will not consume more than an hour at the outside.

The SPEAKER. Is the gentleman going to make a motion or ask anything?

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. SISSON. The gentleman from Kentucky [Mr. HELM] has made his motion. I was going to ask unanimous consent that the House take up the conference report on the District of Columbia appropriation bill (H. R. 11692), notwithstanding the fact that it had not been printed under the rule.

Mr. HELM. I withdraw my motion.

The SPEAKER. The gentleman from Kentucky withdraws his motion. The gentleman from Mississippi asks unanimous consent to take up the District of Columbia conference report, notwithstanding the rule about printing. Is there objection?

There was no objection.

Mr. SISSON. I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement of the House conferees.

[The conference report and statement of House conferees appear on pages 8424–8429 in to-day's House proceedings.]

Mr. SISSON. I move the adoption of the conference report.

The SPEAKER pro tempore (Mr. MOON). The question is on the adoption of the conference report.

The conference report was agreed to.

Mr. SISSON. Mr. Speaker, I move that the House further insist on its disagreements to amendments 1, 61, and 83. No. 1 is the half-and-half amendment. No. 63 is the Keller amendment——

Mr. GILLETT. I think they had better be taken up one by one and not joined together.

Mr. SISSON. Does the gentleman want a separate vote on each one?

Mr. GILLETT. Yes.

Mr. SISSON. Then I move that the House further insist on its disagreement to Senate amendment No. 1, which is the half-and-half amendment.

Mr. GILLETT. Mr. Speaker, I move to recede and concur in the Senate amendment, and on that I should like to say just a word.

Mr. SISSON. Mr. Speaker, does the gentleman desire any time?

Mr. GILLETT. Two minutes, perhaps.

Mr. SISSON. I yield to the gentleman two minutes.

Mr. GILLETT. Mr. Speaker, I simply wish to say that without respect to the merits of the controversy, it seems to me we have reached a stage where the House had better recede. We are all expecting to adjourn now in a few days. We know that the Senate is just as obstinate in standing by the half-and-half proposition as the House is in repealing it, and when that is the fact the body which wishes to change existing law is the one which always, sooner or later, is obliged to recede.

Mr. NOLAN. In view of the situation that has developed in the Senate in reference to woman suffrage, and in reference to the amendment to the agricultural bill about intoxicating liquors, does the gentleman think we are likely to adjourn in a few days?

Mr. GILLETT. I do. I understand the suffrage question is practically out of the way.

Mr. MONDELL. In any event, this bill should be passed before the end of the fiscal year.

Mr. GILLETT. Exactly. Whether we recess or not, it is extremely important that not only this but every other appropriation bill should be passed before next Monday.

Mr. RAKER. I see by the RECORD this morning that in the Senate yesterday Senator SMOOT, and I think other Senators, said there would be no agreement to adjourn or take a recess until the suffrage amendment was disposed of.

Mr. GILLETT. Statements of that kind are often made which do not materialize in events. I understand that four Senators who are in favor of suffrage have left the city and gone away already.

Mr. RAKER. What are you going to do? Are you going to let the oil-leasing bill and the water-power bill remain undisposed of?

Mr. GILLETT. I am not responsible for the program of legislation.

Mr. RAKER. I can not understand why this talk about recess or adjournment should always be presented when such vital legislation is before the country and the House.

Mr. GILLETT. I do not think it is fair for the gentleman to interject that under the guise of a question. But, as I say, that is not pertinent to my argument. It is enough to state that it is important that these appropriation bills be got out of the way before next Monday. Now, one of the complaints that we on this side of the House have for years made of you gentlemen on that side, time and again, is that you are not efficient; that you do not pass appropriation bills in season.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GILLETT. Will the gentleman give me three minutes more?

Mr. SISSON. I yield to the gentleman three minutes more.

Mr. LINTHICUM. Mr. Speaker, a parliamentary inquiry. Have we not voted on this proposition?

The SPEAKER pro tempore. We have not. A preferential motion was made by the gentleman from Massachusetts and is now before the House.

Mr. LINTHICUM. Did not the House vote on the motion of the gentleman from Mississippi?

The SPEAKER pro tempore. No; the gentleman from Mississippi yielded to the gentleman from Massachusetts to make his motion.

Mr. GILLETT. As you are aware, we on this side have often criticized you on that side for not being efficient and not passing appropriation bills before the end of the fiscal year. It is going to require great expedition to pass the pending appropriation bills before the end of this fiscal year. I hope it will be done. I am glad to assist in every way I can, and I think one of the important methods of expediting them would be for the House to recede now on this amendment. We will have to do it eventually; why not now?

Mr. GORDON. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. GORDON. Do you still insist that we are inefficient on this side or do you intend to retract that statement?

Mr. GILLETT. I do not retract it, but I am not making any charges during this war period.

Mr. SISSON. I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker and gentlemen, the argument of the gentleman from Massachusetts [Mr. GILLETT] is that something which the House has three times determined to be wrong and which a special commission found to be wrong shall now be determined to be right for two reasons. One is that a recess may be expedited, and the other is that because the other body of Congress has always had its way heretofore in this matter of half and half, the gentleman makes the violent assumption that it will again have its way in this same matter. The first reason, as I am reminded, would require us to agree to a plan of large additional authority of expenditure unnecessarily in order that we may have what the gentleman calls a temporary recess. Another is the total abandonment of every reason that could be applied to a system of taxation. There is no man, and I say it frankly and without any prejudice, because my only interest in this matter is that I was a member of a special commission which gave attention to this matter for three months—I say frankly there never has been any man who gave investigation to the question of the taxation of the District of Columbia who must not be brought to the conclusion that the half-and-half plan is unnecessary; that it has outlived its usefulness; that it is a nullity, so to speak, and accomplishes nothing. It provides that no matter what the District of Columbia may be rightfully assessed for taxation the people in all of our districts must match dollar for dollar with the money raised in the District of Columbia. At one time it had a good purpose, but it has no such purpose now. They could not spend the money. The commissioners at the time of the hearings—Mr. Brownlow and Mr. Newman, now Maj. Newman—were emphatic in saying that the half-and-half plan should be abolished.

There is no contention on the part of anybody, except the so-called landlords' association in the District of Columbia, which is now seeking more than ever to fatten on the public interests, that it should be retained. There is absolutely nobody, no one who ever investigated the scientific application of taxation, no one who looked at it from a practical side, can find any reason for maintaining the half-and-half plan.

At present this is the situation: Something like $9,000,000 is raised by the District of Columbia by taxation, which is not high comparing it with other cities. Fourteen million dollars is all that is necessary to run the government in this District as it should be run. So, if the law is carried out, there is absolutely $5,000,000 of taxes raised here for which there is no use, and the thing which we face is this, and we might as well know it, that those who are interested here in the development of land and in the renting of houses at exorbitant charge want to get everything they can in the city of Washington without paying for it themselves. That we might as well understand if there be anybody in the House who does not already understand it. I say that the people of the United States understand it, because there is hardly a nook and corner in the whole United States of America which does not to-day recognize that a certain ring of people in Washington are using every device they can to furnish their own interests out of the Public Treasury. What they contemplate now—and I say it advisedly—is that in this system of bookkeeping they want the United States to be compelled on paper to match every dollar which the District of Columbia is raising, so that at the end of the fiscal year there will be five million unusued, unnecessary dollars, so that in the next year or two there will be eight or nine million unused, unnecessary dollars, and at that time the proposition will be made to use that money; that this same element will claim the United States has pledged itself by the old law to match dollar for dollar, and therefore we must use the unexpended balance for municipal purposes and make but a nominal levy. That is precisely the situation. I challenge anyone, no matter what opinion he may have, to refute it.

The SPEAKER. The time of the gentleman has expired.

Mr. SISSON. I yield the gentleman four minutes more.

Mr. GARD. I speak of this in the sense that we all may have a thorough understanding. These which I have tried to give Members of the House are the facts, and I have tried to express them kindly, without prejudice or ill feeling.

Mr. CAMPBELL of Kansas. Will the gentleman yield?

Mr. GARD. Certainly.

Mr. CAMPBELL of Kansas. The gentleman has referred to the fact that more money will be raised by taxation in the District on the half-and-half plan than can properly be expended. Has the gentleman investigated the crowded condition of the schools, the poor pay of the school-teachers, the many streets that need being remade?

Mr. GARD. I have taken all those things into consideration, and my information is that the condition of all municipal utilities here is good.

Mr. CAMPBELL of Kansas. Does not the gentleman know that these conditions exist, that appropriations are not made sufficient for schools, the appropriations are not large enough to properly pay the school-teachers who are employed here for the small sum of $500 a year?

Mr. GARD. I am happy to say that the schools in the city of Washington are comparable in efficiency and excellency to any school system in the United States.

Mr. CAMPBELL of Kansas. They are very much crowded.

Mr. GARD. They may be crowded, but there is every disposition on the part of every Congress to afford every facility to the people of the District of Columbia. In the matter of schools and school-teachers, there will be nothing absolutely in the mind of Congress to prevent this District having exactly all that it ought to have, and this applies to other public utilities. I repeat that the Commissioners of the District of Columbia do not ask for enough money to be carried by the interpretation of the half-and-half plan. And, as I am reminded by my colleague from Kentucky, under the amendment which we are now discussing everything that is necessary, if it be half-and-half, is to be paid out of the General Government. This is the amendment as it applies—first take the money raised by taxation upon real estate largely and such personal property as is taxed and use that for the payment of the expenses of the District of Columbia. That is the whole thing. Is that wrong?

Mr. JOHNSON of Washington. Will the gentleman yield.

Mr. GARD. Yes.

Mr. JOHNSON of Washington. The gentleman is speaking of the plan to take the place of the half-and-half plan?

Mr. GARD. Yes.

Mr. JOHNSON of Washington. It is all ready to go into execution?

Mr. GARD. Oh, yes; it is all ready to go into execution. There has been some criticism about this amendment as being "a rider."

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield?

Mr. GARD. If I have the time.

Mr. CAMPBELL of Kansas. That amendment in operation would mean just this: If the Committee on Appropriations thought that the amount raised by taxation in the district was sufficient that would be the end of the matter, and nothing would be required by the Federal Government, 25 or 50 per cent or any other per cent.

Mr. GARD. This is Federal territory and it is necessarily under the control of Congress.

Mr. CAMPBELL of Kansas. True, but if the Committee on Appropriations should think that the amount raised by taxation in the District was sufficient for the District needs, nothing would be asked or called for from the Federal Government.

Mr. GARD. There is no question of that kind arising at all.

Mr. CAMPBELL of Kansas. But the amendment offered would work out in that way, if the Committee on Appropriations thought that the $9,000,000 raised by District taxation was sufficient.

Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. ALEXANDER. If the Committee on Appropriations should take that attitude, what differences would there be? The money would be in the Treasury unappropriated and could not be expended.

Mr. GARD. I merely desire to call attention to one other matter. There has been some criticism which has called this a rider. It is not a rider. It is just a necessary legislative authority on an appropriation bill of the money necessary to carry on this District government, and it means that the money which the people pay in taxation is to be applied, and everything necessary for everything which the gentleman from Kansas says ought to be had will be had and added by the General Government. It is an impossible proposition in taxation and in economics, and in reason and in justice, I submit, to permit a paper account to be built up here which in three years——

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GARD. May I have a minute more?

Mr. SISSON. I yield two minutes more to the gentleman.

Mr. GARD. You will see a paper obligation, which will be claimed by an element here which desires to profit selfishly from the Public Treasury, where they will say that the Congress stood by the half and half, that the Congress was pledged to match dollar for dollar, that the Congress said this money was unnecessary and did not spend it, and it was piled up in the Treasury, and they will claim that it is money set aside locally, and that it belongs to the District of Columbia, and that it should be applied to the payment of taxes, and the ordinary tax levy reduced. If this be generally known, and it should be generally known throughout the United States, I submit there would not be an intelligent electorate in any congressional district who would ask its representative to abide by such an erroneous and unnecessary system, and I submit in all frankness, in all fairness, as a matter of justice, that this and now is the time when the principle of the half and half should understandingly be tested out. The House has three times determined it, a special commission once determined it, and nobody who has ever examined it has found that this principle should be maintained. I am sure that with our efficient conferees taking the message of the House which it will give to the conferees of the Senate, this is the time to put away forever the absurdity of the half-and-half plan. [Applause.]

Mr. MADDEN. Mr. Speaker, will the gentleman yield me five minutes?

Mr. SISSON. Mr. Speaker, I yield first three minutes to the gentleman from Kentucky [Mr. SHERLEY].

Mr. SHERLEY. Mr. Speaker, I would not take the time of the House at all if it were not to take exception to part of the statement of the gentleman who has just taken his seat, the gentleman from Ohio [Mr. GARD]. I thoroughly disapprove of the half-and-half principle. It has no reason for existence, if it ever had any; but I also differ with the gentleman that there is any such actual status whereby there can be any real claim made by the District of Columbia to any surplus moneys that may be turned into the Treasury. This is the situation: The District of Columbia yields a certain amount of taxes that go into the Treasury of the United States. The District commissioners submit estimates of what they consider necessary to run the government of the District of Columbia and we appropriate the amount of money that we think necessary. It so happens at this time that the amount of money that is raised by District taxes is more than one-half of the amount of money that we annually appropriate. I am not willing for one moment to concede that because of that fact there is any right given to the District of Columbia to one dollar that goes into the Treasury of the United States as a result of District taxation, and I think it is important that that should be emphasized. I should be very glad to see this old provision here done away with. It has no reason for existence; but I do not want it to be said that if it is not done away with that thereby Congress has recognized the right of the District of Columbia to the funds over and beyond what are annually appropriated that are raised by the District taxation, and that might be thought a necessary result of the statement of the gentleman from Ohio in the event that the House did not have its way in this controversy now with the Senate.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. GARD. I am glad the gentleman takes the position that he does, for I would not wish anyone high in authority, in connection with financial matters, to even assume such a right to exist; but is not this true, that under the principle of the half-and-half plan, the matching of dollar for dollar, the unexpended balance, if carried out—it is not carried out—would be applied to a fund controlled by the District of Columbia?

Mr. SHERLEY. Oh, "if"! But whenever that question comes up I have no doubt that the Congress of the United States will have sense enough and patriotism enough to prevent such an unjustifiable thing being done.

While I am on my feet I want to say just these words as to my conception of what should be the relationship of the Congress toward the District of Columbia. We ought to levy in the District of Columbia a fair tax, what represents a fair burden upon the people, let it produce what income it may. We ought then to appropriate for the District of Columbia what is necessary to properly maintain the District as the National Capital of the country, whether it be one-half, one-third, or two-thirds, as the case may be. It is not going to be necessary, in my judgment, at any period of time, for the Government to actually expend as much money out of funds raised from other sources of taxation as it will from the District, because the old condition when the District was unable to furnish the moneys

that were necessary, or half of them, to run the government of the District of Columbia has passed away.

Washington has become a very great city, with great wealth here. The only right that any resident of the District of Columbia has is to ask that the tax that the Federal Government levies shall be a fair tax. That is all that any citizen has a right anywhere in this country over, and if flowing from that comes enough money to run the District of Columbia, well and good. If it does not, then we ought to supplement it with whatever is necessary, having in mind this is the Nation's Capital, and that we ought to maintain here not only a good government but an ideal government. I differ entirely with the statement of the gentleman from Kansas that the government of the District of Columbia is not creditable to the country. I think it is. I think that here is expended more money——

Mr. CAMPBELL of Kansas. I hope the gentleman will yield; I did not say it is not creditable.

Mr. SHERLEY. But the gentleman implied that when he called attention to what he thought was a bad condition in the public schools and otherwise. I think that the District of Columbia has the best government of any city in America, and I think that the taxes that are levied here will compare in lightness favorably with any city in America; but there is more nonsense to the square inch printed here in the District of Columbia about this matter than on any subject on earth. It is not a matter of any great intricacy; what we want to do is to levy a fair tax, as we do, and then appropriate whatever money is necessary properly to run the District of Columbia.

Mr. GARD. Does not the gentleman know that exactly that proposition is contained in this amendment?

Mr. SHERLEY. I will say to the gentleman that I wrote myself in my own hand practically that amendment the first time it ever saw legislative form. I am in sympathy with it, but the whole matter is now a bookkeeping quarrel.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISSON. I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Speaker, the gentleman from Ohio who just spoke worked himself into a perfect nightmare of frightful anticipation as he conjured up a purely fanciful alleged devilish purpose on the part of the people of the District of Columbia touching the sums raised by taxation in the District which flow into the Treasury in the District. If the gentleman had stopped to think about that dream of his, he would have realized that its consummation depended entirely upon foolish action by the Congress of the United States, and I for one am not prepared to admit Congress is in any danger of doing the perfectly foolish and ridiculous thing that he assumes to fear. This is not the time to discuss the question of the half-and-half plan. It may be that there are other and better or more equitable plans, but if so it is at least extremely doubtful if the plan proposed in the House amendment is such an equitable or proper plan. The legislative situation is this: The House proposes on an appropriation bill to change the law. The Senate opposes that change of law, and the rule, as it is generally observed here, is that the House proposing legislation on an appropriation bill must eventually, if the other House insists, recede. We are within two days of the end of the fiscal year. The District of Columbia needs the funds with which to pay its people and conduct its government. The question is, Shall we contest over this question of legislation that ought to be settled in a separate bill? Shall we hold up the necessary appropriations or recede from our demand that there shall be legislation on an appropriation bill, contrary to the usual rule and procedure? Eventually, in my opinion, the House will have to recede. We should recede at this time and allow the District bill to become a law before the beginning of the fiscal year.

Mr. SISSON. Mr. Speaker, I yield five minutes to the gentleman from Indiana, a member of the committee.

Mr. WOOD of Indiana. Mr. Speaker, this is the same matter that was discussed at the time this appropriation bill was up for original consideration. I urged at that time, and nothing has occurred since to change my mind, that this is not the time to change the system of taxation in the District of Columbia. The objection complained of by the gentleman from Ohio that there is a large surplus now on hand that is constantly increasing that should be expended for governmental purposes for the District I think is not well taken, for the reason that that sum of money is not at the command, and never will be, of the District Commissioners.

Mr. GARD. Will the gentleman just permit me to say I made no such contention?

Mr. WOOD of Indiana. That is the impression I had and the impression that I think everyone had here, that at some future time, and in the very near future, that those who are in control of the immediate affairs of the District of Columbia will be claiming this money as theirs and that because it is theirs the District should go for a year or two years until this money is expended without any taxation whatever. That is a physical and legislative impossibility. They could not do that without the sanction of the Congress. All this money is paid into the Treasury of the United States and can not be gotten out of there except by affirmative legislation from this Congress, so that there is no danger from that source. There will be great need for the expenditure of more money than is now being expended to defray the current expenses of the District of Columbia after the war is over and after we settle down again to normal things and normal times. That there is need of school buildings in this city was demonstrated in the hearings before this committee. Hundreds and hundreds of thousands of dollars are needed for school buildings, but because of the fact that material could not be had, because of the fact that the cost of building has gone so high, it was dispensed with for the time being and temporary collapsible houses were substituted therefor.

That is but one item of the great necessity that will befall when these normal times come. The streets of this city are in worse condition than ever before and will remain so until after the war is over. And the Appropriations Committee, exercising good judgment, I believe, has restricted the construction of new streets in the city and are endeavoring only to keep up the old streets by necessary repairs.

Mr. RAKER. How is it, and how can the gentleman make the statement, that the streets shall be in the condition that they are in now? They are almost deplorable.

Mr. WOOD of Indiana. I admit they are almost deplorable, but if you will ask the gentlemen who have to do the supplying of street material you will find out. If you would make a demand to-day for 10 barrels of oil or a carload of oil, you could not get a drop of it, for the reason that the Government of the United States has commandeered it all, and it can not be gotten in any other city for street construction and can not be gotten here.

Mr. RAKER. Are these crossing of the street car lines to remain as they are now, getting almost impassable every day?

Mr. WOOD of Indiana. I will answer that by saying that in the testimony before the committee it was demonstrated that the commissioners were doing their utmost to keep up these repairs, and that it was almost impossible to get the material and the help to even keep them in as good condition as they are. These are some of the reasons why this change in the taxing system of the District of Columbia should not be had now.

I have nothing in common with the people of the city of Washington except that in common to us all. I do not like many of their tactics; I do not like their profiteering; but I do not subscribe to the theory that all the Government property in the District of Columbia should be classed as Government property is classed and treated in the other cities throughout this country. True, the Government buildings of the city of Chicago, New York, and other large cities are not taxed, but they are mere incidents wherever they may be found. This is the District of Columbia, operated and controlled entirely by the Congress of the United States. It belongs to the whole people of the United States. It is theirs and not the property, or the exclusive property, of the people of the District of Columbia.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SISSON. Mr. Speaker, I yield two minutes to the gentleman.

Mr. WOOD of Indiana. A very large per cent, I do not know exactly what it is, of the material wealth of this District of Columbia belongs to the Government. It is the seat of the Government's activities, and they were never greater than they are at this minute. It would not be fair to have the people of the District of Columbia made to pay all the expenses of making these repairs, keeping up these streets and these parks, and in keeping this city as beautiful as we would have it kept by reason of its being the Capital of our Nation. But I do think there ought to be at some time in the near future, when we do get back to normal times again, when there should be a reclassification and a reformation of this taxing system, when the Government of the United States should pay in proportion as it owns property in the District of Columbia, and when the people of the District of Columbia should pay in proportion as they own property within this District of Columbia; or perhaps the system suggested by the gentleman from Kentucky [Mr. SHERLEY] would be just, that there should be a reasonable tax imposed upon the inhabitants of the District of Columbia to defray the necessary expense of government of the city and the keeping up of its improvements and

the making of its repairs and additions, and whatever there is lacking by way of this tax should be appropriated out of the General Treasury of the United States. But this is not the time to do that, for the reasons I have stated, and no change should be made in the taxing scheme for the District until after the war is over, and then should be made as an independent proposition and not as a rider to an appropriation bill.

Mr. SISSON. Mr. Speaker, I will detain the House but a minute.

I think the statement made by the gentleman from Kentucky [Mr. JOHNSON] is the true statement of facts about this entire matter. First, no man will state honestly that the people of the District of Columbia should not pay a reasonable tax, a tax just about like that which other people throughout the country pay on a reasonable assessment of their property. When that is done and the money paid into the Treasury, the Federal Government would then appropriate what it thought was necessary to pay the expenses of the Government maintained as Congress felt it ought to be maintained as the site of the National Capital. Now, that is exactly what the Gard amendment does. It does not do anything but that. Now, when we go to make up this bill every member of the Subcommittee on Appropriations for the District of Columbia has found that the District Commissioners, whether they need the improvement or not, will endeavor to absorb twice as much as they raise by taxation in the District of Columbia. They came within a few dollars of doing that in this bill. What is the result? The burden is placed upon the subcommittee to go carefully through each item, in order to determine whether or not it is a just and a proper expenditure.

Now, in making up this bill we gave the District Commissioners every dollar they asked for for streets. In reference to the schools, we are willing to give them perhaps not every dollar they asked for but every dollar that is needed. But they themselves, after they made the estimates, admitted that if we were to give the money for the school buildings they could not get the material and labor with which to build them, and it would not relieve the crowded conditions of those schools of the city where they were much needed. So as a specific to remedy that we granted the people the temporary buildings which everyone of the board of education and the commissioners asked for, to take care of the crowded condition, and that condition will be taken care of as soon as the schools are open in the fall.

Mr. FOCHT. According to the statement which is made, I assume it would all come finally to a matter of assessed valuation of the property of the city of Washington?

Mr. SISSON. Yes.

Mr. FOCHT. And who will do that assessing?

Mr. SISSON. The assessment of the property would be made by the assessor of the District of Columbia, as it is now.

Mr. FOCHT. Now, what is to prevent the Government from being flimflammed on that proposition?

Mr. SISSON. That may be true. If it does, it is the Government's own fault. Every man that I know that has ever investigated this half-and-half proposition, unless he is a Member of another body—and they seem never to have investigated it—has never found a single plank for it to stand on.

At a time when the District of Columbia was hopelessly in debt and in a bankrupt condition, with about 80,000 population, with $40,000,000 of indebtedness, and with the bonds of the District in such estimation that they could not be sold, the Federal Government took over the District of Columbia, and, in order that the bonds might not go below par, the Federal Government voluntarily assumed to pay half of those bonds, and, in order that the District of Columbia might, with its small population, be able to maintain the then wide and almost unoccupied streets in many sections of the city, the Federal Government agreed to pay half the expenses of the District of Columbia. The Government took over that responsibility, and on taking it over the people of the District gave up the right of suffrage.

That has been the condition until the city has grown to be a city of about 400,000 people. There will be about $5,000,000 left in the Treasury from this and the preceding year after we shall have appropriated every dollar that the District of Columbia needs during the current fiscal year.

Now, gentlemen, the commission that was appointed from this House and the Senate was composed of men not one of whom had voted to abolish, as I recall, the half-and-half proposition; and yet after holding hearings for a month in the District of Columbia, taking two large volumes of testimony, they made a unanimous report in favor of discontinuing the half-and-half principle. We did not pay any attention to the half-and-half principle in making up the bill. We are compelled to pay out of the Treasury of the United States one-half as many dollars as we appropriate, notwithstanding the fact that there may be $5,000,000 on the books to the credit of the District of Columbia. That money being there to the credit of the District of Columbia at a time when the Treasury is bleeding at every pore, and when the people of the United States need every dollar that they can get, if there ever was a time in the history of the Nation when we would be warranted in saying that the Federal Government would pay only that amount over and above what other cities pay because of the presence of the Federal Government in the District of Columbia now is the time; and the only fair way to determine that is to put a reasonable assessment upon the property and tax that property at a reasonable rate, put those taxes in the Treasury, and then let the Federal Government appropriate all it wants to appropriate to run this District government.

No man living can controvert the fairness of that proposition. That is the position your House conferees have taken on every occasion when this matter has been submitted to the House of Representatives on a roll call, when the House has voted more than 2 to 1 to abolish the half-and-half principle and adopt a sensible and fair plan. On every occasion when we have made an effort to abolish the half-and-half principle the Senate have waited from week to week, until just before the adjournment of Congress an appeal is made to us that unless we continue the half-and-half principle there was going to be no bill and no money to run the District.

Now, gentlemen of the House, I do not think that is a fair thing to do. As I have looked up the record, the other body has never discussed the subject, except on one occasion, and on the one occasion when it discussed it—and then only for a few minutes—there were thirty-odd Senators who voted to abolish the half-and-half principle, and that is the only vote that body has taken after a discussion. Then they became uneasy about it, and it was at that time that the gentleman from Alabama [Mr. UNDERWOOD] made the motion to refer the whole matter to a commission, when we had declined to recede by a vote of 2 to 1; it was then, I say, that the gentleman from Alabama made his motion to have the whole thing referred to a joint commission. That joint commission was appointed and made a unanimous report, and at the time that report was made, I will say frankly to my friend here [Mr. GARD], Mr. Page, of North Carolina, and I felt that that simply meant to shelve the thing. But the commission did make a report, although its members had voted always to retain the half-and-half principle. After it had investigated the subject, the commission made a unanimous report, signed by three Senators and three Members of the House, to the effect that there was no reason for the further continuance of the half-and-half principle.

Feeling that way about it, your conferees were unwilling to recede in this matter, except at the hands of the House by a vote; and I say to the House now personally that I feel it is the duty of the House at this time to insist upon its disagreement to the Senate amendment and let the Members of the Senate discuss this matter among themselves and see if they can assign a single reason why the half-and-half principle should be retained. [Applause and cries of "Vote!"]

The SPEAKER pro tempore. The question is on the motion of the gentleman from Massachusetts [Mr. GILLETT] that the House recede from its disagreement to the amendment No. 1 and concur therein.

Mr. SISSON. On that I move the previous question, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Mississippi moves the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Massachusetts.

The question was taken, and the motion was rejected.

Mr. SISSON. Mr. Speaker, I believe the vote now follows on my motion.

The SPEAKER pro tempore. The question recurs on the motion of the gentleman from Mississippi to further insist on the disagreement of the House to the Senate amendment.

Mr. SISSON. My understanding is that the voting down of the motion of the gentleman from Massachusetts is tantamount to disagreeing to the Senate amendment.

The SPEAKER pro tempore. I understand that the Speaker has decided that the rejection of a motion to recede and concur is tantamount to a motion to adhere.

Mr. SISSON. I move, Mr. Speaker, that the House further insist on its disagreement to Senate amendment No. 61. That is known as the famous Keller amendment. That is the amendment that the Senate has been putting on ever since I have

been a member of the District subcommittee. I do not know how long ago it began, but I will state to the committee that the House has never agreed to that. Mr. Page, of North Carolina, and I went out and looked at the property, and under the decision of the court——

Mr. CAMPBELL of Kansas. Mr. Speaker, will the gentleman yield?

Mr. SISSON. Yes.

Mr. CAMPBELL of Kansas. What is that about?

Mr. SISSON. Well, it is in reference to the condemnation for street purposes of a portion of Mr. Keller's property out here in the northwest. If this amendment is agreed to, there are a thousand cases waiting that will overwhelm us to turn down the decisions of the courts.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment No. 61, page 24, lines 8 to 13, inclusive, as follows: "Damages and payment for ground on account of condemnation proceedings: To pay Thomas W. and Alice N Keller for ground taken and damages on account of condemnation proceedings in square No. 2838, in the city of Washington, $3,820."

The SPEAKER pro tempore. The question is on agreeing to the motion of the gentleman from Mississippi [Mr. SISSON] that the House further insist on its disagreement to the amendment of the Senate.

The motion was agreed to.

Mr. SISSON. Mr. Speaker, I also move that the House further insist upon its disagreement to amendment numbered 83.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Page 38, lines 19 and 20, strike out the following: "$76,730, to be paid wholly out of the revenues of the District of Columbia," and insert in lieu thereof "$70,030."

The SPEAKER pro tempore. The gentleman from Mississippi moves that the House further insist on its disagreement to the Senate amendment just read.

The motion was agreed to.

Mr. SISSON. Mr. Speaker, my understanding is that the Senate did not ask for a conference. If so, I move that the House ask for a further conference.

The motion was agreed to.

Mr. FESS. Mr. Speaker, will the gentleman yield for a question?

Mr. SISSON. I would be glad to, but I am through with this matter now.

The SPEAKER announced as conferees on the part of the House Mr. SISSON, Mr. MCANDREWS, and Mr. DAVIS.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HELM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 11984, providing for the Fourteenth and subsequent censuses.

The question being taken, on a division (demanded by Mr. WALSH) there were—ayes 49, noes 31.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, with Mr. FOSTER in the chair.

The Clerk read as follows:

SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, and tenure of home, and the name and address of each blind or deaf and dumb person.

The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

The schedules of inquiries relating to manufactures and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

The census of manufactures and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

The form and subdivision of inquiries necessary to obtain the information under the foregoing topics shall be determined by the Director of the Census.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to ask for some information. What is the meaning of the statement in this section that—

The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

What is the distinction there? What is included?

Mr. HELM. You see the ladies sitting together knitting socks.

Mr. WALSH. That is neighborhood manufacture?

Mr. HELM. As distinguished from a business plant run for profit.

Mr. WALSH. What is meant by hand industries?

Mr. HELM. Hand industries, I suppose, would include the preservation or canning of fruit or vegetables.

Mr. WALSH. Without machinery?

Mr. HELM. Without machinery.

Mr. WALSH. And basket making and things of that sort?

Mr. HELM. Yes.

Mr. WALSH. Then I suppose the factory system would include all buildings devoted to the manufacture of articles by machinery, or partially by machinery and partially by hand?

Mr. HELM. I think so.

Mr. WALSH. As long as they are going to take a census of manufactures, I wondered why we should not know how much is being manufactured by these other methods. They have got to visit these households and neighborhoods. When they are taking a census of the population, why can they not at the same time get statistics with relation to these other smaller industries? If we are going to make a census of manufactures, why not make it as complete as possible?

Mr. ALEXANDER. I represent an agricultural district. I have in mind in my own country a woman who weaves carpets. She lives on a farm and she weaves carpets for her neighbors and for some town people. I also recall a blind man who makes brooms. While he is a manufacturer, the industry is not such as comes under the general term of manufacturers. The law has never covered that class of industries, and they have never been included in any census that has been taken.

Mr. WALSH. But while the total would be of slight significance possibly in a county or district, it must be of quite considerable proportions in the whole country. If this were taken in each county, it would furnish information of considerable value, inasmuch as we are to have a census of manufactures.

Mr. PADGETT. Are not the agents who take the census of population limited to population and are there not different agents who take the census of manufactures?

Mr. HELM. The census of manufactures is taken by what are termed "special" agents, not by the enumerators of the population or those who take the agricultural census. The special agents who take the census of manufactures are specially qualified to go to the steel plants, for instance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, I ask unanimous consent for five minutes more, because I want to ask a question about another paragraph.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HELM. Special agents visit the manufacturers, and I believe there are between 1,200 and 1,500 special agents appointed by the bureau for the purpose of taking the census of manufactures. So the enumerator of the agricultural census and of the population does not take the census of the manufactures.

Mr. CRAMTON. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. CRAMTON. It seems to me that there is a further distinction there than that made by the gentlemen. In some countries, and I understand notably so in Japan, a great deal of the

manufactures are produced in households distinguished from central factories. One man perhaps will have a contract for the production of a quantity of a certain article, and he farms out that contract to many households in a certain community. Then he collects them and sends them into commerce. Whereas in this country chiefly the plan is of a central factory, where workers gather in one place and produce the article. If there are any places where the neighborhood plan prevails we might very well have the statistics.

Mr. HELM. What we have in the way of neighborhood manufactures in this country is the canning of vegetables and preserves or articles for home use, which are generally made by the families for home consumption. They do not enter into the volume of commercial trade.

Mr. CRAMTON. The gentleman may not be familiar with that system of manufacture, but it has prevailed to a great extent in Switzerland in connection with the making of watches and clocks.

Mr. HELM. I am more familiar with conditions in the United States, and unless some one can cite a case where business is done on any considerable scale in that way I do not think it would be wise to provide for it.

Mr. WALSH. Will the gentleman yield further?

Mr. HELM. Certainly.

Mr. WALSH. Would the neighborhood and household industry include the so-called sweatshop in certain localities where parties are assembled in poorly ventilated small rooms for the purpose of making waists, clothing, working upon other products, making artificial flowers, and brushes and things of that kind?

Mr. HELM. If that is taken, it would be taken by special agents who would do the work.

Mr. WALSH. And they could make inquiry about that notwithstanding this provision.

Mr. HELM. Well, if the gentleman gets the line of distinction between the manufactures and what he referred to in the beginning of his talk—home manufactures such as I tried to illustrate as distinguished from manufactures of articles that go into commercial channels. All manufactures that go into commercial channels are taken by a special agent and not by the enumerator.

Mr. WALSH. There are lots of products manufactured in households in neighborhoods that go into commerce. People make jellies, canned preserves, and fruit.

Mr. HELM. In negligible quantities for home consumption.

Mr. WALSH. Negligible as confined to a single district, but my point is that throughout the whole country it would amount to a great deal. It seems to me that the bureau should require information upon those matters. Now, one further question I want to ask before my time expires. The bill provides:

Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

Does that mean that he may impose the duty of collecting these statistics upon agents?

Mr. HELM. The director is given leeway to exercise his discretion between matters that ought to be listed and matters of such a negligible nature that they ought not to be.

Mr. WALSH. Does that mean that he may impose the duty of collecting the statistics upon special agents, or does it mean that he may charge the collection of statistics upon special agents? What does the word "charge" mean?

Mr. HELM. It is used in the sense of delegate or assign.

Mr. WALSH. It means that he can appoint special agents rather than these——

Mr. HELM. Assign a special agent to look into the question where, for instance, a man is running a dairy or something of that kind, or if a farmer has a herd of cows and is manufacturing considerable butter, or putting out a considerable quantity of milk. Instead of assigning it to the enumerator, he would send a special agent to do this class of work.

Mr. WALSH. It means that he could appoint them without respect to the locality and that they would be in addition to those provided in the bill?

Mr. HELM. No; he would utilize the force he had.

Mr. WALSH. Does this bill provide for special agents?

Mr. HELM. Certainly.

Mr. WALSH. And the number is specified?

Mr. HELM. I would not answer that at present, but it is my opinion that it is.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

SEC. 9. That the Director of the Census shall, at least six months prior to the date fixed for commencing the enumeration at the Fourteenth and each succeeding decennial census, designate the number, whether one or more, of supervisors of census for each State, the District of Columbia, Alaska, Hawaii, and Porto Rico, and shall define the districts within which they are to act; except that the Director of the Census, in his discretion, need not designate supervisors for Alaska, Hawaii, and Porto Rico, but in lieu thereof may employ special agents as hereinafter provided. The supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census: *Provided*, That the whole number of supervisors shall not exceed 400: *Provided further*, That so far as practicable and desirable the boundaries of the supervisors' districts shall conform to the boundaries of the congressional districts: *And provided further*, That if in any supervisor's district the supervisor has not been appointed and qualified 90 days preceding the date fixed for the commencement of the enumeration, or if any vacancy shall occur thereafter, either through death, removal, or resignation of a supervisor, or from any other cause, the Director of the Census may appoint a temporary supervisor or detail an employee of the Census Office to act as supervisor for that district.

Mr. HERSEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 11, after the second "the," strike out the words "Secretary of Commerce upon the recommendation of the Director of the Census" and insert the following: "President, by and with the consent and advice of the Senate," so that the same shall read: "The supervisors shall be appointed by the President, by and with the consent and advice of the Senate."

Mr. HERSEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HERSEY. Mr. Chairman, section 9 of the bill under consideration provides that the great army of supervisors and enumerators for the census of 1920 shall be appointed by the Secretary of Commerce upon recommendation of the Director of the Census. My amendment strikes out that provision and leaves the appointment of supervisors and the enumerators under the existing law, so that the coming census shall be taken the same as the last, where the supervisors and enumerators were appointed by the President, by and with the consent of the Senate.

It is well at this time to pause and review the progress of the present bill. It has been forced to its present position by a party vote and the strength of the majority party. It took a party vote to force its consideration in this House a year in advance of the time when it could possibly be of any use. It took a party vote to defeat my amendment to restrict the census in war time to population only. It took a party vote to raise and increase the salaries and expenses of a great army of enumerators, supervisors, and officials in the Census Bureau; and now it will certainly take the full party vote of the majority to change the existing law and remove from the President and the Senate the right to approve these 400 supervisors and this vast army of enumerators and make them the mere political hirelings of two politicians in the Department of Commerce.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield for a question there?

Mr. HERSEY. Yes; for a question.

Mr. ALEXANDER. All of the minority members of the Committee on the Census, the Republican members of the committee, are not in agreement with the gentleman on those questions, for they voted with the majority.

Mr. HERSEY. The record shows all this.

Mr. ALEXANDER. The record shows that all of the minority members of the committee are with the majority members of the Committee on the Census, except the gentleman from Maine [Mr. HERSEY].

Mr. GILLETT. Mr. Chairman, I think the gentleman from Missouri is mistaken in what he states.

Mr. ALEXANDER. In what respect?

Mr. GILLETT. In stating that all of the Republicans on the committee favor this proposition.

Mr. ALEXANDER. I am not talking about this proposition.

Mr. HERSEY. He is talking about the bill.

Mr. ALEXANDER. The gentleman from Indiana [Mr. FAIRFIELD] is here, and he can challenge the statement if it is not correct. I say that we were all in accord in reporting out this bill in its present form, except the gentleman from Maine.

Mr. FAIRFIELD. That is true; we all voted to report it out in the present form except the gentleman from Maine. However, we did not agree to everything in the bill, and this is one of the provisions to which I would take exception, personally.

Mr. HERSEY. Up to the present moment the majority party has secured no particular political advantage by the adoption of the first eight sections of this bill. They have, it is true, provided for the taking of a useless and expensive census of "everything in sight," but on the other hand if this census is taken by supervisors and enumerators, appointed and approved as they were 10 years ago by the President and the Senate, we will still have an honest but worthless census without any political advantage, graft, or spoils.

Unless the majority can defeat my amendment, and thereby take away these appointments from the President and the approval of the same from the Senate and hand them all over to two Democratic politicians as political patronage, then the great object and purpose of this bill will have been defeated.

Let us face the issue squarely. No one need be deceived. It is utterly useless and senseless to argue that the officeholders of any political party, be they Republicans or Democrats, will fail to take advantage of all their opportunities to retain their place and power in the Government. When you consider the present bill in the light of surrounding circumstances you will be surprised at the opportunity therein provided to give the Democratic Party perpetuity in this Nation in 1920. Let me call your attention to a few startling facts:

At Nineteenth Street and Pennsylvania Avenue in this city stands that magnificent structure of 11 stories, the beautiful Commerce Building, occupied by the Department of Commerce and the Bureau of the Census. The Secretary of Commerce, Mr. Redfield, and the Director of the Census, Mr. Rogers, have under them 15,000 employees and agents. They are a power in the administration and naturally take a lively interest in devising ways and means whereby they may retain their great offices with their large salaries and emoluments after the presidential election of 1920. This bill was prepared in their offices, and while we all recognize this bill as a political subterfuge under the guise of a census and a war measure we must all admire the political genius of these two party workers that devised and conceived such a bill.

By this bill the appointment and approval of the supervisors and enumerators are all taken away from the President and the Senate, not because they do not trust the President and suspect the Senate but they place the President in a position whereby he can avoid responsibility without criticism. We all know that if the President makes the appointments he must send the names to the Senate for approval and the people of the Nation will know in every congressional district, in every city and town, the names of the persons who have been nominated as supervisors and enumerators, and if they do not approve these men they will at once call upon their Senators to reject them.

Under this bill these appointments can be made secretly in the Department of Commerce by these two politicians and the people may never know who are to be the enumerators and supervisors until these men silently enter their homes, shops, factories, and mines, and not until called upon will they ever present the credentials of the Department of Commerce.

The President will not interfere with this political scheme by the exercise of his veto. He can not do so and retain the dignity of his office. By the passage of this bill we say to the President that we do not trust him to appoint these men, and he, of course, will not force his services upon the Congress after we have said that his services are no longer required. The Executive may write to us his usual letter of approval of this bill as a war measure but the responsibility of this legislation can never be laid to the door of the President, but those who vote for its passage, as it is now written, will have an opportunity to explain to the people they represent why they permitted all the safeguards of the past to be removed from this legislation and consented to this infamous system of political spoils.

When the Director of the Census, Mr. Rogers, was before our committee, he was asked about his relations with the Secretary of Commerce, Mr. Redfield, in the matter of the census. He said:

> He (Mr. Redfield) is heartily in accord with me and has backed me up in all my efforts for cooperation and effective hard work. He commends me when I am right and advises me when I am not right, and our relations are most cordial.

What a delightful pair of astute politicians! Damon and Pythias! Rogers and Redfield! How pleasantly and effectively they work together for the interest of their political party!

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. HERSEY. Not now. There has been a great deal of dust thrown into the eyes of the Members in this House in the discussion of this bill by gentlemen who have claimed that these supervisors and enumerators will commence their work January 1, 1920, and close their duties in about three months thereafter, and will, therefore, have no opportunity to do political work in the campaign of 1920. It is true that the enumerators will take a census of the population, and that they can easily complete that work in about three months, but under this bill their work will not end there. There will be a complete census of agriculture, manufactures, mines and mining, forestry and forest products, to continue over the whole of the year 1920. I beg to call your attention to the provisions of section 18 of the bill, where it is provided that special agents may be appointed by the Director of the Census to carry out the provisions of this act, and that such special agents shall perform such duties in connection with the enforcement of this act as may be required of them by the director; that there is no limit to the number of special agents that may be thus employed at $6 per day, with $4 for subsistence and the necessary traveling expenses.

This great army of supervisors and enumerators that have been welded into a great political organization by the skillful hands of these two politicians can be continued through the whole year of 1920 and longer if necessary by appointing them special agents to take the balance of the census. It is an attempt to inaugurate and organize the most tremendous political organization ever known in the history of the country.

Hitherto political contests have been made in the open. Each Congressman must make a return of his campaign expenses, make public the names of his agents, how much money he has spent and for what purpose. He can have no agent except one who is known to the people. The political fights of the past have been made in the press and in the public forum, but this bill changes all this, and in the presidential campaign of 1920 there is to go out into the Nation a silent army of unknown political workers. They will not appear in public, in the press, or on the platform, but they will creep into the homes of the people, out into the harvest fields, into the shops of the Nation, into the factories of the people, into the labor organizations, into the mills and camps of the lumbermen, and down into the mines of the Nation, and if any question is raised they will turn back the lapel of their coat and show the badge of the Department of Commerce.

Let it be known now that any Republican who votes to retain this provision of the bill will find that he has encompassed his own defeat, not alone by the rebuke of his people and of his party, but he will find in the presidential election of 1920, when he is again a candidate for office, that he must fight this silent, secret Democratic organization that whispers prejudice and falsehood into the ears of the people under the guise of Government workers—falsehood and prejudice that he can not answer. He will be stabbed in the back by political assassins, and then perhaps for the first time it will occur to him that he was deceived by the President's statements that "politics has been adjourned in Congress." [Applause.]

Mr. ALEXANDER. Mr. Chairman, I discover that the liver of the gentleman from Maine [Mr. HERSEY] is still out of order. I am sure it will be interesting for the Secretary of Commerce to learn that he is a politician. If he is a politician, I must say that that trait in his make-up has not been abnormally developed. The Chief of the Steamboat-Inspection Service, Gen. Uhler, and the Commissioner of Navigation, Mr. Chamberlain, are both Republicans. They might have been easily removed at the beginning of the Wilson administration if the Secretary of Commerce had been a partisan Democrat.

Mr. GILLETT. Mr. Chairman, I do not know Mr. Chamberlain's politics, but if I recollect right he was appointed by Mr. Cleveland.

Mr. ALEXANDER. He was. He was a Cleveland Democrat; but he has been affiliating with the Republican Party ever since the election of President McKinley.

Mr. GILLETT. I did not know it.

Mr. ALEXANDER. I may say that I have been thrown into personal contact with these two gentlemen for years past as the chairman of the Committee on the Merchant Marine and Fisheries. When this administration came into power these estimable gentlemen were continued in the service, and with my approval. There has been no partisanship in that department so far as I am able to discover. I want to answer the criticism of the gentleman that if this provision is left in the bill two politicians will manipulate this great census for political purposes. I say that not a scintilla of evidence has been submitted to justify that statement and there is not anything in the history of that department under this administration upon which to justify any such statement.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. No; not at this time; I wish to complete my statement. The committee appointed by the director to consider amendments in the existing law with a view to taking it and to meet a possible administrative difficulty in the Fourteenth decennial census, composed of Mr. W. L. Austin, Mr. W. C. Hunt, Mr. Joseph A. Hill, Mr. C. S. Sloane, Mr. T. J. Fitzgerald, Mr. W. M. Steuart, Mr. E. F. Hartley, and Mr. Le Verne Beales, secretary, went over the existing census law and recommended certain changes which they regarded as necessary in the way of amendment in the present act. Here is what they say, and their suggestions appealed to the Committee on the

Census and were regarded as meritorious. As I stated to the gentleman from Massachusetts the other day, I do not care a fig how these men are appointed if this difficulty can be obviated.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield in that particular?

Mr. ALEXANDER. Not at present. On page 21 appears their report. I quote from it:

This is the committee speaking:

The section as amended provides that "the supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census." This change has been introduced mainly for the reason that the Senate in all probability will not be in session at the time when the appointment of supervisors must be made. The next census, if the law is amended in accordance with the recommendations of this committee, will be taken in January, 1920. The present Congress will expire March 4, 1919, and the next Congress will normally not meet until December of that year. But the supervisors should be selected and commissioned between July 1, the date on which the bureau is organized on the decennial census basis, and October 1, or 90 days before the date of the census.

It is simply to meet that administrative difficulty that the change in the manner of the appointment of the supervisors was made. The committee accepted the change as recommended by that committee. As I say, personally I do not care whether they are appointed by the Secretary of Commerce or by the President by and with the advice and consent of the Senate.

Mr. ASWELL. Mr. Chairman——

Mr. CRAMTON. Mr. Chairman, I desire to make a point of order. To-morrow is apt to be a very long and strenuous day, and I make the point of order that there is no quorum present.

Mr. ASWELL. I would like to ask the gentleman to withhold that for a little while and let us do a little work on this bill.

The CHAIRMAN. The gentleman from Michigan makes a point of order that there is no quorum present and the Chair will count. [After counting.] Thirty-seven Members are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Frear	Littlepage	Scott, Mich.
Austin	Freeman	Longworth	Scott, Pa.
Bacharach	Fuller, Ill.	McCormick	Scully
Baer	Gallivan	McKinley	Sells
Bell	Gandy	McLemore	Shackleford
Bland	Glass	Magee	Shallenberger
Britten	Goodall	Mann	Sherley
Brodbeck	Gould	Martin	Sherwood
Buchanan	Graham, Pa.	Mason	Shouse
Burnett	Gray, N. J.	Meeker	Slayden
Burroughs	Gregg	Merritt	Sloan
Byrnes, S. C.	Griest	Mondell	Smith, Mich.
Cannon	Hamill	Montague	Smith, C. B.
Cantrill	Hamilton, N. Y.	Moore, Pa.	Snell
Carter, Mass.	Haugen	Morin	Snyder
Carter, Okla.	Hawley	Mott	Stedman
Clark, Fla.	Hayes	Mudd	Sterling, Ill.
Classon	Heaton	Nelson	Sterling, Pa.
Collier	Heintz	Norton	Stevenson
Connelly, Kans.	Hensley	Oldfield	Strong
Copley	Hicks	Olney	Sullivan
Costello	Holland	O'Shaunessy	Switzer
Curry, Cal.	Hood	Paige	Talbott
Dale, N. Y.	Houston	Parker, N. J.	Templeton
Davidson	Howard	Phelan	Venable
Davis	Husted	Platt	Voigt
Dent	Hutchinson	Porter	Walker
Dewalt	James	Pou	Walton
Dickinson	Johnson, S. Dak.	Powers	Ward
Dies	Johnson, Wash.	Pratt	Wason
Drukker	Juul	Rainey, H. T.	Watson, Va.
Dunn	Kahn	Reavis	Webb
Eagan	Kehoe	Roberts	Whaley
Elston	Kelley, Mich.	Robinson	White, Ohio
Emerson	Key, Ohio	Rowe	Wilson, Ill.
Estopinal	Kitchin	Rowland	Wingo
Fairchild, G. W.	Kreider	Russell	Winslow
Ferris	LaGuardia	Sanford	Wise
Focht	Langley	Saunders, Va.	Woodyard
Fordney	Lehlbach	Schall	Zihlman
Foss	Linthicum	Scott, Iowa	

The committee rose; and the Speaker having resumed the chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11984, and finding itself without a quorum under the rule he had caused the roll to be called, whereupon 266 Members answered to their names, a quorum, and he presented herewith the list of absentees to be entered upon the Journal.

The SPEAKER. The committee will resume its sitting.

The committee resumed its session.

The CHAIRMAN. The gentleman from Louisiana [Mr. ASWELL].

Mr. ASWELL. Mr. Chairman, I wish to occupy the time of the committee only for a moment to call the attention of the committee to the importance of the business principle involved in this appointment of the supervisors by the Director of the Census and the Secretary of Commerce. I take it, every gentleman on this floor is concerned in having this census work made a success, and if the Director of the Census is to have any authority over the supervisors he certainly should have a good deal to say in their appointment. It is well known by all those who have had any connection with this work that in the past supervisors have frequently and deliberately ignored the Director of the Census, because the director had no authority over their appointment, and if the amendment should be adopted you put the whole matter out of the hands of the director into the hands of the Senate, to which body only the supervisors will feel responsible, the very body confirming the Director of the Census and the Secretary of Commerce, and inefficiency is the result. I sincerely trust no man who has a serious purpose and pride in making this census a success will consider voting in favor of the amendment offered by the gentleman from Maine. Every member of the committee on the Republican side of the Chamber voted in favor of this bill except one, and that was the gentleman from Maine. Every other member on the Republican side of that committee was in favor of reporting this bill exactly as it is. It is not a party question but a business proposition, and I ask that this amendment be voted down.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word.

Mr. HELM. Mr. Chairman, I ask unanimous consent that debate close on this amendment in five minutes.

Mr. GILLETT. Mr. Chairman, I would like to have five minutes.

Mr. STAFFORD. I would like to have five minutes.

Mr. GILLETT. I object, Mr. Chairman.

Mr. HELM. Then I move that debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Kentucky moves that all debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. WALSH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WALSH. That, of course, means 10 minutes after the 5 for which the gentleman from Pennsylvania [Mr. ROBBINS] has been recognized.

The CHAIRMAN. The gentleman from Pennsylvania has not been recognized. The Chair saw the gentleman from Pennsylvania and the gentleman addressed the Chair, but the Chair saw the gentleman from Kentucky [Mr. HELM], the chairman of the committee, rise and recognized him.

Mr. STAFFORD. Will not the gentleman from Kentucky extend that? There is no intention of unnecessarily debating that proposition.

Mr. HELM. I disagree with the gentleman about that. I think there is a disposition here to throw all the opposition in the way they possibly can.

Mr. STAFFORD. Will you kindly extend the time 10 minutes?

Mr. HELM. The gentleman from Maine [Mr. HERSEY] has consumed 12 minutes, and it is unreasonable to ask for 30 minutes debate on this section of the bill. Now, I will agree to a reasonable length of time. And I serve notice on you right now that if you are going to resort to that kind of politics I am going to stay here just as long as we can get a quroum to stay here, whereas if you will come to reasonable terms and agreement I am perfectly willing to make that kind of terms.

Mr. GILLETT. May I ask the gentleman if by "that kind of politics" he means our debate?

The CHAIRMAN. This question is not debatable.

Mr. GILLETT. Does he mean method of debate?

Mr. HELM. No; I do not mean the method of debate.

Mr. GILLETT. There has been no attempt to filibuster as yet.

Mr. HELM. I will have to differ with the gentleman on that point.

Mr. GILLETT. There may be, if the gentleman is going to be unreasonable.

Mr. HELM. If the gentlemen will submit a reasonable agreement, I am willing to come to terms with them.

The CHAIRMAN. Does the gentleman insist on his motion? The question is not debatable.

Mr. GILLETT. Will you allow 10 minutes after the gentleman from Pennsylvania [Mr. ROBBINS] has spoken?

Mr. HELM. Reserving 5 minutes to myself; yes—10 minutes on that side and 5 minutes on this.

The CHAIRMAN. The gentleman from Kentucky [Mr. HELM] asks unanimous consent that debate upon this section and all amendments thereto be limited to 15 minutes.

Mr. HELM. Ten minutes to be controlled by the gentleman from Michigan and five minutes by myself.

Mr. GILLETT. That is, after Mr. ROBBINS has finished his five minutes?

Mr. HELM. No; it is not. We have already consumed 20 minutes.

Mr. GILLETT. I object, Mr. Chairman.

Mr. HELM. Mr. Chairman, I move that all debate on this section and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Kentucky moves that debate on this section and all amendments thereto close in 10 minutes.

Mr. GILLETT. Mr. Chairman, I move to amend by making it 20 minutes.

The CHAIRMAN. The gentleman from Massachusetts moves to amend the motion by making the length of time 20 minutes. The question is on the amendment of the gentleman from Massachusetts.

The question was taken, and the Chair announced that the noes seemed to have it.

Mr GILLETT. Division, Mr. Chairman.

The committee divided; and there were—ayes 80, noes 84.

Mr. GILLETT. Mr. Chairman, I demand tellers.

Tellers were ordered; and Mr. GILLETT and Mr. HELM took their places as tellers.

The committee again divided; and the tellers reported—ayes 90, noes 91.

So the amendment was rejected.

Mr. GILLETT. Mr. Chairman, I move to amend the motion by making it 21 minutes.

Mr. GORDON. Mr. Chairman, I make the point of order that the motion is dilatory.

The CHAIRMAN. The Chair hardly thinks it is. The gentleman from Massachusetts [Mr. GILLETT] moves that the motion of the gentleman from Kentucky be amended to make it 21 minutes instead of 10.

The question was taken; and the Chair announced that the noes seemed to have it.

Mr. GILLETT. Division, Mr. Chairman.

The committee divided; and there were—ayes 78, noes 86.

Mr. GILLETT. Mr. Chairman, I ask for tellers.

The CHAIRMAN. The gentleman from Massachusetts demands tellers.

Tellers were ordered.

The Chairman appointed Mr. HELM and Mr. GILLETT to act as tellers.

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts [Mr. GILLETT] to the motion of the gentleman from Kentucky [Mr. HELM].

The committee again divided; and the tellers reported—ayes 90, noes 93.

So the amendment was rejected.

Mr. ASWELL. Mr. Chairman, I move to amend the pending motion by limiting debate on this amendment and all amendments thereto to one minute.

The CHAIRMAN. The gentleman from Louisiana moves to amend the pending motion by limiting debate on this amendment and all amendments thereto to one minute. The question is on agreeing to that amendment.

Mr. STAFFORD. Regular order, Mr. Chairman.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Louisiana.

The question was taken; and the Chairman announced that the ayes seemed to have it.

Mr. GILLETT. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 89, noes 85.

Mr. GILLETT. I demand tellers, Mr. Chairman.

The CHAIRMAN. The gentleman from Massachusetts demands tellers.

Tellers were ordered; and the Chairman appointed Mr. ASWELL and Mr. GILLETT to act as tellers.

The committee again divided; and the tellers reported—ayes 91, noes 92.

So the amendment was rejected.

Mr. GILLETT. Mr. Chairman, I move to amend by making it 23 minutes.

Mr. FLOOD. Mr. Chairman, I make a point of order that that motion is dilatory.

The CHAIRMAN. The Chair believes that after so many motions have been made to change this time it is dilatory. [Applause.]

Mr. GILLETT. The last motion that was made was made by that side of the House.

The CHAIRMAN. The Chair begs to state to the gentleman from Massachusetts that nobody made a point of order that that was dilatory. If he had, the Chair would have held that it was dilatory.

Mr. GILLETT. If the Chair will allow me, it seems to me clear that the motion was not made for the purpose of occasioning delay. I take it that the purpose of a motion decides whether or not it is dilatory, whether it is really to occasion delay or to accomplish its purpose. The gentleman from Louisiana did not move to make it one minute for the sake of delay.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. GILLETT. I will yield for a question.

Mr. CALDWELL. Will the gentleman state on his honor as a Member of the House that he is not trying to consume time?

Mr. GILLETT. I will state on my honor as a Member of this House that my purpose is to try to secure more time for debate—23 minutes—and I think I ought to have it. [Applause.] I think also, Mr. Chairman, that the Chair would have been inadvertent if he had held the motion of the gentleman from Louisiana to be dilatory. I do not think it was dilatory.

Mr. BARKLEY. Will the gentleman state why he did not make his motion 23 minutes at the beginning?

Mr. GILLETT. At the beginning I would have been content with 20 minutes, and I think it would have been only reasonable to give me 20 minutes. If the gentleman will allow me 20 minutes now I will take it.

Mr. HELM. I am perfectly willing to come to a fair understanding with the gentleman.

Mr. GILLETT. That is all I wish.

Mr. HELM. That is all I wish myself.

Mr. GILLETT. This is the crucial point in the whole bill from our point of view, this question of supervisors. Now, to say that that shall be debated only for 10 minutes, 5 for it and 5 against, is unreasonable.

Mr. HELM. I proposed 10 minutes. You already had 20 minutes. If the gentleman will submit a reasonable request I will agree to it.

Mr. GILLETT. I want five minutes and the gentleman from Pennsylvania [Mr. ROBBINS] wants five minutes, and the gentleman from Wisconsin [Mr. STAFFORD] wants five minutes.

Mr. HELM. I will agree to it, and five minutes to this side.

Mr. GILLETT. That is all I ask for.

Mr. CALDWELL. Mr. Chairman——

The CHAIRMAN. The Chair will not recognize the gentleman now, but later. The gentleman will indulge the Chair just a moment. The gentleman from Massachusetts made a point of order that this decision of the Chair was hardly in order, because these were not dilatory motions. The Chair begs to state that there is a decision by a Chairman of the Committee of the Whole, Mr. JAMES E. WATSON, of Indiana.

After a second amendment to change the time had been offered by Mr. Fitzgerald the point of order was made by Mr. James A. Tawney that the motion was dilatory, and the chairman held that it was. In this case more than two amendments have been offered to change the time, and under those circumstances the Chair thinks he was justified in holding the motion dilatory. [Applause.] The gentleman from Kentucky asks unanimous consent that the debate upon this section and all amendments thereto be closed in 20 minutes. Is there objection?

Mr. CALDWELL. I object.

Mr. HELM. Mr. Chairman, I move that debate on this paragraph and all amendments thereto close in 20 minutes.

Mr. CALDWELL. A point of order, Mr. Chairman. The original motion was that the debate be limited to 10 minutes.

Mr. HELM. I withdraw that.

The CHAIRMAN. The gentleman desires to withdraw that motion. Is there objection?

Mr. CALDWELL. I object to the withdrawal of the motion.

Mr. HELM. I move that all debate on the paragraph and all amendments thereto close in 21 minutes.

Mr. CALDWELL. I make a point of order against the motion, under the ruling that the Chair has already made.

Mr. GARNER. Mr. Chairman, I move as a substitute for the motion of the gentleman from Kentucky that all debate on this amendment and the paragraph close in 20 minutes.

Mr. CALDWELL. A point of order, Mr. Chairman. The motion is dilatory, and the substitute is in exactly the same words as the amendment heretofore offered. I insist on the point of order, and I demand the regular order.

The CHAIRMAN. Just a moment. The Chair has not forgotten the regular order. The question is on the motion of the gentleman from Kentucky [Mr. HELM] that debate upon this section and all amendments be limited to 10 minutes.

Mr. GARNER. I have a substitute motion.

Mr. HELM. I withdraw my motion.

Mr. CALDWELL. I object to the withdrawal of the motion.

The CHAIRMAN. The Chair thinks the amendment is not in order.

Mr. GARNER. The Chair is in error if he thinks the motion can not be amended.

Mr. STAFFORD. I move, as an amendment, that debate close in 19 minutes, and I should like to be heard on that motion.

The CHAIRMAN. The gentleman from Wisconsin moves, as a substitute, that debate on this section and all amendments thereto close in 19 minutes.

Mr. CALDWELL. I make a point of order against that motion.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SHERLEY. I appeal from the decision of the Chair.

Mr. GILLETT. What is the point of order? I appeal from the decision of the Chair.

The CHAIRMAN. The Chair will not recognize anybody until there is order in the Hall. The Chair can not recognize anyone when half a dozen Members are trying to talk at one time.

Mr. SHERLEY. I respectfully appeal from the decision of the Chair holding out of order the motion of the gentleman from Wisconsin.

Mr. STAFFORD. Will the Chair kindly hear me for one minute?

The CHAIRMAN. Without objection, the gentleman from Wisconsin is recognized for one minute.

Mr. STAFFORD. Mr. Chairman, the original motion pending at the present time was to close debate in 10 minutes. An amendment was then offered by the gentleman from Massachusetts [Mr. GILLETT] to limit the debate to 20 minutes. That was voted down. An amendment was then offered to limit the dedate to 21 minutes. That was voted down. Then an amendment was offered to limit debate to 1 minute; that was also voted down. But, Mr. Chairman, I direct the attention of the Chair to the fact that no vote has been taken except on the proposition that the debate be limited to 1 minute, which has been voted down, and on the amendments that the debate be limited to 20 and 21 minutes, respectively. The sense of the House has not been taken as yet on the question of limiting the debate to 10 minutes or on any intervening time between 10 and 20 minutes, and I respectfully say that the Chair can not hold, in view of the votes that have been taken, that the committee may not decide to have the debate close in 19 minutes, which is a time between 20 minutes and 10 minutes.

Mr. CALDWELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. What was the result of the vote on the motion to limit the debate to one minute? Was that carried or lost?

The CHAIRMAN. That was lost.

Mr. GARLAND. Regular order, Mr. Chairman.

The CHAIRMAN. If the committee will indulge the Chair a moment, in the decisions of a former chairman he did not wait until four motions had been made, but when two had been made he held that that was dilatory. The Chair felt that under the circumstances offering amendment after amendment he was justified in holding the amendment dilatory. Now, the Chair begs to say that if the gentleman from Kentucky desires to appeal from the decision of the Chair he is within his rights in doing so.

Mr. SHERLEY. Mr. Chairman, I have not been in the Chamber and know nothing of what has gone before, but it is inconceivable to my mind that a motion to limit debate, which is a motion to expedite, if made in good faith, as it was made by the gentleman from Texas, should be held out of order; and then to hold out of order the motion made by the gentleman from Wisconsin, made in good faith, is really preventing the House expediting, instead of preventing a filibuster, and for that reason I respectfully appeal from the decision of the Chair. If the Chair insists on the ruling, I insist on my appeal.

The CHAIRMAN. One motion had been made to limit debate to 20 minutes and another motion made to limit it to 21 minutes, and after several motions of one kind and another the Chair held that the motion of the gentleman from Texas was dilatory.

Mr. GARNER. Will the Chair indulge me? The Chair held my motion dilatory, and I think for that reason I ought to have one minute to explain the reason for my making the motion. The Chair will remember the colloquy between the gentleman from Kentucky and the gentleman from Massachusetts, in which an agreement had been reached by the Member in charge of the bill and the minority leader for 20 minutes' debate. The gentleman from Kentucky made a motion that 20 minutes be allowed on the amendment. The gentleman from New York objected, and the Chair held that he could not withdraw his motion for 10 minutes and substitute one for 20 minutes except by unanimous consent. In order to relieve the situation I offered a motion in perfect good faith, trying to carry out the wishes made by the Member in charge of the bill and the minority leader, and I respectfully insist to the Chair that that could not, in the very nature of things, be considered dilatory, because it was, in a parliamentary way, arriving at a conclusion that the man in charge of the bill and the minority leader were trying to arrive at.

The CHAIRMAN. The Chair begs to state that he decided the motion of the gentleman from Texas dilatory from the fact that the motion had been made before and voted down by the committee.

Mr. ALEXANDER. Mr. Chairman, the suggestion made by the gentleman from Wisconsin to make it 19 minutes is agreeable to the committee, and I do not think the chairman under the circumstances should hold it dilatory.

Mr. HELM. The motion of the gentleman from Wisconsin is thoroughly agreeable to me.

Mr. CALDWELL. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. CALDWELL. The question now is on the appeal from the decision of the Chair.

Mr. GARNER. Will the gentleman from New York yield to me? Let me appeal to the gentleman from New York. The Chair is evidently convinced that this motion is not for dilatory purposes. In order to be consistent in his ruling he adhered to the proposition that a third motion to limit debate was dilatory, but let me appeal to the gentleman from New York to withdraw his point of order that the vote may come directly on the proposition.

Mr. CALDWELL. In reply to the gentleman from Texas I want to say that if he had been here and seen the filibuster that has been going on he would understand why I insist on my objection.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

The question was taken; and on a division (demanded by Mr. CALDWELL) there were 42 ayes and 76 noes.

So the decision of the Chair was held not to be the judgment of the committee.

Mr. HELM. Mr. Chairman, would it be in order for me to submit a unanimous-consent request?

The CHAIRMAN. It would.

Mr. HELM. I ask unanimous consent that debate on this paragraph and all amendments thereto be limited to 19 minutes, 15 minutes to be controlled by the gentleman from Michigan [Mr. NICHOLS] and 4 minutes by myself.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that debate on this paragraph and all amendments thereto be limited to 19 minutes, 15 minutes to be controlled by the gentleman from Michigan and 4 minutes by himself. Is there objection?

Mr. MADDEN. Reserving the right to object, I would like to ask the gentleman from Kentucky if he will not agree after the disposition of this paragraph or section of the bill to move that the committee rise?

Mr. SHERLEY. I hope the committee will not rise or the House adjourn until we are ready to present the conference report on the sundry civil bill for printing under the rule.

Mr. MADDEN. All right.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROBBINS].

Mr. ROBBINS. Mr. Chairman and gentlemen of the committee, I know that at this late hour a serious consideration of this bill will be a difficult matter. It would be a trying ordeal for me to address you and probably a difficult matter for you to listen. I am going to take a few minutes to point out what I believe to be a serious mistake in this bill. The tenth paragraph contains what I consider to be a radical departure from census legislation heretofore adopted, and to be wrong. This paragraph provides that the "supervisors of the census shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census." By referring to the two prior acts under which the two prior censuses have been taken we discovered that this is not in accordance with the provisions of the prior acts at all, but is a radical departure from them. By the act of March 3, 1899, under which the census of 1900

was taken, which has been extolled all through this debate as a correct, accurate, and authoritative census, we find this provision in the ninth section of that bill:

The Director of the Census shall, at least six months prior to the date fixed for the enumeration, designate the number of supervisors of the census to be appointed within each State or Territory, who shall be appointed by the President, by and with the advice and consent of the Senate.

Turn to the next census bill, which was approved upon the 2d of July, 1909, for the census of 1910, and you will observe that each of these bills was approved the year before the census was taken and not two years before, as here; and we find in the ninth section of that bill a provision that the supervisors "shall be appointed by the President, by and with the advice and consent of the Senate."

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. For a question.

Mr. ASWELL. Does the gentleman recall that that delay cost $3,000,000?

Mr. ROBBINS. I do not know that. I have heard it asserted. Here is the point I want to make: That bill was vetoed, as I explained the other day in citing President Roosevelt's veto, because it violated the provisions of the civil-service law, as this one does, by placing its appointees outside of its provisions. Here is the point I wish to impress upon the Members of this House: The men who were appointed as supervisors of the census were men of prominence in their community. They were rated with men who held judicial positions in Pennsylvania. They were regarded and respected with men who were Members of this body in my State; and when a man died it was one of the very honorable things that was said to his great fame and credit by men who spoke about him that he had served as a supervisor of the census of 1900 or 1910. It has been asserted here that the census of 1890 was useless, inaccurate, and worthless; and why? Because the supervisors who were appointed were men who did not properly discharge the duty of the important places they filled and who did not select proper, intelligent, and responsible men as enumerators.

There is a purpose in having these men appointed by and with the advice and consent of the Senate, because the Senate of the United States is composed of two Members from each State, thereby preserving the equality of the States, the large and the small, the populous and the sparsely settled alike. And when the Senate has the right to advise and consent to appointments, when they are made by the President, with that all-searching and overruling power existing as an aid to presidential selection, men of prominence, of responsibility and intelligence, and men who will discharge their duty properly and faithfully, are appointed.

I suspect that there is a reason why this unprecedented and unusual provision is put in this bill and has been omitted in prior bills. I have not heard it adverted to as yet in this debate, but I venture to suggest that this may be a means of padding out the population of some of the less populous districts in the United States. Let me call the attention of the membership of this House to the situation of those who stand sponsors for this bill, honorable men, all of them Members of this House. The gentleman from Kentucky [Mr. HELM] holds his seat in this House as the Representative of 165,822 people. I hold my seat in this House as a Representative of a population of 303,993 people. The gentleman from Louisiana [Mr. ASWELL], the right-hand assistant to the chairman of the committee in charge of the bill, holds his seat upon the floor of this House because he represents a population of 196,077 people.

The other gentleman, my friend Judge ALEXANDER, of Missouri, holds his seat in this House here as the representative of a population of 159,419. May it not be the purpose to so arrange the supervisors of census and the enumerators as to make it possible to count a few extra people in these sparsely settled districts? This would be a method of keeping up the congressional representation of the South. I do not say it will be done, but this arrangement makes it possible to do this.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. NICHOLS of Michigan. I yield one minute more to the gentleman.

Mr. ROBBINS. So here we have the ratio of population. I have 303,993 of population back of me, the gentleman from Louisiana [Mr. ASWELL] has 196,077, the gentleman from Kentucky [Mr. HELM] 165,822, and the gentleman from Georgia [Mr. LARSEN], another member of the Census Committee and able assistant of the honorable gentleman, the chairman here, has 208,463 people in his district.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. ROBBINS. No. I have only a minute more. Please excuse me. Is it not the plan, and may it not be the purpose—I do not know that it is; but it is one of the possible things and may happen if these supervisors of the census are appointed for political purposes, as has been asserted over and over in this debate they will be—to have them appoint enumerators who will be like the enumerators in 1890, of whom it is said that they counted population where it did not exist in order to make local communities more populous and more important than they actually were.

Of course, this swelling of population by fictitiously and fraudulently adding to the true number of actual people in a district a large number of names of people whose names were found only on gravestones or in the imagination of the enumerators gave undue prominence to communities, additional judges to counties, and undeserved congressional representation to States. We should keep this bill, like Cæsar's wife, "above the breath of suspicion."

There is another reason why all political policies and favoritism should be abolished from this act of Congress, that should have compelling influence with the Democratic majority in this House and on this committee. This bill was reported out of committee May 21 last, and six days later, May 27, the President appeared before Congress and delivered his address on "the finances." In this clarion call to duty he said in part: "Politics is adjourned. The elections will go to those who think least of it; to those who go to their constituencies without explanations or excuses, with a plain record of duty faithfully and disinterestedly performed." How can the majority fail to heed this Executive admonition? This bill was framed along extreme party lines before the President spoke; it is now the clear duty of the majority to eliminate partisanship from its 29 pages of provisions and diversions. Should the majority refuse to follow the President's declaration so emphatically and forcibly made, then the mask is off, and this ought to be styled a bill to keep the Democratic Party in office. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT]. [Applause.]

Mr. GILLETT. Mr. Chairman, I do not think that I have anything to say that is at all commensurate with the trouble and the delay we have had in getting time for it. I certainly would not have had this little fracas in the House for the purpose of getting my five minutes, but it has come up as it generally does by both sides getting a little irritated at what they thought was unreasonable in the other, and I want to confess that in the main I consider the gentleman who has had charge of this bill has been reasonable and considerate and I think we can say that also of ourselves on this side. The gentleman thought we had been a little unreasonable, but if he will reflect he will recognize that we might in the few days this has been up have made points of no quorum time after time, but we refrained, and this is about the first time there has been any exciting political antagonism. Of course, those are times when we are apt to irritate each other and each side is apt to think the other is unreasonable. I want to suggest to the gentleman that until just now we have not filibustered, and have not attempted to take advantage of our opportunities of opposition.

The one point in this bill which I think deserves most censure is this appointment of the supervisors by the Director of the Census instead of providing, as it has always been in the past, appointment by the President, confirmation by the Senate, and the increase of the supervisors from 330 to 400. I charge that that is done with a distinct political purpose, that the purpose is to acquire more patronage for that side of the House, and to acquire it of a character less responsible and more partisan than if the men were appointed by the President and confirmed by the Senate.

Mr. HELM. Will the gentleman yield?

Mr. GILLETT. I have only five minutes, but I yield.

Mr. HELM. Suppose the next House be Republican?

Mr. GILLETT. The next House does not have anything to do with it. They are appointed by the President and confirmed by the Senate and not by the House. No matter what the complexion of the Senate is, whether Republican or Democrat, yet when the President is to appoint supervisors publicly, in the light of day, where the appointment goes to the Senate and then is scrutinized and confirmed by the Senate, you get, I believe, a far higher class of men than when they are simply appointed in the dark by the Director of the Census.

Mr. ASWELL. Will the gentleman yield?

Mr. GILLETT. If the gentleman will give me a little of his four minutes; otherwise I can not.

Mr. ASWELL. Just for a question.

Mr. GILLETT. The gentleman knows I have not the time.

Mr. ASWELL. It is very short.

Mr. GILLETT. I do not know this Director of the Census personally, but I did know the former Director of the Census, Mr. Harris, who was first appointed by President Wilson. I know that he was a politician, and I thought he was probably a much better politician than a Director of the Census. He was the chairman, I believe, of the Democratic Party in Georgia——

Mr. ASWELL. Will the gentleman yield?

Mr. GILLETT. I have not the time to yield. The present Director of the Census was, I understand, the campaign manager of Senator SIMMONS, of North Carolina, and it is to that man that we are yielding the appointment of these 400 supervisors. Now, the President says that politics should be adjourned for the war. We have tried, I think both sides have tried, to keep politics out of this session, and this, to my recollection, is the first time it has been injected, and this, in my opinion, is an unequivocal barefaced attempt to secure patronage and Democratic workers for the next presidential election. The alleged excuse for giving the appointments to the director, that it would be inconvenient for them to be confirmed by the Senate, seems to be specious, because there is not one chance in a hundred that the Senate will not be in session next summer, and there will be plenty of opportunity to confirm these appointments if they are to be named by the President and confirmed by the Senate.

Therefore, the appointment by the director is, it seems to me, clearly a political aim, by which shortly before a presidential campaign that side of the House hopes to get 400 political emissaries, scattered over the country, to work for Democratic success.

Now, we have given and are giving lavishly and unstintedly, and this side of the House has united in it, both of money and patronage to the administration which is now in power, and we think now an enormous political machine is being constructed, and when I consider what you will have organized under Democratic leadership for the next election, then it seems to me it is almost superfluous and frightfully grasping for you to add these 400 supervisors to your well-paid army. [Applause on the Republican side.]

Mr. HELM. Mr. Chairman, has the gentleman from Michigan consumed all his time?

The CHAIRMAN. The gentleman from Michigan has four minutes remaining.

Mr. NICHOLS of Michigan. Mr. Chairman, I yield four minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, the only excuse offered by the committee for transferring the appointment of these supervisors from the President, which has been the order for many past decennial censuses, to the Secretary of Commerce, is that the Senate will not be in session to confirm the appointments that the President might make. And yet, that is a sham excuse, in face of the fact, as everyone here knows, that with the war on this Congress must continue in session and be in session with no longer lapses than two months at a time. President Taft took pride in the character of the men that he selected. For the head of the Census Bureau he selected Mr. E. Dana Durand, an eminent statistician who, after his retirement by the incoming administration, accepted a position of professor of statistics in the University of Minnesota, I believe.

But Mr. Taft was also very considerate of the caliber of the supervisors who were to take this census throughout the country. He appointed the highest character of men. And if, as has been stated by the representatives of the committee, this is to be a census as far as agriculture is concerned and as far as manufactures is concerned—and if anyone will read the preceding section they will see that is the fact—to be of value only to statisticians and political economists, then, if it is going to be of any value at all, it should be taken by expert men and not by political ward heelers. We should have expert men. I would rather go further, and have these men qualify by civil-service examination. There are men throughout the country who are statisticians and who are beyond the draft age. In the Department of Labor there are women qualifying as statisticians, and if we are going to have a thorough investigation upon which statisticians and political economists can rely, one that will be the basis for statistical comparisons, then those supervisors should be appointed by the President, at least, and if I had my way, after civil-service examination. We all know that the present amiable Director of the Census, whom I have had occasion to meet several times, will see to it that not only the 330 supervisors that were provided for in the last census act, but the 70 additional supervisors that are provided for in this section will be of the kind of the "true and faithful."

We need not expect that the amiable but astute Director of the Census will not consider the request of any Democratic Representative for not only one supervisor in his district but the many supervisors that will be provided in addition to those that have heretofore been authorized—330 in the last census and in this bill 400 provided—and yet with the large proportionate increase of population being in the cities, where there will be but one supervisor, it is now proposed to divide up the congressional districts and——

Mr. ASWELL. Will the gentleman yield?

Mr. STAFFORD. I can not.

As I said, it is now proposed to divide up the congressional districts and to give more patronage than was provided in the last census act, and in the act before that, to the Director of the Census. We know the recommendations of the Director of the Census will naturally go through without any further ado. It is a mere question of political appointment under the change as recommended by the committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. Mr. Chairman and gentlemen of the committee, this matter has a purely business feature and phase to it and nothing else. The method of appointing these supervisors was recommended by men who have been connected with the Census Bureau for 20-odd years, and the majority of them are Republicans and not Democrats. The second one of the main reasons why these men should be appointed by the director instead of by the Senate is that these men must be appointed in July, 1919, and you can not afford to take a chance on the fact that the Senate will then be in session. It is not a business way to proceed. Now, as to the argument here that this is a political scheme: If the President has appointed such men as Mr. Rogers, the Director of the Census, and Mr. Redfield, the Secretary of Commerce, and if they are such extreme, ultra-partisan men, as has been stated by those proposing the amendment, is it not reasonable to suppose that the supervisors who should be appointed by the President, by the same token, would be just as extreme, just as radical, just as ultra-partisans, as the Secretary of Commerce or the Director of the Census himself?

You have simply worked yourself into a frenzy about a matter that really ought not to have attracted any attention.

The supervisors ought to be appointed, so that the work can proceed in a united, solid, businesslike way. They would get into all sorts of squabbles over there in the Senate about who should be appointed supervisors. One Senator would want one man and another Senator would want another. Members of Congress would perhaps get over and confuse things by offering their suggestions.

You are surely going to delay a tremendous amount of work just by the amount of delay that results in the appointment and confirmation by the Senate of one of these supervisors. If any one of them is not appointed, if 10 days or 2 weeks or 60 days are consumed in a squabble in the Senate over the appointment of supervisors, then the work of completing the final result of the whole census is delayed 60 days, 30 days, or 6 months, according to the time consumed in appointing a supervisor in the Senate instead of appointing him in a businesslike way by the Director of the Census.

And I want you gentlemen to understand that this bill was reported out of the committee with almost a unanimous report. There is only one man on the committee drafting the bill who opposed the bill in any way. If this was a bill of such partisan type do you think that men who are representative Republicans on the Census Committee would have agreed that this bill should be reported out in the form that it is? They heard the testimony before the committee; they saw the men; they heard the arguments; and they understood the merit of the proposition, and every Republican on that committee voted for this bill before you injected this little piece of partisanship in it. As a cool business proposition it appealed to everybody on the Census Committee except the gentleman from Maine. [Applause.]

The CHAIRMAN (Mr. FLOOD). The time of the gentleman from Kentucky has expired. All time has expired. The question is on agreeing to the amendment offered by the gentleman from Maine [Mr. HERSEY].

Mr. HERSEY. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HERSEY: Page 10, line 11, after the second "the," strike out the words "Secretary of Commerce upon the recommendation of the Director of the Census" and insert in lieu thereof the following: "The President, by and with the advice and consent of the Senate," so that the same shall read "the supervisors shall be appointed by the President, by and with the advice and consent of the Senate."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. GILLETT. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 62, noes 82.

So the amendment was rejected.

Mr. COOPER of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COOPER of Ohio: Page 10, line 13, after the word "Census" insert "and the Member of Congress representing the district in which said official will supervise the taking of such census," so that it will read, "the supervisors shall be appointed by the Secretary of Commerce upon the recommendation of the Director of the Census and the Member of Congress representing the district in which said official will supervise the taking of such census."

Mr. MADDEN. Mr. Chairman, I hope that amendment will not pass.

The CHAIRMAN. Debate has been closed.

Mr. GARNER. Debate has been closed on the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. ROBBINS. Mr. Chairman, I have an amendment pending at the Clerk's desk.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROBBINS: Page 10, line 14, strike out the words "four hundred" and insert in lieu thereof the following: "three hundred and thirty, not over one-half of whom shall be of the same political party."

Mr. MADDEN. I hope they will not do away with the four hundred. Those social "four hundred" should be retained. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania.

The question being taken, the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That each supervisor of census shall be charged with the performance within his own district of the following duties: To consult with the Director of Census in regard to the division of his district into subdivisions most convenient for the purpose of the enumeration, which subdivisions or enumeration districts shall be defined and the boundaries thereof fixed by the Director of the Census; to designate to the director suitable persons and with his consent to employ such persons as enumerators, one or more for each subdivision; to communicate to enumerators the necessary instructions and directions relating to their duties; to examine and scrutinize the returns of the enumerators, and in the event of discrepancies or deficiencies appearing in any of the said returns, to use all diligence in causing the same to be corrected or supplied; to forward the completed returns of the enumerators to the director at such time and in such manner as shall be prescribed, and to make up and forward to the director the accounts of each enumerator in his district for service rendered, which accounts shall be duly certified to by the enumerator, and the same shall be certified as true and correct if so found by the supervisor, and said accounts so certified shall be accepted and paid by the director. The duties imposed upon the supervisor by this act shall be performed in any and all particulars in accordance with the orders and instructions of the Director of the Census.

Mr. STAFFORD. I move to strike out the last word, for the purpose of asking the gentleman from Kentucky a question. Is this provision the same as it was in the law in prior years? I make the inquiry particularly as to whether supervisors in times past have been authorized to pass upon the accounts of the enumerators, as provided in this section?

Mr. HELM. Section 10 is a reenactment of the old law word for word.

Mr. STAFFORD. Then authority heretofore has been vested in the supervisors to pass upon the accounts of the enumerators as provided here?

Mr. HELM. I do not think there is a particle of change in that.

Mr. STAFFORD. I was wondering whether it was new or whether it was the old law.

Mr. ALEXANDER. It is the language of the existing law.

The Clerk read as follows:

SEC. 11. That each supervisor of the census shall, upon the completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,500, and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district, such sums to be in full compensation for all services rendered and expenses incurred by him: *Provided*, That of the above-named compensation a sum not to exceed $600, in the discretion of the Director of the Census, may be paid to any supervisor prior to the completion of his duties in one or more payments, as the Director of the Census may determine: *Provided further*, That in emergencies arising in connection with the work of preparation for or during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, a supervisor may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding $4 per day during his necessary absence from his usual place of residence: *And provided further*, That an appropriate allowance to supervisors for clerk hire may be made when deemed necessary by the Director of the Census.

Mr. WALSH. Mr. Chairman, on page 12, line 3, I move to strike out the figures "$1,500" and the words "and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district," and insert in place thereof the figures "$1,800."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 12, lines 3 to 5, strike out the words "$1,500, and in addition thereto $1 for each thousand or major fraction of a thousand of population enumerated in his district," and insert in lieu thereof "$1,800," so that the sentence will read:

"That each supervisor of the census shall, upon completion of his duties to the satisfaction of the Director of the Census, receive the sum of $1,800."

Mr. WALSH. Mr. Chairman, I take it that I do not need to assure the chairman of the committee, or any of the members of it, that I am offering this amendment in perfect good faith. There is no attempt to hinder or delay the consideration of the section or the bill.

Mr. ALEXANDER. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman.

Mr. ALEXANDER. The compensation provided in the bill is the same as the compensation provided in the act for the Thirteenth Decennial Census, and we think that the compensation now should not be less than it was then.

Mr. WALSH. I assume that it is the same compensation provided by law for the last census, but I do not think it is the proper way to pay these officials. By this provision you encourage overlooking errors on the plus side of the ledger. If these men are worthy of being appointed to conduct these enumerations, they ought to be paid a substantial salary. We ought not to make their pay dependent upon the number of names which they report.

Let us give them a flat salary, ample to get the proper sort of men to do this work. Do not let us say to them: "We will pay you $1,500, and then for every thousand that you enumerate in your district you get $1 per thousand extra." I submit that is not the proper way to employ temporary officials for important work, such as is reposed in these men for enumerating the population.

Mr. ALEXANDER. Does the gentleman think we can get competent men to act as supervisors of the census in any of our great cities for $1,800?

Mr. WALSH. If that is not sufficient, let us make it larger. I think the salary of $1,500 and $1 per thousand——

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. GREENE of Vermont. Has there not been heretofore some suggestion that when the reward for labor depends upon the number of names enumerated there is an incentive to men to fake lists of names supposed to have been enumerated?

Mr. WALSH. Certainly. There is always that temptation, but it may not be on the part of the supervisor.

Mr. ASWELL. The enumerator makes an affidavit.

Mr. WALSH. Oh, certainly the enumerator makes an affidavit, but, as I say, the supervisor will be lax in correcting errors where lists may have been padded. The supervisor might not have knowledge of that. It is going to encourage the temptation to return larger lists than ordinarily would be returned if they got a flat salary. Whether $1,800 is a sufficient sum or not, the Director of the Census is permitted in this section to give a bonus of $600.

Mr. HELM. I am satisfied that the gentleman from Massachusetts is endeavoring in good faith to hold down the compensation of the supervisors, but does he realize that he only gets $1 for each thousand persons enumerated, and the idea of padding the lists by a thousand is unthinkable to me. I can see how in stuffing a ballot box you might put in a few, but when you stuff in a thousand it is not at all probable.

Mr. GREENE of Vermont. But in certain districts in the United States, where a man does not know his neighbor on his right or his left, he can sit down and manufacture them by the thousand without detection.

Mr. HELM. The enumerators that take those lists?

Mr. WALSH. It might not amount to an enormous sum, but if it only amounted to $1 we ought not to encourage it, and we ought not to write a provision in the law that would admit of it.

Mr. NOLAN. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. NOLAN. Does the gentleman think it would be profitable for anybody to write a thousand names on these lists for $1?

Mr. WALSH. He would not have to write a thousand names for $1.

Mr. HELM. He not only has to write them, but he has to put in the nationality and all that sort of thing.

Mr. ROBBINS. May I ask a question?

Mr. HELM. I have not the floor.

Mr. ROBBINS. Then I move to strike out the last word. As this figures out, I may be in error, if so I want to be corrected, the compensation would be a flat $1,500 salary, and then in my district there are 400,000 people, and he would get $4,000, at the rate of $1 a thousand.

Mr. HELM. Oh, no; he would only get $1 a thousand, and that would be $400.

Mr. ROBBINS. That would permit him to receive $1,900.

Mr. GILLETT. If the gentleman will yield, in the State of Massachusetts there was only one supervisor for the whole State, and there are 4,000,000 people in the State. That would give the supervisor a salary of $1,500 and $4,000 besides. Does the gentleman think that is excessive?

Mr. HELM. The gentleman says that they had one supervisor for the entire State?

Mr. GILLETT. I think so.

Mr. ASWELL. Will the gentleman yield?

Mr. GILLETT. Yes.

Mr. ASWELL. The gentleman knows that the Commonwealth of Massachusetts takes its own census every five years, and the Federal Government took this census in cooperation with the State, and it only needed one supervisor.

Mr. GILLETT. But under this bill the supervisor would get $4,000 additional.

Mr. ASWELL. And have less to do.

Mr. GILLETT. Does the gentleman think that is right?

Mr. HELM. Does the gentleman from Massachusetts think that every district in the United States should be penalized because the State of Massachusetts is in a class by itself?

Mr. GILLETT. I do not know that it is in a class by itself, there may be other States in the same class. The bill ought to provide equitably for every district, and it seems to me that some deserving Democrat up in the State of Massachusetts would get a pretty fat job, which I do not approve of.

Mr. HELM. I do not think there is very much fat in a job of this kind.

Mr. GREENE of Vermont. Did the gentleman ever find any difficulty in getting candidates for it?

Mr. HELM. I never had an opportunity to find out; I have never been asked.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and on a division (demanded by Mr. WALSH) there were—ayes 38, noes 65.

So the amendment was lost.

Mr. GOOD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 12, line 21, after the word "census," insert "*And provided further*, That no supervisor of the census shall receive a total compensation in excess of $2,500 per annum."

Mr. GOOD. Mr. Chairman, as I understand this provision, it gives the supervisor a flat salary of $1,500 and in addition to that $1 for each thousand enumerated. The amendment I have offered I think cures the defect and provides a payment which will permit him a liberal salary.

Mr. ALEXANDER. Does the gentleman think he can get a competent man for supervisor in one of these large cities for $2,500? In the past we have only appointed one supervisor for one city. I think the law is the only equitable rule. This has been the law for the twelfth and thirteenth censuses. The compensation then was the same as provided in this bill. We have not changed existing law one particle.

Mr. GOOD. But there has been a weakness in the existing law. Everyone has recognized that. Enumerators in some places have even visited cemeteries. They have padded returns, and this law simply encourages that sort of thing.

Mr. ALEXANDER. Does the gentleman think they do that in order that the supervisor may get more pay?

Mr. GOOD. I do not know why they do it. The gentleman knows that it has been done.

Mr. ALEXANDER. Yes; and we have amended the existing law in an effort to prevent that and to punish the guilty parties.

Mr. GOOD. This would give them $900 in addition to their flat salary, and it does not seem to me that it ought to be sufficient.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

Mr. GOOD. Mr. Chairman, I wish to ask the chairman of the committee a question. There is a provision in section 11 which allows for an emergency—

that in emergencies arising in connection with the work of preparation for or during the progress of the enumeration in his district, or in connection with the reenumeration of any subdivision, a supervisor may, in the discretion of the Director of the Census, be allowed actual and necessary traveling expenses and an allowance in lieu of subsistence not exceeding $4 per day during his necessary absence from his usual place of residence.

What is in contemplation with regard to the emergency that might arise? I can see how there might be great abuse of a provision of that kind.

Mr. HELM. A stated case might arise where a supervisor is appointed who is not skilled in tabulation. He gets his work "balled up," to use a slang expression, and the director has to send a department official to straighten out the work of the supervisor.

Mr. GOOD. What I had in mind was this: Is the language unusual?

Mr. HELM. It is in the existing law. There is no change from the existing law.

The Clerk read as follows:

SEC. 12. That each enumerator shall be charged with the collection in his subdivision of the facts and statistics required by the population and agricultural schedules and such other schedules as the Director of the Census may determine shall be used by him in connection with the census, as provided in section 8 of this act. It shall be the duty of each enumerator to visit personally each dwelling house in his subdivision, and each family therein, and each individual living out of a family in any place of abode, and by inquiry made of the head of each family, or of the member thereof deemed most competent and trustworthy, or of such individual living out of a family, to obtain each and every item of information and all particulars required by this act, as of date January 1 of the year in which the enumeration shall be made; and in case no person shall be found at the usual place of abode of such family, or individual living out of a family, competent to answer the inquiries made in compliance with the requirements of this act, then it shall be lawful for the enumerator to obtain the required information as nearly as may be practicable from the family or families or person or persons living nearest to such place of abode who may be competent to answer such inquiries. It shall be the duty also of each enumerator to forward the original schedules, properly filled out and duly certified, to the supervisor of his district as his returns under the provision of this act; and in the event of discrepancies or deficiencies being discovered in these schedules he shall use all diligence in correcting or supplying the same. In case an enumeration district embraces all or any part of any incorporated borough, village, town, or city, and also other territory not included within the limits of such incorporated borough, village, town, or city, it shall be the duty of the enumerator to clearly and plainly distinguish and separate, upon the population schedules, the inhabitants of such borough, village, town, or city from the inhabitants of the territory not included therein. No enumerator shall be deemed qualified to enter upon his duties until he has received from the supervisor of the district to which he belongs a commission, signed by the supervisor, authorizing him to perform the duties of enumerator, and setting forth the boundaries of the subdivision within which such duties are to be performed.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. Will the gentleman state whether the date when this work begins is the same in this section as in the existing law? As I recall, the work usually has begun some time in April, about the middle of the month.

Mr. HELM. That is the fact.

Mr. WALSH. What is the reason for changing it and advancing it so far back into what is practically midwinter?

Mr. HELM. There was some difference of opinion expressed before the committee among those who appeared and who were questioned on this change in the existing law. The committee that prepared the bill, and men of long experience in former censuses, in the preparation of the law, the doing of the work, the operation of it from every phase and angle, men who ought to know what they are talking about, suggested the change, and for that reason, on the recommendation of these men, the change was made from April to January.

Mr. WALSH. Were any of these men, men who had been previously employed in gathering these statistics, supervisors in the various districts throughout the country?

Mr. HELM. I do not know that they had actually been employed as the supervisors of districts, but they had been associated with the Census Bureau for quite a number of years.

Mr. WALSH. I can well understand how gentlemen sitting down here in Washington might want to change the time back to the 1st of January, and would give no consideration to the weather or climatic conditions of the country when they were deciding when the work should start. It would seem to me that inasmuch as for years past, in the past four censuses at least, we started this work in the month of April, the time of the year

when the weather is getting more favorable for people to move about the country, when it is easier to find people, that it would be unwise to move it back into midwinter, when we might have, as we did have last year, most strenuous and severe cold weather, and with suffering and interference with transportation, shutdown of industries, and all the attending evils that come from cold weather and shortage of fuel.

Mr. ALEXANDER. Will the gentleman yield?

Mr. WALSH. I will yield to the gentleman's colleague.

Mr. ALEXANDER. The bill provides that if on account of weather conditions and other abnormal conditions it is not practical to take a census in any district on the 1st of January it may be taken at a different date. This affects an agricultural census more than a census of mining, of manufactures, and hence it was the disposition to think that April was a better time; and we called before the committee the Secretary of Agriculture, and he was of opinion that the 1st of January would be the desirable time.

Mr. WALSH. Mr. Chairman, I desire to offer an amendment by striking out "January 1" and inserting "April 15."

Mr. ASWELL. Will the gentleman yield for a statement?

Mr. WALSH. I will.

Mr. ASWELL. I will say to the gentleman I went personally very carefully into that very question, and the evidence gathered from those who were experienced in this work convinced me against my first judgment that January is the best time for several reasons. The first reason is that it is the end of the year, that business is more easily gotten together, and the fact that the multiplication of live stock is not as rapid. In April is the breeding time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I ask for five minutes additional time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GILLETT. I ask the gentleman if he does not think we had better rise.

Mr. HELM. If we can dispose of this section——

Mr. GILLETT. All right.

Mr. ASWELL. Further, it is easier to find people, college men, college boys, people who can get away from their work for a few weeks at that period better than at any other time. Then, again, the people are at home. A larger per cent are at home on January 1 than at any other period of the year.

Mr. WALSH. On account of the Christmas holidays?

Mr. ASWELL. Yes, sir. Besides, that is the most economical time of the year. I agreed with the gentleman at first, and I was convinced against my first judgment that January 1 is the proper time.

Mr. WALSH. Mr. Chairman, I offered an amendment to change this from January 1 to April 15. I want to withdraw that amendment, because I am greatly impressed with the statement made by the gentleman from Louisiana and the argument which he has presented.

The CHAIRMAN. Is there objection to the gentleman withdrawing the amendment? [After a pause.] The Chair hears none.

Mr. ROBBINS. Is this the section under which soldiers are to be enumerated?

Mr. HELM. There is no special provision for enumerating soldiers.

Mr. ROBBINS. How are they to be counted? That is what I want to know.

Mr. HELM. Well, I do not know I can give the gentleman from Pennsylvania a specific answer as to just how it will be done; but the men are enlisted and whether they are alive or dead at the time remains to be seen.

Mr. ROBBINS. I see the difficulty——

Mr. HELM. The war records will be available to ascertain the names, residences, age, color, and so forth, of the soldier.

Mr. ROBBINS. I see on page 13, line 5, it provides that the head of the family shall give information; but how would the head of the family know when our soldiers are serving in France with so little information available?

Mr. HELM. You can not tell whether they are dead or alive, or provide any way for ascertaining it.

Mr. ROBBINS. That is what I wanted to ascertain whether there is any special provision for that purpose or whether it was under this provision.

Mr. HELM. You could not write a law so as to ascertain it.

Mr. SIEGEL. If the gentleman will permit, the head of each family at home will give the names of the persons of that particular family, including the soldier or sailor. Those names will be given to the enumerator, and we thus will get the total number of people in the country.

The CHAIRMAN. Without objection the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

SEC. 13.——

Mr. HELM (interrupting the reading). Mr. Chairman, I move that the committee do now rise. I understand section 12 is closed.

The motion was agreed to; and the Speaker having resumed the Chair, Mr. FOSTER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses and had come to no resolution thereon.

CONFERENCE REPORT—SUNDRY CIVIL APPROPRIATIONS.

Mr. SHERLEY, from the Committee on Appropriations, presented the conference report on the bill H. R. 12441, making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, for printing under the rules.

EXTENSION OF REMARKS.

Mr. CROSSER. Mr. Speaker, I would like to ask unanimous consent to extend my remarks in the RECORD on the question of profiteering. I happen to be a member of that committee.

The SPEAKER. The gentleman from Ohio [Mr. CROSSER] asks unanimous consent to extend his remarks in the RECORD on the subject referred to. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, are these the gentleman's own remarks?

Mr. CROSSER. Oh, yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. ROBBINS. Mr. Speaker, I ask unanimous consent to extend and revise by remarks on this census bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to revise and extend his remarks on the census bill. Is there objection? [After a pause.] The Chair hears none.

Mr. CLAYPOOL. Mr. Speaker, I ask unanimous consent to extend my remarks on the situation regarding the war.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD on the general situation regarding the war. Is there objection?

Mr. WALSH. Reserving the right to object, are these the gentleman's own remarks or a speech by somebody else?

Mr. CLAYPOOL. They are my own, absolutely.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4274. An act providing for the establishment of the port of San Juan, customs district of Porto Rico, as a port of entry for immediate transportation without appraisement of dutiable merchandise; to the Committee on Ways and Means.

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

S. J. Res. 86. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Aurelio Collazo, a citizen of Cuba.

ADJOURNMENT.

Mr. HELM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 14 minutes p. m.) the House adjourned until to-morrow, Saturday, June 29, 1918, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Black River at Lorain, Ohio (H. Doc. No. 1200); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the United States Employees' Compensation Commission submitting supplemental estimates of appropriation required by the commission for sal-

aries and expenses for the fiscal year 1919 (H. Doc. No. 1201); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of the Navy submitting deficiency of appropriation required by the Navy Department for fiscal year 1918 and prior years (H. Doc. No. 1202); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Public Printer submitting supplemental estimate of appropriation for salaries, office of superintendent of documents, for the fiscal year 1919 (H. Doc. No. 1203); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, reported the same with amendment, accompanied by a report (No. 715), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4597) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., reported the same without amendment, accompanied by a report (No. 721), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 1431) to correct the military record of George F. Reid, reported the same without amendment, accompanied by a report (No. 714), which said bill and report were referred to the Private Calendar.

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 9673) for the relief of Nathan B. Wilber, reported the same without amendment, accompanied by a report (No. 716), which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill (H. R. 6486) for the relief of Marion B. Patterson, reported the same without amendment, accompanied by a report (No. 718), which said bill and report were referred to the Private Calendar.

Mr. HARRISON of Virginia, from the Committee on Military Affairs, to which was referred the bill (H. R. 1189) for the relief of Lavern Walker, reported the same without amendment, accompanied by a report (No. 722), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

My Mr. MASON: A bill (H. R. 12587) providing for increased pension for Civil War veterans whose wives are living; to the Committee on Invalid Pensions.

By Mr. EAGAN: A bill (H. R. 12588) to provide for the construction of a tunnel under the Hudson River between the States of New York and New Jersey; to the Committee on Rivers and Harbors.

By Mr. GANDY: A bill (H. R. 12589) to amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916; to the Committee on the Public Lands.

By Mr. DENTON: A bill (H. R. 12590) to incorporate the War Mothers of America; to the Committee on the District of Columbia.

By Mr. FLOOD: A bill (H. R. 12591) to authorize the payment of losses sustained by a French citizen in connection with the search for the body of Admiral John Paul Jones; to the Committee on Foreign Affairs.

By Mr. RANDALL: A bill (H. R. 12596) to prohibit the manufacture and sale of intoxicating liquors during the present war; to the Committee on the Judiciary.

By Mr. FLYNN: A bill (H. R. 12597) to amend the Penal Code; to the Committee on the Judiciary.

By Mr. MASON: Resolution (H. Res. 405) requesting the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Interior, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of Labor, the Secretary of Commerce, and the Postmaster General to furnish to the House of Representatives certain information regarding civil-service appointments; to the Committee on Reform in the Civil Service.

By Mr. FLOOD: Resolution (H. Res. 406) for the consideration of Senate joint resolution 158; to the Committee on Rules.

By Mr. SIMS: Resolution (H. Res. 407) providing for the consideration of House joint resolution 303, entitled "Joint resolution to extend the time within which the President may relinquish control of any railroad or system of transportation, as provided in section 14 of an act entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' approved March 21, 1918, to January 1, 1919"; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOREMUS: A bill (H. R. 12592) granting a pension to Nellie E. Minihan; to the Committee on Pensions.

Also, a bill (H. R. 12593) granting a pension to Louis E. Wiechman; to the Committee on Pensions.

By Mr. ELLIOTT: A bill (H. R. 12594) granting a pension to Mary Smith; to the Committee on Invalid Pensions.

By Mr. WELTY: A bill (H. R. 12595) granting a pension to Gladys M. Shumaker; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

The SPEAKER (by request): Resolution of the conference of Secretaries of State and Provincial Boards of Health indorsing Senate bill 4608 and House bill 12258, to stamp out venereal diseases in the Army and Navy; also the resolution of the Fargo convention of the Norwegian Lutheran Church of America relative to the significance of the war and their attitude toward it; to the Committee on Military Affairs.

Also (by request), petition of the member banks of the Kansas City Clearing House Association, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

Also (by request), petition of Horace Parkes, secretary Local No. 298, United Mine Workers of America, against the zone system for second-class postage; to the Committee on Ways and Means.

Also (by request), memorial of the Bellingham (Wash.) Woman's Christian Temperance Union, favoring the Jones amendment to the agricultural bill; to the Committee on Agriculture.

Also (by request), petition of Luther C. Steward, first vice president of the National Federation of Federal Employees, protesting against the Borland amendment; to the Committee on Appropriations.

By Mr. BROWNING: Petition of citizens of Camden, of Bridgeport, and of Swedesboro, all in the State of New Jersey, favoring nation-wide prohibition during period of the war; to the Committee on the Judiciary.

By Mr. CAREW: Resolutions of the New York State Bankers' Association, protesting against the curtailment of postal car service; to the Committee on the Post Office and Post Roads.

Also, resolution of the New York State Bankers' Association, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

By Mr. COOPER of West Virginia: Petition of the Common Council of Princeton, W. Va., against the drafting of youths for the Army; to the Committee on Military Affairs.

By Mr. CURRY of California: Resolution of Croatian League No. 66, of Sacramento, Cal., requesting legislation be enacted

making all Jugoslavs in the United States of military age subject to military service; to the Committee on Military Affairs.

By Mr. DILLON: Petition of 76 citizens of South Dakota, urging prohibition during the war; to the Committee on the Judiciary.

By Mr. DOOLING: Resolution of the New York State Bankers' Association against Senate bill 4426; to the Committee on Banking and Currency.

Also, resolution of the New York State Bankers' Association protesting against the curtailment of railway postal car service; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Petition of many citizens of the State of Wisconsin, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. GOULD: Petition of sundry citizens of the State of New York, favoring war prohibition; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH: Memorial of Local 142 of Musicians' Mutual Protective Union, Martins Ferry, Ohio, favoring bill to increase the efficiency of Army bands; to the Committee on Military Affairs.

By Mr. LINTHICUM: Petition of John J. Greer & Co., of Baltimore, opposing repeal of the second-class postal rates of the war-revenue act; to the Committee on Ways and Means.

By Mr. LUFKIN: Resolutions adopted at a mass meeting in Haverhill, under the auspices of the Lithuanian Relief Committee Fund, relating to the independence of Lithuania; to the Committee on Foreign Affairs.

By Mr. MASON: Petition of the delegates of the Irish race convention, held in New York May 18 and 19, 1918; to the Committee on Foreign Affairs.

By Mr. PARK: Telegram of James A. Critian and C. M. Ledbetter, saying that the Georgia Legislature had ratified the prohibition amendment; to the Committee on the Judiciary.

By Mr. RAKER: Petition of the Placer County (Cal.) Woman's Christian Temperance Union, protesting against the zone system; to the Committee on Ways and Means.

Also, resolutions of the following California organizations indorsing a system of military highways for the Pacific coast country: Medford Commercial Club, Town of Trinidad, and the Trinidad Civic Club; to the Committee on Military Affairs.

By Mr. REED: Resolutions of the Common Council of the City of Princeton, W. Va., protesting against the reducing of the draft age as is now fixed by law; to the Committee on Military Affairs.

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